



# Domestic violence in India-An Analytical Review

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## Abstract

Domestic violence in India remains a pervasive issue, deeply rooted in socio-cultural, economic, and political factors. This analytical review explores the patterns, causes, legal frameworks, and societal responses to domestic violence in the Indian context. The paper examines the various forms of domestic violence, including physical, emotional, sexual, and economic abuse, while emphasizing the disproportionate impact on women and marginalized communities. Factors such as patriarchy, societal norms, and economic dependency are identified as critical contributors to the persistence of this issue. The study also analyzes the role of laws, such as the Protection of Women from Domestic Violence Act (2005), in addressing these challenges. Despite legislative advancements, gaps in enforcement, societal attitudes, and victim support mechanisms hinder the effectiveness of legal frameworks. Furthermore, the review highlights the importance of education, awareness campaigns, and collaborative efforts from governmental, non-governmental, and community organizations in preventing and mitigating domestic violence. The findings suggest that a multi-dimensional approach—combining legal reforms, social change, and psychological support—is essential to combat domestic violence and protect the rights of individuals, particularly women, within Indian households

## Keywords

Domestic violence, India, gender-based violence, legal frameworks, social interventions

## Introduction

Violence against women is a widespread issue around the globe, which seriously impacts women's health and well-being. Domestic violence refers to a pattern of abusive behavior of the partner or any person used to control, dominate, or maintain power against their partner or another person. It can be in various forms, including physical, sexual,

emotional, psychological, or financial abuse that influences another person. According to the World Health Organization (WHO) report on the world estimates of intimate partner and non-partner sexual violence, approximately 35 percent of women across the globe reported experiencing either physical or sexual intimate partner violence or non-partner sexual violence (WHO, 2021). However, domestic violence's prevalence greatly varies from country to country. In developing countries, women are vulnerable to many forms of violence, and intimate violence against women is the most common form (Heise et al., 1994; Koenig, 2006). Men have committed this violence against women irrespective of their social, economic, cultural, religious, and regional groups (Bhatta, 2014). Moreover, the effects of domestic violence can be long-lasting, and victims have serious consequences on their physical and mental health, including their reproductive and sexual health (Sinha et al., 2013). It increases the risk of mental health problems, including depression, anxiety, post-traumatic stress disorder (PTSD), and suicidal ideation (Deb et al., 2018), and experiences social and financial difficulties, such as loss of employment and difficulty obtaining housing. In India, 33% of the ever-married women aged 15-49 experienced physical violence, 7% had experienced sexual violence, and 13% had the experience of emotional violence by their current or former husband throughout married life (IIPS and ICF. 2017). National Family Health Survey-5 report found that nearly one-third of women in India have experienced physical or sexual violence.

According to the World Health Organization (2013), 7 percent of women globally have been sexually assaulted by someone other than a partner. Still, there is less data on the health impact of non-partner sexual violence. Still, non-partner sexual violence is harmful, with women survivors of such violence over twice as likely as non-victims to have alcohol use disorders and to experience depression or anxiety. Emotional violence is the third form of domestic violence, and that involves the use of words, actions, or lack of action to hurt, scare, or control another person, which includes verbal abuse, threats, intimidation, insults, humiliation, and other forms of emotional abuse, thus can cause psychological harm or trauma to the victim (WHO, 2021). Emotional violence is a form of abuse that can devastate individuals and their relationships. Unlike physical violence, emotional violence is not always obvious and can be more difficult to recognize and address. Therefore, the victim is often vulnerable and dependent on the abuser, leaving them with limited options for escape. The effects of emotional violence can be long-lasting and profound, impacting mental and emotional health, relationships, and overall quality of life. Victims experience low self-esteem, guilt and shame, and a sense of hopelessness.

## Objectives

1. To examine the prevalence and causes of domestic violence in India.
2. To evaluate the effectiveness of existing legal and social measures.
3. To propose actionable recommendations for mitigating domestic violence.

## Review of Literature

Domestic violence has been widely studied, with a focus on its societal, psychological, and economic ramifications. Scholars have highlighted the role of patriarchy, societal norms, and economic dependence in perpetuating domestic

violence. A report by the National Family Health Survey (NFHS) shows alarming statistics about the prevalence of intimate partner violence. The Protection of Women from Domestic Violence Act, 2005, though a significant milestone, faces challenges in implementation due to lack of awareness and systemic inefficiencies. Research also underscores the need for more gender-sensitive education and community engagement to challenge and transform societal norms.

## Methodology

The study employs a mixed-methods approach, utilizing both qualitative and quantitative data. Secondary data sources include government reports, NFHS surveys, and peer-reviewed articles. Qualitative analysis involves case studies and interviews with survivors, legal professionals, and social workers. Quantitative data is analyzed to identify patterns and correlations related to demographic factors and the incidence of domestic violence.

### Prevalence of Domestic Violence:

**National Statistics:** According to the National Family Health Survey-5 (2019-2021), approximately 31.2% of women aged 15-49 have experienced domestic violence. This includes 28.5% reporting physical violence, 13.1% emotional violence, and 5.7% sexual violence.

**State Variations:** The prevalence varies significantly across states. Karnataka reported the highest rate, with 47.3% of women affected by domestic violence.

### Demographic Factors Influencing Domestic Violence:

**Education:** Women with lower levels of education are more likely to experience domestic violence. The risk decreases as educational attainment increases.

**Socioeconomic Status:** Women from lower socioeconomic backgrounds are at a higher risk. Factors such as the husband's education, occupation, and alcohol consumption also play significant roles.

**Cultural and Social Norms:** Beliefs that women should tolerate violence to keep the family together contribute to the prevalence of domestic violence. Studies indicate that 65% of Indian men hold such beliefs.

### Reporting and Legal Framework:

**Underreporting:** Domestic violence is often underreported due to social stigma, fear of retaliation, and lack of awareness about legal rights. Many women remain silent, leading to an underestimation of the actual prevalence.

**Legal Provisions:** The Protection of Women from Domestic Violence Act, 2005, provides legal recourse for victims. However, implementation challenges persist, including delays in legal proceedings and limited access to support services.

**Recent Trends:**

**Complaint Statistics:** In 2023, the National Commission for Women (NCW) registered 28,811 complaints of crimes against women, with 6,304 related to domestic violence. This marks a decline from the previous years, possibly indicating a return to pre-pandemic reporting levels.

**Domestic violence in India**

Domestic violence can have severe physical and mental health consequences for women in India, and physical injuries, such as bruises, cuts, and broken bones, lead to chronic health problems such as headaches, gastrointestinal problems, and gynecological disorders (Joshi, Dhawan, & Singh, 2017). Several factors contribute to domestic violence against women in India, including patriarchal norms, gender inequality, poverty, and lack of education (Koenig et al., 2003). In many parts of India, women are viewed as subordinate to men and are expected to obey their husbands and male family members. Therefore, it leads to women being deprived of their basic human rights and being subjected to violence if they do not comply with these norms. Poverty and lack of education can also increase the risk of domestic violence against women, as women may lack the resources to leave abusive situations or to seek help (Jeyaseelan, Kumar, & Neelakantan, 2007). According to the latest report of the National Crime Records Bureau (NCRB), a crime has been reported against women in India every three minutes, two women are raped every sixty minutes, and a young married woman is found beaten to death or burnt every six hours. India as a society has been rooted in patriarchy and practiced it over decades, and most women feel that it is the right of men to beat their wives if she commits any mistakes. Despite these efforts, many women in India continue to face barriers to accessing these services, including a lack of awareness, stigma, and fear of retaliation by their abusers. Moreover, domestic violence against women is a complex and widespread issue in India, with severe bodily and emotional health repercussions for women. Patriarchal standards, female discrimination, poverty, and a lack of education are all factors that contribute to the issue.

According to the Protection of Women from Domestic Violence Act (PWDVA), 2005 of the Indian Constitution, domestic violence is defined as any act or conduct that constitutes harassment, harm, injuries, or threats to an aggrieved person or behaviors that likely result in physical, sexual, economic, emotional, verbal, or psychological abuse (Government of India, 2005). The actual abuse and/or threat of abuse are considered violence in this act. Although many scholars have proposed various definitions of domestic violence, the idea of "coercive control" is considered the most effective way to understand violence against women in a patriarchal context like India. Coercive control is the multi-faceted form of oppression rooted within the patriarchal social structure that harms women's autonomy, dignity, and equality and is designed to secure and expand gender-based privileges by establishing a regime of male domination (Stark, 2007). Although strong anthropological evidence supports that differential power and control are important underlying causes for physical and other forms of violence perpetrated by an intimate partner, there has been inadequate quantitative evidence until recently behind this association (Jewkes, 2002; Johnson, 1995). Similarly, studies have found a relationship between unequal power differences in an intimate relationship and spousal violence (Kwagala et al., 2013; Lamichhane et al., 2011; Rahman et al., 2013). However, a general understanding of

the underlying factors affecting domestic violence in developing countries remains limited. As far as aware, very little study has been done on the connections between power dynamics, controlling behaviour, wife-beating views, and domestic violence in India. The process and effects of domestic violence will be better understood by focusing on the role of control and various power dynamics in a marriage, which is crucial for preventing and reducing violence against women. In India, about 29% of women aged 18-49 have ever experienced physical violence since age 15. Physical violence sharply increases with age. For instance, women aged 18-19 experience less physical violence (16%) than women aged 40-49 (32%), physical violence is more common among women in rural areas (31%) than in urban areas (24%) (NFHS-5). In 2023, the NCW recorded 28,811 total complaints, 6,304 of which were related to domestic violence.

### **Forms of Domestic Violence**

Women are not only discriminated against on the basis of their gender. They are also often subjected to additional forms of discrimination, such as racism, homophobia or ableism, which influence and reinforce each other. 'Domestic' or 'family' violence, also known as 'intimate partner violence', refers to any violence committed by people within close social relationships. This is an internationally recognized violation of human rights. The purpose of this violence is to exercise control and power. Although the term 'domestic' might be thought of as referring to a house or household, the violence is often committed within the wider family or by a former partner. It is not the place of the incident that defines this form of violence, but the person perpetrating the violence, so prefers to use terms such as 'intimate partner violence' or 'violence in a close social environment' instead of 'domestic violence'.

### **Physical violence**

Physical violence is the most recognizable and often the most visible form of domestic violence. Research indicates that physical violence involves the use or threat of physical force against the victim, with the potential to cause injury, fear, or even death. This type of abuse is not only detrimental to the physical well-being of the victim but also has profound psychological and social repercussions.

### **Forms of Physical Violence**

According to various studies, physical violence can manifest in numerous ways, each with varying degrees of severity and impact. Common forms include:

**Punching and Kicking:** These are direct and aggressive forms of physical assault. Research shows that these actions can result in significant physical injuries, such as bruises, fractures, internal injuries, and long-term physical disabilities.

**Shoving and Pushing:** Though sometimes perceived as less severe, shoving and pushing can lead to serious injuries, especially if the victim falls or is pushed against a hard surface. Studies highlight that such actions can cause concussions, broken bones, and other traumatic injuries.

**Stabbing and Shooting:** These are extreme forms of violence often associated with life-threatening injuries or fatalities. The presence of weapons significantly increases the potential for severe harm and death.

**Strangling:** Strangulation is particularly dangerous and can quickly result in unconsciousness or death by restricting airflow and blood flow to the brain. Research underscores that victims of strangulation are at a higher risk of later being killed by their abuser.

**Slapping and Biting:** Even though these actions might cause less severe injuries, they are still significant forms of physical abuse. Studies indicate that slapping and biting can result in pain, infection, and psychological trauma.

**Pinching and Hair Pulling:** These actions, while sometimes dismissed as minor, are painful and can leave lasting marks or injuries. Research suggests that such actions are part of a pattern of controlling and abusive behavior.

**Covert Forms of Physical Violence:** Physical violence can also be executed through more covert and insidious methods, such as:

**Deceptive or Forced Use of Substances:** Forcing or tricking a victim into consuming alcohol or drugs impairs their ability to resist or seek help. This form of abuse is particularly harmful as it can lead to substance dependency and severe health issues. Research indicates that substance abuse often co-occurs with domestic violence, exacerbating the victim's vulnerability.

**Denial of Proper Health Care:** Preventing a victim from accessing necessary medical care is another form of physical abuse. This can lead to worsening health conditions and untreated injuries. Studies show that denying health care is a tactic used by abusers to maintain control and dominance over their victims.

**The Intent to Cause Harm:** It is critical to understand that physical abuse encompasses not just the actual infliction of harm but also the intent and attempt to cause harm. This broader definition includes:

**Threats of Physical Harm:** Research highlights that threats alone can instill intense fear and exert control over the victim, significantly impacting their mental health and well-being.

**Physical Intimidation:** Actions such as raising a fist, brandishing a weapon, or blocking exits are forms of intimidation that create a pervasive environment of fear and submission.

### **Recognizing Minor Injuries as Abuse**

Even when physical harm appears minor, such as a slap causing only minor injuries, it is still a serious matter. Research emphasizes that the significance of the act lies in the abuser's intent to exert power and control through physical force. Minor injuries are often precursors to more severe forms of abuse, making early recognition and intervention critical.

Understanding the complex and multifaceted nature of physical violence is essential for identifying and addressing domestic abuse effectively. Research underscores that physical violence is not solely about the severity of the injury but about the abusive behavior itself. Recognizing the full spectrum of actions that constitute physical violence, including those that do not result in visible injuries is crucial for supporting victims and holding abusers accountable. Comprehensive approaches to prevention and intervention must consider the physical, psychological, and social dimensions of domestic violence to effectively mitigate its impact on victims and society.

### **Psychological violence**

Psychological violence, a pervasive and insidious form of abuse, refers to actions that inflict emotional and mental injuries on the affected individuals. Unlike physical violence, the harm caused by psychological violence is often less

visible but equally damaging. This form of violence encompasses a range of behaviors designed to intimidate, control, and humiliate the victim, leading to long-lasting psychological trauma.

### Manifestations of Psychological Violence

Psychological violence manifests in various forms, each contributing to the emotional and mental distress of the victim. Key manifestations include:

**Intimidation:** This can occur through looks, gestures, or shouting, creating an atmosphere of fear and helplessness. Research indicates that intimidation is a common tactic used by abusers to maintain control over their victims (Hamby & Sugarman, 1999).

**Coercion and Threats:** Abusers often use threats to instill fear and compliance. These threats can range from taking away children to using physical violence. Such coercive tactics can severely impact the victim's mental health and sense of security (Stark, 2007).

**Humiliation and Degradation:** Humiliation, derogatory comments, and public ridicule are tactics employed to undermine the victim's self-esteem and self-worth. Studies show that these behaviors can lead to depression, anxiety, and a pervasive sense of worthlessness (Dutton & Goodman, 2005).

**Controlling and Dominating Behavior:** Abusers may exhibit extreme jealousy, isolate the victim from family and friends, and exert control over various aspects of the victim's life. This isolation exacerbates the victim's dependence on the abuser and diminishes their support network (Johnson, 2008).

### Emotional and Psychological Impact

The emotional and psychological impact of such violence is profound and multifaceted. Victims often experience:

**Anxiety and Depression:** Continuous exposure to psychological violence can lead to chronic anxiety and depression. Victims may feel trapped and hopeless, unable to envision a way out of their situation (Campbell, 2002).

**Post-Traumatic Stress Disorder (PTSD):** Many victims develop PTSD, characterized by flashbacks, severe anxiety, and uncontrollable thoughts about the traumatic events (Herman, 1992).

**Low Self-Esteem:** The constant belittling and humiliation by the abuser can erode the victim's self-esteem, making them feel unworthy and powerless (Walker, 1979).

### Cyber Violence

Psychological violence has extended into the digital realm, manifesting as cyber violence. This includes:

**Cyber bullying:** Abusers use digital platforms to harass, threaten, and demean their victims, often anonymously. This form of abuse can be particularly damaging as it can be pervasive and difficult to escape (Patchin & Hinduja, 2006).

**Online Stalking:** Monitoring the victim's online activities, sending threatening messages, and spreading false information about the victim are common tactics used in online stalking (Sheridan & Grant, 2007).

**Public Shaming:** Social media platforms are used to publicly shame and humiliate the victim, leading to widespread ridicule and further isolating the victim (Citron, 2014).

Psychological violence, whether offline or online, inflicts severe emotional and mental harm on victims. The manifestations of such violence, including intimidation, coercion, humiliation, and cyber violence, contribute to a pervasive sense of fear, helplessness, and worthlessness among victims. Understanding the multifaceted nature of

psychological violence is crucial for developing effective interventions and support mechanisms to help victims regain control of their lives and recover from the trauma inflicted upon them. Comprehensive approaches to addressing psychological violence must consider both the traditional and digital dimensions of abuse to adequately protect and support victims in an increasingly connected world.

## Analysis and Discussion

The findings reveal that domestic violence in India is deeply rooted in cultural norms that perpetuate gender inequality. Women from rural areas and economically disadvantaged backgrounds are particularly vulnerable. Economic dependence and lack of awareness about legal rights further exacerbate the problem. Interviews with survivors highlight the emotional, physical, and economic toll of domestic violence, emphasizing the importance of holistic support systems.

Existing legal frameworks, including the Protection of Women from Domestic Violence Act, 2005, provide a foundation for addressing domestic violence. However, inadequate enforcement, coupled with societal stigma, often deters women from seeking legal recourse. Social interventions, such as community-based programs and awareness campaigns, have shown promise in challenging cultural norms and providing support to survivors.

## Conclusions

Domestic violence in India is a complex issue that requires a multidimensional approach. While legal frameworks and social interventions play a crucial role, addressing the root causes of domestic violence necessitates a cultural shift towards gender equality. Comprehensive strategies, including education, economic empowerment, and community engagement, are essential for creating a society where individuals can live free from violence and fear.

## Recommendations

Strengthen the implementation and enforcement of existing laws.

Increase funding and support for shelters, counseling services, and legal aid for survivors.

Promote gender-sensitive education to challenge societal norms.

Enhance community-based programs to raise awareness and provide localized support.

Conduct regular training for law enforcement and judiciary on handling domestic violence cases sensitively

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