

WOMEN EMPOWERMENT VS ANTI-RAPE BILL**Amritpal Kaur Bhati, Mahabir Singh Bhati**Assistant professor, IETVE, Panjab University, Chandigarh
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Abstract: Today we have been living in the 21st century. Much has been debated and done for women's empowerment. But is he really empowered, safe and secure and has the right to live like a human being? Women are not safe in any country, in any society, even in own family. It's a shame and a matter of grave concern.

It is one of the life's bitter ironies that rape victims who deserve empathy from society are ostracized in many cases and stigmatized to such an extent that there have been many instances where they have committed suicide out of sheer frustration. Even family members turn hostile at times and this adds to the desperation of those girls and women who eventually become depressed and lead sordid lives though they are hardly at fault as they have been brutalized against their will. Most cases of rape remain unreported worldwide and are more so in the non-western world like India.

Rapes and sexual assaults against women is not a new story but the change in nature of these incidents and the forces behind them needs immediate investigation. It is time, society must change views on rape victims and the realization that they have been wronged and deserve to be rehabilitated should dawn on everyone. Rather than pounce on the innocent by branding them as fallen women. Society should shun the perpetrators of the crime and cooperate with the law-enforcing authorities in bringing them to book. More and more young men should come forward to marry young rape victims as that would give them a foothold in life and enable them to come out of their shell.

After a paramedical student in December, 2012, died after she was gang-raped, beaten and thrown out of a moving bus along with a male friend in Delhi on December 16 last year, the government had promised to make the nation safer for women. In fact, a Rs. 1,000/- million sums was set aside in the Union Budget to create a fund for women safety.

The anti-rape Bill can be misused as stalking is not done only by men, but by women also. Have you not seen girls exclaiming – oh! He is so hot. The Bill is purush virodhi (anti-male). (Jaya Bachchan, Member Rajya Sabha, 2013)

Keyword: Empowerment, stigmatized, realization, paramedical.

INTRODUCTION

Marami Goswami, said that in all parts of the world, women are facing threats to their lives, health and well being as a result of being overburdened with work and of their lack of power and influence. Women empowerment is a prerequisite to gender equality and development. A girl often grows up learning to serve and obey men; most of the time decisions relating to her career, selection of future life partner, and number of children to be borne etc are made by male members of her family especially in remote and underdeveloped areas.

Human civilization is accounted to have been in existence for almost 40, 000 years and more on our planet Earth. Mental faculty allowed this race to come out of jungle system and helped realize the significance of coexistence with mutual understanding and respect has been the guiding force for our growth over this massive time span. There definitely had been innumerable instances where human (animal) weaknesses have infected this primordial idea of mutual faith and dented the confidence in its continuance.

When Adolf Hitler's National Socialist (Nazi) party proclaimed the Third Reich in Germany in 1933, it unleashed the most horrendous brutality in history. Its holocaust pogrom alone exterminated six million Jewish men, women and children of all ages in gas chambers in concentration camps across Germany. A wave of sexual violence occurred

in Central Europe in 1944-45, as the Western Allies and the Red Army fought their way into the Third Reich. The majority of the assaults were committed in the Soviet occupation zone and estimates of the numbers of German women brutalized by Soviet soldiers range from the tens of thousands to two million.

Rajib Sen, said that were those affected earlier in December 1937 when, the Japanese imperial Army marched into China's capital city of Nanking and went on six weeks of carnage. Females ranging in age from eight to 70 were dragged off to be sexually abused. Women were brutalized by Japanese soldiers, then stabbed to death with bayonets or shot so they could never bear witness. Pregnant women were brutalized, their bellies slit open and the fetuses were forced into incestuous relationships, while the rest of the family was made to watch. These, too, were "crimes against humanity."

Deepthi Gupta, said that today we have been living in the 21st century. Much has been debated and done for women's empowerment. But is he really empowered, safe and secure and has the right to live like a human being? Women are not safe in any country, in any society, even in own family. It's a shame and a matter of grave concern. The family is no more secure place for innocent minors to live in, unsacred. You never know when a father or uncle would attach a minor girl out of a lusty whim and terrorise her to surrender whenever they wish to abuse them sexually.

Rakesh K Chadha described that sexual offences are one of the most heinous crimes on humanity, which often leave lifelong scars on the victim's psyche and life. The victims, often out of shame or the personal nature of the crime, hesitate to report the crime to the local authorities, further emboldening the offenders. A slow and tedious legal process in our country further increases the problem. The act of sexual offence may go to the most barbaric extreme as happened in the recent case of a brutal gang-rape in Delhi or the cases of serial sexual assault and murders of many women and young girls some years ago in Noida near Delhi. Such cases of serial sexual offences happen not only in our country but also have been in our country but also have been reported from different parts of the world. In fact, a number of feature films have also been made on the subject.

C. V. Arvind discussed that it is one of the life's bitter ironies that rape victims who deserve empathy from society are ostracized in many cases and stigmatized to such an extent that there have been many instances where they have committed suicide out of sheer frustration. Even family members turn hostile at times and this adds to the desperation of those girls and women who eventually become depressed and lead sordid lives though they are hardly at fault as they have been brutalized against their will. Most cases of rape remain unreported worldwide and are more so in the non-western world like India.

Sumit S. Paul told that one educated woman, Maya Tyagi was paraded naked and raped by cops and politicians in daylight after killing her husband, whom they called 'a dreaded antisocial'. This is not an isolated incident. Rapes are reported in India but go unreported. Phoolan Devi, was brutally raped in a god-forsaken village in rural India.

Australian Elizabeth (42) was sexually used like a toy by her monster father Josef Fritzl (72) for 24 years. Another monster, a Gujrati businessman, on the evil advice of a black magician, raped his teen-aged daughter to recover his financial losses and flourish his business. A few years ago, the teenage girl of a well-off family was sexually abused for four years by her father. Her tale came to light by her drawings- depicting sexual abuse. A 16 year-old girl was raped by her father since she was nine. When her father began to eye her younger sister, the elder one dared to file a police complaint.

Deepti Gupta, said that the most loving and pious relationship of 'father and daughter' has got tarnished by these monster fathers. Women's are easy targets in the age of 'women's empowerment'- how unfortunate it is! And of other cases a girl was victimized by her lover on his promise of marriage and was being raped. A young girl searching for a job in Delhi was raped by her neighbor. She got pregnant; her parents beat up and punish her.

Not long ago, the abduction and rape of a 36 year-old Swiss diplomat near Siri Fort Auditorium in Delhi, the gang-rape of a girl by her lover and four others at a city hotel on New Year's Eve in Gujarat, the rape of a auto rickshaw driver along with two others who barged in when she took the rickshaw and drove to a secluded hillock-all these incidents send out a chilling fear. How can a housewife, a college girl or a minor feel secure when the policemen turn rapists? Ms. Vrinda Karat said, "More women are killed or injured in

sexual assault than though terrorism." Walking through the dark or crossing a secluded road and bridge, driving alone at night, commuting even during the day, sitting with friends in the park- is fraught with danger nowadays.

Deepti Gupta, described that Some miscreants try to tease and frighten a female by walking or driving slowly alongside and making lewd remarks, gesticulating, deriding and mocking, following on a bike or car, in buses rubbing against you. These things are rife and on the rise. Why? Because the culprits know how crippled our law is, how supine our legal procedure is. As long as the offenders are not punished hard-pronto! – Reality cannot change. Women and innocent girls are treated as sex objects. The victims of rape are mostly minors. The problem is getting acute.

Today, no place in society is safe for women and children. There are laws and a criminal justice system and still the rape incidents are not curbed. In India lack of proper investigations, medical examinations, long legal procedures, fear of becoming the target of everyone's eyes, even if one wins the case – all this sort of anxiety compels the victim and her family to keep silent and that is also why many cases remain unreported.

Due to social taboos and lack of proper legal procedure, 90 per cent rape accused walk free. How can we trust the legal system when, in 2002, some 133 policemen were tried for custodial rape and only four were convicted? In 2003 also, out of a few pending cases, at the final stage the accused walked free, none was punished.

Naveen S. Garewal, told that after a paramedical student Nirbhaya (Jyoti Singh Pandey) in December, 2012, died after she was gang-raped, beaten and thrown out of a moving bus along with a male friend in Delhi on December 16 last year, the government had promised to make the nation safer for women. In fact, a Rs. 1,000/- million sum was set aside in the Union Budget to create a fund for women safety. But even as these decisions are yet to translate into action, a case of gang rape and rape were registered in the holy city of Amritsar. The incident took place months after an ASI was killed while protecting his daughter's honour. In Haryana a minor girl went missing from Tarauri police station area in Karnal. When after a search the girl was found, she was sent for a medical examination that confirmed rape by her abductor. In Gurgaon a call centre employee alleged that she was raped by her male colleagues, but later retracted her statement, saying that she did not want to pursue the matter etc.

Anti-rape Bill

Jyothirllata Girija, discussed that a lot of debate and discussion has arisen ever since the gang-rape of a medical student in Delhi took place and she was admitted to the hospital in a critical condition. Numerous suggestions are being made by various people-both men and women in different walks of life- as to how to eradicate this evil or at least to minimize it, but the truth is we have failed to take effective steps in this direction and have heartlessly ignored the pathetic state of women in our society, from the days of the Mahabharata.

When everybody agrees that the incident of rape by several persons was inhuman and cruel, what about the

countless rapes that are taking place every day in the country – especially of the helpless dalit girls? One would wonder what the members of the public and others were doing all these days when news items were being published in various regional and national newspapers about dalit women being disrobed and dragged on streets stark-naked by the so called 'high caste' scoundrels? Why do the obnoxiously cruel menfolk target the womenfolk of their enemies to give vent to their bitterness and anger? Where do these innocent and unconnected women come in the picture?

Vibha Sharma told that seeking to replace an ordinance promulgated by President Pranab Mukherjee on February 3, 2013, the legislation had to be passed before April 4, 2013, and otherwise it would have lapsed. Parliament today i.e. 21 March, 2013 cleared the Criminal Law (Amendment) Bill, 2013 (anti-rape Bill) with Home Minister Sushil Kumar Shinde promising a revisit, if required, to the vital piece of legislation that keeps age for consensual sex at 18 years and makes voyeurism and stalking punishable offenses.

Rajib Sen said that when the government of India decides to move fast, it can really move fast. On 16th December 2012, the brutalization of a 23 year-old physiotherapy student generated a level of spontaneous protest that was unparalleled anywhere in the world at any time in history despite such horrendous acts not being rarities. Seven days later on 23rd December, the government acted when, at the behest of none less than the Prime Minister, Finance Minister P. Chidambaram telephoned Mr. Justice J. S. Verma, retired Chief Justice of India.

In the spate of rising incidents of violence being reported against women, the government is taking a number of measures to address the issue so as to increase the safety, and security of women. The effort is now increasingly towards holistic intervention with a view to balancing both preventive and curative aspects, including a thrust on proper and effective implementation of various law and provisions available for safety of girls/women. India has recently done on the issue and also shares the various women empowerment and child development initiatives in India. In this context the government of India has passed the Bill, Prevention of Sexual Harassment of women at workplace, 2013 and protection of children from sexual offences Act 2012. Two laws and the amendment in the Criminal Procedure Act underway will bring more stringent punishments to perpetrators of violence against women and children.

In fact the government has exceeded the recommendation of the Verma Committee at one level by providing for death to rapists-in the rarest of rare cases. This is beyond the Verma Committee having actively considered the demand for death to rapists, but had rejected it, citing the ongoing debate penalty as a deterrent force.

Punishment for rape: punishment for rape to be rigorous imprisonment (RI) for seven years to life. The penalty on causing death or a 'persistent vegetative state' RI for not to be less than 20 years of life, meaning the rest of the convict's life. Punishment for gang-rape; not less than 20 years, extendable to life. Gang-rape causing death: life imprisonment.

Friendly attitude with teens:

The whole issue revolving around rapes and sexual violence surely finds the source from nurturing sick definitions of sex within the mindset. Tell your baby not to do something and observe how it will end up doing the same thing on and on. We are facing the same dilemma with our "sex" status. People have adopted the same "back to baby attitude" related to matter of sex.

Sukritee Soopal described that sex has been largely considered as a taboo since a long time back and even as we boast of the most modernist approaches, not much change has been noticed among the Indian mindset. Sex has been suppressed for too long- ashamed to talk about it or shy to express our views related to matters of sex; we are now paying a heavy price for this suppression.

Mothers probably the first victims of such suppressions, will never dare sit with their children to discuss "sex". Giving a basic education about sex and its consequences at home is essential to prepare the children to face the harsh realities of the external world.

Without such a preparation from home, the children learn about sex from the wrong sources and learn the bad side of it. With accessibility to the internet and hi-tech devices, more and more pornographic videos circulate among the young and the effect is that they become susceptible to think that sex is all about violence of the like and, in trying to emulate the same, they divert from the real path. In India, children all follow an idol. When the same people are displaying things the wrong way on screen, how can we expect that the children will follow the right path?

Rights for Women:

Criminalization of marital rape.

To be considered rape even when there is no resistance.

Women have the right to kill fearing acid attack.

Voyeurs to get up to 7 years jail.

Stalker to get up to 3 years jail.

Police not registering case to be punished.

In AFSPA areas sanction needed to prosecute security men but not in sex crimes.

Senior officers to account for juniors' sexual offences.

No question to be raised about a woman's character during trail of offender.

CONCLUSION:

Women should be strong enough to question the gender stereotypes, and the relevance of deeply held beliefs and social attitudes towards sexes and sexual identities. Times have also come which provoked the majority out of insecurity, to go back to our animalistic defensive mode and madly trail down Darwin's survival of the fittest theory but ultimately and always, we have had to put our beliefs in our own created social structures to move on.

Consistent gang rapes and brutal assaults on the victim tell about an extremely sadistic psyche which goes way beyond sexual frustration. Considering women as 'property' which, unfortunately for them, are growing in power who now acts on their will is an insult to the primordial authoritative position of a majority of men in the society.

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