

EFFECTS OF DOMESTIC VIOLENCE AGAINST WOMEN AND STATUS OF WOMEN IN INDIAN SOCIETY

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Abstract

Domestic Violence isn't just a legal issue, which can be destroyed by proper legal estimates alone, it is a lot of a social and mental issue and can be handled enough by bringing about fundamental changes in the social framework and in the perspectives of individuals towards women and children. Human rights are fundamental to our very presence and they constitute what may be called "basic rights" from which no derogation can be allowed in the cultivated society. Domestic violence is one of the violations against women which are linked to their disadvantageous position in the society. The Government of India passed a Domestic Violence Bill, 2001, "To ensure the rights of women who are victims of violence.

Keywords: Domestic violence, women, society, law, status, etc. **1. INTRODUCTION**

Domestic violence isn't just a legal issue, which can be destroyed by proper legal estimates alone, it is a lot of a social and mental issue and can be handled enough by bringing about fundamental changes in the social framework and in the perspectives of individuals towards women and children. The constitution of India has set down as a fundamental right-the uniformity of the sexes. Be that as it may, the change from a position of absolute degradation of women in the nineteenth century to a position of uniformity in the twentieth century is certainly not a straightforward instance of the advancement of men in the cutting edge time.

The position of women in the Indian society has been a muddled one. In fact, it couldn't be an exaggeration to state that the ongoing changes in the status of women in India is anything but an indication of progress yet it is really are capturing of the position that they held in the early Vedic period. However, the status of women who constitute practically 50% of the Indian population isn't so encouraging. Gender based violence – including assault, domestic violence, mutilation, murder and sexual abuse-is a profound medical issue for women over the globe. Nonetheless, it isn't considered as an

Open issue of genuine concern. The different forms of physical violence are:-

- i. **Criminal Violence:** Includes assault, abduction, murder and so forth.
- ii. **Domestic Violence:** Includes dowry-death, wife-battering, sexual abuse, abuse of widow and/or old women and so forth. There are different instances of an inebriated husband beating up the wife often leading to extreme injuries. Domestic violence is additionally found in the form of physical abuse. The Protection of Women from Domestic Violence Act, 2005 came into power on 26 October 2006.
- iii. **Social Violence:** Refers forcing the wife/girl in-law to go for female feticide, eve-teasing, refusing to an offer to women in property forcing a youthful widow to submit sati, harassing the little girl in-law to bring more settlements and so on.

1.1 Denial of fundamental human rights

Maybe the most pivotal consequence of domestic violence against women is the denial of fundamental human rights to them. International human rights instruments, for example, the Universal Declaration of Human Rights (UDHR), received in 1948, the Convention on the Elimination of all form of Discrimination against Women (CEDAW), embraced in 1979, and the Convention on the Rights of the Child (CRC) embraced in 1989, confirm the principles of fundamental rights and opportunities of each human being. Both (CEDAW) and the (CRC) are guided by a broad concept of human rights that extends beyond common and political rights to the center issues of economic endurance, wellbeing, and education that influence the nature of day by day life for most women and children. The two Conventions call for the privilege to protection from abuse and disregard. The quality of these settlements lays on an international consensus, and the assumption that all practices that hurt women and children, regardless of how profoundly they are installed in culture, must be destroyed.

2. STATUS OF WOMEN IN ANCIENT SOCIETY

With the good and bad times in the Hindu society, the status of women has been influenced. During the early Vedic period women held in high regard like men. In this period women were adequately taught and socialized, they often took an interest in philosophical discussions like men with men. According to Atharva Veda, "The accomplishment of women in her wedded life relied on her legitimate training during the Brahmacharya". Vedic Society was male centric where a man use to command total control over his wife and children. Marriage was usually monogamous and family life was solid and affectionate. Remarriage of widows was not altogether obscure. The marriage of a young lady used to occur of a genuinely propelled age. Child marriage was obscure in Early Vedic Period.

- **Women in Epic Period:** Women didn't appreciate similar social honors which they delighted in beforehand. Polygamy and polyandary were in presence during this period. The unmarried little

girl was under the control of her folks, the wife of her husband and the widow of her sons. In spite of the fact that a needy women may gangs her own property (Sridhan) looking like adornments. The Sridhan presented on to the little girl and no to the sun. The women of Royal Family lived in Anta purah and were firmly monitored. They couldn't leave the spot as they enjoyed. Be that as it may, they went to courts without cover and conversed with exterior or couriers appropriately joined in. Women of lesser position often went to go to sanctuaries of celebrations with no servan accompanying.

- **Sangam Period:** The young ladies of the sangam period were given a decent training in writing, music and show women hit the dance floor with men. They went to sanctuaries with their offerings. They shower in ocean, tanks and streams. A woman would be consistently dedicated to her husband. Women of Sangam period were dedicated to God and invested considerable energy at home in worshipping him youthful virgins would go to ruler Marugan Married women offered love to Siva, MoyenMurugon in other Gods. Marudattinai unmistakably indicates the insignificant fights know as 'Oodal' among husband and wife. Killing of women was considered a generally heinous and abominable wrongdoing.
- **Muslim Period:** During the 400 years that slipped by somewhere in the range of 800 and 1200 AD the position of women considerable change. However, women society lost a lot of their honors and regard. During this period our sanctuaries had becomes focuses of corruption; one of the ugliest institution of the day was 'Devadasi' framework. Two most significant practices adverse to the status of women in Islam have been Talaq or one-sided separations and seclusion of women. The Muslim Shariat Law which has created throughout the hundreds of years places women in an inferior position in numerous regards.
- **British Period:** When the Britisher's showed up in India, the position of women in Indian society had arrived at its most reduced ebb. The disregard of education of women combined with child marriage and the custom of polygamy seclusion and Purdah achieved a colossal degradation in the status of women. "Ideologically women was considered a totally inferior animal groups, inferior to the male, having no criticalness, no personality, socially, she was kept in territory of Utter subjection, denied any right, smothered and persecuted. The man centric joint family, the custom of polygamy, the purdah, the property structure, early marriage, self immolation of the widows (sati); or a condition of lasting widowhood, all these contributed to the something of the free advancement of women."
- **Post-Independence India Period:** Many factors of progress, for example, industrialization, urbanization, advanced education and new worth framework have significantly influenced the women's position, the political participation; the occupational job and advanced education have introduced another time of liberation Article 15 of our constitution sets out "the state shall not discriminate against any resident on the ground of sex". There are such a large number of

authoritative endeavors have been take to ensure women after independence simply like Hindu Code Bill, Hindu Marriage Act 1955, Hindu Succession Act 1956, Hindu Minority and Adoption and Guardianship Act 1956, The Marriage Act 1956, Dowry Prohibition Act 1961, 73rd and 74th Amendment Act, Hindu Succession Act 2005, Dowry Act 1985, Domestic Violence Act 2005.

3.EFFECTS OF DOMESTIC AND FAMILY VIOLENCE

i. Effects on the victim:

- **Death, illness, injury and disability:**domestic and family violence is the leading cause of death, illness and disability for women aged under 45.
- **Emotional and psychological trauma:** the devastating impact on an individual's physical, mental and emotional health including depression, shame, anger and self destruction.
- **Homelessness:** nearly 33% of individuals in NSW seeking help from vagrancy administrations say domestic and family violence are an issue.
- Use of alcohol and other medications to deal with the pain.
- Physical health injuries and issues, which may not get medically treated.

ii. Effects on the family:

- Violence and the threat of violence at home create fear and can crush family environments and lead to the break-up of families.
- Frequent moving to avoid the abuser.
- Regular family unit conflict.
- Child protection or police involvement.

iii. Effects on children:

Of those women who experience violence, over half have children in their care. Children and youngsters don't have to see the violence to be affected by it. Studies show that living with domestic violence can cause physical and emotional harm to children and youngsters in the following ways:

- ✓ Ongoing anxiety and depression

- ✓ Emotional trouble
- ✓ Eating and sleeping disturbances
- ✓ Physical indications, for example, headaches and stomach aches
- ✓ Find it hard to manage pressure

4. VOILENCE AGAINST WOMEN ACT IN INDIA

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 wrongdoing. With an end goal to support the 1961 law, two new sections, Section 498A and Section 304B were introduced into the Indian Penal Code in 1983 and 1986. The latest legislation is the Protection of Women from Domestic Violence Act (PWDVA) 2005.

- The Immoral Traffic (Prevention) Act, 1956.
- **The Dowry Prohibition Act, 1961 (28 of 1961) (Amended in 1986):** The Dowry Prohibition Act 1961 denies the solicitation, payment or acceptance of a dowry, "as consideration for the marriage", where "dowry" is defined as a blessing demanded or given as a precondition for a marriage. Endowments given without a precondition are not considered dowry, and are legal. Asking or giving of dowry can be rebuffed by an imprisonment of as long as six months, or a fine. It replaced several bits of anti-dowry legislation that had been enacted by various Indian states.
- The Indecent Representation of Women (Prohibition) Act, 1986.
- The Commission of Sati (Prevention) Act, 1987 (3 of 1988).
- **Protection of Women from Domestic Violence Act, 2005:** Domestic violence is as of now defined in India by the Protection of Women from Domestic Violence Act of 2005. According to Section 3 of the Act, "any act, omission or commission or conduct of the respondent shall constitute domestic violence.
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- **The Criminal Law (Amendment) Act, 2013:** On 19 March 2013, the Indian Parliament passed another law with the goal of all the more viably protecting women from sexual violence in India. It came in the form of the Criminal Law (Amendment) Act, 2013, which further amends the

Indian Penal Code, the Code of Criminal Procedure of 1973, the Indian Evidence Act of 1872, and the Protection of Children from Sexual Offenses Act, 2012. The law makes stalking, voyeurism, acid attacks and coercively disrobing a woman express wrongdoing just because, gives capital discipline to rapes leading to death, and raises to 20 years from 10 the minimum sentence for gang rape and rapes submitted by a cop.

5. DOMESTIC VIOLENCE AS A HUMAN RIGHTS ISSUE

In India human being is brought into the world free, however women's opportunity has always been disregarded in the name of custom, honor, family welfare and social esteem. Human rights are fundamental to our very presence and they constitute what may be called "basic rights" from which no derogation can be allowed in the cultivated society. According to Section 2(d) of Protection of Human Rights Act 1993-"Human Rights" means the rights relating to life, freedom, equality and respect of the individual guaranteed by the constitution or exemplified in the International Covenants and enforceable by court in India. In this way, Human rights and fundamental opportunities are the claims of all human beings including women and their protection and promotion is the primary responsibility of government. Today, various wrongdoings against women violate the Women's human rights.

The human rights of women generally include the privilege to equality under the watchful eye of the law, the privilege against gender discrimination, the privilege against harassment, right to abortion, right to privacy and the privilege to economic strengthening. As of late "directly against domestic violence" has also gained recognition as a human right by various International Women Convention. Domestic violence is a brutal victimization of women within the boundaries of the family; usually by men/husbands or his relatives to whom the women are married or with whom they have matrimonial relationship. Violence can be both physical and psychological.

6. CONCLUSION

Domestic violence is one of the violations against women which are linked to their disadvantageous position in the society. In any case, in fact women cannot be alleviated and free only by making laws. There are several domestic violence laws in India. The Government of India passed a Domestic Violence Bill, 2001, "To ensure the rights of women who are victims of violence. Many exacting actions have been taken to forestall domestic violence in law. The solution of this issue is conceivable only when, the people attempt to find out together. Violence can negatively affect women's physical, mental, sexual, and regenerative health, and may increase the danger of acquiring HIV in certain settings.

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