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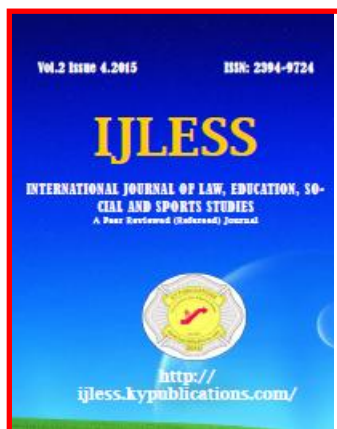
DONIPATI BABJI

(Law)

AN EXAMINATION OF DOMESTIC VIOLENCE AGAINST WOMEN AND ITS JUSTIFICATION

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RESEARCH ARTICLE

**ABSTRACT**

Domestic violence is a complex issue. Often studies focus on selected populations and exhibit a diversity of design, making comparison difficult for study. Domestic violence frequently goes undetected, mainly because doctor's fear of exploring an area perceived as time-consuming, because information is lacking and where they feel powerless to 'fix' the situation. As most women do not reveal that they are experiencing violence, sometimes because doctors are unsympathetic or hostile, often women desire to be asked routinely about physical abuse and want to receive immediate advice and information about their options if possible. Women who experience a range of health and social problems in association with domestic violence, including depression, anxiety, substance abuse and pregnancy complications are unable to give evidence, specific enough to be useful as an indicator of violence. Therefore, doctors should frequently ask all women direct questions about abuse. This recommendation can be incorporated into guidelines, which should be implemented widely in the India to improve the status of women experiencing domestic violence. Further research is required to remove the prevalence of domestic violence in women. If progress is to be made in tackling domestic violence action within primary care is a must in order to prevent domestic violence in order to bring about the change of mind set of men towards women. Gender inequality must be eliminated and equal participation of women in the decision-making and development processes must be ensured.

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INTRODUCTION

Violence against women has been a worldwide discussion and yet it is still a hidden problem. It is an overall issues of violence against women and has been affecting children over the years. It has been examined that it is the result of an intimate partner who will-fully cause harm to the other partner. This results in a negative effect on family members and it is not confined to any socio, economic, ethnic, religious, rational, age group. Women are usually physically and mentally hurt by their spouse and other relatives. Domestic violence can be physical, psychological, economical, sexual, spiritual, financial, and emotional and can often be a combination of several of these. It often happens over a long duration of time, as a result, victims of domestic violence will face a range of negative emotions, including fear, reluctance, uncertainty, worry and stress. Domestic violence can have great impact upon a person's self- esteem and confidence, and will have a daunting effect on the victim. Domestic violence may take place not only in the home, but also in a public place.

Rational for selection

Regarding to this the main purpose is to improve the scenario of women in the present times to a higher status to live with dignity in a family and in the society and to encourage them to stand for their rights.

 VANDANA SAINI, Dr.KALAMUNET

The selection for this topic for research can be justified as women and children suffer immensely because of mind-set as men have been given to feel that they are superior to women and play a dominant roll and have the right to exploit women in every field. In order to raise the status of women it is important to make the women aware of their rights as individual as according to the constitution men and women have the same right. This research will help to avoid and discourage cruelty on women and habitual ill- treatment and will prevent much violence such as rape, abortion of girl child, acid throwing and demand for dowry. In addition to prevent domestic violence women must be made aware of the laws and punishment on perpetrators through media such as TV, seminars etc. Because with the help of this understanding , researchers would be able to suggest some recommendations to make the training programs better in various care canthers. To upgrade the knowledge and to handle future challenges successfully.

This study is also significant for women to get new opportunities to develop their skills in all fields, whether they be house wives or in an employment. This would also have an impact on the employees and on family members raising the moral of the feminine gender.

This research will bring about considerable evidence links childhood physical abuse with later perpetration of intimate domestic violence (research to identify moderators of this relationship will increase our understanding of which victims of childhood abuse are at risk for later . The present study examined dimensions of psychopathy as moderators of the relationship between physical abuse in childhood because of domestic violence is a sample of criminal offenders. Results will indicate that, among individuals with higher levels of impulsive-irresponsible (i.e., Lifestyle) traits of psychopathy

Justification

The United Nations has rightly established- The Convention on the Elimination of All Forms of Discrimination against Women. It's aim is to strengthen women's rights and to bind governments to fight, also against discrimination not committed by the state itself. Like many other countries, India has opted for the convention in 1986. Since then the parliament has passed many laws to stop gender related violence. 1 The Criminal Law (Amendment) Act, 2013. 2 The Protection of Women from Domestic Violence Act, 2005. Although such laws are established violence with intimate relations, 52% of women suffer from violence and about 60% of men commit violence towards their wife. In this research, I will examine domestic violence in Jaipur district- India, in order to fight against predators whom enforce violence on women.

Researchers of the past have studied and have come-up with the concept that Indian families differ from that of the western world. According to researchers it has been observed that in India joint families normally suffer violence. If women face domestic violence, they often do not have persons or institutions they can talk too. Being unmarried or forced to move back to their parents homes does not only exclude them from society but is considered as a disgrace for the whole family. As a result women accept the violence as a needed and rightful act that represents the normal hierarchy. Researchers have made some interviews with women who have often justified the violence and see it as his right and are often advised for their own good, to adhere to violence in-silence. The research paper will motivate women to stand for their rights in their homes and in society at large which will aim to raise the status of women at large .

Literature review

It is important for help organizations to develop potential and competency level for the victims to achieve help and support. To enhance safety and security through training programs related to the ways, which can be beneficial for victims to gain confidence. The trainers must assure that whatever the case may be, it is confidential and must give the victim time to speak out their problem at their own pace. Even if it should take 10 to 20 years or more.

This will lead to improvement of health and will encourage other women to lodge further complaints in the future and will to a certain extent will reduce further violence .It is important that the help care centers have positive impact on the victim to achieve their goals successfully. To bring about recovery of the victim from trauma, depression, and that she is not to blame in the case of rape, or sexual abuse etc. Society should not look down upon victims and boycott them especially if the woman is an employee. This will increase the status of woman and expand human intellect and mind-set of the people.

The government should provide health care centers everywhere, trained counselors to motivate the victims to overcome their tragedies and provide opportunities to strengthen their positions that help the victims to get better attitudes and to lift them in their homes and in society. It may not be an easy task but it will be helpful in giving consolation to the victim. The main source of support for the health care centers is to provide some kind of training to the victim to build up a self-esteem in the individual. In order to get positive literature, enquiry from parents, friends, relatives, police, employer, etc. is a must.

Interpretation

In the present study, the levels of physical, psychological and sexual violence against women are about 56% which is considerably high. These data along with the world-wide literature confirm that domestic violence is a universal phenomenon existing in all communities. It is confirmed that women are at more risk of violence by their spouse than any other perpetrator. Therefore these figures should be understood carefully as some of the behaviours considered as violent behaviour such as having sex without the consent of the wife or partner may not be perceived by either partners or people as being right or wrong, these behaviours have an influence on both physical and mental health of the women.

Researchers have noticed that the prevalence of violence decreased along with the increase of women's education and family income. However, no comprehensive studies are available from Jaipur in order to compare these findings. These studies revealed that higher levels of education among both husbands and wives and greater household wealth were found to be beneficial factors against the risk of physical violence. But no evidence with respect to sexual violence, and in fact women married to more educated men experienced significantly higher risk of coercive sex.

Some studies from India revealed that inadequate and failure of timely payment of dowry has been focused as an important reason for domestic violence in India, several other triggers of domestic violence such as negligence or failure in performing duties expected of women in the family also led to violence against women. These causes are due to male patriarchy, which is defined as a system of male power within the family and the society through superior rights, privileges, authority and looking down upon women and depriving them of their rights and their individuality.

Analysis

It has been noted that the prevalence of domestic violence reported by women is 95% of confidence intervals of different types of domestic violence reported by women and were computed for each of the states. For the domestic violence prevalence reported by women based on socio-economic variable habitat, age, religion, caste category, education, occupation and family income were examined by using both bivariate and multivariate steps.

For each of the group under a variable, the existence in the form of percentages were presented and bivariate logistic regressions were carried out. Multiple logistic regression analysis is used to model the presence or absence of physical, psychological and sexual violence, and any form of domestic violence by all of the above mentioned socio-economic variables. For this logistic regression analyses, the dependent variables were in presence or absence of violence.

In India domestic violence has drawn the world's attention and for too long the problem has been under reported. This column looks at what the data can show us. A recent G20 survey ranked India as the worst place to be a woman (Baldwin 2012). Female foeticide, domestic violence, sexual harassment, and other forms of gender-based violence constitute the reality of most girls' and women's lives in India. That domestic violence in India and globally is severely underreported in surveys and to the police is well known. According to my recent analysis shows that there is a gap between what is reported in the national surveys and the figures from the police's National Crime Record Bureau.

Some surprising findings is present in my analysis

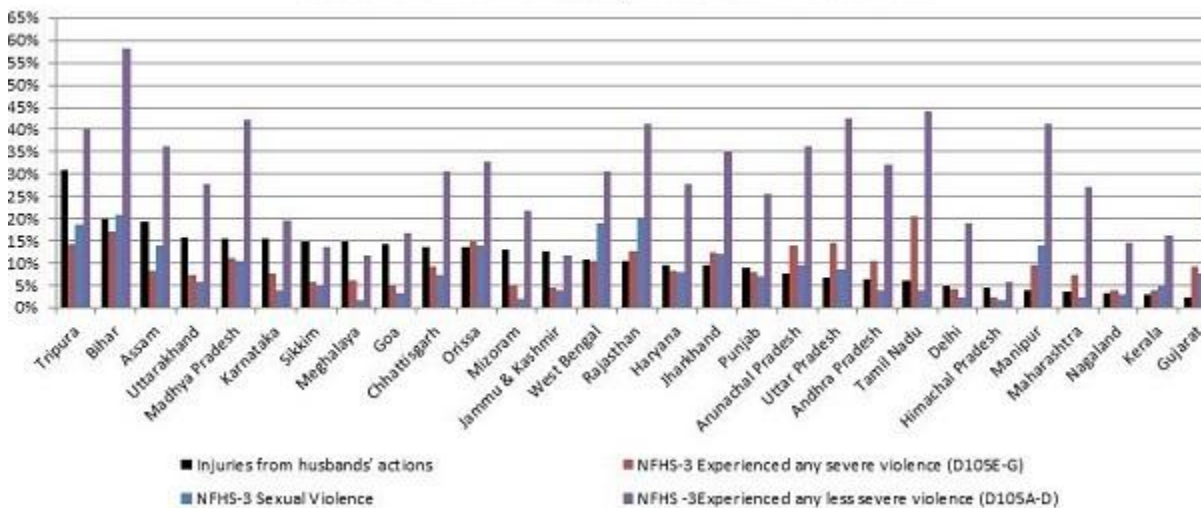
The disparity in reporting of domestic violence between the NFHS-3 and NCRB (2009) ranges from 6% for Himachal Pradesh to 58% in Bihar – that is, in Bihar, half of domestic violence cases reported in surveys are not reported to the police. Perhaps unexpectedly, southern India with greater gender 'fairness' has large gaps (44% in Tamil Nadu, 32% in Andhra Pradesh and 20% in Karnataka).

Even within the national survey, the seriousness of violence is likely to be underemphasised because the correlation between injuries sustained. Therefore the result of domestic violence varies very little between severe and less severe instances of abuse. And most probably those reporting less severe abuse may in fact be suffering far more crisis.

Despite the provision for the anti-dowry law 304(B) to prosecute deaths due to dowry harassment) to be read alongside 498(A) (to prosecute domestic violence), this is frequently not the case particularly in Bihar, Uttar Pradesh and Odessa.

According to the national survey, the statistics on violence against women in India are very high. Nationally, 8% of married women have been subjected to sexual violence, for example forced sex, 31% of married women have been physically abused in a severe manner-such as slapping or punching, while 10% have suffered 'severe domestic violence like burning or being attacked with a weapon. 12% of those who have reported of being physically abused, may also be cases of report with at least one of the following injuries as a result of the violence: bruises, injury, sprains, dislocation or burns wounds, broken bones or broken teeth and with regard to emotional abuse, 14% of Indian women will have experienced this at some point in their lives.

Prevalence of violence and battery in Indian States Source: NFHS-3



Ratio of dowry and ratio of domestic violence in police records -

According to the 2009 NCRB number of ratio differ from state to state. The states with the highest rates of dowry deaths per 100,000 people are Bihar (1.4), Haryana and MP (1.2 each) and UP (1.1). Despite the fact that dowry deaths should be read with 498(A) since there are provisions within 498(A) to prosecute violence inflicted in order to demand money, durables and other valuables, it is amazing to find that the states with some of the highest reported dowry deaths, have the lowest reported rates of domestic violence. Rajasthan, Delhi and Haryana feature in the top 10 for both. Dowry deaths are often preceded by a period of sustained physical and emotional abuse of victims. However these numbers show that this is seldom reported to the police; thus domestic violence rates are under-recorded and under-reported in crimes classified as dowry murders. Despite the expectation that 498(A) should be naturally included with 304(B) both before and after the murder of wives.

According to my research in Jaipur the prevalence of domestic violence is very high

Comparatively to other cities in India

Jaipur, More than 40 women approach the police daily with complaints of domestic violence in the city. Almost 10 cases of rape are being reported in every 24 hours and three women are being killed for dowry in 48 hours. Amazingly, Rajasthan reports of being the third highest number of 'crimes against women' cases of sexual harassment, kidnapping, dowry harassment and domestic violence in the country, according to the latest National Crime Records Bureau (NCRB) data.

The data reflects poorly on the society and clearly indicates that a lot is yet to be done to ensure safety and dignity of women. As many as 27,933 crimes against women were reported in Rajasthan in 2013.

The rate of crime is also very high. In Rajasthan, it is 83.13.

In 2013, Rajasthan reported 3,285 cases of rape. The cases of kidnapping also soared with the state. Rajasthan also reported an alarming number of dowry deaths ranking fourth in the country. Nearly 453 cases of dowry deaths were

reported in Rajasthan compared to 2,335 in Uttar Pradesh, 1,182 in Bihar and 776 in Madhya Pradesh.

According to police the reasons for high rate of recorded report. Some senior police officers argued that the high rate of crime is because of easy registration of cases. "We have made it mandatory to register FIRs in cases of crime against women immediately. Initially the police used to lodge a complaint and FIR was registered only after the complaint was found to be true- in preliminary investigation. Now every case reaching the police is being registered," said a senior police officer.

Record of rape cases in Jaipur last year - Jaipur is ahead of several much bigger cities in the country when it comes to incidents of rape. According to the NCRB data, Jaipur reported 192 cases of rape last year, compare to other cities. Jaipur reported third highest number of rape cases following only Delhi and Mumbai. While Delhi reported 1,441 cases of rape, a total of 391 cases were reported in Mumbai.

Objectives

- To evaluate the impact of domestic violence on women and to reduce its impact.
- To develop skills and awareness of self-protection.
- To explore and to ensure effective measures of security and safety.
- To determine the relationship of an employee towards working women.
- To make aware that the demand for dowry is a crime.
- To make education compulsory for girls.
- To raise the status of women in homes and society.
- To eradicate abortion of girl child.
- To remove the demand for male child
- To safe guard women from violence especially if the spouse indulges in vices like drugs, alcohol, etc.

Methodology

As per researchers the research will basically based on phenomenological philosophy over positive attitudes, as participants may not express their views openly, as they think that their responses may destroy their reputation and their families. Many a times in this type of research, participants may also report the behaviour that is believed to be consistent with their culture, rather than the factual. However, these were managed by the trained field staff by interviewing the participants alone. A study based on the self-reporting, there might be a bias in telling about the violent experiences. As Indian women are usually stigmatized and blamed for the violence and are abused by their husband. On the other hand there is risk of potential bias as respondents' willingness to disclose their violence experiences. Another limitation is the cross-sectional design itself, which do not allow for making conclusions focused on associations. It is not easy to make causal inferences because the direction of some of the associations of violence with women's caste and religion are expected. These associations between occurrence of violence and family income and women's occupation might be a 'both ways' association. Even though these limitations, the study had methodological strengths including use of standardized pre-tested instruments, inclusion of all groups of population, rigorous training to field workers and establishment of rapport with the study communities and participants. For this research qualitative data would be essential to help to find out facts about social phenomenon and develop in depth understanding about the research problem and conclude desired research out come to up lift women in a social world with honour and respect.

The research methods and methodologies proposed to be used for the present research work would be of comprehensive and composite in nature. The research methodology will be a harmonious combination of fundamental, empirical and action research. In this context this study will be broadly based on library research and empirical field investigation. This research endeavours will focus their attention on the aims and objectives of the research project and will also test the hypotheses, examine key questions and will present the data and research facts to prepare models for advanced research. While preparing the research methodology and during the development of research tools and techniques, proper and timely assistance, guidance and cooperation of my guide will always be solicited.

The present research study will be organized into three parts.

- A. The first part will be introductory in nature of domestic violence it will make a future presentation of the India of implementation of D.V Act and the associated processes and activities, the problem areas would be identified to work out in an elaborate manner to overcome the concerned problem.
- B. The second part will be devoted to empirical investigation, data analysis and evaluation.
- C. The third part will be devoted to research finding and recommendations.

Primary data will be collected from the available literature on D.V website, govt. sample survey and field studies will be conducted for obtaining empirical and scientific data for analysis and examination of various hypotheses and key questions. Secondary information will be gathered from the libraries, reports of commission and court and RTI office, NGO's social society and affiliated organisation. The departmental of the circulars, standing orders and other instructions pertaining to the subject will also be studied and scrutinized with relation to the basic purpose, aims and objectives of the present research project. The internet will be used for obtaining critical information pertaining to the subject of the project.

Reliability and validity

In order to enhance the security and safety of women researchers will have to review all data comprehensively and thoroughly to ensure women safety without disclosing the cases reported by them until they themselves want to disclose or if the law demands. Along with this, researchers will use other reliability and validity of the research data in order to improve the status of women in society. All victims of domestic violence will be assured about the security and privacy of personal data to get relevant and valid information during investigation.

Limitation of the study

Researcher will have to face various limitations to time and constraints that effect the research significantly. It is because of these constraints researchers will not be able to support victim and gather reliable and valid research out comes.

Conclusion

From the above discussion it can be concluded that measures to prevent domestic violence and to raises status of women in our society as domestic violence affects every area of life and its conclusion is visible to the sensitive eye at home and in the office, in markets and restaurants, in schools and corporates. The economic damage of domestic violence is truly huge but a broken life cannot be measured with a rupee. However victims of domestic abuse do incur huge medical bills. Unless the mind of the people does not change, we cannot combat with this violence upon women .Women have to be given the same status as man.

She should be considered as a great gift from god and a builder of a home. Women must not get married to the man if he or the family demand for any kind of dowry before marriage, and parents should be supportive. The economic damage of domestic violence is very enormous and almost impossible to be measured by a single yardstick .The medical bills are far too high for the victim to get treatment. The study confirms that high prevalence of all forms of violence against women across all socio-economic settings is visible in all society. And their four steps must be taken to control this horrible night- mare which our Indian women face day to day.

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