

FRESH PERSPECTIVE ON DOMESTIC VIOLENCE

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ABSTRACT

Domestic violence is the most common form of violence against women. It affects women across the life span from sex selective abortion of female foetuses to forced suicide and abuse, and is evident, to some degree, in every society in the world.

Keyword: *violence, who, abortion, foetuses, proportion, women, rights*

1. INTRODUCTION

The World Health Organization reports that the proportion of women who had ever experienced physical or sexual violence or both by an intimate partner ranged from 15% to 71%, with the majority between 29% and 62%.

India's National Family Health Survey-III, carried out in 29 states during 2005-06, has found that a substantial proportion of married women have been physically or sexually abused by their husbands at some time in their lives. The survey indicated that, nationwide, 37.2% of women "experienced violence" after marriage. Bihar was found to be the most violent, with the abuse rate against married women being as high as 59%. Strangely, 63% of these incidents were reported from urban families rather than the state's most backward villages. It was followed by Madhya Pradesh (45.8%), Rajasthan (46.3%), Manipur (43.9%), Uttar Pradesh (42.4%), Tamil Nadu (41.9%) and West Bengal (40.3%).

The trend of violence against women was recently highlighted by the India's National Crime Records Bureau (NCRB) which stated that while in 2000, an average of 125 women faced domestic violence every day, the figure stood at 160 in 2005.

A recent United Nation Population Fund report also revealed that around two-thirds of married women in India were victims of domestic violence. Violence in India kills and disables as many women between the ages of 15 and 44 years as cancer and its toll on women's health surpasses that of traffic accidents and malaria combined.

Even these alarming figures are likely to be significantly underestimated given that violence within families continues to be a taboo subject in both industrialized and industrializing countries.

2. ADDRESSING DOMESTIC VIOLENCE

An effective response to violence must be multi-sectoral; addressing the immediate practical needs of women experiencing abuse; providing long-term follow up and assistance; and focusing on changing those cultural norms, attitudes and legal provisions that promote the acceptance of and even encourage violence against women and undermine women's enjoyment of their full human rights and freedoms.

The health sector has unique potential to deal with violence against women, particularly through reproductive health services, which most women will access at some point in their lives. However, this potential is far from being realized. Few doctors, nurses or other health personnel have the awareness and the training to identify violence as the underlying cause of women's health problems.

The health sector can play a vital role in preventing violence against women, helping to identify abuse early, providing victims with the necessary treatment and referring women to appropriate care. Health services must be places where women feel safe, are treated with respect, are not stigmatized, and where they can receive quality, informed support. A comprehensive health sector response to the problem is needed, in particular addressing the reluctance of abused women to seek help.

Counsellor is a crucial person who has very important role to play in the process of dealing the case of domestic violence. Despite having crucial role, counsellor faces many hurdles in playing role effectively. It also prevents the counsellor to take special initiatives to help the victim. Therefore, it is necessary to give importance to the role of counsellor in the process of dealing with the victim. The prosecutors, the police the medical officer all need to have extend their cooperation and provide opportunity

for effective functioning so that the psychological aspect of the victim can be taken care properly. It is necessary for recovery from the shock and for strengthening the victim to go through the legal process fearlessly and face the challenges and trauma positively and with full confidence. Data collection and processing was completed in December 2017. Project Director, codirector, organizing committee, investigating team had arrived at conclusions and recommendations. A meeting of National Executive Committee (NEC) of Bharatiya Stree Shakti (a parent organization) was organized at Ahmedabad on 11th and 12th February to discuss on the findings and recommendations. The NEC members added valuable inputs and discussed suggestions.

Two of the most common forms of violence against women are abuse by intimate partners and forced sexual activity, which occur in childhood as well as adolescence or adult life. Abuse by an intimate partner, also known as domestic violence, mistreatment or aggression against the wife, is almost always accompanied by psychological abuse and, in most cases, by forced sexual relations. Most women mistreated by their partners suffer aggressions. In fact, abusive relations usually develop in an atmosphere of fear and even terror. In industrialized countries, forms of violence are not the same for all couples experiencing violent conflicts. There are at least two patterns:

- A severe and growing form of violence, characterized by different forms of abuse, terror and threats, accompanied by increasingly possessive and controlling behaviors by the abuser.
- A more moderate form of violence in the relationship, where constant frustration and anger occasionally erupt in physical aggression.

According to the study by Casique, gender violence perpetrated by intimate partners against women can manifest itself through physical acts, psychological violence, as well as social acts involving the violent situations women live in.

Physical aggression: This type of violence against women is the most evident and difficult to hide, as it affects their physical appearance. Women suffering physical aggression mostly experience numerous acts of violence over time. Physical violence is understood as any action implying the use of force against women of any age and in any circumstance, which can manifest itself through blows, kicks, pinches, bites, throwing of objects, pushes, slaps, spankings, stab wounds, scratches, hits on the head, injuries, burns, fractures, abdominal injuries and any

other act against their physical integrity, producing marks on their body or not.

Psychological aggression: This type of violence is more difficult to detect, as victims present psychological scare, which are more difficult to observe and prove. Psychological or emotional violence occurs by rejecting caresses, threatening to beat up the woman and her children, impeding the woman to work, have friends or go out; the partner, in turn, tells her about his amorous adventures and, at the same time, accuses her of having lovers.

A study carried out in Chile identified diverse manifestations of psychological violence, classified as follows:

Verbal abuse: humbling, insulting, ridiculing, humiliating, using mental games and ironies to cause confusion.

Intimidation: scaring with looks, gestures or screams; throwing objects or destroying property.

Threats: to hurt, kill, commit suicide, take the children with him.

Isolation: abusive control of the other person's life by watching over her acts and movements, listening to her conversation, impeding that she makes friends.

Disdain: treating the other person as inferior, making important decisions without consulting the other.

Economic abuse: abusive financial control, imposing monetary rewards or punishments, impeding the woman from going out to work although this is necessary for family maintenance

It is important to highlight that victims of psychological violence often think that what happens to them is not sufficiently severe and important to decide on attitudes to impede these acts, including denouncing them to competent organs. Some victims believe that they would not be creditworthy if they denounced their aggressor. In other cases, someone the woman respect tells her that she should continue in this abusive relation for the good of her children or to guarantee the rights acquired through marriage. Many women do not dare talking or denouncing that they are victims of mistreatment, out of fear of the aggressors' threats against themselves and their relatives. Many indirect manifestations of violence comprise the so-called "destructive acts", which are forms of aggression or psychological pressure used by a man in

a conflicting relationship, making the woman's free circulation impossible.

Social aggression: No consensual definition was found among the main authors studying violence. However, in this study, social violence was considered as any action that impairs women, imposed by conducts or attitudes of acceptance or rejection which society establishes as adequate in view of the violence women suffer, as well as the social conditions involving the situation the violence victim lives in. The violence women are victims of has not come out into the open, since it is considered as something natural and private. Violence is reinforced by religions and governments through standards and codes. This generates myths and beliefs that are not always in conformity with current reality, although society has legitimated them, at some moment, due to not always very clearly known motives. Popular myths and beliefs about violence include:

- Violence is natural, it has always existed and will always exist
- Home is a private space, in which nobody should interfere
- Violence occurs in low social classes, where poverty and low education levels prevail - Alcohol and violence provoke episodes of violence
- The aggressor is violent in all of his actions and interpersonal relations
- If the violent man shows regret or apologizes, this will allow him to change his abusive behavior
- Beating is a proof of love "I spank you because I love you"
- Man can neither control his impulses nor handle his passions
- The aggressor is mentally ill
- Mistreated women can abandon their homes whenever they want to
- Women should stay with their partners under any circumstance, so that their daughters and sons can grow up together with their father
- The situation is going to change for the woman, it is just a matter of waiting, doing one's best and being more comprehensive
- Women like to suffer
- If there is no jealousy, there exists no love in the couple
- Woman cannot escape from violence Nowadays; women increasingly participate in economic activities.

Their insertion into the labour market has provoked social changes in productive institutions and homes. Nevertheless, job discrimination continues, devaluing women and avoiding their ascension. Thus, the family provider role is being changed by women's economic independence, which undoubtedly affects her functions at home, a fact man traditionally is not willing to accept. Social class is an important factor in the physical aggression phenomenon. This means that the underemployed class should receive special attention in intervention strategies related to the problem, consequently decreasing violence statistics that directly affect women.

Hundreds of millions of girls and women around the globe endure debilitating and often fatal human rights abuses. From the day of their birth, girls are devalued and degraded, trapped in the apartheid of gender. Long after slavery was abolished in most of the world, many societies still treat women like chattel: their shackles are poor education, economic dependence, limited political power, limited access to fertility control, harsh social conventions and inequality in the eyes of law. Violence is a key instrument used to keep these shackles on. In most countries' family violence takes the form of battery, psychological abuse related to battery and economic deprivation.

REFERENCE

1. WHO. Multi country study on Women's health and domestic violence against women. Geneva: World Health Organization; 2007.
2. Ministry of Health and Family Welfare. Govt of India; Fact Sheet: National Family Health Survey NFHS-III 2005-06.
3. Two- third married Indian women victims of domestic violence. (Last visited on 30th August, 2021)
4. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2784629/>
5. https://wcd.nic.in/sites/default/files/Final%20Draft%20report%20BSS_0.pdf
6. https://wcd.nic.in/sites/default/files/Final%20Draft%20report%20BSS_0.pdf