

Domestic Violence in India: Causes, Consequences and Strategies

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The commonsense perception of the society envisages home as a place providing for love, protection, care, affection, tenderness, warmth, compassion and solidarity among its members. The researches carried out by most of the early sociologists also corroborate with this perception. However, this perception now proves to be wrong in view of the increasing violence and untold incidences taking place within the four walls of home, once considered to be the safest place of the world. Thus the violence is operationally defined domestic because it takes place behind the closed doors of our homes. The victims of domestic violence happen to be the members of the family such as the wife, the husband, the son, the daughter, the mother, the father, the grandparent or any other family member having close relationship with the accused. A distantly related member of a family committing violence on any one of these family members also amounts to domestic violence if it occurs behind the closed doors of the family. The violence can be termed as a male's or female's atrocities towards another male or a female, an elder's to a younger or vice-versa. The violence among the persons concerned has been manifested as physical, sexual or emotional, and held as an intrinsic part of Indian society since olden days. The paper is based on various sources of secondary data. The main objective of the paper has been to conceptualize and understand the domestic violence in India in terms of its nature, magnitude, causes, consequences and the strategies to combat the problem.

[Key Words: Domestic violence, atrocity, culture of silence, human rights violation, patriarchy]

Introduction

All parts of the world such as the rural sectors, the towns, the cities and the metropolis are equally affected by domestic violence. The violence is directed towards and committed among those who have the familial relationship among themselves viz., wife, husband, son, daughter, mother, father, grandparent or any other member of the family such as the uncle and aunt, in case of a joint family. Even the servants are also subjected to domestic violence. The violence is inflicted by any man or woman on any other man or woman and manifested in various forms as physical, sexual, psychological and economic, as well (UNICEF 2000).

Violence in any form can be defined as any act that goes against the norms, values and culture of the society. It is seen as an act opposed by the laws and norms of the society. It is inflicted upon an individual or individuals with a manifest purpose or purposes in mind. Thus it is an unlawful activity which causes conspicuously considerable extent of damage and harm when directed towards the human beings in society. Now it seems that violence has become a normal practice in the present day society. As one turns to any newspaper he is shocked to find the reports carrying the death of a bride due to the torture for dowry, a school going kid succumbing to the injuries after being beaten up by his father, an elderly man being killed over property dispute, harassment done to someone in one's neighborhood or in the city, etc. Many of such violence come to our notice everyday through different forms of media while many others go unreported. They occur almost everywhere, at every nook and corner of the society.

Of all such types of violence, the violence against women and girls appears to be a spate torturing, causing injuries and killing hundreds of millions of them all over the world. It is one of the most menacing natures of crime against humanity that violates human rights by denying the women and girls their right to equality, security, dignity, self-respect and freedom. Violence against women is reported from every country irrespective of cultural, social, class, caste, educational, income, ethnic and age groups. No doubt that most of the societies in the world proscribe violence against women. But despite this proscription the violence against women crops up and goes unabated due to the tacit support of the socio-cultural practices under the ideology of patriarchy. This implies that whenever violence occurs at home it is ignored either by the silence and passivity of the victim and the witnessing member of the family or by the state or the law enforcing agency, in case the abuse comes to their notice. Both the victim of the abuse and the witnessing member of the family remain mute to the incident because it has been committed by none other than one of the family members. A study undertaken by Sakshi, a Delhi based NGO, reports 75 per cent of the perpetrators of abuse being identified as close relatives such as father, grandfather or family friend. Another study on the 11th standard girl students of Bangalore, conducted by Samvaad, a Bangalore based NGO, also reveals that in nearly 65 per cent of sexual abuse the perpetrators are the family members and close relatives. The abuse in all these cases takes place within the four walls of home, considered to be the safest place of the world. Studies at the global level also reveal that the majority of the perpetrators of crime are known to the victims. In as much as 70 per cent cases of rape, the victims know well their rapists (Shourie 1999). Researches carried out in different countries report findings showing 20 to 50 per cent women suffering physical violence at the hands of their intimate partner or family members (Moses et al. 2010). A study conducted on child sexual abuse in Northern Ireland shows that out of 85 per cent of the abuses, the persons committing the abuse happen to be the relatives of the victim or are known to them. The study in UK shows that while in 74 per

cent cases of the child abuse the victims already know the abusers, in 58 per cent cases the abusers turn to be the family members (Phansalkar-Joshi 2009).

Domestic violence: a global scenario

The whole world is threatened with alarming proportions of violence against women as claimed by the studies across nations. Violence against women is markedly present more or less equally everywhere, from the most developed to the least developed and undeveloped societies in the world. A study made by Fischer and Turner shows that in United States of America, the violence against the college students, i.e. the completed rape on them is reported to be 20 per cent, compared to that of the attempted rape (25 per cent). In another study on violence against women 21 per cent of the sample reports the violence being directed particularly against the female spouses. Statistics show that violence against women in Africa is increasingly prevalent and gets manifested mainly in the form of sexual and domestic violence. In many places of the continent the violence committed on women is not divulged openly (Cited by Moses et al. 2010). A study conducted by WHO shows that violence against women spreads in epidemic proportions in several countries in the world. It reports that the magnitude of domestic violence differs from 15 per cent of such cases witnessed in Japan to 71 per cent in Ethiopia. Some earlier researches find the cases of domestic violence being committed to the extent of nearly 20 per cent in both United States and Sweden, and 23 per cent each in Canada and Britain. Domestic violence against women is one of the severe and widespread incidences in Kenya. It is attributed to its cultural tradition of disciplining the women in society. In most of the cases the crime goes unreported or even unpunished in case it is somehow reported. Observing a growing trend of domestic violence, the United Nations Development Fund for women launched the inter agency regional campaigns during the period from 1997 to 1999, to eradicate the violence against women in Latin America and the Caribbean, Africa and Asia and the Pacific.

Nature and magnitude of domestic violence in India

Violence in family or domestic violence, as we call it today, is not a recent phenomenon in India. Since time immemorial domestic violence has been an inherent part of and thus a common practice in the country. Domestic violence in India, as in many other countries in the world, is being viewed not only a widely prevalent incident but also a hidden and ignored form of violence against women and girls. It has become so ingrained in the system that people get indulged into this act against a woman even much before her birth in the form of female foeticide. Female foeticide emerges as one of the most prevalent domestic violence particularly in India and China. It reflects an utter violation of female child's right to live (Swain and Hiwarkar 2013). Female foeticide is evidenced in causing an imbalance in the sex ratio of the country by making a substantial fall in the number of female children. A research report appearing in Times of India reveals that 80 per cent of the districts in India report a sharp decrease in the sex ratio of the female children since 1991 (Dhawan 2006). The

sex ratio of India in the age group of 0-6 years has declined from 945 girls per 1000 boys in 1991 to 927 girls per 1000 boys in 2001 and still to a lesser number of 914 girls per 1000 boys in 2011. This constant decline in girl child sex ratio in the country is an outcome of the violence manifested in the form of female foeticide and female infanticide.

Despite the fact that domestic violence is an indelible practice witnessing the Indian society over the ages since the ancient days, there has been very little or no intensive research among the family researchers towards this problem which is growing unabated in the recent years. In other words, there has been a growing indifference among the social scientists towards their involvement in family researches in probing into the incidences of domestic violence in India. Certain factors cause this indifference among the researchers engaged in family researches in India. For example, the concept of family being defined as a non-violent setting, and the reciprocal concerns like love, affection, sympathy, congeniality and respect among its members, which form the integral part of family life, lessen the importance of family research on domestic violence in India. Moreover, people in India ignore the violence in family or let it not to be noticed by others due to the fear of social stigma. Again the sacredness attached to the family in India seems to have made the incidence of violence in family a taboo, thus inhibiting voluntary researches in the country (Mahajan 1990).

Most of the family researches in India since beginning have focused on the composition of joint family rather than focusing on the incidence, nature, type, causes and consequences of family violence (Altekar 1938; Kane 1940; Karve 1953; Desai 1955; Kapadia 1955; Ghurye 1961; Gore 1968; Dube 1974; Shah 1973). These researches have highlighted the contributions of joint family system towards making up of Indian society on the principles of collective values, interpersonal relations, integrity and solidarity. The researches were so engrossed in eulogizing the joint family that they could hardly envisage the scope for exploring the family tensions, conflicts and various forms of violence. In India one of the most common cases of domestic violence over the years has been the violence against women, which seems to be a sheer violation of their human rights. Domestic violence deprives women of their right to speech, expression, education, employment, equal status, freedom and all that is beneficial for their wellbeing and development. Domestic violence has been conceptualized as a pattern of coercive behaviour by a spouse or intimate partner to gain power or control over the other. Thus in any violence that is directed against a woman, the abuser is her husband. However, domestic violence, as prevailing in the present context, has been inflicted on women by their in-laws as well. Even in parental home a girl also suffers violence by her father, uncle or brother. The violence is called domestic because it is committed within the closed doors of the home by the near or distant relatives of the victims. Almost 15,000 women die every day as a result of various types of domestic violence in India (Ramanna 2006).

Domestic violence can be seen as kicking, punching, biting, slapping, strangling, choking, burning with cigarettes, throwing acid, marital rape or forced sex, pushing woman out of house, confining her to home, etc. In almost half of the cases, violence becomes very severe like beating women with belts, iron rods, subjecting them to starving for days together, chaining, stabbing, threatening for murder and shooting. Violence resulting from dowry cases appears to be relatively a recent phenomenon and is increasing as a result of people's greed for money, power and prestige. Failures of marriages, harassment, bride-burning and death of newly wedded women have been the most common talks of the people in villages and cities as well. Dowry seems to be giving an excuse to the husband and his family members for torturing and beating up the woman (Kishwar and Vanita 1984). There have been plenty of cases wherein violence or coercive acts take place due to the practice of dowry (Verghese 1980; Singh 1981; Sundaram 1981). Out of the total 1, 32, 720 cases of crime against women registered in 2003, the dowry deaths alone are found to be 6, 285 while the other cases registered under the Dowry Prohibition Act come to be 2,532. In more than half of the dowry cases the daughters-in-law are either thrown out of their husbands' home or return to their parental homes on their own. Hardly any of such daughters-in-law dares to file a case of divorce on the ground of cruelty or reports to the police. Rather, they keep on trying for a compromise. On being unsuccessful for a compromise, and with the violence getting escalated, in most of the cases the daughters-in-law force themselves to commit suicide. In certain cases even the parents are found compounding the plight of their daughters by persuading them to bear the violence silently, not to discuss the misery with others, and force them to go back to the hell - the violent home.

The history shows that the women in the country have suffered the extreme cases of domestic violence. Even today despite a reckonable social status of women, the reports showing violence against them are much larger in number than against their men counterpart. The United Nation's Population Fund reports that in India 70 per cent of married women in the age group 15 to 49 are subjected to domestic violence like beating, marital rape or forced sex. It again reports that domestic violence has been caused to more than 55 per cent of women in the country, especially in the states like Bihar, U.P., M.P. and other northern states. A study report shows that while 75 per cent of schedule caste women are beaten up regularly by their husbands, in 70 to 80 per cent of the reported cases, the assault is committed on the female child. In such cases the abusers are found to be the relatives of the child. The most common causes of domestic violence against women have been identified as unfulfilled demands for dowry, denial of wife to have sex with husband, wife's argument with her partner, wife often moving out without informing the partner, infidelity towards her husband, her inability to bear a male child, her negligence towards the children and in-laws. However, consumption of alcohol by the male spouse and his involvement in extra-marital relationship are found to be the major causes of

domestic violence against women in the contemporary society. A study reveals that 21 per cent of married women in the country have been subjected to severe physical abuse by husbands, in-laws and other family members since the early periods of their marriage. The same study also shows that 19 per cent of wives have been beaten up by their husbands, with 11 per cent being beaten up just prior to the commencement of the study (IIPS and ORC Macro 2000). Official statistics have been showing growing proportions of violence against women in India from time to time. The National Crimes Records Bureau while reveals an increase in incidences of violence against women from 31 per cent in 1995 to 45 per cent in 1999 (NCRB 1995, 1999), some population surveys indicate an increase in physical abuse against women of various socio-cultural milieu to the extent varying from 21 to 48 per cent (INCLLEN 2003; Jejeebhoy 1998; Verma and Collumbien 2003; Visaria 1999). These data are substantiated by more studies revealing physical violence on women. The studies which have investigated physical violence on women by men report that 21 to 40 per cent of men perpetrate physical violence on women (Duvvury et al. 2002; Verma & Collumbien 2003). Findings from the surveys of hospital records, court proceedings, NGOs and police records, reveal more or less the same rate of prevalence of physical violence perpetrated against women (Daga et al. 1998; Jaswal 2000). However, the prevalence rates of physical violence against women in India show some variation from one state to another. For example, Tamil Nadu reveals the highest incidence, with 40 per cent of women reporting the physical violence against them from the age of 15. States like Andhra Pradesh, Karnataka, Meghalaya, Arunachal Pradesh, Mizoram, Orissa, Bihar and Jammu and Kashmir report the incidence to an extent beyond 20 per cent. Himachal Pradesh has the lowest rate of incidence (5.8 per cent), followed by Kerala (10.1 per cent) and Gujarat (10.2 per cent) (IIPS and ORC Macro 2000). The statistics on domestic violence against women enable us to put these states under the categories of low, moderate, high and very high domestic violence zones in India depending on the magnitude of such cases reported. For example, when the states such as Rajasthan, Kerala, Gujarat and Himachal Pradesh are identified as the low domestic violence zone, the states like Tamil Nadu and Meghalaya are recognized as the very high domestic violence zone. While Manipur, Nagaland, Maharashtra, Goa, West Bengal, Assam, Delhi, Punjab, Haryana and Sikkim are put under the moderate domestic violence zone, the states like Orissa, Bihar, Arunachal Pradesh, Andhra Pradesh, Uttar Pradesh, Jammu & Kashmir, Karnataka, Madhya Pradesh and Mizoram belong to the high domestic violence zone.

A study conducted in 2003 shows that out of 1, 32, 720 registered cases of dowry related violence, 40, 282 were of very harsh nature and cruelty by husbands or relatives, whereas, 6, 285 were of dowry deaths. Similarly in another study done in the same year by the Centre for Social Research it was revealed that per annum nearly 5 crore married women suffered from domestic violence in India. Just one out of 1000 of such cases of violence got reported,

and out of 100 cases investigated under 498A of the IPC, the accused got convicted only in two cases. In a quite recently conducted study, which is between April 2010 and March 2011, and which appeared in the local news paper, it was reported that Maharashtra has the highest number of domestic violence with 2, 433 cases followed by the southern states of Andhra Pradesh with 1, 174 cases and Karnataka with 1, 013 cases. Compared to these states, Madhya Pradesh and Kerala have the lowest rate of domestic violence i.e. 882 and 631 cases respectively, as reported by the above study.

Underreporting of domestic violence

Domestic violence is on rise and assuming an alarming proportion mainly due to the underreporting of such offences. The underreporting of such offences is extremely disappointing and hence causing concerns for future. The official record of the domestic violence taking place across the country suggests that the reporting of such cases is drastically lower than any other offences, especially the offence reported against property. In almost 90 per cent of all domestic violence and sexual abuse, women do not report the incident or the perpetrator to the police. More than 80 per cent of the abused women do not press for the charges against the perpetrators either due to the fear of social stigma or threat against their life (Kury and Smartt 2009). In all the cases of domestic violence women are seen quietly accepting the views of men, and while suffering from the violence they blame themselves rather than condemning the perpetrators. One of the most important reasons for why there has been an underreporting of domestic violence is believed to be the victim's silent efforts to stop the crime by the perpetrator at home. The victims instead of trying to seek the state intervention or police action want to prevent the violence at their personal level by persuading the perpetrator. Domestic violence does not stop despite the efforts of the victim. Rather it goes escalated and assumes a frightening proportion with time passing on. It can be said without hesitation that the victims by remaining silent to the act of violence promote it against their own selves.

Causes of domestic violence

Theoretically speaking domestic violence against women is quite embedded in and contributes to the low status of women despite the constitutional and human rights guaranteed to them in most of the countries in the world. The inferior or subordinate status of women legitimized by the structure of patriarchy is one of the most conspicuous causes of domestic violence against them. Thus what seems to be the most conspicuous reason for domestic violence from the point of view of social structure is the rule of patriarchy. The family under patriarchy is often seen as the key institution dominating women in society. The domination over women has been justified by patriarchal ideology as a method of controlling women and property. The words such as compassion, benevolence, humility, modesty, nobility, forgiveness, tolerance, love, sacrifice, passivity and compliance, often used for glorifying the women for wrong reasons, that is, to perpetuate their suppression

and elevate the hold of patriarchy to retain the dominance of men over them, have been misunderstood over the centuries and taken in good taste. The family tells that the men are the food providers and protectors and hence the women must respect them, obey them, tolerate and accept their authority. Thus the women, the wives, devoid of any power on account of their exclusion from decision making are often subjected to abuse. The greater abuse of power vested with the man under patriarchy seems to be the major factor encouraging domestic violence in society. The women, the wives, with less or no power due to their exclusion from decision making process are subjected to rigorous abuse or violence. The women are so much socialized in terms of the patriarchal ideology and values that they remain as mute spectators to their beating and battering by husband rather than protesting the act. Thus it is a culture of silence and denial that makes women suffers from violence. It is only due to the internalization of culture and values of the society through the process of socialization that the wives do not leave their husbands even in adverse situations. In case they desire to leave their husbands' and in-laws' family, this act of theirs is considered as a stigma for their parental home and thus creates hurdles for the marriage of their younger siblings. This, thus, strengthens domestic violence. Practically seen, the most common causes of domestic violence have been identified as the unfulfilled demand for dowry, arguments over monetary matter, unbridled consumption of alcohol by husband, wife's employment, suspicion over wife's behaviour, disputes over children, denial of wife to have sex with husband, marital rape or forced sex by husband, husband's extra-marital relationship, wife's inability to bear a male child, her negligence towards in-law, etc. In most of the cases the financial constraints, inferior social status and insecurity of women keep them quiet about the violence committed on them by their husbands and in-laws. A study reports 40, 287 married women being subjected to brutality by their husband or family members. In general women's inability to carry out the gender roles and responsibilities at home leads to violence. Domestic violence against girls is seen to be very serious. The girls suffer most at the hands of their parents and other family members due to the prevalence of a culture for son preference. Most of the times the girl children are cursed, abused and assaulted for not having a brother in the family (<http://www.youthkiawwaz.com> 2010).

Consequences of domestic violence

Domestic violence has severe damaging consequences for women and children in family as well as in the society. It results into negatively affecting the women's integrity and personhood. It restricts their behaviour and freedom in family and society. The victims persistently confront fear, threat and humiliation due to the atrocious nature of violence in family. The threat of violence mostly controls women in several unconstructive ways curbing their freedom, mobility, economic independence and their right to dignity. Violence keeps women economically exploited and suppressed. It makes them alienated from the position of power and decision making in family. It aims at enforcing

women's subordination and men's control over them in men dominated society. Domestic violence results into such an extent that women are not allowed even to speak to their neighbours, to attend social functions, or to step out of the house. The battered women develop a mindset to remain quiet, agonized and emotionally disturbed (<http://www.youthkiawwaz.com> 2010).

The mental trauma affects women's efficiency at work. They even remain away from their work due to the mental disturbance. Those who rebel and leave their husband's home try to become self-dependent. Even their life becomes difficult and painful when they work outside for their survival. Many of such women become subjected to sexual harassment at workplace. Some of the women who leave their homes are forcefully involved in women trafficking and pornography. This leads to their getting addicted to drugs and contacted with HIV/AIDS.

Domestic violence against women is seen to have a very drastic impact on children when they witness the abuse committed on their mothers in front of them. The more the children grow with witnessing the incidences of violence the more they develop an aggressive attitude and display the violence in their own life. This, however, is seen usually in the homes of urban slums and rural areas.

Strategies to combat domestic violence in India

Although domestic violence against women is a global epidemic that affects the global population of women and girls, gravely challenging their physical, social and mental health conditions, in India the phenomenon of domestic violence seems to pose a big challenge to the human rights of women and girl children due to its unrestrained increase. The laws to combat domestic violence in India such as the "The Dowry Prevention Act, 1961", "The Commission of Sati Prevention Act, 1987," "The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994" and the recently passed "Domestic Violence Act, 2005, all seem to be ineffective as they fail to ensure proper implementing machinery. Thus domestic violence in India still remains a menace as the law enforcing system proves its inefficiency to check the phenomenon. We have to visualize the problem and look for its remedy outside the framework of law as well. As alternative action plans, neighborhood vigilance and the creation of new socio-economic opportunities such as education, employment and training for entrepreneurship for women can go a long way in reducing the domestic violence in India. Women need to be empowered and have access to their rights and information relating to various government welfare schemes, they are supposed to avail for their development and change in their socio-economic status. Media has a greater role to play in combating domestic violence by creating awareness among women and girl children about their rights, the gender-just laws and the reforms taking place in criminal justice system.

The self-help group movement, which was initiated in early 1990s, now needs to be more encouraged as it aims at curbing violence by empowering the

women. The self-help groups in villages have to endeavour to provide required knowledge, information, skill and self-confidence among the poor women for their socio-economic development and change in life. The self-help groups have to also help the rural poor women in boosting their morale for fighting out the injustice. Thus the self-help groups need to prove to be one of the most effective measures to combat domestic violence in rural India. However, women and children in India cannot fully resist the act of domestic violence unless they are abundantly educated and completely aware of the evil designs of patriarchy or male dominance. Therefore, what is most important to check domestic violence against women and children, especially the female children, is the urgent need for human rights' education and a thorough awareness of women and girl children against the insignificance of patriarchy and male dominance in society.

Change in the mindset of the men towards women in the family and society in general needs special attention for curbing the domestic violence. The men should no more discriminate against women and look down upon them. They should imbibe the values concerning equality, justice and freedom while dealing with women in society. Their action in family and society should be such that it does not affect the self-respect of women. Changes in the mindset and the positive attitude of men towards an egalitarian form of society are highly warranted as the right step towards putting an end to the act of domestic violence at present. Besides this, the women also need to come out of the misconception that they will be defamed and dishonoured if they reveal the fact that an atrocious act has been done on them by the perpetrators. They should not feel ashamed of reporting the violence against them to police. The girls need to report immediately the matter of offense or abuse committed on them by the perpetrators to the parents, and to the neighbours in case the perpetrators are the parents themselves, who should in their turn, take the matter to the police for action. Thus what seems to be increasingly felt in this direction is the need to change the basic societal characteristics. This implies that the process of socialization needs to be redirected towards creating a fearless family set-up and society by putting in place the values of equality, justice and freedom.

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