EXPLORATION OF ACID ATTACK VIOLENCE IN INDIA

Aditi Sharma*

Abstract
This research talks about the atrocious crime of acid attack violence which is quite a burning issue worldwide. Although the author has taken only Indian context in this research. The author has classified the research paper into several parts containing the effect of acid attack on the victims and their social life. Author has tried to cover all the major issues related to acid attack violence in India. This paper shows how the acid attack has been affecting the lives of victims and devastating them. Author has mainly covered the reasons of acid attack, provisions of punishment for acid attack, what society has done for victims and are those measures useful for them and helpful in their betterment or not. Acid attack is a deep-seated social evil. Over the years the amount of this crime has engrossed social activists legislators judges as well as researchers to classify measures to restrain this evil. This research work explores the issue of acid attack violence: a brutal and nasty type of violence that involves the intentional throwing of acerbic acid onto another person with the purpose of disfiguration. This attack occurs in many countries but is particularly common in Bangladesh, Pakistan, India, and Cambodia. Global figures suggest that attacks are primarily perpetrated by men as a result of disgrace and loss of face or loss of honour. This research explores factors that contribute to the acid attack violence and will refer to cases in India.

Keywords: Acid Attacks, Atrocities against women, women and law, protection of women, offences against women

PREFERRED CITATION


* 4th Year student of B.A.LLB, Indore Institute of Law, Indore
INTRODUCTION

Acid attack, which is also known as vitriol age has emerged as an atrocious act that shows the seriousness of the constant violence and human rights violations. The crime of acid attack is a premeditated act of violence wherein acid is thrown or poured on the face or other body parts of the victim. The atrocious crime of acid violence can be seen in many countries; however, it is more prevalent in countries like Bangladesh, Pakistan, India and Cambodia. The crime of acid attack can be committed against any person without any distinction being made on any grounds viz. age, sex or religion.¹

Notwithstanding, the 226th Law Commission of India Report and in addition the Justice Verma Committee Report concedes that the deplorable wrongdoing of corrosive assaults has a particular sexual orientation measurement in India.² Corrosive assailants by and large target young ladies with the goal of deforming the substance of the casualty. The most well-known kinds of acids used to assault casualties are hydrochloric, Sulphuric and nitric acids.³ The fundamental explanations for commission of the merciless demonstration of corrosive tossing are many, in particular dismissal of affection or engagement propositions, refusal to pay endowment, dismissal of lewd gestures, property or family debate or conjugal question like refusal to give separate.⁴ Corrosive assaults comes about into extreme physical, mental and financial results and makes the life of the casualty more regrettable than death. Corrosive assault is a complex and multi-dimensional issue that makes it exceptionally troublesome for the survivors to come back to commonality.⁵

“I lost my childhood that day, I stopped going to school and lost all my friends. People stared at me and mocked me. Neighbors and relatives blamed me, and said I must have done something wrong to earn the man's wrath. My only fault was I refused the man's proposal.”

These were the words spoken by Laxmi a victim, who was subjected to an acid attack subsequent to her rejection to marry the performer of such a horrific crime.⁶ In spite of the fact that she survived the attack, her physical indication still relics terrible and the blemish on her spirit cannot be deleted ever. Obviously, she can never look the way she did the assault, medical procedure or something else. Many such occurrences happen the nation over consistently. While

¹ Minakshi Goswami, A review of literatures on acid attacks in India, MSSV Journal of Humanities and Social Sciences VOL. 1 NO. 2 [ISSN 2455-7706] 1
² Id.
³ Id.
⁴ Id.
⁵ Id.
⁶ Aishwarya Deb and Prithwish Roy Chowdhury, A fate worse than death: a critical exploration of acid attack violence in India, Law Mantra, Volume 2, Issue 5
the majority of the cases go unreported as the casualties fear encourage savagery or being openly slandered again, in a large number of the revealed cases, the blamed is never kept.7

Meaning of the term

The United Nations Entity for Gender Equality and the Empowerment of Women, defines “Acid attack” as any act or omission, caused by corrosive substance/acid to be thrown or administered in any form on the victim with the intention that such person is likely to cause to the other person permanent or partial damage / injury or deformity or disfigurement to any part of the body or organ or cause death of such victim,8 though the Indian Penal Code, 1860 which defines the main offences under it has been unsuccessful to give any accurate connotation to the term9 “Acid attack” it can be defined as any act of throwing acid or using acid in any form on the sufferer with the plan of or with acquaintance that such person is possible to cause to the other person enduring or incomplete damage or abnormality or disfigurement to any part of the body of such person10. Perpetrators of these attacks throw acid at their sufferers, ablaze them, and detrimental skin tissue, often revealing and from time to time dissolving the bones. The long-term consequences of these attacks include blindness and enduring scarring of face and body,11 maim her permanently and act as a lesson for her.12 Acid violence is a planned act of violence as the perpetrator of the crime carries out the attack by first obtaining the acid carrying it on him and then stalking the victim before executing the act.13

Causes of the Attack

There are many causes for acid attacks. The most general and apparent reason is “love rejection”, in which the offeror of marriage love, sex is discarded by the victim. In addition to her bodily appearance, a woman’s virginity is a new source in the marriage marketplace and therefore, women’s contribution in relationships before wedding is taboo. Nasty lovers on being turned down for wedding by women find an alternative to acid attacks to tear down the woman’s facade and downgrade her to a destiny worse than demise.14 Women are still regarded as “ownership”, and a man is believed to take up all the decisions in the family. In addition, when a woman refuses a man it is seen as destroying his status, esteem and honour, and

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7 Supra note 3  
9 Id.  
10 Id.  
11 Reports related to acid attacks, Stop Acid Attacks, available at http://www.stopacidattacks.org/2013/03/reports-related-to-acid-attacks.htm  
12 Supra note 6  
13 Supra note 8  
he restores it by flaming her face with acids. Men hurl acid on women as a mark of their masculinity and dominance.\(^{15}\)

Another major reason may be dowry evils or other marital issues. Though winning of dowry is a punishable offence but still it is mostly common in many areas.\(^{16}\) In India, many women say that they are attacked with acid due to the failure to meet with the financial expectations of their in-laws.\(^{17}\)

In adding up to this, land and property disputes may also be said to be the main reasons for the commission of this barbaric crime.\(^{18}\)

The inspiration for acid attacks on women can be attributed to a variety of factors and thoughts. Some perpetrators use acid to ruin and humiliate the victim’s body as a term of their cognizant anger in an effort to disgrace them. Others nurture their deep-rooted approach of uncertainty by expressing power and control by throwing acid on women in an effort to show their everlasting control over the woman’s doom.\(^{19}\) Thus, it can be concluded that acid attacks are a method of repression, which men use to keep women in a state of fear.\(^{20}\)

Case of Hasseena Hussain

19-year-old Hasseena Hussain was viciously attacked by her employer Joseph Rodrigues, over spurned love advances. Described as “a gorgeous, upwardly mobile woman in Bangalore, India”, Hasseena was endangered preceding to her attack that there were going to be “dire cost when she declined his overtures and started working to another place. Rodrigues wanted to settle matters by throwing sulfuric acid on her”. Thus, Hasseena was attacked because she had agency and dared to dishonour a man, which led to infuriating reckoning.\(^{21}\) Hasseena Hussain continues to live in Bangalore India, she is blinded in both eyes despite three attempted corneal implants and has received 18 operations. The assailant, Joseph Rodrigues, has lately been freed from prison after spending five years and three months there. Hasseena Hussain now works as an activist with the Campaign and Struggle against Acid Attacks on Women (CSAAAW) to fight the gush of acid violence against women.\(^{22}\)

Five years, 18 surgeries and Rs. 6 lakhs worth of treatment later, her face is still stained and she has not been able to get back to normal

\(^{15}\) Id.
\(^{16}\) Id.
\(^{17}\) Supra note 11
\(^{18}\) Supra note 14
\(^{19}\) Supra note 14
\(^{20}\) Supra note 6
\(^{21}\) Jane Welsh, "IT WAS LIKE BURNING IN HELL": A COMPARATIVE EXPLORATION OF

ACID ATTACK VIOLENCE, A thesis submitted to the faculty of the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Master of Arts in the Department Anthropology accessible at https://cdr.lib.unc.edu/indexablecontent/uuid:e472922a-b4a3-47a4-82e5-661dd7a966e5
\(^{22}\) Supra note 14
life, especially work, mainly because her sight has not been restored despite three corneal implants. She requires a number of more surgeries but they have been ad infinitum postponed due to monetary constraints. Hasina's case has made history as the second one in the State to result in a fervor; the first involved former Prime Minister Hardenahalli Dodegowda Deve Gowda's wife and daughter-in-law who were attacked with acid by a relative in 2001. The many other women whose cases CSAAAW has been involved with — among them Noor Jahan, Shanthi, Tara and Shruthi — have not come even this far in their seek for justice.

Impact and aftermath of acid attack

Physical consequences

Like other wounds, acid attack is unparallelly the most painful of all. The acid thrown not only burns the skin but also melts the flesh and bones layer by layer. It may also melt the bones. The eyelids and lips may burn off right away and. Acid may hastily destroy the eye. The nose may melt. Even the skin and the bone on the skull, forehead, cheeks, and chin may dissolve.

Psychological Consequences

Psychological consequences can even be more wretched and sore as compared to the physical consequences. A trauma grips the sufferer when she feels that her skin is burnt off, and after the assail the defacement and the disabilities with which they have to bear for the rest of their lives. Some of the psychological problems, which the victims suffer, are insomnia, nightmares, depression, fear of facing the world, headache, tiredness, fear of other acid attacks. They think themselves boycotted and thrown up from the society. The victim’s life fully becomes derailed, as many times she looks herself into the mirror, as our conventional society is more passionate towards external beauty than the interior beauty. This consequently sheds an adverse image on her empowerment.

Economic Consequences

The victims who are not married are likely not to get married as they bear many disabilities like blindness, deafness and many others and our societies mind set is not that broad enough to accept a disabled person as their partner. They even do not get a job in spite of being capable as they cannot meet up to the expectation of their employers as not having the personality. Instead of helping

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23 Supra note 14
24 Supranote 20
25 Supranote 20
26 Supranote 20
27 Supranote 20
them we make their life more difficult as we commiserate them as we do not like to look at their faces for long. So far as economic consequences are concerned such victims face a high discrimination when it comes to offering jobs. Therefore it can be said that, the acid attack victims go through hell in this torment and their life becomes shoddier than death. Their physical scars hark back them continually of the atrocities committed on them, and a feeling of aloneness and insignificance always haunts them.28

Legal provisions

The landmark case, which brought about a change in the field of this horrid violence, was the case of Laxmi’s. The Hon’ble Supreme Court of India, keeping in mind the constitutional provisions of Arts.21, 14, 15 and 32 issued guidelines as precautionary measures and aid to the victims of the acid attack and approved an order opinion the need for framing rules regulating retail sale of acids in the society. The accused were awarded rigorous imprisonment of 7 and 10 years respectively.”29

With the advent of The Criminal Law (Amendment) Act, 2013, there seems to be a ray of hope for the sufferers of such monstrous crime as the changes brought about by the said Act concerns with specific punishment for offenders and obligatory provisions for providing compensation to the victims of acid attack. The said Act has inserted Secs.326A and 326B under the Indian Penal Code, 1860 and also Secs.357B and 357C of the Code of Criminal Procedure, 1973, to make sure enough relief to the victims of vitriolag.30

The National Commission for Women (NCW) has submitted another major proposal of setting up a National Acid Attack Victims’ Assistance Board.31

Apart from this, as parties to Convention on the Elimination of Discrimination against Women (CEDAW), India has a legal duty to implement due thoroughness to stop attacks, punish perpetrators, and recompense victims of acid attacks which has been referred to as a form of gender-based violence forbidden by the Convention on the Elimination of Discrimination against Women (CEDAW).

Suggestions

1. Work with criminologists, psychologists and perpetrators do build up a deeper understanding of motivations. There is a scarcity of literature, theories and understandings of violence.32

28 Supra note 14
29 Supra note 21
30 Id.
31 Id.
32 Supra note 21
2. Education and sensitization of national institutions, Government officials, policy-makers, community and spiritual leaders, judges, police and court officials, doctors, NGO leaders, and others need to be challenged about their individual prejudices, and educated about the consequences of acid attack violence and about the need to implement laws and punish perpetrators.  

3. Training sessions on ‘changing attitudes and behavior’ and ‘acid attack violence awareness’ could be useful avenues for disseminating information and challenging discriminatory attitudes and beliefs.  

4. Regulate the sale of acid.  

5. Address underlying root causes of acid attack violence: Develop comprehensive strategies and policies with key stakeholders, communities and NGOs to challenge and address oppressive social problems such as poverty, cultures of shame and honour, history and culture of violence, marital conflict and rigid gender roles. These strategies and policies could include early intervention in marital conflict, gender sensitivity training with boys and young men, and increased opportunities for education and training for both women and men.  

6. Services for women with disabilities who experience violence: Women with disabilities who experience subsequent violence require specialised and adapted services and activities: they should also be involved in the design, training and execution of interventions.  

Monitor and provide support to the families of acid attack victims: Acid attack causes many deaths in India. Families and partners of sufferers should be offered psychological support, treatment, and legal advice, and be included in campaigns and focus groups. International and regional working groups. Acid attack violence occurs in many Asian and African countries, and the formation of working groups could be advantageous in sharing information, raising awareness, improving interventions and preventing acid attack violence.  

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33 Id.  
34 Supranote24  
35 Supranote24  
36 Supranote24  
37 Supranote24  
38 Supra note 21  
39 Id.