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*Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmanagarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can*

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## Avinash Kumar



*methodology and teaching and learning.*

*Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research*

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# **GENDER-BASED VIOLENCE: A PERVASIVE AND CRYPTIC VIOLATION OF HUMAN RIGHTS**

## **Correspondence to Authors: -**

1. Dr. Reshma Umair, Assistant Professor at  
Amity Law School, Lucknow, India.  
Email: [resham10202@gmail.com](mailto:resham10202@gmail.com)
  - Contact- 8318851168
2. Pragya Shukla, 4<sup>th</sup> Semester student at  
Amity Law School, Lucknow, India.
  - Email: [payrsshukla@gmail.com](mailto:payrsshukla@gmail.com)
  - Contact:- 8279976875

## **Abstract: -**

Gender-based violence (GBV) is a serious violation of human rights that affects millions of people worldwide, particularly women and girls. Despite global efforts to combat GBV, it continues to be a widespread problem that has severe physical, emotional, psychological, and economic impacts on survivors. Femicide is a prevalent crime in our society, and it is a cause of penance and abashment. It is heart-wrenching to witness the conflicting nature of our society, where people worship different gods on one hand and on the other hand they commit heinous crimes against female foetuses. Although prenatal sex determination is illegal, citizens still find ways to determine the sex of a baby, which creates a disturbing situation not only for the foetus but also for the mother and society at large. Even though the government has implemented several laws to improve the status of women, femicide remains a prevalent issue, and the condition of women who fall victim to this oppressive society continues to worsen each day. This paper provides a comprehensive overview of GBV and explores the prevalence of patriarchy, femicide, and gender injustice. It highlights the impact of GBV on individuals and communities and the measures taken to prevent it from its roots.

**Keywords: -** *femicide; patriarchy; penance; abashment; gender-based violence.*

## **Introduction: -**

Gender-Based Violence (GBV) is an act of harm or abuse that is directed towards an individual based on their gender or sexual orientation. It encompasses a wide range of behaviours, predominantly aimed at women and girls, including physical, sexual, verbal, emotional, financial, and psychological abuse. GBV also includes harmful traditional practices like female genital mutilation, child marriage, and honour killings. Gender equality is a fundamental right that is crucial for achieving long-term sustainability, stability, and prosperity. GBV can take various forms, including intimate partner violence, sexual violence, trafficking, sexual harassment, stalking, and harmful traditional practices. Intimate partner violence refers to physical or emotional abuse by an intimate partner or spouse, while sexual violence refers to any non-consensual sexual act. Trafficking involves the transportation of individuals for exploitation, such as forced labour or sexual exploitation. Sexual harassment and stalking involve unwanted sexual attention and persistent attention, respectively. Harmful traditional practices are cultural or societal practices that perpetuate GBV, such as child marriage and female genital mutilation.<sup>1</sup>

## **Prevalence and causes of Gender-Based Violence(GBV):-**

Gender-Based Violence (GBV) has multifaceted causes that involve individual, social, cultural, and structural factors. Individual factors include attitudes and beliefs that justify violence against women and girls, such as traditional gender roles and patriarchal values. Social and cultural factors include the normalization of violence and discriminatory practices against women and girls, such as gender-based stereotypes and unequal access to resources. In some societies, sons are valued more than daughters, and the birth of a daughter is seen as a liability rather than a blessing. This belief can lead to the selective abortion of a female foetus, as parents strive to have a male child. Structural factors include laws, policies, and institutional practices that promote inequality and discrimination, such as inadequate legal protections and limited access to justice. These factors can contribute to the perpetuation of gender-based violence, as some individuals may feel entitled to control their partner, or view violence as an acceptable

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<sup>1</sup> Science Direct, <https://www.sciencedirect.com/topics/medicine-and-dentistry/gender-based-violence> (last visited Mar. 23, 2023)

way to resolve conflicts.<sup>2</sup>

## **Impact and Repercussions of Gender-Based Violence:-**

Gender-Based Violence (GBV) has profound effects on the physical, emotional, psychological, and economic well-being of survivors. The physical impacts of GBV can range from injuries and disabilities to sexually transmitted infections. GBV can also lead to emotional impacts such as anxiety, depression, and post-traumatic stress disorder. Psychological impacts may include feelings of shame, guilt, and low self-esteem.

Additionally, GBV can have significant economic impacts on survivors, including loss of income and job opportunities, as well as increased healthcare costs.

## **After-effects of COVID-19 on Gender- Based Violence (GBV):-**

The COVID-19 pandemic has resulted in a sharp increase in Gender-Based Violence (GBV) worldwide. In India, the pandemic has exposed the prevalence of patriarchy, gender inequality, and harmful social norms that contribute to GBV. The social distancing measures and movement restrictions that were implemented to contain the spread of the virus have made women more vulnerable to violence by family members, partners, and others in their household.

Data from NFHS 4 and NFHS 5 show that the percentage of young women aged 18 to 29 who experienced sexual violence before the age of 18 has increased from 10.3% to 11.0%, and domestic and sexual violence has increased during the lockdown. Research indicates that unemployed men are more likely to be controlling and violent towards their partners. The pandemic has weakened women across all gender and class lines. The household continues to be a space where patriarchy, power, and dominance are present, and these are perpetuated through marriage and child-rearing.

The quarantine measures across the country have cut off women's access to services and information, exacerbating their social and economic challenges. The primary burden of unpaid

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<sup>2</sup> Legal Service India, <https://www.legalserviceindia.com/legal/article-8780-a-study-on-gender-basedviolence-in-india.html> (last visited Mar. 22, 2023)

household work has fallen on women, upsetting their work-life balance. Therefore, it can be concluded that the pandemic has caused a significant increase in Gender-Based Violence."

## Measures to Address Gender-Based Violence:-

Various measures have been implemented to tackle gender-based violence, such as reforms in laws and policies, educational programs, awareness-raising campaigns, and victim support services. These initiatives strive to enhance gender equality, increase awareness about the harms of gender-based violence, and provide survivors with the resources they need to recover from their ordeals. Additionally, several measures have been implemented to address female foeticide, including legal and policy changes, awareness-raising campaigns, and support services for girls and women. These measures aim to promote gender equality, raise awareness about the harms of female foeticide, and support girls and women to thrive.

The Beti Bachao, Beti Padhao (Save the Daughter, Educate the Daughter) campaign in India is an example of a successful intervention. The initiative aims to raise awareness about the detrimental impact of female foeticide and to highlight the value of female children. The campaign also offers financial incentives to families that have daughters and encourages communities to support girls' education.<sup>3</sup>

## Description and Typologies of Gender-Based Violence: -

Although there has been significant progress worldwide, gender inequalities continue to persist. The COVID-19 pandemic has put years of progress at risk. Many girls, particularly those from low-income families, still confront gender-based discrimination in education, early marriage and pregnancy, sexual harassment, and unacknowledged domestic work.<sup>4</sup>

**Educational Inadequacy:** - In countries with a very low Gross National Product (GNP), the economic system frequently cannot afford the cost of public education. In places with a high GNP, educational underachievement is frequently not due to a lack of economic opportunity but rather a lack of resource allocation for education. Gender inequality in education is often exacerbated by conflict, poverty, and other social problems. For instance, girls living in countries affected by conflict are 2.5 times less likely to attend school than boys.

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<sup>3</sup> Legal Service India, <https://www.legalserviceindia.com/legal/article-8780-a-study-on-gender-based-violence-in-india.html> (last visited Mar. 22, 2023)

<sup>4</sup> Ibid

**Dowry- Death:** - Dowry death is a form of gender-based violence that takes place when a woman is murdered by her husband or his family due to a conflict over dowry payments. Dowry payments are a traditional practice in several cultures, where the bride's family is required to make a significant payment to the groom's family as a precondition of marriage. Women may be subjected to violence and even killed when disagreements arise over the payment or non-payment of dowry.

**Female Foeticide:** - Female foeticide is a form of gender-based violence that involves the intentional termination of a female foetus due to a preference for male children. This practice is common in several parts of the world, particularly in Asia. The issue of female foeticide is closely connected to broader issues of gender inequality, including discrimination against women and the devaluation of girls and women in many cultures. The repercussions of female foeticide can be extremely severe for individuals and communities. It can perpetuate gender inequality by promoting the belief that male children are more valuable than female children. Furthermore, selective abortion can lead to an increased risk of maternal mortality and morbidity, resulting in serious health consequences for women. In addition, female foeticide can create a demographic imbalance by causing a shortage of women in certain populations.<sup>5</sup>

**Honour-Killing:** - For many years, India, particularly the northern regions, has experienced a significant incidence of honour killings. The term "honour killing" refers to the act of a family member killing another family member who is believed to have violated community norms and brought disgrace to the family. This practice stems from the belief that women are objects or commodities, lacking in dignity and rights, and are therefore required to conform to the norms established by patriarchal societies. In India, it is commonly believed that the preservation of a woman's hymen and "sexual purity" is the responsibility of male relatives.<sup>6</sup>

**Domestic Violence:** - Domestic violence is a type of behaviour used to exert power and control over an intimate partner. It involves various forms of harassment, including physical, sexual, emotional, economic, and psychological abuse. Domestic violence can take many different shapes, including threats, intimidation, manipulation, insults, accusations, and physical harm. These behaviours are particularly damaging to individuals who are already marginalized, such as those in minority groups or those with limited resources. Overall, domestic violence has

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<sup>5</sup> Legal Service India, <https://www.legalserviceindia.com/legal/article-8780-a-study-on-gender-based-violence-in-india.html> (last visited Mar. 22, 2023) <sup>6</sup> Ibid

serious negative effects on the well-being of those who experience it.<sup>6</sup>

**Workplace Harassment:** - Workplace harassment or bullying happens when one or more employees are subjected to insulting or mistreating behaviour from their co-workers. The main goal of workplace harassment is to create an environment where the victim feels unsafe and uncomfortable. Harassment can take many forms and can affect different groups of people, including women, ethnic minorities, sexual minorities, people with disabilities, and immigrants. This behaviour is not limited to a particular group and can be carried out by those in positions of power who target multiple groups.<sup>7</sup>

**Forced Marriage:** - Forced marriage is a type of violence that results in severe violations of the fundamental human rights of women and girls. It can lead to physical harm as well as mental, sexual, and reproductive health issues, which in turn can impact their education, privacy, freedom, and independence. Overall, forced marriage strips individuals of their autonomy and causes significant harm to their well-being.<sup>8</sup>

**Prevention and Response Strategies:** Preventing and responding to Gender- Based Violence (GBV) require a comprehensive and multi-faceted approach involving various actors, including governments, civil society organizations, and communities. Prevention strategies include raising awareness, changing attitudes and beliefs, promoting gender equality, and ensuring access to education and economic opportunities. Response strategies include providing legal protections and access to justice, providing medical and psychological support to survivors, and holding perpetrators accountable.

In recent years, technology has played a crucial role in addressing gender-based violence. Online platforms are used to raise awareness about the issue and connect victims with support services. The prevalence of gender-based violence and the need for action have been highlighted by social media campaigns and hashtags such as #MeToo, which have aided in raising awareness.<sup>9</sup>

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<sup>6</sup> Ibid

<sup>7</sup> Ibid

<sup>8</sup> Ibid

<sup>9</sup> Legal Service India, <https://www.legalserviceindia.com/legal/article-8780-a-study-on-gender-based-violence-in-india.html> (last visited Mar. 22, 2023)

## **Conclusion:**

Gender-based violence is a serious and multifaceted problem that affects individuals and communities globally. By addressing the root causes of gender-based violence, raising awareness about its impact, and providing support to survivors, we can work towards a future where gender-based violence is not tolerated or accepted.

Despite progress being made in the fight against gender-based violence, there is still much to be done. One of the biggest challenges is changing deeply ingrained cultural and societal attitudes towards gender roles and relationships. This can be achieved through long-term efforts such as education and awareness campaigns, which promote gender equality.

Another challenge is providing sufficient support and resources to survivors of gender-based violence. This includes access to safe housing, legal aid, and counselling services. While governments and NGOs have a crucial role in providing these services, funding and resource shortages are often prevalent.

In conclusion, gender-based violence, including domestic violence, is a significant issue that affects individuals and communities worldwide. Addressing the underlying causes of genderbased violence and providing adequate support to survivors are vital steps towards ending this pervasive issue. With collective efforts, we can strive towards a future where genderbased violence is not accepted or tolerated.<sup>10</sup>

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<sup>10</sup> Ibid