

Domestic violence

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Definitions of domestic violence can be broad or determined, unstructured or targeted. The cause that the definition of violence is important is since it shapes the response. For example, a community response, whether it be legal reform or the provision of support services, is shaped by a particular consideration of what constitutes domestic violence and whether it is to be conceptualized as an intra-family disagreement, or a criminal violation of rights. The definition implicit by the law is especially critical as it defines standards and thus impacts broader social perceptions of the problem. rudiments of the definition that need to be considered then are the boundaries of the relationship between the perpetrator and the abused, the norms of acceptable actions, and the specific acts that comprise violence.

A everyday awareness of domestic violence against women is that it is incomplete to physical injury perpetrated on grown-up women within a wedded relationship. While this understanding may detain a large universe of the knowledge of women, it is predicated on the supposition that women primarily live in nuclear families. Across cultures, there are a diversity of living arrangements range from joint families to nuclear families to single close relative families. Furthermore, women may be in an recognized relationship or in the process of separation or divorce. Violence is often not restricted to the current husband but may enlarge to boyfriends, former husbands, and other family members such as parents, siblings, and in-laws. A definition that acknowledges these multiple possibilities would lead to interventions that are more inclusive of the experiences of all women.

In the plaid history of mankind one finds that different and far removed from cultures, but far-away they may be in time and space have at least one thing in extensive and that is the condescension of women. but, the Gandhian period and the decades after independence have seen spectacular changes in the status and the understanding of the women in the Indian society. The constitution of India has laid down as a fundamental right- the equality of the sexes. But the change from a arrangement of utter dreadful conditions of women in the nineteenth century to a arrangement of equality in the central summit of the twentieth

century is not a straightforward storage place of the growth of men in the modern period. The position of women in the Indian society has been a very convoluted one. In piece of information, it could not be an exaggeration to declare that the current changes in the status of women in India is not a sign of progress but it is in fact are capture of the arrangement that they understood in the early Vedic period. thus far, the status of women who comprise approximately half of the Indian population is not that encouraging. Gender based violence including rape, domestic violence, mutilation, murder and sexual mistreatment- is a thoughtful health problem for women transversely the globe.

“Domestic violence (DV), defined by the Protection of Women from Domestic Violence Act 2005 as physical, sexual, verbal, emotional, and economic abuse against women by a partner or family member residing in a joint family, plagues the lives of many women in India. National statistics that utilise a modified version of the Conflict Tactics Scale (CTS) to measure the prevalence of lifetime physical, sexual, and/or emotional DV estimate that 40% of women experience abuse at the hands of a partner Data from a recent systematic review by the World Health Organization (WHO) provides similar regional estimates and suggests that women in South-East Asia (defined as India, Maldives, Sri Lanka, Thailand, Bangladesh, and Timor-Leste) are at a higher likelihood for experiencing partner abuse during their lifetime than women from Europe, the Western Pacific, and potentially the Americas” (WHO, 2013).

“The 2012 report of India states a reported crime rate of 46 per 100,000, rape rate of 2 per 100,000, dowry homicide rate of 0.7 per 100,000 and the rate of domestic cruelty by husband or his relatives as 5.9 per 100,000. These reported rates are significantly smaller than the reported intimate partner domestic violence rates in many countries, such as the United States (590 per 100,000) and reported homicide (6.2 per 100,000 globally), crime and rape incidence rates per 100,000 women for most nations tracked by the United Nations”(National Crime Records Bureau).

“There are several domestic violence laws in India. The earliest law was the Dowry Prohibition Act 1961 which made the act of giving and receiving dowry a crime. In an effort to bolster the 1961 law, two new sections, Section 498A and Section 304B were introduced into the Indian Penal Code in 1983 and 1986. The most recent legislation is the Protection of Women from Domestic Violence Act (PWDVA) 2005. The PWDVA, a civil law, includes physical, emotional, sexual, verbal, and economic abuse as domestic violence”.

“The National Family Health Survey of India in 2006 estimated the lifetime prevalence of sexual violence among women aged 15–49, including instances of marital rape in India. The study included in its definition of "sexual violence" all instances of a woman experiencing her husband "physically forcing her to

have sexual intercourse with him even when she did not want to; and, forcing her to perform any sexual acts she did not want to". The study sampled 83,703 women nationwide, and determined that 8.5% of women in the 15–49 age group had experienced sexual violence in their lifetime. This figure includes all forms of forced sexual activity by husband on wife, during their married life, but not recognised as marital rape by Indian law. The 2006 NFHS study reported sexual violence to be lowest against women in the 15–19 age group, and urban women reporting 6% lifetime prevalence rate of sexual violence, while 10% of rural women reported experiencing sexual violence in their lifetime.

Dowry deaths

| year | Death |
|------|-------|
| 2008 | 8172 |
| 2009 | 8383 |
| 2010 | 8391 |
| 2011 | 8618 |
| 2012 | 8233 |

Dowry-related abuse and deaths

“In almost all the Hindu families the Ritual of taking dowry has caused a serious problem in the society. Some newly married brides suffer domestic violence in the form of harassment, physical abuse or death when she is thought to have not brought enough dowry with marriage. Some cases end up in suicides by hanging, self-poisoning or by fire. In dowry deaths, the groom's family is the perpetrator of murder or suicide.”

“According to Indian National Crime Record Bureau, in 2012, 8,233 dowry death cases were reported across India, or dowry issues cause 1.4 deaths per year per 100,000 women in India. For contextual reference, the United Nations reports a worldwide average female homicide rate of 3.6 per 100,000 women, and an average of 1.6 homicides per 100,000 women for Northern Europe in 2012”.

“Dowry deaths in India is not limited to any specific religion, and it is found among Hindus, Muslims, Sikhs and others. Some 80% of the total Dowry related crime found in the Hindu community followed by other Indian Religions as giving Dowry is considered as an important ritual in the Traditional Hindu Marriage”.

“The Dowry Prohibition Act 1961, prohibits the request, payment or acceptance of a dowry, "as consideration for the marriage", where "dowry" is defined as a gift demanded or given as a precondition for a marriage. Gifts given without a precondition are not considered dowry, and are legal. Asking or giving of dowry can be punished by an imprisonment of up to six months, or a fine. It replaced several pieces of anti-dowry legislation that had been enacted by various Indian states. Murder and suicide under compulsion are addressed by India's criminal penal code. The law was made more stringent with Section 498a of Indian Penal Code (enacted in 1983). Under the Protection of Women from Domestic Violence Act 2005 (PWDVA), a woman can seek help against dowry harassment by approaching a domestic violence protection officer”.

DV in the Indian context is unique, as it is perpetrated not only by the intimate partner, but also by the in-laws. Abandonment by the husband is a real problem, and separation or divorce is heavily stigmatized in the society. A woman who experiences DV tends to seek help from her natal family or from community organizations to bring heaviness on her husband to stop abuse her and her children. If these sources of help do not seem effective, the women may seek legal recourse as a last resort. In general, women are expected to undergo violence for long periods of their lives for fear of bringing shame on their families and/or because of a lack of social and financial support self-determining of her husband.

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