

VIOLENCE & SUBJUGATION OF WOMEN IN SOUTH EAST ASIA

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One of the agenda of the Millennium Development Goal (MDG) 2005 was to combat Violence Against Women (VAW). This issue is not a new subject, as it was already highlighted in the Beijing Conference 1995. But what is definitely new, is the new thrust through this mission to make the world free of violence against women by 2015. This move not only comprises the efforts of the people but also the enforcement of the laws by all the governments and strict adherence to the commitment made. We cannot empower women unless we adopt measures to stop their sufferings.

According to Uma Shankar "Nature having assigned a greater role to women in procreation has made them superior species than men and that superior role should be accepted and recognized, because the entire procreation is basically the gift from women". In spite of their superior and gifted powers, women live in subjugation, misery and face violence.

Nature of VAW

The UN Assembly defined Violence Against Women (VAW) as "Any act of gender-based violence that results in physical, sexual, psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Thus violence against women is seen as basic human rights violation, the world over". It is the history of unequal relationship, which is the root cause of violence. Women are considered important segment of the living society, but they are equally subdued at home and outside. Inside home they are made to work like animals and outside like brainless species existing in the society. Liddle says "28 percent of the women are abused by strangers, while 72 percent are abused by known people". With girls, the abusers are usually uncles, father, brothers, cousins and close relatives. In South East Asia average 55 percent in urban and 45 percent women in rural areas are subject to violence. Here, women experience dowry related violence, domestic violence, marital rape or honour killing, or as widow self immolation and lastly, deprivation from property and dignity. The children who, themselves are abused or who have witnessed violence in the family, are far more likely to beat their wives than other children. Standard of education does not ensure better living conditions or safer

homes. Sri Lanka has the highest rate of Literacy in South East Asia even then, 35 percent cases of VAW are reported there every year.

Another heinous form of VAW is wife beating. It is a way of showing physical superiority of men over women. It is often related to dowry. Women educated or uneducated, endure this torture in pretense for the sake of children and respectability in the society. Many times women are murdered and the incidences are disguised as suicides or even accidents. Fearing the heavy expenditure and time in the courts and trials, victims or members of the family do not lodge complaints with the police. The very fear of insecurity, forces them to endure torture at home whether natal or marital home.

Trafficking is very common in Bangla Desh, Nepal and India. It is an undeclared truth that two million girls are sold every year; out of that, 40 percent are sold in Bombay itself. The very reason is the poverty accompanied by larger families where young girls are easier prey for selling. The term "environmental refugees" is used to define the women and children who are displaced from their homes and surroundings on account of war, for instance the refugees of Vietnam War. They are victims of sexual violence. It is estimated that there are 500 million refugees out of which 90 per cent are women and children. Globalization has further rendered women to unemployment, underemployment and retrenchment in the world of specialization. At the work places, the promotional avenues of women depend not on their merit but physical surrender. Thus, the VAW has its roots in the socio-economic order which is the characteristic of South East Asia. In the ancient books of South East Asia, women are equated with drums and beasts who deserve beating all the time.

Shortcomings of the System

Recommendation 19 of Convention on the Elimination of Violence Against Women (CEDAW) 2003 and the United Nations Declaration on Violence Against Women call on states to take immediate steps with regard to ending gender-based violence in the family, in the community by the states. The General Assembly adopted the 2007 "Resolution on Criminal Accountability of United Nations Officials and Experts on Mission" which addresses the issue of national jurisdiction by member states and criminal misconduct, the majority of the governments are not responding to the UN's request of further action.

Since it is generally the masculine jurisprudence, the very concept of the definition of rape is misleading which says "the act of sex must be against her will and without her consent". **Why should the word consent be included in the definition of**

rape at all. Neither the judiciary nor the government of any country has cared to redefine and amend the concept, hence the incidences of crime enjoy perpetuity, indirectly protected and upheld by the system.

The whole system of governance is full of lengthy procedures which ultimately leads to delays at every step e.g. delays in registering the FIR, Investigations, Arrests, Trials and awarding the judgements etc. The wide scale delays and connivance between the security authorities and the perpetrators are the main cause of reticence on the part of the victims to lodge the complaints. Most of the machineries of the judiciary and the governance i.e. the police, are manned by the males who are least sympathetic to women. In some places where there are women officials, there is greater chance of redress. As far as the whole trial procedure dealing with women is concerned, it should have majority of women in its employment structure.

Remedies

There can be no two opinions regarding the need for stringent laws, a sensitive judiciary, effective law enforcement machinery and aware or vigilant civil society to deal with crimes against women. But more than anything else, what is needed is:-

- 1) Total revolution in the thinking and attitudes of the people towards women in distress.
- 2) UN has suggested recognition of VAW as violation of human rights, therefore, mass scale education measures on gender based curriculum. Fortunately, all the governments of SAARC region have responded well to the call of the United Nations in amending and implementing fresh laws for the protection of women. For example, India has introduced Domestic Violence Act 2005, which includes physical, sexual, verbal and economic abuse as acts of violence.
- 3) The National Commission for Women (NCW) in India and many other Women's organizations have demanded separate court for trial of women with women oriented judiciary.
- 4) Sections dealing with the past history of the victims should be deleted altogether, because the accused / perpetrators escape by contemplating immorality on the character of the victim.
- 5) Amendments should be made in the law to disqualify politicians convicted in rape cases or related matters permanently from the electoral process.

- 6) There should be more of medical facilities, medical personnel, forensic science labs etc. for the treatment and violence related tests of the victims in the Developing Countries.
- 7) Only the government measures are not sufficient to combat VAW, we have to break the myth of unequal power relationship between men and women inside and outside homes.
- 8) Women must come forward to fight for their rights and strengthen their organizations by starting counseling and rehabilitation centres, short stay homes etc. They should be atleast economically independent to pursue any goal.
- 9) The civil societies too must support the movement by protests, demonstrations with the help of the media.
- 10) There should be wide scale education of the lawyers, doctors, teachers, social workers, police, government officials etc. regarding gender based sensitivity of women and their protection inside and outside homes.
- 11) The governments must make necessary amendments in the local laws and enforce them strictly.

If we want empowerment of women, we must give them respect and security at home first, then the society will automatically follow the norms. Nevertheless, the governments should co-operate and comply with the resolutions of the UN, adhere to their commitments with greater zeal in order to make the society free of VAW by 2015, as there is not much time left to achieve the goal.

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