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Violence against Women in the Slums of India: An Unequal Representation of Justice[1]

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Abstract:

The present paper discusses the findings of a cross-sectional study conducted in the urban slums of two major metropolises in India: Kolkata and Mumbai. The study was conducted to understand the nature and extent of violence in the lives of women and girls and their unequal access to justice. Violence against women is all-pervading—it affects women of all classes and regions. For women in slums, however, the situation is far worse, with the socioeconomic conditions of the slums precluding a life of dignity and well-being. They are denied basic education, married off at an early age, and become victims of several types of violence in and outside the family. The authorities and the justice system are generally not supportive of this cause. The study attempts to probe the issues underlying the lives of these women in terms of social justice and the failure of the rule of law to secure (representative) justice.

Key words: violence, women, slums, domestic violence, justice.

Introduction

The United Nations Universal Declaration of Human Rights (UDHR), signed on December 10, 1948, was a landmark document setting a standard of dignity and equal and inalienable rights for all

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people regardless of race, gender, culture, or faith. The declaration was created in the spirit of establishing a set of guidelines to frame a foundation of freedom, justice, and peace in the world (see, e.g., UDHR, 2015). In the following years, not only have most nations become signatory members of the UDHR, they have adopted their own human rights conventions to ensure the rights and freedom of all their citizens. These include, for example, the Canadian Human Rights Act (1985); the Cairo Declaration of Human Rights in Islam in 1990; the ASEAN Human Rights Declaration in 2009, and the European Convention on Human Rights (ECHR) in 1953.

In addition to these international conventions and declarations, many countries have established their own legislations designed specifically to protect the rights of children and women, who have historically not been equally protected under law. For example, in 1992, India established the National Commission for Women, and in 2007, it established the National Commission for Protection of Child Rights. The Indian Constitution includes several articles which specifically pertain to rights that safeguard all women in the country. In addition, there are some 23 different pieces of legislation that address everything from domestic violence, to medical termination of pregnancy, to sexual harassment in the workplace.[2] However, as the American scholar Joanne Belknap observes in her provocative book, *The Invisible Woman: Gender, Crime, and Justice* (2017), despite such legislation in many countries, many women still are not afforded their basic rights and safeguards. This general observation has been well documented in India (International Institute for Population Sciences, 2016; United Nations, 2015). In India, as in many other countries, the legacy of unequal treatment for women and girls is compounded by a range of factors including cultural values, social norms, family structure, and tradition.

Today, in principle, most countries have legislations and policies in place to ensure citizens are treated the same and/or equally afforded

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[2] See https://edugeneral.org/blog/polity/women-rights-in-india/ for a complete list of the different legislations.

enforceable rights to protection from abuse and neglect both within society at large and by the (in)formal mechanisms designed to uphold justice, and to value the rights of its citizens. However, despite the implementation of such laws, the road to equality has been riddled with proverbial potholes. Recent high-profile cases include that of the former Punjab Director General of Police, KPS Gill, who was found guilty of sexual harassment of a staff member but never punished for his actions.[3] Winterdyk (forthcoming), drawing on a range of sources, has recently pointed out that Indian women not only feel unsafe, but the majority have directly experienced some form of gender discrimination and/or violence. Winterdyk also observes that the rate of trafficking of women and girls in India for the purposes of sexual exploitation and/or domestic servitude ranks among the highest in the world. Therefore, and without prejudice to India, this paper draws on a research study to illustrate how women living in the slums of two major Indian cities are overrepresented as victims of (sex) crimes and do not receive representative justice from the criminal justice system.

The Extent and Nature of Crime among Women in India: It is a Man's World

India records a high incidence of sexual harassment and crimes against women. The former is so prevalent it has acquired a nickname: "Eve-teasing" (Doucleff, 2013). Official records show a total of 327,394 complaints filed in 2015 under the Indian Penal Code as well as special and local laws. This marked a decline of 3.1% over the previous year, but an increase of 43.2% since 2011 (National Crime Records Bureau, 2015). Major offenses perpetrated against women included cruelty by a husband or in-law, often referred to as domestic violence (113,403), followed by assault (82,422),

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[3] The following link offers a summary of seven prominent Indian men who received little or no punishment for transgressions against women:
http://www.hindustantimes.com/india/it-s-a-man-s-world-7-sexual-harassment-cases-that-rocked-india/story-TJ4sebHtBlmn2oEkJpJCHO.html

kidnapping (59,277), rape (34,651), and dowry death[4] (7,634). Gender-based violence is all-pervading in Indian society—it occurs in all kinds of situations (e.g., within the family, at the workplace, in public places, and even in state custody) and at all stages of a woman's life (Committee on the Elimination of Discrimination against Women, 2014). Such violence includes physical, sexual, or psychological harm or suffering, or threats of such, whether occurring in the family, or the community, including rape and trafficking (World Health Organization, 2005). Although the experience of gender-based violence for women occurs across all castes, classes, ethnicities, religions, and economic statuses throughout India, it varies in intensity (Manjoo, 2014). Women belonging to low socioeconomic strata are subjugated through discrimination that is coupled with lack of education, economic resources, and opportunities that arguably makes them easy prey (Chakrabarti & Chakrabarty, 2006).

The present paper is based on an exploratory cross-sectional study on the nature and extent of violence in the lives of Indian women who live in urban slums, as well an examination of their access to their legal rights and safeguards—fundamental justice. A slum is characterized by lack of water and sanitation facilities (Harshu, 2013). These are areas in urban settings where houses are dilapidated and overcrowded, the streets are narrow, and there is a lack ventilation, light, and/or sanitation facilities, subjecting inhabitants to numerous health hazards (Mishra, 2014; Schenk, 2010; Sharma, 2010). Several studies have documented the prevalence of domestic violence in the lives of married women living in slums and the underlying causes of such violence (see, e.g., International Center for

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[4] The term "dowry death" refers to the death of a woman caused by burns, bodily injury, or under abnormal circumstances within seven years of her marriage. The injury can be inflicted by a victim's husband, and any relative of her husband for, or in connection with, any demand for dowry. The term "dowry" means any property or valuable security given, or agreed to be given by either party to a marriage (generally the bride's family) to the other party (generally the groom's family) in connection with the marriage of the said parties. Dowry death is an offense under s. 304B of Indian Penal Code, 1860.

Research on Women, 1999; Whitzman, 2013). The literature is, however, limited when it comes to other forms of violence perpetrated on women and girls in India. Furthermore, the literature is limited in terms of the response of women toward such violence, as well as the challenges they face in trying to access the legal system, let alone any other forms of (social) support.

Based in the cities of Mumbai (Western India) and Kolkata (North-eastern India), which record 41.3% and 29.6% slum households respectively (Registrar General, 2011), the present study works to disentangle the widespread prevalence of such violence at home and in public spaces. In this context, the term "violence against women" has been taken to mean acts of physical, sexual, or mental abuse which have caused pain and suffering to the women, whether in private or the public sphere (General Assembly, 1993). The violence recorded includes physical abuse, verbal abuse, child abuse, rape, sexual harassment, and kidnapping, in addition to domestic violence. Most of these crimes are not reported to the police because of family honour, lack of confidence in the authorities, and time constraints (Shrivastava & Shrivastava, 2013). Refusal to record complaints between parties are common. In other cases, parties receive no judicial follow-up. In the absence of adequate legal machinery for redress, these women are often left to turn to informal bodies such as local clubs, political leaders, and women's groups for help.

Impact of Violence against Women in India

According to the National Family Health Survey (NFHS-3), the prevalence of violence against married women in various slums in India is between 23% and 62% (Sabri & Campbell, 2015: 757). Yet, other assessments suggest the violence against women is lower. For example, Pandey, Dutt, and Banerjee (2009) report that violence against women in the slums ranges from 17% to 25%. Another study (Babu & Kar, 2009) argues that violence against women in the eastern region is relatively high compared to the rest of India. Various factors have been identified for the wide prevalence of

violence against married women: low socioeconomic status, use of alcohol, and extramarital relations, including those in red-light areas (see Pandey, Dutt, & Banerjee, 2009). Other factors include early marriage and unemployment among women (Begum, Donta, Nair, & Prakasam, 2015). In addition, the Bengal Social Service League in Kolkata highlighted the role of taboos, the lack of social development, and low family income in the erosion of domestic harmony, noting also that women were regularly physically assaulted by their husbands while the husbands were under the influence of liquor (Bengal Social Service League, Kolkata, 2001).

Such violence seriously affects the mental and physical health and well-being of women (Sakhi Resource Centre for Women, 2004), resulting in a need for primary health institutions in India to formulate policies and treat violence-related injuries and trauma (Babu & Kar, 2009). As such, health-care providers could play a significant role by reaching out to women living in slums, especially those affected by intimate partner violence (Chibber, Krishnan, & Minkler, 2011; Kimuna, Djamba, Ciciurkaite, & Cherukuri, 2013). Social and economic support have also been identified as crucial instruments in ensuring stable mental health (Kumar, Jeyaseelan, Suresh, & Ahuja, 2005). Meanwhile, Sabri and Campbell (2015) have also emphasized that women in slums do not disclose their abuse for fear of retribution by family and community members. This makes the study of violence somewhat challenging. It requires deep understanding of the issues and confidence-building measures to secure data from women living in these areas. Furthermore, these women not only face distinct barriers in obtaining support and services but are at risk of poor health (Sakhi Resource Centre for Women, 2004). Apart from health-care and social and economic support, inappropriate implementation of gender-based violence laws have also been identified as a major barrier in women obtaining support (Babu & Kar, 2009).

Methodology

The present study was conducted in the two metropolises of the country, located in the eastern and western parts of India. Kolkata has a population of 4.5 million inhabitants and Mumbai has a population of 12.4 million. A considerable portion of the population in each of these metropolises lives in slums (Registrar General, 2011). The slum clusters of each city were identified by referring to existing research studies conducted by various bodies in the regions (Registrar General, 2011; Sharma, 2010a; Slum Rehabilitation Authority, 2015). In Mumbai, the principal slum clusters are Ghatkopar, Kandivali, Dharavi, Kurla, Powai, and Thane, while in Kolkata, the clusters are spread across the city, but they are mainly concentrated in Dum Dum, Jadavpur, Sealdah, Park Circus, Khidderpore, and Howrah. In each of the identified slum clusters of the cities, specific points spread over each of the four corners of the cluster were randomly selected. Then, from each point, the households located near the point were identified, and from each household, one respondent was chosen. Approximately 70–100 random samples were considered in each cluster, bearing in mind that we were hoping to include 1,000 participants from each city.

As no similar research has been conducted in India, this study was exploratory in nature. The participants were women and girls living in the slums, the minimum age being 15, as verified by a parent or guardian. The study involved collecting qualitative data through semi-structured interviews. Aside from a series of demographic questions, the questions were designed to include personal information about the respondents' experience of violence, including several questions pertaining to any efforts to access support services. A tentative list of 20 questions were initially framed. The questions were prepared in English and then translated into the local languages—Bengali (Kolkata) and Marathi (Mumbai). Field researchers were six graduates from a variety of disciplines who were recruited based on their prior experience in conducting field research. A pilot study in the slums near the lead author's university was

conducted. It provided the necessary practice for the research staff and allowed them to test the veracity of the questions. Once the pilot study was completed, the project staff worked in groups in each of the cities. To identify and select the respondents in each city, the researchers established contacts with local people, including social workers. With the assistance of locals, the researchers built up rapport and confidence with the women. The purpose and nature of the study were explained to them. In total, over a period of 12 months, almost 2,400 women and girls were contacted; however, only 1,000 in Mumbai and 910 in Kolkata agreed to participate. Their participation was voluntary and no financial compensation was offered. The responses of the participants were electronically recorded and subsequently transcribed at the end of each day/session. All recordings were translated into English in order to facilitate the data analysis. Before prospective participants agreed to participate in the interviews, the respondents were informed about the purpose of the study and were asked to give their oral consent to participate, because the majority are illiterate (National Buildings Organisation, 2015), and they were unaccustomed to dealing with consent forms. Although no ethical approvals were required by the study funder or the university of the first author, the general Ethical and Safety Guidelines for conducting research on gender-based violence were followed (see Fulu & Long, 2013; Watts, Heise, Ellsberg, & Garcia-Moreno, 2001). This essentially involved ensuring the confidentiality and anonymity of respondents.

Results

Sociodemographic Profile of Respondents

Approximately 50% of the respondents in Kolkata were between the ages of 18–34, and 14% of the respondents were between the ages of 15–18. The rest of the respondents were 35 years of age or older. In Mumbai, 51% of respondents were between the ages of 18–34, 16% were young girls under the age of 18, and the balance of the respondents were 35 years of age or older.

Most of the respondents interviewed practiced the Hindu religion: 73% in Kolkata and 63% in Mumbai. Of those interviewed in Kolkata, 23% were illiterate, while another 54% had attended school but had low levels of literacy. Only 18% of the women had basic schooling or some engagement with higher secondary levels of education. Mumbai fared slightly better with respect to educational achievement. Only 13% of the sample was illiterate and 48% had attended school. Around 6% of the respondents in Mumbai had completed secondary school and another 5% had attended university.

In the slums of both cities, a sizeable proportion of the women were homemakers: 57% in Mumbai and 41% in Kolkata. Almost 26% of the women in Kolkata worked as domestic helpers, but this rate was remarkably lower in Mumbai, at just 5%. This explains a ready supply of cheap domestic workers in the Kolkata region. Another interesting fact is that although literacy levels of respondents in Kolkata were lower than those in Mumbai, more women in the region seemed to be employed, either as domestic helpers, labourers, or volunteer workers in non-governmental organizations (NGOs).

Some 67% of the respondents in Mumbai and 61% in Kolkata were married, while another 24% and 25% had never married, including the young girls in the study. Almost 45% of the respondents in Kolkata and 27% of those in Mumbai had gotten married before the age of majority (18 years). A small percentage of the respondents, 2.5% and 8%, did not respond to the question.

Another noteworthy aspect was whether the respondents originally hailed from their resident slum or had migrated there. The metropolises generally experience a high rate of migration from nearby villages and other cities—people coming in search of jobs and a living (Registrar General, 2011). In Mumbai, many of the respondents (49%) were migrants from other states, whereas those in Kolkata were mostly non-migrants (68%) (see Table 1).

Table 1: Sociodemographic Profile of Respondents

Attributes		Kolkata		Mumbai	
		Frequency	Percentage	Frequency	Percentage
Age	Less than 18	133	15	163	16.3
	18–24	213	23	184	18.4
	25–34	329	26	331	33.1
	35–44	171	19	182	18.2
	Above 45	85	9	111	11.1
	No reply	69	8	29	2.9
Religion	Hindu	662	73	637	63.7
	Muslim	126	14	165	16.5
	Christian	45	5	1	0.1
	Others	11	1	76	7.6
	No reply	66	7	121	12.1
Education	Illiterate	211	23.2	137	13.7
	Literate (less than 10 years of school)	494	54.2	481	48.1
	Matriculation exam (10 years)	69	7.5	131	13.1
	Higher secondary (10+2 years)	52	5.7	65	6.5
	University and above	33	3.6	56	5.6
	No reply	51	5.8	130	13
Occupation	Student	96	10.5	186	18.6
	Homemaker	374	41	579	57.9
	Domestic helper/maid	233	25.6	50	5
	Labour (Industry /factory)	16	1.7	24	2.4
	Self-employed	132	14.5	68	6.8
	No reply	59	6.7	93	9.3
Marital status	Married	551	60.5	673	67.3
	Never married	228	25	241	24.1
	Divorced	17	1.8	9	0.9
	Widowed	44	4.8	52	5.2
	No reply	70	7.9	25	2.5
Age when married	Less than 18	302	44.3	206	27.2
	18–24	226	33.2	205	27
	25–34	29	4.3	21	2.8
	35–44	5	0.7	1	0.1
	Above 45	0	0	0	0
	No reply	120	17.5	326	42.9
Children	None	85	12.5	53	7
	One	133	19.5	92	12.1
	Two	160	23.5	228	30
	Three	106	15.5	185	24.4
	More than three	72	10.5	101	13.4
	No reply	126	18.5	100	13.1
Migrant status	Migrant	177	19	490	49
	Non-migrant	616	68	390	39
	No reply	117	13	120	12

Women's Issues and Violence

After gathering basic sociodemographic data, the next set of questions moved to more sensitive questions that related to the types of violence the women might have faced within their families and in the slum. The general queries also covered basic topics such as the importance of education for girls, how old girls should before they can marry, and the decision-making power within the family.

Almost 90% of the respondents in both cities agreed that education of young girls is important for their advancement and self-esteem. In terms of marriage, again, most of the respondents (85% in Kolkata and 90% in Mumbai) expressed the opinion that the minimum age at which girls should get married is 18. This is consistent with the legal age of marriage in India. Regarding decisions within the family concerning childbirth, education, and marriage of children, 51% of the respondents in Kolkata and 70% in Mumbai felt that such decisions should be made jointly by the guardians of the children.

On the issue of violence against women, the project staff were careful to pose questions in a sensitive and non-judgmental manner. For example, the respondents were initially asked whether they had knowledge of occurrences of violence with their slum. The concept of violence was explained to them in a cautious and sensitive way, with the help of examples of daily life instances. Interestingly, while in Kolkata most of the women expressed personal knowledge of violent behaviour against other women (58%), in Mumbai only about 30% responded in the affirmative—with the majority saying "no." The results suggest either fewer instances of violence were observed or there may have been a reluctance to provide such information.

On the personal front, of those who responded, about 34% and 32% of respondents in Kolkata and Mumbai (respectively) acknowledged having personally experienced some form of violence within their home. In most cases, such violence was recurring, but in a few— about 12% and 9% respectively—there had only been a singular

occurrence. However, 13% and 14%, respectively, in Kolkata and Mumbai, preferred not to answer the question at all: a substantial number of respondents simply said "no" (see Table 2).

In terms of whether they had experienced violence in their place of work or schools, almost 12% of the women replied in the affirmative in Kolkata, while only 1% of the respondents in Mumbai agreed. This may have to do with the number of working respondents in each of the regions. Kolkata recorded a higher number of women employed as domestic workers and labourers than their Mumbai counterparts. Public spaces, such as streets, are also not devoid of violence against women. Instances of personal violence experienced by respondents in public spaces in Mumbai were higher (16%) than in Kolkata (5%) (see Table 2).

Table 2: Experiences of Violence by Women in Kolkata and Mumbai Slums

Attributes		Kolkata		Mumbai	
		Frequency	Percentage	Frequency	Percentage
Prevalence of violence against women in the neighbourhood	Yes	529	58	307	30.7
	No	307	34	667	66.7
	No reply	74	8	26	2.6
Violence at home	Yes	312	34	326	32.6
	Single	37	12	29	9
	Recurring	275	88	297	91
	No	476	52	638	63.8
	No reply	122	13	36	3.6
Violence outside the home (school/workplace)	Yes	107	11.7	11	1.1
	No	633	69.5	753	75.3
	No reply	170	18.8	236	23.6
Violence in public spaces	Yes	55	6	147	16.1
	No	853	93.7	574	63.0
	No reply	02	0.3	189	20.9

As noted at the outset of this paper, violence against women is seemingly omnipresent for women living in slums throughout India. As for the forms of violence they face, because respondents demonstrated little understanding of legal terminologies, they were asked to describe the nature of the acts to which they had been subjected. Based on the elicited responses and drawing on prior literature, we categorized these as: (i) verbal abuse, including use of filthy and obscene language; (ii) wife beating or domestic violence

involving willful acts of cruelty committed against a woman by their spouse and/or relatives. This includes hitting, slapping, kicking, forced sex, cruelty by relatives—especially acts perpetrated by in-laws, the husband's brothers or sisters, whether living together or in different households; and (iii) other grievous offenses such as rape, sexual harassment, kidnapping, and trafficking.

Between 8–10% of women in slums in both cities have experienced verbal abuse, with 47% reporting instances of domestic violence by the husband, 6–12% reporting instances of cruelty by relatives, 3–4% reporting instances of child abuse, and about 9% (Kolkata) and 1.5% (Mumbai) of respondents reporting rape, sexual harassment, and trafficking. Thus, violence in slums is not limited to issues of domestic violence, although it is definitely more common than other forms of violence, but instances of abuse of girls and married women by relatives other than the husband, as well as rape and sexual harassment, are also evident (Suri, 2010).

The most shocking but predictable finding was the widespread prevalence of domestic violence within slum households. Most married women reported multiple instances of abuse at the hands of their husbands and in-laws. Such violence is a regular part of the daily lives of these young women, and they rarely view it as a punishable offense for which they should, or could, have recourse to the law (see Table 3). It is considered culturally normative to submit to such violence perpetrated by husbands (United Nations, 2015).

Table 3: Types of Violence Experienced by Women in Kolkata and Mumbai Slums

Attributes	Kolkata		Mumbai	
	Frequency	Percentage	Frequency	Percentage
Verbal abuse	92	10	83	8.3
Wife beating	429	47	479	47.9
Child abuse	29	3	40	4
Cruelty by in-laws	107	12	60	6
Rape, sexual harassment and other crimes	81	9	15	1.5
No reply	172	19	323	32.3

Women who have faced personal violence, as well as those who have known of such violence being perpetrated against other women in the neighbourhood, were asked about their response in the face of such abuse. Even though most respondents (80% and 76% in Kolkata and Mumbai) preferred not to respond to the question, those who did respond expressed divergent views. About 5% and 2%, respectively, had reported the matter to local police or protested by informing others, and another 14% and 22% indicated they took no action whatsoever (see Table 4). Yet, of those who contacted the authorities, the majority observed that their calls had elicited either no, or an inadequate, response.

Table 4: Actions by Women Who Faced/Knew of Violent Incident Against Other Women

Attributes	Kolkata		Mumbai	
	Frequency	Percentage	Frequency	Percentage
Reported to police/protested	48	5.2	190	1.9
Silently accepted	130	14.3	222	22.2
No reply	732	80.5	588	75.9

Information and Access to Services

The third category of questions related to access to appropriate authorities and support services for women. Almost 70% of the respondents in Kolkata and Mumbai expressed having some knowledge about the range of possible agencies or services (e.g., police stations, NGOs, and helplines), which could possibly assist women in distress. Additionally, about 47% of the respondents in Kolkata and 70% of those in Mumbai were aware of the existing laws that have been enacted to protect women from abuse or cruelty by husbands or relatives (see Table 5).

Table 5: Knowledge of Support Services in Kolkata and Mumbai for Women in Distress

Attributes		Kolkata		Mumbai	
		Frequency	Percentage	Frequency	Percentage
Awareness of laws	Yes	432	47.5	702	70.2
	No	190	20.9	180	18
	No reply	288	31.6	118	11.8
Awareness of police	Yes	576	63.4	689	68.9
	No	186	20.4	280	28
	No reply	148	16.2	31	3.1
Awareness of helpline numbers	Yes	100	11	6	0.6
	No	640	70	955	95.5
	No reply	170	19	39	3.9
Awareness of local NGOs	Yes	392	43.1	67	6.7
	No	359	39.4	886	88.6
	No reply	159	17.5	47	4.7

Another series of questions focused on whether the respondents would report matters of violence occurring within the family and neighbourhood to the local police. Not surprisingly, almost 55% indicated they had not or would not report any such incidents to the police. As Suri (2010) reported in her study, reporting family based incidents of violence to the police or other authorities does not appear to be a viable option. This is largely due to such facts as privacy, family honour, and/or a lack of confidence in the police (Shrivastava & Shrivastava, 2013). In fact, most respondents expressed the opinion that domestic violence and other familial violence should be resolved within the family rather than directing the matter to the police and risk bringing shame and dishonour to the family. The majority of those who responded had little to no confidence in the police, due largely to a perceived lack of sympathetic attitudes expressed by the police.

Next, we posed a series of questions about other possible mechanisms the respondents might have adopted to address the issue of violence against women in cases unresolved within the family, or when the police were not seen to be a viable option. Again, many participants chose not to respond to the questions (13% in Kolkata and 69% in Mumbai). Of those who did, they indicated that they

chose to seek out a variety of other resources. In Kolkata, 51% of the respondents reported their incidents to local clubs,[5] 16% went to local political leaders,[6] and 10% sought out a range of other assistance mechanisms. In contrast, the respondents in Mumbai were less inclined to seek out other resources mechanisms. For example, only 8% of respondents resorted to seeking assistance from their local clubs or any political leaders. However, 17% of the respondents in Mumbai indicated they had sought out the assistance of *mahila mandals*[7] (women-specific support organizations) (see Table 6).

Table 6: Alternative Assistance Mechanisms for Women Experiencing Violence in Kolkata and Mumbai.

Attributes	Kolkata		Mumbai	
	Frequency	**Percentage**	**Frequency**	**Percentage**
Local club	462	51	53	5.3
Political party	148	16.2	24	2.4
Others	92	10.1	169	16.9
None	88	9.7	61	6.1
No reply	120	13	693	69.3

Limitations of the Study

Unlike North American universities, the host university of the lead author does not have an ethics review process. Therefore, some of the possible ethical and practical challenges that were experienced while undertaking the study were somewhat difficult to anticipate. And even though the study received funding support, no questions or

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[5] Virtually all the neighbourhoods in Kolkata have local clubs comprising of members of the locality, mostly young men, who engage in community issues on a regular basis. Matters such as domestic violence are largely referred to them for immediate solutions.

[6] Refers to the local party leaders—councilors—to whom critical issues are referred to provide appropriate directions. Thus, cases of trafficking may be brought to the notice of the local political leaders who decide the next course of action. Many times, families are warned against pursuing cases involving high-profile people.

[7] *Mahila mandals* are self-styled women's groups composed of locals who decide the correctness of actions of the victims and perpetrators of violence. In Mumbai, the existence of a *mahila* strongman (*don*) in the slum areas was reported. She is generally characterized as a middle-aged lady who holds considerable power and tends to command both respect and fear by the local population.

concerns were raised about any possible risks or implications of the study. Therefore, since this study was largely exploratory in nature, the degree and extent of the challenges faced by the project staff were largely unanticipated. For example, navigating the narrow and crowded alleys proved more challenging at times than anticipated. Similarly, having to interact and interview the respondents in crowded and dingy shanties also presented some emotional and physical challenges. Again, while somewhat anticipated, the range of disbelief, suspicion, and sometimes overt resistance by the prospective respondents characterized the entire phase of data collection. This called for patience and tolerance on behalf of the researchers. Aside from the challenges of accessing the prospective participants, it was even more challenging to gain the support and cooperation of local police officers. They typically responded that such areas were not safe and that the researchers should not undertake research in them.

Despite the shortcomings and challenges of undertaking this exploratory project, the study has demonstrated that despite various pieces of legislation to protect the safety and security of women, those living in slum areas are not protected from abuse and domestic violence. The lack of access to adequate legal support for the women in the study was highlighted by the research participants. However, the fact that no formal ethics approval was required to undertake the study and the fact that there's a relative lack of similar studies should perhaps be taken into consideration in any future studies accessing people living in slum areas of India.

Summary and Conclusion

The symbolic figure of Lady Justice (Themis—the goddess of justice and law) is often depicted wearing a blindfold (signifying impartiality) and holding a sword and the scales of justice. Yet, the concept of 'justice' itself remains a loaded term in India and is overshadowed by different meanings and expressions related to personal experience and beliefs as to how justice should be—and is—

administered in India. As evidenced by the findings, the notion of justice for women living in slums in India does not reflect the values of equality and justice as implied and depicted by Lady Justice. Based on our findings, this is concerting for India as a whole because a considerable portion of India's population (approximately 68 million people—some 17.4%—as per the 2011 census) still lives in organized and unorganized slums. In addition to the harsh physical and social conditions in which they must live, the women and girls living in the slums of India are at additional risk of personal violence, at home and/or in public places, which goes largely unaddressed (either formally or informally). As a consequence, most women are forced to bear the pain and trauma of their abuse and violation.

As noted by the respondents, the legal machinery of the state inspires very little confidence among slum dwellers. Therefore, even though there are laws designed to protect women from abuse and violence, the findings of this study illustrate that it is imperative for the state to take the necessary steps to ensure their legislation is equally and fairly applied to all concerned—especially those who reside in the slums. Measures are needed to ensure appropriate action by the authorities, as only this will instill confidence among the female population that their safety and fundamental civil and human rights can indeed be protected and honoured. As such, police must be trained and work in close coordination with the slum population and assist them with the day-to-day problem of violence (see, e.g., Belur, Parikh, Daruwalla, Joshi, & Fernandes, 2017; Roy, Jockin, & Javed, 2004).

Finally, to ensure fundamental rights and fair representation of justice for the women (and girls) living in slums, they must be afforded greater access to health-care professionals and social workers, and police presence must aim at combating such violence within slum neighbourhoods. The prevailing apathetic attitudes toward complaints, harassment of complainants, and delays in legal processes must also be addressed and dealt with not only to improve the plight of women and girls in the slums, but to begin to curb the

tragic historical legacy of deprivation in the sphere of basic respect and dignity (Baruah, 2010). Only through the recognition and concerted effort to address the engrained social injustices toward women and girls in India, particularly those living in slums, can the meaning of criminal and social justice begin to be equally representative.

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