

**MEN'S VIOLENCE AND WOMEN'S SILENCE:  
OCCURENCE, PREVALENCE AND CONSEQUENCE OF  
DOMESTIC VIOLENCE AGAINST WOMEN IN INDIA**

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**The abuse of women and girls is the most pervasive and unaddressed human rights. Violation on earth**

**Jimmy Carter**

**ABSTRACT:** Almost half of the population in India is of women and they have been deprived of their right to life and personal liberty and always been ill-treated. Decades of research, legislation, activism, empowerment programmes and drives have failed to prompt a decline in the cases of violence against women in India. Survey based studies suggest that somewhere from 35 to 75% women in India face some kind of violence at home or outside, be it physical, sexual or verbal from men in their family or otherwise. However, the most prevalent form of violence against women in India is perhaps domestic violence. This subjection to domestic violence is irrespective of their socio-economic background. More so, this violence largely goes unreported in India due to attached social stigma, distrust in legal mechanism, fear of retaliation, so on and so forth. This violence, overt and covert, physical and non-physical has debilitating effect on the feminine identity formation. The paper seeks to foreground the issues of domestic violence against women in India as a case of human rights violation and study the same in the light of Millennium Development Goals setup worldwide. It attempts to describe various ill effects of domestic violence that are directed towards women. Further, an attempt has been made to propose culture specific ways and means to offset gender bias and curb domestic violence against women in India.

**Key Words: Violence, gender, human rights, empowerment.**

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**There's been an awful lot of silence in male culture about this ongoing tragedy of men's violence against women. We need to break that silence, and we need more men to do that.**

**Jackson Katz**

One of the fundamental human rights is to live free from all forms and all sorts of violence. Violence impedes all abilities of victim to exercise their human rights and it mars their capacity to function as full citizens in the society. The safest place to reside is perhaps the home but not always. In many situations, violence crawls into home making life miserable for its inhabitants. This problem which explodes within the homes is domestic violence and due to this, person lives under fear, threat and humiliation. This violence explodes in many forms like physical, sexual, emotional, economic or verbal. In developing countries like India, domestic violence has been studied as extensively as in the West. Actually, patriarchal system dominates the domestic violence discourse in the country. In India, violence against women has recently been brought to the world's attention. In earlier times, majority of cases used to remain unreported due to societal norms, stigma, taboos and the sensitive nature of the person (subject). Even today, there is lack of reliable data on domestic violence against women which causes a hurdle in getting true picture of violence against women in India. According to recent G20 survey, India is ranked as the worst place to be a woman (Baldwin, 2012). After generations of silence by women, now a days violence is slowly becoming a popular discourse in developing countries like India.

Women in India constantly live under fear of some kind of violence. In fact, the stories coming from Indian women and girls are very shocking and it is hard to see footage of those videos which show violence perpetrated on women as these videos provide us with a harsh visual of the horrific reality on ground level. In fact, women and girls have to face trauma each day while riding bus or other public transport or moving through public places. Actually their trauma has worsened with reports like Nirbhaya's rape in bus and 25 year old woman being raped by an Uber cab driver while she was returning back from office. The woman victim of the Uber cab case was also threatened by the said driver not to tell anybody about his heinous and violent act. Due to incidents like these many women don't feel safe while using public transport. In yet another recent incident, a young girl was brutally assaulted and murdered by her stalker in broad day light in Delhi. The accused in this case was assisted in crime by his mother and brother. Incidentally, all three violent crimes against women mentioned here are reported from

the National Capital Territory of Delhi and situation is worse in villages and other rural and remote areas of the country. Moreover, very few people dare to interfere when they see violence or any harassment towards women. According to National Crime Records Bureau, 92 women are being raped across the country every day (NCRB, 2013). Another noteworthy fact is that there has been awful lot of silence and inadequate responses from police, by-standers, and even government. In developing countries many children start their lives without adequate means of nutrition, protection and witnessing violence and majority among them is of girls. They are particularly challenged.

There are many forms of violence against women like rape, domestic violence, sexual harassment, female infanticide, honor killings, dowry death, pre-natal sex selection, forced marriage, acid attacks, stalking, mistreatment of widows, forced sterilization, forced abortion, breasts ironing, sexual slavery, forced prostitution, trafficking of women and many more. Violence towards women is bursting in our society almost everywhere, it is present and even behind closed doors of houses women are being tortured, beaten and killed. This is happening in villages, towns and in metropolitan cities also. It is becoming a legacy which is passing from one generation to another generation. Violence against women and girls are not only violation of human rights but it is also an obstacle in achieving gender equality. Every crime should be reported and constitutionally every person should get justice whose rights have been violated.

The Millennium Development Goals were established in 2000 by the initiatives taken by United Nations. These are International Development Goals followed by 189 countries. One of the Millennium Development Goals is to promote gender equality and empower women and this is a human right also i.e. Women's Right of Equality. The target of achieving these Millennium Development Goals was to be accomplished by 2015. i.e. by 2015 gender disparity at all levels should have been eliminated. It is a cross-cutting issue which, if not addressed properly, will affect progress in development and will eventually retard the pace of achievement of other major goals such as poverty reduction, achieve universal education, combat HIV/AIDS etc. Though constitution of India guarantees equal rights to men and women yet the patriarchal framework and mind set of the Indian society pose challenge in achieving equality of sexes. According to UNFPA's 2012 data on Skewed Sex Ratio at Birth, there are almost 400,000 sex selective abortions in India per year, which indicates discrimination against female even before birth

(UNFPA, 2012). It is mere beginning of the larger travail as girls and women face discrimination at every juncture of life from access to education, nutrition, healthcare, vocation etc. According to the latest report titled 'Reaching the MDG's in India' by Centre for Legislative Research and Advocacy of Oxfam India,

- India ranks in the bottom 10 of an international list on women's participation in the economy.
- There is only 9 per cent female representation in Parliament
- There are currently 927 girls under 6 years for every 1000 boys, declining from 945 in the last decade.

Source: [www.clraindia.org/include/MDGs.pdf](http://www.clraindia.org/include/MDGs.pdf)

Sadly, the situation is far from improving. Leave apart achievement of Millenium Development Goal of achieving equality for women, India has to first address the discrimination and violence – physical, sexual, economic, and psychological – against women. Along with checking violence on road, in office, outside public places, India has to address the most vicious form of violence i.e. domestic violence which affects a woman's physical and mental health and well-being even before she gets into contact with the outside world.

Domestic violence can be described in various ways but the common point is the formulation of coercive control and fear in a relationship through violence and other means of hurt or abuse. According to Susan Schechter its clinical and behavioral definition is 'a pattern of assaultive and/or coercive behaviors, including physical, sexual and psychological attacks, as well as economic coercion, that adults or adolescents use against their partner'(Schechter and Edelson, 1999). Indian legislation instituted *The Protection of Women from Domestic Violence Act* in the year 2005 which says, '.. 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 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' (Kaur and Garg, 2008). Though, domestic violence can be carried out by and on both male and female, yet mostly the victims are women. According to the 2014 National Crime Records Bureau data on domestic violence, in previou year there had been just 429 victim of

domestic violence across nation, but interestingly apart from Domestic Violence Act there had been 9796 victims of insult to the modesty of women and 119906 victims of cruelty by husband and relatives that come under Section 498-A of IPC (NCRB, 2015). Alarming, these figures are of just one year and it is a matter of mere calculation to guess the enormity of the problem. As stressed in the beginning of this paper, most women avoid reporting the matter due to shame, social taboo and stigma and more often due to the fear of further abuse at the hands of the accused. High number of the cases of violence against women is indicative of the increase in abuse of women. The number of reported cases of domestic violence may be very meagre yet assaults by husband and other family members on women victims also come in the purview of domestic violence because such assaults are perpetrated most often within the boundaries of home and not outside.

It is a historical fact that women have been victimized through domestic violence more often by those she knew. Also, women of all demographics have been victimized regardless of their geographical locations. Yet, it is a matter of record that they have been oppressed differently based on social, economic and cultural differences. Also, and more importantly, women of lower socio-economic status have been oppressed more by domestic violence than those who are socially and economically empowered. This trend may be attributed to poverty, lack of education and lack of access to help group and information to escape violence by their partners and family members.

Domestic violence has far-reaching physical, emotional and psychological implications in the lives of the victims. Such incidents tarnish their emotional well-being and may lead to depression and post-traumatic-stress-disorder (PTSD). The memories of such violence are so vivid and over-powering, that despite of the best efforts of both victims and counsellors, they are difficult to be erased. They affect their daily lives and personality and may subject them to personality disorders. If emotional and psychological trauma is more vicious than physical effects of abuse are no less: deep cuts and bruises, fractured and broken bones, chronic pain, sexual hurt and incompetence and gastrointestinal disorders are to name a few. Domestic violence on women affect their sexual health as well as it may cause injury or other gynecological problems such as temporary or permanent reproductive disability of the victim.



Research reports reveal that women having history of domestic violence run twice the risk of miscarriage or post-natal deaths than those with no such past (WHO, 2007). All this leads to poor physical and mental health, trauma, inability to lead socially-productive life, increased medical expenses of the victim, and in some extreme cases even death. Domestic violence on mothers affects the lives of her children as well. Exposed to violence – physical, mental, financial or sexual – at a tender age such children develop emotional and personality disorders. Actually, it has far-reaching and more severe short-term and long-term consequences on children including behavioral, emotional and sexual maladjustments. Importantly, witnessing violence at an early age may also lead to violent behavior in adult life – especially boys who witness domestic violence done to parent are more likely to practice the same on his partner in adult life. It also affects their academic performance and makes them prone to academic failure, anxiety, depression, suicidal tendencies, aggression, criminal tendencies, drug addiction and hyperactivity (Rizo et al., 2011).

In India a large number of women face domestic violence on regular basis yet are forced to stay in such abusive relationships because of social and economic reasons. Deep rooted cultural and social values and stigma attached with such reporting dissuade the battered women to stay in the suffocating and debilitating relationship. More importantly, most of these women are either economically dependent on their abusers or are unaware of NGOs or social-support groups who can rehabilitate them. Since it is concerning multiple stake-holders, a multi-pronged culture specific approach and efforts are needed. It requires multi-sectoral, long-term, focused and dedicated efforts on the part of legislation, government, society, health-care professionals, NGOs etc. As said earlier, Indian legislation had set up law against domestic violence in 2005, yet situation is far from improving because of varied reasons. In this regard Flavia Agnes rightly points out,

A law is as good as its implementability despite the lofty aspirations. The responses to the enactment are polarized, with one section fearing its misuse by an elite class in Metro cities and another segment predicting its futility for the mass of rural women saddled with a yoke of patriarchy to which courts are as yet alien. (Agnes, 2005)

Despite of the tall claims by both government and public help bodies towards dedicated and honest efforts, domestic violence still remains most prevalent form of violence against women in India. More concerted, well planned and time bound action plan is solicited to eliminate this evil from society and help restore the dignity and respect of Indian women. There is need of extensive transformation of beliefs, practices and attitudes to prevent and eliminate violence against women and girls. There are mainly two forms of services to help victims: one is to address through counselling the psychological and physical trauma suffered due to violence and the other is to help victim escape abusive relationship and rehabilitate her by providing shelter and economic stability. In India in most cases women are economically dependent on their husband/abuser and thus leaving the abusive relationship is a difficult task for them. In the absence of alternate shelter and employment, it becomes the responsibility of the support groups to ensure secure shelter, food, medical care, childcare, professional training, alternate employment and legal advice to help their own and their children's life in a meaningful and sustainable manner. There has to be a coordinated response to crisis in victim's life by government, law enforcement agencies, health-care providers and NGOs who, seeing the sensitive nature of the case as children are also very often involved in the crisis, inspire the women victim of domestic violence to have faith in self and system and thus espouse the ways suggested by rehabilitation centers. However, it should be noted that all that is said and suggested above are post-crisis responses. Instead, steps should be taken in advance to check the crisis at the pre-crisis stage itself.

In order to avoid and contain the cases of domestic violence in India there has to be a massive change in the cultural norms and attitudes of the masses as without changing the mindset one cannot achieve success, however much one may tinker with the details of application of reforms. By way of campaigns and programmes, people need be sensitized that good man/boy don't make a lady/girl cry. The mindset need be addressed so that even the idea of violence towards women seem despicable to the prospective abuser. Not just a few but all men should be educated by family, friends and school in order to address problems with patience and not violence. Along with above mentioned steps the legislative reforms need also be stepped up as fear of law and legal mechanism can be a great deterrent to domestic violence. The police and private help bodies shall collectively ensure that all perpetrators of domestic violence are

booked under relevant provisions without delay and thus victims are protected in the first instance itself. Instead of mediation, resolution or rehabilitation of the victim, law shall abide and thus message be sent that no attempt at women's dignity and self-respect, leave apart physical or overt violence, be treated with patience and diligence. A ray of hope has appeared with recent changes in POCSO act related to juvenile accused being prosecuted for committing crime against girl as it reflects growing intolerance amongst judiciary and civil society towards any crime being committed against girl or woman. But a long road is ahead to achieve a violence free abode for women in India and thus achieve Millennium Development Goal of Right to Equality for Women.

### References:

1. Agnes, Flavia. Domestic Violence Act – A Portal of Hope. *Combat Law*. 2005: 4(6).
2. Baldwin, K (2012), 'Canada Best G20 to be a Woman, India Worst Trust Law Poll', Thomson Reuters, 13 June.
3. Carter, Jimmy. *A Call to Action: Women, Religion, Violence and Power*. New York:Simon, 2014. Print.
4. Fact Sheet: 'Reaching the MDG's in India' by Centre for Legislative Research and Advocacy of Oxfam India. [www.clraindia.org/include/MDGs.pdf](http://www.clraindia.org/include/MDGs.pdf)
5. Katz,Jackson, retrieved on 15<sup>th</sup> October, 2015 from [https://www.ted.com/talks/jackson\\_katz\\_violence\\_against\\_women\\_it\\_s\\_a\\_men\\_s\\_issue/transcript?language=en](https://www.ted.com/talks/jackson_katz_violence_against_women_it_s_a_men_s_issue/transcript?language=en)
6. Kaur, Ravneet and Suneela Garg. Quoted in Addressing Domestic Violence Against Women: An Unfinished Agenda. *Indian Journal of Community Medicine*. Vol 33(2). Pg 73. 2008.
7. National Crime Record Bureau "Crimes against Women." National Crime Records Bureau. 2013. Retrieved on 28<sup>th</sup> October, 2015 from <http://ncrb.gov.in/CD-CII2012/cii-2012/Chapter%205>
8. Rizo, Cynthia F., Rebecca J Macy, Dania M. Ermentrout, Natali B Johns, 'A Review of Family interventions for Intimate Partner Violence with a Child Focus or Child Component', *Aggression and Violent Behaviour*. 16 (2011): 144-166.



9. Schechter, Susan and Jeffrey Edelson. *Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice*. (Reno, NV: National Council of Juvenile and Family Court Judges, 1999) pg 122-123. Retrieved from <https://www.childwelfare.gov/pubPDFs/defdomvio.pdf> on 29<sup>th</sup> August, 2015.
10. UNFPA, *Trends in selective abortions of girls in India: analysis of nationally representative birth histories from 1990 to 2005 and census data from 1991 to 2011* Retrieved on 28<sup>th</sup> October, 2015 from [https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA\\_Publication-39857.pdf](https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA_Publication-39857.pdf)
11. WHO. *Multi Country Study on Women's Health and Domestic Violence against Women*. World Health Organization, Geneva, 2007.

