

VIOLENCE AGAINST WOMEN IN INDIA

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Violence against women is a worldwide yet still hidden problem. Freedom from the threat of harassment, battering, and sexual assault is a concept that most of us have a hard time imagining because violence is such a deep part of our cultures and our lives. Domestic Violence is an act of physical, sexual or psychological abuse against a woman by someone who is intimately connected to her through marriage, family relation or acquaintanceship. It has its roots in the patriarchal set up of the society. Women have always been considered to be the weaker sex. Right from the later Vedic age to the 21st century, Indian women have never experienced the freedom that men have. They have always been subjected to inequality. The subordinate status of women combined with patriarchal ideologies is a major cause of domestic violence. According to 'United Nation Population Fund Report', around two-third of married Indian women are victims of Domestic Violence attacks. To protect women against Domestic Violence, the Parliament passed 'The Protection of Women from Domestic Violence Act, 2005' According to this act, any woman who has been subjected to domestic violence can file a complaint to the police officer, protection officer or the magistrate in the form of 'Domestic Incident Report', which is similar to an FIR. However, this act is not enough. In light of the increasing instances of domestic violence against women, the government needs to take more stringent measures to reduce the prevalence of domestic violence against women.

Violence against women is not a problem of today; it is rooted decades before. It is present all over the world .The condition is getting worse day by day. It is crossing all the borders and races. Violence against women is a very serious and sensitive issue as it is one of the most pervasive of human rights violation denying fundamental rights to almost half of population (females and girls).Domestic violence is much more drastic than violence outside because home is a place where individual seeks love, security, safety and shelter but we can't deny the fact that it is also a place that imperils lives. Violence includes harassment, maltreatment, brutality, cruelty, physical injury or attempting to place a woman in fear of injury or psychological violence. Impact of physical violence may be more visible than psychological violence but repeated humiliation restricted social mobility and denial of economic resources is more subtle and insidious forms of violence ; makes a woman mentally destabilized and powerless . In India patriarchy and gender discrimination are the main reasons of violence perpetrated against women and girls. Violence against women is a global issue; it's a stigma on civilized society which is compelling intellectuals to focus on this alarming situation. So many laws are introduced day by day to eradicate the problem but it is not so easy to overcome it without awakening of society. In this paper an attempt has been made to analyze the causes and its impact on victim.

In the chequered history of mankind one finds that different and disparate cultures, however distant they may be in time and space have at least one thing in common and that is the contempt of women. However, the Gandhian era and the decades after independence have seen tremendous changes in the status and the position of the women in the Indian society. The constitution of India has laid down as a fundamental right- the equality of the sexes. But the change from a position of utter degradation of women in the nineteenth century to a position of equality in the middle of the twentieth century is not a simple case of the progress of men in the modern era. The position of women in the Indian society has been a very complicated one. In fact, it could not be an exaggeration to say that the recent changes in the status of women in India

is not a sign of progress but it is really capturing of the position that they held in the early Vedic period. Yet, the status of women who constitute almost half of the Indian population is not that encouraging. Gender based violence including rape, domestic violence, mutilation, murder and sexual abuse- is a profound health problem for women across the globe. Nonetheless, it is not considered as a public problem of serious concern.

The various forms of physical violence are:-

- Female foeticide and female infanticide.
- Incest, connivance, and collusion of family members to selfish, sexual abuse, rape within marriage.
- Physical torture like slapping punching, grabbing, murder.
- Overwork, lack of rest, Neglect of health care.

Violence against women has been clearly defined as a form of discrimination in numerous documents. The World Human Rights Conference in Vienna, first recognized gender- based violence as a human rights violation in 1993. In the same year, United Nations declaration, 1993, defined 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 a woman, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life”. (Cited by Gomez, 1996) Radhika Coomaraswamy identifies different kinds of violence against women, in the United Nation’s special report, 1995, on Violence Against Women; (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation. (b) Physical sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution. (c) Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs.

IMPACT OF DOMESTIC VIOLENCE AGAINST WOMEN ON FAMILY

“Domestic violence is a burden on numerous sectors of the social system and quietly, yet dramatically, affects the development of a nation... batterers cost nations fortunes in terms of law enforcement, health care, lost labor and general progress in development . These costs do not only affect the present generation; what begins as an assault by one person on another reverberates through the family and the community into the future”.

In Indian context the family is more important than the individual and the individual is nothing unless he or she is part of a family. Family is the most important institution in Indian context that has survived through the ages. India is a collectivist society that emphasizes family integrity, family loyalty, and family unity like most other less industrialized, traditional, eastern societies In Indian family system women plays a vital role in a family, as a mother, as a wife and many more. She is the key person in maintaining the bondages among the family members. She has her own unique role in strengthening the family in social, economical and cultural aspects. But still she is considered as second grade citizen in the family. The impact of domestic violence against women has dark shadow on her entire life and it may lead to psychological setback and trauma because of domestic violence affects women’s productivity in all forms of life.

Remedial Measures

A crucial question in the light of the increasing instances of domestic violence is that what should be done to control and reduce it. As responsible citizens should we just sit and read articles and collect information about domestic violence or should we raise our voices against it? Today Domestic Violence is being viewed as an epidemic disease which needs to be controlled. Many Law agencies, Governmental and Non Governmental Organizations, public and private bodies are working for this cause.

We need more stringent laws to curb domestic violence. At present we do not have a single law in the Indian Constitution which effectively deals with the issue of Domestic Violence. Even section 498 A of the Indian Penal Code and The Domestic Violence Act, 2005 have been misused because of the restricted definition of the abuse that women are subjected to. As a result we need more stringent laws to protect the rights of women.

There are several NGOs which are actively working in issues relating to women abuse. These NGOs need to spread awareness among women regarding the legal remedies that are available to them. They should encourage more and more women to come forward and report instances of domestic violence so that necessary action can be taken against the culprit. The Police and the Protection Officers need to be sensitized. They need to take Domestic Violence as seriously as other offences. They need to be made aware

of their legal duties and the remedies that are available to the victims. Moreover care has to be taken to appoint efficient men as Police and Protection Officers. Gender training should be made mandatory.

Steps need to be taken to recognize Domestic Violence as a public health. Training needs to be provided so as to develop the skills of the professionals to provide the basic support to the victims of domestic violence. Documentation on the health consequences of domestic violence should be made so as to spread awareness. Lastly the patriarchal mindset of the people has to be changed. Until and unless women are given due respect in the society, no amount of laws will be helpful. The root cause of domestic violence is patriarchal ideologies and that needs to be changed.

JUDICIARY REMEDIES

- Strict enforcement of the laws regarding Drug addiction should be made for reducing the occurrence of domestic violence.
- Measures should be taken to deal severely with the Alcoholics who perpetuate domestic violence.
- Special courts must be set up for cases of violence against women and children with up-to-date technological support like video graphing of statements of rape and child abuse victims.
- Domestic Violence cases should be taken up promptly and completed without delay avoiding unnecessary imposition of strains and stress on them.
- Mobile courts should be introduced as an effective strategy for reaching out to more and more victims in the rural/ urban areas.
- Efforts should be made for the proper and effective enforcement of existing laws related to women.
- Government Agencies/department should make use of the assistance of NGOs to create awareness on Domestic violence among the public.
- All police stations should be equipped with special legal aid cells to provide assistance to victims of domestic violence.

Awareness Generation and Sensitization

- Gender sensitization and awareness generation programmes on domestic violence should become a part of the school and university curriculum.
- This would help to bring about a change in the mind-set of the coming generations.
- List of NGOs and other governmental organizations dealing with women's issues should be made known to the public

Conclusion

The study underlines that the situation of Indian women is quite severe in terms of the violence they experience in the marital home. Women are subject to frequent and multiple forms of violence in their lifetime. The main cause of this is the patriarchal mindset of the people. Men have always considered

themselves to be the superior sex and have always tried to overpower women. Generally women do not raise their voices against men because they have been taught to believe that they are the inferior sex. In conclusion, it can be said that the hypothesis- 'The prevalence of Domestic Violence against women is an indication of patriarchal ideologies' has been proved and a social reformation needs to be brought about soon.

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