



OFFENCE OF ACID ATTACK: A PHYSIOLOGICAL ANALYSIS

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Abstract-- This article examines the idea of "acid attack" crime as it primarily affects women and occasionally male or female children in various global contexts. When someone intentionally commits acts of violence against victims, they may hurl, spray, or pour acid in their faces or body. This is known as acid violence or attack. *Acid violence is not a regional problem or a problem of particular country it is a global problem.* This article explains the reasons behind acid violence and offers workable remedies for them. The incidence of acid violence in the country is influenced by three interrelated factors: first easy availability of acid, second impunity for those who commit acid attacks, and third thinking with respect to gender or gender inequality and discrimination. Acid attacks are not only the problem of India it is a global issue it happen even in the United State also. International law forbids acid violence because it is considered as a gender-based violence that both reflects and reinforces the social inequity experienced by women.¹ Governments must address the underlying causes of acid violence, such as injustice and prejudice against women, in order to end it. Governments has taken various steps to combat acid violence such as the Government has enacted many laws that severely punish attackers and restrict the easy access to acid, enforce and carry out those laws and offer victims' compensation, including for medical expenses.

Key Words- Acid Attack, Vitriolage, Gender discrimination, Physiological causes, Legal measures, Easy access

1. INTRODUCTION

THE MAJORITY of the world's nations experience acid attacks. 'Acid attack' is also known as vitriolage.² 'Acid attack' may be defined as the act of throwing acid or other hazardous chemical onto the body of a person with the intention of injuring or disfiguring them. *Acid attack* cases are no longer limited to developing nations but the crime of acid attack also happen in western nations as well. Some legislative actions have been taken by Bangladesh, Pakistan, Colombia, India, and Cambodia to stop acid attacks. This article examined the effectiveness of the legislative measures in India.³ It draws attention to the relative advantages and disadvantages of certain metrics. It also looks at the most significant patterns regarding the reasons why offenders have been documented in these nations' literature, emphasising the phenomenon's sex-based basis.

Industry produces and uses millions of tonnes of chemicals annually, some of which are extremely hazardous corrosives. More than 43 million tonnes of chemicals are used annually in the fashion and textile sector alone. The regulation of hazardous chemical is not proper in many countries therefore it is easily accessible. Corrosive materials are used as weapon to inflict terrible damage, typically on women. In more than 20 nations, acid violence is on the rise, and women and children are frequently the victims. The main goals of those who commit crimes against women are to permanently disfigure them out of jealousy, anger,

¹ As stated in General recommendation No. 19 of the CEDAW (Committee on the Elimination of Discrimination against Women). Available at <https://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm> (last visited on 19 February, 2025).

² When someone intentionally throws acid or another corrosive chemical with the goal to "disfigure, torture, or kill," it is called as vitriolage. Available at <https://www.sciencedirect.com/science/article/abs/pii/S1344622322000347> (last visited on January 25, 2025).



or retaliation rather than to kill them.

Acid violence is a reflection of societal discrimination and gender inequity. Women are frequently the targets of acid assaults because they defy gender stereotypes that place them in inferior roles. It's true and real fact that a most of attacks in India happen when a lady decides not to accept the proposal of the marriage or love of attackers. Acid attackers target a woman's face in an effort to damage her attractiveness, which is widely regarded as one of her most valuable assets by society.

II. CAUSES OF ACID ATTACK

The most frequent causes of assaults on women and girls are their refusal to be married, their denial from physical relation, and rejection of boys and men. It is a manifestation of power of male over the bodies of girls and women. The offender diminishes the survivor's prospects of marriage and parenthood, as well as their capacity to participate in public life, by causing facial injuries.⁴ Due of societal responses to victims of acid attacks, which the attackers were undoubtedly aware with the societal impact of these attacks on women and girls before the committal of crime, thus number of acid violence has been increased.

Females have been degraded in terms of their right to personal choices and opinions as a result of the internalisation of the "fact" that they are inferior to males and the "property" of men. Women are supposed to make due with whatever is handed to them or predetermined for them, many survivors of acid abuse acknowledged that they were punished by their spouses or in-laws for speaking out against property disputes and division.

Easy access of acid is big factor in acid violence. Since most of the acids used to disfigure victims are used for cleaning purposes around the house, there is no proper regulation of the sale of acid it may still be purchased over-the-counter. When a merchant who sells acids notices that the customer is a regular consumer of their store, they often neglect to register the buyer's name and address after verifying the buyer's identity with a legitimate photo.⁵ Numerous studies and researches have demonstrated that areas where acid is widely used for industrial or other commercial purposes see greater occurrences of acid attacks. Acid is produced, sold, distributed, and used by businesses in their manufacturing processes. As mentioned above, the easy and inexpensive access to acid is one of the main factors which contribute to the high incidence of acid assaults in India. Businesses ought to follow the new international standards and take appropriate precautions to reduce the unpleasant effects of their operations on human rights, including in cases where governments do not have the authority to control the use and sale of acid. Businesses entity can help prevent deliberate acid assaults by implementing policies for the appropriate labeling and storage of acid, as well as by supporting industry and governmental initiatives to control its correct use.

Another reason that these kinds of violence persist is that men and women are not taught about human rights and mutual respect; men have been exposed to violence since childhood; they have witnessed the older men in their home treating the women in their home cruelly; and there are social norms that are biased against women, which allow men to abuse and harm women and to feel as though they are entitled to do so. One of the other reasons these kinds of acts keep happening is the ill mentality of our society. Acid attacks are

⁴ Acid Attack, Available at <https://www.actionaid.org.uk/our-work/vawg/acid-attacks#:~:text=The%20most%20common%20reasons%20for,over%20the%20last%20few%20years>. (last visited on January 20, 2025)

⁵ The Hindu, The 'acid attack Government regulate sale of deadly chemicals' Bageshree S. and M.V. Chandrashekhar, February 5, 2007



mostly 'crimes of passion' out of jealousy of a man.⁶ It is a crime that is closely linked to marriage and relationships, the most of which involve a woman demeaning a man's honour by refusing to get married or settle down with him.

III. PSYCHOLOGY BEHIND VIOLENCE AGAINST WOMEN

Psychological theories contend that some people are predisposed to violence because of personality disorders or traumatic early experiences. It is believed that physical abuse is a sign of an underlying emotional issue. The psychological causes of battering might include parental violence, rejection, and a failure to provide for a child's requirements for reliance.⁷ Individuals suffering from these underlying issues could select partners with whom they can replicate the unhealthy bond they shared with their parents. *The psycho-pathological paradigm* emphasises on the victims' and offenders' personalities as the main factors influencing criminal violence. This model incorporates analysis that connects alcohol to acts of violence i.e., what one does when he has drunken or under the influence of alcohol and other narcotic substances or in condition of mental sickness or illness i.e., a tiny percentage of mentally not well persons are aggressive, and other intra-individual phenomena.⁸ This idea provides two distinct answers. According to one, psychological issues with the offender such as depression, impulsivity, uncontrollable emotions, etc. are the root cause of violence against women. Violence against women is thus mostly caused by the psychological issues of the offender i.e root cause of such violence is psychological problem of the offender. According to the socio-psychological paradigm, the best way to understand criminal violence is to carefully examine the peripheral environmental elements which have an impact on a certain offender. This model also looks at the kinds of regular interactions that lead to violence, such as stressful events or patterns of interaction within the family. Theories that analyse criminal violence from a socio-psychological perspective include the Self-Attitude Theory, the Perversion Theory, and the Frustration-Aggression Theory.

The Frustration-Aggression philosophy was first proposed by Dollard in 1939, and many of its fundamental tenets were drawn from Freudian philosophy. It describes how anger is channeled towards the object of displeasure. An individual becomes angry whenever something gets in the way of his or her attempts to accomplish a goal or end, and frustration eventually manifests itself as violence.⁹ This idea was revised after considering several critiques. It is now understood that, even while the temptation for aggressiveness may be high after a frustrating experience, an actual expression of hostility may be restrained by either internalised standards or external restrictions. Furthermore acknowledged is the possibility of frustration building up over time and continuing to be active for extended periods of time. It is also recognised that different people experience irritation in different ways, and that the most likely to cause aggressive reactions are those that are perceived as arbitrary or illogical. Furthermore, it is acknowledged that one can learn how

⁶ Gaia Calcini "Acid Attacks: An Overview of Legal Measures and Motives and Motivation Trends in India, Pakistan, Bangladesh, Colombia, and Cambodia" available at <https://digitalcommons.uri.edu/dignity> (last visited on January 12, 2025)

⁷ M. Russel, "Wife Assault : Theory Research and Treatment" 3 *ALJFV*, 17(1998)

⁸ Evolution of Theories of Violence Available at https://www.stopvaw.org/evolution_of_theories_of_violence#_ftnref1 (last visited on January 13, 2024).

⁹ Dollard, J., Miller, N. E., Doob, L. W., Mowrer, O. H., & Sears, R. R. *Frustration and aggression* 37(Yale University Press, 1939).available at: <https://doi.org/10.1037/10022-000>(last visited on January 02, 2025).



to cope with disappointments. In summary, aggressive behaviours are not always the result of frustration and might depend on a variety of variables.¹⁰

Psychoanalysts use the Theory of Symptom Formation and the Theory of Perversion to explain violence. They contend that perversion arises from instincts rather than seeing perverts as individuals who are less than equal under the constitution. In essence, perversion, according to Freud's early conception, is the maintenance of childhood impulses and behaviours in adulthood at the price of adult behaviour. Infantile features do not develop into neurotic symptoms in the pervert; instead, they do not go through the typical integration process that occurs during puberty.¹¹ Anger stemming from deep-rooted internal drives or painful experiences during early life might lead to violent behaviour. In the latter instances, childhood beliefs about the male-female relationship as violent and cruel, as well as the notion that pleasure is a bad process that is mostly brought on by being relieved of a condition of "unpleasure," persist into adulthood.

According to R.E. and R. Dobash's patriarchy theory, women have historically been the target of systematic violence. A patriarchal social structure and family unit are maintained both directly and indirectly by economic and social factors. Dobash's main theoretical claim is that patriarchy causes women to be subjugated and adds to a historical trend of intentional violence against women.¹²

The Cognitive Behaviour Theory states that an individual's emotions are impacted by their thoughts and behaviours, and that an individual's thoughts and emotions are influenced by their body sensations. Furthermore, the others will likewise alter if one of these does. When someone is uncomfortable or worried, they could start thinking in certain ways and reacting in certain ways, which makes their bad feelings worse. This perspective holds that a person's mental processes have a significant role in influencing how their emotional state evolves.¹³ According to this theory, men who batter do so as a result of copying instances of abuse they experienced as children or saw in the media; violence is rewarded, and victim compliance and submission reinforce the abuse.

IV. PHYSICAL AND PSYCHOLOGICAL IMPACT OF ACID ATTACK

Impact of acid attack is two folded physical and psychological. Part of the human body is physically damaged when come to the contact with the acid. When human skin come to the contact to acid, dissolves and undergoes a multiple of bodily reactions, such as deep abrasions and lesions and the deterioration of bones and other bodily parts. Acid can corrode the nose, ears, and mouth when it comes into touch with the face, perhaps blinding the person. As a result, the attack has severe psychological effects because of the severity of the injuries and the social disgrace associated with distortion.¹⁴ Acid can quickly cause eye destruction, rendering the survivor blind. On the chin, cheeks, forehead, and skull, skin and bone may disappear. The skin on the neck, chest, back, arms, and legs is burnt on every square inch where the acid falls or drips. Respiratory failure is the biggest and most serious risk to survivors. Inhaling acid vapours can

¹⁰ Ram Ahuja, *Violence Against Women* 203(Rawat Publication, New Delhi, 1998).

¹¹ Menachem, Amer, *Patterns in Forible Rape* (University of Chicago Press, 1971).

¹² M. Russel, "Wife Assault : Theory Research and Treatment" 3 *ALJFV*, 17(1998)

¹³ Cognitive behavior theory Available at <https://www.structural-learning.com/post/cognitive-behavior-theory>(last visited on January 02, 2025)

¹⁴ Gaia Calcini 'Acid Attacks: An Overview of Legal Measures and Motives and Motivation Trends in India, Pakistan, Bangladesh, Colombia, and Cambodia' available at <https://digitalcommons.uri.edu/dignity> (last visited on January 12, 2024)



cause breathing problems in two ways: an allergic or toxic reaction in the lungs and swelling of the neck, which blocks the victim's airway and suffocates them.¹⁵

It has not only physical impact but it causes the emotions of identity loss, trauma from betrayal, hopelessness, self-blame, social exclusion, and cognitive biases have a considerable negative influence on the mental or psychological health of victims of acid violence. The goal of an acid violence perpetrator is not to kill the victim but to ruin their faces and force them into a life of suffering. Because women are more focused on "beauty," victims of acid attacks suffer significant identity harm. One victim, for example, claimed that she believed the loss of face had severely damaged her life. Furthermore, by depriving them of employment opportunities and social recognition, society's biased attitudes impede the growth of new identities even more.

According to Dr. Malcolm Roth¹⁶ "Our face defines us, conveys details about our gender, age, and ethnicity, and is essential to interpersonal interactions and other people's ability to recognise us. Therefore, an attack that deforms the face has the power to change how people see and interact with the sufferer in addition to imposing a physical constraint, like losing a hand or an arm. Once more, those who defy accepted standards of beauty because of severe facial deformities or disfigurements frequently endure psychological distress and social exclusion."¹⁷

Acid burn Survivors frequently experience loneliness and endure lifetime discrimination from society. They feel ashamed because they believe others will look at them funny or stare, and they can be afraid to leave their houses for fear of negative responses from the outside world. Survivors who have experienced severe attacks-related disabilities (e.g., blindness) will not be able to work and support themselves. Survivors find it extremely difficult to fend for oneself due to discrimination from others or infirmities like blindness, and they eventually become reliant on others for financial and dietary support.

Acid violence burns heal to leave deep scars that can cause deformity by pulling the skin taut. For example, the tongue may no longer function, the eyelids may not close, and the jaw becomes welded to the chest.

V. STATE'S OBLIGATION UNDER INTERNATIONAL LAW WITH RESPECT TO ACID ATTACK

Gender-based violence, which is defined as violence against a woman based only on her gender or violence which disproportionately affects women. And this kind of violence is prohibited by the *CEDAW* i.e. *Convention on the Elimination of All Forms of Discrimination Against Women*. Gender-based violence is both a reflection of and a continuation of gender inequality and discrimination respectively. Even while acid assault is completely disgusting when it occurs to men and boys, it is considered gender-based violence since it disproportionately affects women.

States are required by "*International Human Rights Law*" to take proactive measures to safeguard human rights and appropriately address abuses of such rights. Governments are required by due diligence to pass laws intended to stop acid violence, make sure the laws are implemented correctly, and give victims'

¹⁵ Acid violence Consequence Available at https://aswwf.org/index.php/acid-violence-consequences/#1530783699_654-96ce6e6f-eacd(last visited on March 03, 2025).

¹⁶ Dr. Malcolm Roth was the President of the American Society of Plastic Surgeons in 2012.

¹⁷ Mikaela Conley, "Acid Attack Victim Fakhra Yunus Commits Suicide," ABC News, 28 March 2012, Available at <http://abcnews.go.com/Health/victim-acid-attack-commits-suicide/story?id=16011971> visited on 16 April 2025.



compensation. States ought to pass legislation that offers suitable criminal penalties and criminal processes in order to guarantee that those who commit crimes are prosecuted. Governments must also pass legislation restricting the simple access to acid in order to prevent acid violence.

States should make sure that the laws and policies they implement are applied effectively in addition to enacting focused legislation and policies to reduce acid violence. Governments should do the following in order to successfully enforce such criminal laws: (1) carry out adequate investigations into acid attacks; (2) shield victims from threats that would jeopardise the integrity of those investigations; and (3) bring charges against and punish individuals who commit acid attacks. In addition to failing to effectively prosecute and punish offenders of all crimes, India's criminal justice procedures also present particular difficulties for victims of acid attacks in obtaining justice.

One of a State's duties in exercising due diligence is to compensate victims of human rights breaches. Redress may take the form of monetary compensation or victim rehabilitation. Many victims of acid assault need to have multiple difficult surgical procedures performed. These medical procedures are quite expensive and necessitate facilities and specialised knowledge. At the event that victims cannot receive proper healthcare at government facilities, the government should foot the bill for necessary treatment at private medical facilities. There aren't many medical personnel in Indian government hospitals who are trained to treat acid burns properly, and there aren't many specialised treatment options for acid burns. In addition, victims of acid attacks should receive compensation if it prevents them from working. Adequate healthcare or monetary compensation to the most of survivors of these countries have not been provided by their governments.

VI. LEGISLATIVE MEASURES IN INDIA FOR ACID ATTACK

India has ratified and become signee of The Convention on the Elimination of All Forms of Discrimination Against Women. As stated in General recommendation No. 19 of the CEDAW, widespread practices involving violence or coercion, such as acid attacks, marriage against her will i.e. forced marriage, dowry deaths, and circumcision of female, are perpetuated by traditional attitudes that view women as dependent or subordinate to men i.e. inferior to men or as playing stereotyped roles. The Committee advises States parties to enact strong legislation to safeguard women from all forms of violence, including fines, civil remedies, and compensation provisions. To stop acid attacks, many measures were adopted in India, including controlling the supply of acids, using acids responsibly, and helping women who had been attacked. The 2017 Acid Attack and Rehabilitation of Acid Attack Victims Bill¹⁸ was passed, implementing these measures.

But the Indian position in acid violence is horrible. The world's greatest annual number of acid attacks is reported from India. Out of 1500 worldwide reported instances approximately 1000 are committed in India. Attacks are happening more frequently in spite of legislative changes like the 2013 "Criminal Law Amendment Act" and decisions made by the Indian Apex Court.¹⁹ In this decision of *Lakshmi v. Union of India*, the Supreme Court ordered:

¹⁸ Available at: <http://164.100.47.4/billtexts/rsbilltexts/AsIntroduced/Acid%20atak-4817-E.pdf> (last visited on February 10, 2025).

¹⁹ *Lakshmi v. Union of India* (2014) 4 SCC 427



“the central and state governments to develop legislation on the topic after giving it sufficient consideration and deliberation. The landmark decision led to the Supreme Court outlawing the counter sale of chemicals in its entirety, provided that the seller retained a record of the buyer's address and other information, along with the purchase price. Dealers are now only permitted to sell the chemical after presenting a picture ID from the government and confirming the purpose of the purchase.”

Again in *Parivartan Kendra v. Union of India*²⁰ The Court held that:

“in spite of multiple laws being established, the government had not addressed the issue of acid assaults, with insufficient money being one of the contributing factors. A minimum compensation of three lakh rupees was required. The victim and her sister were to receive ten lakh and three lakh rupees, respectively, within three months.”

Since the enacted laws have not improved the standing of women in society, the rise in violence can be certified to the patriarchal system that still exists in our society. Furthermore, victims of this crime do not receive enough protection or help due to the ineffectiveness of the nation's legal system.²¹

The Indian Penal Code, 1860 by virtue of “Criminal Law (Amendment) Act, 2013” not only criminalise the acid attack it also define acid and specify compensation for the victim. Section 326B Explanation 1 (Section 124(2) of Bhartiya Nyaya Sanhita, 2023) has defined acid as “Acid includes any material that burns with an acidic or corrosive quality and is capable of causing physical harm that leaves scars, deformity, or temporary or permanent incapacity.”

Specifically, Section 326A (Section 124(1) of Bhartiya Nyaya Sanhita, 2023) creates the new offence of “attack with acid,” and Section 326B makes it illegal to attempt to conduct the same crime. Furthermore, a special right to self-defense is included by the revision to Section 100 of “the Indian Penal Code.” This right includes causing death of the aggressor in circumstances of completed or attempted acid attacks. Additionally, the law introduced a “Central Victim Compensation Fund”²² (CVCF) as a supplement to the State one and revised the Criminal Procedure Code, including in Section 357A (Section 396 of Bhartiya Nagarik Suraksha Sanhita, 2023) a provision for a “Victim Compensation Fund” for victims of acid attacks, rape, and human trafficking. Lastly, victims are covered by state compensation and the fines that the offenders must pay under Section 357B. According to Section 357C, all hospitals, whether public or private, must give acid attack victims free medical attention and first aid in addition to promptly reporting the incidents to the authorities. The 2013 amendment also addresses the sale of acids, which was previously considered to be one of the most troublesome parts of the current Indian legal system and a contributing factor to the ongoing bloodshed in the nation. The Model Poisons (Possession and Sale) Rules of 2013 placed limitations on the sale and purchase of acids, including prohibiting purchases by minors under the age of 18, in addition to the Poison Act of 1919, which controlled the sale of poisons.

²⁰ (2016) 3 SCC 577

²¹ Acid Attack is a global problem. *available at*: <https://www.asti.org.uk/learn/a-worldwide-problem> (last visited on January 03, 2025).

²² *Avaiable at*: <https://www.mha.gov.in/en/commoncontent/compensation-acid-attack-victims> problem (last visited on January 03, 2025).



A plan for the rehabilitation and relief of victims of acid violence has been drafted by the National Commission for Women. The definition of acid attack is also given report of NCW as “an acid attack is any act in which an acid is thrown or used on a victim with the knowledge or intention of causing permanent or partial damage, deformity, or disfigurement to any part of the victim's body to another person.

VII. CONCLUSION

Acid violence is a worldwide issue. Generally, it is gender-based violence and women and girls are the main victims in such offences. The main reason of this violence is psychological position of the perpetrator and easy access of acid. Victims of the acid attack suffer physically and mentally because of non-acceptance of the society. Some monetary help has been provided to the victims under “the victim compensation scheme” but it is not proper. Supreme Court has also directed for rehabilitation of victims and enactment of appropriate legislation for regulation of acid in various cases.

The cases of acid attack may be reduced by conducting proper research on the origins and consequences of acid violence. It assists in determining workable and realistic policy options. Good research is required to demonstrate that changes are necessary. Addressing the underlying reasons of acid violence is the most effective method to stop it before it starts. High rates of violence against women, discrimination, societal norms, and gender stereotypes, are present in many of the nations where acid attack occurs. In order to stop acid attacks and other types of violence against women and girls, proper education is essential. Early childhood education and intervention with young boys and girls to foster gender equality and polite relationships are important first steps in prevention. Developing and implementing laws and regulations regarding acid violence against women and girls ultimately falls under the purview of national governments. As a result, governments ought to answer for their actions. Additionally, they are in a good position to influence changes about violence against women and girls.

General Recommendation No. 19 of “the UN Committee on the Elimination of Discrimination against Women” (CEDAW) in 1992 established the “due diligence” standard, which imposes the responsibility to the states for the prevention of violence against women and girls and also to provide comprehensive services to survivors of such violence. The easy and inexpensive access to acid is one of the causes of acid violence. The state has to regulate the sale of acid properly and passing legislation to penalise offenders.