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Increasing Cases of Domestic Violence and its Impact on Society

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ABSTRACT

Violence against women and girls is still one of the most widespread human rights violations in the world. Globally, an estimated 736 million women, nearly one in every three have experienced physical and/or sexual intimate relationship abuse, non-partner sexual assault, or both at least once in their lifetime. The World Health Organization (WHO) multi-country study on women's health found that 15–71% of women (aged 15–49 years) have experienced violence physically or sexually by their intimate partners at some point in their lives. The few studies available also indicate that physical abuse on Indian women is quite high, ranging from 22% to 60%. A recent survey revealed that violence against women is the fastest-growing crime in India. According to the most recent report published by India's National Crime Records Bureau (NCRB), a crime against women has been reported every three minutes in India. Every 60 minutes, two women are raped in this country. Every six hours, a young married lady is discovered beaten to death, burned, or committed suicide. Violence against women is a significant socioeconomic, human rights, and public mental health issue. Domestic violence is widely recognized as a global public health issue, with many public, private, and governmental institutions making significant efforts to tackle it in India. The various causes that might spark violence within the four walls of a house must be carefully examined, and an in-depth analysis of the elements resulting in domestic violence needs to be conducted. The paper focuses on the increasing prevalence of domestic violence and its impact on society. This article will address the barriers and problems that have led to an increase in domestic violence cases and also its impacts. It will additionally put forward suggestions to reduce domestic violence incidents.

Keywords: Domestic, Violence, Women, Injuries, Prevalence, Cases, Reasons, Awareness, Abuse, Society.

I. INTRODUCTION

In the Vedic period, women were treated equally in every sphere of society. They were even considered as Goddesses. But in the Medieval period, the condition of women became very

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miserable. Restrictions were put on their rights. Their privilege was curtailed. Domestic violence, also known as intimate partner violence, is a pervasive and complex social issue that affects individuals and families worldwide. It encompasses a range of abusive behaviors used by one partner to assert power and control over another within an intimate relationship. Domestic violence can occur in various forms, including physical, emotional, sexual, economic, and psychological abuse, and it can have profound and long-lasting effects on women. Indian Constitution provides for equal opportunities and equal rights for all society. But still, there is a surge in cases of domestic violence. United Nations General Assembly, Declaration on the Elimination of Violence against Women, 1993 defines violence against women as, “Any act of gender-based violence that results in or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life”.³ In the present research article, The researcher will delve into the definition, prevalence, causes, consequences, and responses to domestic violence, shedding light on its multifaceted nature. The article will also highlight the reasons behind the surge in domestic violence cases and suggest comprehensive solutions to address this pressing social problem.

(A) Objective And Methods –

The paper focuses on violence against women and its consequences. The paper is based on the desk review of research studies, reports, documents available online and select case studies of women victims of violence. The paper focuses on the increasing prevalence of domestic violence and its impact on society. This article will address the barriers and problems that have led to an increase in domestic violence cases and also its impacts. It will additionally put forward suggestions to reduce domestic violence incidents.

II. DATA DEMONSTRATING A SHARP SPIKE IN DOMESTIC VIOLENCE CASES

1. As per the data submitted by the National Legal Service Authority before the Hon’ble Supreme Court, a total of 4,71,684 original cases and 21,088 appeals are pending under

³ United Nations. Declaration on the elimination of violence against women. New York: UN, 1993

the Protection of Women from Domestic Violence Act in India.⁴

2. The news published in the Times of India reveals that violence within the confines of the home continues to be a serious concern with the National Commission for Women registered over 6,900 complaints in the protection of women against domestic violence category in 2022. A closer look at the data from the COVID-19 pandemic phase alone shows that the number of total complaints across categories rose over 30% from around 23,700 in 2020 to over 30,800 in 2021.⁵
3. According to data shared by the National Commission for Women, (NCW), there has been 2.5 times increase in cases of domestic violence between 27th February and May, 31. During this time, the Commission recorded 1477 domestic violence complaints.⁶ In April and May 2020, 47.2 % of all cases received by the National Commission for Women were of domestic violence as compared to only 20.6 % of domestic violence between January and March 2020.⁷
4. A 2018 analysis of prevalence data from 2000 to 2018 across 161 countries and areas, conducted by the World Health Organisation (WHO.) on behalf of the United Nations Interagency Working Group on Violence against Women, found that worldwide, nearly 1 in 3, or 30% of women have been subjected to physical and/or sexual violence by an intimate partner or non-partner sexual violence or both.⁸

Before dealing with the reasons and impact of domestic violence, let us have a glance at the definition of domestic violence. Domestic violence can be defined as a pattern of behavior in which one person is trying to control another by way of coercion, threat, violent behavior, harassment including sexual violence.

⁴ Srishti Ojha, "Over 4 lakh cases pending under Domestic Violence Act, Supreme Court told", India Today, 2th Sep.2022(accessed on 6th March 2024)

⁵ Ambika Pandit, "Over 6,900 domestic violence complaints filed by women in 2022", The Times of India, 9th January 2023 (accessed on 6th March 2024)

⁶ Jagriti Chandra, "NCW records sharp spike in domestic violence amid lockdown" The Hindu, 15th June 2021 (accessed on 6th March 2024)

⁷ Ambika Pandit, "Over 6,900 domestic violence complaints filed by women in 2022", The Times of India, 9th January 2023 (accessed on 6th March 2024)

⁸ Violence against women Prevalence Estimates, 2018. Global, regional, and national prevalence estimates for intimate partner violence against women and global and regional prevalence estimates for non partner, sexual violence against women. WHO: Geneva, 2021

The United Nations defines violence against women as “any act of gender-based violence that results in or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”⁹

Section 3 of **the Protection of Women from Domestic Violence Act, 2005** defines domestic violence as under;

For the purposes of this Act, any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it—

(a) harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or

(b) harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or

(c) has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or

(d) otherwise injures or causes harm, whether physical or mental, to the aggrieved person.

Explanation I.—For the purposes of this section,-

(c) “physical abuse” means any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of the aggrieved person and includes assault, criminal intimidation and criminal force;

(ii) “Sexual abuse” includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of a woman;

(iii) “verbal and emotional abuse” includes—

⁹ United Nations. Declaration on the elimination of violence against women. New York: U.N.,1993.

- (c) insults, ridicule, humiliation, name calling, and insults or ridicule specially with regard to not having a child or a male child; and
- (b) repeated threats to cause physical pain to any person in whom the aggrieved person is interested;
- (iv) “economic abuse” includes—
 - (c) deprivation of all or any economic or financial resources to which the aggrieved person is entitled under any law or custom whether payable under an order of a court or otherwise or which the aggrieved person requires out of necessity including, but not limited to, house hold necessities for the aggrieved person and her children, if any, *stridhan*, property, jointly or separately owned by the aggrieved person, payment of rental related to the shared house hold and maintenance;
 - (b) disposal of household effects, any alienation of assets whether movable or immovable, valuables, shares, securities, bonds and the like or other property in which the aggrieved person has an interest or is entitled to use by virtue of the domestic relationship or which may be reasonably required by the aggrieved person or her children or her *stridhan* or any other property jointly or separately held by the aggrieved person; and
 - (c) prohibition or restriction to continued access to resources or facilities which the aggrieved person is entitled to use or enjoy by virtue of the domestic relationship including access to the shared household.

Explanation II.—For the purpose of determining whether any act, omission, commission or conduct of the respondent constitutes “domestic violence” under this section, the overall facts and circumstances of the case shall be taken into consideration.

III. REASONS FOR INCREASING DOMESTIC VIOLENCE

Domestic violence has become a complicated social issue. Several factors are responsible for the increasing rate of domestic violence. Some of the main reasons are summarized as under:

1. Male-dominated society pattern is a root cause of domestic violence against women.

Man is considered to be head of the household and exercises more authority and control over women. Due to this attitude, women are subjected to exploitation at the hands of men in domestic relations.

2. Most of the family members are not aware of women's rights. They are biased as they do not know gender equality.
3. Poverty and lack of material resources are also responsible for domestic violence. In some families, women depend on earning members of their family and therefore, financial stress and strain lead to domestic violence.
4. Bad vices are also responsible for increasing domestic violence. Overdose of alcohol or narcotic drugs may cause a loss of control over the human mind and such addicted persons commit degrading practices upon women. Even under the influence of liquor, male members beat or cause emotional abuse to women on false and baseless grounds.
5. Cultural background also plays a vital role in increasing domestic violence. Whenever people following different cultures or customs come together, then there is a likelihood of raising differences in thinking and behavior patterns. If these differences are not resolved on time by mutual understanding, then these differences turn into disputes that cause domestic violence.
6. Lack of education has a direct impact on increasing domestic violence. It is seen that less educated women do not know how to handle their grievances. Illiterate women do not get the access to justice for want of legal awareness and they continue to tolerate all the unbearable atrocities. In such circumstances, the abuser gets a boost and he accelerates his violence against such victims.
7. Lack of parenting is also a serious issue. Some couples do not know how to control and manage aggression, anger, frustration, and depression. They become short-tempered. Sometimes domestic violence takes place due to misunderstanding between this spouse and family members.
8. Extra-marital affairs have become the main reason for increasing the cases of domestic

violence. Due to stress and unfulfilled demands, one of the life partners may take shelter of any other person who shows sympathy and empathy towards the aggrieved party. If such extramarital affairs are disclosed, then there is a likelihood of committing domestic violence.

9. Suspicion of infidelity expressly and impliedly raises domestic violence. Domestic relations, particularly relations between husband-and-wife rest upon trust and faith. If one of the life partners has a physical or emotional attraction towards a third person, then it may be termed as a breach of trust and such an aggrieved party may feel that he/she is being cheated. Thus, infidelity gives rise to filing cases of domestic violence.
10. The main reason cited for increasing domestic violence was the presence of perpetrators 24/7 in the home and the loss of job/income of perpetrators leading to the inability to support the economic needs of the family. Restrictions on mobility increased women's social isolation and dismantled the traditional support mechanism.¹⁰
11. Ego and misunderstanding also play have important role in increasing domestic violence. If there is no proper communication and mutual understanding between an aggrieved person and her family members, then differences between them arise and such differences become a problem if they are not handled by an impartial person of their society or family.

IV. IMPACT OF DOMESTIC VIOLENCE ON WOMEN AND SOCIETY

According to the Centers for Disease Control and Prevention (CDC), the financial impact of domestic violence is significant both individually and societally.¹¹ We are aware of the fact that there are so many direct or indirect benefits of the nuclear family. But if domestic violence takes place in such a nuclear family, then it harms the well-being of the nuclear family.

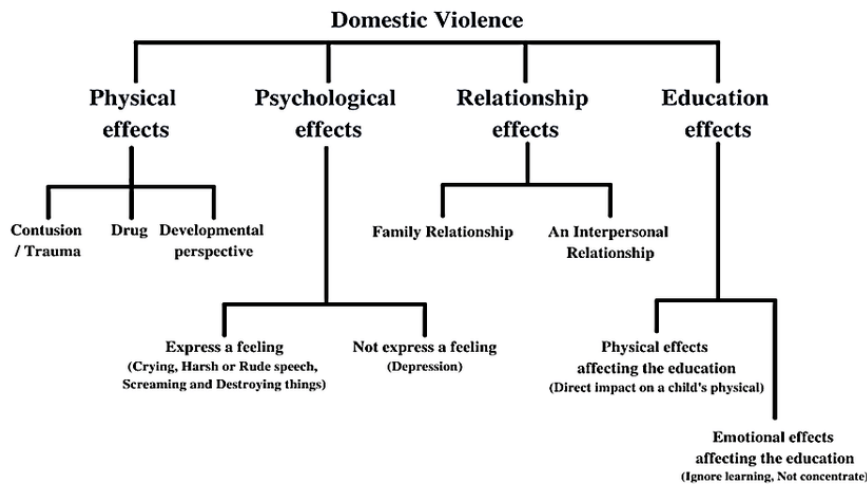
Women who are victims of severe physical abuse may suffer mental illness including

¹⁰ Deeksha Tayal and Aasha Kapur Mehta, "The Struggle to Balance Work and Family Life During the COVID-19 Pandemic: Insights Based on the Situations of Working Women in Delhi", Volume 44, Issue 6, Journal of Family Issues.

¹¹ www.bridgesdvc.com, "What Impact Does Domestic Violence Have On Our Communities?", (accessed on 6th March 2024).

depression, anxiety, or schizophrenia. Victims of domestic violence may suffer isolation, inability to work, loss of wages, lack of participation in regular activities, and limited ability to care for themselves and their children.¹²

Flow Chart Representing Impacts Of Domestic Violence¹³ -



It is known to all that children are an asset to the nation. Children who grow up in families where there is violence may suffer emotional disturbances. Poor family members waste their time and money in legal unending battles and therefore, they do not spare money for the well-being of their children. Hence, their children cannot get a good education. Apart from this, if domestic violence takes place in the presence of children, then the children may be put under mental stress. They cannot concentrate on their studies due to the disturbed atmosphere in their house. Even some of them become homeless in the unending domestic violence. Human resources are being wasted in domestic violence and therefore, the nation cannot progress.

The effects of domestic violence are highly influential on children and can result in emotional problems, such as depression, emotional confusion, nervousness, fear, possible adaptation problems, and difficulty and willingness to socialize with colleagues and friends (Mittal, 2020). Continually violent families affect the perceptions and attitudes of children such that those

¹² www.who.int, "Violence Against Women", published on 09/03/2021, (accessed on 6th March 2024)

¹³ Khemthong, O. & Chutipongdech, T. (2021). Domestic violence and its impacts on children: A concise review of past literature. *Walailak Journal of Social Science*, 14(6), 1-12.

children start assuming violence is normal and sociable behavior (Thornton, 2014; Lloyd, 2018). As children enter adolescence, they may become more aggressive and violent and fight with friends, where they are more likely to continue violence (Pingley, 2017; Weithorn et al., 1999). For some children, the problem can lead to depression, a state of a person that can lead to serious issues, such as neurosis, psychosis, and suicide (Lloyd, 2018). Given the serious consequences of domestic violence on children, the literature on this issue is sparse and lacks extensive review (Kertesz et al., 2021). To fulfill the knowledge paucity and provide a summarizing review of the issues, the purpose of this research is to concisely explore the effects of domestic violence on children. It is hoped that this research can articulate the impact of domestic violence on children and help reduce the ignorance of children about domestic violence.¹⁴

Children exposed to domestic violence exhibit the following atypical signs¹⁵;

1. Externalizing Behaviors (Such as aggressive behavior and conduct problems)
2. Internalizing Behaviors (Such as depression, anxiety, and low self-esteem)
3. Intellectual and academic functioning
4. Social development (Social competencies with peers and adults)
5. Physical health and development.

Table – 1 Study on Impacts of domestic violence on children related to physical effects and psychological Effects.¹⁶

Authors	Physical effects			Psychological effects	
	Contusion/ Trauma	Mis behavior (Drug, criminal)	Developmental perspective	Express a feeling (Crying, Harsh or Rude speech, Screaming and Destroying things)	Not express a feeling (Depression)
Graham- Bermann and Hughes (1999)	✓		✓	✓	✓

¹⁴ Supra 10.

¹⁵ Shivani Jani, "Domestic Violence Effects on Children's," <https://www.legalserviceindia.com/legal/article-5251-domestic-violence-effects-on-children-s-.html>

¹⁶ Khemthong, O. & Chutipongdech, T. (2021). Domestic violence and its impacts on children: A concise review of past literature. *Walailak Journal of Social Science*, 14(6), 1-12.

Weithorn et al. (1999)	✓	✓	✓	✓
English et al. (2003)	✓	✓	✓	✓
Chemtob (2004)			✓	✓
Hornor (2005)	✓		✓	✓
Katz et al. (2007)			✓	✓
Catani et al. (2008)	✓	✓	✓	✓
Holt et al. (2008)	✓		✓	✓
Meltzer et al. (2009)			✓	
Øverlien (2010)	✓		✓	✓
Thornton (2014)				✓
Pingley (2017)	✓	✓	✓	✓
Lloyd and Brustia (2018)	✓	✓	✓	✓
Rollè et al. (2019)			✓	✓
Mittal (2020)	✓	✓	✓	✓

V. CONSTITUTIONAL AND LEGAL PROTECTION AVAILABLE FOR WOMEN

1) **Constitutional Provisions** - The Constitution of India provides for equal opportunity and rights to all in society. Article 14 of the Indian Constitution provides equality before the law to all citizens. As well as Article 15 of the Constitution also forbids discrimination based on religion, race, caste, sex, and place of birth. Article 51 A (e) in part IV A of the Constitution of India says that it is the fundamental duty of every citizen to renounce practices derogating the dignity of women.¹⁷

2) **Legal Provisions** - The Protection of Women from Domestic Violence Act provides for the rights of women to secure housing. It also provides for the right of the woman to reside in her matrimonial home or shared household and such right is secured by a residence order which is passed by the Magistrate. This Act empowers the Magistrate

¹⁷ INDIA CONST. Art 14, 15 and 51A

to pass a protection order in favor of the aggrieved to prevent the respondent from adding or committing an act of domestic violence. **Section 498 (A) of the Indian Penal Code** has been inserted in the Indian Penal Code by **the Criminal Law (Second Amendment) Act, 1983¹⁸** to stop all sorts of cruelty towards a married woman. The object of the section is to curb cruelty to married women by their husbands or in-laws.

Section 125 of the Code of Criminal Procedure¹⁹ is enacted for social justice and specifically to protect women and children who are neglected or refused by any person having sufficient means. Thus, under the provisions of the Code of Criminal Procedure and the Protection of Women from Domestic Violence Act, any woman who is subjected to domestic violence may claim maintenance from her husband or any person with whom she shares a domestic relationship.

VI. SUGGESTION AND CONCLUSION

Domestic violence is a widespread problem in India that affects people and families from all socioeconomic backgrounds. It is a serious issue that affects individuals across the globe regardless of age, gender, socioeconomic status, or cultural background. In such a scenario, this social evil needs to be eradicated. If we find a woman who is subjected to domestic violence, then we can dial the police at the emergency number provided by the concerned police authority. The protection officers who are appointed by the State Government may be consulted if there are instances of domestic violence. Service providers are also playing a vital role in supporting the aggrieved persons. There should be publicity of such facilities which are available for victims of domestic violence. Toll-free domestic helpline should be displayed in public places. Periodical Legal awareness programs are required to be arranged in every ward of the city and village. Self-care practice should be promoted to safeguard the victims of domestic violence. We should come together to build a world where love and respect will prevail over fear and harm. Healthy relationship in families is the need of the hour. We should impart education regarding gender equality and legal rights and duties in each family. Eventually, we should try

¹⁸THE CRIMINAL LAW (SECOND AMENDMENT) ACT, 1983 NO. 46, ACT OF PARLIAMENT, 1983 (India)

¹⁹ THE CODE OF CRIMINAL PROCEDURE, 1973 §125 N0.02, ACT OF PARLIAMENT, 1973 (India)

to build a violence-free society.
