CHAPTER - 4

REASON AND CAUSES OF DOMESTIC VIOLENCE WITH REFERENCE TO INDIAN SOCIETY

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4:1 Introduction

The concept of home, sweet home, is no more, so for many women, who suffer violence by the members of the family. While defining the idea of violence in the family, many are puzzled. All consider the 'family' to be a place where individuals get love, security and companionship rather than a group where conflict and violence take place. The important question is, why physical violence is so common between members of the closest and most intimate of all groups? Although the social scientists are still far from a full understanding of its causes, evidence shows that family violence is learnt in childhood in the home. The child that observes and experiences physical and verbal aggression between his parents or parent substitutes may also learn to be violent.

For the purpose of this discussion, Simmel's preposition is most relevant that is, 'Antagonism is a central cause of intimate social relations, that the closer and more intimate social an association, the greater likelihood of aggression and violence' Similarly, 'Malinowski' pointed out that 'aggressive behaviour also occurs more readily in close social relations.

Aggression and violence are considered to be positive male qualities. The man who is not assertive in his marriage becomes an object of ridicule. He is called 'Hen packed'. Likewise the mother-in-laws feel the entry of new bride in 'her' house as an encroachment on 'property. In our society, the women themselves accept the subordinate role within marriage unquestioningly. Since their childhood, they are tough to be liberal and to be transformed into a traditional woman. Time and again we see that the media helps in maintaining the status quo the position of women. In movies it is always shown how a modern liberated girl is
transformed into a traditional women, who covers her head and touches the feet of her husband and mother-in-law & her husband has full authority over her to put her to 'Agni Pariksha.'

Consequently the average man applies the same principle to his marriage. His male instinct does not allow him to sit quietly and he applies various methodologies to put her wife under his control. It is in this context, it becomes necessary to understand as to why the intimate relatives victimize the weaker members in general and the women in particular of the family and why the victims and particularly the women do not speak aloud about it?

Family system, vulnerability, inhibitions, subordination, cultural, religious and socio-economic reasons are interlay giving scope for violence against women. Of all violence's of men against women 'domestic violence' is a serious type but caused silently. It may be frequent or severe. The reasons may be manifold. It may be the outcome of frustration due to the overpopulation in the family or lack of education or with intent to earn instant money or may be outcome of ego satisfaction of the victimizer. Whatever may be reason, the common victim, in all the occurrences is always a 'Woman'.

It happens as an unacknowledged phenomenon behind the closed doors of the homes. Such kind of occurrence is purely treated as the 'private matter' between inmates, which is neither a matter of concern of public scrutiny, nor have interventions by any outside agency.
4:2 General Theories As To Causation Of Crimes And Criminality.

The Crime emanates out of the psychological apprehension about insecurity of life, liberty and property of the people. It may be the lust for wealth satisfaction of basic urges, hatred or suspicion for one another that tends people to follow criminal behaviour and leads them to commit crime.

Criminologists have always differed in their views about crime- causation. The American Criminologists are more inclined to explain criminality in terms of social factors. They further argue that criminality is necessarily an expression of the unique personal traits of the criminal and therefore in such cases social situation do not offer a satisfactory explanation for criminal behaviour. This typological school of criminology suggests that there are certain personality type of criminals who take to criminality because of their heredity, and biophysical traits.

The following theories, though not strictly gender specific, but to some extent contribute in the causation of domestic violence against women.

1) Beccaria’s ‘Free Will’ Theory Of Criminality

The theory of Beccaria lays greater emphasis on mental phenomenon of the individual i.e. ‘free will’. This theory explains that when the victimizer victimizes the victim only to satisfy his or her own instinct, without any intent.
2) Freud's 'Ego' Theory Of Deviant Behaviour.

Freud explained the mental conflicts in the personality of criminals in terms of 'Id' 'Ego' and 'Super Ego'. The 'Id' generates basic biological and psychological urges and impulses the man such as sexual desire hunger, affection for kith and kinds, lust for power etc, while 'Ego' refers to the conscious personality of which the individual is aware.

And 'Super Ego', is the force of self-criticism and control inherent in every individual. Thus there is a constant conflict between 'Id', 'Ego' and 'Super Ego'. Freud contends that crime is the substitute of symbolic behaviour of individual which includes the desire for committing suicide, feeling of inferiority, frustration, depression and anxiety. Thus, to some extent, the Freud's theory is applicable in the occurrences of the domestic violence. According to this theory human personality is divided into three main categories.

i) The social Background of the Criminal,
ii) Personality traits of the Criminal,
iii) Psychiatric condition of the Criminal.

Looking in to the categories of personality, the person's social background, his personality and psychiatric condition are the major causes for the causation of violence against women, because the circumstances in which that person is brought up carry much more impact

on that person, for e.g. if the child witnesses frequent quarrels among the parents or frequent occurrences of the violence against women in the family, then after getting adult, he also finds no wrong in infliction of harm to the women.

Regarding the other categories of human personality, the abnormalities in an individual are the main root cause of criminal behaviour, and to go in frustration is one of the abnormalities. The person having abnormality tries to overcome his abnormality by doing something which may put another member into trouble, for e.g. man, who is frustrated in his job, an alcoholic or a paranoid person, aggressive in his relationship with the world at large and his wife is just one of the victims.

Frustrations build up in a man’s life at two levels are-

A) Individual Frustrations

Man’s expectations of himself and his inability to face problems and failures lead to a sense of insecurity. And if frustrations in a man’s life lead to violence, the wife is the inevitable target of his violence. Frustrations can be there in woman’s life as well but she does not lead to spouse abuse for the following reasons-

a) The unquestioned authority of the man in home management.
b) The consequent subservient role of the wife.
c) The wife’s total dependency on her husband because of which she cannot either rebel or escape from the situation.
d) The social sanctions, which the husband has to discipline his wife.
e) Male arrogance: a man's sheer confidence that he can make a woman forget and forgive the worst with a show of love and gifts.

f) Of all adults, a wife is least likely to show resistance to her husbands beatings.

B) Societal Frustration

It includes two theories, mainly -

a) Theory of Perpetuation of Criminality

The most fundamental factor, which leads to criminality, is connected with the structure of the society as well as the family. Although a man and woman enjoy equality under the Indian Constitution, as long as the idea of a man as the head of the family remains rooted in our culture and in the eyes of the law, violence against women will be perpetuated in our country.

If a man has witness wife beating in his childhood or has been physically abused as a child, he is likely to assume that physical violence is the acceptable way of resolving marital problems. Child abuse also leads to the belief that one who loves has a right to beat.

While economically dependent and independent women are equally subjected to violence and economically dependent woman is more likely to stay in a violent home. Lack of education and poor job opportunities for women are important factors due to which many middle class women remain married to men who constantly victimize them. Along with the burden of childcare and the sexual stereotyping or parental responsibilities force women to remain in violent homes. Under these circumstances man does not need to fear that wife will leave him, so he can continue abusing his wife with relative impunity. In such cases the man remains confident
that the wife is dependent, and she has no place to go, and she has the burden of bringing up the children, because society feels that child care is exclusively a mother's job and women who leave the children behind, become social outcasts².

b) The Guilt Theory Of Criminality

Many people think that the only way for a woman to be happy is to be married and to have children. But a woman is not happy always in marriage. The matter becomes worst when the wife belongs to high status and well to do family. In the marriage, if the husband is unable to fulfill the demands of the family, then the man feels guilty for non-fulfillment of the needs of the wife, then he attempts to overcome his guilt. By victimizing his wife the man always tries to be in dominant position.

The males in the families presume themselves as the controlling agencies and to remain at the dominant position. If any member goes against his wishes or even tries to violate the rule established by the dominant member, that member will be put to violence, mostly in cases of husbands and wives. Sometime, it may happen that the wife earns more than the husband, under such circumstances the man victimizes his wife.

3) The ‘Cycle Theory’ Of Criminality And Walker’s Three-Phase Theory Of Battering.

Many women experience the cycle theory of criminality. They know well when the fight is coming. Small fights precede over nothing.

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Sometimes the tensions begin to mount, small fight leads to a big bang and then the calm-loving husband.

This theory is supported by Walker's (1979) three-phase theory of battering. The women who have gone through many such cycles know the pattern well. But when cycle is repeated many times, the woman's suppressed rage leads to loss of control and sometime women slab or lash back with lethal weapons causing mental condition. The husband tells that his wife is sick woman and that she needs nursing help. The husbands physically and psychologically abuse women. Sometime resentment of the wife builds up into anger and the woman tries to retaliate in other ways – sexual deprivation or verbal assault – which further deteriorates the situation.³

According to the theory of learned helplessness, initially the women react violently against the violence meted out to them but later on they realize that there is no way out. They become submissive and passive, even when the shocks become more intense, there is no reaction.

In a developing country like India where over population and non-employment are the major problems, the frustration theory of deviant behavior against women seems relevant.

4) ‘Multiple Factor Theory’ Of Causation Of Crime

Domestic violence against women is a violation of human rights of

women. There is not a single theory responsible for the domestic violence but there are multiple factors which contribute either directly or indirectly in the occurrences of domestic violence.

Child marriages, though banned by the government decades ago, still occur in India. This practice is most prevalent in the state of Rajasthan. This pernicious custom thrives innocent children into the pawns of transactions of families. These marriages are adult games and exploitation of innocents. The failure of marriages, marriages by deception, bigamous marriages and various live-in relationships are the other factor responsible in the domestic violence against women. In such offences, women are at the receiving ends.

Economic dependency is another factor which causes uneducated and economically dependent wives to derive solace from the fact that they will not be on the streets defending alone for themselves and the children and thus, sufferings continue.

The other factors like hatred about wife, dowry demand, affection towards another lady, to have son and non-fulfilment of extra sexual demands also contribute in the offence of domestic violence.

Moreover, misuse of the new technology has added one more crime in the long list of crimes against women. Pre-natal tests usually administered to discover foetal abnormalities had a lucrative by-product. It could reveal the sex of child with 97% accuracy. Soon, thousands of such clinics sprang up using various pre-natal tests like Chlorine Villus Biopsy, Ultrasoundography and Amniocentesis to determine the sex of the unborn child. In India abortion is not only legal but condoned unofficially as a family planning method of birth control. Family planning officials are given bonus
for maintaining 'birth quotas' and they keep silence about foeticides and infanticides.

The conservative attitude of the courts and undoing approach of police, leader and administrators make the situation very depressing. Legal provisions become ineffective by a rigid interpretation. Loopholes and shortcomings in the procedural and substantive law relating to offences concerned with marriage are discouraging factors.

All these changes in the outlook and way of life have resulted in increased crimes against women. These crimes are too subtle for law to combat but these are responsible for spoiling many lives and breaking many homes and in all these situations, women are definitely at a disadvantage.

4:3 Reasons And Causes Of Domestic Violence.

Discrimination exists from the childhood itself. Our sick rituals and customs are some times responsible for this faulty condition. Our socio-religious norms have affected the women's status, which is another causative factor. Right from the Post-Vedic era down to the modern times the religious practices, rituals, scriptures, precepts, historical force have created for women their secondary status in Indian society.

There are manifold reasons for the causation of violence against women. These reasons are well defined in 'Sanskrit' Upanishadas as four 'Ishanas', the desire to have more. These 'Ishanas' are classified into four categories, which are mainly responsible for the causation of violence against women.
A. Own Theorization-

Some of the own theorization regarding the reasons and causes of domestic violence against women are.

1) Witteshana : Desire to have more money.

Increasing dowry demands are mainly responsible for incidents of harassments to daughters – in – law in their husband’s homes. The dowry system is the root cause of many evils of our society. The parents want to see their daughters settled and happy in their families, where they could lead their lives comfortably. In their exiety to do so, they are ready to pay the bridegroom’s side cash or other things for the security of their daughters. Day by day, the amount paid as the dowry has been on the increase. The demands of in-laws persist even after marriage, sometimes result in dowry deaths.

Most people are not in a financial position to give dowry to the bridegroom and fulfill their excessive demands. The inability to pay dowry-price made female-infanticide almost a normal practice, especially in rural areas.

2) Dareshana : Desire to have a beautiful wife.

The desire to have a more beautiful wife leads the husband to enter into bigamous relations. As a result of this desire domestic hooliganism and violence against married women, better known as ‘wife battering’ occurs the world over on a significant and disturbing scale.
3) Putreshana: Desire to have a Son.

Discrimination against female child begins even before her birth. The birth of a 'son' is considered to be an occasion for rejoicing while that of a daughter particularly if she is second or third is an occasion of mourning, whereas the son is traditionally welcomed. The son is presumed to be the transmitter of the family name. The parents do want children but they desire only boys because they can collect dowry through him. In some societies it is also a belief that if a daughter is killed then the next child will be a son. As far as the daughter is concerned, the attitude of parents is conditioned only to her marriage, which has become to be associated with certain pre-requisites, making her birth unwelcome. Moreover, among Hindus, only a boy can light the funeral pyre of the parents and thus because a necessity.

In extreme cases, this may lead to abandonment of female infants or even to infanticides. In modern times the modern techniques are being used to get rid of unwanted female babies i.e. the test of Amniocentesis. By this method the female babies are being killed before being born, in the mother's womb itself.

4) Lokeshana: Desire to have good repute

It means desire to have good name and fame in the society. This kind of desire leads towards violence by the powerful against the powerless persons. This desire even go to the extent that sometimes the wives are used to satisfy the 'boss' or the superiors of their husbands for promotion purposes.
B. General Theorization

Apart from the above mentioned factors, the following are some other causative factors responsible for the causation of crimes against women in the families. The following factors predictive of violence against women are -

5) Cultural Practices

The violence against women are reinforced first by sanctioned cultural practices or those practices implied in different religions. These practices indicate Dowry system, Purdah system, Sati system and the status accorded to widow etc.

6) Commodification of Women

The violence against women can be interrelated with the perception of women as 'private property'. In number of dowry cases, the women are commodified into economic terms and conceptuation of their economic value, irrespective of her education and personality.

7) Increased Urbanization

Violence against women can be perceived as an increase of crimes due to stress of increased urbanization and its impact on traditional cultures, i.e. a transitory society on its way to modernization.

8) Social Inequality

In terms of socialization, female children transmit differential values that shape their low self-images and perceptions. The unequal power
relations of women within the household is preceded by pre-requisite training and socialization for being 'less than equal'. This makes the female children to accept the values and norms defined by patriarchy.

To sum up, the factors like early age marriages prevalent extra marital relationships, family structure and marital adjustments, parent child interactions and strained relations with in-laws are also contributory factors for family violence.

4:4 Position Of Women With Reference To Domestic Violence In India

The word ‘domestic violence’ is closely linked with the woman as a victim. With reference to the domestic violence against women, it is established by now that females are discriminated on the basis of sex, though prohibited. Even after 57 years of independence, number of incidents of violence against women have taken place, but very few are reported and rest of cases go unreported, may be due to a matter of shame or else more. The review of the existing literature on violence against women reflects that it is an outcome of a complex patriarchal society and an instinct to put women to secondary position.

Violence against women is as old as civilization and equally ancient are the efforts to combat and arrest them. There are records of women being abducted, beaten and subject to humiliating treatment. Ravana had abducted Sila and taken her to Lanka, the Kauravas had insulted Draupadi in full view of Raj Darbar. Dushshasana had tried to denude her in the presence of all the respectable elders and Yudhishthira had put her as a pawn in gamble Draupadi's applications for justice to all the elders present in the Darbar fell on deaf ears. No one did or perhaps could raise a voice against the injustice that was being perpetrated. Right from the beginning they have to undergo from all kinds of discriminations,
exploitations and torture both mental and physical in the society as well as within the four walls of the family which is supposed to be a safest place for its member's protection and development.4

Women are reared in an atmosphere, which slowly but positively helps in the development of a feeling of inferiority, they become used to the institutional legitimization of their status and find nothing wrong in some of the crimes that are committed against them. The women themselves due to their cultural conditioning and social attitudes can attribute this attitude to the general acceptance of men's superiority over women and the denial of violence.

Previously the Indian women were looked upon as 'Sahadharmini' and equal partners of men in all walks of life. Gradually with the passage of time the position of women began to decline in the society. Women came to be relegated to the background and treated as second class citizens. The married women are put to harsh treatment which ranges from beating to killing. The apprehension about the in-law's home reflects in the Bhondla's songs (sung by girls at the time of Navaratri) of Maharashtra. i.e.

1) "Assa Maher Surekh Bai, Khelaila Milate
अस्ण महेश सुरेख बाई, खेळाईला मिळते
Assa Sasar Dwad Bai, Konduni Marite"
अस्ण सासर द्वाद बाई, कोंडूनी मारिते
2) "Sasarchya Wate Kuchu Kuchu Kate
सासर्च्या वाटे कुचु कुचु काटे
Maherchya Wate HaladKunku Date"
माहेरच्या वाटे हलाद कुंकु दाटे

So, the seeds of discrimination of women were sown previously and now it has become a large tree, discriminating and exploiting women in their own homes. Now they are under dictatorship of men in the families.

Violence against women is not a problem of only lower class society but also a problem of middle class as well as high-class society with more or less difference. In Indian villages wife beating by a drunkard husband is a regular scene and it is accepted that he is husband hence he has right to beat his wife. There is one proverb in Marathi which shows mentality of Indian villages viz.-

"बेल मारात ताशी आणि बाबको भारतीय दर तिसा-या दिवशी"

In fact, the image of women is contradictory in India. They are kept on two ends of a continuum indicating extremely good or bad image. Thus on the one hand, position is exalted to the 'Goddess' and on the other hand lowered to the 'slave'.

In the cases of marital violence, women are the victims. It is because of this that marital violence and domestic violence have come to be viewed almost synonymously. However, in a broader understanding of domestic violence, it cannot be denied that women, in all roles and age
groups, are the worst victims of domestic violence.\footnote{Wolfgang Marwin E. and Ferracuti F., The Subculture of Violence, Towards An Integral Theory In Criminology, London : Tavistock, 1967, p 140}

Violence against women may be in bizarre forms ranging from battering, starvation, blackmail to even attempts to kill. Any excuse seems enough to use the opportunity to victimize a woman- her not having brought enough dowry, her not having produced a male child, her being deserted by the husband, the reasons seems to be endless. Typical to the Indian culture, and society, ‘wife beating’ is more common among socially and economically backward people. Since married women feel that life without a husband for a married woman, is a life full of shame. The women are willing to make all kinds of compromises to somehow carry on the marriage. Till today women have no independent legal identity apart from their husbands, the rulers, but they are identified by the social mores and institutional structures.

Since from embryonic stage till death, woman is put to harassment on one and or the other pretext. In our society, every decision of ‘Her’ is taken by ‘Him’, the male member of family. They decide whether a female-fetus is to be aborted or allow it to see this beautiful world. Due to the over practical approach their minds are frozen and they do not feel anything wrong in doing so. But rather, they justify their acts by saying that in shaping and maintaining the quality of the family, ‘It is Okay’

In doing so, the lives of the pregnant women are not taken care of and every endeavor is made to stop the birth of a female child, no one pays heed to the screaming mothers. For this purpose, there are so many
advanced techniques to be used to get rid of female foetuses. In every
district and even talukas, the sex-determination centers are open to
welcome such choosy parents.

If in case the family members are failed in taking the above
decision then they think of the other ways to get rid of the unwanted
female child. Infanticide is the fast growing menace in some communities
in India. It is common in Reajpoots of Uttar Pradesh and is most common in
Kallar community of Tamil Nadu.

The traditional patriarchal family is based on the assumption that,
the man should be dominant partner in an unequal relationship and should
rule cover his wife and children as his possessions, because the basis for
“family” is found in its entomology.

In families, the women are put under constant fear on the ground
that if they try to revolt or dare to break the discipline, they will be thrown
out of the house and marriage acts as a best mechanism to expel her out.
At the time of setting of the marriage the girls wishes go unnoticed. She is
not even asked whether she is satisfied with the new relations or whether
in her opinion the would be husband is a good match. The girls are kept
aside while setting the deal of the marriages. Even the girl does not know
about the terms of dowry and its various forms; to be paid in her marriage.
To shed off the responsibility of the daughters the fathers are ready to
bear any cost to satisfy the grooms. They always try to raise the value of
their daughter and equate to that of the boy.

After marriage the women are harassed if the extra demands of the
bridegroom’s family are not fulfilled. The result may be ‘bride burning’ or
'dowry death' and many more suffer silently. To run the families smoothly women may submit themselves to protect the 'izzat' (prive) of the family. Then the question always strikes as to why the women do not leave their husbands? Or, why they live with their enemies in the same home? The significant reason behind this is that they are under constant pressure and, if they revolt, they have to lose their children. As a method of control, men threaten to keep children away from their mothers if they leave. This is not an idle threat, but in many countries through law or practice, the children are considered the property of their fathers, upon divorce, these children reside where their fathers choose.

Domestic violence regarding economic and property rights of women has taken a serious turn and it has changed the intimacy of all relations: within the family. Throughout the world the women are seriously disadvantaged economically in relation to men. The disadvantageous economic status seriously impedes any strategy to protect women from domestic violence. In Indian families, the husbands and male relative have control over all economic resources while the women do not have any right to even demand for their shares in the family property. They are considered as responsibility of man. The man feel pleasure to fulfill every demand of their wives but they feel more pleasure in denying it.

In effective reforms in Hindu Law, daughters have been provided equal rights along with sons in the joint family property of Hindus. At one time when a married daughter used to visit her parental home, she was received with affection and treated as an honored guest in the family and when she returned to her husband’s place, was showered with gifts or share from what was grown in the family as a matter of goodwill, as a matter of right. After the amendment of the Hindu Succession Act giving equal rights to daughters in the father’s property and thereafter the
provision for right to daughter in the joint family property has given rise to a kind of acrimony thereby having a hostile attitude towards the daughter and she is no longer treated as an affectionate daughter or sister coming home for a few days but as a rival claimant to property.

The phenomenon of violence against women, as stated earlier is neither restricted to any particular socio-economic group nor it is restricted to uneducated or illiterate people or typical personalities. It is also found in the cases of highly educated, self-sufficient as well as well-to-do women. It is not easy to find any particular cause responsible for the occurrence of domestic violence in India. It may change from place, time to time, and society to society but it is there.

It is realized all over the world that, the women are not safe in society as well as in their own 'homes'. The members of the society are merely spectators of any incident of wife-beating or any other incident of violence against woman. No one from the society comes forward to stop such incidents. Each and every member of the society thinks that it is not his 'own matter' and hence he has nothing to do with it or if anybody really feels about the wrong happenings then he may wait for any 'Her' to come to stop such incidents. The social norms stop him to dare to come forward. The mentality and attitude of the society towards women is sterilized or frozen. The middle class people always keep themselves aloof from all these factors on the pretext of there being 'Common'.

4.5 Indian Society And Peculiar Domestic Violence

The history of civilization tells us about the injustices, atrocities and exploitation of socially deprived classes. Women being the most neglected social segments have always remain the prime subjects of discrimination
and exploitation. For century's women, irrespective of their caste, creed and colour have been discriminated and are given subhuman status though they are having an independent status in the eyes of legal, religious, administrative and constitutional machinery.

Violence is not restricted to any state or district. Village after village, community after community has horrific incidents to narrate. It may be the due to the 'powerless victim' or 'weak mentality'. The problem of domestic violence is not only a problem of lower socio-economic class but it has crossed the boundaries of all socio-economic classes. The causes may vary from place to place or home to home. In villages it is taken for granted that the husbands have a right to beat their wives. Sometimes it may be on the silly grounds that she has not cooked good food or sometimes in a drunken state or sometime on the mere suspicion of having illicit relationship with other man or sometime the women are brutally murdered by other family members if they deny to fulfill their unreasonable demands.

While in cities the violence against women differs from that of the villages. In cities poverty and economic scarcity may not be a cause for domestic violence against women. The following incidents reveal the peculiar domestic violence against women.

In Mumbai one Sweeti Malhotra (not real name) is economic consultant in one multinational company. She has two sons studying abroad. She draws handsome salary than her husband. Her husband uses to beat her regularly. He uses to spit on her face without any reason. Many times she tried to escape from marriage tie, but every time her husband agrees to behave like a good husband and all her efforts turn futile.
Neeta Nath's husband while leaving house uses to takeout all her cloths except undergarments. While going out he uses to lock the door of the flat. He uses to tie her hands at night. She lived there for three years and one day succeeded to escape.

Jalna's Sudha Deshmukh's husband uses to beat her regularly since their marriage. Due to severe beating she was aborted, but still she is living with her husband.

Barkha Dutt, a news correspondent of Star News 'Reality Bites', has explored the miserable condition of women and their stories of domestic violence on 30/12/2002. According to the report, Maharashtra is leading in the occurrences of domestic violence against women. Statistical survey shows the magnitude of this problem as in Mumbai 6.7%, Ahmadnagar 5%, Jalgaon 4.7%, Rural Nashik 4.1%, and Amravati 4.2%. These percentages are the outcome of only reported cases whereas many cases go unreported.  

It is sad that women have been accustomed for this violence without any protest whatsoever. Family identity and filial values defer women from resistance. Closed door alienate victim from legal recourse and remedies resulting into a convenient status quo where victim reconciles and society connives. The reconciliation with subjugation untold misery and hopelessness harm women more than the violence itself eroding their personality and dignity. Though traditionally, domestic violence is viewed as private family matter, the impact of it is so much that it has become a major public health problem as much as Cancer, Aids etc.
The effect of violence can be devastating to woman's reproductive health as well as to other aspects of her mental well being. It is not confined to developing countries alone but also occurs in developed countries where women are educated. Some people describe it as 'epidemic' or as 'private matter'. If any horrible and cruel incident happens, the procedure of expressing the opinions about that incident of common people is always within the framework. In such cases the society cannot go beyond supporting the protesting organizations.

The Indian Society is structured in such a way that victimization of women is not seen as abnormal behaviour. Women are always put to deprivation of their basic needs, love and care. It is very unfortunate that throughout the history the Indian women remained victims of various forms of violent actions induced by men's society. The men are supposed to belong to upper class while women to the lower class. These upper class men deprive the women being of lower class. Such perpetuation of indoctrination of deprivation or denial of beneficiaries develop beneficial atmosphere for perpetrator to commit domestic violence.

The violence in the family seems almost an endemic phenomenon, cutting across socio-economic barriers. The act of violence cannot be attributed to any one particular group. It can be on the females, young or aged or on the males again young or aged or on the children too. But somehow, the sanctity attached to the 'home' and a sense of 'shame' prevents the members from crying out aloud about it. The outsiders view everything that happens in the family as 'Private'. The available literature shows that the term 'domestic violence' is largely limited to violence against women and marital violence in particular. But a question often strikes to everybody's mind as to why a man abuses his own intimate or why he inflicts all sorts of physical injuries or even kills her? Thus,
domestic violence is a beast with many appendages. It manifests itself in many ways, including physical, emotional, psychological and sexual abuse and has multiple negative effects upon spouses, partners, children and families. Thus, domestic violence is the subject of many approaches and solutions aimed at addressing its root causes and eliminating its existence, is the focus of this study.

4:5:1 The Pattern Of Violent Behaviour

Most violent criminal acts are committed as a result of unconscious motivation, deep emotional needs or sudden emotional outbursts. The offenders may commit the crimes in the heat of passion and they have no previous criminal record.

The social thinkers contended that, 90% of the criminal homicides are 'passion crimes' which are unplanned, explosive, determined by sudden motivational bursts'. In such aggressive crimes the offender acts 'quickly' so that, 'neither reasoning nor time of it are at his disposal'.

The pattern of violent behaviour may change from person to person and from family to family. It depends solely upon the set-up of the concerned family. The peculiar patterns of violent behaviour can be highlighted as-


9) Krishnaswami S., An Article, 'Female Infanticide In Contemporary India : A Study Of Kallars Of tamilnadu', In 'Women In Indian Society', Edited by Rehana Ghadiyally, Sage Publications, New Delhi, p 188.
In joint families, number of family members live together. Their interests may differ but they adjust with each others in the family. The newly wedded daughters-in-law are expected to mould themselves according to the norms set up by the elder members of the family but if she is not ready to mould, then all others members of the family form a peer group to torture her.

The pattern of violence may be different in the families having international status. The family members are brought up in such an atmosphere that they become over self-centered. They do not give much importance to anybody and are busy in their business work. In such families, the newly admitted women family members may feel like neglected, which proves to be very torturesome feeling for the women which amount to cruelty.

In villages, the pattern of violent behaviour is different. The newly married women are put under constant microscopic observations. They are expected to obey each and every order of the husband and each relative. These women are even not allowed to call their younger brothers-in-law and sisters-in-law by their first names but they are required to be honoured by touching their feet.

The most worst patterns of violent behaviour are witnessed in some of the communities in India. In some communities of Rajasthan and Bihar, as a matter of tradition, women are forced to cohabit with elder male members of the family, according to their seniority and their husbands find no ‘wrong’ in such practices. Under such circumstances the women live under constant fear of being manhandled by the family members.
The respondent may commit the crime in the heat of emotional upheaval, only few carefully plan their crimes in advance. The respondents do not commit violent behaviour from any long-range conscious desires. Many times violence may be a response to the verbal assault that frequently ends in verbal abuse. It is possible, in such cases, violence occurs when one of the family members is not able to compete with the other's verbal battering he runs out of verbal ammunitions. In such circumstances, violence is a resource brought into play when verbal resources are insufficient.

4:5:2 Innovative Forms Of Violence

From the very beginning of our existence, violence is being used as an instrument to exert power over others. It is sad but true that, in our patriarchal male dominated society, the woman is discriminated from and even before her birth. She is treated as 'other man's property', an extra mouth to feed, a liability and a burden and is denied nutritious food, education and social status. It is most unfortunate that throughout the history Indian women remained victims of various forms of violent actions induced by male society. The women are under-estimated and hence they are put to various violence. Today many developmental changes have taken place due to urbanization and industrialization. The standard of living of people has increased. A greater rate of change is associated with greater instability and hence violent conflicts have taken innovative changes.

Factors which are deep rooted are numerous but most of them are basically of socio-psychological nature. Some factors may operate at personal level. Such as maladjustment, emotional instability, lack of
mutual understanding, dissimilarity in beliefs are also the participating factors which may lead to their innovative manifestations.

Regarding the Dowry System in India, it is strange spectacle of our topsy-turvy value system to see that the intrinsic value of woman is taken to be less than man's and to compensate for this, the husband and his relatives demand something of value along with the bride because he has taken the 'trouble' of marrying her. The compensatory value may range from clothes, or ornaments, Television Sets. Scooter, Four Wheeler, Flat and many more, which is often beyond the means of bride's father. Dowry is demanded in marriage as it is considered to be a traditional right of the boy's family. It is sanctioned by customs so it should not be resisted.

Dowry demands are made both before marriage or at the time of marriage, but in most of the cases they were after marriage. The most common item of dowry demanded is hard cash not only for its own sake but usually to expand business. Its innovative form is to demand for a nice wedding, a job for the groom, share in bride's father's house, holding the marriage ceremony feast in a particular town or five star hotel.

The system of dowry is more prominent in some communities like, Agarwals, Khatris and Marathas. It is difficult to combat these crimes because they are committed by the so-called law abiding persons and not by the criminals. Avarice is the main cause for dowry deaths in India.

Now a days the girls are educated and they also earn handsome

11) Human Rights Encyclopaedia, Vol II. Marital Adjustment And Violence p. 189
salaries. They get disturbed by seeing their fathers being exploited at the
time of marriage settlement on the terms of demands or dowry. Moreover
the demands made by boy's family do not seem to be reasonable. Due to
these customary evil practices the educated girls get mentally disturbed.
As they are major they can take their own decisions as to whether to
marry or whether to remain unmarried. Many girls prefer to be unmarried
and to leave alone or the girls may lead towards committing suicides.
There has been usual sharp increase in the occurrences of suicides by
the girls at the age of marriage and these are followed by bride burning
cases.

Regarding the practice of female infanticide in India, the history of
human culture is replete with examples of systematic oppression of
women. There is hardly any written evidence of female infanticide in India.
There are certain superstitious beliefs, which have lent credence to the
prevalence of female infanticide. A common belief is that if a female child
is killed, the next one will be a 'male'. Another belief is that the female
children bring ill-luck to the family.

The practice of female infanticide is most common between the
Kallars of Tamilnadu and the Rajputs of Northern India. They narrate
these practices as their cultural habits. The execution is normally carried
out by the parents on their own accord or forced by the in-laws of the
woman. And when a mother does attempt to save her infant daughter, it
result either in divorce or being sent to her father's place to bring more
resources in the form of gold or money sufficient to marry off their
daughter.

12) Lata P. M.: Violence within family, Experiences of a feminist support group. Ch. 16
of: Violence within family. p.p.227
Regarding the practice of female foeticide the innovative form of violence against women include various advanced techniques used to abort unwanted female child. Various techniques of sex determination and sex pre-selection have been discovered during the last 20 years. Techniques such as Sonography, Needling, Chorine Biopsy and the most popular one, Amniocentesis, are increasingly becoming household names in India. This perverse use of modern technology is encouraged and boosted by money-minded private parishioners who are out to make a woman, a male child producing machine'. They declared these tests as 'human and beneficial' on the ground that in developing and over populated countries like India, the parents are encouraged to limit their families, and hence the parents have a right to 'quality' of their children. Here the word 'quality child' denotes a male child, and Amniocentesis helps in this direction.

Regarding the sexual offences in India the problem is very serious. The subject of incest is even more taboo in Indian societies. Hardly any case of incest ever get reported and publicized but it happens only in very sensational cases e.g. the case of Balkrishna Ingle, where wife caught her husband in the act of raping their young daughter and killed him.

In most of such cases the victims are forced to take part in a conspiracy of silence. Incest is one of the reasons offered in support of child marriages because it is crucial to get the girl married off (or disposed off) before she is 'spoilt' by her own relatives. If she is 'spoilt' by her in-laws after marriage then it is her own lookout, because after her

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marriage the parents are not at responsibility for such events. Their responsibility is over after their daughter’s marriage. This attitude is unfortunate, as it does not help to create a feeling of ‘security’ among women. The confusion about the relatives and feeling of shame and fear keep them away from saying anything. The family itself creates situations for individuals to resort to violent behaviour. The constant differences and arguments over it between the family members may lead to the death of one of the member of the family.

Now a days, boys prefer to marry the girls who are the sole successors of their parent’s property. They even prefer to live the bride’s family. In such cases the son in- laws project themselves as the caretakers of his in-laws. He is the only decision maker in such family and if someone violates his rules, they are put to mental or physical violence. This may be due to the unemployment or may be in need of more money and assurance or in the clear sense it is the price for marrying that girl. He acts as a measure of social control and turns the victim into animal put in a cage. The victim is almost reduced to the status of prisoner.

4:6 Comparison With Other Societies

Women’s accounts of domestic violence from different cultures and countries sound chillingly similar. Some practices occur only in few countries, such as bride burning in India and Pakistan, and widow burning i.e. Sati in India. Even though these practices are out lawed, these are continued. These are considered as aspects of domestic violence because these derive from similar cultural roots, the inferiority and subordination of women. In India the code of Manu forms the basis for many violence, like ‘A wife’s marital duty does not come to an end even if her husband wish to sell or abandon her’.
The 'Shudditatwa', another legal text provides, 'if her husband is happy, she should be happy, if he is sad she should be sad and if he is dead she should also die.'

Physical abuse of wives is most common in almost all the countries; while data on the extent of domestic violence is incomplete. The information regarding the abuse of wives available to date shows this serious worldwide problem as -

- **In Austria**, 54% of all murders are committed within families, in 90% of all these murder cases women and children are the victims. Between 150,000 to 300,000 women are abused in Austria each year; Vienna police respond to up to 100 cases of domestic violence per day; accounting for 25% of all responses.

- **In Bangladesh**, murder of wives by husbands accounts for 50% of all murders.

- **In Brazil**, until 1991, wife killings were considered noncriminal 'honor killing. In just one year, nearly 800 husbands killed their wives'.

- **In Canada**, 62% of women murdered in 1987 and they were killed by an intimate male partners.

- **In Ecuador**, 8 out of 10 women suffer some kind of physical or psychological violence.

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In Europe, between 32000 and 40000 abused women and children are housed in emergency shelters every day in 1991.

In Israel, out of 100 murders, 42 were of women by husbands or lovers.

In Japan, wife beating is the second most frequent cause of divorce imitated by women.

In Papua, New Guinea, 67% of rural wives said they have been by their husbands and 66% of husbands admitted hitting their wives.

In Norway, 25% of women in relationship had suffered physical and sexual abuse.

In Peru, the beating of women by their partners constitutes 70% of all crimes reported to the police.

In Russia, in 1994, 15000 women were murdered by their partners or husbands.

An Analysis of Scottish town found that spousal abuse was the second most reported crime.

In Johannesburg, South Africa, a study of female deaths founds that partners committed 41% of homicides or that the partner was the main suspect.

South Africa, women’s organizations estimate that one out of every 6 South African women is in an abusive domestic relationship.

In the United States, among all female murder victims in 1995, 26% were stain by husbands or boyfriends; only 3% of male victims were stain by wives or girlfriends. 16

4:7 Appraisal

In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cut across lines of income, class and culture.

The women easily fall prey to domestic violence in their own homes. The actual extent of violence in the home may never be accurately known, but it is clear that such violence is a part of the dynamics of many family situations in both the developed and the developing world. The research that does exist reveals that women are murdered, physically and sexually assaulted, threatened and humiliated within their own homes by men with whom they should enjoy the greatest trust. This is not an uncommon and unusual occurrence. 17

In every country, the most dangerous place for women is the home. The fortune comes at the hands of men who claim to love them. The violence in the family in the most intimate relationships is a worldwide phenomenon, embedded in a variety of patriarchal, cultural and legal structures.

From an international perspective, domestic violence is a universal phenomenon. It exists in countries with unduly varying political, economic and cultural structures. The extensiveness of the problem of domestic violence does not originate with the pathology of an individual person, rather, violence is embedded in the values, relationships and social and

institutional structures of society. Its roots are found in a hierarchical social structure of male dominance and female subordination. So to end domestic violence, societal models based on dominance are required to be changed.

The international human rights community has formulated international standards of behaviour. Recently, the international community declared its consensus that violence against women is a human right violation and that states have an affirmative duty to protect women from such violence. Further, the international community has recognized that neither family privacy nor religious or cultural traditions should outweigh a woman's right to safely, health and well-being.

The Beijing Platform for Action, agreed to by all participating countries at the Fourth World Conference on Women in 1995, clarifies the inter-relatedness of all forms of violence and discrimination against women. The platform further sets out a comprehensive program for addressing the different manifestations of women's subordination. It provides an important guide for any strategy designed to address domestic violence. Law reformers at the national and local levels are required to follow the leadership of the international community and declare that violence against women is a serious and widespread problem that must be addressed for the well being and progress of the entire women folk as a priority. Hence at this juncture it has become vital to study the feminists philosophy regarding the status of women in their own homes.