Conclusion
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Violence against women is a centuries old practice justified in the name of religion, culture, society or patriarchy. Besides its historical nature, another peculiar feature of violence against women is its universal occurrence and acceptance. In all societies to a greater or lesser degree, women are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. Violence is not only a violation of human rights of women but something that impairs their development. Women face violence not only in public but also in 'private'. This thesis is dealing with ‘domestic violence’ – violence which has made women unsafe within their own ‘home’ and where perpetrators are in one way or another related to them.

Acknowledgement of ‘domestic violence’ as a crime or violation of human rights of women is a recent phenomenon. Though other types of violence were resisted ‘domestic violence’ remained largely aloof from any legal action because of its’ site of occurrence. ‘Home’ or ‘family affairs’ were until recently presumed to be ‘sacred’ where interference of state or law is prohibited. However most of the western countries drafted a law against domestic violence from 1970s.

Credit goes to United Nations for creating awareness amongst the international community regarding domestic violence and its serious consequences on the well being of not only the victim but also the children and the rest of family. U.N. agencies were also catalyst in evolving a comprehensive definition of domestic violence that deals with domestic violence in all its dimensions U.N. through a number of instruments
(CEDAW- Women Conference) made states morally accountable for growing incidence of domestic violence in their respective countries. Consequently, a number of countries including India found it obligatory to draft an exclusive law on domestic violence (Prevention of Domestic Violence Act, 2005).

Though prior to this act of 2005 against domestic violence there were a number of instrument in I.P.C. and Cr.P.C. plus various other laws (on dowry and female-foeticide) but the problem remained largely unaddressed. The problem of domestic violence in India has socio-cultural roots which need to be addressed. Obviously de-legitimization of such practice like wife-battering, honour killings, female-foeticide, physical mental and economic abuse is essential but not the ultimate solution. Sensitization of societies towards the problem of domestic violence, with serious and long term effects on society as a whole is highly required. Realization of the fact that in the well being of women lies the well being of whole society is important. Legal education, awareness and the capacity (socio-economic) to utilize that legal protection on the part of victim is as important as the law itself. Indian women are socialized to accept domestic violence as a natural prerogative of the males. This acceptance of domestic violence perpetrated by their own husband, father or brother or in-laws is the biggest hurdle in protecting women against domestic violence.

Good law can be effective only if implemented effectively. Though the Domestic Violence Act 2005 is a comprehensive act with very broad definition of domestic violence, but it seems as if the law has not been very successful in combating the evil of domestic violence against women. The
increasing incidences of domestic violence against women indicates that law has not been much effective as a total of 2,921 cases of domestic violence were registered in the country in 2007. Similarly, the statistics available with the National Crime Record Bureau indicate that the number of cases being registered under the Protection of Women from Domestic Violence Act 2005 show an increasing trend. Similarly Indira Jai Singh gives her opinion that ‘this provision suffered a major setback at the hands of judiciary’. It means this law is also not proving helpful in curbing the practice of domestic violence against women. Thus, this needs pro-women attitude of law enforcement agencies. Most of the time policemen do not take such violence seriously. It is very difficult for women to get a case registered against her own relatives. And when woman is fighting against her own relatives, she looses the emotional, psychological as well as economic support of her own family. Therefore empowerment of women is equally important as that of a law against domestic violence.

State has to play the key role in protection as well as empowerment of women. With the emergence of human rights, the tussle between the ‘rights’ and ‘authority’ is no more viable for rights today demand certain dos on the part of state. Rights no more have a negative connotation. Earlier rights demanded no action by state in the defined areas. Moreover the concept of ‘security’ is now shifted form ‘national security’ to ‘human security’. Commission on Human Security, a product of the 2000 UN Millennium Summit defined human security as “protecting fundamental freedoms – freedoms that are the essence of life. It means protecting people from critical (severe) and pervasive (widespread) threats and situations. It means using process that builds on peoples’ strengths and aspirations. It means creating
social, economic, military and cultural systems that together give people, the building blocks of survival, livelihood and dignity”.

Thus, in the light of the above definition of human security and the U.N. claims that ‘violence’ is a form of gender discriminations; it is a violation of human rights of women, violence against women is a serious problem that impairs the development of women. It prevents the optimum utilization of the skills and talents of women. Violence particularly domestic violence has a negative impact on the physical, psychological, mental as well as economic well being of a woman, ‘now health doesn’t mean not having disease but a state of social, mental, physical as well as psychological well being’.

Since domestic violence has dire consequence not only on the well being of women (victims’) rather on the entire family, it needs to be tackled in the greater good of the society. Children growing up in a violent family atmosphere tend to grow up as violent adults. Therefore state as well as non-state actors should take concrete action towards empowerment of women so as to reduce their vulnerability and thus minimize the risk of domestic violence.

To get the society clean from the curse of domestic violence the researcher humbly submits the following suggestions which may be helpful to some extent to become the cure of the prevailing disease.

1. As a welfare state Indian state never paid due attention to the downtrodden and backward status of women – Despite immense contribution to the process of development. Indian women are still deprived of the benefits of development. Various five year plans
analysed earlier reflects the non-significant position of women. So the very first suggestion is that, Indian state must change its patriarchal attitude towards its female citizens.

2. Mere promulgation of legislations like the ‘Protection of Women From Domestic Violence Act’ or ‘Dowry Prohibition Act’ has not been or will not be a proper solution of the problem. In other words by just making the law stricter, the evil of domestic violence, dowry and dowry death cannot be eradicated. More stricter the law, the more secret shall become the ways and forms of dowry transaction. Therefore, it is suggested that provisions in the existing laws should be made in such a way that a female’s in-laws may not be able to enjoy the benefit of property received from her parental side either at the time of marriage or before it or after, in case the female dies issueless.

3. A law which has been enacted for the compulsory registration of all marriage must be properly implemented and any violation of the proposed law should be made a cognizable offence.

4. At the time of marriage the inheritance share given by the bride’s parents to her and her husband and in-laws be properly executed and preferably be registered.

5. There is also need for general reform in the law to protect women’s physical integrity and personal dignity against the violation by the husband.

6. The law relating to partial defence of provocation which reduces the offence of murder to one of culpable homicide and mitigates the
penalty for voluntarily causing hurt or grievous hurt assault or use of criminal force requires to be amended in the cases of domestic violence.

7. Though, there is no dearth of women related laws – but close scrutiny indicates towards their patriarchal setup because the separate law on domestic violence came into force only in 2005, cruelty (mental), got comprehensive definition only in 1970s. Similarly marital rape is still not acknowledged a crime in our country. Thus, most of the women related laws in our country are deficient and ignore the real requirements of women. So, there is a great need that law-making bodies must understand the requirements and problem of women while making laws related to them.

8. Attitude of law enforcing authorities/agencies is highly patriarchal as they are the product of same socio-cultural set up where such crimes (dowry harassment, wife-beating, female-foeticide) are committed. Majority of them do not perceive domestic violence as a crime. Rather police force believe it to be part and participle of Indian culture. Therefore, training of police of ‘human values’ and ‘human rights’ is essential. Gender sensitization of law enforcement agencies may of great help in curbing the crime.

9. There lies an urgent need for trained police women who should deal effectively with cases of cruelty against women within the boundaries of home resulting in dowry deaths and suicides. In fact all the cases of atrocities being committed against the female folk must be handled by special cells of police women. The average police neither has the
aptitude nor inclination towards handling cases of marital violence, dowry deaths or suicides, and it is ridiculous to expect from the police-men to deal firmly with those cases. The trained police personnel, i.e. the women cadre must be thoroughly motivated to deal with such types of cases. In the process of investigation too, involvement of women police officers is imperative.

10. Some steps have been taken in this regard like sensitization of the police force; all women police stations have been set up in its states; in Tamil Nadu, to encourage women to approach police stations without fear, the appointment of one woman sub-inspector and two constables is now mandatory. Also rehabilitation scheme for the victims of violence like 'Sevadhar family courts' and 'gender sensitization' in regular programmes of the National Judicial Academy (many more mentioned in chapter IV 'prevention of domestic violence').

11. The perpetrators of crimes against women inside the home must be severely punished. Stringent and deterrent punishments should be awarded to such criminals so that they may serve as a check to like minded persons. Persons found guilty of cruelty towards their women family members must not be set free on bail or execution of bonds etc, in order to teach them a lesson for their heinous acts. However, one has to be cautious of the misuses of such provision for example the misuse of Dowry Act is before every one.
12. In cases of conflict between the statute law and personal law, reference of the cases to a jury of experts in personal law as well as unitized judges would ensure speedy justice.

13. Special Family Courts dealing exclusively with cases of spousal torture, harassment, dowry-deaths, and bride-burnings must be created almost in every district. Truly, enough the present day courts have failed to provide proper justice to the victim of domestic violence to victims of cruelty or dowry. The Family Courts Act was enacted by the parliament in 1984. All the family law matters like the marriage, divorce, judicial separation, restitution of conjugal rights maintenance and alimony settlement of spousal property, guardianship and custody of child's person and property come under its jurisdiction, but there is a disagreement as to the para familiar matters like inter-spousal assaults, financial assault and offence of criminal nature between spouses and children. Thus, the suggestion is that all para-familiar matters must be included under the jurisdiction of family courts. These family courts would contribute to the speedy and efficient disposal of cases relating to cruelty and dowry deaths. Its setting up represents a shift from legalism to welfarism. The marriage counselors must try to bring about a reapproachment between the estranged parties in a majority of marriages. Many deaths could be prevented if some one could befriend these unfortunate women in their agitated emotional state.

14. There must be a creation of 'Family crisis wings' (where social workers, family counselors, psychiatrists and lawyers are employed,
authorized to take appropriate action on behalf of battered spouses who report their plight at such centers) within the family welfare centers that run throughout the country either by state governments or central government.

15. There is a need for strengthening social welfare organizations so that they may be able to combat the growing menace of marital violence prevailing in the contemporary society. These organizations must be given wide powers specially to file complaints of the harassed women or aggrieved wives. They can play a significant role in the renunciation of the estranged.

16. Anticipating problems for the women victim of domestic violence, it is better that girls should be properly educated and made independent and fearless enough to resist torture and black mailing. Legal education even in rudimentary forms should be included in the school curriculum. This would create awareness in boys and girls of their rights and responsibilities as well as the rights and obligation of others.

17. Financial autonomy should be guaranteed to women. Women should be economically empowered through education and job. If a women is housewife, then she should be given a part of husbands' salary.

18. There is need for creation of a strong public opinion in favour of making girl self-reliant, cutting down extravagant expenditure on weddings, awarding exemplary punishment to the culprits (both the dowry seeker and dowry-givers) and sadists.
19. Besides media has special responsibility of sensitizing and educating the masses regarding the problem of domestic violence. There can be special pages/columns for laws and other schemes for the support of women so that they can be made aware of the legal and socio-economic support systems for them.

20. Usually, the films and the electronic media project women as patient, sufferers, accepting ill treatment by their husbands and in-laws. On the contrary, women should be shown as a struggling against injustices with the assistance of social workers, legal and other agencies. Working to project the status of women, the accused on the other hand should be shown as being severely punished. This would help to create fear in society and also some sense of trust for law and order.

'Home' as a basic institution of every civilized society, provides happiness to the family members. It also provides certain duty and rights and obligation of the family members. But the paradise is lost if satanic instincts prevail upon human virtues of love, affection and mutual understanding. Therefore, it is imperative that all the family members must understand each other and perform their respective duties without unnecessarily interfering in each other's domain of work. This is essential for the smooth running of the family. Again the family members should not be unnecessarily suspicious to each other's conduct. In cases of working couples, both the spouses must help each other in the performance of domestic chores. A family free of violence and atrocities must be guided by reciprocal love, comradeship and mutual confidence. Domestic violence
against women represents the uglier side of human behaviour and it can be minimized only with concerted efforts of legislators, reformers, social workers and enlightened clergy of major religions of India. Above all, the principal of equality before the law must be followed in better spirit. This alone would ensure a safe and honourable place to a woman in her natal or nuptial home.

Fight for justice for gender equality (a home free from violence and atrocities) is not a fight only against those persons (those who used to practice violence against women within the boundaries of home) rather it is a fight against the system, traditions and the custom that have chained them, a fight against attitude that are ingrained in the society, it is a fight against proverbial *Lakshman Rekha* which is different for men and different for women. Men must recognize and accept the fact that women are equal partners in life. They are individuals who have their own identity. Thus the researcher wants to conclude the work with the words of Justice A.S. Anand,

"Awakening of the collective consciousness is the need of the day. Change of heart and attitude is what is needed".