

CRITICAL ANALYSIS OF SEXUAL VIOLENCE AGAINST WOMEN: AN INDIAN PERSPECTIVE

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ABSTRACT

Needless to say that, violence against women is undoubtedly a breach of individual rights such the right to freedom and security. The abuse of women may take the form of physical, emotional, or mental violence in the home or in the community. Women's subconscious fear of violence is a major factor in their underrepresentation in many spheres of society. Even after taking post-violence corrective measures or undergoing rehabilitation, the traumatic experience has a profound effect on their psyche. This research takes stock of the state of sexual assault against women in India today. The respondents in this research included college students, aged seventeen to twenty-two, who were interviewed in semi- structured conversations. The present scenario is quite dangerous for women, and the findings indicate just how pervasive the effects of sexual assault are on women's life. It is argued that anxiety of women and the social processes that sustain it are maintained in large part by adoption of safety or avoidance techniques by women.

1. INTRODUCTION

The Constitution of India, the supreme law of the land, has several provisions for the welfare of the poor and the security of women. The Indian Constitution guarantees both equality and the absence of prejudice. Moreover, it allows for various forms of positive discrimination to be implemented on behalf of women by the state. The Directive Principles of State Policy(DPSP) include not just universal protection but also gender-specific safeguards. In spite of legal framework such as the Constitution and many legislations, discrimination and injustice based on gender still continue to persist. This is because people who make the rules or have the understanding do not always have the same perspective on gender equality as the people who make the rules or have the understanding.¹

According to the European Union's Charter of Fundamental Rights, violence against women is a breach of individual rights such the right to liberty and security. The abuse of women may take the form of physical, emotional, or mental violence in their own home or in the community. The subconscious fear of violence is a major factor in the underrepresentation of women in many spheres of society. Even after taking post-violence corrective measures and undergoing rehabilitation, the traumatic experience has a profound effect on their psyche. Overall, Indian women face significant barriers in access to all the primary resources necessary to ensure equality. Globally widespread are problems like low literacy rates, lack of access to higher education, and servitude. Most worried women have tried to avoid the law for fear of its non – implementation and grave consequence in finally seeing justice getting denied to them.²

Different women have different experiences with the criminal justice systems in states where they have been mistreated. The illegitimate justice system cannot guarantee their safety or health indefinitely. Laws out raging the modesty of women, most of the times suffer from many loopholes and are not crystal clear, especially when it comes to violence against women. The laws that have been enacted have generally been enacted slowly, with a narrow emphasis on

specific types of violence against women rather than a broader approach. Laws are often poorly enforced after they are enacted. Damaged compassion encourages people to distrust the system and avoid it at all costs. Police and other law enforcers' dishonesty is a major roadblock under the best of circumstances.³⁻⁴

Governmental, social, women volunteer, and NGOs need to take the lead in rallying support for survivors of rape. The official stance of law enforcement has to change drastically in regards to rape cases. The rape victims should be treated with compassion, and they should be given the resources they need to get back on their feet. The purpose of the Indian Penal Code, 1860, is to impose penalties on anybody found guilty of an offence committed in India or abroad that falls within its purview. When we say "crime," we mean anyone if found guilty, may get you in trouble with the authorities. The penalties for violating this Code as amended from time to time, include temporary detention, lifetime detention, fines, simple imprisonment, rigorous imprisonment and capital sentence in rarest of the rare cases⁵⁻⁶

In the family structure practised by the patriarchal human species, the breadwinner is responsible for providing for his or her dependents. In this scenario, the state of affairs of women, whether it belongs to is a daughter, wife or mother under Hindu law, Muslim law, or Christian law is under the shelter of the male.⁷

Family arrangement is the persistence of the people. The sexes make up half of the human species, yet neither can achieve its full potential as a creative force on its own. Over the years, women have always been caretakers of humanity, yet terrible injustices have skewed the odds against them. Even in the recent origin, the condition of women has not improved considerably.⁸⁻⁹

They have been the victims of brutality and ill-treatment by male under enemy rule civilisation all over the planet. Prior to the Constitution of India, gender equality in the workplace was almost unheard of. Outside and within her house, she is a regular target of physical aggression. In addition, the women and children in the stable are fed leftovers, which is bad for their health and sets up an emotional backdrop where they feel helpless in the face of physical violence or other types of injustice. Unfortunately, discrimination against women has persisted throughout history, in varying degrees and at varying levels of severity and pervasiveness, in every culture. They suffer from a wide range of assaults and crimes. Today women are disproportionately affected by serious crimes, including rape, sexual harassment, wife beating, eve teasing, sexual or bodily irritation, financial abuse, and so on.¹⁰

Sometimes, sexual offences take the form of sexual violence, which may leave victims with severe and long-lasting physical and psychological injuries. The risk of a decline in reproductive and sexual health is exacerbated by physical harm. The impact on one's mental health may be just as severe as that on one's physical health.¹¹

When sexual misconduct escalates to sexual violence, it may leave victims with no choice but to end their lives. Stigmatization and a major disruption of arrangement in the family and the neighbourhood have a devastating effect on the communal well-being of the deceased. The primary purpose of this study is to learn how often sexual offences occur inside the armed forces, how severe they are, how much they cost, and how to prevent and deal with them.¹²

2. RESEARCH METHODOLOGY AND SOURCES OF DATA COLLECTION

For the purpose of the study, the researcher has collected data from the following participants:

Fifteen Goan based young women, of median age 20 (standard deviation 1.36 years), were surveyed for this research. There were nine ladies who were born and brought up in state of Goa and six who were born in other parts of India but subsequently relocated there. These middle- and upper-middle-class ladies all attained higher education and were University graduates. Women made up the majority of Hindus (73.3%). A Muslim lady, two Sikh ladies,

and a Jain woman made up the group. Personal interaction with the participants of the undergraduate, post graduate of the affiliated colleges of India and of similar colleges and University in the state of Goa yielded the sample.

Procedure

In this research, Indian women were interviewed about their experiences with various problems. The questions in the interview guide were created and asked from a common point of view since sexual abuse is a delicate issue and since the researcher was reluctant to further traumatise previous victims of sexual violence. It was ensured that no one was under any pressure to share or disclose anything they were uncomfortable talking about. This interview manual has two primary sections: The survey polled Indian women twice: first on the prevalence of sexual assault in the country, and again on the methods they use to protect themselves. The first section began with the central issue "What is the present scenario with sexual assault against women in India?" Part 2 was prefaced with the central question "What might women do to assist protect themselves from becoming victim to sexual violence?"

Data Collection

Three National PG College students served as interviewees for a test run of the interview guide in September 2022, and the document was amended based on their feedback. The bulk of the data was collected in the months of September and November of 2022. Face-to-face interviews were used to gather information. All of the interviewees were fluent in both English and their native tongue, therefore the vernacular language was preferred. Every interview started with an explanation of the study, a request for permission to record the conversation, and signing of a consent form for study purpose. Some basic demographic information was gathered at the conclusion of the interview. Women were also handed a piece of information about local resources.

Coding and Analyses

Qualitative content analysis was used to examine the data collected for this investigation. Students' interview recordings were transcribed according to established standards for this research. The next step was to determine the specific analytical strategy. While doing an exploratory study using a structured interview protocol. Then, we compiled a list of texts that addressed our study questions for each interview theme. In the second phase, inductive categorization was used to further streamline the data. The first step was to establish coding units. The smallest discrete unit of text that may be encoded is called a coding unit. The word was used as the coding unit for this analysis. After this, there was reading of the text line by line and development of categories based on the degree of abstraction found within it. The degree of generality or specificity of the category formulation was based on the amount of abstraction. Integration of lower-level categorizations yielded higher-level, than more generalised categories. The final coding system, complete with detailed coding rules and anchors, was arrived at through an iterative process. Furthermore, consistent categories were found in many different interviews. For frequency analysis, two variables were selected: first, the total number of times the category was mentioned during interviews, and second, the percentage of students who mentioned it at least once.

MAXQDA version 12 was used to unveil the coding of the qualitative data in the current investigation. Last but not least, interrater dependability as a content-analytical quality criterion was also employed. The term "the comparison of two analysts coding the same information" defines interrater reliability. Twenty percent of the data in this research was coded by a second analyst using the same set of final categories. Next, the kappa coefficient method was used to evaluate how well the two analysts agreed on the categories that best described the data they had been given to analyse.

3. ANALYSIS OF RESULTS

Six categories were developed from an analysis of students' comments on the experiences of women. Limitations on freedom of movement, education, sexual orientation, and dress were noted more often than any other category. Fear of sexual assault was cited by all students as the cause of at least one limitation on women's freedom of movement, education, sexuality, or attire. On a further analysis of the interview data, the four categories of limits were broken down, with mobility restrictions being shown to be the most common. One undergraduate student at the age of twenty-one put it thus way: "the incapacity to walk about freely." A student of twenty years of age said, "women in India are not permitted to be out of their locations beyond a particular hour. For example, after 7 p.m., females who lived in college hostels were not permitted to leave campus. Another student's statement, this one from a 21-year-old, linked parental fears for their daughters' safety to restrictions on their freedom of movement. The pupil added that "parents don't allow the girl to remain late till night. They restrict their access to all public spaces, even private ones.

In addition to parental worries, however, female students also claimed that they, as females, were continuously worried about their own safety and terrified of being victims of sexual assault. The fact that "continuous worry about safety" and "fear of sexual assault" were the second most common categories in the interviews with students lends credence to this understanding. Eighty-five percent of students said that they had heard of women always worrying about their safety and fearing sexual assault.

Table1.Frequency Analysis of Categories Regarding the Life of Women

life of women	No. of Coding	% of Coding	No. of Persons	% of Persons
Restrictions on attire, education, sexuality, and movement	58	32.2	15	100.0
Blaming the victim and peer pressure	22	12.2	12	80.0
Often worried about safety or afraid about sexual assault	30	16.7	13	86.7
Sexual violence's effects on day-to-day existence	21	11.7	13	86.7
The protective nature of families	28	15.6	14	93.3
Dangerousness of public areas as perceived	21	11.7	14	93.3
Total	180	100	15	—

According to a 21-year-old student, every female is afraid to even go out to pursue his/her education. It was reported that when outside or on the subway or while leaving the house attention is given to where the student may safely sit or stand, as well as the identities of others in the immediate vicinity.

A 21-year-old student interpreted the Nirbhaya case in this light, saying, "You see, I believe that the community does impose constraints, such as, I am sure you would have heard of the well publicised rape case [the Nirbhaya case]. So remarks after that came up such as , the girl should not be wearing such things and they were wearing short clothes and that is what is going to happen."

This comment exemplifies the victim blaming prevalent in Indian culture in the wake of the Nirbhaya case, as well as the societal pressures placed on women who choose to defy norms

of dress.

Five themes emerged from the data collected from the pupils, the fifth of which being the risk they felt existed in public areas. Ninety-five percent of students said that women should not go out alone at night because it is unsafe. One 22-year-old student even remarked, that "it is not safe for a lady to walk outdoors at night." Another 20-year-old student shared her concern that being out late at night is risky because of the high concentration of boy students in the area. Students also made the connection between the restrictions on movement and the fact that they found public areas to be unsafe. A student of 18 years of age opined that, "it is not safe outdoors. It is a good thing we have a seven o'clock cutoff time." When considering these criteria, 87% of students said sexual assault had a significant impact on their daily life. This resulted in another grouping in the student interviews: the effect on women's lives (generic constraints). In this group, students discussed the far-reaching effects of sexual abuse on their lives without imposing any extra constraints. One student, age 21, said, "Our life is like absolutely limited in every respect.

Methods of Preventative Action for Women

A variety of coping mechanisms that women have found helpful when confronted with sexual assault are discussed below. The students' replies were initially sorted into 15 distinct groups according on whether they were considered "previous" or "ideal" preventative methods for women. Afterwards, the techniques were categorised into three groups: those aimed at ensuring security, minimising risk, and fostering personal growth. We used a frequency analysis of category appearances to deepen our understanding of the data.

In interviews, students most commonly cited safety measures as a category under which women have used various techniques. More than half of the readings were classified into this category, and almost 90% of students identified at least one form of safety tactic that women employ to avoid becoming victims of sexual assault. Lastly, women's empowerment tactics ranked last in terms of their past individual preventative efforts. Fifteen percent or less of the text excerpts were classified as having to do with women using empowerment methods to avoid becoming victims of sexual assault.

Table2.Analyzing Categories of Women's Preventative Measures for Frequency

Individual prevention strategies	Previous				Ideal			
	No. of Coding	% of Coding	No. of Person	% of Person	No. of Coding	% of Coding	No. of Person	% of Person
safety measures	29	51.8	13	86.7	32	30.8	13	86.7
Weapons (pepper spray, blades)	8	14.3	7	46.7	11	10.6	6	40.0
To avoid being alone in public	7	12.5	7	46.7	5	4.8	5	33.3
Phone numbers to call in an emergency	6	10.7	5	33.3	7	6.7	6	40.0
Evaluation of Danger	5	8.9	3	20.0	6	5.8	5	33.3
Getting out of a jam	2	3.6	2	13.3	2	1.9	2	13.3
Spoof calls	1	1.8	1	6.7	1	1.0	1	6.7
Strategies for avoiding situations	19	33.9	9	60.0	14	13.5	6	40.0
Avoiding Social Situations	9	16.1	6	40.0	7	6.7	4	26.7

It's best to avoid specific times of day	4	7.1	3	20.0	5	4.8	5	33.3
Failure to address sexual assault	3	5.4	3	20.0	1	1.0	1	6.7
Trying to avoid being looked at	3	5.4	2	13.3	1	1.0	1	6.7
Tools for self-determination	8	14.3	7	46.7	58	55.8	14	93.3
Competence in protecting oneself	5	8.9	4	26.7	14	13.5	9	60.0
Expounding on past events	3	5.4	2	13.3	6	5.8	4	26.7
Fortitude of mind	—	—	—	—	20	19.2	10	66.7
Exhibiting a sense of assurance	—	—	—	—	11	10.6	7	46.7
Education	—	—	—	—	7	6.7	5	33.3
Total	56	100	15	—	104	100	15	—

effects on women's lives also emerged as a theme in students' testimonials. In this group, students discussed the far-reaching effects of sexual abuse on their lives without imposing any extra constraints. One student, age 21, said, "Our life is like absolutely limited.

Reliability of the data collected:

Every research question had its interrater agreement measured. Both analysts reached similar percentages of agreement “daily life = 91.4%; women's individual prevention strategies = 89.5%” when comparing their respective results for identifying relevant text passages within the students' interview material. Using a set of six categories relating to women's daily lives and a set of fifteen categories relating to women's individual preventative strategies, we assessed the degree of inter-rater agreement in the classification of text passages. In addition, we only used previously identified text segments from both analysts. Based on the results of the kappa coefficient, there was a high level of interrater between the raters who classified the text passages “daily life: = 1; women's individual prevention strategies: =.91”.

The following were the most relevant factors for discussion

- **The Present State of Sexual Assault Against Women in India**

The purpose of this research was to provide a response to the question, "What is the situation of sexual violence against women in India today?" by focusing on the perspectives of actual Indian women. Three socioeconomic and cultural factors have been identified as contributors to the high rate of sexual assault on women in India. Last but not least, the media's coverage of the Nirbhaya case, public outrage against sexual violence, heightened awareness about sexual abuse, and enhancements to the legal system are just some of the social changes identified by the existing literature as a result of the Nirbhaya case's increased national and international visibility. Yet, current events in the news underscore persistent challenges for women in India. This was the case, as shown by the data we gathered on the prevalence of sexual assault on women and its aftereffects in the modern world. The women we spoke to said they faced restrictions on their ability to pursue education, sexuality, as well as what they could wear. As these limitations were reported to be so severe, the category of limits became the most often expressed category for how sexual abuse affects women's daily lives and, therefore, had the biggest-greatest effect on women's lives. We know that women's worries of sexual assault as well as the perceived danger of public spaces are among the many variables that contribute to these restrictions.

Indian society has a strong cultural norm of blaming the victim, and students have reported feeling this pressure to comply. This lines up with findings in the literature concerning the Nirbhaya case as well as the subsequent victim blaming. In addition, many people blamed their own families' protective behaviours for the stifling conditions they described. So, it seems that parental anxieties for their daughters' safety are a motivating factor behind many of the limitations put on contemporary women. Limits, especially those placed on women by their parents, are seen by many academics as yet another consequence of male domination over women's freedom of movement and sexuality.

Several students' responses revealed a normative prejudice against males. Some students, for instance, opined that lone male students might feel safe going out at night or on excursions by themselves. Nonetheless, widespread acceptance of restrictive rules may have been influenced by parents' seeming genuine fear for their daughters' safety. Indian society may be more inclined to blame victims of sexual assault because of a lack of information on these topics. The widespread use of the term "eve-teasing" to characterise public sexual harassment may be indicative of this lack of understanding. And yet, the students themselves used that word repeatedly during the interviews; again, this may be attributable to a general lack of awareness about sexual assault in Indian society. Because of its association with female guilt in sexual assault, the term "eve-teasing" may be a commentary on the low status of women in Indian society and patriarchal traditions. Taken as a whole, these findings point to the severe impact that sexual assault has on the lives of women.

- **Preventive Methods Used By Individual Women**

The second line of inquiry was to uncover effective and ineffective preventative actions taken by women in the past. Researchers found that women used three distinct types of preventative measures: safety measures, avoidance measures, and self-empowerment measures. Most of the tactics that were brought up seemed to be either precautionary or defensive in nature. In regards to the findings on the current state of sexual violence against women in India, students described the constant worry about safety and the dread of sexual assault as ubiquitous in women's everyday lives.

Thus it would seem that women's efforts to stop sexual assault are motivated by the same anxiety. Women seem to plan their life around the dread of sexual assault, as seen by the high frequency of safety techniques and avoidance strategies. Comparable actions are referred to as "safety behaviour" in the clinical psychology field. Anticipatory and subsequent actions are collectively referred to as safety behaviours in the research on anxiety disorders like social anxiety disorder. Gray (2019)¹³ emphasised the significance of safety signals in this setting, explaining that when individuals feel threatened, they tend to withdraw from the situation or try to find a way out. Several female students, for instance, were said to only go out in groups, or with a male companion, according to student reports. There's a built-in warning system of sorts when you're among other people. While it temporarily alleviates anxiety, the outcome is that no mental shifts take place. Women who engage in safety-seeking actions are less likely to engage in events that might lead to disconfirmation of their danger beliefs and are hence less likely to alter such beliefs.

It follows that measures taken to ensure one's own safety contribute significantly to the persistence of terror. Avoiding social situations where one can be exposed to potentially negative feedback, such as stepping out in public, helps preserve positive emotions like pride and safety. Paradoxically, avoidance of public spaces and reliance on the presence of others as a signal of safety actually heightens both the fear of sexual assault and the reluctance to go out alone. Yet, cognitive development is stifled even while the perceived danger persists.

Taking into account the existing reality in India, safety techniques and avoidance methods only serve to further cement the idea that women are the weaker sex and must be protected. That's

a great way to reinforce patriarchal norms and the dominance of males over women. Empowerment measures, such as solidarity among women, may help women obtain the self-confidence they need to alter the existing situation and avoid sexual assault. Hence, types of empowerment techniques were most commonly stated by students as the ideal and most successful method against sexual assault, and the great majority of text passages that related to ideal preventative measures came under the category of empowerment strategies. Taken as a whole, the results of this research suggest that women are aware of the need of empowering strategies but may be hesitant to implement them due to external factors and cultural norms.

4. CONCLUSION AND FINDINGS

The findings of this research highlight a serious problem facing India's young women and highlight the critical need for immediate, effective action to address this issue. We've shown that the prevalent coping mechanisms contribute to maintaining the status quo and the social processes that have led to the present predicament. So, successful efforts to combat sexual violence against women in India must get to the underlying roots of the problem. Changing old gender roles & patriarchal norms, as well as raising knowledge of sexuality and sexual assault, should be top priorities in Indian culture. One possible way to do this is via the distribution of educational materials on the topics of sexual assault and gender role socialization.

So, it is imperative that researchers investigate how to best design, execute, and assess a programme to reduce sexual assault. Although this might take some time and urgent action is needed now, we also suggest looking at ways to reduce women's ongoing anxiety and dread of sexual assault. Our findings show that women are more likely to use avoidance or safety techniques, which may raise their apprehension about sexual assault. Hence, initiatives that encourage women to employ techniques like coming together in solidarity with other women should be supported. In conclusion, sexual violence against women in India is a multifaceted issue shaped by a wide range of social and cultural contexts. These problems, in order to bring about a lasting improvement, need to be tackled on both the social and personal levels.

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