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**WOMAN – NOT WHIMSICAL WHARF, BUT A WHIRLPOOL FOR WACKY MALE.**


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**DR. RAVULAPATI MADHAVI**

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**Abstract:** Prologuing Hoary Holocaust: History has been treacherous in graphing woman and grafting feminism. From Divinity to Humanity, from tapestry to travesty, the central theme for a philosopher, thinker, poet, writer, artist and artisan is Woman. Splendid exquisiteness, bewitching blend of beauty and serenity mark the woman glorification. Dogmatized deification and eulogized edification of her need for human race make her dumb and fill her eyes with tears, may be of joy or concealed captivity – a canticle cajoling her stature. But the factual empiricism of her life is marooned in insult, humiliation and deprivation of honour and life. Words wail for women, language languishes for her plight and vocabulary vacillates between 'to be' or 'not to be'.

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**Introduction :** Problems such as child marriage, practice of 'Sati', prohibition on widow remarriage, exploitation of widows, Devadasi system, purdah system etc. no doubt have almost disappeared. But the space vacated by them has been occupied by modern perplexities like Surrogacy, L.G.B.T. and rhetoric of Reproductive justice and Live-in relations or 'Free Living.' The dilemma – Should law protect the 'emotional stability' rather than physical and mental health of women? Crowned by 'Morality', Woman is sandwiched between 'Law' and 'Sociology' and pulled down by political/executive apathy.

Denigration of woman is ubiquitous – No woman's name, A to Z, is left untainted (Arushi, Ayesha to Zarina), no space left unpolluted – (home, school, public places, hospitals and police stations) and no rank and file left with sanctity. Statistics of atrocities against women are deadening. Constitutional and Statutory obesity could not save the honour of women. It is high time to set right the crank in the governance, and smoulder the sick psyche of male mind. Though our apex court in VISHAKA vs. RAJASTHAN[1], strongly held against sexual harassment in working places, the stark reality depicts the unabated continuance of exploitation and sexual harassment of women. The irony of information age is that women who constitute 50% of human race have to compromise with a life of insecurity and oppression.

Domestic violence in India is endemic and widespread predominantly against women and 70% Indian women are charred with this weird violence. The National Crime Records Bureau reveal that a crime against a woman is committed every three minutes, a woman is raped every 29 minutes, a dowry death occurs every 77 minutes, and one case of cruelty committed by either the husband or relative of the victim occurs every nine minutes, despite the passage of the Protection of Women from Domestic Violence Act, 2005.

**Ghastly Bestiality:** It has become the normal business of T.V. and Media to testify the male vandalism of cruel community towards tender humanity of women world. Demons are agonized at the brutality of humanity when feminism is raged to the dust. Instances of atrocities against women and children are pouring perpetually. Even some references may euthanize the sanity of

humanity.

- On 14-01-2014, a Danish woman of 51 years was robbed and raped in Delhi.
- An intermediate student was gang-raped by three youngsters at vanastalipuram, Hyderabad some 20 days ago[2].
- A Mumbai model was raped by three persons who was lured to dance in a New Year party at Hyderabad[3].
- Abduction and gang-rape and murder of 20 years old college girl in Kamduni, 20 KM from Kolkata is a sordid episode where the victim's body was torn from legs to navel, throat slip and body dumped into a nearby field. Bengal hanged in shame on 7-6-2013, the day of the incident[4].
- Bitti Mohanty, is a high profile criminal sentenced to seven years' imprisonment for raping a German tourist at Alwar, He was released on parole on 20-11-2006 to meet his ailing mother, but absconded subsequently. However, he was arrested on 9-3-2013 at Kannur in Kerala.
- The 2012 Delhi gang rape case involving the cruel rape and murder of a physiotherapy intern in a bus in the southern Delhi has shaken the conscience of the Indian morality and the entire human community pierced the rhino-skinned and pachyderm administration, which resulted in the passage of Nirbhaya Act. The vital genital parts of the victim had been indescribably rampaged and she died receiving treatment at Singapore. This episode needs no special description.
- The 2013 Mumbai gang rape victimized a photo-journalist, interning with an English magazine in Mumbai, when she was gang-raped by five persons, including a juvenile, at Shakti Mills compound, near Mahalaxmi in South Mumbai, on August 22, 2013. Subsequently, some of the offenders of the above case were reported to have committed another rape on 31-07-2013[5].
- The afore said cases prompted the public wisdom to ponder over the efficacy and utility of Nirbhaya Act provisions in protecting the honour and life of women in this country.

**Vitriolage: (Chemical assaults):** The Times of India dated 13-01-2014 reported that patriarchal societies such

as U.P. Delhi, Punjab and Haryana – with worst sex ratios – account for most number of acid attack victims while the North-Eastern states, where women play a more decisive role in society, have negligible number of such attacks, according to government data. While a total of 57 cases with 65 victims were recorded in 2010,

in 2012, the figure jumped to 85 cases with 101 victims. Delhi, UP, Punjab, Haryana and Bihar together accounted for 53% of all victims. Let us look at the vitriolic vice - State Acid attack data for 2010, 2011, 2012[6].

Cases	Victims	Persons arrested		Persons chargesheeted.			
U.P.		30	39	43			43
Delhi		31	31	26			26
Punjab		21	24	32			25
Haryana	18		22	50		50	
Bihar		16	23	30			30
All India	225		264	318		305	

Public feeling is that not even 50% of the tragic events are brought to book, and State records hardly speak the truth for fear of public outrage if true figures are divulged for public scrutiny. Though media sounds to be nagging and chasing in some aspects, many of horrendous atrocities against women would have been buried by the perpetrators and executive apathy. It is observed that from January 2002 to October 2010, 153 chemical assaults were reported in Indian print media while 174 judicial cases were reported in 2000. Rejection of marriage proposals or sexual advances and dowry disagreements constitute the reasons for acid assault. Perpetrators receive mercy of law through bail and not-so-harsh punishments but victims’ ordeal live continuously till death. Sonali Mukherjee’s case is one example[7].

More inhuman and uncivilized stance of rulers is that instead of feeling the shame of their inefficient governance, some make provocative and uncharitable remarks against the unfortunate events of women. One Samajwadi party leader, and R.S. M.P. commenting on the brutal Mumbai gang-rape case reported to have stated that “women need to pay attention to their clothes to avoid being raped and women should not be too influenced by television.” For a while, he would have forgotten that his mother is also a woman.

Mathura rape case, Pratibha Murthy’s rape and murder case in 2005, Priyadarsini Mattoo’s rape-murder case of 1996, Soumya murder case have not faded from the memories of Indians and Aruna Shanbaugh’s living corpse is still heckling the legislative laity, Executive elusiveness and Judicial short-sighted legal reasoning.

**Chimeral Crime And Phenomenal Pain:** Nature gifted woman with unique property i.e. beauty and her beauty becomes her own death-trap. Punishment, generally, is awarded to a person for the crime committed, but woman is victimized though she does not commit an offence. The crime statistics for the year 2012, as per National Crime Records Bureau, New Delhi, show that 2,44,270 incidents of crime against women (both under IPC and SLL) were reported in the country during the year 2012 as compared to 2,28,650 in the year 2011 recording an increase of 6.4% during the

year 2012.

West Bengal with 7.5% share of country’s female population has accounted for nearly 12.7% of total crime against women by reporting 30,942 cases during the year 2012. Andhra Pradesh accounting for nearly 7.3% of the country’s female population has accounted for 11.5% of total crimes against women in the country by reporting 28,171 cases in the year 2012. The rate of crime committed against women was 41.7 in 2012. Assam has reported the highest rate of crime against women at 89.5 during the year 2012 as compared to 41.7 crime rate at the national level[8].

Of the total 38,144 rape cases pending investigation in 2012, charge-sheets were submitted in 21,565 (56.5%) cases. Investigations were still pending in 14,695 (35.9%) rape cases at the end of the year. The charge-sheeting rate calculated by the NCRB does not take the pending cases into account, hence the rate provided is as high as 95.6% for rape. This manner of calculation is highly questionable and conceals more than it reveals.

Of the total 1,01,041 rape cases pending trial in the courts, trials were completed in 14,717 (14.6%) cases. Of these, convictions happened in 3,563 cases, 292 were compounded or withdrawn, and the accused were acquitted or discharged in 11,154 cases. The conviction rate for rape, therefore, was as low as 24.2% in 2012, down from 26.4% in 2011 and 26.6% in 2010[9].

The afore said statistics include honour crimes i.e. murders like those of Ilavarasan, Rizwanur Rahman, Nirupama Pathak, Nitish Katara, Manoj and Babli[10].

**Legislative Armour – An Allurement!:** Many a great writer, since Biblical age, recorded that a “woman is proud of her jewellery.” Law too appears, at least in our country, to have treaded the same path. The letters of Law have provided abundant protection for women, notionally, nationally and internationally.

On international plane, the United Nations has integrated language that condemns violence against women into many world conference documents. There is an international consensus that governments and society at large must work to eliminate gender-based violence. Apart from the First Article of the Universal Declaration of Human Rights, declaring that all men are

born free and equal (man includes woman), there are many international documents vouchsafing the honour and integrity, body and mind, of women, for example-

1. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949) aiming at prevention of human trafficking and prostitution and providing for punishments.
2. 4th Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949) Art-3 of the convention urges combatants to refrain from violence against civilians, including murder, torture and inhumane treatment of all kinds, such as rape and other forms of sexual violence.  
Article 7 of the 4th Convention state that "Female civilians in an occupied territory, internees and refugees must be protected against any attack on their honor, including rape, enforced prostitution, or any form of indecent assault."
3. International Covenant on Civil and Political Rights (1966) -identifies rights which are equally applicable to men and women. It also contains special provisions for women.
4. International Covenant on Economic, Social and Cultural Rights(1966)This Covenant recognizes that rights must be afforded to women and men on an equal basis.
5. Protocol relating to the Status of Refugees (1966) A growing number of countries have granted asylum to women on the grounds of certain acts of violence such as female genital mutilation, domestic violence and other forms of gender-based violence. It is the leading international document which defines who is considered a refugee, and which lays out their rights.
6. Declaration on the Elimination of Discrimination against Women (1967)The Declaration on the Elimination of Discrimination against Women stated in 1967 that "discrimination against women, denying or limiting as it does their equality of rights with men, is fundamentally unjust and constitutes an offence against human dignity".
7. Declaration on the Protection of Women and Children in Emergency and Armed Conflict (1974) The Declaration urges to protect women and children during conflicts.
8. Convention on the Elimination of All Forms of Discrimination against Women (1979) - proclaim "the right to equality, liberty and security and the rights to be free from discrimination, torture and degrading and inhumane treatment". This Convention defines discrimination as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other

field."Signatory states commit themselves to ending all forms of discrimination against women: by persons, by organisations or by enterprises. Sufficient legal protection must include the abolishment of discriminatory laws, along with the establishment of tribunals and public laws institutions.The 177 states which ratified the treaty (as of June 9, 2004) must release regular reports, which are scrutinized by the UNHCR's Committee on the Elimination of Discrimination Against Women (CEDAW).

9. General Recommendation 19 on Violence against women, adopted by the Committee on the Elimination of Discrimination against Women (CEDAW) (1992)In 1992, the Committee adopted General Recommendation 19, which includes violence in the prohibition of gender-based discrimination: "violence that is directed at a woman because she is a woman or that affects women disproportionately [is discrimination]". It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty". Violence against women is an internationally recognized human rights violation when either a public official or a private person commits the violence. State participating to the CEDAW must take all the necessary measures to eliminate violence, including legal sanctions, civil remedies, preventative measures, (such as public information and education campaigns) and protective measures (such as support services for victims).
10. UN World Conference on Human Rights in Vienna (1993)The UN World Conference on Human Rights in Vienna in 1993 generated a platform for women via the Global Campaign for Human Rights - which resulted in the Vienna Declaration and Programme of Action which state that women's rights are human rights.
11. Declaration on the Elimination of Violence Against Women (1993) (DEVAW)The Declaration states that "violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms . . ." The DEVAW, although it is not binding, is the first significant legal instrument that highlights sex discrimination, and advocates for "all measures" to be taken to "abolish existing laws, custom regulations and practices that are discriminatory against women, and to establish adequate legal protection for equal rights of men and women" (Article 2).
12. Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (also known as the Convention of Belém do Pará) (1994)The Convention declares that every woman has the right to be free from violence in both public and private spheres. In particular, the

standard of due diligence (i.e., the efforts made by a state to implement a right in practice) has been implicitly incorporated in the Convention.

13. Beijing Declaration and Platform of Action (1995) The Fourth World Conference on Women in 1995 resulted in The Beijing Declaration and Platform of Action, which strengthens the fundamental principle that the rights of women and girls are not separate from universal human rights. It calls upon governments to take measures which include the National Plans of Action, and to follow up on local implementation efforts. The definition of violence, contained in the Platform for Action, is extended to "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life."
14. Rome Statute of the International Criminal Court (1998) Article 7 of the Rome Statute, setting up the International Criminal Court (1998), declares that "rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation, and other forms of sexual violence of comparative gravity" are to be considered as war crimes. If these acts are knowingly committed as part of a widespread or systematic attack on a civilian population they constitute "crimes against humanity". It includes gender-sensitive definitions of crimes, and progressive provisions relating to the protection of victims and witnesses during trial, as well as reparation for victims.
15. Optional Protocol to the Convention on the Elimination of Discrimination against Women, December (1999) In the absence of an adequate enforcement mechanism for the Convention on the Elimination of All Forms of Discrimination, an Optional Protocol was signed in 1999. It provides women with more efficient tools to bring to justice the violators of their rights, as defined by the Committee on the Elimination of Discrimination Against Women. The Committee can now receive complaints from both individual citizens and State party groups. Once a complaint has been filed, the CEDAW has the authority to adopt provisional measures to protect the victim from further harm.
16. United Nations Resolution 1325 (2000) The Resolution emphasises states' responsibility to end impunity for crimes against humanity, war crimes including sexual and other forms of violence against women and girls.
17. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing The United Nations Convention Against Transnational Organized Crime (2000) The Protocol defines trafficking as "at a minimum, the exploitation, forced labour services or practices

similar to slavery, servitude or the removal of organs".

18. Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (2003) of the African Union The Protocol aims at making the participants take measures to suppress all forms of violence against women, identify the causes, punish the perpetrators and ensure effective rehabilitation and reparation for victims.

The U.N. Human Rights Commission also appointed Special Rapporteur on Violence Against Women to "seek and receive information on violence against women, its causes and consequences" from Governments, treaty bodies, specialized agencies, other special rapporteurs and non-governmental organizations and "recommend measures, ways and means, at the local, national, regional and international level to eliminate violence against women and its causes, and to remedy its consequences." As independent experts, rapporteurs are seen as one of the most effective tools within the United Nations to monitor human rights violations.

#### **National Legal Panorama For Women Protection:**

Our constitutional and statutory strength for women is not inconspicuous though not result-oriented. A legislative panoply of human rights may be superfluous in this context. Suffice to say that the history of human rights of India is coeval with the history of the world human rights. In so far as human rights are concerned, both the UDHR and Constitution of India are contemporary. The chivalry of Indian wisdom of human rights is made explicit in the drafting of our Constitution of India, incorporating special care and protection for the rights of women and children.

Look at the following –

Constitutional Provisions -

- Equality before law for women (Article 14)
- The State not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them (Article 15 (i))
- The State to make any special provision in favour of women and children (Article 15 (3))
- Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (Article 16)
- The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women (Article 39(d))
- To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities (Article 39 A)
- The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42)
- The State to promote with special care the

educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation (Article 46)

- The State to raise the level of nutrition and the standard of living of its people (Article 47)
- To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women (Article 51(A) (e))
- Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat (Article 243 D(3))
- Not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women (Article 243 D (4))
- (ix) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality (Article 243 T (3))
- (x) Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislature of a State may by law provide (Article 243 T (4))

Further, to buttress the constitutional protection to women rights, many statutes are enacted to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women.

Although women may be victims of many of the crimes such as 'Murder', 'Robbery', 'Cheating' etc, the crimes, which are directed specifically against women, are characterized as 'Crime against Women'. These are broadly classified under two categories.

(i) The Crimes Identified Under the Indian Penal Code (IPC)

- Rape (Sec. 376 IPC)
- Kidnapping & Abduction for different purposes ( Sec. 363-373)
- Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)
- Torture, both mental and physical (Sec. 498-A IPC)
- Molestation (Sec. 354 IPC)
- Sexual Harassment (Sec. 509 IPC)
- Importation of girls (up to 21 years of age)

(2) The Crimes identified under the Special Laws (SLL)

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. Some acts which have special provisions to safeguard women and their

interests are:

- (i) The Employees State Insurance Act, 1948
- (ii) The Plantation Labour Act, 1951
- (iii) The Family Courts Act, 1954
- (iv) The Special Marriage Act, 1954
- (v) The Hindu Marriage Act, 1955
- (vi) The Hindu Succession Act, 1956 with amendment in 2005
- (vii) Immoral Traffic (Prevention) Act, 1956
- (viii) The Maternity Benefit Act, 1961 (Amended in 1995)
- (ix) Dowry Prohibition Act, 1961
- (x) The Medical Termination of Pregnancy Act, 1971
- (xi) The Contract Labour (Regulation and Abolition) Act, 1976
- (xii) The Equal Remuneration Act, 1976
- (xiii) The Prohibition of Child Marriage Act, 2006
- (xiv) The Criminal Law (Amendment) Act, 1983
- (xv) The Factories (Amendment) Act, 1986
- (xvi) Indecent Representation of Women (Prohibition) Act, 1986
- (xvii) Commission of Sati (Prevention) Act, 1987
- (xviii) The Protection of Women from Domestic Violence Act, 2005.
- (xix) The Criminal Law (Amendment) Act, 2013. (Nirbhaya)
- (XX) Protection of Children from Sexual Offences Act, 2012

Apart from the aforesaid laws, some special initiatives for women have also been undertaken: -

(i) National Commission for Women

In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.

(ii) Reservation for Women in Local Self -Government  
The 73<sup>rd</sup> Constitutional Amendment Acts passed in 1992 by Parliament ensure one-third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

(iii) The National Plan of Action for the Girl Child (1991-2000)

The plan of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.

(iv) National Policy for the Empowerment of Women, 2001

The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a "National Policy for the Empowerment of Women" in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.

But the stark reality is that in spite of statutory provisions and strong judicial reprimand, the sexual harassment and exploitation continue unabated. It is a pity that women who constitute 50% of our population have to lead a life of insecurity and oppression.

Women of India are the most unrepresented sections in the present political system. The representation has never exceeded 8% in Parliament and 10% State Assemblies. On the executive side, only 5.8% of senior management and administration posts are occupied by women.

In judiciary, only 3% of the judges are women. In the 15<sup>th</sup> Lok Sabha, there were only 63 women M.Ps and 28 in Rajya Sabha. These figures are quite disheartening. Though Women's Reservation Bill, providing 33% reservation for women in legislatures was introduced after much difficulty, the Bill could not be passed. Unless women are educated and made to shed off their inhibitions, this state of affairs will continue.

#### **Intra-Species Inequality – Ornamental Art-44:**

Indian land is obsessed by multi-cultural, linguistic and religious faiths though 'unity in diversity' classically clamours for exemplary co-existence, and heterogeneous skins of individuals submit before the homogeneity of Indian blood. But Indian women, stratified by customs, caste and religion, are subject to intra-species inequality. Variance in the status, privileges and benefits flowing from personal laws make certain block of women swallow the 'discrimination' pill. To wit, Muslim women's status as wife is very fragile and delicate when compared to her counterpart Hindu woman, and similarly her post-divorce rights like maintenance and matrimonial residence etc. This sad state of Muslim women could not attract the lofty spirit of Art-44 of our Constitution of India. Tempestuous discussions for translating the idea of Art-44 into reality for the last 50 years could not yield any useful result. But in one aspect of victimization there is uniformity and equality i.e. perpetration of rape, sexual assaults, humiliation, deprivation of honour, and honour killings etc. against women - Hindu, Muslim and Christian women are all one. This reminds us the golden words of Martin Luther King – "Injustice anywhere is a threat to Justice everywhere." Muslim women live in Indian Democracy but ruled by their Personnel jurisprudence.

#### **Media Sexism Exposition – A Friendly Fire?:**

Media which espouses the cause of women and their grievances, also becomes a party in exposing the sexism in feminism. While reporting the atrocities against minority and disadvantaged sections of women, sometimes, certain myths and falsity of claims are also exposed, and such reporting impliedly blames women for violence committed against them or eroticises such violence; leading to frequent vilification and infantilising of women.

At the United Nations Commission on the Status of Women this year (2013), the United Kingdom, along with other UN member states meeting to address the elimination and prevention of all forms of violence against women and girls, agreed "...to develop and strengthen self-regulatory mechanisms [of the media] to promote balanced and non-stereotypical portrayals of women with a view to eliminating discrimination

against and the exploitation of women and girls and refraining from presenting them as inferior beings and exploiting them as sexual objects and commodities and instead present women and girls as creative human beings, key actors and contributors to and beneficiaries of the process of development.[11]"

The only panacea to liberate women from the clutches of harassment and exploitation is empowering them so as to create a congenial atmosphere to develop and progress reasonably and to partner in the rational society with human values and humane milieu. But how?

#### **Let Revolutionary Remedies Reform Women Woes:**

To say that legislature and executive have not taken any effective measures to prevent atrocities against women and protect their rights, will be an unacceptable statement. As seen above, considerable number of legislations exist and the judicial ire at the crimes against women also indicate that the state organs are truly concerned with the problem. But when we see the epidemics of rapes, molestation and sexual assaults, we may curse the legislation for women as "cosmetic touch." The remedies provided in various legislations on women, appear mostly to be curative but not preventive and effective. The wisdom of thinking of a certain segment of VoxPopuli advocates investigating deeply into the immediate and proximate factors and also other agnatic and cognate reasons, though appearing to be distant and remote. Atrocities against women are not generated all of a sudden beyond human comprehension and so effective preventive steps may reduce the rigour and density of crimes, though not total prevention. Social and Legal measures should concertedly rhapsodize the social attitude to realize the goal of women protection. Since the crimes against women are not to be considered as detestable acts against individual women, but should be understood as abominable attack on the society. The crimes against women are born in society, nourished in society and ultimately suffer the societal interests. Thus in formulating and effectuating the remedies, apart from preventive steps, not only legislature, executive and judiciary are responsible, but every segment of the society including Media is equally responsible. Preventing harm or injury to women and protecting the rights and honour of women is the collective responsibility of State and the Society, and the liability should be joint and several. Since the legislators are also public representatives, they too have got a direct responsibility to spring into action in apprehending the culprits. Unfortunately, in most of the sensational criminal cases, the offenders are reported to have been in hibernation of political clout. This un-approvable reality irritates the sanity of honesty.

**Disempower Masculine Social Attitude:** It may sound ironic that it is woman as mother that infuses a sense of "domineering attitude" in the son who is a man, even in his childhood which "superior complex" is further nurtured by similar social milieu in due course of

his upbringing. Unaware, woman having given birth to her beloved child rears in him a future enemy inimical to her class of species. Until and unless, such mistaken impression is wiped out from the minds of women and societal members, rapacious attitude of male could hardly be eliminated or controlled. This masculine social attitude should be disempowered through a multi-pronged reformatory process.

Men are not innately violent towards women and children; rather, they become violent as a result of beliefs and norms about what it means to be a man. When looking at male violence it is worth examining two aspects of men's gender norms in particular. The first is men's sense of "entitlement" to certain privileges over women, while the second concerns some of the most common masculine norms, i.e. the widely accepted ways men are supposed to behave and the specific roles they are expected to fulfil. Men and boys are taught that they are entitled to different types of privilege over women.

Men are expected to be successful providers and protectors of the family. In short, they are supposed to be strong warriors, decisive leaders, attractive, wealthy and powerful. Frequently men are also socialised to feel entitled to privileges over women such as higher status and better pay; as well as the ability to command respect and pleasure from women.

Being raised to be "brave" and "in control" is key to understanding men's use of violence. When threatened, such attributes can also translate into a readiness to fight and to use violence to assert control. Indeed, a sense of entitlement to women's respect and affection is a key factor motivating some men to use violence and rape when they feel that these "rights" are being withheld[12].

It should be noted that entertaining such 'domineering attitude of male' is an archaic relic primitive age philosophy, and cannot be accepted or attested in the modern 21<sup>st</sup>. century world. Moreover, education among

*"An enlightened woman is a source of infinite energy." Swami Vivekananda*

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women and girls brought phenomenal changes in the social thinking and perspectives, and the women-world proved on more than one occasion that woman is second to none, much less man. It should be remembered that it is from "WOMAN" that 'Man' comes and not "woman" from 'Man'. Every one shall be educated in this school of thought and reality. Only then, the efforts of Legislature, Executive and Judiciary bear fruits and women are honoured with Equality and her protection is insured.

**Conclusion:** Today, women are in no way inferior to men. Rosamonde R. Boyd said -

"Of course, with fellow students my whole philosophy is that women are persons. And that women have as much mental ability as men. Women have as much stamina as men. Women, in fact, live five years longer than men. That little book of Ashley Montague's on the natural superiority of women speaks of the biological and natural aspects of womanhood that equip women for very active service and to assume responsibility alongside men. In fact, women are equipped by nature to surpass men with endurance and things of this sort. So I've always believed in complete equality."

In deference to afore-said ideology,

This paper intends to suggest that -

- a) Great stress and responsibility/accountability on societal attitude is to be laid and worked out,
- b) When cases of atrocities against women are processed, and when law and executive act in concert, political intervention shall be thwarted,
- c) Coterminal and expeditious legal process should function as an earnest partner of executive and just governance,
- d) Sensitization of 'Institutional Individuals' (Heads of Departments/State)
- e) Judicial concern with the probability of damage to accused's human rights rather than the damage to the collective societal human rights, should be revamped.

*"An enlightened woman is a source of infinite energy." Swami Vivekananda*

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Associate Professor, Department of Law,  
Telangana University, Dichpally, Nizamabad, AP.