

Child Sexual Abuse: the Conspiracy of Silence

Theme of Two days Colloquium on Family Institution- Ideas, Practice and Impact

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Abstract

Human rights violation is least prosecuted crime and is threat to peace and development. Rights are not luxuries therefore it cannot be separated from the needs of individuals. Women and child rights are at the heart of human rights as it deals with dignity, equality, peace & security. It is unthinkable that young children's are subjected to almost all forms of abuse in our state & country. Even an infant of five months is also get raped. Thus the need of an hour is to understand the extent, nature, causes & consequences of various forms of child abuse and understand how abuse is socially & legally constructed and dealt with.

Child does not have language to describe their experiences, family keep mum to protect their honors, society have never allowed them to voice their fear, and we have to proceed from silence about the abuse to awareness, rather burying the abuse pretending that it never occurred or happened. Thus child abuse needs multidisciplinary intervention and its services need to adopt multidisciplinary approach. The nodal points for intervention of child abuse are police, hospital, court and educational institutions are to be involved to fight against child abuse and needs to contextualize within an understanding of the family and civil society with it political, economic, legal institutions. Against this backdrop and role of university teachers is not just teaching but making public awareness.

Introduction- Children's are not able to talk about their abuse & violence because our society Never allows them to voice their fear; this false notion of shame is the single largest culprit in perpetuating child abuse in every society. If we see the legal and social construction of child sex abuse, we will understand the sexual offences is defined in the context of feudal patriarchal relationship's.i.e. offence of rape is defined within the parameters of proprietarily rights of male over female with the confines of virginal penetrating &sex purity, therefore child's sexual act does not find any specific mention in India Penal Code. Sexual assaults are frequently perpetrated against women and girl child therefore it is important to understand what kind of preventive services will help us to find out solutions in the areas of violence and abuses. All human beings are born free and equal in dignity and the violation of human right poses serious consequences for current and future generation devaluating the efforts to ensure peace and security to achieve Millennium development goals. Women's equality and child rights are very near to the heart of Human rights and values to life with dignity, equality, peace & security.

Objectives of Study

- 1) To analyze the provoking factors that sparks domestic violence.
- 2) To study harmful effects on children's exposed to Violence
- 3) To identify the social and legal context of child abuse
- 4) Find out socioeconomic and age profile of victims and offenders.

Methodology

To study of occurrences of Domestic violence and child sexual abuses both the qualitative and quantitative methods are used but more emphasis is given on the narration of case studies. Authentic data of police department and district court is also used to see the impact.

More than 603 million women live in countries where domestic violence's is not yet considered as a crime, 60 millions girls worldwide are child brides, in many societies sexual violence's remains the issues of deep shame for women and individuals. Violence in every society has regained the nature of Omnipresent and irrupts more intense than right behind the doors of our homes and all across our country, people are being tortured ,beaten and killed and is occurring everywhere, It is crossing all social classes , genders, racial lines and age group. It has become a legacy is being passed from one generation to another generation.

The most common cause of women stalking and battering includes dissatisfaction with the dowry and exploiting women for more of it . The greed of dowry, desire for male child , infertility in females, indulging in extra marital affairs, neglecting children's and not giving correct or complete information to their partners. The Tandoor murder case Naina sahani in new Delhi in the year 1995 is such dreamful incident of a women being killed and then burnt in Tandoor by her husband due to suspicion of extra marital affair of Naiana One of the severe effects of VAW is that its effect her children's, It is nature's phenomenon that a child has greater attachment towards mother for she is one who gives birth. As long as violence's subjected to mother is hidden from children's they will behave normally at home. The day mother's grief and suffering is revealed , a child may become upset, Children's may not even comprehended the severity of the problem , they may turn salient reserved and express solace to mother. When violence is openly done in front of children's , this impacts their mindset, they get used to such happenings and get tendency of reciprocating in their lives the rural homes or where the space in the houses is small their children's become more victimize.

According to the latest report prepared by India's National Crime Records Bureau (NCRB) states that in every three minutes a crime is recorded against women in India, every 60 minutes two women are raped in this country and every six hours, a young married women is beaten to death , burnt or driven to suicide. Looking at the sensitive issues of DV we can sense the importance of such topic to be discussed, The causes that spark the violence within the four walls of homes needs to be analyzed carefully. We have to see closely the association of the factors provoking a particular form of DV.

Child Sexual Abuse (CSA) - Childs Sexual Abuse as a social problem is of recent origin therefore it has not received much attention in India. On 14th Nov 2012 Protection of child from offences of sexual assaults and safeguard interest of child at judicial process i.e. child friendly mechanism for reporting , recording of evidences , investigation and speedy trails of offences through special court. State Government under section 39 forms guidelines that within 24 hours the police should bring the child before welfare committee, than child under this act has right to life and survival , protecting the child from secondary victimization and hardship of regaining the justice.

Major Aspects of child Abuse-

1) Neglect, Credulity, Exploitation, Sexual assaults.

Child sexual Abuse is defined as mistreatment of children's by parents, caretaker and employees that leads to gross neglect, sadistic ill-treatment and murder. Sharing of abuse will not help them but harm so they have to learn shame, secrecy and silence.

Forms of child sexual abuses are

- 1) Kissing and touching the body parts
- 2) Oral , Anal or vaginal sexual intercourse
- 3) Pornography

- 4) Persuading child to touch the sex parts of other person
- 5) Masturbating using child as sex object

Differences between contact and non contact abuse

Non contact abuses are as follows

- 1) Voyeurism- Obtaining sex satisfaction by Observing children's who are naked or undressed , however it does not involves relationship
- 2) Exhibitionism- Exposure of genital or child is made to watch the sexual activity
- 3) Pornography- Children's are exploited for the use of pornography

Contact Abuse is

- 1) Foundling- Touching the body parts of the body
- 2) Masturbation- children's are made to rub the genitals
- 3) Penetration- Objects are inserted in viagin and Anaus

Oral Sex

- 1) Kissing- Kissing sounds innocent and affectionate towards children's but it is highly sexualized and frightening for children's even some times breast id kissed , sucked and bitten
- 2) Fellatio- oral genitals sex.
- 3) Cunnilingus- tongue is place in the vagina
- 4) Analingus – kissing of anaus.

Parameters for studying sexual Assaults

1) Place of occurrences

Place of occurrence	Frequency of occurrence
Offenders home	10
Park and garden	02
Temples	04
Toilets	02
Victims home	-
Public places	02

This table clarifies the myth that all rape occur in dark places , the offender is known to the child and her family Under the name of taking care of child they make access to touch th girls body and authority over her . the question is does the children's are safe and secured at home ?

Period between occurrences and registration of cases

Period	Registration
Within 24 hours	15
One week	3
8 days to 1 month	2
One month to one year	1

Public are aware that CSA cases are to registered within 24 hours this is highlighted from above table

1) Distribution of cases as per law sections

Cases under sections	Frequency
U/S 302 murder	1
U/s 342 wrongful confinement	03
U/s 363 Kidnapping	10
U/s376 Rape	05
U/s 354 outraging modesty	02

Kidnapping and rape in Marthwada is more frequently occurring abuse in most of the cases family is involved either the step mother or pathogenic family patter is responsible for such cases.

2) Informants relationship to child

Relation	Frequency
Mother	07
Father	05
Friends	05
Custodian	03

From this table it is narrated that maximum cases are registered by their mother it shows that even today the major responsibility of care and protection still lies in the domain and responsibility of mother.

3) Religion of girl child

Religion	Frequency
Hindu	09
Muslim	07
Christian	01
Buddhist	03

This is clear that girl child of different communities are sexually abused and this problem cuts across all the religious boundaries.

4) Distribution of cases by offender's relationship to child

Relationship	child
Neighbors	09
Father	01
Stranger	06
Unknown	04

Neighbors' who are having close intimacy with the family of girl child, their frequent interaction with the other family members that helps in building trust on the offender and he takes undue advantage of doing such unlawful act with the daughters.

5) Distribution of cases by marital status of offender

Marital status	Frequency
Single	10
Married	04
Wife is away from home	05
Separation	01

Large number of cases of sexual abuses are occurred when the offender is single followed by when the offenders wife is away from home for shorter or longer duration

6) Alcohol or drug dependency of offender.

Alcohol or drug dependency	Frequency
Use of drug	06
Use of Alcohol	10
Data not available	04

Alcohol is the causal factor and alcohol is used by the perpetrator as an excuse.

Many activities of **sexual assaults by minors** bring to light inadequacies of family functioning which threatens the traditional glorified family image; it could be narrated by following examples.

- 1) Ashis 14 year's boy has raped three years sunita after inquiring he said I have done this act and knew about this through films.
- 2) Adolescent boys are committing rape on young girls under the age of ten years by pouring coconut oil in girl child vagina to lubricate it for smoothen the passage for penetration. They have their plan of action for hiding the crime.
- 3) Ram has seen his friend sham sexually abusing his cousin of seven years so shayam has entered into bargain with Ram, now the cousin is abused by Ram and he will keep quite about Sham's act.. Such trade off reflects upon our culture which upholds unequal power relations between sexes. In contemporary society we can see two trends explaining the motive behind sexual assaults on women and girls. Sexual assault is an act of violence against women and girls to establish supremacy or power or authority of man. The other trend is the sexual nature of the aggressive act is the acknowledgement that men had sexual urge and the sexual satisfaction was one of the goal of assault. More over violence is seen as violence against women and violation of her human rights. Therefore relation between sexes is socially organized and constructed and reflects the imbalanced power relations. India is characterized by conspiracy of silence, silences is generated out of lack of acknowledgement, the most unfortunate part is the society attaches the stigma of CSA only to the victims who is sexually abused. It is important to map how and what they know and think about the crime in family and families will be helping in designing the future strategies in context of CSA.

Conclusions

The cause of abuse cannot be simply located in psychopathology, but involves number of social factors, such as poverty & isolation; therefore breaking the legacy of violence of

romanticizing family life and mythologizing normal relations between parents and children's as respectful and harmonious. Child's sexual abuse needs to be contextualized within an understanding of family and civil society with its political, economic, and legal institutions. Child's sexual abuse cuts across all categories of class, caste, religion, educational background, and age, both of victim and the offender. We need different yardsticks to understand CSA and different skills to record the statements. We have to create a culture where sexual harassment is not tolerated? It is better to learn, know, and put an end to unlawful practices before it costs you. There is no excuse for violence against girls and women.

Transform narratives around the role of men to the issues as a part of the solution and not as a part of the problem. Start listening to what women are saying and not what you want them to say. Stop demeaning the feminine by saying things like bitch or Ho. Teach your daughters and sons about fair and respectful treatment of girls & women; no matter how a woman is dressed it is not an invitation to any man to mistreat her. Efforts are needed in areas of awareness, sensitization, and behavior change, speaking about sex, sharing with parents, destigmatization, and legal literacy among young adults. Sexual Abuse that occurs within the family is of a hidden and most secretive and difficult type of abuse for children's therefore Child Sexual Abuse should be considered as a Public Health Problem and must be addressed with the sense of urgency. The toxic social environmental factors like violence, poverty, Unemployment, poor housing, Chaining pattern of family structure, formation of marriage and living relationship, ability of family to adapt to changing circumstances are reasons leading to sexual abuse. The epidemiology of child maltreatment, physical & sexual abuse, neglect, and the social taboos of treating the abused child as the perpetrator of abuse must be treated if the risk of re-abuse is to be rendered. It is the responsibility of teachers to stop child abuse and think about the ways of healing, helping the child to talk about their experience, provide emotional support, and help them by giving the helpline number 1098.

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