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An In-Depth Exploration of Domestic Violence against Women as a Persistent Legacy of Gender Discrimination

DR. SAJAN PATIL¹

ABSTRACT

The roots of gender discrimination can be traced back to early societies and civilizations, setting the stage for the perpetuation of inequalities that continue to affect women globally. One of the most pervasive manifestations of gender-based violence is domestic violence, encompassing physical, mental, and sexual exploitation inflicted upon women by their intimate partners or former partners. Despite being recognized as a prevalent form of violence against women worldwide, studies on this subject pose unique ethical and methodological challenges in addition to the standard research complexities.

Current global data, as reported by the World Health Organization in 1997, indicates that approximately 33% of women have experienced violence in an intimate setting at some point in their lives. However, this statistic is likely an underestimation due to the pervasive issue of underreporting. This phenomenon is particularly conspicuous in India, where there is a prevailing cultural reluctance to disclose instances of domestic violence. Women, for various reasons, may choose to remain silent about the abuse they endure within their homes.

The proposed study seeks to address the existing gap in understanding the true extent of domestic violence against women, shedding light on the prevailing status quo in our society. Beyond the standard challenges in researching violence against women, this study will confront the specific ethical and methodological complexities inherent in unraveling the intricacies of domestic abuse.

In the Indian context, domestic violence against women is veiled by various factors, including deeply ingrained cultural norms, societal expectations, and a lack of awareness about the rights and resources available to victims. The research will employ a multifaceted approach, utilizing both quantitative and qualitative methods, to unravel the complexities surrounding domestic violence. Additionally, the study will explore the impact of dominant ideologies, societal apathy, and ignorance, all of which contribute to the perpetuation of unreported cases.

Ultimately, this research aspires to contribute valuable insights into the prevalence and nature of domestic violence against women in India, unravelling the layers of societal

¹ Author is a Principal at Rizvi Law College, India.

complexities that shroud this pervasive issue. By understanding the nuances and barriers surrounding reporting, the study aims to inform targeted interventions, policies, and awareness campaigns that can catalyse positive change and foster a society free from the shackles of domestic violence.

Keywords: *abuse , domestic violence, impact , theory , marriage , family.*

I. INTRODUCTION

It is important to acknowledge that domestic abuse is a widespread form of violence against women on a global scale. Regardless of societal or cultural context, this issue poses a significant threat to the public health of women. The medical community has duly recognized the detrimental impact it has on women's emotional, physical, and social well-being.

Domestic violence can be described as “the range of sexually, psychologically and physically coercive acts used against adult and adolescent women by current or former male intimate partners”, according to the World Health Organization (WHO)². Violence typically doesn't always encompass the present husband; it might also involve boyfriends, ex-husbands, and also other family members like parents, siblings, and in-laws.

Intimate partner violence, domestic abuse, or family violence refers to acts of violence or other forms of abuse that occur within a domestic setting, such as a cohabitation or marriage. Domestic violence, which can occur in heterosexual or same-sex couples, as well as between former spouses or partners, is sometimes used interchangeably with intimate partner violence, which involves one person in an intimate relationship committing violence against their partner. Furthermore, domestic violence includes aggression towards children, parents, and even older individuals in its broader definition. This form of abuse can manifest in various ways, including verbal, emotional, financial, sexual, and reproductive abuse. Physical abuse, such as beatings, choking, female genital mutilation, and acid throwing resulting in disfigurement or even death, are also types of violence that can occur. Domestic atrocities, which sometimes involve family members who do not cohabit, can include persecution, bride burning, stoning to death, honor killings, and dowry deaths.

Domestic violence happens constantly when the perpetrator thinks it's okay to employ abusive behaviour, that it is legitimate, justified, or that it is unlikely to be detected. Children and other household members who assume such brutality is legitimate or encouraged may perpetuate a

² Koenig MA, Lutalo T, Zhao F, Nalugoda F, Wabwire-Mangen F, Kiwanuka N, et al. Domestic violence in rural Uganda: Evidence from a community-based study. Bull World Health Organ. 2003; 81:53–60.

cycle of violence across generation to generation as a consequence. Because they may view their experiences as family disputes gone horribly awry, many people do not recognise themselves as abusers or victims. Domestic abuse awareness, perception, definition, and documentation differ tremendously from nation to nation. Forced or underage marriage are significant settings for domestic violence.

India has quite a significantly higher rate of domestic violence against women, and the victims generally attempt to conceal it. In many Indian homes, physical abuse of the wife, especially beatings, is pretty ubiquitous. In India, 45% of women experience violence at the hands of their husbands³. Despite such pervasiveness, such violence has lain dormant and is not usually addressed. It has been discovered that females' origins significantly influence domestic violence. As most women are apprehensive to divulge material they perceive as personal and intimate, ground breaking research on violence against women is often challenging. Understanding the context of violence and the preconceived notions which facilitate its recurrence is crucial for ending domestic abuse against women. India needs to pay urgent attention to the paucity of statistical evidence on the prevalence of domestic abuse and its causes and implications. Acknowledging this massive problem in a rural environment with socioeconomically disadvantaged circumstances and females from low socioeconomic and educational backgrounds is extremely vital.

With the aforementioned environment in mind, the following goals for this study were set:

1. to ascertain the prevalence, attributes, and a etiology of domestic violence against both adolescent and adult females that has been documented.
2. to ascertain any socio-demographic relationships that domestic abuse may very well have.
3. to learn how women, see the issue and also how they can best deal with the violence that was committed.

(A) Forms of domestic violence:

1. elder abuse,
2. child abuse,
3. honour-based violence,
4. including female genital mutilation (also known as "female circumcision"), forced

³ Domestic violence against women and girls. Innocenti Digest, No. 6. Florence: UNICEF Innocenti Research Centre; 2000. United Nations Children's Fund(UNICEF)

marriage, and honour killings;

5. all forms of exploitation by a former or current intimate partner, including surveillance and psychological abuse.

(B) Theories on domestic violence:

1. Resource Theory:

According to Resource Theory, which was first advocated by Goode, a husband has considerable influence in a partnership the more resources he brings to it, however he is less likely to utilize those resources in the relationship to use strength. However, when a spouse obtains access to finances for her educational endeavours, a man's hegemony may be jeopardized and he may resort to violence to reclaim his dominance.

2. Exchange Theory:

In accordance with the exchange theory, intimate partner violence will be more prominent in countries where perpetrators are expected to benefit more from it and less prominent among those where they are expected to lose more. Because of poor interpersonal restrictions on violent behaviour and an emphasis on toxic masculinity, that in numerous settings actually encourages it, the costs of violence are minimal.

3. Economic Dependency Theory:

Access to political, economic, and educational resources has consistently been associated with reduced economic dependency.

4. The Patriarchal Theory:

This ideology contends that men have just always dominated society and that women should just be perceived as men's property. The use of violence by male population to assert control over their spouses is condoned by patriarchal norms.

5. Modernisation Theory:

Modernization typically results in a preference for achievement over ascription and universalistic norms over particularistic ones. Therefore, when a nation modernises, we anticipate that women (and men) will be liberated from traditional gender stereotypes.

(C) Categories of domestic violence:

Although the community primarily perceives physical and emotional abuse as the predominant form of violence against women, there are also hostile non-physical behaviour that ought to be detected and labelled. The different types of violence include:

1. Physical Abuse:

This comprises physical abuse such as shoving, smacking, punching, stomping, choking, biting, jerking, inflicting burns, pulling hair, and using a weapon such as a belt, stone, baton, spears, and so on.

2. Sexual Abuse:

Attempting to coax someone into trying to have sex or participating in sexual activity against their free will, or wounding another person by using a device or part of the body to penetrate their mouth, vagina, or anus without their permission or assent sexual organs, forcing someone to partake in unprotected sexual intercourse, denying them protection from pregnancy or Venereal diseases, making them remove their clothing items or continue to remain naked against their will, compelled them to pose for pornographic materials or watch pornography against their will, compelled them to watch, observe, or engage in sexual activity, voyeurism or exhibitionism, criticising sexually, or engaging in sexually degrading behaviour.

3. Verbal And Emotional Abuse:

Verbal abuse is using derogatory language or making unnecessary "put-downs" to draw attention to a specific issue with the intention of ridiculing, disparaging, dehumanising, harassing, coercing, or intimidating the victim a component of a person's identity or societal function. As a result, the abuser may misinterpret the perpetrator's experience as an assault on their identity, which might also cause psychological injury. As a result, verbal abuse and emotional abuse are directly correlated. A victim of psychological or emotional abuse might assume they are to fault for the issues in their family or relationship.

4. Spiritual Or Cultural Abuse:

It emerges when an individual in a relationship or family is denied their basic human, cultural, or spiritual needs. In order to legitimise the behaviour, it is also possible to utilise religion or culture as a justification for specific abuses.

5. Social Abuse:

Victims of social abuse and isolation are frequently cut off from helpful friends, family, and community organisations by their offenders. For women who reside in remote and inaccessible places with no or little access to reasonably priced transportation and where firearms are more ubiquitous, this is incredibly significant. Communities are small, increasing estrangement from neighbours and support systems is more prominent. Women who come from communities with a diverse range of backgrounds and ethnicities may also endure this abuse more commonly.

6. Economic Or Financial Abuse:

This entails the deprivation of basic necessities and the unequal control of cash in a relationship or family.

II. CAUSES OF DOMESTIC VIOLENCE

Violence against women is caused by a wide range of factors, rather than just one. Women have remained disproportionately exposed to violence as a result of number of structured, multidimensional, and intertwined social and cultural elements that are all representations of historically oppressive conventions. Male and female power dimension. Socioeconomic forces, the household institution—where relations of power are enforced—fear and control of female sexuality, the insistence that men are innately superior, in addition to legal and cultural constraints have historically dismissed women and children an independent juridical and social status—all make a significant contribution to these unequal power relations. Because of a dearth of financial assistance, women are more susceptible to harassment and are finding it difficult to escape violent relationships. The association between poverty, dependence, and violence is cyclical. On the one hand, the menace of violence and apprehension of it prevents women from pursuing employment or, at best, compels them to take low-paying, mistreatment of women thru the home-based employment, whereas on the other front, without financial independence, women lack the ability to leave a violent relationship. In some societies, the counterpart of this argument is also true, indicating that as women become more monetarily active and independent, men become much more violent towards them. This is particularly the case if the husband or boyfriend is unemployed and perceives that his dominance in the home is being eroded. Exorbitant alcoholism and drugs consumption have also been reported as a significant contributor to violent and aggressive masculine misbehaviour towards women and children. Women are underrepresented in their Families and communities are well-known to play a role in escalating rates of domestic violence, especially when it pertains to women who already have limited exposure to family and neighbourhood organisations. Women have historically experienced physical or sexual violence. Women have historically been seen as timid, defenceless, and prone to abuse. It has long been known that violence against women is a phenomenon.

Violence against women has been widely accepted as a reality. Social mores, religious beliefs, as well as sociological, economical, and geopolitical elements, may establish a baseline for initiating and persisting domestic violence, although the decision to use violence is a choice that an individual ultimately allows after assessing a variety of possibilities. Although macro

system-level factors (such as social norms and cultural norms) play a significant role in the underlying aetiology of gender-based violence in any sovereign country, including India, individual-level factors (such as having witnessed parental violence in childhood, being subjected to father who is absent or refuses to accept them, and even being associated with delinquent peers) also have a major impact on the development of these kind of violence. Differences in physical strength play an important role in the gender disparity in domestic violence.

Women are also indoctrinated into their gender roles in numerous societies throughout the world. Women in communities with traditional heteronormativity and a patriarchal state apparatus are typically ill-prepared to combat themselves. Partners begin to clash. However, a substantial percentage of the asymmetry is explained by the manner men's dependency on and fear of men result to a sociocultural demilitarisation. Most battering husbands assume they are acting within their boundaries, keeping the peace in the household, and punishing their wives' transgression, specifically whenever they fail to preserve their appropriate position (WHO, 2001)⁴.

In accordance with the Women's Task Force Report from 2000⁵, "work-related stressors, gambling and indebtedness, drinking and using drugs consumption, and possessing possession of firearms have also been implicated as additional underlying factors for domestic and family violence, albeit they could also be linked to poor impulse control." In accordance with the violence report of the Aboriginal and Torres Strait Islander Women's Task Group, alcohol typically incites hatred by affording violators a socially approved pretext for their horrible behaviour.

According to Jejeebhoy (1998)⁶, not only is wife beating a barbaric practice, but people also condone it. Domestic abuse consequently seems to have its roots in societal and family cultural mores as opposed to being an aberration of the individual.

And once again, when looked at from a unique perspective, it is uncovered that many domestic violence victims either declined to recognize the assailant or attributed their injuries to other circumstances (Daga et al., 1999).

⁴ WHO (2001). Domestic violence: A priority public health issue in Western Pacific region. Western Pacific Regional Office.

⁵ UNICEF (2000) Domestic Violence against women and girls, Innocent digest, No.6, June 2000. UNO. (2002). Millennium Development Goals.

⁶ Jejeebhoy S. (1998). Wife beating in rural India: A husband's right? Evidence from survey data. *Economic and Political Weekly*, 33(15), 855–862.

III. IMPACT OF DOMESTIC VIOLENCE

In addition to causing grievous bodily harm, violence additionally has a detrimental effect on the social, economic, psychological, spiritual, and emotional wellness of the victim, the perpetrator, and the wider community. Women's poor health has often been attributable to domestic abuse. It creates serious ramifications for women's sexual and reproductive well-being while also having their physical and psychological well-being. They include, among so many other things, catastrophes, gynaecological abnormalities, short - term or long-term ailments, melancholy, and suicide.

Some many types of both verbal and psychological abuse first appear to be relatively innocuous but with time, frequently progressively and discreetly, they develop and become increasingly lethal. Victims may find it challenging to perceive the magnitude of the maltreatment over time as the verbal or psychological strategies gain a foothold in their minds because they become acclimated to the predatory behaviour. (National Centre for Elderly Abuse, 2005)⁷.

These repercussions on the person's psychological and physical well-being have societal and psychological ramifications. The neighbourhood, the family, and society the entirety of society. Long-term as well as short-term, women's physical and mental ailments impede or hamper their educational and career aspirations. Career trajectories that lead to monetary reliance and poverty. The upheaval of family life has a significant detrimental effects on kids, also including poverty (if a divorce or a separation occurs) and a loss of parental supervision presumption and confidence in the family as a social institution. These reverberations can't simply diminish people's overall quality of life; long-term ramifications not only damage communities and individuals but also social cohesiveness and order (WHO, 2001). The effects of domestic abuse on physical health are typically ambiguous and oblique and take time to develop. The long-term, oblique, and nebulous consequences of domestic abuse on someone else's physical health are ubiquitous. For instance, menstruation issues and the irritable bowel syndrome plague women who underwent violent attacks as children in early adulthood (WHO, 2001)⁸.

The most commonly used type of violence against women originates in the household. It has a significant impact on women throughout their existence, tend to range from forced suicide and maltreatment to sex-selective abortion of female foetuses, and it is also to some degree prevalent

⁷ National Center for Elderly Abuse. (2005). Washington DC: Fact Sheet: Domestic violence: Older women can be victims too.

⁸ WHO (2001). Domestic violence: A priority public health issue in Western Pacific region. Western Pacific Regional Office.

in every civilization in the globe. The WHO (2007)⁹ states that The percentage of women who had previously been exposed to physical, sexual, or both kinds of abuse by a current or former partner ranged from 15% to 71%, with the preponderance ranging between 29 and 62. Thus according India's National Family Health Survey-III, which would have been conducted in 29 states between 2005 and 2006, a substantial percentage of married women reportedly encountered physical or sexual exploitation from their spouses at some point in their life.

In accordance with the questionnaire, 37.2% of women nationwide "experienced violence" after marriage. Bihar was discovered to be the most violent state, with a prevalence of abuse against married women as high as 59%. Remarkably, 63% of these. The state's most impoverished villages were not where occurrences were reported, but instead just urban families. It was followed by West Bengal (41.9%), Madhya Pradesh (45.8%), Rajasthan (46.3%), Manipur (43.9%), Uttar Pradesh (42.4%), Tamil Nadu (42.4%), and (40.3 per cent).

Since that domestic violence is a controversial subject in both developed countries and developing countries, even these statistics are alarming are likely to be substantially understated (Ministry of Health and Family Welfare, 2006)¹⁰.

Women face barriers to full participation in social, economic, and political life as a consequence of gender-based violence. The United Nations millennium development Project Task Force on Education and Gender Equality's recommendation for a global campaign combat violence against women and girls exemplifies the significance of this issue. W women working under the UN Secretary-direction. General's According to the UN Millennium Project, "freedom from violence, especially for girls and women," is a fundamental right and necessary for living a fulfilling life (UNO, n.d.)¹¹. The implementation of the MDGs for gender equality, women's empowerment, new born and maternal health, and mortality is immediately threatened by gender-based violence.

Studies about just the perspectives of women towards gender-based violence should always be conducted in this environment. This ought to be comprehended to aid in dealing with the problem successfully. Women's rights activists and international bodies. It has been the goal of organisations like the United Nations Development Fund for Women (UNIFEM) to advance a zero-tolerance attitude towards violence against women. Communities, alliances, and countries

⁹ WHO (2007). Multi-country study on women's health and domestic violence against women. Geneva: World Health Organization.

¹⁰ Ministry of Health and Family Welfare. (2006). Govt. of India; Fact Sheet: National Family Health Survey NFHS-III 2005-06.

¹¹ UNICEF (2000) Domestic Violence against women and girls, Innocent digest, No.6, June 2000. UNO. (2002). Millennium Development Goals

are rallying to an increasing extent in aid of the cause. The issue still exists. It is time to revamp your method of handling the issue.¹²

(A) Impact on children:

Children who have suffered from domestic abuse or have experienced it have detrimental disruptive behaviours, such as issues with their bodyweight and inconsistent sleeping and consuming schedules. They could have difficulties at school and experience a difficult time establishing meaningful connections. They can make an attempt to flee or display symptoms of severe depression or suicidal thoughts.

IV. STEPS TO DECREASE VIOLENCE ON WOMEN

The problem is being addressed in several ways. Legal measures and educational programmes aimed at women pushing them to embrace zero tolerance are two crucial approaches. The time has come to change gender-based violence since it is ingrained in the cultures of developing countries. Many programmes are being performed to raise awareness of the problem. Legal concerns, counselling services, and steps to take the support of the police are topics that are included in practically all awareness programmes. The audience is typically predominately made up of women. This manner of thinking and believing needs to be changed. In actuality, both men and women are indispensable to society. Some initiatives to alleviate violence against women include:

1. Attitude of men towards women:

Most guys are conditioned to think that they can only truly be considered men when they have attained mastery over the women in their lives. Men are supposed to treat the women in their lives with reverence, taking into consideration that they represent unique individuals with their own goals and preferences in life.

2. Attitude of women towards men:

Women are made to accept the superiority of their male counterparts as part of the socialisation process itself. The "masculine members of her life will undertake crucial decisions concerning her life," she is repeatedly conditioned to believe. In actuality, women are in responsibility of their life. The mentality needs to modify in this circumstances.

3. Attitude of women towards women:

Women are frequently given the impression that they are powerless and therefore must succumb

¹² Srivastava, Dr Jyoti. (2013). Domestic Violence against Men.

to the decisions of their male counterparts. Mothers and mothers-in-law quite often endeavour to bestow these points of view to their daughter(s) in law. To reverse these perceptions and encourage women to take control of their lives, however, is the responsibility of all like-minded women. The rate of domestic violence must be minimized, hence more and more attempts must be undertaken to bring about improvements in the aforementioned categories.

4. Social Networks:

The ability of women to resolve domestic violence and diminish their vulnerability to violence has been correlated to their participation in social networks. These networks might well be informally (such as those comprised of family and neighbours) or formal (such as those comprised of community organisations, women's self-help groups, or political party involvement).

5. Quality of family life:

The most fundamental action is to elevate the standard of family life. Within a week of addressing the causes, it was becoming apparent that individuals periodically resort to violence as a consequence of other stressful experiences, most commonly the stress of their jobs or the recession. Reasonable life skills and the right perspective on their lives are the two main things they need the most in life. The need for training in this field is present. So, there is a need to put more effort into this. These modifications will establish a reliable foundation for a society where men and women treat one another with respect, love, and dignity. This is necessary for a diverse range of cultures. This is necessary for a flourishing society. not just a lack of violence, but also the prevalence of affectionate feelings for their female counterparts.

(A) Can a man lodge a case for domestic violence?

The Domestic Violence Act of 2005 does not enable men to make domestic abuse claims against women, in large part because the act is essentially a welfare law. Yet, under Section 13(1) (ia) of the Hindu Marriage Act, an unhappy male may seek for divorce or judicial separation on the grounds of cruelty¹³. Indian domestic violence laws contain no language addressing the need to protect men from domestic abuse. Yet, in the cases *Hiral P Harsora vs. Kusum Narottamdas Harsora*¹⁴ and *Narayan Ganesh Dastane vs. Sucheta Narayan Dastane*¹⁵, as well as more recently, the Supreme Court of India, recognised the necessity to safeguard men from acts of domestic abuse. In the former instance, the Apex Court sanctioned cruelty towards men for the

¹³Act, An. "Hindu Marriage Act, 1955." Hindu (1954).

¹⁴ Goel, Shivam. "The 'Shared Household' Argument & Other Fundamentals: The Protection of Women from Domestic Violence Act, 2005 (43 of 2005)." Available at SSRN 3339917 (2019).

¹⁵ Pandya, Kamlesh M. "The Concept of Cruelty in Hindu Marriage Act in India."

first time. For a gender-neutral community, brutality and violence against men should be publicly denounced by the law. Also, it is significant that the domestic violence movement for men's right to be safeguarded from domestic abuse develops steam now that homosexuality is no any longer a crime in India.

(B) To whom domestic violence is reported?

1. Any woman who has been harmed or who has witnessed an incident of domestic violence is entitled to compensation from the nearby police station under the Domestic Violence Act, protection officer, or service provider. The court has the authority to designate a protection officer to carry out its own directives. The protection officer's specific role acts as a point of contact between the system and victims of domestic violence. For orders of relief under the Domestic Violence Act, a complaint may also be made directly to the magistrate. All civil or criminal liability is discharged for anyone who informs the relevant authorities about the offence committed.
2. Within three days of the complaint being lodged, the court must organize a hearing upon the petition.
3. The court issues a preliminary injunction if it deems that the allegation is legitimate.
4. Section 498-A of the India Criminal Code, which recognises the offense of matrimonial maltreatment and stipulates a felony charge, also permits the lodging of accusations.

V. CONCLUSION

Whether within the context of a family, a culture, or a nation as a whole, women and men form an indivisible entity. In order to establish a strong and harmonious family, society, or country, it is essential for both genders to collaborate. Therefore, concerted efforts should be made to enhance the quality of life for individuals, which will inevitably lead to various positive transformations. However, any subsequent endeavors undertaken without laying the necessary groundwork will merely serve as cosmetic fixes, only addressing the surface of the problem.

Women should strive to challenge rather than accept. They should not succumb to intimidation imposed by existing societal structures. Instead, a woman's emergence should be respected and supported. Achieving women's empowerment cannot be accomplished through quick and temporary solutions. It requires the implementation of judicious public policies, a comprehensive strategy, and a long-term commitment from all stakeholders involved in development. Empowering women is not only a legal obligation, but also a prudent business strategy. Over time, empowering women also contributes to overall societal development.

When women are given the opportunity to thrive, they are able to create better families and societies, thus enabling men to reach their maximum potential as well.

Domestic abuse has hampered the progression of women as a group of people in many spheres of life. In addition to the physical harm done, domestic violence has a profoundly damaging effect on the mind and personality. In order to lead regular lives again, many survivors attend countless counselling sessions. Women still endure domestic violence despite the availability of a legislative framework that aims to prevent it. More than 2,300 accusations of domestic violence were made to the National Commission for Women between January and May 2021. Since 2000, this amount is at its peak¹⁶.

¹⁶ THE HINDU, www.thehindu.com (Last visited 15th November 2021)