

An In-Depth Analysis of The Reasons for Gender Violence: Case Study of India

Amuktha Bejjenki

Chirec International School

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ABSTRACT

Gender-based violence in India is a pervasive phenomenon dating back to the Vedic period, rooted in caste-based hierarchies and entrenched patriarchal norms. Despite numerous legal reforms, under-reporting remains widespread, and the problem has only evolved—most recently through digital crimes against women. This paper examines the persistence of gender discrimination in India (the world's fourth-fastest-growing economy), analyzes state-wise incidence rates, evaluates the impact of key legislation over time, and outlines policy and societal interventions needed to address these challenges.

Key words: Gender Based Violence, Vedic Period, Commodification of women, concretisation, Brahminical Patriarchy, Economic Dependency, Dowry Practices, gender hierarchies

1. Introduction

Historical Overview

One root cause for gender violence is the status that is accorded to women in the Indian society. Tracing Indian history from the Indus Valley Civilisation till date there has been a continuous decline in the level of equality that was accorded to them since then.

This section traces the status of women from the Indus Valley through the *Vedic* age to the present, showing how social, religious, and legal shifts eroded early gender equality.”

During the Indus valley Civilisation the status of women was the same as men . Both were treated as equal. This is authenticated through various works of art and paintings that have been Archaeologically discovered these include sculptures and seal that suggest that men and women enjoyed equal status in the Indus Valley Civilization. . In this period the worshipping of the Mother Goddess(*Prakriti*) was prevalent. In economic status both men and women were

considered equal. During the *Vedic* period too, women had an equal share in all aspects of life with the men. As men were mostly engaged in war fare, the women too were taught to fight, by picking up skills in war fare. They were taught and practised the religious scriptures, as well as participated in an equal manner in all rituals and sacrifices with the men. According to the '*Rig Veda*', wife and husband are equal in every way since they are equal halves of the same material. In the later *vedic* period from *Rig Veda* onwards that women had the option of choosing their partner through '*Swayamwara*' (self choice of a partner to marry), or '*Ghandharva Vivaha*' (marriage based on mutual love and attraction). But in this period they were allowed to gather the highest knowledge as well as become *Vedic Rishis*.

In the later *vedic* period that the status of women deteriorated. The exact time period maybe during the age of the *Brahmanas* and definitely by the age of the *Sutras*. Since then there has been a systemic *concretisation* of the role of women and increasing gender divide whereby the women is claimed and made to be the 'weaker sex'. Slowly but steadily women have been discriminated with respect to :

- Educational backwardness
- Caste
- Religious belief
- culture

All the above manifested itself in terms of family history, customs and beliefs, races, low income, unemployment, society, family situation and attitude.

In the Medieval Period practices like child marriage, purdah and sati started rearing its ugly head with regard to the treatment of women. During the ***Colonial Rule*** the British introduced both legal and administrative systems that continued to perpetuate gender hierarchies that existed earlier. The education system of that time period that was implemented and structured by the British continued to discriminate against women. As they wanted to continue their rule with limited forces at their disposal they enforced the existing patriarchal society while adopting some a British education system and some portion of the British legal systems. At the time of Independence though there were a number of women freedom fighters and some laws were implemented to ensure the rights of women, the inherent existence of the mind set of the people towards the female gender continued to exist. This has continued for the last 77 years and still counting due to the inherent malaise that the society has adopted and developed over the years.

2. Research Gap and Methodology

Reasons behind different type of Discrimination against women, and the different levels of violence against them over time and across different states.

We adopt a mixed method approach analysing NCRB (1990-2023) and triangulating it with qualitative case studies to explore regional variations in gender based violence. Authentic secondary Qualitative data would substantiate the quantitative analysis in determining the causes.

3. Reasons for the continuing discrimination.

3.1. Patriarchy & “Brahmanical patriarchy”

The continuance of Patriarchy way into the 21st century is one of the main factors perpetuating gender violence. The United Nations in its Sustainable goals has clearly stated that “violence has to be eliminated against women and girls”. One of the main reasons for this has been attributed to ‘patriarchy’. In a 1993 essay, the author and researcher Uma Chakravarti used the iconic term “*Brahmanical patriarchy*” This term aptly describes the intertwining of caste and gender hierarchies in early India. as well as violence in the existing prevalent male centric institutions within the family.

Uma Chakravarty argues that the epics weaves elements like the aryan, patriarchal and patrilineal into a new order of sexuality and property—over the region’s diverse practices.

This trend further translated itself into male dominated controls and structures as part of the legal system. Both civil marriage and divorce laws that extend more rights to men than women. All of these being disadvantageous for females

3.2. Legal codification and bias

Laws to prevent this practice have been in place since 1795. There have been laws that have been added continuously since then.

Laws Enacted Over -Time

-Social Legislation	Issue	Year	Reformer	
Bengal Regulation-XXI	Infanticide	1795		

Bengal Regulation-III	Infanticide	1804		
Sati Regulation - XVII	Sati Abolition	1829	Raja Ram Mohan Roy	
Indian Slavery Act	Slavery	1843		
Caste disabilities removal Act	Conversion	1850		
Hindu Widows Remarriage Act	Widow Remarriage	1872	Ishwar Chandra Vidyasagar	
Female Infanticide Prevention Act	Birth Registration and Infanticide.	1870		
Native Marriage Act	Child Marriage	1872		
Age of Consent Act	Child Marriage	1891	B.M. Malabari	
Special Marriage Amendment Act	Child Marriage	1923		
Sharda Act	Child Marriage	1930	Har Bilas Sharda	

The Dowry Prohibition Act	Prohibition of Dowry	1961	Indian Government	Section 498A of the Indian Penal Code.
Protection of women from Domestic Violence Act	Safe guarding women from domestic violence	2005		
The Medical termination of Pregnancy Act	Termination of pregnancy of rape victims and other unforeseen circumstances	2021	Government of India	
BNS Act	Sections 63,64,65,66,67,68,69,70 Against Rape	2023	Government of India	
Right to Equality	Article 14		Government of India	
Right to personal Liberty	Article 21		Government of India	
Digital Personal Data Protection Act		2023	Government of India.	

Source: NCRB

Although early reforms (e.g., Sati abolition, widow remarriage) addressed extreme practices, substantive protections (e.g., Domestic Violence Act 2005, anti-rape amendments 2023) emerged only in recent decades. Laws that have been enacted to protect women by many reformers since 1795, indicating that the ugly head of violence against women had been percolating for centuries.

This was especially visible under the British rule, where both men and women were exploited for profit. It was during this time that the feminisation and emasculation of Indian men manifested itself in an environment where the requirement was one that they had to prove their masculinity as well as act on their resentment of the situation they were in and this would be in the form of violence against women in their household. Men felt powerless in the society due to the colonial rule, to prove their masculinity they turned to abusive behaviour at their homes.

3.3 Economic and dowry factors

The other factors that perpetuated violence was the system of 'Dowry'. This system may have begun in the form of voluntary gifts that were presented to the bride at the time of her marriage, but under historical influences, Mughal invasion, colonial powers, caste and patriarchal norms it was transformed into a coercive, exploitative practice. Overtime it was reduced from being a gifts being given through love and affection to a 'transactional agreement' among the families of the bride and bridegroom, leading to the 'commodification' of women, increasing gender inequalities and as a result perpetuating violence against them.

4. Forms of GBV and Contributing Factors

Domestic violence in India takes the form of :

- Physical
- Sexual
- Emotional Abuse
- Psychological/gas lighting (psychological manipulation where one individual forces another to doubt her sanity)

Some of the primary reasons for the above could be broadly categorised into:

1. Economic Dependency
2. Dowry Practices
3. Substance misuse
4. Lack of awareness

Gender inequality stems first and foremost from patriarchal norms; this has given the liberty to men to show their prowess over women, leading to the subservient role that women have to lead to men, starting from their father, brothers, husband and males in her in laws home. This is

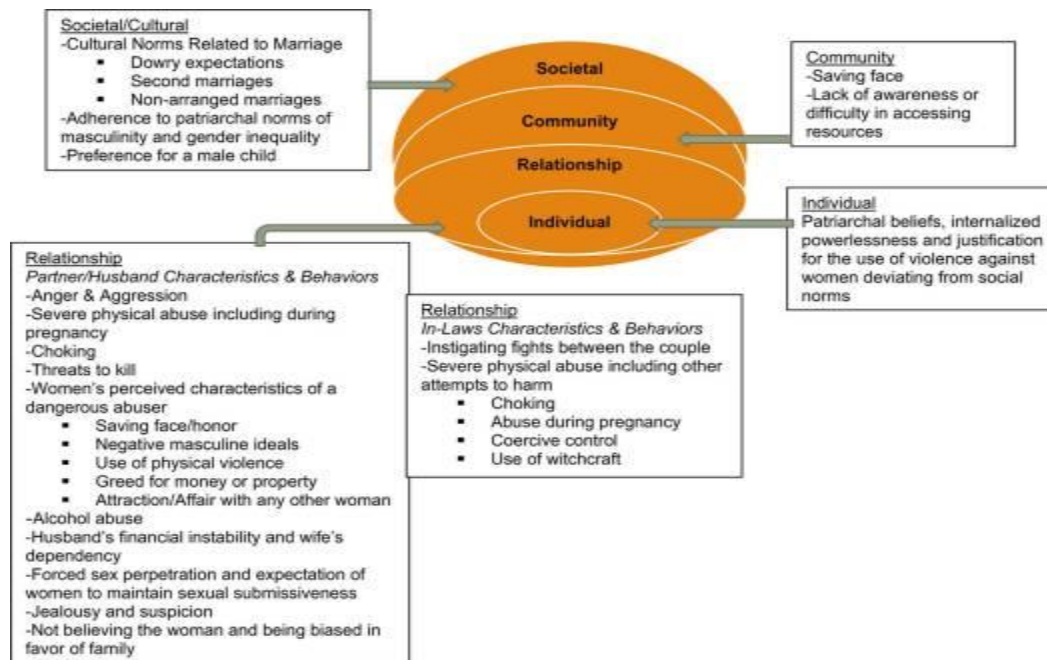
misused by men, making them feel that they *own* them as one would possess a commodity. Within this the system of dowry perpetuates the violence against women. Living in a joint family and then getting married into one seems to give all the male members in her married home the right to continue to subjugate the women to continued harassment. This then manifests in other format like unequal access to education, healthcare as well as economic opportunities.

Cultural and societal norms

Gender based violence (GBV), this involves the interaction of various factors at the societal and community level. The societal level depends on whether violence is encouraged or inhibited. If the society is of a patriarchal type which most states in Northern India follow place women at risk for continued GBV. There are certain states in India Kerala and parts around Shillong which follow the matriarchal system where women hold the pivotal role. The head of the family is the eldest women and then the others follow. Women take on the leadership and decision making role.

If the women is unmarried or divorced then this position place them under GBV and continued violence. Lack of support from the society increases the atrocities against women. At the relationship level it is the violence by partners and in laws.

Image 1: Representation of the reasons at different levels for GBV.



Source: National Library of Medicine.

The societal level also includes policies, laws, social and cultural norms as well as cultural norms and beliefs.

The GBV at the individual level includes factors like; low or no education, low socioeconomic status as well as living in a society that accepts violence as a norm. The stigma of second marriage, as well as finding a partner by themselves tends to lead to the fragility of the women if she is subjugated to GBV, as the families do not support her, making her responsible for her own decisions.

The next most important area is if the women do not give birth to a male child, it leads to the resorting of violence by the husband and the in laws.

Rampant resort to 'honor killings is yet another source for GBV in India. This is primarily prevalent in the Northern States of Punjab, Haryana, Uttar Pradesh and Rajasthan.

Different forms of violence on Women

Women are subjected to different type of violence these can be categorised under broad headings:

Physical Violence; this includes beating the women, harming her physically and even at times injuring her genital organs.

Verbal Violence; This the use of filthy language while speaking to her and or to her near and dear ones.

Social Violence; using disparaging remarks and publically humiliating her in a gathering that might consist of friends and or relatives.

Financial violence; this entails depriving her of money and if she is independent and working it could also reach the stage whereby her earnings are taken away by the male folks at home.

Emotional violence; depriving the women of love and care and at times even preventing her from meeting her children.

Intellectual violence; denying the women the right to participate in decision making processes

Other types of violence could be prevention of women to the right to education, access to health facilities and reproductive rights.

5. Data Analysis over time

The data set that will be used is from the NCRB (National Crime Research Bureau). This authentic data will be analysed to answer the following questions; 1) The extent of gender violence in India over time -All India 2) Which are the states that led in this area and what has been their performance over time. 3) what are the reasons for improvement if any and what are the problems that individual states have faced in addressing these issues.

Data sets on the extent of Gender Violence in India since NCRB started collecting and collating data (1990 onwards).

The data presented indicates a different nomenclature for gender violence over the years. Crime in India under this particular heading was first published in 1955, where all crime was placed under this heading which includes Gender Based Crime. In these data sets ‘kidnapping and abduction’ were considered as crime against women. It was only in 1989, that rapes in India was recorded as a separate entity. It is basically since 2013 other categories have been added, and it is in 2017 that cyber crime against women have been added.

Moving to the first category namely declining sex ratio which is the first point where gender violence begins that is ‘killing the girl child in the womb’, which results in an adverse sex ratio at the all India level. Table 1 shows India’s overall sex ratio from 1955 to 2023; despite slight improvements, female disadvantage persists.

Table 1: Depiction of Sex Ratio in India over time

Sex Ratio(All India)	1955	1965	1975	1985	1995	2005	2015	2022	2023	
	946	941	930	934	927	933	943	933	1020	

Source: Pranjya 2019

It can be seen from the above table that the sex ratio has remained almost constant and disadvantageous for women till 2023. A further break up of this among All India and regions would give a better insight into which states are the laggards in this area.

State wise Gender Ratio in India

State and Union	Sex ratio - 2001	Sex ratio- 2011	2021	2022	2023	2024/2025
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Territory	census	Census				
Tripura	948	960	960		933	973
Uttarakhand	908	963	840	963	963	963
Jammu and Kashmir	889	892	923	892	892	840
West Bengal	934	950	966	951	947	944
Madhya Pradesh	919	930	931	931	931	930
Uttar Pradesh	898	912	908	908	912	912
Bihar	919	918	908	891	882	882
Rajasthan	921	928	-	-	-	928
Haryana	861	879	914	917	916	-
Punjab	876	895	913	916	916	918
All India	919	929	940	941	942	942

Source: globaldata.com

All the figures above indicate a negative sex ratio for women in all the states researched, the northern states facing an acute gender bias compared to some of the other states. It is the performance of these states that have brought down the All India Average which has marginally improved to 942 per 1000.

6. Thematic Explanations

6.1 Rape Data

World bank data states that 48.4% were women in 2023. that According to the NCRB, according to its report of 2021, there have been a daily count of registered rape cases of 86. This has increased compared to the previous years ; it was76 per day in 2020, while in 2019 it was 87 per day. The figures recorded in 2022 were astonishing as they had bifurcated the reported cases among children and women. This dangerous trend is the larger numbers against children than

women, and these are reported cases, there might be a large number which go unreported due to societal pressures.

Reported cases in 2022

States	Rape against children	Rape against women
Assam	1685	85
Chattisgarh	1033	3
Haryana	1472	8
Jharkhand	1228	188
Madhya Pradesh	2485	0
Kerala	761	1262
Rajasthan	4685	1313
Uttar Pradesh	2895	270
Maharashtra	2299	0
West Bengal	1065	4

Source: NCRB 2022

The above table clearly indicates the so-called proposed show of strength against the weak. The number of rape cases reported against young girls seems far far more than that against women. This may be due to societal pressures to under report against women. The table indicates the maximum number seem to be in states that are ;

1). Steeped in poverty - have a low State GDP- BIMARU states namely Bihar, Madhya Pradesh, Rajasthan and Uttar Pradesh. Most of these states have strong patriarchal structure that is entrenched in their thought process as well as the rigidity of continuing their caste system as well as enforcing and perpetuating its importance among their children.

6.2 Honor Killings

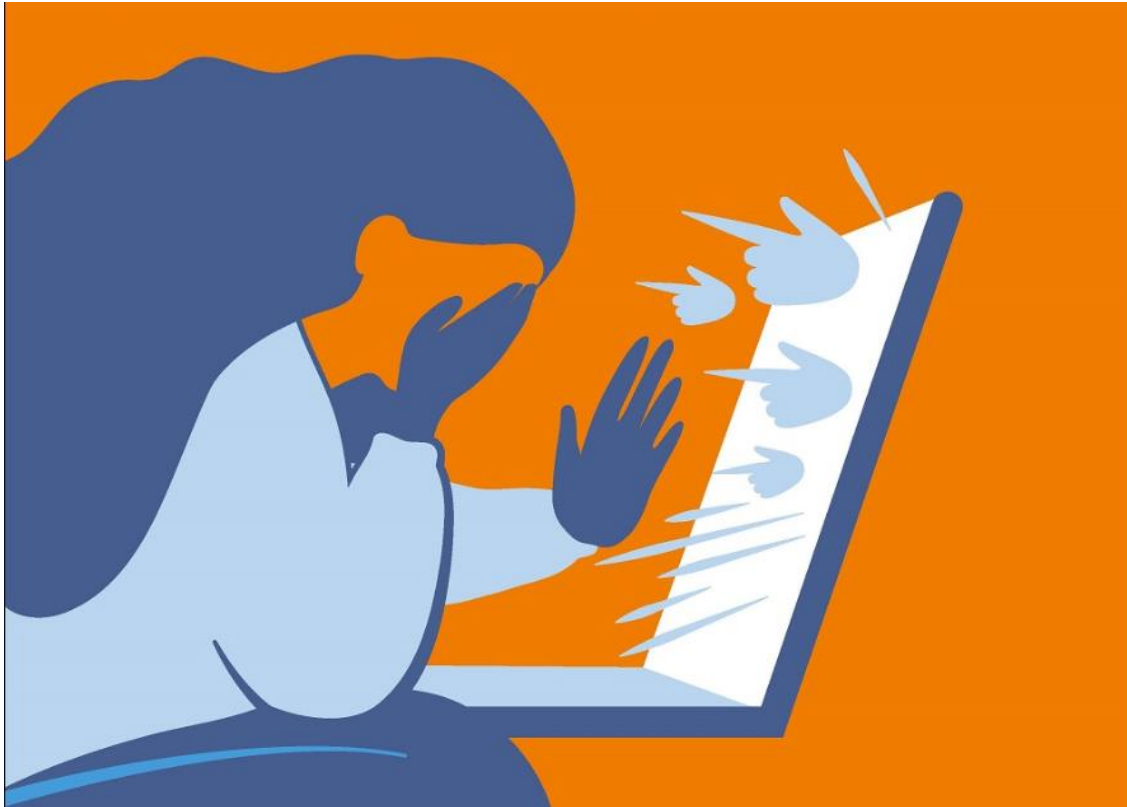
Image 1: Visual depiction of Honor Killing



Source: google image

Most honor killings that take place are due to the ‘so called’, enforcement of the caste system. The male members of the family take it upon themselves to be rigid keepers patriarchal norms, societal pressures and caste rigidity. The upholding of ‘honor’, is not only a personal aim, but that of the society at large. The consequences could range from social ostracism to killing. In spite of stringent laws the number of honor killings still exist indicating the gap between laws and societal norms. These occur because of deep rooted reasons of male dominance, caste rigidity and tacit agreement by the society. Besides these reasons the other factors that perpetuate this continued violence is the lack and incomplete impact of education, and enforcement of the law. These acts are a complete violation of Human Right to Life and Personal Liberty. The NCRB has collected data that shows a growing trend of growing murders under “love affairs”, and “family disputes”, though the agency does not have a separate heading under “honor killing”. It is important that all laws and commissions should these killings should not place them under the heading of ‘murder’, but under the heading of “collective crimes”, that speak against ‘family elders’ and ‘khap panchayat’ (Traditional caste based councils typically based in Haryana) and the wider community. A large number of International Communities have emphasized that these are collective crimes that have to be addressed under a special law. They cannot be tried under the existing laws.

6.3 Cyber Violence



Source: google image

This is a type of violence that has developed due to the advancement of internet and digital frameworks. Various illegal behaviour has started taking place over the internet. In these cases the computer and network has been used as a weapon/ target/ location. It takes the form of online harassment, cyberstalking, revenge pornography, morphing of photographs, cybersex, cyber bullying, email misrepresentation and phishing. The victims have no idea that the perpetrators can be put behind bars under the Data protection Act of 2023 (Section 3,4,8,10,13 and 15). One of the reasons why women are being targeted are either that the law has not been advertised sufficiently or else the victims do not have faith in the system.

6.4 Intellectual abuse

This type of violence involves the continuous berating and undermining a women's confidence in herself making her completely dependent on the male members of her home for her thought process. The continuous undermining of her confidence results in mental stress leading her to do things that are completely unwarranted that may harm her irreversibly.

7. Conclusion and the Way ahead.

Key Findings

Authenticity and under reporting of the data may not give the exact extent of violence that exists in this sector. Given the paucity of data there is a strong possibility that the Government may not be able to take stringent measures, even if it does the implementation at every level waters down the final outcome. These have happened in various cases of rape that have been reported and widely published through newspapers, Television, social media as well as through movies. As time passes and the laws of the country take over there are political influence, caste based influences, wealth and political clout of the perpetrator that waters down the level of the crime eventually leading to a decrease in the punishment awarded . There are real examples of cases all the types of Gender Based Violence that have been stated above, but till the law and the society changes in favour of Women irrespective of their influence, there does not seem any reduction in the numbers that are victims of such violence. Political interference and social stigma often dilute judicial outcomes, undermining deterrence. Besides the law and the the society it is the system of education, media and movies that glorifies the ‘man’, and ‘com-modifies’ Women that have to be addressed. Movies are make belief representations but when some male members in society are steeped in patriarchy, caste based hierarchy and illiteracy with respect to women's needs and desires, these mediums can worsen the mental state, increasing the violence against the weaker sex.

Recommendations

There has to be an all round effort at all fronts to address these issues if gender based violence has to reduce and eradicated for ever like;

- Strengthen data-collection on honor killings as distinct category.
- Launch nationwide awareness campaigns on digital rights.
- Integrate gender-sensitization modules in school curricula.

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