

Domestic Violence: An Overview

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Abstract

Women are the creator of a new life. She has been given a respectable and honorable status since vedik period. She plays the role of a wife, mother, daughter-in-law etc. Now she is not only confined to the house and its responsibilities, but she is working as a professional also. She has gained equal opportunities for her progress. Despite the fact that women are the axis of the family, she is facing different kinds of violence at home as well as workplace. She has been victim of domestic violence at home. It is very unfortunate that a woman has to face the cruelty of her husband, in-laws and other family members. Many times, she is slapped, beaten, pushed and even deprived of her basic needs. It makes her condition vulnerable. Domestic violence negatively affects her physical and psychological wellbeing. It destroys her family life, relationships and even social life. Sometimes domestic violence reaches to such extant that she decided to commit suicide. It is an offence, a major crime against her. It is the violation of human rights. It is needed that such cases of domestic violence should be exposed. Women should take charge of her life and should raise her voice against the domestic violence. Women should be educated and empowered so that she can be free from domestic violence. Besides, she should be aware of the various laws and provisions which could help her if she finds herself in such circumstances.

Keywords: *Women, Domestic Violence, Physical Wellbeing, Psychological Wellbeing.*

❖ Introduction

Women, by their basic nature of love, compassion, caring, tolerance, creativity and procreative quality have contributed immensely for the progress of self, society and nation. It is considered that the women have played crucial and significant role in the upliftment of family, society sand nation. **Pt. Jawahar Lal Nehru** (Cited in Rai, 2019)¹ once said, “*You can tell the condition of a nation by looking at the status of its women*”. On the status of the women **Gandhi Ji**² also remarked, “*men should learn to give place to women and a community or country in which women were not honored could not be considered civilized*”. As we peep in the ancient time, we find that women are highly respected and honored by all the members of the family. In Hindu religious scriptures it is said that where women are honored, there resides the gods. It means that the character of a woman is very close to the character of god. In the past it is also said that the prestige of the family and

¹ **Rai, A. (2019).** Political empowerment of women in India: Status and challenges. *International Journal of Humanities and Social Sciences*, 7(4), 9-18.

² **Gandhi.** *Women's Empowerment.* Retrieved from https://www.mkgandhi.org/articles/womens_empowerment.htm

society is being shaped by the behavior, conduct and virtues of the women. No doubt that the ancient period of the period of women's glory and respect.

In the present scenario the status of women is changing. Women of today are not just restricted to household choruses; she has reached and touched the boundaries of the sky. Now days, women handle their duties, manage a career outside their home, nurture their children and balance their family lives with their professions. The scene has been changed in the present society because women are well educated, they have crossed the horizons, and their presence can be felt in male dominant areas. In spite of the progress she has made in all the domains of life, she has been victim of domestic violence. Domestic violence is deeply entrenched and widely prevalent in India. A woman has to face the domestic violence in her lifespan in the role of daughter, sister, wife, daughter-in-law, and mother or mother-in law.

❖ **Meaning of Domestic Violence**

Violence against women is the subject of consideration for the thinkers, social workers, social thinkers, philosophers and the law makers in the present era. As we consider it in Indian context violence against the women has been seen since the origin of the society in the past. Because the family is the basis unit of the society so the domestic violence affects the society and the nation as well. Domestic violence can be defined as the misuse of the power by the one member of the family against the other member. Domestic violence has been seen in various patterns in the family. *Sasan Scheter* (Cited in Kaur & Garg, 2008)³ visionary leader in the movement to end family violence said, *“Domestic violence is not simply an argument, it is a pattern of coercive control that one person exercises over another. Abusers use physical and sexual violence, threat, emotional insults and economic deprivation as a way to dominant their victims and get their way.”* According to *The Protection of Women from Domestic Violence Act, 2005*⁴ says that any act, conduct, omission or commission that harms or injures or has the potential to harm or injure will be considered domestic violence by the law. *The US Office* (Cited in Robert, Lawrence, Williams, & Raphace, 1998)⁵ on violence against women defined domestic violence as a *“pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner”*. Thus, domestic violence in Indian context mostly refers to domestic violence against girl child, wife, mother and each and every female of the family.

❖ **Types of Domestic Violence**

³ Kaur, R. & Garg, S. (2008). Addressing domestic violence against women: An unfinished agenda. *Indian Journal of Community Medicine*, 33(2), 73-76.

⁴ The Protection of Women from Domestic Violence Act, 2005. Retrieved from https://www.indiacode.nic.in/bitstream/123456789/15436/1/protection_of_women_from_domestic_violence_act%2C_2005.pdf

⁵ Robert, G.L., Lawrence, J., Williams, G., & Raphace, B. (1998). The Impact of violence on women health. *Australia NZ J Public Health*, 22(7), 796-801.

Domestic violence can take many forms, including physical abuse, sexual abuse, emotional, economic, or and/or psychological abuse. Domestic violence has many forms, including physical violence, sexual abuse, emotional abuse, intimidation, economic deprivation or threats of violence. It can include physical attacks, such as hitting, pushing, punching, as well as threatening with a weapon, psychological abuse, or forced sexual activity. Indirect physical violence may include destruction of objects, striking or throwing objects near the victim. Nonverbal threats may include gestures, facial expressions, and body postures.

Psychological abuse may also involve economic and/or social control, such as controlling victim's money and other economic resources, preventing victim from seeing friends and relatives, actively sabotaging victim's social relationships and isolating victim from social contacts. Psychological or emotional abuse can include, humiliating the victim, controlling what the victim can and cannot do, withholding information from the victim, deliberately doing something to make the victim feel diminished or embarrassed, isolating the victim from friends and family, and denying the victim access to money or other basic resources.

Domestic violence is also seen as sexual abuse. Sexual violence is divided into three categories: use of physical force to compel a person to engage in a sexual act against their will, whether or not the act is completed; attempted or completed sex act involving a person who is unable to understand the nature or condition of the act, unable to decline participation, or unable to communicate unwillingness to engage in the sexual act, e.g., because of underage immaturity, illness, disability, or the influence of alcohol or other drugs, because of intimidation or pressure, or because of seduction and submission; and (iii) abusive sexual contact.

❖ **Effects of Domestic Violence**

Many abused women find it difficult to function in day to day life because of ill side of domestic violence. Absence from work, due to injuries or visit to the doctor often causes them to lose their jobs or excessive leaves and lack of interest in work. Another effect has been seen on their behaviour with children and other family members and also with office co-workers. The women feel ashamed that their partner abuses them. They feel themselves unworthy of love, and suffer from significantly diminished self-perception and self-respect. In this condition the women feel isolated from their friends, family members and paternal family. She also refuses to participate in the family work and functions, community work and also in social works. She feels socially isolated and lives a socially alienated life.

Domestic violence affects the whole life of a woman, mostly socio-psychological aspect of her life. She has to face mental health problems, mental disorders, personality disorders, anxiety, depression and stress due to domestic violence. The effects of domestic violence on women go beyond the immediate physical injuries they suffer at the hands of their abusers. Frequently, domestic violence survivors suffer from any array of psychosomatic illness, eating disorders, insomnia, gastrointestinal disturbances, generalized chronic pain and devastating mental health problems like posttraumatic stress disorder.

Mental health of woman is affected by the ordeals of domestic violence. Domestic violence is associated with increased risk of mental illness. It increases the depression, anxiety, posttraumatic disorders and substance abuse among women. Women who face domestic violence generally experience high levels of distress. Women face behavioural problems, sleeping and eating disorders, self-harm and suicide attempts, poor self-esteem and use of harmful alcohol. **Sharma, Vatsa, Kalaivani, & Bhardwaj (2019)**⁶ reported that women who face domestic violence have unhealthy mental status, have suicidal thoughts. Women loss confidence and decision making capacity on one hand and on the other they become the victim of forgetfulness and sadness. It may be said that domestic violence not only affects the mental well-being of women but also erodes their self-confidence. Many researchers have observed that the more severe the violence, the stronger its relationship to negative health behaviours by the victims.

Domestic violence not only affects the mental status of the women but it also destroys the family, relationships and community. It is seen that violence or threat of violence at home creates fear and destroys family environment and relationships. Domestic violence leads to the break-up of family. Children also suffer from this state of family environment. Children grow up without learning positive and respectful relationships. Children also develop the use of alcohol and drugs and are also caught in the web of mental health problems. Where domestic violence exists, the home is not safe and secure and children are scared about what might happen to them and the people they love.

❖ **Reasons of Domestic Violence**

The main cause behind the domestic violence towards women is ill natured of human being because they compare the physical and emotional strength of men and women. It is assumed that women are emotionally weak so they can be harmed emotionally. It is also considered that all the domestic work should be done by the women only and nobody helps her. She has to work beyond the proper limits of her physical and mental strength. In the family she has to satisfy each and every member of the family by fulfilling their daily needs. Most prominent reason behind the domestic violence is extra marital affairs, lack of caring towards in-laws, in some cases infertility, physical exploitation etc.

There is no uniform or single reason that leads to domestic violence. It is the combination of various factors like historical, religious, cultural, behavioural, psychological, sociological etc. Sociological and behavioural factors includes factors like anger issues, aggressive attitude, poverty, economic hardships, difference in social status, dominating nature, drug addiction, psychological instability, neglect of conjugal responsibilities due to extra marital affairs and lack of trust contribute to domestic violence.

⁶ **Sharma, K.K., Vatsa, M., Kalaivani, M., & Bhardwaj, D. (2019).** Mental health effects of domestic violence against women in Delhi: A community-based study. *Journal of Family Medicine and Primary Care*, 8, 2522-7.

Some historical factors also can be traced back to the inherent evil of patriarchy and superiority complex that has prevailed for centuries among men. Cultural factors leading to domestic violence include the desire for a male child. This obsession resulting from the lack of awareness and inherent male superiority leads to perpetration of domestic violence against women. Dowry is also a factor of domestic violence. It is a form of socio-cultural factor. In this factor, illegal demand of dowry results in domestic violence.

❖ **Punishment and Laws against Domestic Violence**

1. There are various guidelines or provisions being made for protection of women against Domestic Violence under the statute such as Section 304B of Indian Penal Code relating to dowry death.
2. Under Section 313-316 of Indian Penal Code female infanticide has been made punishable which implies forcefully ending the pregnancy of a women.
3. Other Sections of Indian Penal Code dealing with these matters are Section 305-306 related to Abetment of Suicide and 340, 349 of Indian Penal Code respectively wrongful confinement and wrongful restraint.
4. A complaint can also be lodged under Section 498A of Indian Penal Code for Cruelty which also falls under domestic violence.

Domestic violence and dowry death are pervasive in India. There are several Laws in India which directly deals with the protection of married women from her partner and her partner's family.

• **Protection of Women against Domestic Violence Act, 2005**

This is an act of the Indian Parliament enacted to protect women from domestic violence. It prohibits a wide range of physical, sexual, emotional & economical abuse against women and all these are broadly defined under the Act. It provides security to women in a family from men in a family. The extent of the Act covers not only the protection of women who are married to men but also women who are in live-in-relationship, just as family members including grandmothers, mothers, etc. A women has right to be liberated from any type of violence under this Act. Under this law, women can look for security against Domestic violence, financial compensation, right to live in their mutual house and they can get maintenance from their abuser in case they are living separated.

• **Section 498A of the IPC (Indian Penal Code)**

This is a Criminal Law, which applies to husbands or family members of husband who are merciless to women. Under Section 498A of the IPC, harassment for dowry by the family members of the husband or by husband is recognized as a crime. This harassment can be of any type either physical or mental. Despite the fact that marital rape isn't considered as a crime in India, forced sex with one's wife can be viewed as cruelty under this Section. Section 498A has a vast scope. It also includes any and all intentional behaviours against women which force the women to attempt suicide or risk to life or grave injury or risk to limb or overall health. Here, health incorporates the physical and mental health of the women.

- **Dowry Prohibition Act, 1961**

This is a Criminal Law that punishes the giving and taking of dowry. The tradition of dowry itself is banned under the Dowry Prohibition Act, 1961. According to this law, gives, takes or even demands dowry, they can be imprisoned for a half year (i.e. for 6 months) or they can be fined up to five thousand rupees.

- ❖ **Conclusion**

Domestic Violence increases rapidly day by day. It is one of the most critical kinds of harassment endured by the women. Women are not raising their voice against this violence seriously. All the laws are left in the papers only and reality is apart from this. Domestic violence can take places with anyone, despite the fact of race, religion, creed or caste. If the problem of domestic violence is not dealt with adequately, this kind of abuse will keep on existing in all classes of society without an end. So it becomes imperative to aware the women about their fundamental rights and their fundamental duties. Women should be educated, empowered and should know their worth. They should be aware of the various agencies that raise voice on behalf of the victim of domestic violence. The victims should know the legal procedures to approach for their rights. The most important factor to remove the domestic violence is that men understand the value and worth of the women of the house. There is need that they treat the women like an equally important member of the family. Where love prevails, no violence can be spread. Last but not the least, as citizens of India, it is our duty to stand together and make strict laws to protect the victims of domestic violence.

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