

# INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

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Volume 6 | Issue 6

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2023

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# Gender-Based Violence and Discrimination

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## ABSTRACT

*Gender-Based Violence is a big issue that nations all around the world are dealing with. It is a widespread and serious problem, with both men and women experiencing various forms of violence, harassment, and discrimination in both the private and public arenas. Gender-based violence prevention is a major challenge that our country faces. Even if there are various Constitutional provisions and legislation adopted by our legislators based on those principles, gender-based violence persists in all corners of our country. The United Nations High Commissioner for Refugees defines GBV as “Harmful acts directed at an individual based on their gender,” and says “It is rooted in gender inequality, the abuse of power and harmful norms and is a serious violation of human rights and a life-threatening health and protection issue.” Such acts can be of a physical, sexual, psychological, and/or economic nature.*

*This paper begins with an introduction to gender-based discrimination and violence, shedding light on the historical and current state of affairs. It goes on to detail the various types of abuses that persons suffer, whether physically, emotionally, intellectually, or verbally, which leads to an increase in the number of crimes in society and how it affects the accused. This research seeks to demonstrate that violence is experienced by people of all genders.*

*As we go closer to the study article's approach, this paper discusses discrimination and violence in various religions, including such judgments. The article then goes on to explore the constitutional protections against gender-based violence and the gaps in our constitution that are equally culpable for such crimes and are increasing in number, which also affects gender equality before the law.*

**Keywords:** *Gender-Based Violence, equality, constitution, harassment, discrimination.*

## I. INTRODUCTION

***“Gender Based Violence is a Human Rights violation and a crime against all genders.”***

In India, gender-based violence is defined as physical, sexual, and psychological injury, and it

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remains a serious public health issue despite several regulations and interventions. It is also true that both men and women are subjected to human rights breaches. Gender-based violence has become widely acknowledged at the worldwide level as a severe problem, not only for women but also for the achievement of equality, development, and peace. The government has also begun to pay attention to this issue in recent years.

The goal of gender-based violence is to degrade and create a sense of inferiority and/or subordination in an individual or group of individuals. It is driven by an imbalance of power. This kind of violence is often supported by a quiet and denial culture and is deeply embedded in the social and cultural institutions, practises, and beliefs of society. Both public and private settings can experience gender-based violence, which disproportionately affects the accused. It is a worldwide issue, but in order to better comprehend the patterns of violence and its causes, and hence remove them, knowledge of the specific historical and socio-cultural elements at work in each individual setting is required. The specific nature of gender-based violence in India is that other, apparently serious forms of behaviour may also be identified as acts of violence; these types of conduct include verbal and coercion, the infliction of physical injuries, serious bodily harm, and sexual abuse that constitute rape or ravishment. The World Health Organisation (WHO) data from 2021 shows that, although gender-based violence is not just limited to violence against women and girls, nearly one in three women, or roughly 736 million women, have experienced intimate partner violence, non-partner sexual violence, or both at least once in their lifetime. This does not address the 1 woman slain by her partner every 11 minutes (UNODC, 2020).<sup>4</sup>

### **(A) Research methodology**

Secondary data was collected for the study. This is a doctrinal investigation. The researcher also used commentaries, books, treatises, articles, notes, remarks, and other materials to incorporate the varied perspectives of numerous jurists in order to give a comprehensive view. In this work, the researcher relied heavily on Case Laws to identify a pattern in judicial statements.

### **(B) Objectives**

1. To understand how gender-based discrimination and violence is prevailing in our society.
2. To study what constitutional remedies are available for such violence and its loopholes.

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<sup>4</sup> United Nations Population Fund | [www.unfpa.org](http://www.unfpa.org)

## II. IMPACT OF GENDER-BASED VIOLENCE

Gender-based violence has both immediate and long-term implications for a person's physical, emotional, sexual, and reproductive health. Injuries, unwanted pregnancies, sexually transmitted infections and gynaecological illnesses, as well as anxiety, depression, post-traumatic stress disorder, and even self-harm, are just a few of the consequences of violence. A woman who has experienced intimate partner abuse, for example, has a twofold increased risk of having an induced abortion and is 50% more likely to have a sexually transmitted infection or HIV.

Gender-based violence violates more than just individual rights. Criminals' impunity, as well as the dread inspired by their activities, have an effect on everyone. It also has a global impact, endangering the country's peace and growth.

### (A) Types of violence

1. **Physical violence:** Physical violence includes the use of items or weapons, as well as beating, burning, kicking, punching, biting, maiming, or murdering. Physical violence is defined as any act intended to cause or result in pain and/or physical injury. As with all forms of violence, the perpetrator's primary goal is not just to create physical suffering, but also to limit the other's self-determination.
2. **Verbal violence:** Putdowns (in private or in public), mockery, the use of expletives that particularly hurt the other person, disparaging remarks about their loved ones, and threats of other violent acts, directed either at the victim or at a close associate, are examples of issues that fall under the category of verbal abuse. Occasionally, the victim's background—including their religion, culture, language, and (perceived) sexual orientation—may have an impact on the verbal abuse. Abusers usually target the victim's most vulnerable emotional areas on purpose, causing the victim to feel threatened, hurt, and humiliated.
3. **Sexual violence:** Sexual violence includes the following behaviours: engaging in non-consensual vaginal, anal, or oral penetration with another person using any body part or object; engaging in other non-consensual sexual acts with a person; or causing someone else to engage in non-consensual sexual acts with a third person.
4. **Socio-economic violence:** Taking away the victim's income, preventing them from earning a second source of income (making them housewives or making them work in the family business for free), or intentionally injuring them to the point where they are

physically unfit for employment are examples of common forms of socio-economic violence.

The prevalent female power relations in civilizations are both a cause and an effect of socioeconomic violence in the public sphere. Denial of access to school or (equally) paid labour (mostly for women), denial of access to services, exclusion from particular jobs, denial of pleasure, and denial of civil, cultural, social, and political rights are all examples. In the case of LGBT+ people, they may even face criminal charges.

Some forms of public socioeconomic gender-based violence contribute to women becoming economically dependent on their partner (lower salaries, very low or no child-care benefits, or benefits related to the wage-earning male partner's income tax).

### **III. GENDER-BASED VIOLENCE AGAINST PEOPLE WITH DISABILITIES**

Social discrimination based on gender and disability makes both men and women with disabilities more vulnerable to gender-based violence. Women and girls with disabilities, on the other hand, are at a higher risk due to mental, sexual, and physical abuse. It was decided that previous instruments did not take gender-based violence in India into account, and that a formal description of this crime was absent.

Disability, according to the social model, is a social construct that occurs when society disables people with impairments by denying them full participation. Furthermore, there is essentially little evaluation of services and interventions addressing gender-based violence among PWDs. The glaring lack of statistics on people with disabilities obscures the condition of gender-based violence in this population, discouraging political commitment and comprehensive public health engagement. When compared to those without disabilities, they experience many forms of violence over the course of their lives, perpetrated by multiple attackers for longer lengths of time. People with disabilities are exposed to violence from family members and well-known acquaintances.

### **IV. GENDER-BASED VIOLENCE AGAINST TRANSGENDER PEOPLE**

Factors that increase transgender susceptibility are numerous. Gender role attitudes are one of the primary factors of transgender vulnerability to gender-based violence. Several societies use techniques such as institutionalization, forced sterilization, and marriage restriction to control people's sexuality. Furthermore, transgender people are socialized to be agreeable in order to obtain care. Such socialization fosters internalized oppression and obedience, making it difficult for children to disclose abuse and encouraging them to stay in harmful relationships. In India,

such social norms that encourage societal devaluation of transgender people make them more vulnerable to gender-based violence.

The Indian judicial system has produced several landmark judgements in favour of transgender people and their rights. Even under such favourable circumstances, these groups of people are subjected to inhumane practices such as forced sterilization, marital restrictions, and a lack of social acceptance in our developing society. Earlier transgenders had no identity in Indian society but acknowledging that Indian laws are substantially binary in nature, recognising only male and female genders, the Honourable Supreme Court of India in its order in the case of *National Legal Services Authority vs. Union of India* ( AIR 2014 SC 1863, the ‘ Nalsa Judgement’ ),<sup>5</sup> declared transgender individuals distinct from binary genders, as the ‘Third Gender’ under the Indian constitution and for the purposes of laws enacted by the parliament and state legislatures.

Due to a lack of social acceptance, transgender people are not considered as equal members of society. Transgender people are frequently abandoned, with less options for surviving and earning a living. Parents often believe that having a transgender child is shameful because it will bring shame to the family. Another point to consider is marriage. The government enacted legislation to address the aforementioned issues and others.

#### **(A) The Transgender Persons (Protection Of Rights) Act 2019 And The Transgender Person (Protection Of Rights) Act 2020**

As per the law, a Transgender Person is a person whose gender does not match with the gender assigned to that person at the time of birth, and includes:

1. Trans-man
2. Trans-woman
3. Individual with intersex variations
4. Gender-queer people
5. People with kinner, hijra, aravani, and jogta socio-cultural identities

#### **(B) Laws protecting transgender people**

**1. Equality of Opportunity (Article 14):** No one has the authority to deny any "person" equality before the law or equal protection under the law. The use of the term "person" indicates that there is no discrimination based on sex or gender identity.

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<sup>5</sup> National Legal Services Authority v. Union of India (2019) SCC 438.

'Transgender People' cannot be exposed to discrimination in educational institutions or at work. They also have the right to equitable health care, the use of public property, and the freedom to move around the country.

**2. Prohibition of discrimination on the basis of any factor, including gender (Article 15):** Discrimination on the basis of race, religion, caste, or sex, or any combination of these factors, is prohibited. This indicates that discrimination or ill-treatment of transgender people violates their fundamental human rights. The court ruled in *Mx. Alia SK v. The State of West Bengal and Ors. (2019)*<sup>6</sup> that transgender people have the right to seek admission to colleges. The decision is significant because it demonstrated the importance of courts in ensuring that special accommodations and changes are made to include transgender people in the application and admission processes of public universities where none exist.

**3. Freedom of expression and expression (Article 19):** Every citizen has the right to free expression and expression. This includes the freedom to publicly declare your gender identity.

**4. Right to life and personal liberty (Article 21):** According to Article 21, which deals with the protection of life and personal liberty, no one shall be deprived of his life or personal liberty except in accordance with legal procedure. According to this right, every individual, including transgender people, has the right to life and personal liberty. As an Indian citizen, the transgender person has the complete right to safeguard their life and personal liberty.

The Madras High Court recognized in the case of *Nangai v. Superintendent of Police (2014)*<sup>7</sup> that ordering a person to undertake a gender medical examination violates Article 21. It upheld a person's right to self-identify as the gender of their choosing.

**5. The Transgender Persons (Protection of Rights) Act of 2019 and its accompanying rules:** This Act, which was passed in 2020, grants Transgender People several rights. The rules are intended to supplement the Act

**6. The SC/ST Act (Prevention of Atrocities) of 1989:** This law protects individuals who are members of the Scheduled Caste or Scheduled Tribe communities against caste/tribe discrimination.

The court highlighted the need of not only reservations for the transgender population, but also age relaxations and fee concessions for them in examinations in the case of *Mx Sumana Pramanik v. Union of India (2020)*<sup>8</sup>. Wherever these reservations provisions have been made,

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<sup>6</sup> *Mx. Alia SK v. The State of West Bengal and Ors.* W.P. NOS. 21587 (W) (2019)

<sup>7</sup> *Nangai v. Superintendent of Police (2014)* 4 MLJ 12

<sup>8</sup> *Mx Sumana Pramanik v. Union of India* W.P.A NO. 9187 OF 2020.

the government must enforce them.

## **V. MARRIAGE OF A TRANSGENDER PERSON**

In India, a transgender person can marry under personal religious rules (for example, the Hindu Marriage Act or the Indian Christian Marriage Act) or under the Special Marriage Act, 1954. The Madras High Court observed in the case of *Arun Kumar v. Inspector General (Madras)* (2019)<sup>9</sup> that a marriage solemnized between a male and a transgender woman, both professing Hindu religion, was regarded a lawful marriage in the eyes of the law.

### **(A) Can a transgender person file for divorce?**

If they are legally married, they have the right to divorce under the law that they were married under in the first place. There is no legal necessity to divorce in the case of live-in couples.

### **(B) Protection against sexual harassment**

Transgender Persons (Protection of Rights) Act –Section 18 of this Act makes it criminal for anyone to sexually abuse a transgender person.

Indian Penal Code –All transgender women have the right to seek protection under all sections of the Indian Penal Code that protect women from sexual abuse. The High Court of Delhi said this in the case of *Anamika v. Union of India* (2020).<sup>10</sup>

Prevention of Sexual Harassment at the Workplace –If a transgender person experiences sexual harassment at school or college, it will be deemed Sexual Harassment at Workplace. Any transgender student may register a complaint with the school/university's Internal Complaints Committee.

## **VI. GENDER-BASED VIOLENCE AGAINST WOMEN**

Women and girls are disproportionately affected by and the targets of gender-based violence. Worldwide, one in three women have experienced sexual assault and other types of violence. Intimate partners or family members are also far more likely to murder women than men. Crimes involving women are among the least likely to be prosecuted and are also among the most underreported. Due to deficiencies in the criminal justice system and its procedures, victim blaming, gender stereotypes, and inadequate responses from professionals and institutions, survivors often face significant obstacles that result in further victimisation. Another significant hazard that one in three women in our nation faces, irrespective of their age, race, religion, level

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<sup>9</sup> *Arun Kumar v. Inspector General (Madras)* W.P. (MD) NO. 4125 OF 2019 AND W.M.P. (MD) NO. 3220 OF 2019

<sup>10</sup> *Anamika v. Union of India* (2020).



of education, income, or social standing in our civilised society, is gender-based violence (GBV). At times, they have to cope with these difficulties at work, in their own homes, on the streets, and so on.

### **(A) Types of violence against women**

#### **1. Gender-Based Abuse of Infants and Girl Children**

Long-standing cultural traditions favouring men lead to a social preference for boys in nations like India, which results in the neglect of girls. This results in malnourishment of girls, sex-selective abortions on females (the sex of the foetus being established by ultrasound technology), or even infanticide (the deliberate killing of female new-borns shortly after birth). This leads to a lower-than-expected female-to-male ratio, which denotes a break from the normal order of events.

#### **2. Genital Mutilation in Women**

The removal of external genitalia or other injury to the female genital organs for non-medical, cultural, or religious purposes is known as female genital mutilation. Other names for this include female circumcision and female genital cutting. Depending on the situation, a girl may experience FGM at many different stages of her life.

#### **3. Intimate Partner Abuse**

The most common kind of violence against women in all civilizations, among both affluent and poor women, is violence committed by an intimate male partner or ex spouse. Abuse that transpires between a husband and wife, or between a current and former cohabiting partner, is referred to as intimate relationship violence; some definitions extend this definition to include boyfriends and girlfriends. Although this is one of the most prevalent forms of violence against women, the term "intimate partner violence" needs to be broadened to include "against women" in order to adequately describe the circumstances.

#### **4. Domestic Conflict**

Intimate or family beatings are the most common types of acts that are classified as "domestic violence". Other behaviours that may appear less severe may also be classified as acts of violence due to the particular characteristics of gender-based violence in the home. These behaviours include coercion, verbal and emotional abuse, deprivation of liberty, infliction of physical harm, and serious bodily injury.

#### **5. Sexual Harassment**

Although it is generally acknowledged that there is an unequal and exploitative power dynamic

between individuals who participate in sexual harassment, the issue is extremely complex, impacts interpersonal relationships, and is challenging to identify. Because they hold lower-ranking positions at work, women are more likely to engage in this activity, yet instances of women harassing men do happen. Reports of sexual harassment by female executives' subordinates or colleagues have also surfaced. In these situations, harassment is a tactic used to undermine women's ability to exert authority by diminishing their role in the workplace, their professional skills, and their leadership potential, as well as by drawing attention to their sexuality. Sexual harassment is a result of both objective disparities in power dynamics at work and the cultural authority that men hold over women in the context of the dominant gender system, which discriminates against women based on their bodies and sexuality as well as their control over them.

## **6. Rape**

The most severe kind of sexual violence is rape, which mostly uses fear and physical force. Its victims suffer from severe bodily and psychological damage. The spread of the HIV virus and unintended pregnancies are among the most grave consequences, since abortion is illegal in India even in situations involving rape. This is gender-based violence, of a brutal nature, committed by a man with the intention of controlling women. It could be done in an aggressive manner or concurrently to satiate a bodily urge.

## **VII. CHALLENGES IN ADDRESSING GENDER-BASED VIOLENCE**

The difficulties in tackling gender-based violence in India are numerous.

**1. Patriarchal Belief:** The continuation of gender stereotypes and patriarchal attitudes that support violence against women is one of the main problems. Due to the widespread belief that women are inferior to men, discriminatory practices including female infanticide, dowry murders, and honour killings occur.

**2. Lack of Awareness:** Both the general population and law enforcement organisations lack knowledge and comprehension of gender-based violence. Because of the insensitivity with which the police and the legal system have handled incidents of gender-based violence, victims have lost faith in them.

## **VIII. RELIGION AND VIOLENCE AGAINST WOMEN**

Because of the patriarchal nature of the society, women have always been subjected to inferiority, degradation, and abuse, regardless of religious background. When it comes to the topic of matrimony, succession, adoption, or even inheritance, women have traditionally been

regarded secondary.

Polygamy was common among Hindus prior to 1955. Except in the instance of Stridhan, Hindu women could not hold any property as absolute owners and could not even adopt a kid on their own. Even though Hindu law has been codified, several discriminatory aspects continue to exist. When it comes to addressing Muslim Law, women had a secondary status in pre-Islamic Arabia. When it comes to the deterioration of Muslim women and the exacerbation of their difficulties, the arrival of Islam has made a significant contribution. In Islam, a man can marry four times, however women cannot, and if they do, they are considered unchaste and filthy. Women are not even granted the ability to divorce their husbands, despite the fact that the technique of divorcing the wife by pronouncing triple Talaq is highly discriminatory. This was recently declared void [8Shayara Bano vs Union of India and Ors., W.P. (C) No. 118 of 2016] and unlawful by the Allahabad High Court. Even in the question of succession, a Muslim woman is discriminated against, as the Muslim male receives twice the portion of the deceased's property. In terms of maintenance, the Muslim woman is not needed to be supported after the Iddat period.

## **IX. THE PROVISIONS OF THE CONSTITUTION AGAINST GENDER-BASED VIOLENCE**

In order to avoid gender-based violence, the Constitutional framers inserted various measures in the form of Directive Principles, Fundamental Duties, the Preamble, and Fundamental Rights in the fundamental legislation of our state. They not only incorporated such protections in the Constitution, but they also provided authority for the centre to take proper actions to avoid this type of violence.

Based on those provisions, the Central Government implemented various corrective steps and signed several international treaties to ensure women's equality. But the true issue is that most of those whose rights have been violated are uninformed of the fundamental rights provided by India's constitution.

The Indian Constitution contains some laws to prohibit gender-based violence. The constitutional clauses are as follows:

“Article 14: This article authorizes the State to accept every person equally. The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”<sup>11</sup>

“Article 15(1): Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. Here the State shall not discriminate against any citizen on grounds only of religion, race,

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<sup>11</sup> Constitution of India, 1950, art.14.

caste, sex, place of birth or any of them.”<sup>12</sup>

“Article 15(3): This article of the Constitution states: "Nothing in this article shall prevent the State from making any special provision for women and children." Based on this provision, the central legislatures have enacted the child Sexual Harassment Act, the Domestic Violence Act, Workplace Harassment Law, and the Hindu Succession Act and also made amendments to criminal law recently (Nirbhaya case).”<sup>13</sup>

“Article 16(1): There shall be equality of opportunity for all citizens in matters of employment under the State. (2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth or any of them, be ineligible for any office under the State.”<sup>14</sup>

“Article 39(d): States that the health and strength of workers irrespective of whether men, women or children shall not be abused or manipulated. Further, economic necessity/condition shall not be the reason for entering such avocation that is unsuitable for specific age or strength.”<sup>15</sup>

“Article 39(A): According to Article 39A of the Indian constitution the State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid.”<sup>16</sup>

“Article 42 - Provision for just and humane conditions of work and maternity relief.”<sup>17</sup>

“Article 46 "The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.”<sup>18</sup>

## **X. LEGISLATION AGAINST GBV**

Based on the Constitutional provisions several legislations were enacted by the legislatures in order to meet different aspects of GBV.

Some of the acts are as follows

- Dowry Prohibition Act (1961)
- Amendments to the Indian Penal Code, 1862,

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<sup>12</sup> *Ibid*, art.15

<sup>13</sup> *Ibid*, art. 15(3).

<sup>14</sup> *Ibid*, art.16(1).

<sup>15</sup> *Ibid*, art. 39(d).

<sup>16</sup> *Ibid*, art. 39(a).

<sup>17</sup> *Ibid*, art. 42.

<sup>18</sup> *Ibid*, art.46.

- Indecent Representation of Women (Prohibition) Act (1986),
- Child Labour (Prohibition and Regulation) Act (1986),
- Domestic Violence Act (2005),
- Prohibition of Child Marriage Act (2006)
- Information and Technology Act (2008),
- The Protection of Children from Sexual Offences Act (2012),
- Criminal Law (Amendment) Act (2013),
- Sexual Harassment of Women at Workplace Act (2013),
- Child Labour (Prohibition and Regulation) Amendment Act (2016),
- Decriminalization of Gay Sex (Section 377-2018),
- Criminal Law (Amendment) Act (Death penalty for raping a minor- 2018) etc

## **XI. GENDER-BASED VIOLENCE AGAINST MEN**

Women's violence against males has been a widespread issue in recent years. Economic, physical, sexual, and emotional abuse, as well as psychological abuse that impairs a person's psychological and physical health, are all examples of abuse. Gender-based violence affects both males and women.

In India, where males have ruled for many generations, people find it hard to believe that men may also become victims of domestic abuse. Thus, there may be a rationale behind Indian law's nonrecognition of domestic abuse against men. In contrast to popular belief, there is a growing number of men who experience physical and psychological abuse at the hands of women.

There are currently no laws in the nation that shield men from violence committed by intimate partners. The Indian Penal Code of 1860 states in Section 498A that a man is alone accountable for abusing his wife; no other clause in the Act holds women accountable for the same offences. Similarly, the 2005 Protection of Women from Domestic Violence Act's Section 3 makes it clear that it only shields women from this kind of abuse. The Act contains no clause that shields men from this kind of violence. Such a legislation establishes the notion that women are always innocent and males are always guilty.

Why is it so difficult to see Boys and Men as victims and survivors?

GBV against males is assumed to be underreported due to cultural expectations of masculinity, specifically that men are stronger than women, and because intimate partner violence against

men is often not recognized, particularly when there is no weapon or physical item accompanying the abuse.

### **(A) Types of violence against men**

#### **1. Domestic**

GBV against boys and men can take many forms, including physical (hitting, slapping, kicking, choking), emotional (insults, name calling, humiliation), and sexual abuse (rape, genital injury), isolation, controlling interaction with others, false accusations, and lack of access to children or fathers. According to studies, most domestic abuse goes undetected when a woman is the perpetrator.

#### **2. Institutional**

GBV is especially dangerous for men and boys in institutions and jails. Physically and mentally challenged males are four times more likely than others to be victims of SGBV in an institutional care setting.

#### **3. Disagreement**

During times of violence, boys and males are more likely to be killed than girls and women. Sexual violence against boys and men has been reported in over 25 nations, mostly in conflict-torn areas. According to recent data, the prevalence is higher than previously thought, with up to one-third of male ex-combatants reporting SGBV. Forced recruitment, rape, sexual abuse, forced incest, group masturbation, and homosexual acts, as well as castration, are some of the various varieties of GBV faced by boys and men during conflict, captivity, and terrorist methods.

One in ten married males in rural Haryana, aged 18 and older, reported having experienced domestic violence, according to a poll of one thousand men in this age group. Studies indicate that men are also victims of this kind of violence, not only women.<sup>19</sup>

Men mistreat women in close relationships, and this is undeniable. It does not, however, justify not passing legislation to shield men from the same. Gender equality and human rights are universal. Article 14 of the Indian Constitution guarantees citizens the fundamental right to equal treatment, while Article 15 forbids discrimination on the grounds of caste, religion, race, gender, or place of birth. Every Indian citizen is guaranteed the right to life and liberty by the Indian Constitution.

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<sup>19</sup> timesofindia.indiatimes.com

## **XII. CONCLUSION**

The culture and interpretation of people's positions in society are greatly impacted by the structural underpinnings of gender violence. It is past time to move towards gender equality and equity in order to create a society free from gender violence. The first steps towards putting an end to gender violence are gender empowerment and the creation of cultural norms that recognise gender roles and diversity. As a result, appropriate adjustments to existing legislation are required. There is also an urgent need to adopt gender-neutral laws so that criminals can be punished and victims can be treated regardless of gender. To prevent and eliminate domestic violence in this profession, gender-neutral laws must be implemented, and sexist policies must be avoided. Individuals should be educated and made aware of their rights and the value of every gender in society, as well as how a gender-based discriminated or violated accused suffers. India is a democratic country, and its constitution applies to and is enjoyed by all of its citizens, regardless of gender.

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