



Domestic Violence against Women in India: The Truth of Our Society

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Abstract: Domestic violence can be defined as a pattern of behaviour in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This includes any behaviour that frightens, intimidates, terrorizes, manipulates, hurts, humiliates, blames, injures or wounds someone. Domestic violence can happen to anyone of any race, age, sexual orientation, religion or gender. It can happen to couples who are married, living together or who are dating. Domestic violence affects people of all socioeconomic backgrounds and education levels. The management of domestic violence essentially requires combined effort of law enforcement, social welfare and health care services. Although efforts have been made in this direction, the attended cases represent just the tip of the iceberg, as majority of the cases are not reported due to social pressures from family members or social stigma of defamation. Real change in these cases can only be brought about by changing the mindset of society through education and better law enforcement.

Key Words: Domestic violence; Health care; Law enforcement; Abuse; Social welfare

Introduction: Domestic violence, also known as domestic abuse, spousal abuse, battering, family violence, intimate partner violence (IPV), is defined as a pattern of abusive behaviors by one partner against another in an intimate relationship such as marriage, dating, family, or cohabitation. Domestic violence, so defined, has many forms, including physical aggression or assault (hitting, kicking, biting, shoving, restraining, slapping, throwing objects), or threats thereof; sexual abuse; emotional abuse; controlling or domineering; intimidation; stalking; passive/covert abuse (e.g., neglect); and economic deprivation. [1] Alcohol consumption [2] and mental illness [3] can be co-morbid with abuse and present additional challenges in eliminating domestic violence. Awareness, perception, definition and documentation of domestic violence differ widely from country to country, and have evolved from era to era.

Domestic violence and abuse is not limited to obvious physical violence. Domestic violence can also mean endangerment, criminal coercion, kidnapping, unlawful imprisonment, trespassing, harassment, and stalking.

Types of Domestic Violence:

All forms of domestic abuse have one purpose: To gain and maintain control over the victim. Abusers use many tactics to exert power over their spouse or partner as dominance, humiliation, isolation, threats, intimidation, denial and blame.

1. Physical Abuse:

Physical abuse is abuse involving contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or bodily harm. It includes hitting, slapping, punching, choking, pushing, burning and other types of



contact that result in physical injury to the victim. Physical abuse can also include behaviors such as denying the victim of medical care when needed, depriving the victim of sleep or other functions necessary to live, or forcing the victim to engage in drug/alcohol use against his/her will. If a person is suffering from any physical harm then they are experiencing physical abuse. This pain can be experienced on any level. It can also include inflicting physical injury onto other targets, such as children or pets, in order to cause psychological harm to the victim.

2. Sexual Abuse and Marital Rape:

Sexual abuse is any situation in which force or threat is used to obtain participation in unwanted sexual activity. Coercing a person to engage in sexual activity against their will, even if that person is a spouse or intimate partner with whom consensual sex has occurred, is an act of aggression and violence.

3. Emotional Abuse:

Emotional abuse (also called psychological abuse or mental abuse) can include humiliating the victim privately or publicly, controlling what the victim can and cannot do, withholding information from the victim, deliberately doing something to make the victim feel diminished or embarrassed, isolating the victim from friends and family, implicitly blackmailing the victim by harming others when the victim expresses independence or happiness, or denying the victim access to money or other basic resources and necessities. Degradation in any form can be considered psychological abuse. Emotional abuse includes conflicting actions or statements which are designed to confuse and create insecurity in the victim. These behaviors also lead the victims to question themselves, causing them to believe that they are making up the abuse or that the abuse is their fault. Women or men undergoing emotional abuse often suffer

from depression, which puts them at increased risk for suicide, eating disorders, and drug and alcohol abuse. Emotional abuse can include verbal abuse is defined as any behavior that threatens, intimidates, undermines the victim's self-worth or self-esteem, or controls the victim's freedom. Verbal abuse is a form of emotionally abusive behavior involving the use of language. Verbal abuse can also be referred to as the act of threatening. Through threatening a person can blatantly say they will harm you in any way and will also be considered as abuse.

4. Economic Abuse:

Economic abuse is a form of abuse when one intimate partner has control over the other partner's access to economic resources. [4] Economic abuse may involve preventing a spouse from resource acquisition, limiting the amount of resources to use by the victim, or by exploiting economic resources of the victim.[4] The motive behind preventing a spouse from acquiring resources is to diminish victim's capacity to support him/herself, thus forcing him/her to depend on the perpetrator financially, which includes preventing the victim from obtaining education, finding employment, maintaining or advancing their careers, and acquiring assets.[4, 5]

Effects:

1. Physical:

Bruises, broken bones, head injuries, lacerations, and internal bleeding are some of the acute effects of a domestic violence incident that require medical attention and hospitalization.[6] Some chronic health conditions that have been linked to victims of domestic violence are arthritis, irritable bowel syndrome, chronic pain, pelvic pain, ulcers, and migraines. [7] Victims who are pregnant during a domestic violence relationship experience greater risk of



miscarriage, pre-term labor, and injury to or death of the fetus. [6]

2. Psychological:

Among victims who are still living with their perpetrators high amounts of stress, fear, and anxiety are commonly reported. Depression is also common, as victims are made to feel guilty for 'provoking' the abuse and are frequently subjected to intense criticism. It is reported that 60% of victims meet the diagnostic criteria for depression, either during or after termination of the relationship, and have a greatly increased risk of suicidal tendencies. [8] In addition to depression, victims of domestic violence also commonly experience long-term anxiety and panic, and are likely to meet the diagnostic criteria for Generalized Anxiety Disorder and Panic Disorder. The most commonly referenced psychological effect of domestic violence is Post-Traumatic Stress Disorder (PTSD). PTSD (as experienced by victims) is characterized by flashbacks, intrusive images, exaggerated startle response, nightmares, and avoidance of triggers that are associated with the abuse. These symptoms are generally experienced for a long span of time after the victim has left the dangerous situation. Many researchers state that PTSD is possibly the best diagnosis for those suffering from psychological effects of domestic violence, as it accounts for the variety of symptoms commonly experienced by victims of trauma.

3. Financial:

Once victims leave their perpetrator, they can be stunned with the reality of the extent to which the abuse has taken away their autonomy. Due to economic abuse and isolation, the victim usually has very little money of their own and few people on whom they can rely when seeking help. This has been shown to be one of the greatest obstacles facing victims of domestic

violence, and the strongest factor that can discourage them from leaving their perpetrators.

Causes of Violence:

There are many different theories as to the causes of domestic violence. These include psychological theories that consider personality traits and mental characteristics of the perpetrator, as well as social theories which consider external factors in the perpetrator's environment, such as family structure, stress, social learning. As with many phenomena regarding human experience, no single approach appears to cover all cases. Whilst there are many theories regarding what causes one individual to act violently towards an intimate partner or family member there is also growing concern around apparent intergenerational cycles of domestic violence.

1. Psychological:

Psychological theories focus on personality traits and mental characteristics of the offender. Personality traits include sudden bursts of anger, poor impulse control, and poor self-esteem. Various theories suggest that psychopathology and other personality disorders are factors, and that abuse experienced as a child leads some people to be more violent as adults. Correlation has been found between juvenile delinquency and domestic violence in adulthood.[9] Studies have found high incidence of psychopathy among abusers. [9, 10] Some research suggests that about 80% of men in these domestic violence studies exhibited diagnosable psychopathology and typical personality disorders.

2. Jealousy:

Many cases of domestic violence against women occur due to jealousy when one partner is either suspected of being unfaithful or is planning to leave the relationship. [11, 12]



3. Behavioral:

Behavioral theories draw on the work of behavior analysts. Applied behavior analysis uses the basic principles of learning theory to change behavior. This program leads to behavior therapy. Often by identifying the antecedents and consequences of violent action, the abusers can be taught self control.

4. Social Stress:

Stress may be increased when a person is living in a family situation, with increased pressures. Social stresses, due to inadequate finances or other such problems in a family may further increase tensions. [13] Violence is not always caused by stress, but may be one way that some people respond to stress.[14, 15] Families and couples in poverty may be more likely to experience domestic violence, due to increased stress and conflicts about finances and other aspects. [16]

5. Mental Illness:

Many psychiatric disorders are risk factors for domestic violence, including several personality disorders: all Cluster BPDs, (especially antisocial), paranoid and passive-aggressive. Bipolar disorder, schizophrenia, drug abuse, alcoholism and poor impulse control are also risk factors. [1, 17] It is estimated that at least one-third of all abusers have some type of mental illness.

6. Marital Conflict Disorder:

The American Psychiatric Association planning and research committees for the forthcoming DSM-5 (2013) have canvassed a series of new Relational disorders which include Marital Conflict Disorder without Violence or Marital Abuse Disorder (Marital Conflict Disorder with Violence). There is current considerable controversy over whether male-to-female marital violence is best regarded as a reflection of male psychopathology and control or whether there is

an empirical base and clinical utility for conceptualizing these patterns as relational."

Consequences of Domestic Violence:

There are varied consequences of domestic violence depending on the victim, the age group, the intensity of the violence and frequency of the torment they are subjected to. Living under a constant fear, threat and humiliation are some of the feelings developed in the minds of the victims as a consequence of an atrocious violence. The consequences of the domestic violence in detail can be broadly categorized under – the Effect on the victim himself/herself and the family, Effect on the society and the Effect on nation's growth and productivity. The 'Effect on the victim' has been further subcategorized for women, men, children and olds.

Management:

The response to domestic violence is typically a combined effort between law enforcement, social services, and health care. The role of each has evolved as domestic violence has been brought more into public view. Domestic violence historically has been viewed as a private family matter that need not involve the government or criminal justice. [18] Police officers were often reluctant to intervene by making an arrest, and often chose instead to simply counsel the couple and/or ask one of the parties to leave the residence for a period of time. The courts were reluctant to impose any significant sanctions on those convicted of domestic violence, largely because it was viewed as a misdemeanor offense.

1. Medical Response:

Medical professionals can make a difference in the lives of those who experience abuse. Many cases of spousal abuse are handled solely by physicians and do not involve the police. Sometimes cases of domestic violence are brought into the emergency room, [19] while



many other cases are handled by family physician or other primary care provider. [20] Medical professionals are in position to empower people, give advice, and refer them to appropriate services. The health care professional has not always met this role, with uneven quality of care, and in some cases misunderstandings about domestic violence.

2. Law Enforcement:

In 1983, Domestic Violence was recognized as a specific criminal offence by the introduction of section 498-A into the Indian Penal Code. This section deals with cruelty by a husband or his family towards a married woman. Four types of cruelty are dealt with by this law:

- Conduct that is likely to drive a woman to suicide,
- Conduct which is likely to cause grave injury to the life, limb or health of the woman,
- Harassment with the purpose of forcing the woman or her relatives to give some property,
- Harassment because the woman or her relatives is unable to yield to demands for more money or does not give some property.

The punishment is imprisonment for up to three years and a fine. The complaint against cruelty need not be lodged by the person herself. Any relative may also make the complaint on her behalf. The above section relates to the criminal provisions of a more stringent offence. The civil law does not however address this phenomenon in its entirety.

There was a need of provision in law with more pliable remedies to offer within the broader framework of civil and criminal laws. A law was enacted keeping in view the rights guaranteed under the article 14, 15 & 21 of the constitution to provide for a remedy under civil law which is intended to protect the woman from being victims of domestic violence and to prevent the occurrence of domestic violence in the society.

3. Counseling for Person Affected:

Due to the extent and prevalence of violence in relationships, counselors and therapists should assess every client for domestic violence (both experienced and perpetrated). If the clinician is seeing a couple for couple's counseling, this assessment should be conducted with each individual privately during the initial interview, in order to increase the victim's sense of safety in disclosing domestic violence, in the relationship. In addition to determining whether domestic violence is present, counselors and therapists should also make the distinction between situations where battering may have been a single, isolated incident or an ongoing pattern of control. The therapist must, however, consider that domestic violence may be present even when there has been only a single physical incident as emotional/verbal, economic, and sexual abuse may be more insidious. [21]

4. Counseling for Offenders:

The main goal for treatment for offenders of domestic violence is to minimize the offender's risk of future domestic violence, whether within the same relationship or a new one. Treatment for offenders should emphasize minimizing risk to the victim, and should be modified depending on the offender's history, risk of reoffending, and criminological needs.

It has been demonstrated that domestic violence offenders maintain a socially acceptable façade to hide abusive behavior, and therefore accountability is the recommended focus of offender treatment programs.

Successful completion of treatment is generally associated with old age, higher levels of education, lower reported drug use, nonviolent criminal histories, and longer intimate relationships. Anger management alone has not been shown to be effective in treating domestic violence offenders, as domestic violence is based



on power and control and not on problems with regulating anger responses.

Treatment of offenders involves more than the cessation of abusive behavior; it also requires a great deal of personal change and the construction of a self-image that is separate from former behavior while still being held accountable for it. [22]

Conclusion:

Despite efforts made by various sections of society and the Government to curb the menace of domestic violence against women, there is a rise in domestic violence. This can be curbed by: Educating women about her rights.

- Community screening for domestic violence.
- Providing adequate assistance to the victim.
- By offering safe shelters, crisis intervention,
- advocacy, and education and prevention programs.

Provision of strict laws and punishment for offence of domestic violence.

To conclude it is therefore necessary that every strata of society must contribute to ensure a violence free life for every woman.

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