CHAPTER-I

INTRODUCTION

Domestic violence is a widespread problem throughout the developed and developing world and makes serious impact on quality of human life and broader development. Violence against women is the manifestation of a historically unequal power relationship between men and women. It is a conditioned response and is not natural or born of biological determinism. In the olden days, violence against women was a result of the prevalent atmosphere of ignorance and feudalism. Today violence against women is an uncontrollable phenomenon, which is a direct result of the rapid urbanization, industrialization and structural adjustment programmes which are changing the socio-economic scenario of our country. In this land where non-violence has been preached as a way of life for thousands of year and where women have been worshipped in the image of Durga, Saraswati and Lakshmi, it is shocked to observe the brutal reality of women’s existence (Sharma 2000).

In Indian society the problem of violence against women in the family is not new. Women in our society have been the victims of humiliation, torture and exploitation from the time immemorial irrespective of the fact that they were also worshipped. Family is considered as the first agency, which provides not only emotional and material support to its members but also serves as basic source of personal satisfaction, socialization and social control. It works as a link between continuity and change and as an important source of stability and support. Human development can only be enhanced by enriching family life. On the other side actual practice, due to patriarchy in our family system, the family does not give equal importance to all members as role, power and status are strictly determined by age and gender. More over, family being considered as a private domain, even, abuse, exploitation, injustice, discrimination and violence are allowed in our patriarchal structure. Gelles (1983) in his writings
gave a clear picture of the family role. He not only considered family as the source of love, sympathy and support, but also the source of inequality, exploitation and violence.

Women in India through the ages have been victimized, humiliated, tortured and exploited. There have been incidents of murder rape, abduction and torture from time immemorial. In spite of such a dark past violence against women has not been given much attention. More, so, no attempts was made on the issue of why such a socially relevant theme has been left neglected and ignored. Violence affects the lives of millions of women world wide in all socio-economic and educational classes. It cuts across cultural and religious barriers, impeding the rights of women to participate fully in society.

The family is the first and the foremost agencies of socialization and social control. In India, domestic violence has been directly related to status and role of the individuals in the family. Family, apart from providing security and emotional support, fulfills certain essential and non essential functions. It provides the safest and the most secure environment to an individual to grow. But due to the fact family consists of the crystallized and legitimized, socially and culturally constructed rigid gender based roles and in a patriarchal set up there are fundamental inequalities between men and women. These inequalities have been a part and parcel of the Indian families for year. From vedic times, the traditions and practices showed women enjoying equal status but later on in the Smritis, the status of women began to decline. The women’s freedom and rights were curtailed. The practice such as child marriage, denial of education to women and polyandry etc became quite prevalent during those times.

In the medieval period, the deterioration in the status of women brought even more malpractices such as the purda and devdasi system. In the later period the illegitimate sexual exploitation of the devdasis became a norm in some parts of India.
The post industrial era, with the advancement in technology brought significant structured and role changes in the family. The women now had two roles to perform one in the family and the other at the work place. The burden of this additional role called for not only redefinition of the rigid gender based roles but also required a shift in the mindset of the people, which did not take place till today. There is insecurity and instability in the relationships of the most spouses. The pressures thus, created have made family a store house of the most perverse kinds of violence one of them being domestic violence.

Domestic violence in India came in to sharp focus in 1980s when there was a widespread coverage by the mass media of the growing incidence of torture of brides, dowry deaths and protests against some heinous incidents of domestic violence. India’s commitment to eliminate violence against women becomes more obvious when India became a signatory to convention on elimination of all forms of discrimination against women in 1980. The reporting increased even more, after 1981 and then 1984, after the amendment of social laws and when the women’s liberation movement identified and responded to the issue of women violence recognized by the eleven critical areas of concern after being a part of the 4th world conference on women at Beijing in 1995.

Strauss (1977) has highlighted this culture of violence through folk verse:

“A women, a horse, and a hickory tree,
The more you beat them, the better they be”.
This attitude has its echoes across cultures. In India a great mystic poet Tulsidas Wrote:

Dhol, Ganwar, Shudra, Pashu our Nari,
Yeh sab taran ke adikari.
A rustic uncultured, schedule caste, animal and women, they all deserve to be beaten regularly. Women is the sufferers in the hands of men all over the
world perhaps women were free and equal in quite very old times. Gradually, the women were treated as inferior and more over, they treated them selves inferior. The lack of physical power leads to general timidity in women. During the middle ages, cruel and inhuman treatment was meted out to them. They followed the holy scriptures in which they were told to get happiness by submissiveness. The women sacrificed every thing including their lives. The higher the sacrifice, the higher the salvation become a motto for women, in reality, women rarely had an identity apart from the given to them as wives, mothers and daughters. Although, they were worshipped as deities at home, they were treated as second class members of the family. What was the reason for this? Some historians felt that it was because of the fire which tied the women to kitchen, while other think that it was due to needed protection on foreign invasions. Another reason supported is the patriarchal system where girl is to leave her parents place and go to her husband’s place. The girls being alone in the new family, it became easy to subject her with various atrocities. The ancient custom of ‘swayamvaram’– choosing the husband was replaced by arranged marriages. Then the custom of dowry became the steel frame of marriage, the parents wished to have sons, who may fetch cash and dowry. On the other hand, the daughters were never welcomed and the mother wished themselves dead and cursed on the birth of a female child. Infanticide was practiced and a law had to be passed to stop it. The women were tortured physically as well as mentally in their own homes. The women were treated as salves and idiots.

The women were made to put on ‘Purdah’. They could not own any property. She had no personality of her own. In India, it was worse. She was told to serve her husband and in laws. She was to call her husband as ‘Swami’ (owner) and she the ‘Dasi’ (slave). In literature, the woman was relished to cherish sex. In India, the pitiable condition continued during Mughal and early British period. The cruelties were so much like infanticide, child marriage
bigamy, sati, abduction and various other physical and mental cruelties that the atmosphere forced for some reforms. Social reformers like Raja-Ram Mohan Roy, Swami Dayanand and Swami Vivekanand and other took up cause of women and several laws were enacted to improve the position of women.

Domestic violence victimization of women, with in the boundaries; usually by men (or his family) to whom they are married or with whom they have marriage like relationship. Violence can be both physical and psychological. It indicates the art or aggressive behaviours towards her not only to her physical being but towards her self respect and self confidence. Psychological violence is carried out with psychological weapons (threats/insults/humiliating treatment/ denial of human existence) rather than physical attack. Physical violence includes all types of aggressive physical behaviour by husband or his family towards the women’s body (victim). Sexual violence could include both passive (denial) or active violence. Domestic violence could include occasionally be seen in other relation also (i.e. by parents; brothers or others in parents family).

The argument of domestic violence is not new to us. And our experience shows that the weeds of violence can never make for a field of Promise and Plenty. It is a matter of regret that in this land of the Buddha, Akbar and Mahatma Gandhi, there should be domestic violence. Domestic violence knows no age, socio-economic, religious, gender or educational and barriers. It is a myth that only the poor and uneducated are victims of domestic abuse. Most studies indicated that there is also a high incidence of spousal abuse in the more affluent neighborhoods. Although a poor victims faces the terrible problem of not having resources available.

**Definition of Domestic Violence**

Domestic violence represents a serious abuse of power within family, trust or dependency relationships. It undermines the basic rights of people who because of the gender, age, disability or dependence, are most vulnerable to
abuse. It is further defined as a serious social and criminal problem that can result in the death or disablement of victims. It can involve killing or physical and sexual assault. It also involves other forms of abusive behaviour, such as emotional abuse, financial deprivation and exploitation and neglect. Domestic violence often remains a hidden problem which has long lasting effects on its victims. United Nation’s framework for nodal legislation on domestic violence states that all acts of gender-based-violence physical, psychological and abuse by a family members against women in the family, ranging from single assault to aggravated physical battery, kidnapping, threats, intimidation, coercion, stalking, humiliating verbal use, forcible or unlawful entry, arson, destruction of property, sexual violence, marital rape, dowry or related violence, female genital mutilation violence related to exploitation through prostitution, violence against household workers and attempts to commit such acts shall be termed domestic violence. The problem of domestic violence in India stems from a cultural bias against women. Women who challenge their husband’s right to control their behaviour or who ask for household money or step out of the house without permission may face violence. This process leads men to believe their notion of masculinity and manhood, which is reflected to the degree by which they control their wives.

The definition of ‘domestic violence’ has included ‘physical abuse’ ‘sexual abuse’ and ‘economic abuse’. It is important to clarify here the concept of ‘violence’ this has been described by Makwana (2009) has defined violence as “the overtly threatened or overtly accomplished application of force which result in the injury or destruction of persons or their reputation”. Thus rape, kidnapping, murder, wife battering, sexual abuse, eve teasing are all examples of violence against women.

Domestic violence is any act of physical, sexual or psychological abuse, or the threat of such abuse, inflicted against a women by a person intimately connected to her through marriage, family relation, or acquaintanceship. It is
universal and has its root in the socio-cultural set up of the society (Heise et al. 1999).

The definition of Domestic Violence as implied by law is especially critical as it defines standards and thus impacts broader social perception of the problem. Elements of the definition that need to be considered are, then, the boundaries of relationship between the perpetrator and the abused, the norms of acceptable behaviour and the specific acts that constitute violence. The frequent understanding of domestic violence against women is that it is limited to physical harm perpetrated on adult women within a marital relationship. While this conception may capture a large universe of the experience of women, it is predicated on the assumption that women primarily live in nuclear families. However, there are varieties of living arrangements ranging from joint families to nuclear families, to single parent families. Women may also be found in an established relationship or in the process of divorce or separation. Violence may not always be restricted to current husband but may extend to boyfriends, former husbands and other family members, such as parents-in-law and in-laws. A definition of Domestic Violence that covers these multiple dimensions would lead to interventions that are more inclusive of the experiences of the women.

In the Domestic Violence Act, 2005, domestic violence has been defined as, any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it:

(a) Harms or injuries or endangers the health, safety, life, limb or well being, whether mental or physical, of the aggrieved person or trend 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 injuries or causes harm, whether physical or mental, to the aggrieved person.

Keeping in view the social and cultural aspect of Indian society, we can define domestic violence as all acts of gender-based physical, psychological and abuse by a family members against women in the family, ranging from single assault to aggravated physical battery, threats, intimidation, coercion, humiliating, verbal use, sexual violence, marital rape, dowry or related violence, violence against household workers and attempts to commit such acts shall be termed as domestic violence.

Domestic violence is a pervasive serious social malady and a major health problem. It has been in existence for a very long time. It bluntly, trips women of their most basic human rights, the right to safety in their homes and community, and carried to the extreme, it may kill, despite its cost in lives, health, economically well being and work productivity and its impact on other social-economic variables, domestic violence tended and still tends to be a ‘Crime of Silence’. This ensures that information’s about domestic violence is sketchy and as a consequence, the perpetrators often escape accountability and continue to commit violent acts.

GLOBAL SCENARIO

“Violence at home” a shocking connotation as “home” is where one should be the safest with family. Spine chilling is the fact that for many women and children, this home is place where they face gore terror and violence. It is a shame on the human race that this violence at home is perpetrated by none else but their own close family members. Irrespective of a country’s culture, class, religion, modernization, advancement and development, domestic violence against women and children is widely prevalent. Global dimensions of domestic violence are quite alarming. No society can claim to be free of such
violence there is variation only in the patterns and trends of the regions. Studies estimate that from country to country, 10 to 15 per cent of women have experienced physical violence by intimate partner or other close family member. Because of inconsistency in defining domestic violence, it is difficult to get the actual violence rate.

Most common forms of domestic violence prevalent throughout the world are women and girls being battered, raped and even murdered. Violence also includes forced pregnancy, forced abortion; sterilization dowry related violence and killing in the name of honour. Even the older and widowed women are not spared from this abuse. Earlier, when her own intimate partner sexually raped a woman, it was not a crime. But, legislation against martial rape have begun in some countries like USA, UK, Australia, Canada, New Zealand, Mexico etc.

A UN digest quotes “domestic violence victim survivor’s report that psychological violence is even more severe than compared to physical brutality.” The mental stress, which the victims undergo, leads to a high percentage of suicide and suicide attempts. The data reveals that even in most advanced and industrialized country like USA, as many as 30 to 40 per cent of battered women attempt suicide. Sri Lanka also rates the highest in suicide attempts (UNGAD, 1993).

In countries like Bangladesh, Kenya, Canada, Thailand and USA, murder by the batterers is highly prevalent. Russia also rates high in women being killed by their intimate partners. Killing in the name of honour is another form of abuse more prevalent in Africa.

Furthermore, a most invisible and sinful abuse, in most countries, is the incest or sexual abuse against children and adolescents. It is invisible because the crime is perpetrated often by a child’s father, step father, brother, uncle or any other male relative in position of trust. The right of the child is usually sacrificed in order to protect the name of the family. And the children out of
shame and fear hesitate to report the matter. Further recent research reveals that many children are affected by domestic violence at home by their parents. It is estimated that in USA, as many as 10 million teenagers are exposed to parental violence each year. Several studies have reported that children exposed to domestic violence exhibit more aggressive and anti social behaviour.

In South Africa, hill districts of Nepal and rural areas of Thailand forced prostitution or other kind of commercial exploitation by male partners are even by parents are very high. In Asia, in countries like India and Pakistan more values is placed for “sons” and hence extreme steps of discrimination against female children is highly prevalent.

The children of destitute families from West and South Africa are sent to Middle East for jobs and ultimately end up as prostitutes. In Nepal, prostitution is a traditional source of income. Young children are trafficked to India for prostitution. Traffickers buy the labour of young girls and women to earn easy money. In Ghana, a ridiculous practice of donating the wives for protection of family is being followed. A similar practice exists in South India, where young women and girls are donated to serve temple (devdasis) and they often end up as prostitutes.

Moreover, around the world, under the garb of cultural, religious and social practices, many women and girls suffer very harmful and life-threatening violence. Female Genital Mutilation (FGM) is one such drastic violence. It is mostly prevalent in Africa, some regions of Asia, Middle East and in certain immigrant communities of North America, Europe and Australia.

It can lead to long term psychological trauma, extreme physical suffering, and infertility and ultimate death. Conclusively, this world wide suffering of women and children in their own “Homes” will not be eased until families, NGOs, social institutions and government at large address the issue directly. Women and children have right to protection even in their homes.
Domestic violence needs to be recognized as a “crime” by the law enforcement authority and judicial system and the perpetrator must be punished.

**INDIAN SCENARIO**

**Her Childhood**

When she is born, asserted to be delicate and physically weaker, her toys are generally dolls, dresses, flowers, and cosmetic-set, kitchen-set, cradles. Very rare is the occasion, when a girl child is gifted with toys like an airplane, a motorcar, a gun or a bat-ball. The collection of gold and other things to be included in her paraphernalia during her marriage starts at the cradle stage itself, irrespective of any class. Not to mention the status of a girl-child in a lower or lower middle-class family where she is a Burden by Birth. “Ladki hothi hai paraye ghar ki” (a girl from birth is destined to be property of another house). This is slowly inflicted into her brain during the process of her growth. Eventually, more than the mother, the father’s and brother’s importance is inculcated into her so much that her flexible nature is rightly moulded at an early stage and she naturally gives more regards and respect to the male-members of the family. The responsibility of household chores in the form of cooking, cleaning and taking care of the youngster, if any, also falls on the girl child. These responsibilities prepare her half way through future motherhood role. Overall, a common girl’s childhood, adolescent and teenage spends in looking forward for a good husband and in-laws. This confirms the basic Indian family structure as patriarchal. Analogously, this respect turns the latter to act as her protectors and the notion that a male should always be there to protect her is naturally imprinted. She is made an effigy of love, affection, gentleness, understanding minus her wants and expectations.

**Her Marital Life**

Marriage is very essential for an Indian girl who is treated sympathetically, otherwise. An Indian bride marries not only the man, but also
whole of his family. The husband is supposed to own her. She enters his house ‘for which she is groomed’ shrouded with doubts whether her parents will be able to fulfill her in-laws’ expectations of dowry etc. More than the husband, other members of his family have more demands from her. The period of transformation from a young girl into a woman takes no time as the well-trained docile daughter is already prepared to be a good understanding wife and daughter in-law. God knows how many times she would have heard her own mother saying, ‘your in-laws will curse me if you are not taught everything properly’ – isn’t?

Coming to husband, term it biological or moral, the relation between man and wife is one of great phenomenon as this is no blood relation. In India, there is still the practice of arranged marriages. This ‘nuptial knot’ is tied between two utter strangers - a thing highly admirable. Again, this is a drastic transformation for the female only as she changes and fits herself into a new home, chores, habits, religious rituals and hereditary practices followed in her husband’s house. If the adjustment from her side is swift and fast she earns her husband’s appraisal. From the day one, when she is supposed to touch her husband’s feet to ‘get his blessing’, she prays for his long life. Now as she is his wife, her ‘Sowbhagya’ (good fate) is inter connected with his life as the Hindu culture crowns the women as ‘Sowbhagya’ only till she is a ‘Suhagan’ (her husband is alive).

She - A Mother

‘Mothers are the creators’ – grateful, we are to the nature, which has given this privilege only to the women. It is said a woman is complete only when she is a mother. Delivering a child is also said to be a woman’s re-birth. But, ridiculous is the fact that nowhere a mother’s maiden name is attached to the child’s name. The child is first identified only by father’s name and if it is a girl child, later by her husbands’ name. Rightfully, child gets accustomed only to his/her paternal grand parents - speaks only their language, adapts their
habits and follows their rituals. To this day, in India, the blessing for a pregnant women is to ‘borne a baby boy only’ whether she is being blessed by her mother-in-law or her own mother who themselves are women. The birth of baby boy is cherished so much that the whole family will have their own interest in rearing the child and if it is a baby girl it is vice-versa. In some cases, the mother and the baby-girl are not even taken care of even by her own husband. The boy might even grow up to be a spoilt one - still his tantrums are considered his birthright. What to say about the unwanted female girl for whom begins another tale of ‘damsel in distress.’

She - A Widow

Widowhood is yet another curse for a typical Indian-woman. Even now, in many Indian families, the wife is blamed for her husband’s untimely death - she is imposed with a guilt feeling of worthless life after this. She comes to a level where she is deprived of even dressing to her choice. Irrespective of she being decorating herself since childhood, suddenly she has to stop putting ‘bindi’, flowers, colored-bangles and other trinkets when she loses her husband whom she meets only half way her life. This change is not there when she loses her own parents / child, or a brother or a sister, who are her own kith and kin. Moreover, the agony of losing the husband on one side, her each move is watched like hawks especially if she is young. She is not supposed to take active part in all religious rituals, festivals and ceremonies like marriages even if it is one of her own child. Even as we have entered 21st century, a widow’s remarriage is still not easy.

Types of Domestic Violence:

Domestic violence and abuse can happen to anyone, regardless of size, gender, or strength, yet the problem is often overlooked, excused, or denied. This is especially true when the abuse is psychological, rather than physical. Emotional abuse is often minimized, yet it can leave deep and lasting scars. Noticing and acknowledging the warning signs and symptoms of domestic
violence and abuse is the first step to ending it. No one should live in fear of the person they love. If you recognize yourself or someone you know in the following warning signs and descriptions of abuse, don’t hesitate to reach out. There is a provision of Domestic Violence Act 2005, in India to have support at the time, when one becomes the victim of any kind of violence. Violence generally means physical abuse but it does not include only this. The scope is wider than we think. In short we can describe as following.

Physical abuse is abuse involving contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or bodily harm. Physical abuse includes hitting, slapping, punching, choking, pushing, burning and other types of contact that result in physical injury to the victim. Physical abuse can also include behaviors such as denying the victim of medical care when needed, depriving the victim of sleep or other functions necessary to live, or forcing the victim to engage in drug/alcohol use against his/her will. If a person is suffering from any physical harm then they are experiencing physical abuse.

This pain can be experienced on any level. It can also include inflicting physical injury onto other targets, such as children or pets, in order to cause psychological harm to the victim. Sexual abuse is any situation in which force or threat is used to obtain participation in unwanted sexual activity. Coercing a person to engage in sex, against their will, even if that person is a spouse or intimate partner with whom consensual sex has occurred, is an act of aggression and violence.

Domestic violence has many forms including physical violence, sexual violence, emotional abuse, intimidation, economic deprivation or threats of violence. There are a number of dimensions of domestic violence:

- **Mode** – Physical, psychological, sexual and/or social.
- **Frequency** – One off, occasional, chronic.
Severity – In terms of both psychological or physical harm and the need for Treatment – transitory or permanent injury–mild, moderate, severe upto homicide.

(1) Physical Violence

Physical violence is the intentional use of physical force with the potential for causing injury, harm disability, or death, for example, hitting, shoving, biting, restraint, kicking or use of a weapon.

The Domestic Violence Act, 2005 has defined physical abuses as any act or conduct which is of such a nature as to causes bodily pain, harm or danger of life, limb or health or impair of the health or development of the aggrieved person and includes assault, criminal intimidation and criminal force.

(2) Sexual Violence

Sexual violence is divided into three categories:
(i) Use of physical force to compel a person to engage in a sexual act against their will, whether or not the act is completed.
(ii) Attempted or completed sex act involving a person who is unable to understand the nature or condition of the act, unable to decline participation, unable to the communicate unwillingness to engage in the sexual act.
(iii) Abusive sexual contact

The Domestic Violence Act, 2005 has defined sexual abuse as any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of women.

(3) Psychological Violence

Psychological/emotional violence involves violence to the victim cause by acts, threats of acts or coercive tactics. Emotional abuse can include, but is not limited to humiliating the victim, controlling what the victim can and cannot withholding information from the victim, deliberately doing something to make the victim feel diminished or embarrassed, isolating the victim from
friends and family, and denying the victim access to money or other basic resource. It is considered emotional violence when there has been prior physical or sexual violence of prior threat of physical or sexual violence.

According to Domestic Violence Act, 2005, verbal and emotional abuse includes:

(i) Insults, ridicule, humiliation, name calling and insults or ridicule specially with regard to not having a child a male child; and

(ii) Repeated threats to cause physical pain to any person in whom the aggrieved person is interested.

4 Economic Abuse

Economic abuse is when the abuser has complete control over the victim's money and other economic resources. Usually, this involves putting the victim on a strict ‘allowance’, withholding money at will and forcing the victim to beg for the money until the abuser gives them some money. It is common for the victim to receive less money as the abuse continues.

The Domestic Violence Act, 2005 explains economic abuse in detail as:

(i) Deprivation of all or any economic or financial resources to which the aggrieved person is entitled under any law or custom whether payable under an order of a court or otherwise or which the aggrieved person requires out of necessities for the aggrieved person and her children, if any stridhan, property, jointly or separately owned by the aggrieved person, payment of rental related to the shared household and maintenances;

(ii) Disposal of household effects, any alienation of assets whether movable or immovable, valuables, shares, securities, bonds and the like other property in which the aggrieved person has an interest or is entitled to use by virtue of the domestic relationship or which may be reasonably required by the aggrieved person; and
(iii) Prohibition or restriction to continued access to resources of facilities which the aggrieved person is entitled to use or enjoy by virtue of the domestic relationship including access to the shared household.

(5) **Spiritual Violence**

It includes:

(i) Using the spouse’s or intimate partner’s religious or spiritual beliefs to manipulate them; and

(ii) Preventing the partner from practicing their religious or spiritual beliefs ridiculing the other person’s religious or spiritual beliefs. Spiritual violence has not been including into The Domestic Violence Act, 2005

Xaxa Johani (2004) pointed out that domestic violence transcend the boundaries of house, caste, class or religion, in all societies. Atrocities committed to a woman may take various forms which are given below:

1. Physical violence leading to injury.
2. Verbal violence: Use of abusive and filthy language against a woman by her near and dear ones.
3. Sexual violence: Robbing women of their dignity not only by indecent behaviour but also by raping.
5. Emotional violence : Deprivation of love and affection, concern sympathy and care.
6. Intellectual violence: Denial of rights to take part in decision making.
7. Others forms of violence: Include not providing women educational opportunities, denial of reproductive rights, denial of access to health facilities or opportunities to use political rights or committing atrocities like trafficking and prostitution.
Precipitating Factors

In patriarchal society such as Indian women and girls are not only socialized into being silent about their experience of violence but traditional norms teach them to accept, tolerate and even rationalize domestic violence. Women are supposed to hide scares physical as well as mental as it will damage their own image in the family and society violence against women is a complex phenomenon deeply rooted in the way society has setup cultures, beliefs, power relations, economic power imbalance and the masculine ideal of male-dominance. Domestic violence occurs in all cultures, people of all races, ethnicities, and religions can be perpetrators of domestic violence. Domestic violence is perpetrated by, and on, both men and women and occurs in same sex and opposite sex relationships. What is more degrading for women is that they have been not only left behind and neglected in the social milieu but they are subjected to harsh cruelties. There are many factors, which are responsible for domestic violence against women.

Sinha, Archana (2011) in her article ‘Gender Concerns and Domestic violence’. Describes for factors for domestic violence i.e. (i) Cultural (ii) Economic, (iii) Legal and (iv) Political.

1 Cultural

(i) Gender Specific Socialization.
(ii) Cultural definitions of appropriate sex roles.
(iii) Expectations of roles with in relationship.
(iv) Belief in the inherent superiority of males.
(v) Values that give men proprietary rights over women and girls.
(vi) Nation of the family as the private sphere and under male control.
(vii) Customs of marriage (bride price/dowry).
(viii) Acceptability of violence as a mans to resolve conflict.

2 Economic

(i) Women’s economic dependence on men.
(ii) Limited access to cash and credit.
(iii) Discriminatory laws regarding inheritance, property rights, use of communal lands and maintenance after divorce or widowhood.
(iv) Limited access to employment in formal and informal sectors.
(v) Limited access to education and training for women.

3 Legal
(i) Lesser legal status of women either by written law and or by practice.
(ii) Laws regarding divorce, child custody, maintenance and inheritance.
(iii) Legal definitions of rape and domestic abuse.
(iv) Low levels of legal literacy among women.
(v) Insensitive treatment of women and girls by police and judiciary.

4 Political
(i) Under representation of women in power, politics the media and in the legal and medical professions.
(ii) Domestic violence not taken seriously.
(iii) Nations of family being private and beyond control of the state.
(iv) Risk of challenge to status quo/religious laws.
(v) Limited organization of woman as a political force.
(vi) Limited participation of women in organized political system.

EXPLOITATION OF WOMEN IN INDIA

Incidences like sexual abuse by near relatives, co-habitation with near or dear friends and subsequent decline of marriages and issues relating to illegal pregnancy etc. are the real fact, the information of which remains mostly in darkness. In addition, girl students molested by teachers or repeated sexual abuse by antisocial activists are also an unfortunate reality. Women exploitation in the form of physical and mental torture on wives by husband is also common, mostly where women are simply a house wife and not associated with any employment. As a result, they are compelled to keep their head down in a speechless manner tolerating the cruelty of their husband helplessly. This ultimately makes them mentally disordered for which they often take the shelter of suicide or other means of malpractices that result very disgrace social, moral, ethical and after all economic support to them (Dr. Khokan Kumar Bag, Piyal Basu Roy, March 2012).
DIFFERENT FORMS OF WOMEN EXPLOITATION IN PRESENT SOCIETY

Exploitation of women are various forms and different natures. It include crimes involving sexual exploitation for economic gains like prostitution & trafficking, adultery, abduction, rape, wrongful confinement, and murder etc on the one hand and crimes related to women's property like dishonest misappropriation, criminal breach of trust, domestic violence, dowry extortion and outraging the modesty of women etc., on the other. These crimes are not only injurious and immoral for the women but for the society as a whole.

Domestic Violence: In Indian family the man is the master and women is the inferior and subordinate partner and societal pressure force women to maintain this status quo. Wife beating is the most prevalent form of violence against women in the Indian society and it is viewed as a general problem of domestic discord.

Female Infanticide and Feticide: This is playing a significant role in lop sided sex ratio in India. Poor families in certain regions of the country sometimes resort to killing baby girls at birth, to avoid an unwanted burden on family resources. Sex selective abortion has also been common in the country. It's dangerous to abort the foetus after 18 weeks of pregnancy and quiet harmful for mother too at such a late stage.

Dowry: The Dowry Prohibition Act of 1961 marks the first attempt by the Government of India to recognize dowry as a social evil and to curb its practice. The act was modified with the Dowry Prohibition Amendment Act of 1984, which has again been modified with Dowry Prohibition Bill 1986. Women's organization have played key role in this process of change. The 1961 Act define dowry and makes the practice of dowry-giving and taking, a punishable offence. Dowry is one of those social evils that no educated woman
will own up with pride; still many are adhering to it. Practices of dowry tend to subordinate women in the society.

**Recent news of Gang Rape in New Delhi:** 23 year old woman was raped by 6 people in a moving bus in New Delhi in December, 2012. The girl was hospitalized for several days and was also taken to Singapore for advanced treatment.

**Delhi gang rape victim regains consciousness, next 48 hours critical:** The 23 year old victim of the brutal gang rape has reportedly regained consciousness at Delhi’s Safdarjung hospital where she is being treated for her injuries. NDTV reported that the girl is communicating with doctors and nurses by writing because she is still not in a position to talk. Despite the encouraging signs however, she is still in critical condition, and doctors say that the next 48 hours will be critical (FP Staff Dec 18, 2012, firstpost.com).

**UN Women condemns gang rape of Delhi student:** UN Women expresses indignation and condemns the ghastly gang-rape of the 23-year-old Delhi student, who is critically injured and battling for her life in a New Delhi hospital. This attack is an attack against all women in India. Violence against women is not a women’s issue but a human rights issue. UN Women joins the Government and people of India in recognizing that we need to take tougher action together to change the present reality and culture of impunity. UN Women in India stresses the urgent need to promote and protect the safety of women and girls in India. Every girl and woman should be able to live safely and free of violence. These crimes need to end sexual harassment and violence cannot be tolerated. We urge that political will must translate into concrete action and stronger implementation of already existing laws and regulations. (Anne F Stenhammer, December 20, 2012, New Delhi)

**Rape victim and accused relationship in India:** Rape in India has been described by Radha Kumar as one of India's most common crimes against women. Official sources show that rape cases in India has doubled between
1990 and 2008 (Wikipedia). Rape is the fastest growing crime in India compared to murder, robbery and kidnapping. According to the report of National Crime Records Bureau (NCRB), every 60 minutes, two women are raped in this country. According to the Delhi police report a total of 703 cases of rape were reported in the year 2012. The biggest number of such crimes was reported from neighbours. One-quarter of the victims were minors, 27.9 per cent of culprits were known to victims and 28.38 per cent were friends and 8.35 from relatives. These figures are underestimations as many incidents go unreported due to fear of stigma and non awareness of rights. There are also the countless cases of eve teasing, indecent gazes, pinching, brushes and comments that infringe upon the rights of women, especially in overcrowded spaces and public transport buses and trains. There is a need for a drastic change in attitudes and mindsets towards such incidents. Poor investigations, harsh cross examination of victims, senseless adjournment of cases and faulty assessment of evidence and furnishing of evidence by victims in presence of culprits are areas that need reforms.

Rape victim and accused relationship -2012

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Accused relationship</th>
<th>No. of rape victim</th>
<th>Percentage of rape victim</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Neighbours</td>
<td>207</td>
<td>29.32%</td>
</tr>
<tr>
<td>2</td>
<td>Friends</td>
<td>200</td>
<td>28.32%</td>
</tr>
<tr>
<td>3</td>
<td>Relatives</td>
<td>59</td>
<td>08.35%</td>
</tr>
<tr>
<td>4</td>
<td>Employers/co-workers</td>
<td>17</td>
<td>02.41%</td>
</tr>
<tr>
<td>5</td>
<td>Other Known persons</td>
<td>197</td>
<td>27.90%</td>
</tr>
<tr>
<td>6</td>
<td>Unknown/stranger</td>
<td>26</td>
<td>03.68%</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>706</td>
<td>99.98%</td>
</tr>
</tbody>
</table>

The above table shows maximum number of rape victim was committed by the known persons such as neighbours, friends, relatives, employed/co-workers and known persons. Only 3.68% cases were committed by the unknown persons. This table shows women are not safe even their family, neighbours, relatives and known persons in present society.
WOMEN AND HUMAN RIGHTS

It needs hardly any emphasis that women must have certain rights to improve their positions: these rights have been provided in conventions, constitution, international covenants including the universal declaration of human rights. The declaration provides the following rights:

1. Elimination of all forms of discrimination against women made on the basis of sex, which has purpose or effect of denying equal exercise of human endeavors.
2. Basic human rights and fundamental freedom should be guaranteed to women and this on an equal basis with men.
3. All practices based on inferiority or superiority of either sex shall be eliminated.
4. Assurance of family education with teaches that both men and women share a common role in raising child.
5. Social and cultural patterns must be modified to eliminated sex role, stereotypes and nation of inferiority or superiority of either sex.
6. Measures should be taken to suppress all form of exploitation of women including sexual and physical harassment.
7. Right to vote elect to be elected and hold offices at all levels of government along with the right to participate information of government policy.
8. The opportunity to represent their country at international level and to participate in international organizations.
9. Equal right to acquire, change or retain nationally.
10. Equal access to educational opportunity and elimination of stereotyping in education and textbooks.
11. Equal right to employment choice of profession, remuneration, and social security.
12 Guarantee of same legal capacity as men to contract, administer property and appear in courts or before tribunals.
13 Freedom of movement, right to choose residence and domicile should be granted to women.
14 Contractual and other provide restriction on legal capacity of women shall be declared null and void.
15 Equal rights and responsibilities with men in marriage and family relationship.
16 Equality during marriage and its dissolution.
17 Equal rights to choose family name, profession or occupation.
18 Equal rights to guardianship and adaptation of children.
19 Equal rights and responsibilities and adaptation of children.
20 Abolish all existing laws, customs and regulations that discrimination against women and establish institution of protect against discrimination (Shalu Nigam, 1998).

Some Reasons for increase in violence against women

While the basic reason for violence against women is their inferior status in a male dominated society educationally economically. Politically and socially there are other factors responsible too.

The increasing criminalization of society, media images of violence, inadequate means to address the cause and consequences of violence, poor enforcement of legal provision unabashed consumerism and erosion of traditional values have all added to it. Other reasons can be:

(a) More awareness in women of their rights:

Complaints being lodged in various police stations has increased which shows that awareness of rights among women laws risen, attitude have changed. Especially in offences like rape where the stigma attached to it has lessened to some extent one of the reasons for the increase in the statistical graph of crime against women is that women have become more aware of their
rights. Access to Mahila courts legal cells and crime for women has also helped indirectly to encourage women to register their complaints.

(b) Role of Media

Indian society is quick in being influenced by the west. The condition of our Indian cinema is deteriorating day by day. In Indian movies it is common to have scene of sexual harassment or rape such indecent scenes are often being shown in flings. Conditions have become scan that it has become rather embarrassing to watch T.V. with the family as most of the film songs have the heroes and heroines doing vulgar dances and songs containing sexual innuendoes. Most of the movies portray heroines as sex objects. All this leads to increase in atrocities against women. Not only movies but T.V serials and advertisements are also promoting such undesirable things on the screen.

(c) Low rate of punishment of guilty:

The low conviction rate is deplorable. The remedies that women have resources to with in law are ineffective in as much as they do not cater to the immediate need of women. Lack of evidence and lack of guidance loop holes is existing laws are some of the reasons for the rise in crime against women.

Provision under I P C which aim to protect the women

1. Under section 125, the wife can file a suit against her husband if the husband fails to maintain her.
2. Sections 375 and 376 specify the punishment for rape.
3. Under section 359-396, kidnapping of women is punishable. The offence is cognizable, non-malleable non-compoundable tribal by a first class magistrate. Whosoever kidnaps and abducts any person from India or from lawful guardianship shall be punishable with the imprisonment for a term up to 7 years and fine as well as section 363 to 373 clarify as to what constitute kidnapping and abduction.
4. Section 302/304 (b) clarify the meaning and punishment relating to homicide for dowry, dowry death, or their attempts. Under section
304 (b), death of her marriages shall be deemed to have been caused by any demand for dowry. Who so ever causes such death shall be punishable with a term not less than seven years but May also extend to imprisonment for life or even a death sentence.

Section 306 says that only person who commits suicides, whosoever abort the commission of such suicide is punishable with imprisonment up to 10 years and also fine. The offence is cognizable non compoundable.

Under sections 312 to 314 a person causing miscarriage and punished with imprisonment which may extend up to 3 years or with fine or both.

Bigamy is an offence under section 494 such an act is punishable with imprisonment for a term extending 7 years or with fine.

Under section 407, a person who commits adultery shall be punished with imprisonment for a term which may extend to 5 year or with fine or both, enticing or taking away or detaining a married woman with criminal intent is also punishable under this section.

Under section 498 (a) FIR can be lodged at any police station or a women cell for torture, both mental and physical by the husband or the in-laws. The offense is cognizable, non-boilable non compoundable. The punishment is imprisonment which may extend up to 7 years with fine.

Importation of girl up to 21 years of age from a foreign country shall be punishable under section 366 of IPC. The punishment can extend up to term of ten years and also fine.

Section 354 deals with outraging modesty of women. Any act of molestation with intent to outrage the modesty of a women is punishable.
12 Section 509 is related to the insult of modesty of a women (sexual harassment) such an act shall be punishable with imprisonment may extend up to 10 years and also give.

DOMESTIC VIOLENCE AS A VIOLATION OF HUMAN RIGHTS

Women's rights have become an integral part of international human rights law in that violence against women is a violation of human rights for which states are accountable. States have an international obligation with regard to the protection of these rights, with reference to international human rights law. Except for categories such as "pirates" and "international war criminals", private individuals and agencies are not generally bound by international human rights law. But states may be responsible for their failure to meet international obligations even when violations originate in the conduct of private individuals (Coomaraswamy 1995). Domestic violence infringes upon an individual’s right to life, to security of person, and to freedom from torture, cruel, or inhuman and degrading treatment (The Commission on Security and Co-operation in Europe, 2001).

The special rapporteur, on violence against women, its causes and consequences, has outlined in detail the international human rights standards with regard to violence against women, which alludes to domestic violence constituting a violation of the human rights of women. This refers to domestic violence perpetrated by a private actor or by the state (ECOSOC, Commission on Human Rights, 2004). Although it is the duty of states to ensure that there is no impunity for the perpetrators of violence within the domestic sphere, state policies may perpetuate and/or condone violence within the domestic sphere. It is argued that the role of state inaction in the perpetuation of the violence combined with the gender specific nature of domestic violence require that domestic violence be classified and treated as a human rights concern rather than as a mere domestic criminal justice concern (ECOSOC, Commission on Human Rights, 2004).
Under international human rights law, governments are not only obliged to refrain from committing human rights violations but also obliged to prevent and respond to human rights abuses, without discrimination. In the past, however, a narrow interpretation of international human rights protections has overlooked the issue of state inaction to prevent and punish violations committed by private actors, despite provisions in, inter alia, the international covenant on civil and political rights, which require states to respect and ensure, among other things, the right to life, the right to be free from torture and cruel, inhuman or degrading treatment and the security of person. Increasingly, however, international legal interpretations and norms are evolving to define more clearly the positive role and responsibility of the State in preventing abuses perpetrated by state or private actors (ECOSOC, Commission on Human Rights, 2004).

The concept of state responsibility has developed to recognize that States also have an obligation to take preventive and punitive steps where human rights violations by private actors occur. In this context, the human rights committee has clearly stated that a state not only has a duty to protect its citizens from such violations but also to investigate violations when they occur and to bring the perpetrators to justice (ECOSOC, Commission on Human Rights, 2004).

With regard to violence against women, the state accountability is embedded in the standard of due diligence to protect women’s bodily integrity: to prevent, investigate and punish private or state violence against women in accordance with human rights law. In fulfilling this obligation, the State and its agents must undertake gender analysis in order to accurately assess how, why, and under what circumstances specific forms of violence are perpetrated (ECOSOC, Commission on Human Rights, 2004).

The rhetoric of public versus private has fundamentally affected perceptions of women's rights. As certain form of violence has been defined as
domestic violence, the starting point has been taken in the notion of such violence being private acts within the family. This focus on only private actors legitimizes the distinction between private and public. The public/private dichotomy has continually been challenged and critiqued by women's human rights activists, not least because it neglects a gender specific dimension. Thus, the development of a comprehensive framework clearly depicting the relation between the nature of violence against women and women as private persons is important for the process of moving beyond a private/public distinction in addressing violence (Coomaraswamy, 1996).

India’s Legal Response to Domestic Violence

The recognition of domestic violence as a social problem and keeping in view the available statistics the government of India from time to time took following measures to address domestic violence and curb the societal pressures leading to this form of violence against women.

Some major provisions related to this issue are given below:

**Constitutional Provisions**

(i) Article -15(3) provides for the states to make special provisions for women and children.

(ii) Article 23 prohibits traffic in human being means selling and buying men and women like goods and includes immoral traffic in women.

(iii) Article 39 directs state not to discriminate on the ground of sex and it should direct its policy towards securing equal pay for equal work irrespective of sex.

(iv) Article 42 directs the state to make provisions for securing just and human conditions of work and for maternity benefit.

(v) Article 51 declares it a fundamental duty of every Indian citizen to renounce practices derogatory to dignity of women.
(vi)  Article 243 added by the 73rd & 74th amendment, in 1992; provide reservation of 33 per cent seats for women in the direct elections to every panchayats and municipalities.

**Provisions Under Civil Laws**

(i)  The Hindu Marriage Act, 1955.

(ii) The Indian divorce Act, 1869.

(iii) The Dissolution of Muslim Marriage Act, 1930.

(iv) The parsi Marriage and Divorce Act, 1939.

(v)  The special Marriage Act (1954).

(vi) The Muslim women (protection or divorce) Act, 1986.


**Provision under IPC (Indian Penal Code)**

(i)  Under section 125, the wife can file a suit against her husband if the husband fails to maintain her.

(ii) Section 302 and 304 (B) define the meaning and punishment relating to homicide for dowry, dowry death or their attempts. It says that with death of a woman within seven year of her marriage shall be deemed to have been caused by any demand for dowry.

(iii) Section 306 says that any person who commits suicide, who so ever abets the commission of such suicide is punishable with imprisonment up to 10 years and also fine. The offence is cognizable non-bailable and non-compoundable.

(iv) Under section 312 to 314, a person causing miscarriage is punished with imprisonment which may extend up to 3 years or with fine or both.

(v)  Section 339 and 348 deals with wrongful restraint and wrongful confinement.
(vi) Section 354 deals with outraging modesty of women. Any act of molestation with intent to outrage the modesty of a woman is punishable.

(vii) Under section 359-396 kidnapping of women is punishable.

(viii) Under section 363 to 373 clarifies to act what constitute kidnapping and adduction.

(ix) Importation of girl up to 21 years of age from a foreign country shall be punishable under section 366 of IPC. The punishment can extend up to a term of 10 years and also fine.

(x) Section 375 and 376 specify the punishment for rape.

(xi) Section 376 (A) deals with sexual intercourse during separation who so ever commits this offence is punishable with imprisonment up to 2 years and also fine. The offence is non-cognizable, non-bailable compoundable.

(xii) Under section 407, a person who commits adultery shall be punished with imprisonment for a term which may extend up to 5 years or with fine or both.

(xiii) Section 493 deals with deceitfully causing a person to believe that she is lawfully married.

(xiv) Section 494 and 495 declare bigamy as an offence. It is punishable with imprisonment for a term extending up to 7-10 years Section 496 deals with fraudulent marriage ceremony and section 497 declares adultery as offence. It is punishable with imprisonment for a term for 5 years of fine or both.

(xv) Under section 498(A), a FIR can be lodged at any police station or a women cell for future, both mental and physical by the husband or in-laws. The offence is cognizable, non-bailable, and non-compoundable. The punishment is imprisonment which may extended up to 7 years with fine.
Section 509 is related to the suit of modesty of a woman (sexual harassment). Such an act shall be punishable with imprisonment which may extend up to 10 years and also fine.

Since the above provisions were dealing with the problem on different platforms. They were unable to counter the issue as a whole in an appropriate manner. This led to the formation of a separate legislation to cater to all dimensions of domestic violence under an umbrella. This legislation not only gave a formal definition to domestic violence in India but also gave provisions for protection of women against domestic violence as a whole.

The Domestic Violence Act 2005

Domestic violence according to this act include an act or conduct which harms injures or endanger the health, safety and life or well being mentally physically. It may be in the form of physical, sexual, verbal, emotional and economic abuse to meet any lawful demand such as dowry or otherwise, different dimensions violence are:

(i) Physical Violence

Includes use of physical force against women such as pushing throwing, kicking, slapping, biting, beating assault, burning and murder etc.

(ii) Sexual Violence

Includes sexual assault, harassment and exploitation.

(iii) Verbal or nonverbal Violence

This may be more subtle in action or behaviour than physical abuse, score of which are not visible but can be felt and proves to be more emotionally damaging. It may be in the form of isolation, excessive possessiveness and trusting, screaming, embarrassing, making fun for or mocking.

(iv) Economic Violence

This includes with holding economic resources defrauding of money exploitation or women resources, with holding physical resources such as food clothes, shatter preventing the women from working.
Other major provisions under this act include:

(i) Any women who is or has been in a domestic or family relationship if is subjected to any act of domestic violence can complain under this Act.

(ii) Under section 5 any aggrieved women can complain to the concerned protection officer, police officer service provider or magistrate.

(iii) Under section band 7, shatter home and medical facilitates can be provide to aggrieved woman.

(iv) Under section 17, every aggrieved woman has right to reside in shared household.

(v) Under section 18, protection 18, protection order by magistrate can be given favour of aggrieved women.

(vi) Under section 20, monetary relief does can be given to aggrieved woman to meet expenses or loses.

(vii) Under section 22 interim compensation can available to aggrieved woman.

(viii) Under section 30, imprisonment up to 1 year a fine up to 20,000 or both for breach of protection order by respondent.

(ix) Under section 33 protection officer can be prosecuted up to 1 year imprisonment or with a fine up to Rs. 20,000 or both for failure of his duties.

Despite the above given enormous response still an extensive range of violent activities at domestic front are occurring in private and public places both, as reported through print and electronic media from time, which indicates the need to reconsider domestic violence, not only as a problem of individual victims but as a societal issue of concern.

**Patriarchy:** Implications for women.
Political
1. Low representation of women in governance, law and police.
2. Lack of political will to frame and implement laws safeguarding rights of women.

Legal
1. Law related to marriage maintenance custody and divorce tilted against women.
2. Lack of legal literacy among women.
3. Expensive and slow litigation process.

Biological
1. Prevalence of the concept of purity and pollution related to female sexuality.
2. Lack of control of decision related to reproduction and access to reproductive health.
3. Glamorizing women as sex symbols.

Familial
1. Preference for male child.
2. Practice of sex related abortions and final infanticide.

Practices
1. Glorification of virtues such as patience, morality and sacrifice in women.
2. Interpretation of serious dogmas to sudden women.

Economic
1. Minimum participation of women in income generation activities.
2. Maximum occupation of women in unrecognized sector leading to discrimination of employment and wages.
3. Limited access of women in property, land and other assets.
4 Implied division of occupation on the basis of sex.

Some factors, which prevent a woman to seek justice through law are:

Main Factors
1 Chain of Patriarchy.
2 Challenge the inherent structure.

Other Factors
1 Individual fears and apprehension relating to consequences of leaving her matrimonial home, this is especially true if a woman is non working and has no other source of support.
2 Lack of support form parental family and other social networks especially in terms of emotional and marital support.
3 In adequacy of social support network which compels women to ‘Compromise’ or reconcile.
4 Cultural forces which stigmatize a woman if she dares to challenges the power structure of the society.
5 Non availability of alternatives in terms of physical, economic and social rehabilitation.
6 Care and custody of children is an important issues which prevent women to take any drastic step.
7 Inadequacy of legal provisions which take long time to dispense justice, and
8 Lack of political will to tackle the situation.

Social factors also play major role in reporting number of crime or atrocities committed on women.

All these factors may combine together to build a ‘culture of since’ around the whole issue. Access to proper forums is yet another hurdle which when combined with the take of awareness regarding women’s rights act as the obstacle in the way to justice. A woman may also not lodge a complaint in the case where she has no place to live, when she leaves her matrimonial house or
his deserted by her husband. The educational status, fear the system and non-availability of safety not determine the attitude towards women’s changing factors that prohibits a women from lodging a complaint against her husband.

‘Compromise’ is another word used so often by the family members, counselors and friends to many ‘compromises’ is a dangerous interpretation of a very complex sickness of modern society. The brutality of domestic violence often leads to death. At such times the police. Often turns a blind eye saying that domestic violence is really a “private affairs”. In all this it is clearly seen, that the women does not have a say and her voice is throttled and muffled by the lord and master. Society uses symbolic emotional appeal to confine Indian women into the vicious circle of subjugation and oppression.

INTERNATIONAL EFFORTS

The United Nations has recently significantly stepped up activities aimed at combating violence against women. The United Nations Secretary General’s 2006 study on violence against women (United Nations, 2006) elaborates on the context and causes of this violence and on its forms, consequences and costs. The study dedicates a separate chapter to issues related to data collection and the gaps and challenges in the different sources of data used for quantification, with an emphasis on types of violence and ethical and safety issues related to population-based surveys used as sources. Furthermore, the study points to the fact that the development and use of common indicators on violence against women is critical for a full and comprehensive overview of this phenomenon.

The General Assembly adopted four resolutions (General Assembly Resolutions, 2006) in the period 2006–2009 on intensification of efforts to eliminate all forms of violence against women, thus emphasizing countries’ concern about the issue. It also built on the Secretary-General’s call for developing global indicators, requesting in its resolution 61/142 of December
2006 that such undertaking take place as a matter of urgency to assist governments in assessing the scope, prevalence and incidence of violence against women. Simultaneously the United Nations is undertaking work on defining and identifying the different forms this violence takes in order to enable accurate assessment and quantification. This is best reflected in the Secretary-General’s Campaign UNITE to end violence against women. The overall objective is to raise public awareness and increase political will and resources. One of the five key outcomes as benchmarks for the campaign to be achieved in all countries by 2015 is the “establishment of data collection and analysis systems on the prevalence of various forms of violence against women and girls” (United Nations, 2009).

Three outputs are listed under this benchmark: (1) All countries have undertaken a dedicated population-based survey or module on violence against women and girls; (2) All countries have integrated data collection on violence against women and girls in their administrative and routine reporting systems, including for health, police and justice; and (3) All countries, the international community and other actors commit to ensuring the gender desegregation of existing data, where possible. This chapter focuses on relevant methodological issues and sources of statistics that influence the availability of accurate, robust and comparable data on violence against women. It also describes the work on global statistical indicators for measuring such violence. The interim set of these global indicators is then used to present data on violence against women compiled from national and international surveys. The final sections of the chapter look at statistics on female genital mutilation and at the attitudes of women towards the violence inflicted on them.
RELEVANCE OF THE STUDY

The foregoing paragraphs are a sure indicator towards the prevalence of domestic violence in our society. This is in stark contrast to the UN Human Rights Declaration (of which India signatory) and our constitutional and legal provisions. But most women are not aware of their rights to protection of life, liberty etc. Even if they were aware, they would lack the resources in terms of money, skill, time, experience, confidence and courage to invoke these provisions. Moreover, traditionally women believe in tolerating harassment at home. Domestic violence is to be perceived not as a law and order problem alone. Primarily it is a socio cultural problem. Its impact has far reaching effects on the family life, health of woman, life of children etc. Studies such as these which examines the causes, its nature and manifestations and consequences would assist the general society to understand the magnitude as well as its implications on the lives as well as the institution of family.

Moreover, it would be an elementary step in brining together the victims of domestic violence under one umbrella and fight against this vice that breaks down the bonds that exists within the primary institution of the society i.e.; the family and thereby make efforts to formulate appropriate measures/strategies that could contribute to the minimization of domestic violence and uphold their rights before the society.

Similarly, studies of this nature that focuses more on the root causes and veracity of domestic violence would enable the society to present before the judiciary, legislature and executive on the gravity of the problem and thereby influence them to formulate and execute laws that would uphold the dignity of women in a manner that would give them justice.

This would also assist the local bodies at the grass root levels to be vigilant against the menace and chalk out meaningful and effective measures to create a blockage to domestic violence against them by empowering them
through the efforts of SHG. The study thus will enable the various institutions like PRIs, NGOs and the general public to capture the multifaceted effects of domestic violence and take genuine efforts to sensitize the whole society on the same. Furthermore, it would function as a handy matter to planners and policy makers while formulating plans to reassign the women the position they held in the early Vedic period.