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# Domestic Violence & Patriarchy in the Indian Society

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## ABSTRACT

*“The most violent element in society is ignorance.”*

*- Emma Goldman*

It is a historical fact that since the beginning of time women have been discriminated against in all the religions, however, there isn't any logical basis for it. It was Manu Smriti, the first lawgiver, in India which allowed to beat women if she didn't take consent of husband for doing certain things. Therefore, the concept of abuse of women has started from ancient India itself. The shocking point is that because of violence at home children are affected to a great extent, they become violent themselves in the future mimicking their factor when getting angry, further, destroying their families. Women must be encouraged to fight, not ignore the violence. Moreover, most important factor is that even after Government has enacted Domestic Violence Act, 2005, because of its poor implementation women aren't able to avail justice or get away from such situations. The research article gives literature review, theoretical framework about domestic violence and then discusses child marriages & domestic violence, tries to give critical analysis of the Domestic Violence Act, 2005 which was enacted in order to curb the abuse, further, the paper tries to examine its implementation process in India and does data analysis of National Health and Family Survey reports on the Domestic Violence and provides summary of key findings and suggestions.

## I. INTRODUCTION

*“The boys had always been her reason to stay, but now for the first time they were her reason to leave. She'd allowed violence to become a normal part of their life.”*

*- Liane Moriarty, Big Little Lies*

According to the dictionary definition, the term, 'domestic violence,' means, "violent or aggressive behaviour within the home, typically involving the violent abuse of a spouse or a

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partner.” According to Cambridge Dictionary ‘domestic violence,’ means “the situation in which someone you live with attacks you and tries to hurt you.” According to World Health Organisation’s research claimed that 1 in 3 (35%) of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime. Moreover, according to the research done by them such violence can cause serious health issues i.e. mental, physical sexual and reproductive problems too; it can also affect children leading to an unhappy lifestyle rather than healthy growth for them. Domestic Violence is one of the factors leading to divorce among the couples which lead to chaos in the family leading to unhealthy society. In order to understand the effects of domestic violence it is necessary to conduct research on such issue to better understand its impact on small children who suffer mental trauma. It is important to study how domestic violence affects the behaviour of children in social circumstances as it has been seen that these children have tendency to be violent in nature or be very fragile. According to NCRB, there has been increase in crimes against women i.e. 83% rise in about 10 years while 45% are related to Section 498A of IPC. As per data provided in the newspaper, the Hindu, Crimes against women had gone up from 2,084 cases from year 2017-2018. The Latest National Crime Records Bureau Statistics show an 83% increase in crimes against women, with as many as 39 cases reported every hour across the country, moreover, there are several thousand more instances that go unreported.

Children can greatly be affected by the domestic violence at home which means children themselves can get physically abused or hurt, being a witness to violent actions can be mentally damaging, can mimic the same violent act when they grow up with their partners, get depression, stress-related problems etc. Studies have shown that in approximately one-half of those abusive families where children are present, some form of physical and/or sexual abuse of children exists where the abusive partner usually is the one who may abuse the children. Also, in most cases, where children witness domestic violence, they can be expected to have emotional effects and are at a higher risk for violence themselves. Ajah, Leonard Ogbonna et al (2014) in his study has said that domestic violence has been different in terms of urban/rural areas. For example, in urban areas it could be inside the home for disobeying parents’ orders while in rural areas it could be like child labour, physical abuse or harm for not following family traditions, forcing them to stay at home and not allowing them to go to school etc. There are cases of paedophilia causing sexual harassment of children in homes by family members themselves. In fact, number of rape cases of pre-matured girls has been rising since last few days.

According to NCRB (2016) data violence against women has increased drastically in the recent

years. Children are also victims of such abuse sometimes physically with all the tensions between the parents and sometimes mentally with the abuse of their mother/father by the other parent. Studies have shown that children who grow up in such a house are more prone to becoming a real-life bully, criminal etc. Such children often become isolated, fearful, vulnerable. When they witness their mothers getting beaten up, they suffer from psychological trauma which comes in the healthy development making such children at great risk for substance abuse, depression, juvenile pregnancy, criminal behaviour. Therefore, if the family life is secured and kept safe maybe criminals in future can be amended to happen.

## **II. REVIEW OF THE LITERATURE**

1. Malavika Karlekar (2004) found that governmental agencies neglect the mental health aspect of domestic violence and it causes suppression of it. The study highlighted that there is an urgent need for the country to spend more time analysing the effects of domestic violence so that attitudes and stereotypes about it changes in the society i.e. it is not taken as “illness,” anymore.

2. Subramaniam Jeevasuthan and Zulkarnia (2013) found that the aftermath of domestic violence on children are very harmful so much so that they have the high chances of being targeted by the parent who abuses the other partner. Children being the easy target do get the risk of being abused and they too face challenges and traumas, also, getting out of such traumas is not easy which can cause unhealthy future for them.

3. UNICEF report (2006) found that children who are from the home where there is domestic violence, face emotional stress which harms their development of brains and hence impairs their cognitive and sensory growth. Primary school age children may have more trouble with their school work, and show poor concentration and focus. 40% of these children have lower reading habits, and abilities than children from non-violent homes. Problems like that of personality development and behaviour issues among children exposed to violence at home can take the form of psychosomatic illnesses, depression, suicidal tendencies etc. Later in life these children are at a greater risk for substance abuse, juvenile pregnancy and criminal behaviour than the others. They also lose to feel empathy for others and they even can feel socially isolated while they can also develop more of an aggressive behaviour with indulging into bullying others.

4. Ericka Kimball (April 2016) found in their research that there is a link between childhood trauma and risk for suicidality. Increased risk for depression, anxiety, and attachment disorders among those exposed to domestic violence are widely accepted factors for suicide

among adolescents and adults. Also, in their research they used report of National Survey of children's exposures to violence which revealed that children who were exposed to even one type of violence, both within the past year and over their lifetimes, were at far greater risk of experiencing other types of violence.

5. Phillip G Kanchiputu\* and Marisen Mwale (2016) found that the reason for children being victims of domestic violence apart from just their mother is because of the hierarchy of power in the society left children prone to domestic violence in which power being parent-child relationship. It was also found that a cause could also be because of poverty in the family. Drug and alcohol abuse could be the result of children trying to forget the violence which can affect their life in a bad way. Research done found that 41.2% claim that children lose interest in education because of worrisome conditions they have to be in at home, and it is also found that such children are forced to marry at early stage to bear their school expenses.

6. Linda L. Lindsey (2011) found that domestic violence encompasses a wide array of physical, sexual & emotional abuse. The interesting point is that most people express a belief that why women remain in abusive households. This is referred as battered women's syndrome, abused women often have poor self-image, which contributes to their feelings of powerlessness & dependence. Mostly such women blame themselves to conform their husbands' expectations. Battered women with small children often stay back because they are financially trapped & economically dependent. These women in fear for their life and their children's life if they go to a shelter but are forced to return home.

7. Agarwal Bina (2016) found that domestic violence that adversely affects a woman's well-being and agency can carry over to future generations. Violence during pregnancy can cause miscarriages, low birth weight infants, and even foetal and maternal deaths. Children who witness domestic violence tend to suffer from higher emotional and behavioural problems than other children. Also, children exposed to domestic violence carry its seeds into their adult lives. A woman who has seen her mother being beaten by her father is more likely to accept spousal abuse; a man who has seen his father beat his mother is more likely to beat his wife.

- These are various articles on domestic violence against women and children but there is not a single article which provides for effective solutions for the victims. This paper tries to fill in that gap and tries further to support such children and women to get out of such trauma so that they may live their life peacefully again instead of keeping those memories stuck inside themselves and getting psychological problems which may not let them have a good future especially children.

### **III. THEORETICAL FRAMEWORK/ORIENTATION**

- **Theory of Functionalism**

According to the functionalist theory, each part of the society contributes to the stability of the whole society. Durkheim said that society is like an organism, and just like an organism each part plays a very important part for better functioning of the body i.e. society. Now each of the part of society contains different social institutions like family, government, economy, media, education and religion. Functionalism emphasizes that the proper order which exists in the society is only because of stability and balance in these institutions and if they are not functioning properly or there is disorganisation in the system such as deviant behaviour then it would lead to a change which will lead to disharmony in the social institutions. One institution getting harmed would create social problems for other instructions which will ultimately create problems for the society as a whole. In the case of domestic violence in families, children are affected which results in effecting their education. This means until this issue is dealt with society would never be able to remain stable and balanced, for example if family is affected then it would impact performance of other institutions like government institution which may have people from domestic violence background, and subsequently it would affect the economy.

- **Structural Theory**

According to this theory the reason for violence is the socio-structural factors. Richard Gelles observed that violence is a direct response to certain structural and situational circumstances and for it to happen, two conditions exist i.e. firstly, structural or situational stress, and secondly, the potential batterer have been socialized to view violence as an appropriate response to certain situations like when there is frustration. In this theory it is assumed that large scale variable such as the social and cultural structure, social classes, poverty, race, are the prime factors relating to why domestic violence occurs.

- **Conflict Theory**

According to this theory women are suppressed in the family because the resources are handled by men and they are in a dominating position. Conflict theorists focus on economic resource inequalities and differential distributions of power in the family and society as a cause of violence against the women and the weak. Secondly, according to this theory marriage is one of the basic means by which men maintain their control, domination, and exploitation over the women.

### ➤ **Social Learning Theory**

According to this theory individuals learn how to behave through both the experience and the exposure to violence. This theory was developed by psychologist, Albert Bandura, who was famous for Bobo Doll experiment in which children who observed violent behaviour imitated this behaviour and were verbally and physically aggressive towards the doll. In the experiment she showed them adults hitting the Bobo Doll in videos. Hence when children witness domestic violence at home, they somewhere in their future life channel their parent's behaviour towards their inmate and the cycle of violence in families continues. It means that male child would channel his father in hitting his wife as he might think it is his right whereas the female child might end up getting battered by his husband and not object channelling her mother's patience.

### ➤ **Patriarchy Theory**

According to this theory men are dominating in the family and society because they have the maximum control over family resources. This theory was developed by Dobash and Dobash (1979) to explain the domestic violence directed towards women throughout the history. Patriarchy leads to suppression of women and leads to pattern of systematic violence against women and children who are indirectly affected due to violence at home i.e. emotionally, psychologically and sometimes even directly i.e. physically.

## **IV. STATEMENT OF PROBLEM**

The topic of domestic violence is important because as we are aware domestic violence has been increasing day by day according to UNICEF data stated above and according to the NCRB data which is a national and international problem. In the preamble of our constitution we have the words like JUSTICE, EQUALITY, FRATERNITY, but we rarely do follow them. It is interesting that domestic violence is not a new problem but it is a socially accepted fact that since ancient India women were looked as weak, vulnerable, dependent & subordinate and even the religion provided & encouraged violence against women with no punishments as the text of Manu, the first lawgiver allowed whipping of a wife who cheats or goes out of the house without permission of the husband. It is also true that our country isn't fully developed yet & therefore, such old beliefs hampers the mind of the people & encourages educated or uneducated youth to turn violent towards their partners in marriage to outburst their anger where mostly the victims are women and children. This research is concerned with bringing out the impact of domestic violence is on the children & their precious future. Children are the greatest suffers; therefore, it is important to focus on them for the scheme of the study. The problem of domestic violence so severe that even the Indian Penal Code has sections

recognizing it but the problem is even if laws are made successfully, are they enough to safeguard the victims or there is requirement to encourage the victims to speak out through other policies and mechanisms so that people have faith in the justice system. Even after having Domestic Violence Act, 2005 domestic violence in the country is still an issue which needs to be addressed & it shall benefit the society to acknowledge the significance of domestic violence and measures that the government must initiate immediately to curb such a practise.

## **V. RESEARCH METHODOLOGY**

### **1. Significance of the Research Study or Research Problem**

The main topic which is under observation in this particular research is the domestic violence and patriarchy in the Indian society. The research problem deals with finding how this domestic violence and patriarchy in the Indian society effects adversely the children's lives and not just the parent who is abused. Children are the ones who suffer the impact of violence mentally and sometimes physically and they are not taken into account by their parents while being abusive, and hence, children get effected socially and emotionally; it is worth thinking about why and how such issue can be dealt with by the Government. This research will contribute towards providing an idea as to measures that the government must take into account to help the children by various means i.e. by education, counselling etc.

### **2. Research Objective**

- a) To evaluate effects of domestic violence on family members particularly children.
- b) To study why is it rising in the recent years and whether the laws have been able to reduce it.
- c) To access implementation of Domestic Violence Act, 2005
- d) To examine whether it is more in urban areas or rural areas.
- e) To examine different types of domestic violence.
- f) To examine domestic violence in different states in India.
- g) To examine violence against women by specific persons.
- h) To examine the violence on women while they are pregnant.
- i) To examine help seeking to stop violence by women in urban-rural areas and women who are married and not married.

### **3. Method of Data Collection**

The study is mostly based only on the secondary sources i.e. reviewing available literatures,



analysing the data from tables. Research data, is collected according to a structured plan that indicates what information is to be gathered and how to gather it. The research data is collected from various surveys & reports available from authentic websites within India.

## **VI. CHILD MARRIAGES & DOMESTIC VIOLENCE**

According to Britannica domestic violence is, “**Domestic violence**, social and legal concept that, in the broadest sense, refers to any abuse—including physical, emotional, sexual, or financial—between intimate partners, often living in the same household. The term is often used specifically to designate physical assaults upon women by their male partners.”

Child marriage is according to the Prohibition of Child Marriage (Amendment) act, 2006 i.e. marriage of any girl child below the age of 18 years, however, as shocking as it would sound, child marriage is still prevalent in India because the Act doesn't have it void-ab-initio but just voidable at the option of the other party after one year of becoming a major and that party is the girl. Child marriage was present in the ancient India as well. Manu, the first law giver in Manu Smriti wrote, “To a distinguished, handsome suitor (of) equal (caste) should (a father) give his daughter in accordance with the prescribed rule, though she has not attained (the proper age). Thus, it can be said that Manu was in favour of pre-puberty marriage of girls. Even other Dharma sastra writers were in support of early marriage of girls. For example, Gautama advocated for pre-puberty marriage of a girl, and if a person fails to abide by this rule, he commits a sin. He writes, “A girl should be given in marriage before puberty

International Centre for Research on women conducted a survey on the well-being of adolescents in the states of Bihar and Jharkhand, India 2004 where they discovered that girls who are likely to be married very young like before 18 years were twice as likely to report being beaten, slapped or threatened by their husbands. Also, they were more likely to have report being forced into having sex without their consent in the previous six months. According to a study by Oxford University, it was highlighted that women across 34 countries are at increased risk for domestic violence if they get married before the age of 15 years.

According to 2011 Indian census estimation 17 million children in the age group of 10-19 years are married. Many sociological problems are developed due to such marriages like that of smoking, alcohol, and drug abuse. In a study conducted by Seth, Rajeev (2018), it was discussed that child marriage out brings multiple health problems in teenage mothers and their children like underage mothers are at high risk of reproductive health challenges, impaired mental health, malnutrition, anemia, exposed to sexually transmitted diseases. Community, societal norms like ‘Ladki jawan ho gayi hai,’ terms encourage decision-making at the family

level. One of the sociological reason for child marriage is poverty in the those families who are ready to send their daughters at early age due to lack of finance. India is prone to poverty which is a fact due to which most parents in hope for better future for the girl send her away in a good family according to them but they forget that their mistake may end the girl be a victim of greater harm to mental & physical health issues. It was highlighted by the UNICEF report that one in three girls in low-to middle-income countries will marry before the age of 18 and more girls who are uneducated are the ones who fall for the victim which means such girls have no understanding of basic human rights & further such girls will not be independent which means they will be afraid to get out of such marriages due to their parents pressure to stay in relationship, financial pressure since they can't maintain themselves and have no legal knowledge, & if they are with children then they are most discouraged to get out of the marriage because of lack of education, independency of raising children on her own.

## **VII. IMPACT OF DOMESTIC VIOLENCE ON CHILDREN**

Even though it is the mother who goes through the actual torment & abuse, even children have to bear the burden of seeing their own mother being beaten or mistreated at home by their father which can have multiple or negative effects on them in their precious future. According to the U.S. Department of Health & Human Services, many children who are exposed to violence in the home are also the victims of physical abuse with having long term physical & mental health problems. Also, children who do witness their parents being in a violent relationship tend to be aggressive themselves in their future. According to a research by domestic violence roundtable it is noted that children who see their mothers getting abused by their fathers have disrespect for their own mothers and often misbehave them her seeing how she is 'weak,' 'crazy,' 'stupid,' who cannot stand for herself. Boys generally tend to see their father as role model and tend to get into relationships and show their aggressive behaviour and work along with the path of their father whereas the girl child tends to play the victim as seeing her mother being patient in the relationship even the girl child accepts such abusive behaviour and continues to live even though she gets mistreated continuously.

Accordingly, such children are more likely to develop Post-traumatic stress disorder (PTSD) which means these children can feel emotional & physical "aftershocks" which means they can relive the event again and again in their minds.

A person with PTSD is at a higher risk for suicide and intentional self-harm. Post-Traumatic Stress disorder that such children might develop is as same as the soldiers returning from the war.

According to a research done by Koenig Michael (2010), the findings were that the births to women who experienced violence had 68% higher risk of infant mortality compared with 'no violence' group. I recent study using nationally representative data from women of reproductive age in India found that the experience of physical violence from a male partner was associated with an increased risk of infant & child mortality. According to the USA today report (2019), a woman named Latrelle Huff blamed domestic violence for her children's health problems. The doctors identified the boy was born with "floppy baby syndrome," a muscular condition that might be attributed during pregnancy which means such children suffer with health issues for instance including speech disorders, & need therapy sessions frequently.

### **VIII. IMPLEMENTATION OF DOMESTIC VIOLENCE ACT, 2005**

Protection of Women from Domestic Violence Act, 2005 is an Act of the Parliament of India enacted to protect the women from the domestic violence. Section 498A of Indian Penal Code also provides safeguard to women against violence but the Act provides broader definition of domestic violence by incorporating all forms of domestic violence that may be caused like physical, sexual, verbal & emotional under Section 3 clause (d) which says, "other forms of violence", & the Act also includes the dowry demands to the women or her relatives which may cause unnecessary cruelty as also given under Section 498A of IPC.

#### **What are the benefits of this Act?**

Any women irrespective of her religion can claim reliefs under this Act. Under the Act, if the husband is seen to neglect expenses of his wife & children then it would amount to domestic violence for which women can come forward to claim the rights. Further under Section 2(a) of the Act, a woman can file a complaint against her husband, father-in-law, brother-in law, mother in-law etc. The act also provides for counselling under Section 14 to both the partners, protection officers given under Section 9 whose duty is to provide shelter homes, medical facilities & legal aid for the victims, & ensuring that protection orders which are ordered against the respondent are carried out accordingly.

Accordingly, the Act recognizes the following types of violence as well:

**Sexual Violence** – Means any conduct of a sexual nature such as forced sexual intercourse, forcing the aggrieved person to watch pornography or other obscene material or forcibly using woman to entertain others, any other act of sexual nature, abusing, humiliating, degrading or otherwise violative of one's dignity.

**Physical Violence** – Includes hurt of any kind. Assault, criminal intimidation and criminal

force.

Emotional Violence -Includes such as not providing money for maintaining woman or her children not providing food, clothes, medicine etc. Also forcing woman out of the house or preventing from accessing or using any part of the house, preventing or obstructing one from carrying on employment or non-payment of rent of rented accommodation, selling or pawning stridhan or any other valuables without informing and without consent. Forcibly taking salary, income, or wages etc. Non payment of bills etc.

### **Implementation**

Even though there are many benefits which the victims of domestic violence can avail, there seems to be problems with the actual implementation of the Act. For example, instead of employing Protection Officers as directed by the Act, existing government officials are given this responsibility as well who may not be equipped to deal with such situations & don't fill their duty to provide for shelter homes due to which victims may not be able to use full benefit of the law. Research also shows that many districts don't have even one shelter home.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee in its concluding remarks expressed concern over the lack of financial provisions by the Central Government for its enforcement in various states. The Government of India (2010) noted that the PWDVA isn't able to reach the intended beneficiaries owing to lack of information & mechanisms for its enforcement. According to India today (2015) it was Dr Ranjana Kumari, Director, Centre for Social Research said, "Statistics show an alarming decline in the number of cases registered, an improper budget allocation for the implementation of the Act and a 50 per cent decrease in the number of protection officers. These are serious problems and need to be addressed on a priority basis." Further in the Article it is revealed that each state has different budget allocating for the implementation of the Act for example while for Karnataka it is just Rs 8000 lakh in 2015-2016, in Delhi budget allocated was Rs 45 lakh. 19 States have no planned schemes yet according to the Economic Survey of Ministry Finance (2014).

According to NCRB date of 2014 & 2015 there were 426 & 421 cases registered under the Domestic Violence Act, 2005 which indicates lack of information & mechanisms to enforce them. In the tables by the NHFS report 2015-2016 given below, it can be established that there many women who face domestic violence in the country and comparing year wise i.e. 2005-2006 to 2015-2016 we can see that there is only 10% decrease in the number of cases of types of domestic violence but surely number of cases which can be registered can be more than what

the NCRB data provides which is due to poor implementation mechanisms by the government. Even ... remarked that National Crime Records Bureau showed actual trends in domestic violence since according to National Family Health Survey report – 4 (2015-2016) 30% of married Indian women between the ages of 15 and 49 years reported going through spousal violence. In NCRB cases of domestic violence reduced, higher spousal violence was recorded by the NFHS data of 2015-2016 i.e. 33%.

Poor implementation is also due to the fact that there is no uniform protocol for service providers which means mostly the service providers are NGOs who often have no link with the police or with the protection officers, while service home authorities aren't well trained to handle domestic violence cases.

According to the News Indian Express (2018), Maneka Gandhi, the Union Minister for Women & Child Development wrote to all the Chief Ministers to ensure for proper implementation of the Domestic Violence Act, 2005 in all the states with sufficient number of protection officers whose details need to be public for easy accessibility to needed victims.

## IX. DATA ANALYSIS & DISCUSSIONS

**Table 1: National Family Health Survey Report of India of 2005-2006 & 2015-2016.**

Serial No.	Reports	Domestic Violence in India (in %)	Year
1.	National Family Health Survey Report – III	Emotional – 15.8 Physical – 35.1 Sexual – 10.0 Physical or sexual – 37.2 Emotional or physical or sexual – 39.7 <b>TOTAL – 82.9</b>	2005-2006
2.	National Family Health Survey Report – IV	Emotional – 13.8 Physical – 29.8 Sexual – 6.6 Physical or sexual – 30.9 Emotional or physical or sexual – 33.3	2015-2016

	<b>TOTAL – 71%</b>	
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**Source:** National Health & Family Survey Report 2005-2006 & 2015-2016.

In table 1, we can observe that domestic violence in 2005-2006 report is more as compared to the 2015-2016 report which might be because of the Domestic Violence Act, 2005 which has been implemented by the Government in order to reduce the violence against women by forming stricter laws. Even though, the total percentage of domestic violence in 6 years gap of the report has shown to be decreasing, one can still question that in our country the problem is still being faced by many women which needs to be stopped. Even after 6 years gap of the report only 10% decrease is shown which is not very significant.

However, this data is not of 2018-2019 and in the Hindu, it was discussed that according to latest NCRB data there has been 83% increase in crimes against women with 39 cases reported every hour and other thousands going unreported.

**Table 2: Domestic Violence of women aged from 15-49 who have experienced from specific persons, India 2015-2016.**

Serial No.	Person	Ever married	Never Married	Total
1.	Current husband/partner	82.8	Na	73.1
2.	Former husband/partner	7.4	Na	6.5
3.	Current boyfriend	0.2	0.7	0.3
4.	Former Boyfriend	0.2	0.3	0.2
5.	Father/Step-mother	8.6	31.5	11.2
6.	Mother/step-mother	14.4	59.6	19.6
7.	Sister/brother	5.5	26.3	7.9
8.	Daughter/son	0.2	0.5	0.2
9.	Other relative	1.3	2.4	1.4

10.	Mother-in-law	0.7	Na	0.7
11.	Father-in-law	0.4	Na	0.4
12.	Other-in-law	0.7	Na	0.7
13.	Teacher	2.7	15.2	4.2
14.	Employer/someone at work	0.1	0.0	0.1
15.	Other	0.0	0.0	0.0
16.	No. of women who have experienced physical violence since age 15	20,778	2,736	23,514

**Source:** National Health & Family Survey Report 2015-2016.

From the table 3, we can see that domestic violence experienced by women from their current husband or partner is more than experiencing from other persons. Also, looking at the number of women who have experienced physical violence since the age of 15 may be due to the reason that child marriages are still prevalent in India which makes it possible for the girl child getting abused which is significant from the data that there are 20,778 women compared to 2,736 women who have experience physical violence at the age of 15 that to being married which shows the shame that child marriages are not abolished by the government.

This leads to the patriarchy theory that men are dominating in society and family because they have maximum control. It is shocking that this is going on because statistically according to Agarwal, more of miscarriages, maternal deaths and other health related problems develop for young mothers which is dangerous. On the other hand, women face more violence from their current husband or partners because they accept that they are weak, as Linda L. Lindsey argued that married women generally blame themselves for such experiences & stay because of lack of financial support. It is also observable that violence experienced by non-married girls are more through their step mother then it is by their siblings then by teachers in school. In total there are 23,514 women who experience violence between the age group of 15-49 from specific persons.

**Table 3: Types of Domestic Violence in Urban & Rural Areas.**

<b>URBAN INDIA</b>	<b>Cuts, bruises, or aches</b>	<b>Severe burns</b>	<b>Eye injuries, sprains, dislocations, or burns</b>	<b>Deep wounds, broken bones, or any other serious injuries</b>	<b>Any of these injuries</b>	<b>Number of ever-married women</b>
Physical Violence	22.6	4.7	9.2	5.8	26.4	3,967
Sexual Violence	37.9	10.7	25.1	14.7	44.1	852
Physical or sexual	21.9	4.7	8.9	5.6	25.7	4,163
Physical & Sexual	46.5	12.7	31.8	18.6	53.9	655
<b>RURAL INDIA</b>	<b>Cuts, bruises, or aches</b>	<b>Severe burns</b>	<b>Eye injuries, sprains, dislocations, or burns</b>	<b>Deep wounds, broken bones, or any other serious injuries</b>	<b>Any of these injuries</b>	<b>Number of ever-married women</b>
Physical Violence	23.2	3.4	8.7	6.1	27.1	9,985
Sexual Violence	34.8	5.9	15.7	12.2	39.3	2,345
Physical or sexual	22.5	3.4	8.4	5.9	26.3	10,494
Physical & Sexual	41.7	7.0	19.3	14.8	47.0	1,837

**Source:** National Health & Family Survey Report 2015-2016.

In table 4, it is observable that physical violence in urban area is 68.7 then rural area which is 68.5. The difference between the two is only 0.2 which is not that significant. Sexual violence in urban area is 132.5 then in rural area which is 107.9 where the difference between the two is 26.6. Physical or sexual violence in urban area is 66.8 while for rural area it is 66.5. Physical & sexual violence in urban area is 163.5 while in rural area it is 129.8.



Therefore, it is evident that comparing all the three type of violence i.e. physical, sexual, physical or sexual, physical & sexual, we establish that there is more violence in urban area then in rural areas which is shocking because urban area is supposed to be developed then rural areas where lack of education is a major problem even today.

**Table 4: Help Seeking to stop violence**

	Never told anyone	Told Someone	Sought help from source	Total	Number of women
<b>Residence</b>					
Urban	75.2	10.7	14.1	100.0	7,355
Rural	77.2	8.5	14.3	100.0	16,919
<b>Marital Status</b>					
Married	78.4	8.4	13.2	100.0	19,928
Unmarried	71.9	12.2	15.9	100.0	2,814
<b>Types of Violence</b>					
Physical	79.5	9.0	11.6	100.0	19,622
Sexual	80.6	9.5	9.8	100.0	759
Both physical & Sexual	61.3	9.9	28.8	100.0	3,892

**Source:** National Health & Family Survey Report 2015-2016.

In table 5, it clearly establishes that in rural area there are more percentage of women who have never told anyone about the domestic violence then urban area. Overall, in toto in Urban area more women have come out to other people but only 14.1% have sought help from source whereas in rural area 14.3% women have sought help from a source.

Comparing the marital status, it is evident that there are more married women who have don't share the domestic violence problem then unmarried women and overall help that is sought is more by the unmarried women than married women which might due to the reason that married women are financially unstable & feel weak to leave their husband if they are pregnant & afraid of society shaming for getting divorce. Linda L. Lindsey also said that married women feel dependent if they are uneducated and financially are weak and blame themselves for getting

such treatment. It should also be observed that according to the functionalist theory if one institution is harmed then the other is harmed as well and the children are a witness to such conditions of their mother then surely they would have such a memory and do poor in stabilizing their own family be themselves either abusive or depressed with going through a stressful and traumatic life which is bad for their future.

Comparing the women who sought help from physical or sexual violence we can see that there are more women who haven't told anyone if they are having problem of sexual violence then those women who go through physical violence. Overall, it is evident that women going through physical violence are more prone towards getting help from a source though they are not prone towards sharing their problem than sexual violence women.

**Table 5: Experience of Domestic Violence during pregnancy.**

PERCENTAGE WHO EXPERIENCED VIOLENCE DURING PREGNANCY		NO. OF WOMEN WHO HAVE EVER BEEN PREGNANT
<b>RESIDENCE</b>		
Urban	3.4	20,056
Rural	4.1	37,786
<b>MARITAL STATUS</b>		
Never Married	6.8	58
Married	3.6	54,747
<b>NUMBER OF CHILDREN LIVING</b>		
0	3.6	2,353
1-2	3.4	33,622
3-4	4.6	17,686
5+	4.8	4,182

**Source:** National Health & Family Survey Report 2015-2016.

From the table 6 we can observe that more women in rural area have experienced violence during pregnancy then urban women. The experience of violence during pregnancy is less in

married women then in never married women. Number of children living from the violence during mother's pregnancy is less. Chances of children living after five years is more even if mothers have experienced some form of domestic violence.

In the table, above it is given that number of women who have experienced violence out of 37,786 is 4.1% in rural areas whereas its less in the urban areas i.e. out of 20,056 women only 3.4% have experienced violence during their pregnancy. Out of 58 women who have been pregnant 6.8% have experienced violence while never being married while 3.6% married women have experienced violence being pregnant out of 54,747 women in total.

It is significant to wonder when violence happens during the pregnancy number of children who actually survive. It is discovered that out of 2,353 children only 3.6% of them live.

In rural area more violence during pregnancy might be due to lack of control of the husband due to financial pressure and not understanding the consequences & lack of education.

**Table 6: Domestic Violence in various states in India 2015-2016.**

<b>State/Union Territory</b>	<b>Emotional Violence</b>	<b>Physical Violence</b>	<b>Sexual Violence</b>	<b>Physical or sexual violence</b>	<b>Emotional, physical or sexual violence</b>
<b>India</b>	<b>13.8</b>	<b>29.8</b>	<b>6.6</b>	<b>30.9</b>	<b>33.3</b>
<b>North</b>					
Chandigarh	5.8	22.5	4.7	22.5	22.5
Delhi	13.1	26.5	5.9	26.8	29.6
Haryana	12.7	30.8	8.4	31.9	34.3
Himachal Pradesh	4.5	5.1	2.2	5.5	7.0
Jammu & Kashmir	9.5	8.4	2.5	9.3	13.9
Punjab	7.9	19.6	5.2	20.1	21.2
Rajasthan	8.4	24.0	3.7	24.8	26.4

Uttarakhand	5.1	12.0	2.8	12.6	14.4
<b>Central</b>					
Chhattisgarh	15.2	36.0	6.2	36.5	38.1
Madhya Pradesh	12.4	31.2	7.7	32.8	34.8
Uttar Pradesh	14.0	35.1	7.1	36.4	38.3
<b>East</b>					
Bihar	20.5	40.9	12.9	42.7	45.2
Jharkhand	10.1	32.8	7.6	34.0	34.8
Odisha	12.3	33.3	7.6	34.9	36.4
West Bengal	13.1	31.4	8.0	32.6	35.0
<b>North East</b>					
Arunachal Pradesh	16.4	28.9	8.6	30.8	34.8
Assam	11.4	23.6	5.1	24.4	26.6
Manipur	13.5	49.4	11.5	52.6	54.7
Meghalaya	11.0	27.0	3.6	27.9	31.0
Mizoram	10.0	14.4	2.5	15.2	17.5
Nagaland	10.1	9.7	6.1	12.8	16.6
Sikkim	2.7	2.2	1.2	2.2	3.5
Tripura	14.1	26.3	9.3	27.7	29.7
<b>West</b>					
Dadra & Nagar Haveli	13.0	30.4	3.4	31.3	36.3

Daman & Diu	12.0	25.6	5.8	26.6	28.8
Goa	4.7	11.9	0.7	12.3	14.8
Gujarat	11.8	19.7	4.2	20.0	23.0
Maharashtra	9.8	20.9	2.1	21.2	23.1
<b>South</b>					
Andaman & Nicobar Islands	9.3	17.9	2.5	17.9	19.6
Andhra Pradesh	19.7	42.9	5.7	43.0	45.2
Karnataka	13.2	18.9	8.8	21.6	24.4
Kerala	8.7	13.0	3.8	14.0	16.3
Lakshadweep	3.1	7.0	1.9	8.9	8.9
Puducherry	23.5	30.5	9.6	34.6	40.3
Tamil Nadu	21.2	39.0	8.0	40.7	44.6
Telangana	19.9	41.8	6.0	42.9	46.0

**Source:** National Health & Family Survey Report 2015-2016.

In the table 6, we can observe that Manipur is number one state where maximum number of all three types of domestic violence occurs i.e. 54% while Telangana is the second state where maximum number of violence happens against women i.e. 46% & then on the third number is the state of Bihar, Andhra Pradesh & Tamil Nadu ranging from 45-46%. In overall it is observed that maximum number of crimes against women i.e. crime of domestic violence happens in South India while minimum number of domestic violence that happens against women is in Central India.

If we rank in descending order according to domestic violence crime then it is South India, North East India, North India, East India & then Central India. The reason for the increase in violence in all the states maybe due to the reason that most states haven't implemented the domestic violence act, 2005 yet which means lack of support by the government to the victims.

Also, it seen that south Indian states are more into religious beliefs which makes them trusting old norms therefore because of that it may be the reason that south India has more of the domestic violence against women because education in South India is supposed to be good like in Andhra Pradesh state etc.

## **X. SUMMARY OF KEY FINDINGS & RECOMMENDATIONS**

1. Comparing domestic violence of women of 2005-2006 with 2015-2016, we establish that there is 10% decrease in domestic violence.

2. Domestic violence experienced by women from their current husband or partners is more as compared to other persons. Also, domestic violence of girls who get married at the age of 15 is more then those girls at 15 who are not married.

3. There is more domestic violence in Urban areas than in Rural area of India.

4. There are more women in rural areas who seek help out of domestic violence as compared with women of urban India. Further married women don't share their abuse & get help that much as compared to unmarried women.

5. There are more women in rural areas who have experienced violence during pregnancy than urban women. However, experience of violence of married women is less then unmarried women & child mortality is more when women face domestic violence while being pregnant.

6. Comparing the states of India Manipur has highest number of violence against women. The rank of Indian states according to descending order is as follows: South India then comes Northern East India then comes North India then East India & then comes Central India.

7. It is suggested that child marriages in India shall be made void and not voidable so that it is abolished by which major domestic violence which girls at the age of 15 and above may suffer finishes altogether which shall also curb the problems of maternal deaths of young women and problems relating to reproductive system.

8. It is recommended that government makes sure that domestic violence act, 2005 is implemented in all the states of India so that justice can be taken by all and that there shall be awareness programmes through skit, television advertisements, movies, articles about the benefits of the Act so that more and more women are aware of their legal rights.

9. It is also recommended that counselling is done for the children who are born out of the victims of domestic violence so that they can be provided with help at the earliest i.e. from school level itself.

10. Further government shall stress on the women being independent enough to maintain herself by stressing on their education till college level so that they can find job and not be in fear to live with their husbands due to lack of finance, education and because they can't maintain their own kids without the help of their father.

## **XI. CONCLUSION**

Domestic violence and patriarchy are a sociological problem in the Indian society which has been going on from as long as ancient times i.e. from the laws of Manu promoted for violence against the wife if she is unfaithful to husband. With development of society certain norms and practises have encouraged domestic violence like dowry which though has been penalised with imprisonment of life though other forms of violence are also present which makes life of a women a living hell. Most of the women faced violence at the age of 15 due to the fact that child marriages were not crime until Child Marriage Prohibition (Amendment) Act, 2005 but though it has been prohibited, it is only made voidable and not void which in a way leaves chances for the families to do early marriages of their daughters. This leaves the girls be victims of the domestic violence and the reason NHFS report of 2015-2016 brings out maximum violence of girls aged from 15 years. With females being victims even the children who witness such violence at home get effected because of such violence and their future is majorly impacted. For example, the functionalist theory reveals that if one intuition of society is affected than it effects other institutions as well which is true since children when they grow older will learn to be similar like their father because of social learning theory i.e. children learn from seeing others & ultimately will execute the same behaviour towards their partners which will be having short temper & aggressive behaviour. Such children will be actively violent in school, college, life in general which supports the structural theory that people who are violent think it is the appropriate manner in which they shall act. Even though domestic violence Act, 2005 is there yet Government needs to make sure it is implemented in each state to reduce domestic violence.

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