

Domestic Violence against Women and its Types, Causes, Effects and Remedies

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ABSTRACT

Violence against women, of late, has become a global problem. Women of all races, ethnic groups, classes and nationalities are affected by it. It has recently emerged as a life-threatening problem for individual women and as a grievous problem for societies. Violence impacts the lives of millions of women globally in all socio-economic and educational classes. It cuts across cultural and religious barriers and hinders women's right to fully engage in society. Violence against women takes a discouraging variety of forms, from domestic offense to rape, to childhood marriages and to practices like female circumcision. All these deny the most fundamental human rights. Crime against women is not a recent phenomenon in Assam. In Assamese society, as per available written records of social organization and family, women have been subjected to ill-treatment, humiliation, torture, and exploitation. These records exhibit repetition of incidents of rape, abduction, torture and murder of women. Yet, sadly enough, literature on social problems or on criminal violence have not given much importance on female victims of violence. There are not much attempts made to explain why both the public and the academicians alike have ignored for so long the hard fact that women have continuously been ruthlessly exploited in our society. The aim of this article is to find out the types, causes, effects and remedies of domestic violence against women and its remedies.

Keywords: Violence, Women, Socio economic Condition , Domestic Offence

Since the 1970s, largely through the efforts of victim advocates, the public and policymakers have become more informed about violence against women. Society has assumed greater responsibility for preventing and ameliorating the effects of violence against women, and it has evolved into a social, community, criminal justice, and public health issue. Given the current level of public concern and policy reform surrounding domestic violence, sexual assault, and stalking, it would be easy to overlook the fact that much of what is called violence against women today was classified in the domain of private, interpersonal relationships a few decades ago. Historically, limitations on women's activities, legal protections, and political rights were justified in terms of women's presumed delicacy and emotionalism. Men's presumed role as leader and decision maker in both public and private life was another important fact

Domestic violence has a somewhat different legal history, although it is rooted in similar assumptions about relationships between women and men. According to the U.S. Department of Justice Office on Violence Against Women, domestic violence is a pattern of abusive behavior in any relationship used by one partner to gain or maintain control over another intimate partner. In criminal law, the crime of

domestic violence may occur in one or more incidents. It may include an attempted assault or threats of imminent physical harm. It may take the form of sexual assault. It may encompass the psychological abuse involved in stalking.

Domestic violence is a burden on numerous sectors of the social system and quietly, yet dramatically, affects the development of a nation batters cost nations fortunes in terms of law enforcement, health care, lost labor and general progress in development. These costs do not only affect the present generation; what begins as an assault by one person on another, reverberates through the family and the community into the future”.

The Protection of Women from Domestic Violence Act, 2005 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. Even a single act of omission or commission may constitute domestic violence - in other words, women do not have to suffer a prolonged period of abuse before taking recourse to law. The law covers children also.

The term domestic includes violence by an intimate partner wherever this violence takes place and by whatever forms . The United Nations Declaration on the Elimination of Violence against Women defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. This definition refers to the gender-based roots of violence, recognizing that "violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.

The World Health Organization reports that the proportion of women who had ever experienced physical or sexual violence or both by an intimate partner ranged from 15% to 71%, with the majority between 29% and 62%. India's National Family Health Survey-III, carried out in 29 states during 2005-06, has found that a substantial proportion of married women have been physically or sexually abused by their husbands at some time in their lives. The survey indicated that, nationwide, 37.2% of women “experienced violence” after marriage. Bihar was found to be the most violent, with the abuse rate against married women being as high as 59%. Strangely, 63% of these incidents were reported from urban families rather than the state's most backward villages. It was followed by Madhya Pradesh (45.8%), Rajasthan (46.3%), Manipur (43.9%), Uttar Pradesh (42.4%), Tamil Nadu (41.9%) and West Bengal (40.3%).

Domestic violence is has assumed national and international attention (Amnesty International, 1995). It is on the rise in most countries around the world. It is a pattern of on-going hurtful controlling activities, including physical, sexual, emotional and verbal abuse. Domestic violence is perpetrated against women in most cases as compared to those against males. Domestic violence against women is an age old phenomenon. Women were always considered weak, vulnerable and in a position to be exploited. Violence has long been accepted as something that happens to women. Cultural mores, religious practices, economic and political conditions may set the precedence for initiating and perpetuating domestic violence, but ultimately committing an act of violence is a choice that the individual makes out of a range of options. Although one cannot underestimate the importance of macro system-level forces

(such as cultural and social norms) in the etiology of gender-based violence within any country, including India, individual-level variables (such as observing violence between one's parents while growing up, absent or rejecting father, delinquent peer associations) also play important roles in the development of such violence.

Many types of abuse are present in the definition of domestic violence:

- **Physical abuse** can include hitting, biting, slapping, battering, shoving, punching, pulling hair, burning, cutting, pinching, etc.
- **Sexual abuse** occurs when the abuser coerces the victim into having sexual contact or sexual behavior without consent.
- **Emotional abuse** involves invalidating or deflating the victim's sense of self-worth. Emotional abuse may include constant criticism and name-calling. An abuser may injure the victim's relationship with their children. An abuser may interfere with the victim's abilities.
- **Economic abuse** takes place when the abuser makes or tries to make the victim financially dependent on the abuser. Economic abusers often seek to maintain total control over financial resources. They may withhold the victim's access to funds or prohibit the victim from going to school or work.
- **Psychological abuse** involves the abuser invoking fear through intimidation. It can include threatening to physically hurt themselves, the victim, children, the victim's family or friends, or the pets
- **Technological abuse** involves an act or pattern of acts meant to harm, threaten, stalk, or monitor another through the use of technology. This may involve using internet-enabled devices, computers, cameras, smartphones, GPS, or location-tracking devices.
- **Stalking abuse** may include any combination of the above. It may include behaviors that by themselves are not illegal. Common behaviors include following the victim, spying, watching, harassing, showing up at the victim's home or work, sending gifts, collecting information, making phone calls, leaving written messages, or appearing at a person's home or workplace.

Causes of Domestic Violence in India

There is no uniform or single reason that leads to domestic violence. It is a combination of various sociological/behavioral, historical, religious, and cultural factors that lead to perpetration of domestic violence against women.

- **Sociological/Behavioral Factors:** The sociological, behavioral and cultural factors include factors like anger issues/aggressive attitude, poverty/economic hardship, difference in status, controlling/dominating nature, drug addiction, upbringing and psychological instability (bipolarism, depression, stress, etc.) among others. Neglect of conjugal responsibilities due to extra-marital affairs or lack of trust also contributes to domestic violence.
- **Historical Factors:** Historical factors can be traced back to the inherent evil of patriarchy and superiority complex that has prevailed for centuries among men.
- **Religious Factors:** A subtle form of domination on women, if not direct and glaring, reflects in the religious sanctifications. This also contributes to perpetration of domestic violence against women.
- **Cultural Factors:** 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. This is not an exhaustive list of factors and the motivations or triggers behind domestic violence may vary.

- Dowry: Dowry is a form of socio-cultural factor. But, it becomes important to separately mention it because of the rampant domestic violence cases resulting from illegal demand of dowry. This was realised by the Parliament also because dowry-related domestic violence has been made a separate head in the scope of abuse resulting in domestic violence under the Domestic Violence Act.
- There are various causes where husbands show violent behavior towards their partners after the consumption of alcohol. Alcohol is seen as a way to relieve one's work pressure or life stress, but it is ultimately seen as a factor for violence against women. Be it domestic violence or other forms of sexual assault against women, where cases like Manu Sharma and Nirbhaya are evidence to prove that alcohol was the common factor that caused violence against women.
- Traditional and cultural practices are another cause of violence against women. Age-old practices like Sati Pratha, Child marriage, and Honour killings are seen as examples of such.
- Even while domestic violence has long been a problem in Indian society, the COVID-19 pandemic saw an alarming increase in its incidence. Due to the widespread coronavirus, people were confined to their homes and were unable to go outside, due to strict lockdown procedures. It led to mental health issues and a high rise in domestic violence cases.
- Although one cannot underestimate the importance of macro system-level forces (such as cultural and social norms) in the etiology of gender-based violence within any country, including India, individual-level variables (such as observing violence between one's parents while growing up, absent or rejecting father, delinquent peer associations) also play important roles in the development of such violence.
- The gender imbalance in domestic violence is partly related to differences in physical strength and size. Moreover, women are socialized into their gender roles in different societies throughout the world. In societies with a patriarchal power structure and with rigid gender roles, women are often poorly equipped to protect themselves if their partners become violent. However, much of the disparity relates to how men-dependence and fearfulness amount to a cultural disarmament. Husbands who batter wives typically feel that they are exercising a right, maintaining good order in the family and punishing their wives' delinquency - especially the wives' failure to keep their proper place.

Risk factors/ factors contributing to domestic violence

Considerate the risk factors associated with domestic violence will help to frame some of our local analysis questions, determine good effectiveness measures, identifying key intervention points and select appropriate responses. Risk factors do not automatically mean that a person will become a domestic violence victim or an offender. Several studies have tried to find out the factors responsible for domestic violence at national and international level and found that gender, race, poor socioeconomic condition are the primary factors for domestic violence. The author categorises risk factors under five headings.

- Individual risk factors : includes low self-esteem, low income, low academic achievement, aggression or delinquent behaviour as youth, heavy alcohol & drug use, antisocial or borderline personality traits, unemployment, prior history of being physically or psychological abusive, depression, anger and hostility, bad company, emotional dependence and insecurity etc.

- Relationship factors: includes economic stress, unhealthy family relationships and interactions, marital instability-divorces or separations, marital conflict-fights, dominance and control of the relationship by partner over the other etc.
- Community factors: includes poverty and associated factors, weak community sanctions against IPV (intimate partner violence), lack of institutions, relationships, and norms that shape a community's social interactions.
- Societal factors: are traditional gender norms (e.g. women's should stay at home, not enter at workplace, and be submissive, men support the family and make decisions).
- Legal and political factors: are lesser legal status of women either by written law or by practice, laws regarding divorce, child custody, maintenance and inheritance, low level of legal literacy among women, insensitive treatment of women and girls by police and judiciary, and political factors includes domestic violence not taken seriously, limited participation of women in organising political polices, underrepresentation of women in police, media, politics etc.

Effects of Domestic Violence

Physical effects

- Bruises, Red or purple marks at the neck, Sprained or broken wrists, Chronic fatigue, Shortness of breath, Muscle tension, Involuntary shaking, Changes in eating and sleeping patterns, Sexual dysfunction, Menstrual cycle or fertility issues in women

Mental effects

- Post-traumatic stress disorder (PTSD), including flashbacks, nightmares, severe anxiety, and uncontrollable thoughts, Depression, including prolonged sadness, Anxiety, Low self-esteem and questioning sense of self, Suicidal thoughts or attempts, Alcohol and drug abuse

Emotional and spiritual effects

- Hopelessness, Feeling unworthy, Apprehensive and discouraged about the future, ability to trust, Questioning and doubting spiritual faith, Unmotivated

Effects on children

Whether children witness or experience abuse, it can take a toll on their development. Domestic violence victims are not isolated to intimate partners. Children are at an increased risk for emotional behavioral problems regardless if they were directly abused or not. The longer children live with domestic abuse, the more severe the effects can be. Children who witness domestic abuse may:

- feel frightened
- become aggressive
- display antisocial behaviour
- suffer from depression or anxiety
- not do as well at school due to difficulties at home or disruption of moving to and from refuges

Government's Efforts to check violence against women

On the one hand, the Government is strengthening the existing legislations through review and amendments, wherever required, and developing new institutional mechanisms such as National and

State Commissions for Women, all-women police stations, etc. on the other, it is running projects that provide support to vulnerable women like short-stay homes, Hostels for Working Women etc. and rehabilitation of victims of violence through schemes like Swadhar. The National Commission for Women and several NGOs are also conducting sensitization and orientation programmes for judicial and police officers on gender issues that also focus on violence against women.

POLICIES AND LAWS TO ADDRESS DOMESTIC VIOLENCE

India has some of the most elaborate legislations in South Asia, as well as a vast legal machinery to address violence against women. The government has been progressive in implementing legal reforms and designing programmes to end all forms of VAW including domestic violence. The Indian Constitution framed in 1950 lays down articles and fundamental rights which guarantee a dignified life to all its citizens. It points out the basic rights such as the right to equality and non-discrimination which cannot be violated and is central to life itself, for both men and women. In order to bridge the inequalities between men and women, various pro-women's legislations and policies have been formulated in India. With the ratification of the International Covenant on Economic, Cultural and Social Rights (ICESCR) and Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 1993,

India is obligated to address and redress violence against women through policies, laws, programmes and other such means within a framework of due diligence. The General Recommendation No.19 of CEDAW on violence against women mandates governments' to report on the extent of domestic violence and sexual abuse, and on the preventive, punitive and remedial measures that have been taken'. Following the 4th World Conference on Women in Beijing, the government adopted the National Policy for the Empowerment of Women (2001). It precisely mentions the Government of India's commitment to end domestic violence through legal systems. The Ministry of Women and Child Development (MoWCD), Government of India, is mandated to fulfil the vision envisaged in the National Policy for the Empowerment of Women. It plans for the holistic development of women and children in collaboration with various ministries through state agencies and programmes. It also oversees the enactment of the the Protection of Women from Domestic Violence Act (PWDVA), passed in 2005. In Assam, the Directorate of Social Welfare, Government of Assam, is the nodal agency to implement the PWDVA.

Law and order and other criminal matter are State subjects under the Constitution and therefore, the direct responsibility for dealing with enforcement of the concerned Acts is that of the State Governments and the mechanisms under them. The registration, investigation, detection and prevention of the crimes against women are primarily the responsibility of the State Governments/UT Administrations. However, the Government of India has initiated a number of measures to check such crimes, such as:-

- setting up of Helplines for women in distress under the Swadhar Scheme.
- support services to victims of violence through schemes such as Short Stay Homes and Swadhar under which shelter, maintenance, counseling, capacity building, occupational training, medical aid and other services are provided.
- grant-in-aid schemes providing assistance for rescue and rehabilitation of trafficked victims as well as prevention through special schemes in source areas of trafficking.

- redressal of grievances through interventions of National and State Commissions for Women.
- organizing legal Literacy and Legal Awareness Camps.
- implementation of scheme for (i) awareness generation and advocacy and (ii) economic empowerment of women through the programmes of Rashtriya Mahila Kosh, Swashkti project, Swayamsidha Project, Swawlamban programme (since transferred to the State sector) and Support to Training & Employment Programme (STEP).
- review of laws with a view to remove provisions which may be discriminatory to women and to enhance punishments for crimes against women.
- sensitization of judiciary and police and civil administration on gender issues.
- follow up of reports of cases of atrocities against women received from various sources, including NCW, with concerned authorities in the Central and the State Governments.

National Commission for Women

The Government has set up a statutory body called National Commission for Women (NCW) with a specific mandate to study and monitor all matters relating to the Constitutional and legal safeguards provided to women; review the existing legislations to suggest amendments wherever necessary; and to look into complaints involving deprivation of the rights of women. NCW is receiving complaints relating to Dowry/atrocity cases, Dowry related suicides/death/murder. These cases are duly processed in the Commission under Section 10(1) (f) and 10(1) (g) of the NCW Act, 1990 and referred to the appropriate authorities such as police, District Magistrates etc. with the Commission's recommendations for expediting action under the criminal laws and bringing the guilty persons to trial in the Court. These cases are tried in Courts having criminal jurisdiction under Sections 304-B, 498A, 302 etc. of the Indian Penal Code read with the Dowry Prohibition Act, 1961. Almost all the State Governments have also set up State Commissions for Women in their respective States with similar functions.

Protection of Women from Domestic Violence Act, 2005

There are remedies for dealing with domestic violence under the criminal law. Section 498-A of the Indian Penal Code introduced in 1983 is often invoked in such cases. The section deals with cruelty by husband or a relative of husband and the punishment can extend upto 3 years and fine. Cruelty, inter-alia, has been defined as wilful conduct which is of such nature as is likely to drive a woman to commit suicide or is likely to cause grave injury or danger to life, limb or health. It also includes harassment of the woman with a view to coercing her to meet dowry demands. Section 304 B of IPC deals with cases of dowry deaths. Section 354 of IPC deals with assault of criminal force with the intention to outrage the modesty of a woman.

In order to address the phenomenon of domestic violence, which is widely prevalent but has remained largely invisible in the public domain, the Government notified the Protection of Women from Domestic Violence Act, 2005 on 14.9.2005 as a civil remedy to secure women victims from domestic violence and to provide her other reliefs. The Act came into force w.e.f. 26.10.2006. The Protection of Women from Domestic Violence Rules, 2006 have also been notified on 26.10.2006.

National Policy for the Empowerment of Women

The National Policy to bring about the advancement, development and empowerment of women through a process of change in societal attitudes towards them, to eliminate all forms of discrimination against women and to ensure active participation of women in all spheres of life and activities. The Policy stresses on the need to change societal attitudes and community practices discriminatory to women. Economic Empowerment through increased access to resources like micro credit, better resource allocation through Women's Component Plan, Gender Budget exercises and development of Gender Development Indices and Social Empowerment of Women through, inter-alia, universalisation of education, adoption of holistic approach to women's health etc.

Precautions of Domestic Violence against women

In view of this global problem, we can use following preclusions to overcome from this burning problem, such as

- We should support domestic violence counselling programs and enhance programs that address discrimination against women and promote gender equality and try to stop domestic violence from happening in the first place.
- Awareness should be developed in community regarding this unacceptable act as every body has right to live a pain free life.
- Social norms should be strict to give punishment for such people who break the rules, norms and who take up this inhuman activity.
- Health care professionals like gynaecologist, obstetrician, counsellor, psychologist, psychiatrist and social worker should be active and available to identify the problems as early as possible.
- Women empowerment should be emphasized. Women should be respected and should get equal rights.
- Gender sensitization programs should be enhanced and legal literacy should be provided to women.
- NGO's should be involved in fighting against violence.

some tips to help families experiencing domestic violence and to stop domestic violence in our community.

Help a friend or family member experiencing domestic violence

- Believe them.
- Listen to them without judgment.
- Offer support and encouragement.
- Help them develop a safety plan.
- Link them to resources that will help them leave their abuser.

End the culture of silence around domestic violence

- Educate yourself about domestic violence.
- Speak out against victim-blaming and discrimination to end the stigma surrounding domestic violence.
- If you suspect someone is being abused, report it. If someone is in immediate danger, call police.

Help survivors escape their abusers

- Foster connections in your community to increase support for families experiencing domestic violence.
- Contact policymakers about the importance of funding for services for people affected by domestic violence.
- Advocate for safe and affordable housing.

End the cycle of domestic violence

- Offer support, encouragement and love to a child experiencing domestic violence.
- Support youth programs that foster healthy growth and resilience.
- Model respect and equality in your own relationships to change beliefs and behaviors that perpetuate domestic violence.

Conclusion

Domestic violence is an emerging crime now-a-days in our society like a communicable disease. It is just a way of showing ones dominant status on other. Government had made laws against violence but implication of that laws are not happening properly mainly because most of the people does not know how to approach law and do not have knowledge about the existing laws. The reasons of violence are various factors such as power, employment and education level. Domestic violence is associated with illiteracy of the females. Most of the females are not aware of their rights. They tend to accept violence as something normal. This might be related to the fact that men culturally possess women; that manhood is associated with violence and that violence is widely accepted as a form of behavior. Husbands justify this act that they have all rights to beat his wife. And, it is told to the girl before marriage that she should adjust to whatever happens after marriage. The Indian culture, which prescribes obedience for women, may also contribute to this, since women consider opposing their husband as a sin. Besides that, domestic affairs are something that is usually kept a secret. The mind set of projecting husbands as the sole authority of the household needs to be changed and this is to be more emphasized by the parents.

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