Domestic Violence against Women: Causes, Consequences, and Interventions: A Universal Study

Dr. Perdeep Kumar,
Assistant Professor BITS Law College, Sarsa Ghogra Bhiwani

Abstract:-

In India, domestic violence against women is a ubiquitous social problem. To put it plainly, within local family contexts, numerous women have suffered violent treatment; this issue is not an isolated, sporadic exception, but a universal predicament spread across the entire society. Its emergence is inextricably linked to unchanged cultural customs, pervasive gender inequality, and long-standing institutional barriers—these are not isolated minor problems, but deep-rooted flaws embedded in the fabric of society that sustain the persistence of this violence and prevent its eradication.

A dedicated study aims to comprehensively unpack all social and legal issues tied to domestic violence against women across communities in India. That is, it seeks not only to clarify every social complexity intertwined with this issue, but also to sort out all relevant content within the legal framework, in order to build a complete understanding that covers both of these core dimensions.

The study first investigates the social mechanisms that have prevented domestic violence from being eradicated, including patriarchal structures, harmful cultural norms, and stark economic disparities. It then progressively analyses how these combined forces normalize violence in intimate relationships, sustain its ongoing occurrence, and ultimately push women to the margins of society: first, within the private sphere of marital households, violence becomes an unremarkable daily occurrence, after which these women are gradually side-lined to the fringes of the broader society, forming a group that receives little attention and whose voices cannot be heard.

Keywords:- Violence, women, Domestic, Physical, Protection etc.

Introduction:-

Domestic violence has become a major global problem, especially in countries like India. It can happen in any relationship, whether it's between people of the same gender or different genders, and it can be carried out by anyone, regardless of their gender. However, studies show that women are more likely to experience domestic violence than men (Dardis et al., 2015).Violence against women is a well-known issue and a serious public health problem. It causes a lot of harm and death, and it has a big effect on the health and happiness of women (Lewis-O'Connor & Chadwick, 2015).This problem has been around for a long time, even from ancient times. Records from ancient India show examples of violence against women, such as the treatment of Dropti in the Mahabharata. Even today, violence against women is a big issue that affects not just women but also children (Sharma, 2015).Domestic violence is a complex problem. It's not just about hitting someone. It's a pattern of control and force, often used to keep someone in fear or submission. This can take many forms, including threatening, isolating someone from friends and family, using money to control the victim, and both physical and emotional abuse. Some of these actions can cause serious mental

harm, even if there's no physical injury. Emotional abuse can be very hurtful and lasting, even if it doesn't leave visible marks (United Nations, 2010).

The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 aims to protect women from sexual harassment at work and gives them a way to report and get justice for such cases. The Indian Penal Code, 1860 includes several sections dealing with crimes against women, such as:

Section 354: Using force or assault on a woman with the aim of humiliating her.

Section 375: Committing rape.

Section 376: Punishing someone who commits rape.

Section 498A: A husband or his relatives causing harm or cruelty to a wife.

Section 304B: Death of a woman due to dowry-related issues.

Section 306: Helping someone commit suicide if it involves a woman.

The Criminal Law (Amendment) Act, 2013 was passed after a very serious gang rape case in Delhi in 2012.It made changes to the Indian Penal Code, including harsher penalties for sexual crimes like rape, acid attacks, stalking, and voyeurism. The Prohibition of Child Marriage Act, 2006 mainly deals with child marriage. However, it also helps prevent violence against women by stopping girls from being forced into early marriages, which can cause physical and emotional harm. These laws are important parts of the legal system in India that aim to fight violence against women. But how effective they are also depends on how well they are followed and enforced by the police and courts.

LITERATURE REVIEW

Debabrata Roy's paper tries to understand what mental cruelty means and how it's meaning changes in different legal cases. The courts have often looked at the purpose of the law and how even small issues can be considered cruel. This problem has two sides: there is real harassment and abuse, but there is an also innocent situation where people are wrongly labelled as victims of harassment. The courts' approach to this is very important.

Commentaries on the Protection of Women from Domestic Violence Act 2005 by S.P.Sen Gupta are trusted by the Supreme Court. His views on the term 'cruelty' are widely used in judicial decisions.

Violence against Women by Neena Bohra talks about an important judgment from the Madras High Court that shows how the 2005 Act and IPC Section 489A can be misused.

Domestic Violence against Women in India by Choudhary et al notes that domestic violence is very common among women in India. It is linked to traditional gender roles that put women in a lower position compared to men.

No Lockdown of Domestic Violence during COVID-19 by Simran Bhaskar talks about how domestic violence is widespread globally, and it reflects the influence of patriarchy. During the pandemic, domestic violence has increased, making it both a public health problem and a human rights issue.

Characteristics of Domestic Violence:

1. Targeting Women within the Family: It happens within the family and is often directed at women. It affects girls, married women, elderly women, and women in all types of relationships.(Sharma & Kumar, 2020).

2. Establishing Power: It's a way of showing dominance and control over someone. It's meant to scare, humiliate, or make the victim feel powerless.(United Nations, 2010).

3. Multiple Forms: It can take many forms, like physical harm, emotional pain, mental suffering, and even spiritual abuse. It doesn't just hurt the body but also hurts the self-worth and safety of women.(Sharma & Kumar, 2020).

4. A Tool of Patriarchy: It is a way to show that men are superior and women are less important. It's based on power imbalances and male dominance.(Sharma & Kumar, 2020).

5. Betrayal of the Home: It breaks the trust in the home, which is supposed to be a safe and loving place. Often, the person causing the violence is someone close to the victim, like a family member. This makes the issue even more complicated.(Sharma & Kumar, 2020).

6. No One is Safe: Domestic violence can happen to anyone, no matter their age, wealth, religion, race, sexual orientation, or education. It's important to realize that domestic abuse can happen to anyone, regardless of their background.(Sharma & Kumar, 2020).

Types of Violence

Understanding the different kinds of domestic violence is the first important step in stopping it, helping people who are affected, and making sure that families and individuals are safe.

Physical Violence: Physical abuse can include things like pushing, shoving, slapping, hitting, throwing things, and in serious cases, hurting someone so badly they could die, like stabbing or shooting. It also includes things like killing unborn babies, killing young girls, incest, family members helping or encouraging the abuse, sexual abuse, forced sex in marriage, making someone work too hard without rest, and not getting proper healthcare. It can be hard to record all the physical abuse that happens in a relationship because people might not report it, especially women. One study found that 40% of 310 people said they had experienced physical violence.

Sexual Violence: Sexual abuse is very common in domestic violence cases, happening in almost half of the cases studied (Jackson, 2007).It happens when someone uses force or threatens someone to make them do something sexual that they don't want. Even if a relationship is consensual, any sexual activity without permission is sexual violence. This includes making someone feel bad about their sexuality, criticizing their sexual behaviour, forcing unwanted touching, refusing to be intimate, making someone have sex after an argument or when they are sick, committing rape, being jealous and acting out, or making someone dress in a way that is provocative. A study found that 13.5% of 310 people had experienced sexual violence.

Psychological Violence: Psychological abuse includes both what someone says and how they act. It can involve things like laughing at someone, making fun of them, accusing them of things, being unfaithful, or ignoring them. This type of abuse can make someone feel worse about themselves and lose confidence. It can also involve cutting someone off from friends and family, making them feel alone and helpless. The law

defines emotional abuse as things like shouting, calling someone names, or embarrassing them in public. Research shows that emotional abuse is common and can be just as harmful as physical abuse. Studies also show that victims often hear name-calling and insults in front of their children. It is also common for physical abuse to happen at the same time as emotional abuse. Psychological abuse can also involve being unfaithful.

Economic Abuse: This type of abuse happens when someone controls the money and the financial resources in a family. One wrong idea is that the woman usually takes care of the home and children, even if she works full-time to support the family. Some women need their partner's approval to spend money, even their own. Abused women often don't have control over their money because their partners are in charge of all the money. In many cases, all four types of domestic violence can happen together. Women who experience physical abuse often also face emotional abuse. Sometimes, the emotional abuse comes first, which can lead to physical abuse. Economic and sexual abuse often happen along with physical and emotional abuse, but victims may not always mention them.

OBJECTIVES OF RESEARCH

1. To check how well the laws in India are working to stop violence against women, including laws like the Protection of Women from Domestic Violence Act, the Dowry Prohibition Act, and parts of the Indian Penal Code.

2. To find out where these laws are not being followed properly and why they are not being used as they should be.

3. To look at how things like traditional beliefs, gender stereotypes, and social attitudes affect how much violence against women happens.

4. To understand how much women know about their rights and the protection they can get from these laws.

5. To come up with smart suggestions for making the laws better and ensuring they are properly carried out, as well as tackling the social issues that lead to violence against women.

RESEARCH QUESTIONS

1.What are the main reasons behind sexual and domestic violence?

2.What laws are in place to prevent sexual and domestic violence against women?

3.What are the big effects of sexual and domestic violence?

4.How does sexual and domestic violence affect women in different ways?

5.Is there a need to change the current laws or improve how they are being applied?

6.How do the existing laws affect the Indian court system and society?

HYPOTHESIS

Even though there are laws in India to protect women from violence, the problem still exists a lot. This is because the laws are not being properly followed, there are not enough resources, people who enforce the law are not trained well, and corruption is a problem. The current laws and policies mostly deal with violence after it happens, instead of stopping it before it starts. This approach might not fix the main reasons why violence against women happens.

RESEARCH METHODOLOGY

The purpose of this study is to understand the existing laws and how they work. This research is based on what is already known and written. Data has been collected from different sources. Primary sources include laws passed by the government, court decisions, executive orders, and rules from different organizations. Secondary sources include case studies, court rulings, legal magazines, and updates from the internet. Also, information can be gathered by attending meetings, seminars, and discussions, and by visiting places where the issue is being addressed. Data can be collected from records, reports, complaints, and forms.

SUGGESTIONS

Strengthen the way laws like the PWDVA are carried out by giving law enforcement and the courts enough resources. Think about changing these laws to fix any weaknesses and make sure survivors are better protected and abusers face stronger punishments.

Set up special courts or fast ways to handle domestic violence cases so survivors can get justice quickly.

Raise awareness across the country to change the attitudes and beliefs that allow domestic violence to happen. Teach about gender equality in schools, colleges, and workplaces to help people respect women more.

Train police, doctors, and social workers to recognize and properly deal with domestic violence cases. Create safe places and hotlines for survivors of domestic violence, making sure they can access these services privately.

Offer support like counselling, legal help, and financial aid so survivors can start over and become independent. Work with non-profits and local groups to help those who are most in need, like women in rural areas, poor families, and people from marginalized communities.

Help women become stronger economically by giving them training, support for starting their own businesses, and access to small loans and job opportunities. Teach women about their rights and how to use the legal system to protect themselves.

Support local efforts that fight against violence based on gender and work towards equality at the community level. Work with international groups and other countries to learn from each other and share tools for stopping domestic violence. Sign and follow international agreements that support gender equality and women's rights, like the CEDAW.

CONCLUSIONS

The problem of domestic violence against women in India is complicated and affects many areas of life, including society, law, and culture. This kind of violence is closely connected to old beliefs that put men in charge and see women as less important, which can make violence against women seem acceptable. These traditional views often create unfair power balances in families, leading to abuse and harm. India has laws to help deal with domestic violence, like the Protection of Women from Domestic Violence Act (PWDVA), which was made in 2005.This law, gives women legal options to seek protection and stop abuse at home. However, putting these laws into practice is not easy. There are many challenges, such as not enough resources, social shame, and a lack of knowledge about the laws. Even though there are laws in place, domestic violence is still not always reported and is sometimes seen as normal in Indian society. Women who want help may face problems like fear of being punished, being financially dependent, and facing social judgment. Also, there are issues with the courts not responding quickly enough and not having enough support for survivors of violence. To fight domestic violence, India needs a wide range of efforts that include improving the law, raising awareness, teaching communities, and offering help to victims. It is important to challenge old ideas about gender, help women become stronger in their jobs and in society, make the legal system work better, and create a culture that doesn't tolerate violence against women. These laws are meant to protect women, but they can sometimes be misused, which can hurt the goal of these laws and the reasons they were created. Legal experts can help by pointing out problems with these laws and making sure they remain fair. Attorneys can use the courts to highlight issues when these laws are not being used properly. They can play a role in making changes and stopping women from using the law in ways that harm the system. Before changing the laws, there needs to be a clear solution to this problem. The court should create strict rules on how these laws are used. These rules would be followed by lawyers before they take cases against men, to make sure there is no misuse. If these rules are not enough, then the next step is to change the laws. In summary, while there has been some progress in understanding and dealing with domestic violence against women in India, there is still a lot to do to make sure women are safe, respected, and have their rights protected in their homes and communities. This will need ongoing efforts from government officials, police, non-governmental groups, and people from all walks of life.

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