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**A STUDY ON VIOLENCE AGAINST WOMEN:
SERIOUS PROBLEM IN INDIAN SOCIETY**

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ABSTRACT:

Domestic violence is a practice that exists in almost every country. It usually happens when one person dominates other in the family it is repeating pattern of behaviour of the dominating person. The term domestic violence and family violence is interchangeable. That means violence between two or more person who is in relationships. The word domestic violence is used in sec 9 and 11 of crimes domestic and personal violence act⁷², 2007 and sec 4AB of family law act⁷³, 1975. Many people believe that alcohol, drugs, stress, mental illness causes domestic violence. Most of the women experience domestic violence because of no employment, social security, lack of knowledge, their child's education and many more things.

Domestic violence is a phenomenon which is gender specific and in built in our system. In India from the early childhood family and society teaches some special values which results in gender discrimination as well as domestic violence. The national family health survey⁷⁴ 2005-2006 says that 47% of women of India believe that domestic violence is justifiable. According to Shikha, an educated housewife says that she initially protested whenever she suffers physical abuse but after some time she accepted that because of her child and society pressure. Now she believes

that this is normal and it is her life and she lives with husband rather to live alone.

Most of the women not even take legal action. According to Mr. Sinha⁷⁵, lawyer of Jharkhand high court and family court says that only 5% of women take legal action. Because despite of laws make for them if they take any legal action they will not get any financial and emotional support from their own family members. For such biased attitude of the society the women who wants to fight they even compromise with the situation and accepts the physical abuse.

Do anyone have think that many laws has been made for prevention of domestic violence but the cases are still increasing. There may be two reasons, first, the women were not aware about their rights and 2nd due to lack of courage because in most of the cases the accused were mostly their own relatives or the person with whom they are very close. And due to lack of support they don't take any legal action.

Thus, this work is a humble attempt to highlight the serious issue of violence against women in Indian society.

INTRODUCTION:

Violence against women is a manifestation of historically unequal power relation between men and women which have led to domination over and discrimination against women by men to the prevention of the full and advancement of women. The UN declaration on the elimination of violence against women, general assembly resolution, December, 1993:

"Domestic violence usually happens one person dominates other person in the family. It is the repeating pattern of behaviour of dominating person. It is a physical, psychological, or sexual abuse by the partner or by any other family members. Domestic

⁷² Crimes domestic and personal violence act, 2007

⁷³ Family law act, 1975

⁷⁴ National family health survey, 2005-2006

⁷⁵ Mr. Sinha, lawyer of Jharkhand high court and family court.



violence happens when one person tries to dominate the other person.⁷⁶

Violence against women is a wide phenomenon. The economic psychological, physical, sexual exploitation, marital rape, all these assaults are a form to destroy/disempowered the victim. The definition of violence is not easy it has a very wide aspect. Some of the definitions from various sources are as follows:

- ❖ According to lexicon: any physical force or any damage or injury to a person or property.⁷⁷
- ❖ According to black law dictionary: violence means unjust or unwanted use of forces usually accompanied by outrage or physical force unlawfully with intent to harm.⁷⁸

Though the definition it is clear the violence is an attempt to destroy the life of an individual which involves physical force which results to damage. There are many types of violence and one of them is domestic violence which is done by one member of the family on the other member within the house. The definition of domestic violence is different in all over the world. Some of the definitions from different sources are as follows:

- ❖ According to home office, domestic violence is any violence between current or former partner in an intimate relationship, wherever and whenever it occurs. The violence may include physical, sexual, emotional, psychological or financial abuse.⁷⁹
- ❖ According to government of India bill, 2002: under sec 4(1), habitual assault makes the life of the aggrieved person miserable by cruelty of conduct forces the aggrieved person to led the immoral

life or otherwise injuries and harm to the aggrieved person.⁸⁰

- ❖ According to black law dictionary: violence between members of household usually spouses an assault or any other violent act committed by any one member of the household against them.⁸¹

So by all these definitions we can conclude that:

- Domestic violence generally occurs at home.
- The accused and the victim is related with blood or law.
- It harms the mental and physical health of the person.
- The term domestic violence is gender neutral but still women are the major victims.

The definition of domestic violence have a very broad prospective which not only include physical violence but also mental, emotional and physiological violence.

HISTORICAL BACKGROUND:

During Vedic age there was no gender discrimination and birth of daughter was considered good. During that time rituals were done like kumari pujan or matrika pujan etc. In many of the script we can depict that women are not only students but also teachers at that time. Marriages are considered as a religious necessity of both men and women. During that time women have their own property called streedhan. In early there was also some kind of domestic violence like sati pratha. But it is limited to some region only. Because from some of the manuscript like "Ramayana" wives of dashrath had not become sati as well as in "Mahabharata" kunti (wife of pandu", wife of abhimanyu also didn't became sati. Also during the time period of Buddhism, Jainism and Maurya dynasty women enjoy freedom.

⁷⁶ UN declaration, general assembly resolution, December, 1993.

⁷⁷ Lexicon dictionary

⁷⁸ Black law dictionary

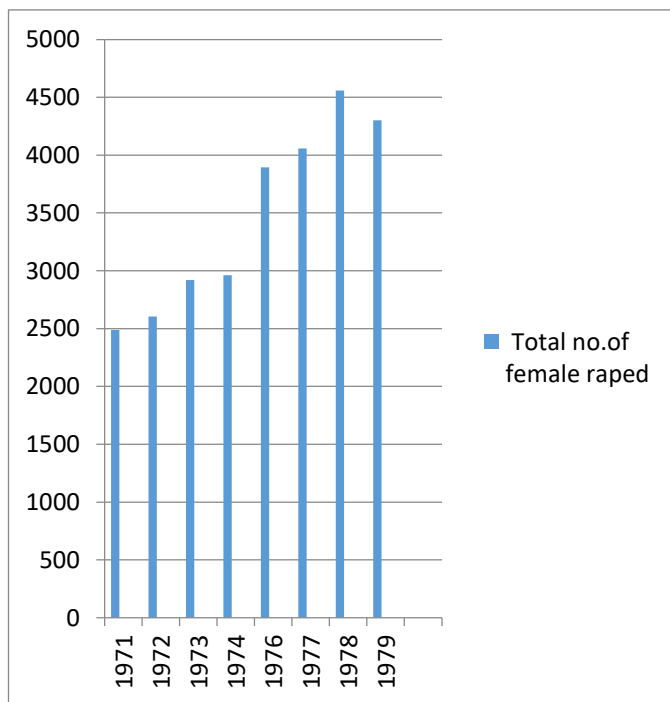
⁷⁹ Home office 2000

⁸⁰ Government of India bill, 2002

⁸¹ Black law dictionary

So from the history we can conclude that women have a good status during early age. So, how and when status of women become so bad?

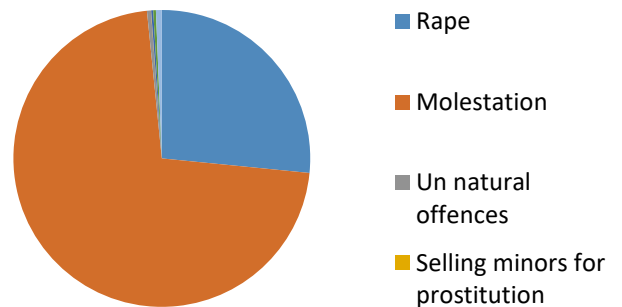
So, during the age of 1200 it gives raise many types of violence against women. And may be this status came because of wars between mughals, rajputs, afghanis, and many more. Due to war many men life were sacrifices which increase the demand of men in the army. And this increases the many types violence against women, like polygamy, child marriage, rapes, sati and many more. Therefore we can conclude that in these types of situation status of women become so bad that even in today's world it didn't improved.



Total no. Of females raped during 1971 – 1979⁸²

⁸² Data of 1982, crime against women, bureau of police research and development, New Delhi

numbers



Types of violence against women during 1977-1979⁸³

WOMEN ARE THE MAJOR VICTIMS F DOMESTIC VIOLENCE:

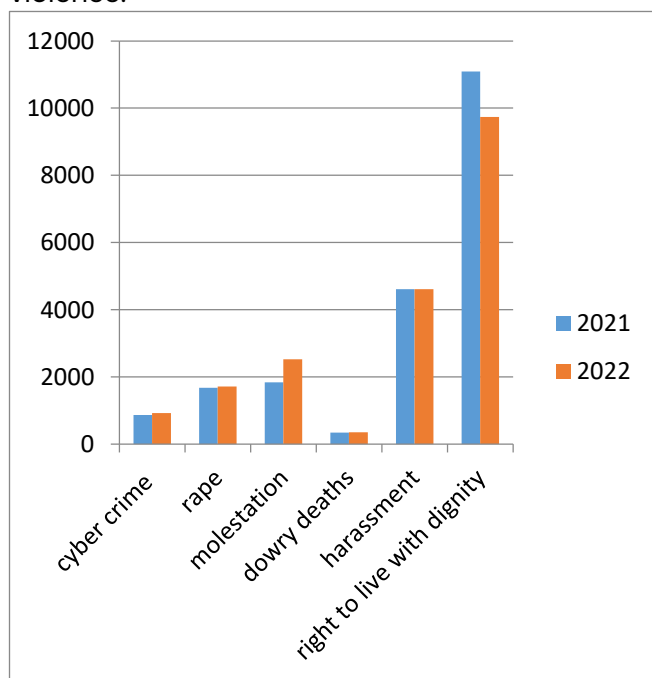
Women experience domestic violence and exploitation within their home where they are supposed to be safe enjoy affection and love, warmth and gentleness. But it becomes a place of exploitation and physical abuse. Women are subject to violence at work place as well as street. But they also suffer within their homes. The persons who are supposed to be the protector they use to abuse her. The definition of domestic violence is a gender neutral term but still women are major victim. Most of the time women don't even take legal action because in this type of case they have to fight against their family or the person whom they love or whom they are close with.

And in country like India where women are not educated. So, most of them don't even know about their rights. And if some women know they are not financially independent. Due to family or society pressure they have to accept the situation and after some time this violence become justifiable for them because if they take any action society and family members never accept that. Women who make half of the population in the world are the major victims of domestic violence in this male dominated world.

⁸³ Data of 1982, crime against women, bureau of police research and development, New Delhi

As late Mr. Arun Jaitley, ex- minister of law, justice and company affairs said that :

“Domestic violence in majority of cases is against women by the members of household. It can be her husband his sibling his parent or any other member who resides there. Their action cause mental and physical violence to her. But the most important thing is it happens behind the close doors and most of the time it is denied by the women who are the victim of violence.⁸⁴



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So there is a myth that home is a protective place and men are the protector. The men who used to be protector now become the perpetrator of all kinds of violence against women. They are the destroyer of rights, dignity and well being of women.

WHAT IS THE MAIN CAUSE OF VIOLENCE?

Various theories of violence say that violence against women is done due to the social arrangement and the structure of society which only value the masculine. It is a society where men have the power, respect and plays a dominating role in the society.

In our country like India from early childhood family members and society teaches them to be sophisticated, humble, shy or loyal toward their family and husband. These social teachings strengthen the roots of domestic violence. It occurs when the accused have a psychological factor (feeling of superiority, ego etc). Some of the cultures that increases the patriarchy like dowry many laws were made to stop this practice but we know it very well that it is still happening. We know it is wrong but we don't take any stand.

Use of alcohol and drugs is also a reason for domestic violence. Around 83% of women experience domestic violence when their husbands are drunk. 40% of women experience domestic as well as sexual violence. Data shows that after get drunk, husbands torture their women by slapping them, pushed, shaking, throw something on them, hair pulled kicked dragged, burned and so many thing which we can't even imagine.⁸⁵

And another important reason for domestic violence is that most of the women who experience domestic violence are financially weak. And if their husband abandoned them or they leaves their husband they will not get any financial support. There are laws make for maintenance but there are also laws for preventing domestic violence but still it happens because peoples don't know about their rights. And even if they know they can't complain because they have to fight against their own family the persons whom they know very well. And after this entire if they complaint again society comes because society never accepts them. Because according to them they should accept the violence but not say anything.

EFFECT OF DOMESTIC VIOLENCE ON THE CHILDREN WHO EXPERIENCE DOMESTIC VIOLENCE:

⁸⁴ Times of india.

⁸⁵ Indian express



Domestic violence affects everyone the accused, the victim and mostly on the children. It impacts on their mental health. Any children describe the traumatic experience which they have seen. Many times they don't even see it but heard it or experience. But it becomes a traumatic experience for them. The child who experience or witness domestic violence can have many impacts on their life which carry throughout their childhood. These impacts can be social, physical or psychological and this affects their mind as well as their behaviour. These types of Child suffers through some of the symptoms like depression, anxiety, fearfulness, introvert etc.

The relationship between child and their parents is of protection, love and affection. So when they witness these kinds of violence. The bond between them breaks down.

CONCLUSION:

Violence against women is a age old practice in name of custom, culture or tradition. More or less women experience violence in not a physical or psychological way but also a violation of human rights, women not only experience violence in public but also in private within their own homes.

Many laws were made but the problem is still there. This problem has socio- cultural roots. Laws will be effective if it implemented effectively. Domestic violence has many consequences. It not only affects the victim but also the family members. Home is a place that provides happiness and love to everyone, here peoples feel like protected. But this place also becomes unsafe. Therefore to prevent this domestic violence everyone in the family should know their duties.

Fights for gender equality is not those person who practice domestic violence but to the society, customs or tradition to change them. Men should accept that women are equal to them they also deserve equal respect. And

women also have to make their own identity to breach the patriarchal norms of the society.

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