



AN EMPIRICAL ANALYSIS OF DOMESTIC VIOLENCE AGAINST WOMEN IN INDIA

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Abstract

Domestic violence is one of the most common crimes against women which is inextricably linked to the perpetuation of patriarchy. Domestic violence refers to violence against women not only in matrimonial home but also in live in relationship. Domestic violence is recognised as significant barrier in the path of women empowerment and also skews the democratic of the polity. India has specifically legislated Domestic Violence Act in 2005 to reduce the violence against women but the same has bore mixed result as of now. The paper examines the domestic violence in multi-dimensional perspective.

Keywords: Cognizable Crimes, Domestic Violence, Human Rights, NCRB, Patriarchy.

INTRODUCTION

In ancient India, women enjoyed a significant role not only at home but also society as whole. Many Vedic hymns are attributed to the woman sages. . The woman was the apostle of the Mattri-shakti. The kings and the priests always held and propagated that the prosperity depends upon the respect that a household shows towards the women and the Kingdom would be visited by inauspicious events in case the woman was harassed by the subject. The Turkish and Afghan invaders changed the gender equation in the sub-continent. The locals having lost the battle into subjection were coerced to hand over their women. The invaders always came single on horseback without accompanied by their families and they sought subjection rules to be written over the body of the women in the conquered territory. To protect the honour and chastity of the women became a major societal aim for the local population. The purdah system became in vogue for Indian women. A series of superstition and oppressive customs were manufactured that confine the women within the four walls of their house. The status of women was reduced to the status of a maid, and merely a source of progeny. The patriarchy dominance was total. The male dominant society would not give women due regard and respect the system confined and linger 21st century. Every day we hear and read about atrocities inflicted upon women by their own husband for whom they live and die. Women have inherent ability for compassionate understanding. She is hard working and many anthropologists argue that it were women who discovered the art of agriculture as well as culture. Women are bold to take initiative and she produce and nurture the progeny. In spite of multifarious qualities, the women have rarely been treated at par with the men in the patriarchal system. Women face discrimination, exploitation and violence. Violence against women and girls has spread into a global epidemic. This has debilitating effect over the performance of the women. She is harassed physically, psychologically, sexually and economically. It is one of the most pervasive of human rights violations, denying women and girls, equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms at par with men.

2. FORMS OF DOMESTIC VIOLENCE

Violence against women can be physical, sexual, psychological, and threat of physical or sexual violence. Physical violence includes acts of physical aggression such as slapping, hitting, kicking and beating. The common sexual abuses women endure are forced intercourse, and other forms of sexual coercion. Psychological abuse includes acts like intimidation, constant belittling, humiliating, nagging and various controlling behaviours such as isolating a person from their family and friends, monitoring their movements, and restricting their access to information or assistance. When abuse occurs repeatedly in the same relationship, it reduces into an act of "battering.

1. Physical violence

Physical injury is the most visible form of domestic violence. The scope of physical domestic/intimate partner violence includes slapping, pushing, kicking, biting, hitting, throwing objects, strangling, beating, threatening with any form of weapon, or using a weapon. World-wide, the percentage of women who suffer serious injuries as a result of physical domestic violence tends to range from 19% - 55%. Physical injuries as a result of domestic violence against women are more obvious than psychological ones, and can be more easily discerned by health professionals as well as courts of law in the context of legal prosecution.

2. Emotional abuse

Emotional abuse has been gaining more and more recognition in recent years as an incredibly common form of domestic violence (and therefore a human right abuse) within the private home throughout developing nations such as India. Psychological abuse can erode a woman's sense of self-worth and can be incredibly harmful to overall mental and physical wellbeing. Emotional/psychological abuse can include harassment; threats; verbal abuse such as name-calling, degradation and blaming; stalking; and isolation Women who experience domestic violence overwhelmingly tend to have greater

overall emotional distress, as well as disturbingly high occurrences of suicidal thoughts and attempts. According to a study by the National Centre for Biotechnology Information, suicide attempts in India are correlated with physical and psychological intimate partner violence. Of the Indian women who participated in the study, 7.5% reported attempting suicide. This socio economic status and other factors.

3. Sexual assault

Sexual assault is another common form of domestic violence in India. Sexual violence can include a range of forceful and non-forceful acts including unwanted kissing, touching, or fondling; sexual/reproductive coercion; rape; and marital rape. In 1995-1996 Pub Med study conducted in Northern India, wife abuse appears to be fairly common throughout the region as a whole. 22% of the 6632 adult men surveyed reported sexually abusing their wife without physical force in at least one instance and 7% reported sexual abuse with physical force. Abuse was most common among men who also had extramarital affairs, and among those who had STD symptoms. Abusive sexual behaviors were also found to be correlated with an elevated rate of unplanned pregnancies. In 2013, a court in Mumbai ruled that *depriving a woman of sex* is a form of cruelty.

4. Rape

The table shows the comparative rate of violence against women in Indian states and union territories in 2012. It includes rape, sexual assault, insult to modesty, kidnapping, and abduction, cruelty by intimate partner or relatives, trafficking, persecution for dowry, dowry deaths, indecency, and all other crimes listed in Indian Penal Code.

5. Marital rape

In India, marital rape is not a criminal offense 20% of Indian men admit to forcing their wives or partners to have sex. Marital rape can be classified into one of three types:

- Battering rape: This includes both physical and sexual violence. The majority of marital rape victims experience battering rape.
- Force-only rape: Husbands use the minimum amount of force necessary to coerce his wife.
- Compulsive/Obsessive rape: Torture and/or "perverse" sexual acts occur and are often physically violent.

6. Gang rape

Gang rape is defined as the rape of an individual by two or more perpetrators. The 2012 Delhi Gang rape brought a lot of international attention to the issue of gang rape in India.

7. Female infanticide

Female infanticide is the elected killing of a newborn female child or the termination of a female foetus through sex-selective abortion. In India, there is incentive to have a son, because they offer security to the family in old age and are able to conduct rituals for deceased parents and ancestors. In contrast, daughters are considered to be a social and economic burden. An example of this is dowry. The fear of not being able to pay an acceptable dowry and becoming socially ostracized can lead to female infanticide for poorer.

8. Domestic Violence

Domestic violence is abuse by one partner against another in an intimate relationship such as dating, marriage, cohabitation or a familial relationship. Domestic violence is also known as domestic abuse, spousal abuse, battering, family violence dating abuse and intimate partner violence (IPV). Domestic violence can be physical, emotional, verbal, economic and sexual abuse. Domestic violence can be subtle, coercive or violent. In India, 70% of women are victims of domestic violence.

9. Acid throwing

Acid throwing also called an acid attack, a vitriol attack or vitriol age, is a form of violent assault used against women in India. Acid throwing is the act of throwing acid or an alternative corrosive substance onto a person's body "with the intention to disfigure, maim, torture, or kill.

10. Dowry Deaths

Dowry deaths is a murder or suicide of a married women caused by a dispute over her dowry In some cases, husbands and in-laws will attempt to extort a greater dowry through continuous harassment and torture which sometimes results in the wife committing suicide.

11. Honour killings

An honour killing is a murder of a family member who has been considered to have brought dishonour and shame upon the family. Reasons for honour killings include the refusal to enter an arranged marriage, committing adultery, choosing a partner that the family disapproves of, and becoming a victim of rape.

3. REVIEW OF LITERATURE

Violence against women is present across the world cutting across boundaries of culture, class, education, income, ethnicity and age. When the violence occurs within home, the abuse is effectively condoned by the tacit silence and the indifference by the instruments of the state and the law-enforcing machinery. Internationally, one in three women have been beaten, coerced



into sex or abused in their lifetime by a member of her own family (Heise *et al.* 1999). Domestic violence is the most prevalent yet relatively hidden and ignored form of violence against women and girls. While reliable statistics are hard to come by, studies estimate that, from country to country, between 20 and 50 per cent of women have experienced physical violence at the hands of an intimate partner or family member. Wife beating is not only rampant, but male justify it with plethora of contexts.

Violence in the domestic sphere is usually perpetrated by males who are, or who have been, in positions of trust and intimacy and power – husbands, boyfriends, fathers, fathers-in-law, stepfathers, brothers, uncles, sons, or other relatives. But, many of the victims of domestic violence has either refused to name the perpetrator of the assault or attributed the injuries to other reasons (Daga *et al.*, 1999). Murthy *et al.* (2004) posited in their empirical study that numbers of family marriage members, type of marriage and husband Education, besides menstrual problems have significant influence on domestic violence. Many have pointed out that marriage at a younger age makes women vulnerable to domestic violence (Mishra, 2000) Srinivasan (2005) study published in World Development, results from a survey pointed to a negative correlation between dowry amount and inter-spousal violence, indicating the potential dangers of a wife falling short on dowry payments or expectations. These dangers include not only common physical and emotional abuse such as hitting and continual degradation, but in some cases dowry death and bride burning as a result of the husband's dissatisfaction with the dowry payment.

In fact, many a victims also justify the wife-beating. Harihar Sahoo & Manas Ranjan Pradhan conducted a study upon 90,303 ever married women and discovered widespread prevalence of domestic violence (21 percent, since age 15) in India but also the acceptance of majority of ever-married women (57 percent) to at least one reason for justifying a husband beating his wife.(Sahoo *et al.*, 2007).The World Conference on Human Rights in Vienna (1993) accepted that the rights of women and girls are “an inalienable, integral and indivisible part of universal human rights.” The United Nations General Assembly adopted the Declaration on the Elimination of Violence against Women, in December 1993. It is the first international human rights instrument to deal exclusively with violence against women and kindling a string of enactments against the abuse of women at home world across.

National Crime Records Bureau Report of 1991 reveals that in every 33 minutes one Indian woman is being abused by her husband. It also reveals that in 1989 one dowry death occurred in every 125th minute. 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%. 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 National Crime Records Bureau has recorded an increase of 40% in the case of social harassment, and 15.2% in cases of dowry deaths. The NCRB statistics reveal altogether different picture of prevalence among Indian states. West Bengal now tops in the recorded domestic violence, followed by Andhra Pradesh and Rajasthan. The rate of incidence of the domestic violence too is very high in West Bengal with 21.6 percent.

The National Crime Records Bureau(NCRB) Report for the year 2011 further highlights some staggering statistics about the domestic violence against women. The percentage share of domestic violence against women in the cognizable crime has grown from 3.8% in 2007 to 4.3% in 2011. The cruelty by husband and relatives under IPC 498A comes at number four in the maximum incidences of cognizable crimes. Only theft under IPC sec. 379-382, Hurt under the IPC Section 323-333 and sec 335-338; and causing death by negligence under IPC Section 304A are more frequent than the domestic violence. According to Unicef,s *Global Report Card on Adolescents 2012*, 57% of boys and 53% of girls in India think a husband is justified in hitting or beating his wife.

4. OBJECTIVES AND METHODOLOGY

The main objectives of the study to know the various dimensions of domestic violence against women, dynamics', forms, causes ,effects and various policies and mechanism for protection of domestic violence against women in India. In order to accomplish the above mentioned objectives secondary data and available literature have been used.

5. DYNAMICS

5.1 Patriarchal social structure

There are three main aspects of the patriarchal household structure in India that affect women's agency: marriage, active discrimination by means of abuse (marital or extramarital), and diminished women's agency through limited economic opportunity through stifled opportunity for independence In all these dimensions, there is a clear relationship between strong

patriarchal familial structures and limited capabilities and agency for women, which are strongly correlated with causal factors for domestic violence such as gender disparities in nutritional deprivation and a lack of women's role in reproductive decisions.

5.2 Dowry system

Domestic violence often happens in India as a result of dowry demands. Dowry payments are another manifestation of the patriarchal structure in India. There are strong links between domestic violence and dowry, a cultural practice deeply rooted in many Indian communities, which is the money, goods, or property the woman/woman's family brings to a marriage to now become under the ownership of the husband. This practice continues even today in India although banned by law since 1961, and in recent years dowry amounts have risen dramatically.

5.3 Under-reporting of domestic violence

There is widespread hesitancy amongst most Indian women who experience domestic violence to report or prosecute against such crimes. A major reason for this reluctance is the patriarchal structure that is the framework for the vast majority of households in India and the misconception that it is almost always the woman's fault for provoking domestic abuse that such abuse occurs. The results of this hesitancy to report cases is clear in that reported data overwhelmingly tends to underestimate actual prevalence occurrences of domestic violence.

Domestic violence is often not handled as a legitimate crime or complaint, but more of a private or family matter. Caste, class, religious bias and race also determine whether action is to be taken or not.

Regional differences

Domestic violence in India is prevalent in all castes, socioeconomic classes, religious groups and regions except North Sentinel Island and the Jarawa reserve. However, there are very clear regional differences that must be addressed when analyzing domestic violence rates and prevalence in India.

6. FACTORS THAT PERPETUATE DOMESTIC VIOLENCE

The various factors which have been discovered by the researchers can be put in a tabular format

Factors that perpetuate domestic violence to resolve conflict

Cultural

- Sex roles
- Expectations of roles within relationships
- Belief in the inherent superiority of males
- Values that give men proprietary rights over women and girls
- Notion of the family as the private sphere and under male control
- Customs of marriage (bride price/ dowry)
- Acceptability of violence as a means

Economic

- Women's economic dependence on men
- Limited access to cash and credit
- Discriminatory laws regarding inheritance, property rights, Use of Communal lands
- maintenance after divorce or widowhood
- Limited access to employment in formal and informal sectors
- Limited access to education and training for women

Political

- Under-representation of women in power, politics, the media and in the legal and medical professions
- Domestic violence not taken seriously
- Notions of family being private and beyond control of the state
- Risk of challenge to status quo/ religious laws
- Limited organization of women as a political force
- Limited participation of women in organized political system

Legal

- Lesser legal status of women either by written law and/or by practice
- Laws regarding divorce, child custody, maintenance and inheritance domestic abuse.
- Low levels of legal literacy among women

- Insensitive treatment of women and girls by police and judiciary

There are varied consequences of domestic violence depending on the victim, their age group, the intensity of the violence and frequency of the torment they are subjected to. Living under a constant fear, threat and humiliation are some of the feelings developed in the minds of the victims as a consequence of an atrocious violence.

According to the DVA, 2005; Domestic Violence includes-

- (I) Any harm or injury that endangers health, safety, limb or well being either mental or physical abuse, sexual abuse, verbal and emotional abuse or economic abuse;
- (II) If one harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security;
- (III) If one injures or causes harm, whether physical or mental to the aggrieved person.

Others Factors

Other factors outside culture that demonstrate differences in domestic violence prevalence and gender disparities in India include socioeconomic class, educational level, and family structure beyond the patriarchal framework. A 1999 study published by the American Journal of Epidemiology identified so-called "stress factors" that are critical to understanding varying rates of domestic violence in other scopes outside of region-specific factors. These stress-related factors within the household include low educational attainment, poverty, young initial age of marriage, having multiple children, and other limiting engendered development factors.

7. SCENARIO OF DOMESTIC VIOLENCE IN INDIA

In the following paragraph an attempt has been made to analyse the scenario of domestic violence on the basis of certain parameters.

Table no-2, Total number of cases of Reported Violence against women in India

Year	Reported violence
2008	195,856
2009	203,804
2010	213,585
2011	228,650
2012	244,270

Source: National Crime Records Bureau of India

According to the national crime record bureau of India, reported incidents of crime against women increased 6.4% during 2012, and a crime against a woman is committed every three minutes. In 2012, there were a total of 244,270 reported incidents of crime against women, while in 2011, there were 228,650 reported incidents. Of the women living in India, 7.5% live in West Bengal where 12.7% of the total reported crime against women occurs. Andhra Pradesh is home to 7.3% of India's female population and accounts for 11.5% of the total reported crimes against women.

65% of Indian men believe women should tolerate violence in order to keep the family together, and women sometimes deserve to be beaten. In January 2011, the International Men and Gender Equality Survey (IMAGES) Questionnaire reported that 24% of Indian men had committed sexual violence at some point during their lives.

Table No-3, Scenario of Violence against Women in India (2008-2012)

Year	Reported rapes	cruelty by a husband or relative	Reported dowry deaths ¹	Reported abductions	Assaults with intent to outrage modesty	Insults to the modesty of women	Immoral Traffic Act
2008	21,467	81,344	8,172	22,939	40,413	12,214	2,659
2009	21,397	89,546	8,383	25,741	38,711	11,009	2,474
2010	22,172	94,041	8,391	29,795	40,613	9,961	2,499
2011	24,206	99,135	8,618	35,565	42,968	8,570	2,435
2012	24,923	106,527	8,233	38,262	45,351	9,173	2,563

Source: National Crime Records Bureau of India, 2012.

8. ANALYSIS AND INTERPRETATION

Rape is one of the most common crimes against women in India. Criminal Law (Amendment Act 2013) defines rape as penile and non-penile penetration in bodily orifices of a woman by a man, without the consent of the woman. In India, a woman is raped every 29 minutes. Incidents of reported rape have increased 3% from 2011 to 2012. Incidents of reported incest rape have increased 24923 from 21467 cases in 2008 to 2012. Every 9 minutes, a case of cruelty is committed by either of husbands or a relative of the husband. Cruelty by a husband or his relatives is the greatest occurring crime against women. From 2011 to 2012, there was a 7.5% increase in cruelty by husbands and relatives. In 2008, there were 81344 cases increased to 106527 in 2012. Incidents of dowry deaths have decreased 4.5% from 2011 to 2012. Incidents of reported kidnappings and abductions of women increased 7.6% from 2011 to 2012. Uttar Pradesh had 7,910 cases, accounting for 22.2% of the total of cases nationwide.

Modesty related violence against women include assaults on women with intent to outrage her modesty and insults to the modesty of women. From 2011 to 2012, there was a 5.5% increase in reported assaults on women with intent to outrage her modesty. From 2011 to 2012, there was a 7.0% increase in reported insults to the modesty of women.

From 2011 to 2012, there was a 26.3% decrease in girls imported to India from another country. From 2011 to 2012, there was a 5.3% increase in violations of the Immoral Traffic (Prevention) Act of 1956. Any person who believes that an act of domestic violence has been or is being committed may give information about it to the concerned protection officer. This makes the act socially embedded. The act exempts such persons from any liability, civil or criminal.

The Supreme Court has interpreted the rights under the DVA, 2005 as the rights which may be available prior to the coming into force of the PWD Act on 26th October, 2006. After considering the constitutional safeguards under Article 21 of the Constitution, vis--vis, the provisions of Sections 31 and 33 of the PWD Act, 2005, and after examining the statement of objects and reasons for the enactment of the PWD Act, 2005, the Supreme Court held in *V.D. Bhanot vs. Savita Bhanot* (Special Leave petition (Crl.) No. 3916 of 2010, decided on 7.2.2012,) that it was with the view of protecting the rights of women under Articles 14, 15 and 21 of the Constitution that the Parliament enacted the PWD Act, 2005, in order to provide for some effective protection of rights guaranteed under the Constitution to women, who are victims of any kind of violence occurring within the family and matter connected therewith with an incidental thereto and to provide an efficient and expeditious civil remedy to them and therefore the rights are available even prior to the enactment. The DV Act, 2005 ensures the reporting of cases of domestic violence against women to a 'Protection officer, who then prepare a domestic incident report to the Magistrate and forward copies to the police officer in charge of the police station within the local limit of jurisdiction.

As per information provided by the National Crime records Bureau (NCRB), a total number of 7,803, 11,718 and 9,431 cases of domestic violence cases under Domestic Violence Act 2005 were registered during year 2009, 2010 & 2011 respectively, thereby indicating a mixed trend. Domestic Violence Act covers all kinds of abuse, and not only a married woman, any woman cohabitating with others in the same place can lodge the complaint under the Act. The Union Home Ministry had issued advisory to the State Governments/UT Administrations to explore the possibility of associating NGOs working in the area of combating crimes against women and also advises that all Police stations may be advised to display the name and other details of protection officer of the area appointed under DVA 2005. The conviction rate is still insignificant that makes it an ineffective tool to handle menace of growing domestic violence.

9. EFFECTS OF DOMESTIC VIOLENCE

Women suffer many types of physical and emotional abuse as a result of illegal actions taken within the private home, and those who have experienced some form of domestic violence tend to have greater long-term mental disorders and drug dependencies than those who do not. In India, reducing domestic violence is imperative not only from an ethical and human rights perspective but also because of obvious instrumental and immediate health benefits that would be gained from such reduction.

Health consequences

Intimate partner and sexual violence have serious short- and long-term physical, mental, sexual and reproductive health problems for survivors and for their children, and lead to high social and economic costs.

- Violence against women can have fatal results like homicide or suicide.
- It can lead to injuries, with 42% of women who experience intimate partner reporting an injury as consequences of this violence.
- Intimate partner violence and sexual violence can lead to unintended pregnancies, induced abortions, gynaecological problems, and sexually transmitted infections, including HIV. The 2013 analysis found that

women who had been physically or sexually abused were 1.5 times more likely to have a sexually transmitted infection and, in some regions, HIV, compared to women who had not experienced partner violence. They are also twice as likely to have an abortion.

- Intimate partner violence in pregnancy also increases the likelihood of miscarriage, stillbirth, pre-term delivery and low birth weight babies.
- These forms of violence can lead to depression, post-traumatic stress disorder, sleep difficulties, eating disorders, emotional distress and suicide attempts. The same study found that women who have experienced intimate partner violence were almost twice as likely to experience depression and problem drinking. The rate was even higher for women who had experienced non partner sexual violence.
- Health effects can also include headaches, back pain, abdominal pain, fibromyalgia, gastrointestinal disorders, limited mobility and poor overall health.
- Sexual violence, particularly during childhood, can lead to increased smoking, drug and alcohol misuse, and risky sexual behaviours in later life. It is also associated with perpetration of violence (for males) and being a victim of violence (for females).

Impact on children

- Children who grow up in families where there is violence may suffer a range of behavioural and emotional disturbances. These can also be associated with perpetrating or experiencing violence later in life.
- Intimate partner violence has also been associated with higher rates of infant and child mortality and morbidity (e.g. diarrhoeal disease, malnutrition).

Social and economic costs

The social and economic costs of intimate partner and sexual violence are enormous and have ripple effects throughout society. Women may suffer isolation, inability to work, loss of wages, lack of participation in regular activities and limited ability to care for themselves and their children.

10. POLICIES FOR PROTECTION OF VIOLENCE AGAINST WOMEN IN INDIA

Domestic Violence Act of 2005

The Domestic Violence Act of 2005 provides victims of abuse with a means for practical remedy through prosecution. Domestic violence is currently defined in India by the Protection of Women from Domestic Violence Act of 2005. According to Section 3 of the Act, “any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it - (a) harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or (b) harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or (c) has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or (d) otherwise injures or causes harm, whether physical or mental, to the aggrieved person.”

The Domestic Violence Act of 2005 has been reportedly used against men in some cases, though the vast majority of cases involve abuse of a woman. In Mumbai, men alleged that women were misusing the *Domestic Violence Act*, while in Karnataka the act cannot be used against women. The Delhi High Court clarified that the Act could also be used to prosecute women.

Prosecution shortcomings

According to 2000 study by the National Law School of India University it was observed that there were an extremely low number of convictions in a large sample of domestic violence cases in various Indian courts. The study cites the need for more systematic and thorough record keeping throughout all levels of the Indian court system, as well as the imperative need for more clarity in current legislation that provides a very unclear definition of what domestic violence even is. This allows for cultural biases, social (patriarchal) institutional structures and gender disparities to cloud the nature of many of these cases, and is a major reason why the vast majority of husbands charged with any form of domestic abuse tend to be acquitted.

New sexual violence legislation

On 19 March 2013, the Indian Parliament passed a new law with the goal of more effectively protecting women from sexual violence in India. It came in the form of the Criminal Law (Amendment) Act, 2013, which further amends the Indian Penal Code, the Code of Criminal Procedure of 1973, the Indian Evidence Act of 1872, and the Protection of Children from Sexual



Offences Act, 2012. The law makes stalking, voyeurism, acid attacks and forcibly disrobing a woman explicit crimes for the first time, provides capital punishment for rapes leading to death, and raises to 20 years from 10 the minimum sentence for gang rape and rapes committed by a police officer. The new law doesn't address marital rape, rape committed by the armed forces or rape against men. Reformist lawmakers have argued that the higher age of consent could result in abuses and wrongful arrests in statutory rape cases. Additionally, critics point out that there is often a disconnect between law and practice in India. For example, according to a 2012 United Nations report, 47% of Indian women marry younger than 18 (the legal marriage age is 21 for men and 18 for women).

11. PREVENTION AND SUGGESTIONS FOR PROTECTION OF VIOLENCE AGAINST WOMEN IN INDIA

Currently, there are few interventions whose effectiveness has been proven through well designed studies. More resources are needed to strengthen the prevention of intimate partner and sexual violence, including primary prevention, i.e. stopping it from happening in the first place.

Regarding primary prevention, there is some evidence from high-income countries that school-based programmes to prevent violence within dating relationships have shown effectiveness. However, these have yet to be assessed for use in resource-poor settings. Several other primary prevention strategies: those that combine microfinance with gender equality training; that promote communication and relationship skills within couples and communities; that reduce access to, and harmful use of alcohol; and that change cultural gender norms, have shown some promise but need to be evaluated further.

To achieve lasting change, it is important to enact legislation and develop policies that:

- address discrimination against women;
- promote gender equality;
- support women; and
- help to move towards more peaceful cultural norms.

An appropriate response from the health sector can play an important role in the prevention of violence. Sensitization and education of health and other service providers is therefore another important strategy. To address fully the consequences of violence and the needs of victims/survivors requires a multi-sectoral response.

WHO actions

WHO, in collaboration with a number of partners, is:

- Building the evidence base on the size and nature of violence against women in different settings and supporting countries' efforts to document and measure this violence and its consequences. This is central to understanding the magnitude and nature of the problem at a global level and to initiating action in countries;
- strengthening research and research capacity to assess interventions to address partner violence
- developing technical guidance for evidence-based intimate partner and sexual violence prevention and for strengthening the health sector responses to such violence;
- disseminating information and supporting national efforts to advance women's rights and the prevention of and response to violence against women; and
- Collaborating with international agencies and organizations to reduce/eliminate violence globally.

CONCLUSIONS

The varying causes which can spark the violence within the four walls of homes need to be analysed carefully and a wise study of the factors causing the violence may prevent a family to suffer from the menace of domestic violence. The domestic violence may have a wider and deeper impact in life of the victims. A proper societal-legal environment has to be built to make the houses safe and secure for the woman. India cannot prosper by keeping half of its population under duress.

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