

DOMESTIC VIOLENCE: A CURSE OF OUR SOCIETY

Dr. Lingamsetty EV Bharathi*

Dr. Bagirathi Panigrahi**

* Researcher,

** Dean & Head of the Department of Law, Berhampur University.

ABSTRACT

It is the human right to live happily without pain. It is constitutional obligation not to give pain to any one in any form of violence. Domestic violence is a global problem which affects women. Domestic violence occurs when an adult in an intimate relationship tries to control another adult depriving him/her off freedom or right for happy life. The impact of Domestic violence would severely harm not only the individuals but also the whole family or other persons related to them, consequently leaving an adverse effect on the society.

Key words:-

Domestic violence, IPV—Intimate partner violence, abuse, family dispute.

Introduction

“From the cradle to the grave women are objects of violence from those nearest and dearest to them. And it is a never ending cycle for there is considerable evidence of intergenerational transmission of Domestic Violence”¹.

If an adult in a relationship misuses power to control another adult can be described as domestic violence. Violence within the four walls with a relationship is domestic violence Relationship is the most important factor in human life and without relationship it is not domestic violence. It is the establishment of control and fear in a relationship through violence and other forms of abuses; such as domestic abuse, spousal abuse, battering, family violence, intimate partner violence (ipv). These are different patterns of abusive behavior against the other partner in an intimate relationship such as marriage, family or cohabitation, dating.

Domestic violence is not just hitting, beating or fighting and abusing on an occasional argument. It is an abuse of power. The abuser forces and controls the victim by threats, intimidation and physical violence. Men and women both can be abused, but in most of the cases women are victims. In a home where children

¹ Free Man, 1979, p no. 239

are neglected, there the children are abused. In domestic violence the prime target is women, but at times children and family members and friends are targeted.

Domestic violence refers to violence against women especially in matrimonial homes. Domestic violence is recognized as the significant barrier of the empowerment of women, with consequences of women's health and health seeking behavior and their family.

Types of Domestic Violence

There are many types of violence to make the victim suffer. All forms and types of violence, abuser has only one purpose to torture the victim. The main purpose to gain and maintain control over the victim the abuser uses many methods of power to control and harasses, and tortures the partner, spouse and family.

1. **Physical Abuse:** - An intentional act causing injury or trauma to another person by way of bodily contact is known as physical abuse. In this form, the abuser shows the most outward signs. Physical abuse starts gradually in a relationship and takes to any extent. Physical abuses are like slapping, hitting, kicking, pulling hair, pushing, burning, punching, choking and many more forms of physical abuse which result in physical injury to the victims.

Physical abuse can also include behavior such as depriving the victim from medical aid, isolation, forcibly making them to addict to alcohol and drugs, throwing them forcibly in a closed room not giving them food, and making them suffer from any physical harm are also considered physical abuse.

Pain from physical abuse can be experienced to any extent. It also includes physical injury onto other targets, such as children, pets and other family members in order to damage and cause psychological harm to the victims.

2. **Sexual Abuse:-** It is the situation where force or threat is applied to participate in unwanted sexual activities. It is very difficult to describe the situation of sexual abuse either by physical force or threat. The victim is often bullied or compelled to enter into sexual activities when she is unfit physically like immediately after giving birth to a child or surgery or during illness.
3. **Emotional abuse:-** Emotional abuse (also known as psychological abuse or mental abuse). Constant nagging or extreme criticism that damages or insists the person suffer emotionally, sexual and professional image. Insult or criticism can greatly disturb the self-confidence and eventually brings down the capacity of victim. Emotional abuse includes conflicting actions or confused statements which are designed to create insecurity in victim.

Rejection: - Direct or indirect words that generate feelings of unworthiness. For example, stating that one is unfit for the job; that one cannot understand things properly; that one is not capable to do this work or that and etc; all these statements create an indelible impact on the minds of the victims. Constant rejection leads to depression and unworthy feeling among the victims. Rejection can be treated

as a punishment for not co-operating with an abusive partner. Rejection is a type of anger towards victim. At times due to emotional abuse they withhold information. For example: - a phone call from victim's family.

Emotional blackmail: - To trap the victim and control with abusing threats, and uses fear statement, guilt, insecurity and confuses the victim. For example: - "If you leave me you'll never see the children again".

Threats to harm: - One of the most common forms is threat. Threatening to harm the children or to kill them or to harm the friends or family members.

Possessiveness: - Possessive behavior includes jealousy, limitation of freedom, isolation, etc. This possessive denial of the opportunity and unhealthy relationship.

Emotional abuse also includes **verbal** abuse. Verbal abuse means using foul language, or words, and this abusive behavior severely hurts or irritates the other partner. For example: "I will beat you". "Do not go there" and such other verbal statement which leave an impact on emotions of the victims. **Non-verbal** gestures also show a great impact on emotions. For example:- threatening with eyes, gestures, facial expression and body posture.

- a) **Economic abuse:**-When one person restricts access to money from another person is called financial abuse. This type of abuse includes, depriving or denying access to banking, controlling budget and make the victim beg for the money. For example: - Husband preventing wife from obtaining a job outside the home.
- b) **Spiritual abuse:**-In this type of abuse the abuser attacks another belief systems, denying them to perform prayers and worship of their faiths or force them not to participate in their respective religious functions or occasions².

Besides the above abuses, with the development of Science and Technology the abuses have increased. Science and Technology is a boon as well as a curse for the mankind. For example; e-mail is a boon, but when it is hacked, it is a curse.

- c) **Technological abuse:**- This type of abuse includes the use of technology to control stalk partner.
 1. Hacking into partners email and personal accounts.
 2. Demanding for partner's password. (To know his/her details and chats) this is suspecting each other.
 3. Using tracking device in partner's cell phone to monitor his/her location, phone calls, and messages.

²www.heathyplace.com

d) Abuse by immigration status: The abuses are used against immigration status by sending the victim back to Mother land or withholding in the foreign country and harassing her.

- a) By destroying her immigration papers.
- b) Threatening to partner's family in their home country.
- c) Not disclosing the partner's character and his habits.
- d)Threatening to have partner deported³.

Causes of Domestic Violence:-

Violence against married women is also an expression of gender inequality. The gender inequality is an old phenomenon. In India the society is based upon patriarchal family system where man is dominant. Domestic violence such as dowry, harassment, rape, suicides and battering are the forms of gender inequalities within the family system.

Mostly women are deprived off their right to work in order to cut their economic status and make them subordinates and dependent on men. Women are considered the instruments for reproduction of human generation in the patriarchal system through which a systematic inequality is maintained. The inequality is further maintained and strengthened overtime by the socialization process. Surprisingly woman believes it to be true. She accepts whatever is given to her as her *karma*⁴.

There is no specific cause for domestic violence. The cause of violence often is not known to anybody till to date. Women are predominately victims of violence while men are perpetrators. The outcome of the violence is gender inequality⁵.

To describe violence against women in a family context, we have to go through the cultural factors relating to marriage, status of women and power structure relationship between men and women. Besides this the origins of these psychological factors like irrational behavior of the abuser and the victim, which effect the interpersonal relationship of the couple. Another important thing is women are unaware of rights. In a country like India she is taught that marriage is the ultimate goal and she has to be married to a man called husband, has to worship him as God, and has to live in her in-laws house till her last breath. Only death should bring her out of her in-laws house.

Poverty, alcoholism, unemployment, frustration, social stress, all these factors contribute to violence against women directly or indirectly. For example; Husband troubles wife when he needs money, beats her and sends her to get money from her parents. Joblessness or unemployment is another drawback which creates a great risk of violence on women.

³ <http://www.womenagainstabuse.org/edu/resources>.

⁴ Misra Pretty, Gender Justice : A Dream to be fulfilled Law Review, Vol.20, 1998-99, pp.53-54.

⁵ The Lawyer Collective, Jan, 1999, p.5.

Abuser doesn't take responsibility of his violent behavior. He blames the woman that they are the causes for his violent acts. Domestic Violence is not caused or provoked by the actions or inactions of the women.

The patriarchal attitude of the Indian society identifies woman as an "object" than a "subject" and gives her a sub-ordinate position. The patriarchal family system creates gender inequalities which further initiates violence in man and woman relationship.

Patriarchal notions of ownership over woman's body, sexuality, labour, reproductive right give rise to violence. A deep rooted idea of male superiority gives unlimited freeness to exercise violence against women.

The individual encounters of physical violence in a family. "The perception that the family is the most living and supportive group of institution has binded us from seeing the violent side of family life⁶". The family has been described as the "Grade of violence⁷" and the marriage as "the hitting license⁸".

The Indian culture which glorifies the image of woman who has patience, tolerance and receptive of whatever is given to her by the husband, is another reason that prevents women from walking out of the violent relationship. Hindu society speaks that women should be submissive, respecting her in-laws and considering the husband a god or master. These types of symbolic emotions make women suffer⁹.

According to Indian culture if she tries to leave her husband, it is treated as disrespect and ostracism in society. Lack of independence in financial matters, and other frightening situations make herself to limit her liberties and boundaries. There are various causes of violence against married women, most important among them are husband's personality traits like jealousy. For example, If wife earns more and highly educated than husband he cannot tolerate, he feels jealousy and violence starts. Suspicious nature of husband is another cause for violence. Domination, demanding wife for more dowry or for other household works. Through emotional threat. For example:- women are emotionally weak for children and his parents take it as an advantage. And at times treat her low self-esteem in front of relatives and other family members.

Not only women always at violence but also men suffer violence; for instance irrelative nature of wife, her disobedience and questioning attitude (Why, When, Where, How), under argument on small issues of house management, refusing and insulting husband's works. Suspicion about sexual infidelity. The main causes are demanding money from in-laws, dominating each other with ego feeling.

⁶ Women's link Jan-March, PP.43-44.

⁷ Straus as behind closed door. Violence in the America family, 1980.

⁸ Sienmetz, S.K. Straus M.A. The family as a cradle of Violence, Society (10) 1973.

⁹ Women's link, Jan-March, 2002, p.44.

All these are only issues associated with battering of women but they are not reasons. There is no particular factor for man's violence against woman. Battering woman leads to violence. It is an effective method to gain control over another person.

Consequences of violence against women:

Domestic violence has a significant impact on the life and health, economical conditions of the victim. The violence effects all age groups. Violence against women can cause long term physical and mental health problems. The violence and abuses effect not only women but also the family and community. It effects health, children, family, community and society. It also leaves an impact on employment, homelessness, financial status and disrespect in society.

- 1) **Physical health effect:** Domestic Violence causes many physical problems and injuries or fractures. Gender-based violence against women is a major public health problem. Physical Violence could be in the form of kicking, hitting, dragging by hair, yelling, throwing the victim against the wall and floor, slapping, hitting in abdomen, scratches and bleeding etc., All these forms of violence will have their consequences like migraine, headache, chronic body pains, backache, intestinal disorders and sometimes cardiac problem like hypertension¹⁰.
- 2) **Mental Health Effects:** Gender based violence also effect woman's mental health. It crumble woman's self-confidence which leads to problems like depression, stress, suicide tendency, loneliness, sleeplessness, eating disorderly, anxieties, phobia etc.. Consequently women are compelled to maintain gap from their partners. It will effect their sexual life.
- 3) **Forced Sex:** Marriage is taken as a grant for men, the right to have sexual relation with their wives. Using force or demanding sex from wife when she does not want to is forced sex. Sexual oppression ranges from rape to different types of pressure, force and fear that compel women to have sex against their will. This force leads to phobia. At times it leads them mentally depressed and they may go mad (trauma).

Violence leads to Unwanted Pregnancy and Transmitted Sexual Infections:

Lack of powerlessness of women can lead to unwanted pregnancy as the women do not have the right to deny sex with their husbands; nor can they use any form of contraception. Unplanned pregnancy will lead to many problems.

Women are afraid of using contraception while having sex with their husbands because of the fear of being beaten up. Unprotected sex can also increase the risk of women's health who are unable to

¹⁰ D.V. & Mental health by Rajesh Kumar, Delhi Psychiatry Journal, 2012, Vol.15, No.2.

negotiate for use of condom with their partner to a number of sexually transmitted diseases such as STI and HIV and unwanted pregnancy.

High-risk Pregnancy: If women experience violence, before and during pregnancy, they are found to be more likely delay check-ups, delay in treatment like weight gain, weight loss, sugar and hypertension attack before conception and during pregnancy; Woman is also attacked by infections like vaginal, cervical, and kidney infections. At times violence leads to abortions and miscarriage¹¹.

Gender based Violence:

Violence against woman leads to an indirect effect on the development. Development activities relating work and earnings will fall down or decrease. Woman's productivity capacity will diminish.

Economic effect: Due to hitting, battering and beating, scalping and making wounds by cutting; all these activities will reduce productive capabilities in labour and also income. For example: "A" woman is physically tortured and injured. She has to take leave. Consequences are severe pain, money loss, reduced income, throws her into depression and disrespect among the colleagues and in the society.

Effects on Children: Today's children are tomorrow's Citizen's". The Domestic Violence on women seriously effects children. Generally children are more attached to mother. The children feel upset and it will leave a negative impact on their minds. This negative impact make them silent and they become less expressive. Violence will also create a negative impact on marriage, relatives and family in their minds.

Effects on Society and Productivity: Violence against woman may keep herself locked in home. She feels bad and depressed as if the society were (people) thinking ill of her. Violence effects the productivity levels of the victim negatively. Men and women loss interest in house hold activities. If they are employees they fail to show their capabilities at workplace. Children concentrate less on studies. Children may become dropouts from schools. The national productivity is effected due to violence at home. Domestic violence is a curse to our society; it effects the lives of people.

SUGGESTIONS:

- 1) Woman empowerment should be emphasized and improved. She should be respected at home/workplace.
- 2) Woman should be made aware of her rights. She should be made aware that everybody has right to live a pain free life.
- 3) Norms of the society should be rational and legalities should be strict to punish the people breaking social rules and regulations for indulging in inhuman activities.
- 4) Education should be improved in rural areas. Literacy rate among women should be greatly increased in rural areas

¹¹ MJA, Vol.173, 16th October, 2000, The Impact of Domestic Violence on individuals.

- 5) Socio-economic status of the women should be improved.
- 6) Stringent action should be taken against dowry harassment.
- 7) Counseling should be given to couples before and after marriage.

Legislative measures are to be strictly implemented to eradicate violence but not simply to prevent. The social legislative rules should practically and effectively implemented.

CONCLUSION:

Domestic Violence is spreading like a communicable disease. It is a sin and crime in the society as well as a curse to the nation. Domestic violence is a way where man shows his dominance, power to control over woman. Many campaigns are conducted against domestic violence by Government and NGOs, but in vain. Seriously, still there is a need for the Government to make effective legislation to control violence against women. The legislation made should be practical but not confined to books. It is necessary that everyone should contribute to society to free women from violence.

