CHAPTER 3

THE CONCEPT, NATURE AND MAGNITUDE OF THE PROBLEM OF DOMESTIC VIOLENCE.

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3:1 Introduction

In earlier society, the perception about violence was not so sharp and acute but in modern days certain insights have developed which focus on the violence in every walk of life including violence in the family. In the matrimonial homes whatever the violence takes place, a new terminology is coined for these offences, that is domestic violence. The offences, which take place within four walls of the house are ‘Domestic violence’.

It has become fairly well established by now that violence in the family is not a myth but a reality. Violence with its latest and manifest forms always reveals negative consequences on the part of the victim. From the very beginning of our existence it is being used as an instrument to exert power over the others. History is the testimony to the fact that discrimination of sex always remained effective in particularizing one’s treatment. Women and men are the two wonderful creatures of nature whose mutual cooperation and understanding are needed to guide the activities of the world. It is most unfortunate throughout the world’s history that women remained victims of various forms of violent actions induced by men’s society.

Apparently all the families look like going very smoothly but there also exists violence i.e. Domestic violence or family violence. Sometimes it is silent, but what is new is its increasingly coming out in the public, being exposed, reported critically evaluated and condemned and rather recent is the realization and recognition that it is one of the significant, widespread and major socio-psycho-ethical, and also social problem.
As with any other forms of violence, domestic violence has stemmed from the misconception but one popular belief is that everything that happens in the home is viewed both by the members and also those outside it as 'private' and this 'privacy' must not be trespassed at any cost. The gravity of violence within the family is not known to the external world or the precaution is taken usually by all the family members that the incidents of violence within the four walls must not be made 'known' to the people or to the external world.

For the purpose of instant study the words 'domestic' 'home' and 'family' are used synonymously. Thus, to gain the understanding of the problem, it is important to look at the concept and various forms and manifestations of domestic violence and to identify potential contributing factors for the causation of domestic violence against women.

3:2 The Term "Domestic Violence" And Forms Of Domestic Violence Against Women

Before proceeding further the concept of family or domestic violence against women are required to be understood.

Family Or Domestic Violence

The term 'domestic violence' is not defined in any law in India. Going through the meaning of the term Domestic Violence given in various dictionaries and encyclopedias one could define 'domestic violence' as intense, excessive, unconstrained, illegal and unjustifiable use of force or coercion to inflict injury or abuse on subordinate or dependant members by some dominant persons of the family usually to gain their personal or group ends.
Different kinds of violence or crimes are committed against the innocent and helpless members of the family. In India, the origin of domestic violence lies in the gender inequality and the patriarchal system. Thus, Domestic violence is violent victimization of the members of the family within the boundaries of family. Violence can be both physical and psychological.

Of all the human groups ‘family’ is the most important and primary group. Across cultures, whether natal or marital it is often associated with love, support and binding among members. According to Brogues and Lock, ‘Family’ is a group of persons united by the ties of marriage, blood or adoption constituting a single household interacting and intercommunicating with each other in their respective social roles of husband and wife, mother and father, brother and sister creating a common culture.

The family is known to be the fundamental unit of a society and a social institution meant for socio-psycho-economic and physical protection, love, care, moral and emotional support and healthy, happy, and optimum development of the character and personality of its members. But it is most disillusioning that it has been found within the family itself some of things, which have so far developed, not healthy and conducive for the other, a subordinate or the dependent members of the family.

The juxtaposition of the ‘domestic’ (the intimate relations of a family group living together) and ‘violence’ (the exertion of physical force so as to injure or abuse) punctuates the incongruity of what most believe, is an increasingly frequent and serious problem occurring in a place that traditionally was thought to be tranquil, supportive and safe.
It implies infliction of injuries by one or more member of the family on other member or members of the family itself. Based on various definitions the operational definition of family violence can be framed as, 'an act performed by a family member to get 'desired conformity' from the other member” and carrying negative emotional component'.

Thus, infliction of injury on others, which may be physical, mental, emotional or psychological, is the essence of violence. It happens in all the ways of life, in every society, in every family. Though apparently all the families look like going very smoothly, there also exists violence. Domestic ‘violence’ can be traced as early as our Vedic literature and also as early as when the human personality found the place in the literature.

The United Nations has given the comprehensive definition of ‘family violence’ as -

‘Violence in the family manifests itself in physical mistreatment often repetitive which is interrelated with the exercise of mental torture, neglect of basic needs and sexual molestation. Violence is generally exercised in the closest family unit where there is dependency relationship and results in grave injury to the victim. Repetitive violence may be distinguished from the occasional occurrence of violence, where immediate crisis intervention is not unemployed at occasional incidents, such acts tend to become repetitive and more severe’

The United States of America's law on 'Family Violence and Prevention of Services Act' defines 'family violence' as, 'any act or threatened act of violence, including any fearful defection of an individual which a) results or threaten to result in physical injury and, b) is committed by a person against another individual including elderly person, to whom
such person is or was related by blood or marriage or otherwise legally related or with whom such person is lawfully residing'.

While United Nations has used this definition in the context of violence against women in the family only but it may be extended to all members within the domestic set up. It also includes violence by members residing and employed by the other household members also, who the family entrusts, with their safety, such as drivers, servants etc.¹

Domestic violence in its fullest sense consists of wide range of acts, which may include physical, sexual, psychological, emotional or abuse between partners, ex-partners, members of the same household or with family connections. It occurs in families with children and without children, in first marriage, second marriage, arranged marriages and between unmarried partners also.

While looking through available literatures pertaining to domestic violence, it is found that most writers and scholars have used it almost synonymously with marital violence i.e.; violence against women as a wife. This may be because violence by the husband against his wife is found to be most frequent. However, to understand the 'domestic violence' in it's entirely, as the term itself impels; violence within the families is not just against one category of persons e.g.; women as wives or girl child but can be on all members of the family. This includes both male and female members of the family in all age groups.

¹ 'Within Four Walls,' A Profile Published by MARG (Multiple Action Research Group), New Delhi, (1996), p. 13.
The magnitude and dimensions of domestic violence can be understood only by looking into its manifestations. The episodes of domestic violence are not random acts of violence or incidents of mere loss of temper. Rather, such episodes are part of a complex, continuing pattern of behavior of which the violence is but one dynamic.

The perpetrators of domestic violence are not restricted to husbands, they will also include any male member of the same household who is in a position to exert control or power over the female. But if anything happens, the 'sanctity' attached to the 'homes' and a sense of 'Shame' prevents the members from crying out around about it everything that happens in the home is viewed both by the members and also those outside it as 'private' and this privacy must not be trespassed at any cost. As the scope of the instant research is limited to the problems of domestic violence against women only, the researcher divided the forms of domestic violence against women into following categories.

**Forms Of Domestic Violence**

Women constitute about 50% of the population. They are considered as one wheel of the Sansar Ratha i.e. the family. But it cannot be negated that a large number of women in families are subjected to domestic violence, irrespective of their age, capacity, intelligence or status. Women caught up in violent family situations feel helpless. Domestic violence against women seems to be increasing with cruelty by husbands recording the highest number of cases. These have been rising at an alarming high rate. Most popular forms of family violence are psychological and sometimes even both physical and psychological. The forms of domestic violence against women undertaken for critical examination, discussion and evaluation are –
A) Activities Or Situation Based Violence -

It includes -

i) Physical : Hitting, slapping, punching, beating etc.
ii) Sexual : Rape or being forced to participate in humiliating sexual acts.
iii) Emotional : Constantly ridiculing or criticizing someone.
iv) Economical : Depriving someone of money or refusing to pay bills so that the woman goes hungry or lives in fear of the electricity being cut off.
v) Psychological : Hiding things and then denying it, preventing contact with family and friends, keeping the children away from their mothers\(^2\) or taunting.

B) Individual Based Violence –

It is often found that children and the aged are particularly vulnerable to domestic violence. The condition of women in the families is undoubtedly still quite precarious. Unmarried girls, unwanted in their father’s homes could also experience violence.

a) Violence against Girl child, (Unmarried women)
b) Violence against Married Woman.
c) Violence against Aged Women.

a) Violence Against Girl Child, (Unmarried woman)

The forms and categories of violence against girl child (Unmarried woman) are as follows-

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i) Female Foeticide: Denial of Right to be born.

There have been gender bias and deep rooted prejudice against girl child and woman down to centuries. The most disturbing thing is that the discrimination begins in the womb itself.³

ii) Female Infanticide: Denial of Right to live and Sexual Discrimination.

This type of violence can be divided into two types i.e. first is indirect or passive infanticide and the other is direct one. While in the direct one the killing of a newborn female baby is direct, immediately or little after the birth of girl child by strangulating, poisoning and so on and in the indirect one the means utilized is starvation, sustained neglected and discrimination of various kinds and deep-rooted negative attitude and deprivation of basic needs of the girl child.⁴

iii) Child Marriage: Child Motherhood and Child Widowhood

Child marriage deny the girls, the opportunities to have education, training and income generating skills and to developed maturity, self-confidence and integrated personality. In such cases the girl has to depend solely on the mercy of her husband and in laws who tend to neglect and ill-treat her. The denial of the opportunities mentioned above indirectly deprive her of right to utilize her potentialities and to live healthily, which in turn affects her whole life adversely.

Child marriage increases the risks of becoming a child mother and a child widow with all the resultant ills, agonies, oppressions, and violence on her. In some parts of the country, the woman is forced to go Sati on her husband's pyre. Even child widow has to face physical, social, economical and emotional hardships and exploitation at the hands of all of the family members.  

iv) Sexual Abuse Of The Girl Child

Sexual abuse of a girl child is very complex and its range is very wide, which includes –

- Stroking the child's body with sexual intentions.
- Handling the child's genitals or making her to handle offender's genital.
- Offender's exposing private parts to the child or compelling her to expose her private parts to him.
- Oral sex.
- Right from the act of attempting at penetration of vagina of the child to the act of forced sexual intercourses, rape, and
- Selling, kidnapping, exploiting, pushing or forcing the girl child for the act of prostitution.

v) Sexual Abuse As Incest

Sexual abuse has currently become synonymous with incest. It is described as a range from handling and masturbation to eventual rape. In


incestuous abuse the abuser lives with the victim as a member of the household or family, which presents him chances for continuous and easier sexual accessibility to the girl child as well as other forms of control over her. In most of the cases the family members or the relatives themselves sexually abuse the girl child in the home itself.

vi) Forced Prostitution And Girl Child

Most of the girls at the tender age of 12 and 13 years are being sold by family members for the purpose of making them prostitute. In India, it is by and large a hidden practice and is carried out in various forms under various guises. It may be in the name of religion, custom or tradition for e.g. Devdasi of Kamataka, Jogins of Andhra Pradesh. The family members dedicate their daughters or minor girls to become Devdasis or Jogins and are taken for granted to inherit the trade of prostitution.

vii) Neglect And Discrimination Against Girl Child

The other kind of violence against girl child may be categorized as passive violence. It is nothing but the denial and violation of basic human rights of women by the family members. It includes -

• Neglect of girl child and depriving her of the needed love care and other basic needs.
• Cruel treatment, exploitation and discrimination against girl child making her to carry out hard household duties, depriving her of opportunities of education and for the optimum development of her potentialities and personality.

b) Violence Against Married Women

It is as if the fact of their being a woman alone is enough for them to be victimized. The following forms are prominently categorized as violence against married women.

i) Cruelty – It includes -

a) Physical Violence - It is perhaps the most prevalent form of violence against women 11. The forms may vary from person to person and includes -

- Beating with hands and fist.
- Beating with sticks or iron rod.
- Kicking the abdomen or sitting on the stomach while the woman is pregnant.
- Beating with utensils or knives.
- Throwing women against objects or bashing their heads against the wall.
- Burning the Brest or vagina etc.
- Excessive sexual demands or perversions.

b) Mental Violence - it includes -
   - Using abusive language against her parents.
   - Taunting
   - Insulting
   - Passing abusive remarks
   - Keeping doubt for her chastity against married women.

ii) Desertion

   It is another kind of violence directly by husband and indirectly by parents. Being deserted by the husband brings more violence into a woman life though a woman's parental family is her biggest support in the event of being deserted or ousted from the marriage, her having returned to her natal home sometimes brings even more violence into a woman's life.

iii) Marital Rape

   It is another form of sexual abuse and includes the sexual intercourse with a wife below 15 years of age. Very few women victims are able to take stand against this type of violence.

iv) Bigamy:

   It is a psychological violence when the women find themselves tricked into bigamous marriages leaving them absolutely destitute once they are deserted or thrown out of their marital home.¹²

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v) Abetment To Commit Suicide

This kind of violence can be a result of cruelty or torturesome treatment to a woman, which leaves a lasting negative impact on an individual’s personality.

vi) Dowry Death

Dowry death is one of the most frequently publicized crimes in the mass media. The term ‘dowry death’ may be defined as the unnatural death of young married women. It can be as a result of no fulfillment of demands for gifts or cash or goods made by the groom and his family members.

Dowry demand is made both before marriage and at the time of marriage, but in most of the cases, it is demanded after marriage. When these demands are not met, it participates serious consequences for the young bride. In most of the cases the daughter-in-laws are thrown out of their matrimonial homes and they had to return to their natal homes on their own. Domestic violence accelerates upon her return to her husband’s home and reaches a climax resulting in either suicide or murder 13.

c) Violence Against Aged Women

The problems of violence against aged women arise out of their inability to adjust to their new roles and the changing family situations or

the problems lay mainly in the inability of both the aged and the younger generations to adjust with each other. Aged persons are seen to be the unproductive members of the family. Both old men and women are victims, but while the males are victimized because of their age, women suffer a double 'disadvantage', that of age and their gender. Women are disadvantaged by their gender throughout their lives they continue to suffer even when they are old. The violence against aged women may be categorized as below-

i) Harassment And Abuse Of Aged Widow

An aged widow in the family is often abused or harassed. Being a woman she seldom has an identity of her own. She is always seen as someone's daughter, wife or mother. Thus, as soon as that source of identity ceases to exist, she faces insecurity in the family. She cannot stand against any harassment meted out to her.

ii) Violence Against Economically Dependent Women

When aged women are economically dependent, they are hesitant to take any step that would break the family, which is sacred, to them. The fear of staying alone holds them back from moving out of their violent homes.

iii) Violence Against Physically Weak Women

The survival of physically weak aged women in the house, though they are economically dependant or not, depends upon her doing all household chores. They have to look after all household chores and also to take care of their grandson, grand-daughters when their sons and
daughters-in-law are out of homes. Abusing of mother in laws by their daughter in laws is a common scene in most of the families. Consequently it may happen to ask the aged women to move out the house and they are shown the way of old homes.

3:3 Nature And Magnitude Of The Problem Of Domestic Violence In India.

The events of suppression of weaker classes by the dominating powerfuls are common. Different kinds of violence and crimes are committed against the innocent and helpless members of the family. Violence in the family is multidimensional. It is no more a local problem but it is almost a global phenomenon. However, the problem of domestic violence has received global attention due to its rising rate day by day. In the zeal of faster economic progress, man is exploiting the powerless persons in the families without any serious consideration of the consequences and has been upsetting the harmony within the family system.

Today, world is facing the dangerous level of family violence harmful to the physical, mental and social health of person victimized, particularly women, in the man-made patriarchal family system. Similarly the problem of faster degradation of moral values, ever increasing thrust for money and degradation of standard of women in the families. Under the name of custom of marriage, such types of activities are undertaken without taking care of the protection of these members of the family. If the present course of human degradation continues, it will destroy the morality completely, which is necessary to support a reasonably civilized human society.
The Constitution of India declared the equality of sex as a guiding principle and thereby acknowledged that a family should basically be an equalitarian unit founded on equal rights and choice by both the individuals who form a family.\textsuperscript{14} To know the problem more precisely one has to understand its nature and magnitude depending upon its social structure and culture.

Women are perhaps the worst and most frequent victims of violence in India. Wife beating is described as the most common marital post time in India. As regards sexual offences, India has traditionally enjoyed much higher immunity compared to many other countries though there has been an alarming rise in the recent past. Dowry related violence and the practice of 'Sati' are two criminal phenomena peculiar to India and therefore require special focus in the overall context of violence in India.

In developing countries like India, the parents are encouraged to limit their family to two or one offspring. They have a right to quality' in these two as far as family can be assured. Amniocentesis provides help in this direction. Amniocentesis is a test or a scientific technique that was supposed to be used mainly to detect genetic abnormalities, but now a day it has become very popular for detection of the sex of a foetus. Previously the test was conducted in Government hospitals on an experimental basis. Now it is conducted almost in all private hospitals, clinics mainly for sex-determination and thereafter extermination of a female foetus though abortion.

\textsuperscript{14} Desai, A.R., 'Urban Family And Family Planning In India' Bombay, Popular Prakashan, 1980. Ch. I and II.
According to the reports of United Nations Agencies India has a very high infant mortality rate. According to the statistics of Health Ministry, Govt. Of India, 64.8% of children dead under the age of one year were females.  

According to the report of a survey carried out in Mumbai about 8000 abortions were done after the amniocentesis tests and out of them 7999 were female foetuses.

In Maharashtra sex determination clinics have mushroomed in the past few years. In Dhule, a quite town in the state these are 5 such clinics, Jalgaon, Amravati, Nasik, Nagpur, and other cities also have such clinics. Harkisandas Hospital in Mumbai was the first to begin pre-natal sex determination clinic in Maharashtra in 1977. In 1985 alone the hospital clinic conducted 2767 tests and there are no records maintained to show whether the tests were followed by abortion.

In Gujrat, Uttar Pradesh, West Bengal, Punjab, Hariyana, New Delhi, Mumbai and almost in every district, town, talukas have at least one sex determination clinic. While aborting the female foetuses no records are maintained by the hospitals hence it becomes very difficult to understand the exact figure female foeticide cases. The census reports show the ratio of number of males and females. According to the census report of 2000 the ratio shows number of 927 females to 1000 males which reveals magnitude of these problem.

15 Reports of the Health Ministry, Government of India 1985
In spite of various preventive and punitive laws, female infanticides continues in practice to the present day. It is generally known to have been a practice with the Rajputs and there is little doubt that other case like Anavils and the Kulins resorted to it under the stress of economic pressure.\(^{18}\)

The root cause of many evils of our society is the dowry system. The practice of female infanticide still exists in certain communities like Kallar community of landless labours in Tamil Nadu's Madurai District. This community has their own solution to check the female births. As a matter of practice, the first female child is not killed but with the second girl baby, these beings a series of killings.

In the state of Bihar, the practice of 'Dood Peeti' is most common, in which the newly born female infants are frowned in a vessel filled with milk, to get rid of that female child. Sometimes a flower is placed on the throat of the child and let that child suffocated to death. The practice of administering lethal poison of Oleander Berries to the female babies is most common in some rural areas of the country. It is estimated that nearly 85% of the disappearing babies becomes victims of infanticide; which results in imbalance of Sex ratio of females and males.

The girl child has been found to be victim of a variety of gender discrimination, rejection, neglect, ill-treatment, harassment, exploitation, abuse, aggression and violence in the family by the family members at all stage and phases of her life right from conception to maturity.

The extent and magnitude of family violence against women in India cannot be stated precisely mainly because of paucity of statistics, scientific macro-surveys and research studies on this problem. Yet on the basis of the above-mentioned informational material, one can definitely say the family violence of various kinds against women exists to a considerable extent. It is estimated that the child abuse, spouse abuse, parent abuse and other physical violence occur in more than half of the Indian households.

Over the past two years, the phenomenon of women burning and rapes has registered a sharp increase throughout India. On an average, two to three women die of burns everyday. According to survey conducted by two police stations in Mumbai, in a period of 8 months, one woman was burnt to death every five days. In Bangalore the rate of suicides and dowry deaths is very high. According to the police reports, on an average two woman commit suicides every day. In Madhya Pradesh records of the biggest hospital showed that one woman dies of burn injuries every five days. According to various women's organizations an equal number of burning / suicide cases go unreported. Mostly this may due to the refusal by the police to register the cases, or when they register they tend to minimize the offence. Most of the offences are registered as accidents or suicides, only few cases are reported as murders.

The dowry witch-hunt has taken its heaviest toll in the middle class urban areas, but the burning of women for more money and domestic

goods in the form of dowry is quite widespread in the slums and rural areas. It is common in rich Agrawal families in urban areas. Thus, the investigations in this area have revealed that women burning is prevalent all over the country. It is most acute in Delhi, Haryana, Punjab and Uttar Pradesh and the Saurashtra region in Gujarat.

Regarding the problem of forced prostitution by the family members, it is reported that nearly 5000 women are made 'Devadasis' every year. According to the figures given by the Bureau of Police Research and Development, New Delhi in 1972, there were 2562 cases of rape reported all over India. In 1975, the number increased to 3283 and in 1976 to 3899 and the number is further increasing day by day. Most of the rapes are committed by the nearest family members, but they go unreported to protect the 'Sanctity' attached to the family.

There is much more than the crime statistics regarding institutionalized violence against women like European Witch Hunting, Chinese Foot Binding, Indian Sati and African Genital Mutilation show the symptoms of a deeper malaise in societies, which are constantly committed to the subordination of women. The atrocities committed against women within the families have often been hidden from the public eye by a social attitude, which is mixed with apathy towards women and an inexplicable sense of privacy.

The victimization of women is not unique to a particular time, place or culture. There is hardly any correlation with race, castle, creed, class, religion or age. The family violence against girl child denies her the very

22 United News India, February, 1983
right to be born and to live. It not only inflicts torture and abuse but denies her the right to optimum physical, mental, psychological, emotional and socio-economic development.

It was a discussion on NDTV Channel\textsuperscript{24} regarding the problems faced by women in India. Abha Bhaiya, a social activist and member of 'Jagar', a women's organization in Delhi, Madhu Kishwar, a social worker, Ashok Pandit, a film director, Manimala, a journalist, Preeti Jain, a model, and Arun Bhagat ex-managing director I.B. had participated in the discussion. During their discussion they have thrown light on the various problems of women, their exploitations etc. According to the discussion of the social thinkers, Madhya Pradesh is leading in women exploitation; 45% women are harassed by their husbands and 75% women attempt to commit suicide. According to Madhukishwar a social worker, more violence against women is committed during their pregnancy. According to Abha Bhaiya, a social activist, lawlessness of the law courts is one of the factor responsible for increasing crime rate against women. She further stated that to give up the issue to women movements is not the proper solution and educated men are ahead in exploitation of women.

The statistical survey about violence against women in America shows that at every 18 minutes one women is killed. In Peru, out of all the offences registered in police stations 70% offences were of wife beating and wife killing by their husbands. According the survey carried out in 1993 by Pakistan Human rights Commission, out of 400 cases in half of the cases of the wife was killed.


\textsuperscript{24} NDTV Channel program 'Muquabla' broadcasted on 8.8.04 at 2.35 p.m.
3:4 Trend Of Criminality

Criminality is essentially a part of social behaviour, which emanates out of the relationship of individuals in society. The trend of criminality changes from society to society, person to person and place to place. The family is supposed to be one of the primary institutions of society that establishes the unequal social relations that sustain the subordination of women, gender hierarchy, combined with generation hierarchy, bestows different powers on the various members of the family vis-à-vis their ability to act as fully dependent beings in relation to another.

While analyzing the trend of criminality in the family, the researcher found much material on the violence against women. It is not a new phenomenon but as old as the concept of society is there. History is the testimony to the fact that discrimination of sex always remained effective in particularizing one's treatment. The traditional patriarchal family is based on the assumption that the man should be the dominant partner in a unequal relationship and should rule over his wife and children as his possessions.

In the Vedic period women in India enjoyed a relatively comfortable position. Gradually, violence against women escalated and women were denied all opportunities. They had almost no freedom in relation to movement, diet, dress, marriage etc. Every effort was made to make them weak. Thus, violence against women came to have social and religious sanction. During the medieval period 'Pardah' system was forced on women and there was increase in the incidences of Sati, Child Marriages, Female Infanticides and Polygamy. Now, new forms of violence in the
form of female feticide had been added with the progress in science and technology.

Harassment of women is not a new thing for us. It is well known to all. The people are on step ahead by the misuse of new techniques. The women, by these techniques, are not even allowed to step in this world as if being female is a crime on their part. They are also denied their property rights too.

In most of the families in Bihar, their own fathers kill the girl children by drowning them into a big container of milk. This trend of criminality prevailed, to get rid of female children due to poverty and another fact is that the girl child is supposed to be burdensome on the parents and family.

Likewise, many children may be males & females often become victims of neglect in joint as well as nuclear families. In nuclear families it is found mostly that both the parents are busy with their work and therefore are unable to pay attention to the child. Violence against children is not often just by the members of the immediate family members but it may be by others to whom the child associates within the family; for eg. servants, drivers etc. It may vary from physical and mental violence to sexual violence, which may result in psychological depressions, aggressiveness, loneliness in the children. In such cases all the family members maintain much secrecy especially when it is by a parent or relative. Sometimes it also happens that the victim has to live with the victimizer, a powerful person due to his or her financial and social dependence.

The physically and mentally handicapped children often fall prey to cruelty and harassment by the other family members. They are
discriminated and neglected. Members of the family inflict violence on the handicapped either deliberately or unknowingly.

In our day to day life, all of us hear about the problems of the aged in the family. Changing economic structure, economic dependency, notions of the younger generation, generation gap, scarcity of accommodation and urbanization are the main causative factors which led to a conflict situation in the family; often resulting in violence against the aged. The aged widow mothers, who are economically dependent on their sons and daughter-in-laws, are hesitant to take step that would break the family which is sacred to them and as a result they suffer humiliation and mental agony by their own ones.

In India the much prevalent violence against women are in the form of female feticide, female infanticide, dowry related deaths, homicide rape, sexual harassment, sexual assault, eve teasing, forced prostitution, pornography, abduction, forced confinement, child marriages, child motherhood, sati, domestic violence, sterilization etc. which run right through a woman’s entire life. In most of the crimes against women, the family members are the perpetrators to show their powerfulness over the powerless women in the family.

Today also in the villages of Rajasthan and Bihar, the child marriages in the form of ‘Thali marriages’ take place, in which the important incidence of marriage take place when the child is asleep in the hands of his or her parents.  

25 Dr. Rohatgi, Speech On The System Of Marriages In India Dt.15-10-2002 on Vividh Bharati in Varta-Programme at 7.30 a.m.
The trend of criminality varies from person to person and depends on the socio-economic status of the family. Going through the available literature on the domestic violence, it is found that it is prevalent in India since the time unmemorable. It can be against any person, may be male or female, may be aged or young or may be a man or woman; but it is true. The fact cannot be negated that there is strong gender bias in domestic violence in the family. Women are presumed to be weaker section of the society, hence they fall easily prey to domestic violence in the family.

3.5 Appraisal

Today, when the 21st century is very much within sight, women should be given a respectable place in the society but even today age old practices like Sati, lifelong widowhood and child marriage are still in vogue and cause unwanted, unwarranted discord in the path of social progress. There is no woman who has not suffered at one time or the other, the harassment, humiliation, exploitation and violence within their own homes.

The violence against women is much higher than the violence against other family members. The women are supposed to be the inanimate objects having no feelings but having only good and beautiful physical structure to enjoy with. The trend of criminality may differ with the different socio-economic status of the families; but what remains is the 'scar' on the minds of the victims. Sometimes the situations can be compromised but sometimes-legal machinery too cannot change the instincts and criminal behaviour of any person.
In case of *Ramnarayan Gupta vs. Ramaswami Gupta*[^26^], the Hon'ble Supreme Court made an important observation that domestic crimes are committed in a fit of fury due to sexual jealousy. Women are ill-treated, frequently beaten showing intense and extreme indignation to social feelings. There cannot be greater mental cruelty than to compel a chaste to submit the overtimes of other persons for the desires of gain by prostituting the wife.

Thus, to understand the domestic violence there is need to go deep at the root level to know various reasons and causes behind such behaviors and tendencies of the victimizers and also to suggest some remedies.

[^26^]: AIR1988, SC 2766.