

THE LEGAL PROTECTION FOR WOMAN AGAINST VIOLENCE :

PROBLEMS AND PROSPECTS

by

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Submitted in Partial Fulfillment  
of the Requirement for the Diploma in Law  
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NOVEMBER 1986

## PREFACE

The aim of this project paper is to look at every topical issue which causes public concern ie. violence against women. Violence comes in many forms either mental or physical. Common physical violence are rape, incests, sexual assaults and battery. Mental violence are the mental torture that the women has to endure in the hands of men.

The writer also attempts to look at reasons behind the increasing number of violence against women. The way women are portrayed over the mass media is one of the chief courses leading to this violence. This factor is contributed by the attitude of security towards women. Society viewed a woman only as a wife, mother or servant of men. When a woman gets raped she is ridiculed and society usually puts the blame on her for being raped. Conservative society viewed sex as something shameful and should not be discussed in public. As a result girls of tender age are ignorant and do not know what acts and attention showered on them are right or wrong.

Another area which the writer deals in, is the inadequacy of the present law. and protections given to such victims. Victims are reluctant to report their cases due to shame and threats especially in rape cases. This leads to many cases unreported when a victim does make a report, however she is more often ridiculed and appears to be put on trial rather than the rapists. Her character and reputation will be torn to shreds and she will end up broken and disillusioned. In addition, medical examination by the doctors and investigations by the police made the victim relive the right more of rape all over again. This exists due to the kind of law we have at present which is a gross injustice to women.

A greater part of the paper is dusted to the proposals for reforms of law. Many proposals have been made to reform the law, Especially to the Penal Code, Evidence Act and Criminal Procere Code. Centres are also set up to help victim overcome her nightmare and to help her begin a new life. There are proposals that only women doctors examine rape victims. So as to reduce the embarrassment and violence of the victim. Only women police officers would investigate rape cases. It is hoped that with all the changes justice will not only be seen to be done but will be done and peace, preserved.

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## CHAPTER I

### INTRODUCTION

#### A. Concept of violence

Violence denotes attack, harassment or act of great force or abuse to another person or to other living things. Violence exists as long as men exists on this earth. The concept of violence is viewed differently throughout the centuries. In the 'Stone Age' a violent act such as harassment torture, killing, assault was the concept of living and was part of the way of life. Here the concept of "survival of the fitness" is practised, only the strong will be able is survive and in order to survive they have to resort to acts of violence.

Eventhough men has imposed laws and regulations in order to bring peace and order to their lives, violence still exists. This is because of human frailties. People fail to obey the law and regulations due to their greediness for power and glory. They discriminate between the blacks and the whites, the male and the female and between big and powerful countries and the poorer, undeveloped ones. People such as Hitler, Mussolinni two names a few achieved great heights in their careers and become well-known throughout the world because they an important role in the outbreak of war and the tragedies that entailed.

Hitler for example became well-known till today because of his part in the war and the brutal killings and torture he imposed on the Jews during the World War Two.

Today people are aware that violence is not the way to find peace and unity to the world. How far the law and order which has been imposed in all the countries has achieved its aims of curbing violence is a question which is difficult to answer. In acts of violence the ones who will suffer most are the women and children. In this context we can say that the concept of "survival of the fittest" which people think is a thing in the past is still very much in existence today.

Woman as the weaker sex has always fallen victim to the violent acts of man. Even though in today's modern world women are given equal share rights and freedom, they are still the target of violent acts of man. Some of these violence acts are sexual harassment rape, assaults, battery, killing. Even in marriage some are subject to brutal treatment and abuse by their husband. In Asian countries, where chastity and unblemished character are still required to marriage, women who have been raped or sexually assaulted find themselves ostracised by society. They thus, are not able to lead a normal life.

Violence against women is not restricted to adult women but also to young girls. In many cases young girls had become victims of rape and sexual assaults. Playing on their ignorance and