PREFACE

Human Rights were defined as man’s inalienable right to life, liberty and property. Violations of human rights, therefore meant the violation of an individual’s political and civil rights and liberties. Since women were considered neither individuals nor participants in the public sphere, their rights were automatically excluded from human rights.

The democratic system followed the same trend. Universal suffrage initially did not include women. Women were granted the right to vote much later. There are historical reasons for human rights becoming synonymous with men’s rights. Philosophers and political thinkers considered men not women as individuals who had certain natural rights. Kings had the right to rule and men had the right to rule inside the house. Women’s existence was acknowledged only with reference to their subordinate relationship with men. This excluded women from public and confined their role to private sphere.

For centuries women have been considered the property of men. Subjugation of women has rendered them incapable of making decisions, voice their opinions or protect themselves from the inhuman treatment meted out to them within homes or outside. Traditionally, a home has been considered the safest sanctuary but with the emergence of the phenomenon of “Domestic Violence” as it is understood today, the myth stands exposed. Women are victims of violence not only at the hands of their oppressors, but also at the hands of their so called protectors. Violence against women begins even before women are born.

In the recent years there has been a deeper concern regarding the issue of domestic violence and an international consensus has developed on the need to deal with the issue. The Convention on the Elimination of

However, the development has been slow. So far only 44 countries have adopted specific legislations to address domestic violence. In India, law on domestic violence has been passed only in 2005, and already the loopholes are emerging with the registration of cases under it. Although, the Act may not be a total solution to the problems faced by women, yet, it can act as a stop-gap measure.

The underlying reasons for violence against women which are her enslavement, double standards and hypocrisy of monogamy, the fact that she has been effectively ‘privatised’ for centuries, removed from public production, public decision making and interaction, has no economic independence, is relegated to domestic drudgery and is virtually the personal property of her husband/in-laws is not remotely understood or tackled.

However, within the existing unjust and unequal system, and as a result of the untiring efforts of the women’s movement all over the world, the legislations on domestic violence passed by the governments of various countries have brought some respite to women. The laws on domestic violence ensure that women are not at the receiving end and have a weapon to fight back. As Marx so concisely puts it, “You cannot give equal laws to unequal people.”