Chapter – III

Problem of Domestic Violence
PROBLEM OF DOMESTIC VIOLENCE

Although, it is said by Allama Mohammad Iqbal, the great poet, philosopher of India that,

Wajud-e-Zan se hai Tasveer-e-Kaiynat Me Rang
Isi ke saz se hai zindagi ka soz-e-Darun.

"If the whole universe is compared to a painting, the women are the glow, glamour and colour of it".

But in reality, women who constitute about half of the world’s population are the worst victim of violence and exploitation in the male dominated society all over the world. Domestic violence against women is a global phenomenon that exists in almost all the countries of the world whether developed or developing. It cuts across boundaries of culture, class, education, income, ethnicity and age. Thus the social, economic, physical, psychological and sexual exploitation of women, which is still not acknowledged, as a serious crime, affecting the lives of millions of women all over the globe.

It is highly unfortunate that women are unsafe even within the four walls of their houses. ‘Home’ which is believed to be a place of security, love, affection, gentleness and warmth, has now become a place of exploitation, assault and violence and all the inhuman and barbaric forms of abuses take place within the boundaries of home against the women of any age - an infant girl child, unmarried, married, elderly women and widows. Inspite of getting security, the women are badly treated by the male members of family and where they have to accept their inferior position, they are socialised to have a negative, disempowering self images.
Consequently phenomenas like domestic violence are accepted by women (who are the largest victim) as something natural or something that is socially, culturally, religiously and even biologically approved.

The problem of domestic violence prevail much not only in 'Nuptial family' but also in 'Natal family' where women face violence or threat of violence from their parents, brothers and other related family members for example honor killing. M.D.R. Freedom has rightly maintained in his book 'Violence in Home' that,

"From the cradle to the grave women are objects of violence from those nearest and dearest to them. And it is a never ending cycle for them is considerable of intergenerational transmission of domestic violence".\(^2\)

So, it is highly unfortunate that women's victimization takes place not only by in-laws, but also by their own parents. Thus, it totally denies the established notion that, only husbands, in-laws are involved in practicing violence against women within the home. According to an official record in '30% to 50% of the reported cases the offenders are the family members, close relatives, neighbours and friends. The Delhi police records also show that in '80% of the rape cases the rapist was known to the child'.\(^3\) Therefore, violation of human rights within the private space, is much serious and difficult to be challenged as there is no witness to such crimes, because in many of the cases the perpetrators are closely related to the victim that is why challenging or fighting against domestic violence is extremely difficult on the pretext of privacy.

However, the problem has a global character and is as pervasive in the so-called advanced liberal-democratic western societies. In most of the
countries of the world, the graph of domestic violence is rising day by day. The data collected by 'Amnesty International' highlights the same fact.

Table 3.1

Incidence of domestic Violence against women in different Countries

<table>
<thead>
<tr>
<th>Country</th>
<th>Occurrence of Violence (in %)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>23</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>50</td>
</tr>
<tr>
<td>Canada</td>
<td>29</td>
</tr>
<tr>
<td>Egypt</td>
<td>35</td>
</tr>
<tr>
<td>Hungry</td>
<td>13</td>
</tr>
<tr>
<td>India</td>
<td>45</td>
</tr>
<tr>
<td>Japan</td>
<td>59</td>
</tr>
<tr>
<td>Kenya</td>
<td>42</td>
</tr>
<tr>
<td>Mexico</td>
<td>30-50</td>
</tr>
<tr>
<td>Netherlands</td>
<td>21</td>
</tr>
<tr>
<td>Nigeria</td>
<td>31</td>
</tr>
<tr>
<td>Pakistan</td>
<td>90</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>75</td>
</tr>
<tr>
<td>South Africa</td>
<td>13</td>
</tr>
<tr>
<td>Uganda</td>
<td>41</td>
</tr>
<tr>
<td>UK</td>
<td>25</td>
</tr>
<tr>
<td>US</td>
<td>18</td>
</tr>
<tr>
<td>Zimbabwe</td>
<td>32</td>
</tr>
</tbody>
</table>

The statistics shows, whether it is developed or developing country except one or two, the percentage of domestic violence against women is very high, all over the world. Women are physically abused, assaulted and beaten severely, even in most of the so called liberal democratic developed as well as underdeveloped countries equally. Statistics given by 'World Health Organization' also suffice the same.
Industrialised Countries

➢ **Canada**: 29% of women (a nationally representative sample of 12,300 women) reported being physically assaulted by a current or former partner since the age of 16.

➢ **Japan**: 59% of 796 women surveyed in 1993 reported being physically abused by their partner.

➢ **New Zealand**: 20% of 314 women surveyed reported being hit or physically abused by a male partner.

➢ **Switzerland**: 20% of 1,500 women reported being physically assaulted according to a 1997 survey.

➢ **United Kingdom**: 25% of women (a random sample of women from one district) has been punched and slapped by a partner or ex-partner in their life time.

➢ **United States**: 28% of women (a nationally representative sample of women) reported at least one episode of physical violence from their partner.

Asia and the Pacific

➢ **Cambodia**: 16% of women (a nationally representative sample of women) reported being physically abused by a spouse, 8% report being injured.

➢ **India**: Up to 45% of married men acknowledged, physically abusing their wives, according to a 1996 survey of 6,902 men in the state of Uttar Pradesh.
➤ **Korea**: 38% of wives reported being physically abused by their spouse, based on a survey of a random sample of women.

➤ **Thailand**: 20% of husbands (a representative 619 husbands) acknowledged physically abusing their wives at least once in their marriage.

**Middle East**:

➤ **Egypt**: 35% of women (a nationally representation sample of women) reported being beaten by their husband at some point in their marriage.

➤ **Israel**: 32% of women reported at least one episode of physical abuse by their partner and 30% report sexual coercion by their husbands in the previous year, according to a 1997 survey of 1,826 Arab women.

**Africa**:

➤ **Kenya**: 42% of 612 women surveyed in one district reported having been beaten by a partner of those 58% reported that they were beaten often or sometimes.

➤ **Uganda**: 41% of women reported being beaten or physically harmed by a partner; 41% of men reported beating their partners (representative sample of women and their partners in two districts).

➤ **Zimbabwe**: 32% of 966 women of one province reported physically abuse by a family or household member since the age of 16 according to a 1996 survey.

**Latin America and the Carribbean**

➤ **Chile**: 26% of women (representative sample of women from Santiago) reported at least one episode of less severe violence.
➢ **Columbia:** 19% of 6,097 women surveyed have been physically assaulted by their partner in their lifetime.

➢ **Mexico:** 30% of 650 women surveyed in Guadalajara reported at least one episode of physical violence by a partner. 13% reported physical violence within the previous year according to a 1997 report.

➢ **Nicaragua:** 52% of women (representative sample of women in Leon) reported being physically abused by partner at least once. 27% reported physical abuse in the previous year, according to a 1996 report.

**Central and Eastern Europe/CIS/Baltic States**

➢ **Estonia:** 29% of women aged 18-24 fear domestic violence, and the share rises with age, affecting 52% of women 65 or older, according to a 1994 survey of 2315 women.

➢ **Poland:** 60% of divorced women surveyed in 1993 by the centre for the examination of public opinion reported having been hit at least once by their ex-husbands; an additional 25% repeated violence.

➢ **Russia St. Petersburg:** 25% of girls reported unwanted sexual contact according to a survey of 172 girls in grade 10 (aged 14-17).

➢ **Tajikistan:** 23% of 550 women aged 18-40 reported physically abused according to a survey.

The high prevalence of women - beating in different countries can also be observed through the below mentioned bar chart.


Besides beating or physical abuse, women all over the world are also the worst victim of various, different kinds of domestic violence against them within the home. Statistics also favours the same fact,

- **One million women are still abused every year.**
- **In Russia 12,000 women are killed every year as a result of domestic violence by husband and boyfriends.**
- **Three quarters of the women killed annually in Canada by their living partners.**
- **For European women aged 16-44 violence in the home is the primary cause of injury and death. Between 25% and 50% of women are victims of this violence.**
- **In Portugal 52.8% of women say that they have been violently treated by their husbands or partners.**
In Germany almost 300 women a year or three women every four days are killed by men with whom they used to live.

In Britain one woman dies in similar circumstances every three days.

In Spain it is one every four days.

In France six women die this way every month, 33% of them knifed, 33% shot, 20% strangled and 10% beaten.

In the 15 member states of the European Union (before enlargement to 25) more than 600 women die every year because of sexist brutality in the family.

Romania in the European country with the worst record; every year almost 13 in every million women are killed by their male partners.

Atleast one out of three women has been beaten, coerced into sex, or otherwise abused in her life time, according to a study based on 50 surveys from around the world. Usually, the abuser is a member of the own family or some one known to her.

More than 60 million women are 'missing' from the world today as a result of sex-selective abortions and female infanticide, according to an estimate by Amartya Sen.

China's last census in the year 2000 revealed that the ratio of new born girls to boys was 100:119. The biological norm is 100:103.

In the USA women accounted for 85% of the victims of domestic violence in 1999 (671,110 compared to 120,100 men), according to the UN special Rapporteur on violence against women.

The Russian government estimates that 14,000 women were killed by their partners or relatives in 1999.
• World Health Organization has reported that up to 70% of female murder victims are killed by their male partners.

• The British crime survey estimates that approximately three quarters of a million women (754,000) have been raped on at least one occasion since age 16.10

• In the United Kingdom, the latest statistics reveal that 26% of women have been victims of conjugal violence and two women a week are killed by either their partner or their former partner.

• In Ireland, one half of the women murdered, are killed by their companion or husband.

• In Finland, 27% women on average die as a result of violence inflicted by their partner.

• In Australia, violence against women is the reason cited for half of all applications for divorce.

• In the Netherlands, a fifth of women have been subjected to physical violence by a companion or former companion.

• In Hungary 10% of women state, that they have been raped in a violent domestic situation.

• 38% of women in the Czech Republic say that they have been subjected to conjugal violence.

• In the Russian Federation 36,000 women a day are beaten by their husbands or companions, and domestic violence leads to one murder of a woman every 40 minutes.
A recent survey in Turkey found that 32% of women had suffered domestic violence.¹¹

One half of all Canadian women have experienced at least one incident of physical or sexual violence since the age of sixteen.

One in four Canadian women can expect to be sexually assaulted in her life, half of them before the age of seventeen.

Six in ten Canadian women walk alone in their own area after dark feel ‘very’ or ‘somewhat’ worried doing so.¹²

Worldwide 25 to 50% all women suffer physical abuse by their partner.

As estimated 60 million females die because of son preference many partners hoping for sons kill or neglect their daughters before or shortly after birth.

Each year an estimated 2 million girls in at least 28 countries are subjected to the traumatizing traditional practice of female genital mutilation.

In some societies girls are compelled to marry at an early age before they are physically, mentally or emotionally mature.¹³

In 2002, 450 honour killing were reported in Pakistan.¹⁴

In Middle East a number of women are killed by their husbands in the name of honour killing.

In Jordan it is estimated a third of all murders are honour killing.¹⁵

Therefore, domestic violence against women is on increase throughout the world. Women of all economic strata are vulnerable to
maltreatment and abuse by husbands, in-laws and other family members. One of the most important reasons behind the fast increase of this crime is that (despite the dire consequences to women's physical and emotional health), domestic violence is not recognized as a serious problem. The world community neither the perpetrators nor the victim perceives domestic violence to be a serious crime, rather it is viewed as a personal matter.

Thus, it can be said that, domestic violence against women is very common and universal phenomenon. So, Indian women are also not safe from violence and exploitation within the home. The data of two decades of domestic violence also disclose the manifold increase in the crime throughout the decades,

**Table 3.2**

**Domestic Violence in India: Statistics**

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>13450</td>
</tr>
<tr>
<td>1991</td>
<td>15949</td>
</tr>
<tr>
<td>1992</td>
<td>19750</td>
</tr>
<tr>
<td>1993</td>
<td>22064</td>
</tr>
<tr>
<td>1994</td>
<td>25946</td>
</tr>
<tr>
<td>1995</td>
<td>31127</td>
</tr>
<tr>
<td>1996</td>
<td>35246</td>
</tr>
<tr>
<td>1997</td>
<td>36592</td>
</tr>
<tr>
<td>1998</td>
<td>41318</td>
</tr>
<tr>
<td>1999</td>
<td>43823</td>
</tr>
<tr>
<td>2000</td>
<td>45778</td>
</tr>
<tr>
<td>2001</td>
<td>49170</td>
</tr>
<tr>
<td>2002</td>
<td>49237</td>
</tr>
<tr>
<td>2003</td>
<td>50703</td>
</tr>
<tr>
<td>2004</td>
<td>58121</td>
</tr>
</tbody>
</table>
The statistics of domestic violence against women in India since 1990 to 2004 shows an increasing trend in the crime. Statistics also shows a percentage increase of 67.57% in the cases of domestic violence during 1991 and 2001. As the total number of domestic violence was 15949 in 1991 which increased a number of 49170 in 2001 that shows a fast increase in the crime against women inside the home. One can also find a drastic increase during 2003-04.

The rising graph of domestic violence against women in India is undoubtedly alarming as ‘The Hindu’ revealed the fact that,

“according to National Crimes Report bureau 1.5 lakh crimes against women are registered annually out of which nearly 50,000 are related to domestic violence”.

The same news paper again highlighted the pathetic condition of women that,

“It is believed that close to 5 crore women suffer from violence in their homes”.

‘Hindustan Times’ also reveals the pathetic fact that,

“The country lost 50 million girls to foeticide. The census had registered a sharp fall in the sex ratio from 976 girls per 1,000 boys in 1991 to 927 girls per 1,000 boys in 2001. Since then India has been losing about 9 lakhs girls a year. The Sample Registration System (SRS) data for 2002-2004 shows a further decline, with the sex ratio at birth to be just 882 girls per 1,000 boys.”

Bride-burning which is also one of the most heinous forms of domestic violence, is highly prevalent in the Indian society. As data shows,
Table 3.3

Number of Women Burnt in India

<table>
<thead>
<tr>
<th>Year</th>
<th>Total No. of women burnt</th>
</tr>
</thead>
<tbody>
<tr>
<td>1979</td>
<td>422</td>
</tr>
<tr>
<td>1980</td>
<td>429</td>
</tr>
<tr>
<td>1981</td>
<td>542</td>
</tr>
<tr>
<td>1982</td>
<td>627</td>
</tr>
<tr>
<td>1983</td>
<td>253^24</td>
</tr>
<tr>
<td>1985</td>
<td>990</td>
</tr>
<tr>
<td>1989</td>
<td>4215</td>
</tr>
<tr>
<td>1990</td>
<td>4836</td>
</tr>
<tr>
<td>1991</td>
<td>4856</td>
</tr>
<tr>
<td>1993</td>
<td>5582</td>
</tr>
<tr>
<td>1997</td>
<td>6006</td>
</tr>
<tr>
<td>1998</td>
<td>6917^25</td>
</tr>
<tr>
<td>2004</td>
<td>7026</td>
</tr>
<tr>
<td>2005</td>
<td>6787</td>
</tr>
<tr>
<td>2006</td>
<td>7618^26</td>
</tr>
</tbody>
</table>

Steep rise can be seen in the number of cases which were registered under the ‘Dowry Prohibition Act’ during the years 2002 to 2006.

Table 3.4

Cases registered under Dowry Prohibition Act

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>2816</td>
</tr>
<tr>
<td>2003</td>
<td>2684</td>
</tr>
<tr>
<td>2004</td>
<td>3592</td>
</tr>
<tr>
<td>2005</td>
<td>3204</td>
</tr>
<tr>
<td>2006</td>
<td>4504^27</td>
</tr>
</tbody>
</table>

Data regarding dowry linked suicides by women for the same period also show the same trend,
Table 3.5

Dowry linked suicides : Statistics

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>2378</td>
</tr>
<tr>
<td>2003</td>
<td>2347</td>
</tr>
<tr>
<td>2004</td>
<td>2585</td>
</tr>
<tr>
<td>2005</td>
<td>2305</td>
</tr>
<tr>
<td>2006</td>
<td>2276(^{48})</td>
</tr>
</tbody>
</table>

The period prior to the enactment of the ‘Protection of women from Domestic Violence Act’ 2005, cases registered under section 498/406 of the IPC, there was an increase of almost 400 cases of torture between 2005 and 2006 only in Delhi,

Table 3.6

Cases of Domestic Violence during 2005-06

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>1,330</td>
</tr>
<tr>
<td>2006</td>
<td>1,739</td>
</tr>
<tr>
<td>Upto Nov. 30, 2007</td>
<td>1648(^{49})</td>
</tr>
</tbody>
</table>

The data of dowry deaths only in Delhi during the year 2005 to 30 November 2007 also presents the same picture,

Table 3.7

Data of Dowry Death during 2005-07

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>114</td>
</tr>
<tr>
<td>2006</td>
<td>137</td>
</tr>
<tr>
<td>Upto Nov. 30, 2007</td>
<td>132(^{30})</td>
</tr>
</tbody>
</table>
Sexual violence against women within the home is also steadily on the rise for the last few decades, where perpetrators in most of the cases are victims' own loved and trusted ones.

Table 3.8

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>2113</td>
</tr>
<tr>
<td>2002</td>
<td>232</td>
</tr>
<tr>
<td>2003</td>
<td>2949</td>
</tr>
</tbody>
</table>

Crime statistics have constantly shown for the last ten years that the rape of girls below 16 years are more than 25% of the total rape cases. In 1997 more than 30% of the cases were of child rape while cases of rape of children under 10 years of age increased by nearly 27%. The increase in cases of child sexual abuse is the reflection of increasing devaluation of the girls in the society and their oppressive status. The girl child in particular is extremely vulnerable and powerless as she occupies a very low status at home and society at large where preference for a male child constitutes the norm.

Similarly, the data of rape during the decade of 1990s shows a percentage increase of 39.8%, as in 1991 the total numbers of rape committed against Indian women were 9793 than the increased number of 16075 in 2001. Therefore, within a decade an increase of 39.8% in the cases of rape can be regarded an alarming situation, and a vulnerable condition of Indian women.
The intensity of the violence can also be seen that in most of the cases of rape women are the victim of rape not outside but inside their houses by their own relatives. There are thousands of cases of rape in which rapist is not alien rather, father-in-law, brother-in-law and most of the times even father and uncle.

As in 2004, according to statistics, 43.97% of the rapes were committed in the house and 5.60% victims were related to the perpetrator. In 2004, 525 rape cases were reported. In 14 such incidents, the perpetrator was the father of the victim, in six cases, it was the step father of the victim. In 39 cases the rapists were the relatives of the victim.

<table>
<thead>
<tr>
<th>Rape</th>
<th>Father/Step father</th>
<th>Brother-in-law</th>
<th>Father-in-law</th>
<th>Husband/Husband's friend</th>
<th>Distant relations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>11/1</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

There is a case in which a 19 years old boy was arrested for trying to rape his 4-year old niece. Similarly a 65 year old businessman was arrested from his Model Town residence Delhi for allegedly raping his daughter-in-law. A case shows that 23 year old woman was gang raped by her brother-in-law and his friends at Samaipur Badli. There is also another incident in which a 36 year old man allegedly raped his 17 year old sister-in-law at her Sangam Vihar home, Delhi. In a similar case a man attempted to rape his 11 year old daughter.

There is also a case reported in the newspaper, in which the father raped his 21-year old daughter, months before her marriage and impregnated
her, two cases of rape were also lodged against the husbands however the fate of such cases is unknown as marital rape is not criminalized in India. The research on domestic violence against women reveals the surprising fact that earlier it was not as brutal in practice as it is today or in present time. Though, domestic violence against women is the part of society from the time immemorial but the investigation of data/statistics of decades highlights the fact that earlier it was less in number, intensity and degree.

It is highly surprising that, earlier when women were less qualified, less skilled, economically totally dependent on their family members (except few women) lived in a society which was totally based on tradition, custom and rituals, a society in which media and government always hesitated to show a pro-women attitude, (the period prior to the report of the Committee for the Status of Women in India 1974 and the decade of 1980s) the number of domestic violence against women was not as much high as it is today.

In early days simply wife - battering was used against the women within the home to maintain their subordination. But, now, when countries have recognised themselves as, the so-called civilized and advanced nations even then the worst forms of human rights abuses take place against women inside the home. Now-a-days, unfortunately, the most horrible, cruel and brutal types of violence is used against women within the home. The cycle of violence which is presently used against women throughout their lives, can be better understood with this chart.

<table>
<thead>
<tr>
<th>Phases</th>
<th>Types of Domestic Violence against women</th>
</tr>
</thead>
</table>

...
<table>
<thead>
<tr>
<th>Pre-Birth</th>
<th>Foeticide, effects of battering during pregnancy on birth outcomes.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infancy</td>
<td>Female infanticide, physical, sexual or psychological abuse.</td>
</tr>
<tr>
<td>Childhood</td>
<td>Child-marriage, female genital mutilation, physical, sexual and psychological abuse, incest, child prostitution and pornography</td>
</tr>
<tr>
<td>Adolescence and Adulthood</td>
<td>Dating and courtship violence (e.g. acid throwing and date rape) economically coerced sex (e.g. school girls having sex with sugar daddies in return for school fees) incest, sexual abuse in the work place, rape, sexual harassment, forced prostitution and pornography, trafficking in women, partner violence, marital rape, dowry abuse and murders, partner homicide, psychological abuse, abuse of women with disabilities, forced pregnancy</td>
</tr>
<tr>
<td>Elderly</td>
<td>Forced ‘suicide’ or homicide of widows for economic reasons, sexual and physical abuse.</td>
</tr>
</tbody>
</table>

A thorough understanding of different types of violence is highly essential to know that how brutally women’s exploitation takes place with in the ‘home’.

**Verbal Abuse**: is a most prevalent form of domestic violence and commonly understood as scolding. It also includes, insults, calling names, maligning character or conduct, insult for not having a male child, or for not bringing dowry, preventing a woman or child in custody from attending school college or any other educational institution, preventing women from taking up a job, forcing to commit suicide, not providing money for maintaining a woman and her children.⁴⁹
**Emotional Abuse**: It includes depriving of love, care, affection, support, sympathy and appreciation, restricting freedom of choice and insults, threatening, humiliating, ignoring being indifferent false accusations of extra marital affairs, forcible sex determination test, forcible abortion, depriving sexual needs, inflicting mental anguish and isolation.\(^{50}\)

**Psychological Abuse**: includes behaviour that is intended to intimidate and persecute and takes the form of threats of abandonment or abuse, surveillance threats to take away custody of the children, destruction of objects, verbal aggression and constant humiliation.\(^{51}\) Isolating the women in the room is another form of mental harassment, often women is locked in the room with no access to food and water. Threats include intimidation and cursing. Man threatens his wife of grievous assault, killing her, or killing her children and parents. In some cases threat is also given for forced abortion.\(^{52}\)

**Physical Abuse**: Slapping, beating, armtwisting, stabbing, strangling, burning, hitting, kicking, over burdening with work, choking, burning with fire or acid, using intimidation and depriving of food, clothes and medicines, functioning, pushing, shoving.\(^{53}\)

**Sexual Abuse**: includes forced sexual intercourse, forcing to look at pornography or any other obscene picture or material, any act of a sexual nature to abuse, humiliate or degrade, any act which violates dignity and unwelcome sexual conduct, child sexual abuse\(^{54}\), incest, genital mutilation, child prostitution, sexual harassment; continuous reproduction due to lack of choice, forced sexual relations with other family members and marital rape, forcing unwanted sexual acts.\(^{55}\)
Economic Abuse: includes act such as the denial of funds, refusal to contribute financially, denial of foods, basic needs and controlling access to health care employment etc. Preventing a woman from doing her job, taking away part of her salary, forcing her out of the house she lives in, preventing her from accessing certain parts of the house, not allowing her to use clothes, articles or things of general household use, not paying rent if she is staying in a rental house.

Therefore, now more barbaric and inhuman types of violence are used against women within the home, which most of the time takes the life of a woman. The same is also reported by 'Times of India', that, in London between 4% and 12% of women who had been pregnant, being beaten during pregnancy, more than 90% by the father of the unborn child. The same news also mentioned that ‘one woman lost twins, after being hit in the stomach, by the father or her unborn babies, another woman slept in a locked bedroom to protect herself from the partner who has threatened to shoot her’. In India condition is also not different, here also many worst and newly introduced brutal form of violence, which has its severe impact, has started to use against women inside the home. According to a study conducted in Uttar Pradesh by ‘Dr. Michael Koening’, of ‘Johns Hopkins University’ USA, and his team that, “of the 2,199 pregnant women studied by the US team, 402 or 18% had been subject to domestic violence during pregnancy”. The extent of cruelty and inhumanity in the cases of domestic violence can also seen in the case of Ranjana. Ranjana, a woman belonged to Noida, who studied law and became a lawyer just with the goal to keep her criminal husband out of jail, in return she was allegedly murdered by her husband, her body was doused with diesel,
dumped in a well and burned. According to her husband, the only reason behind this was her social status which was now higher than his.\textsuperscript{60} Similarly the case of ‘Nitin Verma’ also shows the same magnitude of the crime to continue his extra marital relationship. Nitin Verma stabbed with a medium sized kitchen knife to Pooja (25) his pregnant wife, 42 times, his father Vinod (55), 18 times and Pushpa (50), his mother 14 times’’.\textsuperscript{61} It is not only the wives, but also sisters and mothers are highly unsafe within the home. As, the recent incident of Ghaziabad in which sons killed their mother shows the same fact. Three educated sons of a ‘UP Power Corporation’ Engineer along with a cousin punched, kicked and beat their mother to death with a rod, after that they tried to ‘sacrifice’ a sister-in-law to bring their dead mother back to life’’.\textsuperscript{62} Such incidents show that women are not vulnerable only in, in-laws home as wives, but they are even not safe in nuptial family as mothers, sisters and daughters. Similarly, killing a woman to save the honour of family is also a barbaric practice, newly included type of violence against women inside the home. In most of the countries, of the world particularly ‘Middle East’ it is considered honourable for a husband/or other family members to kill a woman like, daughter, sister and wife, who has wronged in some way to disgrace the honour of the family. Unfortunately, more than 1,000 women are stain by their husbands or relatives in Pakistan in the name of ‘honour killing’ each year, and that is just the reported, not actual, number of ‘honour killings’. According to the Human Rights commission of Pakistan (HRCP) 888 women were murdered in Punjab alone, of these 595 killings were carried out by relatives and 286 were reportedly for reasons of honour.\textsuperscript{63} Many killings are planned rather than done in rage\textsuperscript{64} as the murder of Samia Sarwar is the total reflection of same attitude.
‘Human Rights Watch’, an ‘International Human Rights Organisation’ offers the story of Samia Sarwar, a twenty nine year old woman of Pakistan, she was killed in her lawyer’s office by a hit man because she was trying to get divorce from her husband.65 ‘The Times of India’ also reports the case of ‘Ayesha Baloch’ a Pakistani girl. Baloch was accused, of having sexual relations with another man before marriage. As a punishment, her husband beat her and finally slit her upper lip and nostril with a knife.66 It is not only Pakistan or ‘South Asian countries’ but all around the world women meet a similar kind of treatments within the home.

Thus, killing a woman in the name of saving the honour of family (if any time women dare to go against the will of family) is not only practiced in ‘middle east’ and ‘Pakistan’ rather Indian women are also the victim of same crime. There is no dearth of cases in India where the family members took the life of a woman to maintain control over her body and mind. Even today girls are killed if they dare to choose their life partner against the wishes of family members. There is a case of Hoshiarpur, Punjab, where Ravinder Kaur, 18 year old Saini girl dared to love with Amritpal a 25 year old scheduled caste man against the wish of her family members. She was beaten unconscious by her relatives and finally the girl was ‘consigned to flames’.67 Similarly in another case an 18 year old Rekha Gokavi (Hubli) had committed the only crime to love a boy belonging to a poor family. The punishment which she was given was that Rekha was burnt alive by her father and uncle. A neighbour said the ‘girl’s parents, who had been looking for a suitable match, could not digest the fact that she was in love with a poor boy’.68 A similar case is also reported by ‘Hindustan Times’ that in Lucknow, a girl was killed and her body was buried
to conceal the crime by her mother, three brothers, sister and brother-in-law in Mohanlalganj on April 25th because the girl was having an affair with a neighbour, one of the victim's brothers, Shivnath, told the police that they killed the girl as she had 'brought disgrace to the family'.

Therefore, though it is girl child, sister, daughter, mother, wife, mother-in-law, sister-in-law, widow or elderly women, no woman is safe in this male dominated society. 'Home' which was earlier considered the safest place for women now has become a place where she does not feel herself safe and secure even with her family members. Women's victimization within the home is just a tool to maintain male domination and patriarchy. Though, today's women are literate, qualified, self-dependent, strong, and working, even then they are facing all kinds of violence and atrocities within the home. Though, Indian constitution has given several rights to women, but the Indian society of 21st century never allows a woman, even to think for herself, even in very personal matter of her e.g. career planning or marriage. If a woman dares to do something for herself against the wishes of the family members, most of the time she has to lose her life, in the name of honour killing.

In Indian society whether it is 'Natal' or 'Nuptial' family, women are subject to male-domination, which creates gender discrimination within family and then society. This patriarchal society has made the victimization of women as something natural to justify men's control over women. One of the most important reasons behind violence against women within the home is, that our society always wants to see a woman subordinate to man as the former is considered to be inferior and latter superior by nature. Man exercising control over women with or without violence is glorified by all the societies.
Political Economy of Domestic Violence

To have a better understanding of the problem of violence within the home, one needs to understand the political economy of domestic violence. Though in previous chapter the theoretical causes of domestic violence have already been mentioned, but there are certain structures and institutions which are highly responsible for domestic violence against women.

The status of women can never be examined in isolation. There are various indices that determine the status of women like psychological factors, economic condition, and the inequalities inherent in cultural practices or in the traditional social structure, in its norms, values, custom and rituals which most of the time provide favourable environment to commit violence against women within the boundaries of home. So, by political economy it means socio-cultural, psychological and economic factors responsible for violence against women.

1. Socio-cultural factors: There are various cultural ideologies, societal norms, values, rituals, customs and traditions prevailing in the Indian society that sustain patriarchy and justify superior position of women over men. Ideology of Suhaag, Pati Parmeshwar and festival like Karvachath.

(i) Patriarchy: Patriarchy and patriarchal structure of Indian society enforce male dominance and male authority in the family where man occupies a superior status, which gives him a general license to control women. Even use of violence against women is permitted to maintain that control. Thus, to maintain their dominant position, men are likely to use coercive methods including physical violence against the female members of the family. Whether
it is industrialized or developing countries, both provide legitimacy for violence against women within the home in certain circumstances, and this is the only reason that 'a cross-cultural analysis of 90 societies around the world found that physical violence against women exists in at least 75 of them'.

Religion has been (mis)used in the past as well as in present time to sanction the chastising and beating of wives. The physical punishment of wives has been particularly sanctioned under the notion of entitlement and ownership of women (Pati-Parmeshwar). Thus, legitimising male domination, male perpetrated violence in the family and society. Despite the severe consequences to women's physical and emotional health, domestic violence was not recognized as a serious social problem for a long long time rather, it is viewed as a personal matter that should be tackled privately within the family.

(ii) Women's Socialization in the family:

The process of women's socialization within the 'Nuptial' or 'Natal' family is also highly responsible for the occurrence of domestic violence against them. To maintain the superiority of men, Indian women from an early age are taught to be submissive, tolerant and self-sacrificing. Girls are brought up to be docile subservient, unassertive, unprotecting and sexually chaste at the same time the double standard is that, boys in the same society are taught to exercise authority and independence early in life. They are socialized to be assertive and demanding. The result of this socialization is that girls grow up without a sense of identity and individuality. Gender relations in the family are hierarchical in which men dominate and women are subordinate and subjected to strict control and concern. Indian culture accepts aggression and
violence as appropriate to male behaviour. The result of this socialization is the shocking finding of the National Family Health Survey (NFHS) that 56% of women themselves justify physical abuse by men in the family on one ground or another. Similarly, +90,000 women all over India, aged 15-49 were interviewed. According to this survey 56% women (literate) justified beating, 62% justified beating (illiterate women). Thus Indian women are socialized in such a way that they internalize this male domination including physical violence by them. Young married women who had not experienced physical violence also stated that, a husband is justified in hitting his wife if she makes a mistake, 'if he wants to beat his wife, then he can do so for any reason. If the wife has committed any mistake then it is not wrong to beat her'.

Similarly Manisha, 18 years old, pregnant with her second child, stated, 'those women (who are hit) may have made mistakes; hence their husbands abused them'. Similarly, Mala 20 years old said, 'if I make any mistake, then he slaps me, he talks badly with me. She also justifies this by saying, this happens if I say anything wrong or if I answer back to my mother-in-law or him'. Man and mother-in-law also justify the abuse. A study of domestic violence in India showed that severe and frequent beating is rarely viewed as a reason for a women to leave her husband. Wife-beating is perceived so strongly as a woman's due and the husband's right. Women in both U.P. and Tamil Nadu recognized and accepted beating as the right of the male members of the family. The general impression being that,

"women who misbehave deserve an occasional show of force".
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“women who misbehave deserve an occasional show of force”.\(^{76}\)
Therefore, the social, cultural and religious sanctions for beating if the wife is not obedient, authorized the family members to use violence against her within the home. Women are victimized on flimsy grounds like for not preparing meal on time, not cooking meal properly, meal was not tasty, ‘strand’ of hair in the food, not caring for the children properly, disobedience regarding their ‘husbands order’, or failing to meet their expectations. So called disobedience, may be failure in serving a hot meal, quarrelling with the mother-in-law, answering back husband or mother-in-law, going out without permission. Therefore, the so-called disobedient behaviour on the part of a woman would generally result in punishment by the parents, husbands and in-laws. The same attitude is also justified by a respondent in an exploratory study in Rajasthan, states\textsuperscript{77},

"Lugai ko bhains ka dudh nikal neko kahen aur woo mana kar de to baj gaya juta"

"When the wife is asked to milk the buffalo and she refuses to do so then fights take place".

This shows, in Indian society the condition of women is undoubtedly worst than animals. Another respondent also gave the same view, according to him if a woman wants to cross the limits, beating is necessary,

"Lugai ko ghar par rakho izzat se. Agar ghar per nahi rahe to usko khuto, Iske alawa koi illaj Nahi hai"

"Keep a wife with respect at home, If she does not stay at home then beat her. There is no remedy other than this".

So, the mobility of women is also a cause of domestic violence against them. The same attitude is also found in a study from U.P. and Tamil Nadu. A view from U.P. included the following\textsuperscript{78},
“If there is some mistake that the woman has committed, then also he beats her, if the woman hits her children then also the man may beat her”.

Similarly, a jat of Meerut (U.P.) also responded the same,

“It is rare for a husband to beat his wife, but if his wife drinks, fights with his mother, disobeys her husband’s words, or misbehaves he has to beat her”.

This attitude is found throughout India irrespective of caste or religion. A Muslim of Coimbatore, Tamil Nadu also expressed the similar view,

“If a woman is disobedient to the husband or the husband’s family, she gets beaten for it”.

Similarly,

“Women are beaten if their behaviour is not good, or if she does not care for the family”.

So, the process of socialization teaches the men to react violently against women, man’s expression of masculinity is often linked to controlling the women in the family and in ensuring, that they fulfil expected roles. This is the reason, research shows that men perpetrate approximately 91-96% of all domestic violence on women. Similarly, a study across seven cities in India found that 40% of married women experienced physical abuse in their lifetime.

Therefore, Indian cultural practices and social system justifies violence against women within the home in order to discipline and control women especially young brides. Surprisingly, such socio-cultural practice unfortunately also got the support of women. Navinkali Dasi, a woman writer mentioned,
"Try to be a devoted wife (sati). Further she mentions, 'Being a beast is preferable to being an unfaithful wife, because a beast does a lot of good, but an unfaithful wife, does only harm'.  

Again the superiority of male is emphasized by a woman writer 'Nagendrabala Dasib' in her work (1900) according to her 'The husband is a woman's only God' (mentioned earlier the concept of Pati-Parmeshwar).  

Therefore, it is not only men rather women also actively take part to socialize the women, to be sacrificing, subservient and submissive to her husband or the male members to her 'Natal' and 'Nuptial' family. So, in such a socio-cultural set up where male violence or violence against women within the home is emphasized and encouraged by the male as well as female equally, if actual violence or threat of violence takes place in the home, there is nothing new and abnormal rather it is very natural and normal. Though violence was assumed to be something occurring at nuptial family (though it is now defined as it is equally practiced by blood relatives and at natal family) but the real socialization to accept the commands and all kinds of behaviour by the husband and in-laws takes place at natal family. The parents inculcate the ideals of 'Pati-Parmeshwar'. It is the mother, who is the role model before the daughters, obeying the father (the husband) unquestioningly. It is the parents who inculcate in the girls the belief that their real home is where they get married and they are treated as 'paraya dhan' (anothers' property) and that the girl is given to the nuptial family as 'Kanya daan'. Parents also teach the daughters that they can be out of the nuptial bond only after death (Jahan doli gayi hai vahan se arthee he nikaalni chaahiyiye). Consequently girls feel obeying the husband and in-laws and tolerating all kinds of (mis)behaviours as their natural, religious and social obligation.
(iii) Child marriage: Child-marriages can also be considered a major cause of domestic violence against women. It is also the misfortune of Indian girls that in India powerful social and cultural norms ensure that marriage is the primary goal of women’s life. Though, child-marriage curtails all the freedom of women, at the same time, surprisingly Indian writers have also played a crucial role to support this evil. Poornachandragupta wrote ‘The Bengal wife’ in 1885 where he put emphasis on child marriage and suggested that, ‘girls should be married by the age of eight before she developed too much independent judgement’. It is highly unfortunate that the old age custom of child marriage is still in practice. As ‘National Family Health Survey’ in India found that national prevalence of marriage before the age of 18 years to be 45%. Consequently, younger women (less than 19 years) in India are more likely to experience violence than their older counterparts. Not only tender age makes them vulnerable to physical violence by their husbands, but also an early marriage deprives them of education and opportunity to self-reliance that further disempowers them. Such treatment made the women totally handicapped, completely dependent both economically and socially on her husband which gave husband the full control over women’s, body and mind. This dependency of wife on the husband or else women on male (as husband as well as father) rather aggravated the probability of violence against women in the home.

(iv) Dowry: Dowry related domestic violence is also one of the major reason of violence against women within the home growing steadily day by day. Though it began as a beautiful custom of dowry such abuse often receives wider familial sanction. Women’s victimization takes place for not
giving dowry, or for insufficient dowry and demand for more dowry. It is institutionalized in various forms that ranges from inhumanly long hours of labour within the home, food denial, neglect and verbal abuse which further led to physical violence by the husband or in-laws in the form of throwing boiling water on women/wife, pouring kerosene to burn her etc. or some other form of violence. Recently, a woman was held captive in a small dingy room by her husband for ten years for failing to bring a motor cycle along with dowry. Similarly ‘The Hindu’ also highlights the heart breaking fact, “Over 25,000 brides were being killed or maimed in the country every year and this figure was above the annual UN estimates of 21,000 civilians ‘being killed or maimed in land mine accidents across the world’.85

Therefore, dowry is also one of the major causes which gives birth to different forms of violence against women. For example sex determination tests and sex-selective abortions, child-marriage, trafficking and domestic violence all are the manifestations of the problem. Implication of these types customs turning into crimes like dowry are long term. Instead of facing the problem of dowry (that means huge expenditure for getting the daughter married) it is better to kill her before she is born. Such prevailing socio-cultural practices made the girl child a curse in the society, at the same time raised the value of male-child highly.

(v) Preference of male child: This phenomenon is prevalent in India since the long time back, as gender biasness is the cultural heritage of Indian society, a society which idolizes sons. Preference for sons is also guided by religious sanction and cultural norms issued by society. There is a traditional blessing ‘May you be the mother of hundred sons’.87
In Kautilya’s Arthashastra it is said,

‘Putrartha hi striyaha’

“The sole purpose of a wife to bring forth a son”,

In one of the sutras it is said that,

“Aim of existence of women is to be the mothers of sons, daughters are not desired: a wife who bears only daughters are not desired: a wife who bears only daughters should be abandoned’.

So, sons are considered ritually and economically desirable, essential, not only to light the funeral pyres of their parents in order to release their souls from the boundage of their bodies, but also to ensure continuation of the lineage and family name. They are also expected to become the economic support of parents in their old age. Therefore, our society considers sons like wealth, as they bring brides and huge dowry, and also a support for the parents in their old age. Some of these reasons make the male child special in Indian society. Their value can also be judged from the fact that certain specified rituals like ‘Annaprasan’, ‘Mundan’ ‘Yagyopavit’ are also observed in most of the families of Bihar. A fast is observed by the mothers for the long and healthy life of the sons in the name of religious observance. ‘Jivatiya’ by the mothers and the festival of ‘Karma’ by the sisters for their brothers. So in the patriarchal society like India greater importance is given to the male-child. The ‘State index of son preference’ also shows the same.
Table 3.9

Index of Son Preference for Major States, 1990

<table>
<thead>
<tr>
<th>States</th>
<th>Index of son Preference</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andhra Pradesh</td>
<td>13.8</td>
<td>11</td>
</tr>
<tr>
<td>Bihar</td>
<td>24.5</td>
<td>4</td>
</tr>
<tr>
<td>Gujarat</td>
<td>23.0</td>
<td>6</td>
</tr>
<tr>
<td>Haryana</td>
<td>14.3</td>
<td>10</td>
</tr>
<tr>
<td>Karnataka</td>
<td>20</td>
<td>8</td>
</tr>
<tr>
<td>Kerala</td>
<td>11.7</td>
<td>12</td>
</tr>
<tr>
<td>M.P.</td>
<td>27.1</td>
<td>2</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>Orissa</td>
<td>23.4</td>
<td>5</td>
</tr>
<tr>
<td>Punjab</td>
<td>20.3</td>
<td>7</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>25.0</td>
<td>3</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>9.2</td>
<td>13</td>
</tr>
<tr>
<td>U.P.</td>
<td>21.6</td>
<td>1</td>
</tr>
<tr>
<td>West Bengal</td>
<td>14.3</td>
<td>10</td>
</tr>
<tr>
<td>All India</td>
<td>20</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: India together, 19 April 2006 (Manushi)

The female child is not only considered a liability because of associated dowry problems but mothers who give birth to female children only do not get much respect in the family as compared with those who give birth to male children. The mother of a female child in the Indian society is accorded different treatment and abandonment for that, whereas the father who is genetically responsible for the sex of the child suffers little or no change in his status. He only becomes the object of pity and sympathy.
Therefore, in Indian society the sorrow starts with the birth, till the death of a girl /women, which further results in discrimination/violence against women. The similar fact is also revealed by ‘World Health Organization’, 1998, which mentions,

“...In many parts of the world discrimination against women begins before they are born and stays with them untill they die”.

A folk song sung in the region of Bihar reflects the same sorrow on the birth of a girl,

“...Had I known that the foetus was that of a girl I would have had a drink of hot chilli. And killed not only the foetus but also the life long curse. Her birth has eclipsed the family which is life long. The parents hope and pray to get relief from this curse”.

Again the same sorrow can be observed with another folk song which considers the birth of a female child in such a manner,

“...Chandra garhanwa Beti, Sanjahilaagela suraj garahanwa Bhinusaar ho Dhia garanwa Beti Janamese Laagela Jaane kab ugrin hoyeeho”.

“The Lunar eclipse occurs at night alone. The solar in the day eclipse brought about by the birth of a daughter starts at birth and lasts for ever”.

There is also a folk song which reveals the similar pain on the birth of a daughter,

“...Bhaado maas amawas rain andhiyari, Kahee tu Janamalu hamaar Dhia? Hasuan Khojalo churia Khojalo Situta Katwalo tohaar naar Dhia, Kaise Karab Kanyadaan Dhia, Kahee tu Janamalu hamaar Dhia?

“Why my daughter did you have to take birth. Even the time that you chose was symbolic. It was a dark night and it rained heavily. We could neither find the suckle
nor the knife to cut the umbilical cord. Finally the midwife settled for a snail’s shell, we have searched and searched to find a groom for you. How do we get relief from you? why my daughter did you have to take birth?".  

Thus, the sorrow on the birth of a girl child consequently resulted in discrimination against girl child ultimately culminating into violence. They get less of every thing than sons, less opportunity, less authority, less property, less status, less power and virtually no choices. Finally, girls become lesser child, denied all the opportunities and means, required for growth and development during various stages of childhood. The discrimination at the primary level can also be seen in the preference of the distribution of more nutritional foods, such as milk, butter, fruits and eggs. So, the attitude of girls temporary membership (Parayadhan) in the natal home ensures a minimum investment in her development e.g. not to feed her as much as son, or if all the benefits have to go to another family then why to give her equality. This differential treatment is also reflected in the folk song of the village Bhojpur (Bajaara, 20 kms from Gaya, Bihar) where a girl sings,

"Mother while serving my brother you feel to content and caring but when my turn comes felt so confused, why is this so? Both of us were conceived and nurtured in your womb. We grow up together, played together. And yet father has handed over all his property to him, why have I done to deserve this".  

The same discrimination further takes the worst form like, girl child is left unprotected from cold and heat, uncared, untreated, unfed on breast and bottle. She sometimes is left bleeding to death after cutting her cord or cowdung and other harmful home remedies applied on the girl child to let
her die due to tetanus ateron. In certain area the new born girl infants have been buried deep in earths after putting them in a pitcher either alive or dead. Indian society commits this heinous crime to save dowry money, or honour to God to give them a son. This crime perpetuated due to two reasons, for the continuity of the male lineage system, and the relative superiority of bride takers over bride givers. Thus, the deliberate neglect of the girl child also has the support of religious sanctions, traditional practices and familial/societal support.\textsuperscript{97}

So, the increasing value of male-child devalued female child, such devaluation finally gave birth to female infanticide and foeticide. The practice of sex determination through ultrasound largely started dominating the scene since 1970s and early 1980s especially in Punjab and Haryana. Slogans like ‘Boy or a Girl’ spend 500 now save 5 lakhs then ‘flooded the entire Punjab, Haryana and Rajasthan belt during the eighties\textsuperscript{98}. Experts contend that the female population has decreased in many states of India, because of the high rates of the aborting female fetuses and killing girl babies. Every year 12 million girls are born in India and 1.5 million die before their first birthday, another 850,000 die before age 5 and by age 15 only 9 million will survive. It is estimated upto the age of 35, more female die in India than males at every age level.\textsuperscript{99} Despite booming growth rate and rising literacy more and more girl children are being killed at or before birth, statistics shows 80\% of India’s districts have recorded a decline in sex ratios since 1991.\textsuperscript{100}
Table 3.10

Child Sex ratio : Girls per 1000 boys (0-6 years)

<table>
<thead>
<tr>
<th>State</th>
<th>2001</th>
<th>1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punjab</td>
<td>798</td>
<td>975</td>
</tr>
<tr>
<td>Haryana</td>
<td>819</td>
<td>879</td>
</tr>
<tr>
<td>Chandigarh</td>
<td>845</td>
<td>899</td>
</tr>
<tr>
<td>Delhi</td>
<td>868</td>
<td>915</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>913</td>
<td>946</td>
</tr>
<tr>
<td>U.P.</td>
<td>916</td>
<td>927</td>
</tr>
<tr>
<td>Bihar</td>
<td>942</td>
<td>953</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>942</td>
<td>948</td>
</tr>
<tr>
<td>West Bengal</td>
<td>960</td>
<td>967</td>
</tr>
<tr>
<td>All India average</td>
<td>927</td>
<td></td>
</tr>
</tbody>
</table>

Source : UNICEF State of the World Children Report

Therefore, studies revealed that there are only 927 girls for every 1000 boys at least 73 girls are missing in India today. Similarly census of India 2001 also shows an increasing rate of female foeticide in all the states of India.\(^{101}\),

Table 3.11

Overall Child Sex Ratio

<table>
<thead>
<tr>
<th>State</th>
<th>Overall sex ratio</th>
<th>Child sex ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>933</td>
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Thus, Indian social norms and cultural practices make the women and girl child a burden to such an extent, that in all the states of Indian female foeticide and infanticide became very common and natural. According to 10th plan Document in U.P., Sex ratio has declined considerably in the age group of 10 to 6 years. The ratio in this age group came down from 927 in
1991 to 916 in 2001. A study of 8000 cases of abortion showed that 799 of them involved a female foetus. A shocking news reported by Hindustan Times that, recently a three days old baby girl was buried alive in Madurai (Tamil Nadu) as she was a second girl child. The killing of girl babies is also very frequently practiced in the desert area of Rajasthan particularly, in the ‘Thar Desert’ area of Rajasthan. Among the Bhil Rajput family the infant is subjected to asphyxial deaths through manual strangulation or through administration of opium. The male, female ratio in this area is 750 females per one thousand males. The figure of Jaisalmer district is 800 female per thousand males and among the Bhatti Rajput family it is very low, that is 550 females per one thousand males, as per 1991 census. In Rajasthan there are entire villages where no girl has been born for decades. Recently a history was made, Devra a remote village received a barat after 110 years. The only reason is that in Rajasthan the girl child does not live very long. In fact she is killed immediately after birth either drowned in a tup of milk or fed affeem (opium) or simply smothered with a pillow. But fortunately a singli’s daughter escaped and lived to bring home to the village both a barat and history.

Therefore, in a scenario where the number of women to men is decreasing alarmingly unlike any other nation in the world, feminist in India needs to insist on the reservation of seats for women in the womb, prior to their demand for reservation of seats in parliament. The hundred million ‘missing women’ of India, as Amartya Sen has termed them, go missing as daughters and sisters, not widow or wives. They are all the victims of that original discrimination, a girl child faces at the fetal, natal, or post-natal stage, which decides whether she is ‘empowered’ to live at all. The female
birth, statistics indicate, is unwelcome at both ends of the development spectrum, in the 'BIMARU' states, and the states that have much to explain over the significant drop in the number of girls are Punjab (793), Haryana (820), Delhi (865), Gujarat (879) and Himachal Pradesh (897)\(^\text{107}\). Amniocentesis based female foeticides are the highest in Haryana and Punjab amongst the educated middle class families who believe in the small family norm and exercise their 'son preference' by routinely getting rid of higher birth order of girl fetuses. Thus, Indian social practices have a brutal sense of son preference in a rational worldview where the daughter's utility and value addition went for some other family not one's own.

**(vi) Division of spaces between male and female:** Some other reasons for domestic violence against women are the division between the 'male', 'public space' and 'female' private space which is also one of the most oppressive aspects of women's lives. Violence often erupts when women cross certain physical boundaries and move into spheres where they are not supposed to be.

**(vii) Some other factors of Domestic Violence:** Extra marital affairs and bigamy also lead to violence at home. Similarly alcoholism, money matters, challenging husband authority are also the some causes for which women are victimized within the home.\(^\text{108}\)

Therefore, Disputes over dowry, wife's sexual infidelities, her neglect of household duties and her disobedience of her natal or nuptial families are the socio-cultural factors which are considered legitimate causes of violence against women, within the boundaries of home.
2. Psychological factors of Domestic Violence against women: In Indian society women are always considered to be a symbol of sacrifice, mercy, patience, devotion and so on. A female is always expected to give everything and get nothing in return. She should always accept complaints but should never complain for anything. It is a common mindset that for a woman her husband is her lord (Pati Parmeshwar). The history shows only due to this psychology, Indian women are always encouraged to sacrifice and face or deals. Sometimes in the form of ‘sati’ (custom of burning a widow with funeral pyre of her husband so that she may remain his slave birth after birth and may never be released from the bounds of slavery), at other time as ‘jauhar’ (giving themselves to fire in order to be saved from disgrace) and Dasi Pratha (keeping the slave girls) etc. In patrilineal, unilineal, kinship system, there is always an expectation from Indian women for good service in house work, mothering, looking after the family. Perfection in this sphere is considered the primary duty of a woman. Both men and women in the family teach the girl/ female and new bride into the ways of the family. Violence then is seen to be a legitimate means of teaching her the appropriate conduct. Young married women are to fit into several new gender roles as they enter their marital home. Family members always expect an appropriate behaviour across households relative of how to cook, dress, and behave etc. with family elders ‘looking after the in-laws and fulfilling their expectations. These expectations were also stated by most of the women while they interviewed, a woman named Sarala, 18 years old, married at 16 years, shared her experience,

"when I came to in-laws’ house, they expected me to do all household work like cooking, as well as
behaving wells, dressing well, speaking with respect to family elders... to fulfil the expectations of my in-laws’. I behaved as they wished. I behaved well with all cooking had to be done systematically, chapatti should be medium size, that is, not so big or not so thick, …”\textsuperscript{110}

Since most of the physical violence against women occurs, if they are failed to fulfil all these expectation, Sarala also accepts the same,

‘Violence occurs if we don’t finish cooking on time, if food is hot, if food is salty or salt is less, if food is not tasty, if we don’t cook early if husband wanted chapattis (wheat bread) and we have made ‘Bhakari’ (jowar/millet bread), if they don’t like the way the vegetable is cooked, if we make the same vegetable frequently, if chapattis are not roasted properly or over-roasted, if vegetable is not of their choice. If sister-in-law give more food to her son and not to my son, then it may create disputes’.\textsuperscript{111}

Therefore, gender role expectations of young married women also include a husband’s expectation’s of his young wife. Generally, a husband expected his wife to complete all household chores, behave respectfully with his parents, and ‘listen to him’. Husbands also put many restrictions on their wives like how to talk, what to wear and where to go. Modest behaviour is also expected by women which includes not to talking or laughing loudly, respecting elders, not talking with other men, wearing a sari and tying one’s hair back (not leaving it loose). So, Indian women are bound to fulfil all these expectations, failure of doing this makes the women victim of violence, and atrocities within the home.

Domestic violence against women also arises from patriarchal notions of ownership over women’s bodies, sexualities and reproductive rights. Her
body remains under the control of her husband and her marital family. A woman’s control over and ownership of her own body is often limited. Many culture views women’s bodies as a property owned by men. So, husbands all the time expected their new brides to fulfil their sexual needs and desires. Many times young women were not prepared for this aspect of their married lives. The delay in fulfilling the husband’s sexual demand also most of the time is a most important reason for violence against them within the boundaries of home. In fact, there is no concept of ‘marital rape’ in Indian criminology. Rape is not considered crime if it is marital. The law under the exception of section 375 of the Indian Penal Code states,

‘Sexual intercourse by a man with his wife, the wife not being under 15 years of age is not rape’.

Though the IPC criminalizes statutory rape and rape outside the marriage but when it occurs within the marriage, the state adheres to the ancient belief wherein a wife was regarded as her husband chattel. Marital rape encompasses two of the most sensitive areas of criminalized behaviour namely ‘domestic violence’ and ‘sexual assault’. Marital rape will neither be criminalized nor penalized until the legislators and citizens acknowledge women’s individual rights within the marriage. Every woman has a right to her body, so men superiority within marriage must be discarded, because it is deeply rooted in gender inequalities.

Having a child soon after marriage and having a male child is also expected from a married women. Young married women must prove their fertility. Women are also abused if they do not have babies immediately after the marriage.
Therefore, gender role expectations, are also the major reason for violence against women in the home. Thus, violence is a tool that men use constantly to control women as a result of highly internalized patriarchal conditioning which accords men/family members the right to practice violence against women. Violence within the family constitutes as a ‘private affair’ because of the high value attached to family. Family in reality can be considered as a site of unequal gender relations and oppression of women.

Although domestic violence against woman is generally understood to refer inter-spousal violence but researchers and field workers point out that it encompasses everything from the female foeticide and extreme neglect of female infants and girls and girl child abuse, verbal and physical battering, marital rape, deliberate deprivation and psychological and mental torture, experience of domestic violence across caste, class and community as an inhibiting factor.

**Economic Causes of Domestic Violence:**

It is said by Pandit Jawaharlal Nehru,

‘Freedom depends on economic conditions, even more than political and if woman is not economically free and self-earning she will have to depend on her husband or someone else and dependents are never free’.

Women’s economic dependency on her family members and husbands is regarded a major cause of domestic violence against them. Economic causes of domestic violence against women include, limited access to cash and credit, discriminatory laws regarding inheritance, property rights, maintenance after divorce or widowhood, limited access to employment in
formal and informal sectors, limited access to education and training for women\textsuperscript{115} not providing food, clothes and medicine for them, preventing a woman from doing the job, not allowing to use her husband's money, taking away part of her salary, forcing her out of the house she lives in, preventing her from accessing certain part of the house, not allowing her to use clothes, articles or things of general household use, not paying rent if she is in a rented house, etc.\textsuperscript{116} So, economic violence ranges from denial of property to women, use of their unpaid labour as a norm in households, denial of equal access to education, discrimination in labour markets, unequal access to credit and other markets to practice such as dowry.

Domestic violence becomes more possible when women have fewer options to escape out of such oppressive relationships because of lack of assets or economic security in the form of gainful occupations. Thus economic security can play a vital role to protect the women against violence with in the home as well as to empower them.

Recently studies highlight that women in India are major producers of food in terms of value, volume and numbers of hours worked.

- Nearly 63\% of all economically active men are engaged in agriculture as compared to 78\% of rural female workers.
- Almost 50\% of rural female workers are classified as agricultural labourers and 37\% as cultivators.
- About 70\% of farm work was performed by women.\textsuperscript{117}

Thus, it justifies most farmers in India are women, despite all these facts it is highly unfortunate that in reality women's economic condition is worst in India and this is the only reason that the recently released 'Annual
Global Gender Gap Report of the World Economic Forum (WEF)’ ranked India 114 in a list of 128 countries. The data also captures the magnitude of the gap between men and women also in economic participation and opportunity.\textsuperscript{118}

Similarly, UN Women’s conference in Copenhagen in 1980 also highlighted the vulnerable economic status of women,

‘women owned only 1% of the world’s resources, while constituting 50% of the world’s population’.\textsuperscript{119}

The main reason behind this poverty is that, patriarchal laws and policies have prevented females from achieving economic security, men generally get the best job receive more pay than women for the same work and make the major decision for community and state. At the same time women remain at the lower end of a segregated labour market in many countries. For example according to ‘Quarterly Employment Review’ of the Ministry of Labour (India), of the total number of people employed in the organized sector in 2004 only 18.7% were women.\textsuperscript{120} Women also get less pay than men for the same work, as the ‘National Sample Survey of 2004-05’ could find that ‘80% of workers in India earn less than Rs. 20 a day’.\textsuperscript{121}

The factors which are highly responsible for the economic vulnerability of women are\textsuperscript{122},

- Persistence of male domination at higher ranks in the workforce.
- Different hiring of men in core and better paid positions.
- Disproportionate hiring of women in peripheral, insecured less value jobs including home based casual and temporary work.
- Disproportionate existing of women from paid work in times of economic crisis.
- Persistent of lower pay (females earn 20-30% less than men)
- Persistence of unpaid household labour (about one-third of the world's economic production.
- In developing countries, long female work hours exceeding men's by 30%.
- Prohibition against females working outside the home.
- Burdens for women who work outside the 'double role, double burden'.
- Globalization and feminisation of labour markets (female labour exploitation by multinationals).

Therefore, though law prohibits discrimination at the workplace but enforcement is inadequate. In both rural and urban areas women get lower wages than men for doing the same job. Unorganised sector where more than 90% of female workers are present is highly vulnerable to exploitation as it is totally uncovered by the labour law. The unorganized sector* is characterized by;

1. No fixed working hour,
2. No fixed employment benefits,
3. No trade unions or organizations,
4. No maternity benefits.\textsuperscript{123}

Economic space also includes women’s ownership of access to or control over immovable property such as house, land, commercial space etc.

\textsuperscript{* In Rural areas – agriculture and allied activities
In urban areas – building and construction
Surprisingly, it is found in a survey done by Bina Aggarwal that, the incidence of violence is less if women own immovable property. It dramatically lowers the incidence of both physical and psychological violence. Despite Kerala’s favourable human development indicators it is found in the survey that 49% of the women who owned neither land nor house has suffered long term physical violence, compared with the 18% and 10% respectively of those who owned either land or a house and 7% of those who owned both. The effect of property ownership on psychological violence is even more dramatic while 84% of the property owner women had suffered less such abuse. The figure was 16% for women owning both land and a house. In other words women’s ownership of immovable property clearly serves as a protection against all forms of domestic violence. A survey of those women who experience long term physical violence, 43 left the house. The percentage leaving house was much greater among those who are holding the property 71% than among the property less 19%. Moreover, of those who left home, although 24 returned, 88% of the returning women were property less. Few of the propertied women returned. In other words not only are propertied women less likely to face marital violence, they are also more able to escape further violence.

Study also revealed interestingly, that while a fair proportion of women (propertied and property less) faced dowry demands, only 3% of the propertied women faced dowry related beatings by in-laws and husband, compared with 44% of the property less. This suggests another form in which owning personal property can protect women\textsuperscript{124}. Women’s right to property can reduce not only the risk of poverty and destitution for women but also for their households. It has been found that women generally use
their earning for the well-being of their families. Noble laureate Amritya Sen in his book 'Indian Economic Development and Social Opportunity' mentioned,

‘Women’s empowerment can positively influence the lives not only of women themselves but also of men and children, there is such evidence for instance that women’s education ends to reduce child mortality rates for both boys and girls’.\textsuperscript{125}

Concludingly, women’s access to immovable property such as housing and land is important not only for well accepted reasons of enhancing women’s livelihood options and overall empowerment but also for reducing the risk of marital violence.\textsuperscript{126} Therefore, the analysis indicates that women’s property status could play a crucial role in preventing domestic violence against women and can really be instrumental in creating a respectful position of women in the family.\textsuperscript{127}

Despite the fact that ownership of land can remove their subjugation women have always been denied these rights. The main reason behind the denial of this right is that, in Indian socio-cultural setup men are supposed to be the economic providers, as in an ancient Sanskrit Drama ‘Bhasa’ it was emphasized,

‘A man becomes a woman, when he is economically dependent on her’.\textsuperscript{128}

But it is observed in reality that men do not always ‘fulfil their duties as providers and women do not always get their rights as wives, daughter, daughter-in-law and mothers’. Experience shows for men rights are actual and duties nominal, and for women rights are nominal and duties actual. Besides the perception that ‘girls will go away when they get married’
generally discourage women themselves accepting unequal or no property rights because male heirs are considered to have a 'natural right to property and because in their late years (woman) will automatically be looked after by their son.' This is the main reason that in many communities women's access to land is restricted in terms of ownership and tilling of agricultural land.

Both at national and international level serious measures have been taken to remove the existing gender disparity in women's access to private and public resources, for example,

'The World Conference on Agrarian Reform and Rural Development' organized by the FAO in Rome in 1979, specifically called for the repeal of those laws that discriminate against women in respect of inheritance, ownership and control of property as well as promoting ownership rights for women.

'The World Development Report 2000-1', states 'in most developing' countries titles to land are normally vested in men. Since the great majority of the world's poor people live in agrarian settings, this is a fundamental source of vulnerability for poor women.

In India the legislation on the right of inheritance provides little scope for the married women to get a share in the property, because of expenses incurred on marriage. It seems, laws also follow the gender bias to keep the property intact rather than equal division of property.

Indian socio-cultural set-up has always favoured patriarchy at the cost of women's disempowerment, as a consequence of denial of property rights of the latter. According to Agarwal access to family land is mainly through
inheritance, though under the ‘Hindu Succession Act 1956’ a Hindu girl is entitled to a share in the property of her parents along with her brothers. But in practice however, only a small minority of women actually acquire property through inheritance data on land ownership is rarely disaggregated by gender. In a survey of rural widows in seven states it is found that only 13% of the daughters of land owning fathers inherited any land and even fewer effectively controlled it. The reason not to give girls title to agricultural land includes arguments that girls have to marry and shift to a distant place.\textsuperscript{133}

Therefore, the division of resources within a family is strongly biased in favour of men and disadvantageous to women. Engle in his influential essay entitled the ‘origin of family, private property and state’ also traced the direct link between private property, class formation and the subordination of women. According to him the transformation of women from equal productive members of society to dependent wives was linked to the shift from community ownership and production for use to private ownership under the control of men and production for sale.\textsuperscript{134} Therefore, it can be understood that economic dependency of a woman on her family members and husband is also one of the major causes of domestic violence against them.

**Implications of Domestic Violence:**

There are the serious implications of domestic violence. Agencies like ‘World Bank’ and ‘World Health Organisation’ have pointed to the serious implications of its impact on the overall health, capabilities, functioning and demographic profile of countries and women in particular.
Physical Effect on the victim:

This violence may end in the burns from fire or even acid, broken bones, head injuries, disabilities like loss of vision and hearing. The ‘World Health Organisation’ (2002) lists the costs of domestic violence abuse on women in terms of health consequences. These include physical consequences such as injuries, bruises, welts, disability chronic pain syndrome, fractures, gastrointestinal disorders, lacerations and abrasions, ocular damage and reduced physical functioning. Study showed that women who have been slapped, kicked or otherwise abused were four times more likely to report severe depressive symptoms and three times more likely to report fair or poor health.

Social Effect on the victim:

The violence may mark the victim live in isolation with a feeling of rejection desertion/abandonment.

Emotional Effects on the Victim:

Depriving include love, care, affection, support, sympathy and appreciation restricting freedom of choice, insults, threatening, humiliating, ignoring, false accusations of extra marital affairs, forcible sex determination test, forcible abortion, depriving sexual needs, inflicting mental anguish and isolation. All hurts the women/victims emotionally. She enters into a state of shock or denial of disbelief. She does not have faith any longer in any one. She is full of fear and insecurity. If the violence is committed by intimate partner then as reported by a survey it harms women’s physical and mental health even more than other common conditions such as back pain and cancer.
Psycho-pathological effect on the victim:

The victim enters into a state of depression and anxiety. She suffers from psycho-somatic stress and diseases leading to long illness which may end in committing of suicide. She may also suffer from post traumatic stress. She may become a person who no longer has any concern for others. Psychological scarring, repeated humiliation and insult, forced isolation, limitations on social mobility, constant threats of violence, injury and denial of economic resources are more subtle and insidious forms of violence. Leaving the woman in a situation where she is often made to feel mentally destabilized and powerless. It has psychological and behavioural consequences which include alcohol and drug abuse, depression and anxiety, eating and sleeping disorders, feeling of shame and guilt, phobias and panic disorder, physical inactivity, poor self-esteem post traumatic stress disorders, physical inactivity, poor traumatic behaviour and unsafe sexual behaviour. These psychological impact on the victim is listed by the WHO report 2002.

The health consequences can also be fatal such as homicide, suicide, maternal mortality and AIDS related mortality. According to a study conducted in Uttar Pradesh by ‘Dr. Michael Koenig’, of ‘Johns Hopkins University USA’, and his team, the rate of child mortality almost doubles if the mother is exposed to violence during pregnancy. It is also said by Dr. Koenig that, in the no-natal period a month after birth the rate of childhood mortality jumped from 26.1 per 1000 births for women who did not face violence to 49.5 for those who faced violence. New study has also revealed that the strong evidence of domestic violence is linked with malnutrition among both mothers and children. In India withholding of food
is documented form of abuse and is correlated with the perpetration of physical violence. The researchers found that women who reported more than one instance of domestic violence in the previous year had an 11% increased likelihood of having anaemia and a 21% increased likelihood of being underweight, as compared to women with no such history. ¹⁴²

Rape is a grave violation of a woman's bodily integrity. This type of sexual violence affects the physical, emotional, mental and social well-being of victims. The World Bank estimates that rape and domestic violence account for 5% of life lost to women of reproductive age in demographically developing countries. ¹⁴³ It also has sexual and reproductive consequences such as gynaecological disorders, infertility, pelvic inflammatory disease, miscarriage and pregnancy complications, sexual dysfunction, sexually transmitted disease, unsafe abortion and unwanted pregnancy. ¹⁴⁴
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