

Domestic Violence In India: A Review of Present Scenario

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Abstract

In present times the means of mass media, westernization, modernization and specially the urbanization have created lots of opportunities for mankind in contrast to traditional approach of society. Along with these the formal laws and constitution itself have created the circumstances best suited for development of all humans. The principle of gender equality is laid down in the Constitution of India and also in its Preamble, Fundamental Rights in part III, Fundamental Duties and Directive Principles of State Policy. Our Constitution not only ensures equality to women, but also directs the State to adopt the various measures of positive discrimination for the welfare of women. After all this in the era of so many opportunities there is large segment of society that is the women who are still made the victims of domestic violence, posing a serious concern for society as well as the law and order maintaining authorities. She also deserves equal opportunities with dignity, as the other half of society, which is still awaited.

Key Words: Domestic Violence, Discrimination, Society, Family, Tradition, Government, etc.

In Indian society women are the foundation of social, cultural and economic aspects of the family. They do domestic work along with economic activities such as rearing animals, farming, jobs, etc. Women participation is considered must for all rituals and cultural activities, it will not be wrong to say that they are the flag bearers of Indian tradition and values. In history they have always stood with men in every job and struggle. Even then social status and position of women is not equal in every society. M.N. Srinivas has rightly said that women have many aspects in society and all of them can't be generalized because different places, towns, classes, castes and religions have their own issues in regard to women. People have different attitudes and approach for the women in different societies and in a single society also it varies on the basis of income, caste, education, etc. of the family (Srinivas,1977). On many occasions she has been considered as *Devi* but in real life she remains dependent on others for her wellbeing. Man and women marry with equal rights and duties with oath of cooperation and consensus to form family and to share responsibilities but tyranny of women is that even after all this in many cases

women are supposed to serve, their male counterparts and their family members, like slaves. After facing so many difficulties they give birth to Children and do the most pious work of nature. For their valuable participation and contribution in family life they are awarded with domestic violence.

Historically it is evident that many ups and downs have come in position of women in Indian society, it was in British era that some formal legislation came in existence for welfare of women. After independence many steps were taken as welfare measures for women through various action plans, still incidences of domestic violence, female feticide, and dowry death are very common. Formal legislation under constitution as well as Indian Penal Code and Criminal Procedure Code, Dowry Prohibition Act, etc. have provided some relief measures to women in cases of domestic violence and her other issues but these measures have been proved fruitful only in those cases where the women and her native families are aware of their rights otherwise most of the cases don't come for formal justice due to social circumstances (Sharon, 2014).

In the present study description is sought in regard to increasing cases of domestic violence in society. Further the focus is on finding the socio-economic factors responsible for domestic violence so that effective suggestions can be provided for reducing the cases of domestic violence. The study is mainly based of secondary data collected from various research papers, books, magazines, newspaper, online sources, etc. and some case studies have also been discussed to understand the real nature of issues related to women.

Introduction

The Protection of Women from Domestic Violation Act 2005 defines domestic violence as any such act by which any person from the victim's family actually harms, injures or endangers the victim's safety, health, life, limbs, wellbeing physically or mentally or tends to do so which also includes the physical, sexual, verbal, economic and emotional abuse. It further includes any of the above mentioned act if it is done to meet unlawful demands or in relation to dowry. Here it is a tyrannical issue that both the victim and the accused are actually joined to each other by domestic relationship i.e. through marriage or consanguinity or adoption. The act itself clearly mentions the scope of domestic violence but in Indian society if this act is implemented in true spirit it is possible that lot of people will be in jails, because such acts are

very common in Indian families but due to social pressure and traditional values such cases are not reported in general.

India has patriarchal society where men dominates over women and women are considered to obey the men, though little change has come in this traditional approach due to modern education, globalization along with awareness of constitutional and legislative measures. A man physically or mentally assaulting a woman in his household becomes interpersonal violence, but if lakhs of men are doing domestic violence and abuse of women then it is structural violence and a major cause of social concern (Jamwal, 2022). Marital home has become the most unsafe place for a woman, with over 42% women (between the age 15-49) suffering from abuse, 33.5% women were the sufferer of domestic violence and 8.5% women suffered sexual abuse.

Present Scenario

Domestic violence in Indian society is not a new phenomenon. Traditional approaches and social values up to an extend are responsible for their down trodden position. It is the mockery of social system in India that one side women is considered as goddess on the other side annually many women are killed by their family members and native people treating these women as *Dayan* (Witch) who are blamed for any mishappening in near by areas. Specially in Bihar such traditions are still in Practice (Parsad, 2018). The 2001 Jharkhand Prevention of Witch Practices Act is proof of such practices which prohibits any kind of such an inhuman activity.

Recent studies have cleared that approximately 61% of women between 15–49 years old reported to have been physically and mentally abused at least once by an their intimate partner. Incidences of domestic violence take place among different age groups, economic and cultural statuses. However, incidences of domestic violence are largely under-reported due to fear of revenge by the perpetrator, one other reason is that the women feel shame, loss of social prestige of herself and family due to negative media coverage and also the fear of being trapped with no other option to go except her family home.

Women of all age groups in general are victims of domestic violence but the women in age group of 15-24 have higher risks of victimization with one in every four faces some form of domestic violence if she is in relationship (Suri, Mona, Debosmita, 2022). In present times one noticeable aspect of modern society is that we have now more nuclear families where parents specially the old age women i.e. mother in laws in some cases remain entangled with the young daughter in laws who are than ill-treated by their daughter in laws *Bahu*. Here we need to evolve family values according the circumstances and needs of nuclear families.

Table-1 below shows the Data Related to Cases Registered in Regard to Crime Against Women from 2019 to 2021 in India

Crime Head	Cases Registered in Year			Total
	2019	2020	2021	
Domestic Violence	553	446	507	1506
Dowry	13307	10366	13568	37241
Immoral Trafficking	1639	1294	1678	4611
Insult to the modesty of Women	6937	7065	7788	21790
Total	22436	19171	23541	65148

(Source: National Crime Record Bureau, Crimes in India 2021, Statistics Report Volume-1)

Table-1 shows that we have very less cases of formally reported domestic violence. The reason is clear that in India domestic violence issues are not taken seriously as violence of women's rights, but they are often taken as common incidences of patriarchal society Women accept violence as their fate and they give importance to the future of their children as they see no other easy solution (Choudhary, Manish, etc. 2019).

The incident of Manipur in May 2023 has shaken all ideas and thoughts about mankind, when reportedly two women were paraded naked after being raped in public (BBC News, 2023). The eruption of ethnic violence between Meitei and kuki tribes of Manipur has left heartbreaking consequences for all mankind. This shameless act by members of so called civilized society shows the degradation of cultural and social values in present times. Such act can't be justified be justified on any ground where the women are physically and mentally assaulted for no fault of them. The situation becomes more critical when it comes to the knowledge that this incident was

not even covered by news agencies for more than one month and it would not have been covered by influenced news agencies if this incident has not been shared on social media. This issue raises question mark on the state government as well as on central government that they have not only failed in controlling such a shameless act but also that they have intentionally ignored such menace for no justified reason.

This is merely one incident discussed here but there are many such incidences of assault of women which need serious discussion with objective of doing justice to women and also to ensure the security and equality which she deserves.

Role of Government and Non-Governmental Organizations (NGO's) in Solving the Problem of Domestic Violence

The National Policy for the Empowerment of Women (2001) implemented under the aegis of Ministry of Women and Child Development, clearly says that all types of violence against women including, mental and physical, either at domestic or societal levels, whether arising from traditions, customs or accepted practices should be dealt strongly and effectively with a view to eliminate such kind of incidences. Institutional mechanisms/schemes of assistance will be created and strengthened, for prevention of violence against women, including sexual harassment of women at work place, for the rehabilitation of the victims of violence and also for negative customs of society like dowry; and for taking effective action against the culprits of such violence. The policy furthers emphasis also on programmes and steps to tackle the problem of trafficking in women and girls. This policy clearly mentions the need of measures which should be taken in consideration for preventing the violence against women and also suggests the measures which should be taken for her empowerment.

It is the prime responsibility of the government to check the incidences of domestic violence by arresting the culprits and compensating the victims. Indian justice system has its own lacuna which negates the easy and rapid justice due to which the effected women hesitates to lodge complaint and await for justice. Instead of being harassed in police station and formal process of courts they prefer to let go the incidences of domestic violence. The legal system for justice needs overhauling so that the suppressed and downtrodden female victims can get justice.

The government has to check the probable causes responsible for incidences of domestic violence in India. The major causes of domestic violence in India are shown in Picture-1:



Picture-1: Probable Causes of Domestic Violence

All these above mentioned causes of domestic violence need to be worked upon by government and society. It is the primary duty of the state to spread awareness and to build the confidence of women by various means of empowerment such as education, jobs, legal knowledge, etc. Poverty, illiteracy, patriarchal society, dowry demands, etc. develop the fearful conditions for women in their own marital home. These areas need to be worked upon by state. Poverty has its own contribution in adding to the misery of women. It is quite noticeable that the women of poor families have more incidences of physical abuse in homes and also at workplace. By providing organized employment government can control such incidences up to an extend.

Similarly NGO's do have scope in eradication the issues of domestic violence by arranging awareness programs, workshops, etc. through means of mass media and physically in various localities. They can also provide counseling and free legal aid to the victims of domestic violence. The victims often don't get outside support because nearby society considers such incidences of personal nature and local dispute of family in such circumstances NGO's can come out for support of such victims. Apart from this they can also provide vocational trainings, shelter, etc. so that women can get chance to become independent. Imparting knowledge of legal remedies against domestic violence is one other major task the NGO's can perform. This way the government as well as the NGO's can control the issues related to domestic violence.

The Path Forward

Religious texts and knowledge need to be judged again and right path must be shown to the society so that the desired changes in regard to the approach towards women can be corrected and her social position may be considered equal to men. Social equality of men and women is very necessary for reducing the cases of crimes against women, specially the domestic violence. The role of women is very important in demand of justice for other women in her family. It is the women itself who can provide first mental and physical support to the other women in need when she is abused with domestic violence.

In Present times mass media plays effective role in giving direction to thoughts of people, similarly it can play important role in spreading awareness about women rights as well as right behavior sense for in laws of married women. It is very shameful for Indian society, government and content developers that most of the advertisement of new films and web series show bold, nude and abusive character of women in their advertisements, instead of this family movies and good content can help in developing right approach for women.

More recruitment of women in police forces as well as in other sectors may also help in reducing the cases of domestic violence. Similarly they must be provided more job opportunities which will make them self-dependent and confident who can raise voice against injustice. Education along with legal knowledge is the first tool which makes any human being confident and strong enough to demand his or her rights. So the subjects related to prima facie knowledge of statutory rights and procedure must also be introduced in the school education.

Corruption in formal investigating agencies have also to be looked after because in many cases either the victim is pressurized by police and other social groups for compromise or the wrong facts are placed by police in investigation due to corrupt practices, which defies the purpose of complaint and the complainant rights. Women officers in such cases can change such system if given chance.

Status of women also depends upon the caste in which she is born, the women in lower caste faces more discrimination at their homes as well as in outside life. So it is necessary that

door to door awareness programs must be organized specially in those residential areas which are abode to lower castes. With this the weekly or monthly visits of higher authorities like lady police officers and other civil authorities may boost their confidence and will also set a deterrent on culprits.

Conclusion

For Indian scenario it seems very correct to say that discrimination against women starts even before they are born and it is continued till they die. This discrimination has many faces such as female feticide, infanticide, domestic violence, mental abuse, dowry death, physical exploitation, etc. The domestic violence has many ill effects on physical, psychological, social and economic aspects of girls and women. After discussing this sensitive topic of women it seems necessary that all the stake holders of society need to analyze the factors responsible for domestic violence so that many families can be prevented from menace of domestic violence. Such incidences have very deep effect on the life of victims and their children, so the factors responsible for such a menace should be controlled. The dignity and freedom should be ensured by their family members and society, both, likes her counterpart men.

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