

Fighting Femicide

December 3, 2021

Manifest pedagogy:

Gender inequality remains at large throughout India and thousands of women face widespread social, cultural, and economic discrimination within the family as well as in the wider community. All the more, the ongoing pandemic has affected women more than anything else.

In news: 'Fighting Femicide' article

Placing it in syllabus: Society

Static dimensions:

- What is Femicide?
- Dimensions of Violence against Women

Current dimensions:

- Responses to Femicide
- Approaches Required to Address Femicide

Content:

What is Femicide?

- The term femicide was originally defined as the killing of women but has been adapted over time to represent the act of killing women because of their gender.
- In this sense, femicide is understood to be motivated by misogyny and prejudice against women.
- For a case to be considered femicide there must be an implied intention to carry out the crime and a demonstrated connection between the crime and the gender of the victim.
- Several crimes against women that can be recognised as femicide include sexual murders, mortality resulting

from domestic or family violence, and cultural or institutional violence that results in mortality.

- Violence against women is institutionalised through family structures, wider social and economic frameworks, and cultural and religious traditions.
- This violence is insidious, it is a widely accepted method for controlling women, is largely overlooked by law enforcement agencies, and is ignored by those in power.

Data on Femicide:

- It is estimated that one-third of South Asian women experience violence throughout their lives
- One in three women (35 per cent) has experienced some form of violence during her lifetime – more than one billion women worldwide.
- A 53% rise is seen in crime against women in 2020 from cases rising from 1411 cases/month to 2165 cases/month after a lockdown was imposed.
- In India, the mortality rate for women from Covid is 3.3 per cent compared to 2.9 per cent for men.

Dimensions of Violence against Women:

Throughout India, several forms of violence against women fit within the definition of femicide including:

- domestic violence,
- honour killings,
- dowry deaths,
- sex-selective abortions,
- infanticide,
- witch-hunting.

Domestic Violence

- Domestic violence is prevalent across India and is widely accepted as a legitimate part of family life by both women and men.
- The family institution is an extremely important aspect of Indian culture and is central to the country's social and economic frameworks.
- However, for many women the family does not represent a safe and protective unit, rather it reinforces wider patterns of gender discrimination and legitimises violence as a method for controlling and subjugating women.
- The number of women who are killed by intimate partners or relatives in India each year remains unknown.
- But, domestic violence is one of the most common sources of violence against women and is therefore understood to be one of the biggest causes of femicide throughout the country.
- Many women activists question police responses to suicide cases and suggest that many crimes are covered up by family members and police and are reported as suicide rather than murder.

Data on Domestic Violence:

- The most recent National Family Health Survey found that in India 34% of women between the ages of 15-49 have experienced violence at some point since they turned 15 and that 37% of married women have experienced violence.
- During the lockdown, Domestic Violence and Intimate Partner Violence cases have been doubled as reported by the National Commission for Women (NCW).
- Given the extremely high rate of under-reporting of violence against women, particularly domestic violence, the actual number of women who experience violence within the home is thought to be significantly higher.

- 92.9% of cases of crime against women are pending in city courts

Dowry Deaths

- The dowry system also reinforces discrimination against women and dowry-related deaths continue to compromise women's safety throughout India, Pakistan, Nepal, and Bangladesh.
- Dowry is a cultural tradition in which the family of the bride gives cash and presents to the family of the groom.
- It was originally meant to support new couples beginning their married life.
- But, India's prevailing patriarchy as well as rising economic demands have turned dowry into a commercial transaction that is underpinned by socio-economic standing and reinforces the financial dependency of women on their husbands.
- Violence against women often increases when a family requests a larger dowry after marriage or shows dissatisfaction with the dowry they have received.
- While dowry is illegal, it continues to be practised throughout India and dowry-related violence is an ongoing issue for Indian women.

Data on Dowry Deaths:

- According to NCRB reports, on average, every hour a woman succumbs to dowry deaths in India with the annual figure rising upwards to 7000.
- Dowry-related death is closely linked to a woman's age at marriage, her education level, and her exposure to mass media.
- Within India, states with lower female literacy rates, higher rates of child marriage, and less access to mass media generally experience more dowry deaths.
- Particularly during the pandemic, there is a spike in

child marriage and early marriages. Around 898 child marriages were stopped by CHILDLINE (1098) during the lockdown.

Sex-selective abortions

- The practice of sex-selected abortions throughout South Asia, particularly in India, highlights the extent of patriarchy and misogyny throughout the region.
- It is a particularly insidious form of violence because it prevents girl children from being born purely because they are girls.
- The practice of sex-selective abortions is growing throughout the region.
- The increasing availability of prenatal technologies means that families are able to determine the sex of the foetus and are choosing to abort female foetuses at an alarming rate.
- Somewhat surprisingly, gender-biased sex selection has historically been overwhelmingly practiced among educated, middle-class families.
- However, as the availability of the sex-determination technology has increased there has also been an increase in the practice amongst lower-class and rural communities

Data on Sex Selective Abortions:

- About 6.8 million lesser female births will be recorded across India by 2030 because of the persistent usage of selective abortions, researchers estimate.
- An estimated 10 million female foetuses have been aborted over the past two decades

Responses to Femicide:

India there is a strong effort in all sectors of Indian society to stem the tide of gender-based violence and femicide

and achieve equality between men and women.

Laws and Policies:

- The Dowry Prohibition Act, 1961 bans the request and payment of the dowry of any form as a precondition for marriage.
- Pre-Conception and Pre-Natal Diagnostic Techniques (PC/PNDT) Act, 1994 prohibits the use of prenatal technologies to determine the sex of a foetus
- Several states have launched vigilance cells to curb incidences of female foeticide.
- There is no legislation directly addressing honour killings and currently, the crime is dealt with under the Indian Penal Code or the Criminal Procedure Code.

Improving implementation of laws:

- Efforts are being made to improve the implementation of legislation that is helping to increase the rate of conviction and reducing the prevalence of gender-related crimes.

Active Civil Society Groups:

- Women's organisations have also worked to educate women on their rights and provide support to those who have experienced violence.
- Many NGOs across the country provide counselling, legal support, and livelihood programmes for women so that they can become more empowered and financially independent.

Government initiative for Women Empowerment:

- Government has introduced initiatives to promote women's social and political empowerment.
- The reservation of 33% of seats in India's local government increased women's political participation and

has led to more gender-friendly governance.

- The development of further affirmative legislation in the State of Goa, which allocates nearly half of the state's representative council seats for women, has led to Goa being considered safer for women than New Delhi and Mumbai.

Data on Political Empowerment of women:

- In the year 2020, India ranked 142 among 193 countries in terms of the percentage of women in Parliament.
- A total of 78 women MPs were elected in 2019, i.e. 14.4%.
- The number of women voters had risen from 47% (2014) to about 48% (2019) while women MPs in the 16th Lok Sabha stood at 11.2% after more than 70 years of Independence.

Evaluation of current efforts:

In spite of these efforts femicide persists throughout India.

Legal hurdles:

- While legislation may protect victims of violence in theory in many cases the penalties outlined within the legislation are weak.
- Furthermore, the implementation of these laws remains limited and in many cases ineffective in preventing femicide or prosecuting the perpetrators of this violence.

Lack of commitment:

- A lack of commitment to ending Violence against Women at the political level is evident across India and is preventing substantive action at the legislative, policy, and programmatic level.
- The governments must be held to account for its failure to effectively address femicide or ensure women's rights. Furthermore, efforts must be made to encourage

and support governments to develop effective and comprehensive approaches to femicide.

Why is it difficult to end Femicide?

- Tackling femicide is extremely difficult especially because gender discrimination and violence against women are deeply embedded within India's social, cultural, and economic structures.

In insensitive training and policing:

- The response of law enforcement personnel to crimes against women hinders the implementation of laws.
- In many cases, due to a lack of training, police have little understanding of violence against women legislation
- Many personnel are unaware of their duties in responding to cases of violence, and are influenced by social structures of gender bias and discrimination when responding to crimes.
- The failure of police to respond to reports of violence including their refusal to register First Information Reports in cases of domestic violence and dowry harassment or dowry death is common and is compounded by widespread harassment of women by police officers when reporting a crime.
- These factors, as well as women's lack of confidence in police responses to violence, result in violence escalating and increase the risk of femicide.
- Moreover, the perpetrators of violence are not held to account for their actions.

Lack of funding:

- A lack of funding and infrastructure to address violence remains one of the biggest impediments to the effective implementation of this legislation
- Little budgetary allocations are directed towards the

reduction of violence against women and the realisation of women's rights.

- The lack of funding prevents law enforcement bodies from effectively carrying out activities required to implement legislation including carrying out programmes aimed at addressing violence.
- Furthermore, the failure of government agencies to allocate funding to services providers for training and awareness-raising has meant that a lack of awareness about, and understanding of the law persists amongst the general public as well as law enforcement bodies.

Lack of Support Structures for Women

- There is inadequate support available for women who experience violence and in many cases
- Their lack of resources means they are forced to endure ongoing violence.
- Currently, only approximately 1% of women report incidences of abuse and many are not aware of their rights or legislation protecting them from violence and harassment.

Responses to femicide must be comprehensive and involve the development and implementation of :

- strong legislation,
- gender-sensitive law enforcement policies and protocols,
- awareness-raising at the grassroots level,
- support for individuals and families experiencing violence, and
- the realisation of women's social, economic, and political rights.

The impact of femicide on Indian women and society is extreme and current responses are failing to both protect women from violence and prevent violence from occurring.

Steps needed to tackle femicide:

Changing legislation to plug loopholes:

- The development of legislation and legal frameworks for addressing femicide is an important step in tackling violence against women
- Strong legislation is vital for holding perpetrators of violence to account.
- Legislation is also essential for addressing structural gender discrimination as well as cultural and social legitimisation of violence against women.

Improving Funding structures:

- The development of legislation is not enough and few efforts have been made throughout India to ensure that women-friendly legislation moves beyond symbolism and is implemented effectively.

Improving Monitoring and Supervision capabilities:

- Monitoring of the implementation of this legislation is also vital.
- There is a lack of monitoring and supervision of the Pre-Conception and Prenatal Diagnostic Techniques Act (PCPNDT) including inspections of genetic clinics and centres.
- It resulted in pre-natal diagnostic techniques/scans continue to be used to determine the sex of the child and abort girl children.
- Many clinics do not maintain accurate or up-to-date patient records making it difficult to follow up on cases suspected to involve sex-selective abortions.
- In the case of mobile clinics and other sex selection test centres the implementation of this legislation is even more difficult and these areas have largely been unaffected by the PCPNDT Act.

Sensitisation of Police Personnel:

- Efforts must be made to sensitise police policies and processes related to the handling of violence cases.
- Protocols must be developed so that police officers know how to respond when women report crimes and appropriate monitoring systems must be established to ensure these protocols are being followed.
- Furthermore, gender sensitisation training must become mandatory for all police personnel in order to breakdown structures of gender discrimination, develop women-friendly culture within police frameworks, and educate police on women rights, and laws protecting women from violence

Increasing the Support Services for Women

- Support programmes can strengthen infrastructure by increasing shelter homes and improving medical facilities.
- This infrastructure ensures that women who wish to leave violent situations have safe alternative accommodation, medical services, and social-support services.
- Support services can also educate women on their rights and the legislation protecting them from violence and can assist them to make positive changes in their lives and to respond to violence.
- Awareness-building programmes around women's rights are essential to addressing the underlying causes of domestic violence.

Addressing Patriarchy

- Femicide cannot be fully addressed without tackling the widespread patriarchy and misogyny that permeates much of Indian society.
- Strong efforts must be made to engage with local communities, build connections with community leaders,

and to develop education programmes on women's rights.

- These programmes will inform women of their rights and the services that are available to them in the case of violence.
- They will also educate men on the consequences of committing violence and will demonstrate that this behaviour is both socially unacceptable and a breach of the law.

Mould your thought:

1. Examine the extent of femicide in India? Evaluate the efforts made to tackle the issue and suggest how the situation can be improved. It is vital that the overwhelming culture of patriarchy is taken into consideration when developing interventions so that education campaigns highlight the value of girl children and women to society and outdated attitudes towards women are replaced with respect and gender sensitivity.

Approach to the answer-

- Define Femicide and briefly mention the dimensions
- Briefly discuss how the issue is being handled so far
- Briefly discuss loopholes in these efforts
- Give suggestions to improve the situation
- Conclusion