

Protest strategies over violence against women in India

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Abstract: India have been witnessed many protests historically and still protests are an important feature of democracy in India. In case of women's protest also India had seen many protests where women are involve but in case of protesting on violence against women it is comparably a new thing which has deep roots from freedom struggles still it particularly emerged in the decade of 1970s. Till now there are many protests with a variety of strategies on the VAW in India. Some of the protests also led to legal responses by the state but still the issues and events of violence against women are very common in India. This paper is an attempt to give an overview of the protests over violence against women in India with theoretical explanations of protest and its strategies and also to show the impact of the protests on the VAW in India.

Keywords: legal responses, protest, protest strategies, social movement, Violence against women.

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I. INTRODUCTION

Protests are an integral part of any social movement. India particularly witnessed numerous protests in past especially in its struggle for independence from colonialism. Especially Mahatma Gandhi's stayagrah, civil disobedience and non-cooperation become tools of non-violent protest. The history of India has recognized protests as a political tool in India.

Women involved in protests from the era of reform movement in India, and due to impact of Gandhi many women protested against British rule in India. After independence also women actively involved in various protests and social movements but their main focus is on the issues of participation. Particularly in the case of violence against women India does not witnessed much organized protest. VAW came into consideration of feminist activists in India in the decade of 1970s. There are few cases of violence against women followed by mass demonstrations. Whereas many cases has not been widely protested.

The present paper deals with the strategies of protest against violence against women in India with theoretical explanations of protest and practical aspects.

This study is based on secondary sources and descriptive and analytical methods has been used.

II. LITERATURE REVIEW

Protest has been a popular topic for the study and understanding of social movement. As far the protest over violence against women is concern researches are in progress for quite some time now a sizable literature is available in India and abroad. Admittedly it is not possible to report all the studies. An account of this review is being presented in the following section:

Theoretical aspects related to protest has been first explored in the study by Sidney Tarrow defines protest cycle in 1989 as "a phase of heightened conflict and contention across the social system." Tarrow explained how protest rise and how they fall. He describes four stages of any protest at the first stage competition increases between two groups. At second stage the Protestors mobilized and institutionalized. In the third stage the protests tend to be radical and at the last stage the protests decline people either satisfied by the reforms or scared from the streets by violence. Later in his book *Power in movement* (1994) he corrected himself and said that the ending of protest cycle can be very diverse. (Koopmans 2004) Later scholars used the term protest wave instead of protest cycles. Ari Zolberg (1972) used the phrase "moments of madness" for explaining the widespread optimistic feeling during the protest wave which includes hope for revolutionary changes and fears of repressive reaction.

Lofland, John. (2007). *Protest: Studies of Collective Behavior and Social Movements*.describes various types of protest strategies, actions taken by protestors and types of protests.

Another important work in theoretical aspects of protest study done by Opp, Karl-Dieter (2009) focuses on the current general and specific theoretical approaches related to protest and social movements. The description involves a multi-disciplinary approach and defines the facts through psychological, economic, political, social analysis and theories. It also explains the influences on protest movements.

Some articles also describe the theoretical aspects of protest. One of them is Jenkins, J.C. (1983). "Resource Mobilization Theory and the Study of Social Movements". *Annual Review of Sociology*. analyzes Resource Mobilization Theory for the Study of Social Movements.

Another important study done by Stekelenburg, Jacquelin van and Klandermans, Bert.(2010). "The social psychology of protest". provides theoretical and empirical overview of the reasons and experiences of protest and clarifies how perceptions of socio political context affects participations in protests.

There are some work has been done which maps the protest movement over violence against women and its impact on the society.

Pickup, F. et. al. (2001). *Ending violence against women: a challenge for development and humanitarian work*. UK: Oxfam Publication. Explains violence against women and tries to correlate different factors responsible for it. The author describes the problems in estimating the incidents of VAW and impact of violence on women as well as strategies for challenging VAW, which are as follows : Supporting women to overcome, providing access to law and justice to the victims, direct challenge to violent man, empowering women, need for change in attitudes and beliefs. All these strategies are related to protest strategies to some extent but the talks about them as suggestions not studied them in context of protest and the consequent impact over the issue of violence against women. He even did not use the term protest anywhere in the text.

So and so's Weldon, S. L. (2002). *Protest policy and the problem of violence against women: a cross-national comparison*. Pittsburgh: University of Pittsburgh Press. Explains how protest impacts policy formation in different countries in addressing violence against women. But doesn't explain the impact of protest on women's protection from violence.

Some work has been done which mapping both the concepts in case of India.

One important study done by Basu, Amrita.(1993). *Two faces of Protest: Contrasting Modes of Women's activism in India*. New Delhi: Oxford University Press. compares between two major kind of grass roots movements Urban based, single issue organizations that center around questions concerning ecology, civil liberties and women liberation and Rural based multi issue organization that have worked among oppressed groups. It compares between Dhulia, Maharashtra and Midnapur, West Bengal have different social structures. It gives description of differences in activism of political party associated women's organizations and non-political organizations.

So and so's Ray, Raka.(2000). *Fields of protest women's movement in India*. Minnesota: University of Minnesota Press. This study put emphasis on the work of organizations in the struggle for women's rights in two cities Mumbai and Kolkata in India. It presents a comparative analysis of the protest movements of the women in two cities and shows that Mumbai based organizations work more for VAW issues and clarifies that this is basically because of the cultural and structural factors. There is a gap that this work doesn't explain the multifaceted VAW in whole India and many reasons and obstacles in the way of protest on the issue.

Gangoli, Geetanjali. *Indian Feminisms: Law, Patriarchies Violence in India*. Ashgate Publishing Limited, 2007. Conducted research on the Indian feminist movements between 1993 to 2006 and provides a detailed document about Indian feminism and women's movements. It covers a wide range of movements related to violence against women in India, such as crimes committed against women, criminal laws, campaigns against domestic violence and custodial rape. Particularly deals with the different streams of national and local women's movements. It provides case study of some important women protest movements, such as Mathura, Maya Tyagi, Rameerabee etc. The book also describes legislative debates and state responses on the issue. In conclusion author shows that women movement in India is strengthened it does both influenced from west and influenced the west. Indian women's movements have their own perceptions and actions.

One recent work has been done by Schneider, N.C. and Titzmann, F. (2014). *Studying youth, media and gender in post liberalism India: focus on and beyond the Delhi gang rape*. Berlin, Germany has been published online on google books. This study basically deals with 16th December 2012 Nirbhya rape case and the protest over it and how media and youth of India play an important role in protesting over violence against women after the incident. However the work cannot present a complete overview of protest over VAW in India.

There are some research articles also on this context:

Funderburk, Charles.(1975). "Political legitimacy and approval of political protest and violence among children and adolescents". *Journal of youth and adolescents*. Describe some aspects of gender based violence in India.

Mazumdar, Vina. (1985). "Emergence of women's question in India and role of women's studies". New Delhi: CWDS. Describes five stages of women's debate in India and evolution of women's studies and its impact upon the feminist protests in India.

Katzenstein, Mary Fainsod. (1989). "Organizing Against Violence: Strategies of the Indian Women's Movement." *Pacific Affairs* (Pacific Affairs@ University of British Columbia). describes various protest strategies of women's organizations and activists organized around the issues of violence against women in

India. and shows how political party associated and non-political organizations deals differently the issue. Similarly national and regional movement also uses different strategies to protest violence.

Indu Agnihotri, Vina Mazumdar. (July 22, 1995). "Changing Terms of Political Discourse: Women's Movement in India, 1970s-1990s." *Economic Political weekly*. Describes that there can be various strategies of protest. It can be symbolic which is basically nonviolent protest and persuasion. Symbolic protests includes three prime forms procession involves marches and parades, assembly (rally) and various kinds of public acts. Along with these prime forms formal statements, group presentations, symbolic public acts, drama, polite gatherings, and honoring the victim or dead person are also symbolic protests.

Phadke, Shilpa. (October 25-31, 2003). "Thirty Years On: Women's Studies Reflects on the Women's Movement." *Economic political weekly*. provides an account of Indian women's movement. It shows how women's movement in India has go through various degrees of success. On some issues it succeeds in negotiating with socio political contexts in India. Some policy overcomes have achieved. Some issues are still waiting for solution. The author suggested that, the ideology behind Indian women movement is western, and there is a constant need of Indian solution for Indian problems.

Ghosal, Sarbani Guha. (October - December 2005). "Major Trends of Feminism in India." *The Indian Journal of Political Science*, (Indian Political Science Association). provides the idea that feminist ideology is the core of feminist movement and women's studies these two are closely associated. It shows how emergence and growth of women studies in India reflect upon the feminist movement in India. The article emphasizes that women's conscious engagement in the politics of knowledge has a close relation with feminist movement.

Nigam, Shalu. (June 2014). "Violence, Protest and Change: A Socio-Legal Analysis of Extraordinary Mobilization after the 2012 Delhi Gang Rape Case." *International Journal of Gender and Women's Studies* (American Research Institute for Policy Development). contextualize rape in socio legal arena and try to find out the reasons and factors that provoked masses to protest on the particular Delhi rape case of 2012. and also discusses the wider implications of the case. She analyzes can law provide an alternative solution or the voices can be successful in changing ideology or not. She finds out that it is partially successful in changing perceptions about rape.

Swati Mirani, Parveen Pannu, Charu. (July - September 2014). "Empowering women through ICTs: Cyber Campaigns on violence against women in India." *Indian Journal of Public Administration*. deals with the role of information and communication technology in empowering women. The author sees cyber activism as a tool for people's mobilization and social change has grows effectively in India and discusses about the various cyber campaigns on violence against women in India.

All these works focused on various aspects of violence against women and theoretical aspects of protests or practical strategies which have been applied in protesting for violence against women in India. In the present work I attempt to combine all the earlier works with particular examples of issues to provide an overview of protests and its impact on eliminating violence against women in India with theoretical explanations of protests.

III. TYPES OF PROTEST STRATEGIES

Protest can be defined as an expression of objection by collective action of individuals against any work, policy, event, behaviour or situation. It's often emerges a sudden and grows rapidly. This is a part of practice of human society which can vary from individual protest to mass demonstration. Protestors organize a protest as a way of publically express their opinion to influence public opinion or undertake direct action for enacting desired changes.

There can be various strategies of protest. It can be symbolic which is basically nonviolent protest and persuasion. Symbolic protests includes three prime forms procession involves marches and parades, assembly (rally) and various kinds of public acts. Along with these prime forms formal statements, group presentations, symbolic public acts, drama, polite gatherings, and honoring the victim or dead person are also symbolic protests.

Other type of protest strategy that is sometimes considered as Gandhian way of protest are called Non-cooperation it includes boycotts, strikes, campaigns, and running alternative institutions.

There is one more protest strategy known as Intervention it includes four patterns, Harassment, system overlapping, blockade and occupation.

Protest can be violent or non-violent. It can expand to local, regional or national level. It can be unplanned and episodic and also be planned. It involves one of the three basic styles of action polite, ordinary or diplomatic action. Protest actions are goal directed and articulated. It encompasses six unites of social organizational reference acts, gatherings, events, campaigns, waves, cycles.

IV. INDIAN CONTEXT

Women's protest in India has a long history. Indian reform movement has covered wide range of women issues such as women education, empowerment, abolition of sati and widow remarriage. Particularly women from Maharashtra and West Bengal were active in the social reform movement of nineteenth century and Indian freedom struggle. Pandita Ramabai, Ramabai Ranade campaigned for women's education and for a better life for widows in Maharashtra. Swarnakumari Devi, Kadambini Ganguly and Abla Bose struggled for similar issues in Bengal. These women protestors also fight for female suffrage (Ray, 1999). Many women protestors involved in Gandhi's stayagrah and non-cooperation movement. However they are related basically with the struggle of independence, not much with women's issues. But this also makes a difference as they initiated women education, widow remarriage and legislated against Sati and child marriage and campaigns for female suffrage resulted as the voting rights given to the women even before the independence in legislative assemblies. All these efforts led to the equal political and economic rights since independence.

Initially women's question rise within political parties in India, and are basically of women empowerment. Feminist voices in Congress emerged as All India Women's Conference (AIWC) in 1927 till now it works in association with Congress. CPI associated National Federation of Indian Women (NFIW) established in 1954. And All India Democratic Women's Association (AIDWA) related to CPI(M) in 1970. Further in 1978 Janta Party now BJP established Mahila Daksta Samiti. All these institutions worked in association with various political parties in India on the issues related to women and basically worked on the issue of women's political participation.

Until 1970 the issues of gender violence has not been discussed by women activists. In late 1970s women activists organized around the issues of gender based violence. However the violence against women was not the primary focus of the contemporary women's movement in India.

Prior to the UN's declaration of International Women's Year in 1975 and consequence UN decade of women, government of India published a report on the status of Indian women titled 'Towards equality'. This report plays catalytic role in emergence of women's movement in India.

Two conferences on gender held in the year 1975 first in Pune, sponsored by leftist parties and second, in Trivandrum by Indian School of Social Sciences. These conferences discussed little about the issues of violence and particularly deal with economic empowerment of women.

In consequent years many autonomous organizations (largely urban based) emerged in different parts of India which considered various gender issue and are non-political in nature. The Janwadi Mahila Samiti in Delhi protests against dowry deaths and also works in slums. Stree Sangharsh staged street plays about dowry murders, rape and eve teasing. In Mumbai Anti Rape Campaign started in 1980 with the formation of Forum Against Rape (FAR), which later become Forum Against Operation of Women (FAOW) in 1981 took up the issues of rape particularly police and custodial rape, dowry deaths and harassment of women. Similar organizations such as Asmita in Hyderabad and Vimochana in Bangalore, Penurima Iyakkm in Tamil Nadu, Chingari Nari Sanghatan and Ahmedabad Women's Action Group in Ahmedabad, Gujrat and Stri Jagriti Samiti in Bangalore and Bombay also actively work on the issue. Some women publications such as Manushi (1979) in Delhi, Saheli (1982) plays important role in mobilizing around the issues of gender based violence. Saheli particularly concerned with issues of dowry and domestic violence. Mediastrom with documentary films covering controversial issues. Jaguri played an important role and collected feminist literature, films and documents. Kali for women devoted itself for the publication of original feminist literature and analysis. Later Zuban also works in association with it.

Matura rape case¹ is a milestone in mobilizing people and political leaders on the issue of sexual violence. The verdict on Matura rape case protested by four Delhi University law professors Upendra Baxi, Lotika Sarkar, Vasudha Dhagambar and Raghunath Kelkar, who wrote an open letter to the Chief Justice of India, followed by country wide protests on the case. Two more cases expand the protest over custodial or police rape. One is Rameerabee Rape case² in 1978 followed by public protest in the city of Hyderabad. The protestors were fired by police and some of the protestors died. As a result a commission of enquiry set up in the chairmanship of Justice Mukhatdar of Andhra Pradesh High Court. Who found the accused policeman guilty for rape, murder and assault. He recommend to prosecute the accuse for these offenses.

¹ Mathura rape case (a 14 years old tribal girl raped by two police man in custody on 26, March 1972) On this case lower session court found police man innocent and said that Mathura was of loose morals.

² Rameerabee Rape case (a 17 years old married women of Andhra Pradesh raped in a trip with her husband to Hyderabad)

Other is Maya Tyagi rape case (1980)³ debated in the Loksabha which initiated by Ram Vilas Paswan⁴ an opposition leader. After his protest campaigns of feminist organizations took form of public protest hundreds of women protest outside the parliament led to judicial inquiry by the Uttar Pradesh Government. Maya Tyagi rape case is equated with the loss of national honor and she is not only considered as a victim but she becomes a symbol of all dishonored and raped women in India. These three cases lead to a major protest campaign on the custodial rape. To respect the honor of women and need protect it become an agenda for feminist organizations nationwide.

As a result the rape law of 1860 has been amended in 1983. Anti-rape protests followed by anti dowry campaign in 1981 to 84. At the third annual women's activists conference in Patana (February 1988) and fourth National Conference on Women's Studies in Andhra Pradesh (December 1988) the violence against women's issues raised with other gender based issues.

Bhanwari Devi⁵ has an iconic status within the Indian Women Movement (IWM). She has been closely linked during the campaign. In a public speech after the judgment in 1995 Bhanwari Devi said that,

'My struggle is not for myself alone. It is a collective struggle for all the women who have been wrong. I will continue to fight.'

In the year 1997 women's organization file the PIL in Supreme Court with the objective to use the Bhanwari Devi case to get the rights of all the women who face sexual harassment and assault at workplace. The judgment in response to this PIL addressed sexual harassment at workplace as violation of fundamental right and international convention on gender equality. Court suggested that there is absence of adequate civil and penal laws and under the judicial activism create guidelines to insure prevention of sexual harassment at workplace (Vishakha and others vrs. State of

Rajasthan). As a result in 2003 sexual harassment of women in their workplace (prevention) bill come into existence. In 2013 the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act has been effective.

All these movements has protested specific instances of oppression and succeeded by the creation of laws on the particular issues they raised, but issues of cast or religion have not been systematically considered (Subramaniam, 2007).

V. INSTITUTIONAL PROTESTS

The idea of women's studies first emerged in India during 1970's. The SNDT (Shreemati Nathibai Damodar Thackersey) Women's University established the Research Centre for Women's Studies (RCWS) in 1974 to undertake research, teaching, documentation, publication and community outreach activities aimed at gender equity. In September, 1979 ICSSR Advisory Committee on Women's Studies recommended the need for an autonomous institute to build on knowledge, research and action on women's issues to impact policy makers and general public. The recommendation adopted by the ICSSR and communicated to the women's Bureau of the Ministry of Social welfare, Government of India.

A few months later, under the leadership of Late Prof. J.P. Naik the Centre for Women's Development Studies (CWDS) registered under the Societies Registration Act, 1860 in New Delhi and started functioning since May, 1980, with a small financial grant from the Vikram Sarabhai Foundation, Under the Chairpersonship of Dr. Phulrenu Guha and Dr. Vina Mazumdar as the director. The concept behind this is action research. Now almost every university has women studies centre which works on researching and spreading awareness on women's

³ Maya Tyagi case in which a 25 years old married women traveling with her husband Ishwar Chand and two friends in car. In their way in Baghpat a policeman in civilian dress tries to molest her and was beaten by her husband. Later that policeman come with some more policemen who shoot Iswar Chand, Iswar Chand died. Policeman dragged Maya out from car beaten, stripped and paraded through town and finally taken to police station where she raped by police. Maya and other persons in the car charged for being dacoits.

⁴ Paswan complained that he was harassed by the police in Baghpat when he visited the area after rape case.

⁵ In the year 1992, an member of women development program (WDP), Bhanwari Devi, a lower cast Kumhar women, who reports about child marriages to police among the higher class Gujjars. She was raped by Gayarsa and Badri Gujjar and her husband was restrained and forced to see the rape by Ram Karen Gujjar and Sharvan Panda. Because of the accused men belonging to a higher class family they influence police and the case has not been registered immediately. Women's groups in different parts of country supported her case and the movement campaigns against sexual harassment at workplace. Feminist groups see this case as a classic example of power rape. However Bhanwari Devi doesn't get justice the Sessions Court Jaipur passed judgment on 5th November 1995, acquitted all five accused men. Justice Jaspal Singh gives this judgment on the basis of lack of forensic evidence and romanticisation of Indian culture. He stated that It is imposible in India that men of same community commit a rape together.

issues. First National Conference on Women's Studies in Bombay in April 1981 led to the establishment of the Association for Women's Studies in 1982 to unite all women studies programs in India.

Another important institution is National Commission of Women (NCW) constituted on January, 31st 1992 as a statutory body in pursuance of the NCW act 1990 to safeguard the interests of women in India. The commission sponsors legal awareness programs, ParivarikMahilaLokAdalats (80) and organizes seminar, workshop, and consultation and takes up publicity against female foeticide, VAW, child marriages etc. to aware women about their issues. Initiatives such as Violence free home a women's right, Jago, MahilaAdhikarAndolan in Rajasthan (2011), street plays and VatsalyaMela in different cities of India create awareness among women and build their capacity to exercise their right for dignified life and sensitizing police personnel. NCW has signed MOU with other organizations for partnership. Chalogaonki ore, Meeradadi se poocho, bahuthuaabaurnahisahnaRastraMahila (monthly newsletter) and many more publications spread awareness on various issues. It sponsored 96 research studies. In April 2012 a 24x7 helpline was established in Ahmedabad, Gujarat run by Ahmedabad Women Action Group. It suggested various laws such as Protection of women from domestic violence Act (2005), Prohibition of sexual harassment of women at workplace bill (2010), Domestic workers welfare and social security Act (2010). It also signed MOU with Delhi Police and developed a project Save Home Save Family (2008-2012) to deal effectively and provide counseling to women who faced violence. For prevention of human trafficking it signed a MOU with UNIFEM in January 2010. It also recommended some new drafts of required bill such as prevention of crime in the name of honor and tradition (2010), Scheme for relief and rehabilitation to victims of acid attack and scheme for relief and rehabilitation to victims of rape.

In 2001 Odisha state government program Mission Sakti give ways to establishment of Women Self Help Groups (SHGs). Now there are approximately 15 lakh WSHGs nationwide.

In the year 2008 the campaigns against domestic violence become stronger. The cyber campaigning on the issue Bell Baji! wins Cannes trophy also.

VI. CONTEMPORARY CONTEXT

In 2012 Delhi gang rape (16th December 2012, a girl gang raped in moving bus on the street of New Delhi) evoked mass protest by feminist women organizations, students and middle class men and women in Delhi as well as other parts of country. This case has been highly covered by media they named the girl Nirbhya, Damini, Jyoti etc.. Protestors have taken to the streets to demonstrate against the growing incidences of rape and its slow and ineffective prosecution. Riot police have responded dispersing crowd with forceful tactics including water cannons, batons and tear gas. But the protest go on at JantarMantar New Delhi People gathered throughout day and also at night, lighting candles, singing songs, performing skits and plays and demanding for state action. Many symbolic protests has done on the other parts of country. Group of people along with then opposition leader SusmaSwaraj, demands for death penalty for the rapist the march go through Ring Road on 18th December 2012. On 20th December 2012 students of Delhi University, Jawaharlal Nehru University and JamiyaMilia demonstrated outside the residence of former Chief Minister Delhi Sheela Dixit against the government's failure in curb such cases of violence against women. On 22nd December nationwide protests were taken place and thousands of people at India Gate New Delhi protest over the issue. The protests turn violent on 23rd December after the curfew activities of police. On the same day a three member committee headed by Justice J. S. Verma (Former Chief Justice of Supreme Court) constituted to recommend amendments to criminal law to provide quick justice to sexually assaulted women. Other members of the committee were Justice Leila Seth former Judge of High court and GopalSubramanyam former Solicitor General of India. On 24th December Prime Minister Manmohan Singh makes statement that accused deserved to be hang for this crime. Soon the six accuse arrested by police. The protest continue on 29th December the victim dies at Singapore. Her body arrives at Delhi on 30th December and protestors peacefully march against the incident. On January 2nd 2013 Chief Justice of India AltamasKabir inaugurated fast track court (FTC) for speedy trial in sexual offence cases. FTC start proceedings for five adult accused while one minor accuse, rules Juvenile Justice Board. The main accuse Ram Singh committed suicide on 11th March 2013 in Tihar Jail. Other four convicts Mukesh, Vinay, Akshya and Pawan awarded death by court on September 13th 2013. On July 14th 2014 the Supreme Court stayed the death penalty and doesn't take any decision yet.

However similar other cases of violence against women and also rape cases also have not been protested in this way two gang rape cases reported in Kashmir in the same week in December 2012 has not covered that much by the protestors similarly seven different cases of rape has been reported in Delhi in same week has not much publicized. After 2012 some cases of violence has been protested such as Sakti mills rape case or Mumbai Gang rape case (22nd August 2013, a 22 years old photo journalist was gang raped by five), along with local protest this case has also discussed in RajyaSabha initiated by MP NareshAgrawal. On 20 March 2014 three convicts of this case Kasim Bengali, Mohammed Salim Ansari and Vijay Jadhav get death penalty and SirajRehman Khan gets life imprisonment. March 23rd 2014 four dalit girls belonging to Valmiki

community gang raped by Jat boys of the Bhangana village in Harayana initiated the debate among feminist organisations that rape is an instrument of caste dominance as the surpanch of the village supported higher caste accused. On May, 27 2014 two minor girls from same family has been gang raped then murdered and their body found hanging from a tree. This case has been widely protested across India and Utter Pradesh government also blamed for not taking the required action against this case. Finely the case refered to CBI. Recently on 14th March 2015 a case reported from Ranagat, West Bengal where a 72 years old nun has been gang raped. This case has been protested by people in west Bengal and criticized nationwide.

VII. STATE RESPONSES TO VAW IN INDIA

Violence against Women responded by Indian state in two ways first state has been working as a facilitator of rights which to some extant prevent women from violence. There are constitutional guaranty of rights for every citizen of India, some of them are also important for providing equal rights to women and preventing violence.

Such as:

The Constitution of India under Article 14, guarantees “equality before the law” and “equal protection of the law”.

It empowers the State to take affirmative measure for women under Article 15 (3). All gender specific laws find their genesis under this Clause.

Article 21 guarantees the right to life to every citizen which includes a life with dignity and without violence.

Article 23-24 provides rights against exploitation.

Directive Principles of State Policy, under Article 39 enjoins the State to provide adequate means of livelihood for men and women, equal pay for equal work for both men and women, and ensure just and humane conditions of work and maternity relief for women.

Article 51 A under fundamental duties provide the duty of citizens to renounce practices derogatory to the dignity of women.

These constitutional provisions provide safeguard to women’s rights and prevent them from violence.

Second state working as a regulator and have legislated some laws for preventing violence against women. Laws relating to VAW can be broadly classified into two categories:

7.1. Crimes under IPC

The Indian Penal Code (IPC) is the main criminal code of India. It is a comprehensive code intended to cover all substantive aspects of criminal law. The code was drafted in 1860 on the recommendations of first law commission of India established in 1834 under the Government of India Act 1833 under the Chairmanship of Thomas Babington Macaulay and come into operation on 1st January 1862, after independence India inherited it.

There are various cases defined in IPC to prevent women from violence. Such as

Dowry death (304B) which became a basis for **the Dowry Prohibition Act, 1961** under this law Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.

Causing miscarriage without woman's consent (313) is punishable with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Death caused by act done with intent to cause miscarriage (314), shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine and if the act is done without the consent of the woman, shall be punished either with imprisonment for life or with the punishment above mentioned.

Assault (351),Whoever makes any gesture, or any preparation intending or knowing it to be likely that such gesture or preparation will cause any person present to apprehend that he who makes that gesture or preparation is about to use criminal force to that person, is said to commit an assault.

Assault or criminal force to woman with intent to outrage her modesty(354),Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will there by outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Kidnapping (359), Kidnapping is of two kinds: kidnapping from India, and kidnapping from lawful guardianship.

Kidnapping from India (360), whoever conveys any person beyond the limits of India without the consent of that person, or of some person legally authorized to consent on behalf of that person, is said to kidnap that person from India.

Kidnapping from lawful guardianship (361),Whoever takes or entices any minor under sixteen years of age if a male, or under eighteen years of age if a female, or any person of unsound mind, out of the keeping of the lawful guardian of such minor or person of unsound mind, without the consent of such guardian, is said to kidnap such minor or person from lawful guardianship.

Punishment for kidnapping (363),whoever kidnaps any person from India or from lawful guardianship, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

Procuration of minor girl (366A), whoever, by any means whatsoever, induces any minor girl under the age of eighteen years to go from any place or to do any act with intent that such girl may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years, and shall also be liable to fine.

Importation of girl from foreign country (366B) whoever imports into India from any country outside India or from the State of Jammu and Kashmir any girl under the age of twenty-one years with intent that she may be, or knowing it to be likely that she will be, forced or seduced to illicit intercourse with another person, shall be punishable with imprisonment which may extend to ten years, and shall also be liable to fine.

Rape (375),A man is said to commit "rape" who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions:-

First.-Against her will.

Secondly -Without her consent.

Thirdly -With her consent, when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt.

Fourthly.-With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

Fifthly.-With her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.

Sixthly -With or without her consent, when she is under sixteen years of age.

Explanation.-Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

Exception.-Sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape.

Punishment for rape (376)-(1) Whoever, except in the cases provided for by sub-section

(2) commits rape shall be punished with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine unless the woman raped is his own wife and is not under twelve years of age, in which case, he shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.

Intercourse by a man with his wife during separation (376A)- Whoever has sexual intercourse with his own wife, who is living separately from him under a decree of separation or under any custom or usage without her consent shall be punished with imprisonment of either description for a term which may extend to two years and shall also be liable to fine.

Intercourse by public servant with woman in his custody (376B), whoever, being a public servant, takes advantage of his official position and induces or seduces, any woman, who is in his custody as such public servant or in the custody of a public servant subordinate to him, to have sexual intercourse with him, such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine.

Intercourse by superintendent of jail, remand home, etc. (376C), whoever, being the superintendent or manager of a jail, remand home or other place of custody established by or under any law for the time being in force or of a women's or children's institution takes advantage of his official position and induces or seduces any female inmate of such jail, remand home, place or institution to have sexual intercourse with him, such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine

Intercourse by any member of the management or staff of a hospital with any woman in that hospital (376D), whoever, being on the management of a hospital or being on the staff of a hospital takes advantage of his position and has sexual intercourse with any woman in that hospital, such sexual intercourse not amounting to the offence of rape, shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine.

Husband or relative of husband of a woman subjecting her to cruelty (498A), whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

7.2 Gender Specific Laws

1. The Immoral Traffic (Prevention) Act, 1956
2. The Dowry Prohibition Act, 1961 (28 of 1961) (Amended in 1986)
3. The Indecent Representation of Women (Prohibition) Act, 1986
4. The Commission of Sati (Prevention) Act, 1987 (3 of 1988)
5. Protection of Women from Domestic Violence Act, 2005
6. The Sexual Harassment of Women at Workplace (PREVENTION, PROHIBITION and REDRESSAL) Act, 2013
7. The Criminal Law (Amendment) Act, 2013

This shows that there are a huge number of laws which have been made on the issues of violence against women in India. Almost every single campaign against VAW resulted in new legislations aimed at protecting women however these have had little impact (Agnes, 1992).

VIII. CONCLUSION

To conclude we can say that protests over violence against women in India is highly scattered and unorganized. As it is not clear that whether there is, in fact, a women's movement or multiple women's movement (Menon, 1999) or none at all. There have been and still several shades and hues to the whole range of protests which can be broadly refer to as the 'Women's movement in India'. There have been divergent understandings of patriarchal oppression and its outcomes and therefore, also varied strategies to combat it. Some cases get attention and protested while some are not even talked. The Delhi gang rape case has been a mile stone this become important as it broke all the taboos about rapes, it changes the common people's point of view and to some extent victim blaming tendencies has changed through this incidence. The other important aspect of this protest is the practicing of cyber protest is become common in India. There are so many blogs on My space, world press etc. cyber campaigning against VAW has become popular. Campaigns such as Men against rape and discrimination (MARD), Ladali – a girl child campaign, Say – No Unite, End violence against women, Stop acid attacks, Safe Delhi campaign, I am Nirbhya because I am not alone, Bell Bajo etc. become popular and aware people similarly women's organizations also started cyber activism and campaigning for mobilizing people on the issue. Some of them are awaz.org, change.org, moveon.org. youthkiawaz also works on this issue. Government of India started 181 helpline for women. Development of technology for helping women is also an important achievement. Many smart phone apps develop after Nirbhya to protect women from violence such as the circle of six, fight back app (for protecting women from eve teasing), Harras map, with u app etc. Some other initiatives also taken to protect women, one of them is Street Level Awareness Program (SLAP), founded in 2013. It has conducted dozens of workshops in Delhi, Mumbai, Kolkata and Chennai. It tries to train the girls for protecting themselves. The objective of the program is to go beyond candle march and do something practical to change the face of cities scared with rapes assaults and harassment of women. Similarly "Voices against violence" workshop by United Nations and World Association of Girl Guides and Girl Scouts (WAGGGS) in Pune hastrained girls how to stop violence.

But beyond all these initiatives the violence has not been stopped yet in India. Despite of raised awareness and activism on violence against women, women in India still struggling with the cases of violence and most of the time they are far away from getting justice or even being heard. There are many reports in the daily and weekly local and national newspapers about the incidences of violence against women such as rapes, domestic violence, dowry, kidnapping, trafficking and many more, but all such cases not even reported to police. The reason behind this is that protests over VAW is contextual in some cases people protest because they find the victim like them and have sympathy with the victim while in some other cases where offender is powerful, or belonging to higher class, cast or position people does not protest and sometimes they even suspect the victim itself and does not believe.

Indian society is a complex society people struggling with many complicated issues including stratification in almost all stages such as economic, social, political, religious, regional etc. so it is not easy to continue protest in such type of societal structure and also psychologically people will not attach or aware of so many cases it causes apathy among people. There is a lack of voice until the water flows overhead.

The suitable examples are the incidences reported from the campus of Jawarlal Nehru University, New Delhi two pornographic MMS cases in 2012, Ph.D. student has raped and blackmailed and threatened, but Delhi

police refused to file her case even after medical examination in 2014 and Recently in February 2015 an Assistant Professor filed rape case against Ph.D. student. All this cases only reported a sudden but has not got much attention, and has not been widely protested.

There are a variety of organizations who work on the women's issues Some organisations have been small intellectual groups while there have been some that have had mass support. Some have emerged in support of certain causes or for the purpose of a focussed campaign, while there are some that have existed for years with evolving agendas. The ideologies also vary from radical, liberal, socialist, Marxist and Gandhian, to the new fundamentalist. Our concern, however, is primarily the work of those working towards change, those organisations that acknowledge women's specific oppression in relation to men in both personal and public life and do not allow this to be subsumed within all other unequal relationships that exist in society. This does not mean that these organisations do not have different and sometimes even conflicting emphases and perspectives.

Apart from legal responses of Indian states there are still increasing numbers of crimes committed against women. According to the National Crime records Bureau (NCRB) the total number of cases of crimes committed against women reported are 244270 in 2012, 309546 in 2013, 337922 in 2014 and 327394 in 2015. This shows a clear increase in number of crimes committed against women from 2012 to 2014 there are few numbers decreased in 2015 to that of 2014. But it does not provide much difference in the crimes committed against women. This means that legal responses to the VAW in India is ineffective and has been failed to achieve its purpose of protecting women from violence.

There are many reasons behind the inadequacy of laws such as poor and faulty implementation of laws, poor access to the laws because of economic restrictions, lack of awareness, corruption etc.

There is a constant need of understanding the responsibility and changing the perception to protect women from violence. State, community and people must unite together to protect women. It is also required to provide support and training to girls so that they become strong physically and mentally and know how to use technology, law and other facilities or help to protect themselves from violence.

REFERENCES

- [1]. Basu, A. (1993.) *Two faces of Protest: Contrasting Modes of Women's activism in India*. New Delhi: Oxford University Press.
- [2]. Butalia, Urvashi. "December 16 2012: A Rape, a Murder and a Movement." n.d. http://in.boell.org/sites/default/files/uploads/2014/03/december16th2012_a_rape_a_murder_and_a_movement_print.pdf.
- [3]. David A. S. and Sarah A. (eds.). (2004). *Blackwell companion to social movement*. Blackwell publishing Ltd.
- [4]. Donatella, D. and Diani M. (2006). *Social movements: an Introduction*. 2nd. Blackwell Publishing Ltd..
- [5]. Funderburk, C. (2006) "political legitimacy and approval of political protest and violence among children and adolescents." *Journal of Youth and Adolescence*. 109-126.
- [6]. Gangoli, G. (2007). *Indian Feminisms: Law, Patriarchies and Violence in India*. Ashgate Publishing Limited.
- [7]. Ghosal, S. (October - December 2005) "Major Trends of Feminism in India." *The Indian Journal of Political Science*, (Indian Political Science Association) 66, no. 4 793-812.
- [8]. Indu, A. and Mazumdar, V. (22 July 1995) "Changing Terms of Political Discourse: Women's Movement in India, 1970s-1990s." *Economic Political weekly*, 1869-1878.
- [9]. Jasper, J. M. (2014) *Protest: A cultural introduction to social movements*. USA: Polity Press.
- [10]. Katzenstein, M. F. ((1989)) "Organizing Against Violence: Strategies of the Indian Women's Movement." *Pacific Affairs* (Pacific Affairs@ University of British Columbia) 62. 53-62.
- [11]. Koopmans, R. (2004) *Protest in Time and Space: The Evolution of Waves of Contention*. Edited by Sarah A. Soule, and Hanspeter Kriesi David A. Snow. Blackwell Publishing Ltd..
- [12]. Nadja, C. S. and Titzman, F. (2014). *Studying youth, media and gender in post liberalisation India: focus on and beyond the Delhi gang rape*. Berlin.
- [13]. Nigam, S. ((june 2014)) "Violence, Protest and Change: A Socio-Legal Analysis of Extraordinary Mobilization after the 2012 Delhi Gang Rape Case." *International Journal of Gender and Women's Studies* (American Research Institute for Policy Development) 2. 197-221.
- [14]. Opp, K. D. (2009). *Theories of political protest and social movements: A multidisciplinary introduction, critique and synthesis*. Routledge.
- [15]. Mangoli, R. N. and Devarmani, N. G. (December 2014). "A Critical Evaluation of Violence against Women in India." *International Journal of Criminology and Sociological Theory* 7.
- [16]. Ray, R. (2000). *Fields of Protest: Women's Movement in India*. New Delhi: Kali for Women.
- [17]. Sharma, M. (June 2012). "NCW: Twenty Years of Empowering Women." *Yojna*. 9-12.

- [18]. Mirani, S. and Charru P. (July - September 2014) "Empowering women through ICTs: Cyber Campaigns on violence against women in India." *Indian Journal of Public Administration*.
- [19]. Weldon, S. L. (2002). *Protest Policy and Problem of Violence Against Women: A Cross-National Comparison*. Pittsburgh: University of Pittsburgh press.
- [20]. n.d. <http://www.thehindu.com/>.
- [21]. n.d. <http://timesofindia.indiatimes.com/>.
- [22]. n.d. <http://www.un.org/en/home/index.html>.
- [23]. n.d. <http://www.cwds.ac.in/ocpaper/sharedaspirationsks.pdf>.
- [24]. n.d. <http://www.ndtv.com/>.
- [25]. n.d. <https://www.oxfamindia.org/>.
- [26]. n.d. <http://www.frontline.in/>.
- [27]. n.d. <http://indiatoday.intoday.in>.
- [28]. n.d. <http://www.unwomen.org>.
- [29]. n.d. <http://www.brookings.edu/blogs/up-front/posts/2012/12/28-india-gate-protests-desai>.
- [30]. n.d. <http://www.iipa.org.in/New%20Folder/25--Swati.pdf>.
- [31]. n.d. <http://ibnlive.com>.
- [32]. "16 Striking Campaigns for the Cause to End Violence Against Women." 3 December 2012. <http://thepixelprojectcampaign.htm> (accessed february 6, 2015).

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