Chapter 4
Domestic violence and the oppression of women in the family are primarily due to their unequal status in the society and lack of alternatives available to them. A proper understanding of the problem of domestic violence in Assam requires an examination of women’s status in the family and the society at large to see the interplay of the socio-cultural and economic factors that undermine the position of women. “Women are caught in a vicious circle of economic dependence, fear for their children’s lives as well as their own, repeated pregnancies, shame, ignorance of their rights before the law, lack of confidence in themselves and social pressures. Fear of harming a husband’s career and apprehension about the attitude of the police also prevent women from reporting crimes of domestic violence” (Rao & Latha, 1999). Though it is often said that in comparative terms, women of Assam were socially better off than women in other parts of India (Gait, 1983), norms like the prevalence of consensual divorce on the grounds of infidelity, adultery and barrenness (Seshan & Nathibai), puts this position into question.

Although there is no direct reference to cases of incidence of domestic violence in the ancient and medieval period and very few references to it in the modern times, some ideas on the overall social position of women
can be gathered by picking up threads from historical texts and related literature in the area.

The early historic period of Assam extends from the 4th to the 12th century A.D. It was the period of the rule of the Varmana, Salastambha and the Pala dynasties (Dutta, 1986). Sources of the early history period, which are concerned only with the culture of the Aryans mentions that “the Aryans imported the patriarchal system of society in Assam and following them, many tribes who previously followed matriarchal system, had adopted patriarchal system” (Dutta, 1986). Inspite of this the “Assamese society was predominantly a non Aryan society and Aryan culture could not thrive in this land. Its transformation to adjust itself to the taste, temperament and religious beliefs and rites of the local people was perhaps greater in Assam than in any part of India” (Baruah, 1985). Family was the smallest unit of society, the institution of marriage was considered and motherhood was the outstanding aim of married life for a woman. The purdah system was not known at that time (Baruah, 1985). The practice of Sati and concubinage was probably known. Bhaskaravarmana’s name is associated with concubinage. It is stated that his concubine became a sati after his death. The prevalence of Sati is also known from the Yogini Tantra” (Dutta, 1986). “The Yogini Tantra states that only in Mukti Tirtha self immolation on the funeral pyre of husband was allowed to the widows of the
Brahmanas. Sudras and Vaisya widows, moved by deep sense of love were also permitted to burn themselves. This practice of sati was however, definitely prohibited to unchaste women and women having many children (Sengupta, 1992). Widow Remarriage was prevalent. Thus in the ancient times, the women enjoyed greater freedom from male domination among certain sections of the people who were less under the Aryan influence or were non-Aryans. In this period even the Brahmanas were known to be more liberal than their counterparts in the other regions of India (Baruah, 1985). Devotion of a wife to her husband became evident from such source as the Bargaon grant which states that Syamayika, who was devoted to her brahmana husband and was endowed with virtues, shone like the moon, pure in form, dispelling darkness. It is also said that Mahendravarman’s mother resembled the sacrificial wood that produces fire. Thus form such accounts it becomes evident to a certain extent that importance was given to ‘feminine’ qualities like devotion, sacrifice, etc., and the women who possessed these were held in high esteem.

The predominantly non Aryan religious order prevalent in ancient Assam professed a belief in animism which included fertility cult, head hunting, human sacrifices, ancestor worship, magic and sorcery. Worship of mother goddess or Devi was prevalent in different forms such as Durga, Kali, Uma, Chandi, Kamakhya, though in ancient Assam she was better known as
kamakhya, who was regarded as the source of energy or ‘Sakti’. Kamarupa was an important centre of Saktaism as testified by the writings in Devi Purana and Kalika Purana and also by the archaeological ruins found in different parts of the state. Another religious doctrine called Tantrikism which worshipped female energy was popular in Kamarupa with its stronghold in Kamakhya (Dutta, 1986). In times of pestilence and disease, a tribal goddess called Marai or Manasa was worshipped and another Deity called Ai was worshipped as the goddess of small-pox with songs called Ai-Naam.

With the coming of the Ahoms and during their rule the social position and the prestige bestowed on the women was fairly high (Baroah, 1993). While comparing their position to that of women in those times in Northern India, Dutta says “during the ahom period women enjoyed more freedom than their counterparts in Northern India. The purdah system was not there in Assam”. Moreover, restrictions on women applied only to women of the upper castes. Women acted as dancers in temples or were attached to households of nobles and princes as Ligiris. There is also an example of ahom king Siba Singha who married a ligiri and exalted her to the status of a queen regent (Dutta, 1986). The case of Joymoti and her husband Gadapani shows how a wife sacrificed her life to save her husband. Joymoti was the faithful wife of Ahom prince Gadapani and mother of Rudra.
Singha. When King Lara Raja in his attempt to kill all the descendants of former king, went in search of Gadapani (who had fled from his house fearing capture) he captured his wife Joymoti instead, failing to track her husband. Joymoti was subjected to severe torture and ultimately faced death without uttering a single word about the whereabouts of her husband. Gadapani was thus saved and this sacrifice of Joymoti led him to become Ahom king as Gadadhar Singha (Baroah, 1993).

In medieval Assam the family structure was patriarchal and daughters had no right over the ancestral property. Their right to property was limited to claim over bridal gifts. In the society, women enjoyed greater freedom owing to the absence of the Purdah system. This was also attributed to the influence of tribal culture. Records of Shihabuddin Talish say that the queens never veiled their faces and walked freely in the market places (Baruah, 1985). The position of women in the family is reflected in the words of Baruah that “women played an important role in all family affairs. Besides rearing up her children and doing her household duties, she helped cultivation at every stage except ploughing. All women from queen downwards were proficient in spinning and weaving. No formal education was given to the girls. However, she got teachings in morality and education from the elder members of the family and through the recital of the Kirtana and Namaghosa in her house as well as in the village namghar”. It is also mentioned that women learnt the
three R’s from the male members of the family. They were held to be inferior
to men and were not given a place of prominence in the family (Rajguru).
Thus women were mostly confined to the household chores and the
importance of formal education for them was not considered essential in
medieval times. The 15th century Vaisnavism preached by Srimanta
Sankardev, though it preached the doctrine of universal social brotherhood,
did not assign any specific role for women in its higher institutional structure
and women did not have access to their religious centres, particularly the
celibate monasteries (Mahanta, 1992; Baruah, 1985).

During the British period, the coming of the missionaries and the influence of
liberal ideas of the west on the mind of the Assamese middle class also
removed certain orthodoxies of the society with regard to female education.
Girls were encouraged to go to school and some even went to Calcutta for
higher studies. Western influence also led some women from the upper strata
of society to realise their social status and the question of the position of
women in society assumed great importance when men like Jaduram,
Gunabhiram and Hemchandra advocated widow remarriage in Assamese
society. Through their participation in the freedom struggle women gained a
new confidence in themselves and this aided in challenging the prevalent
social attitude of men towards women. Thus in the struggle for national
liberation women also found the inspiration for their own social liberation
In the 20th century Chandraprabha Saikiani, a leading light of the women's liberation movement in Assam, fought for women's rights throughout her life. In the session of the Assam Sahitya Sabha held at Nagaon in the year 1925, Chandraprabha vehemently opposed the sitting arrangements made for women behind bamboo curtains. Though Chandraprabha was given a place in the dais, she insisted on equal treatment to the other women spectators and asked them to come out of their place behind the curtains. Such was the strength of her speech that the women broke away the bamboo curtains and came out into the open. It is said that this single act marked the end of the purdah system in Assam. In the year 1926, Chandraprabha Saikiani established the Assam Pradeshik Mahila Samiti which now has its branches all over Assam (Barua, 1987).

**Present Status of Women in Assam**

The present status of women can be gauged by looking at women's status in terms of their demographic parameters, work participation, employment, education, health. It is worth mentioning that the National Human Development report, 2001 revealed that the Gender Equality Index (GEI) for Assam is 0.575 in 2001. The GEI for India is 0.676. This shows that gender inequity in Assam is higher than the average for India (National Human Development Report, 2001). The report also shows that the position of Assam is 29th among the states and Union Territories of India and ranks below the
North Eastern States of Manipur, Meghalaya, Arunachal Pradesh, Mizoram and Nagaland. The Gender Development Index in Assam, which captures disparities in income, education and health, is estimated to be 0.537 in 2001.

**Women Population:**

In Assam the sex ratio is 935 females per 1000 males. Though the sex ratio is slightly above the national figure of 933, it is an adverse sex ratio with males outnumbering females. This is a distressing sign as it has different explanations. The Towards Equality Report says that an adverse sex-ratio indicates a) higher under-enumeration of females; b) higher mortality rate of females; c) marked preference for sons and the consequent neglect of female infants; d) lower status of women and the general neglect of women at all ages; e) the adverse impact of frequent and excessive child bearing on the health of women; f) the higher incidence of certain diseases on women (Towards Equality: Report of the Committee on the Status of Women in India, 1975). However, an encouraging sign is that it is an improvement over the 1991 sex ratio of 923. The sex ratio in the state as well as the district has been improving in the past three decades and this is a positive sign considering the fact that it is a good sign of the health and social status of women (Assam HDR, 2003).
**Work participation of women in Assam:**

Participation in the economic activities of the state or country is considered an important indicator of women's status. This has been recognised by policy makers at all levels and was also one of the areas of focus of the women's movement in India (Gopalan, 2001). But unfortunately women’s participation in productive organised labour and their income is not adequate keeping in mind the needs of the women. The Assam Human Development Report mentions that “Women perform almost all the household labour and a considerable portion of socially productive labour. Yet, women’s labour contribution has not been recognised, nor has it been given due remuneration and respect. With industrialisation and monetisation of the economy, women’s labour burden has increased, though this is not reflected in their share of the income”. In Assam 9.8 percent of females as against 42.5 percent of male workers are employed as main workers. This shows that the gender difference is quite significant and very few women are employed as main workers. However a greater number of females than males are engaged in marginal work. In terms of total work participation rate there are 20.7 percent of females as against 49.9 percent of males (Census, 2001). The census figures expose the vast differences that exist in the work participation rate and nature of work of men and women. This difference also brings a subsequent difference in the status of women as it is said that “women’s participation in economic activity and control of the income earned from it are critical to their
use of the choices that health and education make available to them" (The Assam Human Development Report, 2003). An unfortunate development in the context of female work participation rate is that while it showed an increase from 4.66 percent in 1971 to 21.61 percent in 1991 (Assam HDR), it again fell to 20.7 percent in 2001 (census 2001). Moreover, the female work participation rate is still much lower than the male work participation rate both in urban and rural areas.

Apart from the un-organised sector, even in the organised sector female participation is comparatively less. In 2005, 30.7 percent of women as against almost double 68.41 percent men were employed in the organised sector consisting of both public and private sectors. Thus women’s employment in organised activities is far less and they are mostly involved in unpaid household or agricultural activities which do not provide them security in terms of income and job. This has greatly reduced their bargaining capacity in the family too and they do not have full autonomy and decision making capacity. The NFHS-3 findings reveal that only 27 percent of currently married women were employed compared to 98 percent of currently married men and of these 13 percent received no payment for their work. The 61st round of National Sample Survey (NSS) showed that female unemployment outnumbered male unemployment both in the rural and urban areas of Assam. The female unemployment per 1000 persons in rural areas was 31 compared to
male unemployment of 24 persons and that in the urban areas; the female unemployment was 91 persons compared to male unemployment of 69 persons.

The above figures reveal that in the economic sphere, women are under-represented and have less participation in Assam.

Women and Education:

In Assam, according to census 2001, the literacy rate is 63.3; 71.3 for males and 54.6 for females. The gender gap in literacy is 16.7. The census figures itself point out that there is a gap in literacy for men and women. Gender ideologies and poverty have a negative impact on girls' access to education, training and skill development when compared to boys (Goel, 2004). Further, the gender gap in literacy is higher in rural areas (17.5) than in urban areas (9.5) which show that women in rural areas, because of their involvement in household activities and caring for children, do not get an opportunity to acquire education. Since education influences the situation of women in employment and income terms (Goel, 2004), it is obvious that the gender disparity in literacy would result in gender disparity in all the other aspects.

The NFHS-3 reports that there is gender disparity in education in Assam and this is the most in the age group of 15-17 years where a disparity in favour of boys becomes evident in rural areas. An interesting finding of the survey was
that in urban areas the gender disparity is reversed and a higher proportion of girls than boys attend school. This is a positive trend in the education scenario of Assam. However it was also observed that between ages 15 to 49 years, thirty percent of women compared to 14 percent of men have never attended school. Enrolment at different stages in education shows that female enrolment is always less than male enrolment

Table 4.1: Male-Female enrolment by stage in Assam, 2005-06

<table>
<thead>
<tr>
<th>Stage</th>
<th>Pre-Primary</th>
<th>Middle</th>
<th>High School</th>
<th>Higher Secondary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male Female</td>
<td>Male Female</td>
<td>Male Female</td>
<td>Male Female</td>
<td>Male Female</td>
</tr>
<tr>
<td>1591771</td>
<td>1549506</td>
<td>584478</td>
<td>505560</td>
<td>355837</td>
</tr>
<tr>
<td>89008</td>
<td>50667</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Statistical Handbook Assam, 2007

**Women and Health:**

According to the National Family Health Survey, 37 percent of women in Assam are too thin and underweight. Seventy percent of women in Assam are anaemic. This is a serious issue with regard to women’s health as the presence of anaemia is found to be highest in Assam compared to all the states of India. According to Aruna Goel, “lack of adequate resources
prevents women belonging to poorer households from availing health services for themselves. Undernourished, ill-fed and over-worked, most women from such households are extremely vulnerable to ailments and diseases, which do not get properly diagnosed and treated” (Goel, 2004). During the period 1992-96, female life expectancy at birth was 56.2 years which was slightly higher than 56.1 years male life-expectancy. The urban female life expectancy was still higher at 65.5 years where rural female life expectancy stood at 55.9 years.

**Table 4.2: Life Expectancy at Birth**

Source: Assam Human Development Report, 2003

<table>
<thead>
<tr>
<th>Year</th>
<th>Rural</th>
<th>Urban</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>1981-85</td>
<td>51.5</td>
<td>51.0</td>
<td>59.4</td>
</tr>
<tr>
<td>1991-95</td>
<td>55.1</td>
<td>55.3</td>
<td>64.1</td>
</tr>
<tr>
<td>1992-96</td>
<td>55.6</td>
<td>55.9</td>
<td>64.4</td>
</tr>
</tbody>
</table>

The perinatal mortality rate in Assam is 63.3 percent which is higher than the all India rate of 48.5 percent. Moreover, it is surprising to find that in Assam, where numerous steps have been taken by the government to improve the
health situation, perinatal deaths are highest amongst all the North Eastern states (NFHS-3).

**Women and Decision Making:**

The representation of women in the decision making positions in the central and state government services is quite low when compared to their male counterparts. In the central government services, statistics till the third quarter of 2006 show that as against 63367 men there are only 4386 women. This indicates the wide gender disparity in the central government services. Even in the state government the situation is not very encouraging. As against 254953 men, there are only 50966 women. Women representation in local bodies is also very low. There are 2400 women in the local bodies of Assam while there are 10398 men in the same. Such a wide gap exists between male and female representation despite the fact that the 73rd and 74th Constitutional Amendments in 1993 have special provisions for reservation of seats for women which is expected to help women not only in their effective participation but also in decision-making (Goel, 2004).

In the field of political participation, it is seen that out of thirteen Lok Sabha Elections held from 1952 to 1999, only 12 out of the total 172 candidates elected from Assam are female. Moreover, only 46 female candidates contested as against a total of 865 male contestants. If the voting trend is seen
then it becomes clear that there always exists a gap between male and female voter participation (State Election Commission). Women’s political participation is hampered by the fact that they are not considered as winning candidates themselves but there is a sympathy factor coming into play. Political parties seem to seize upon the ‘deceased leader’s wife syndrome’ while nominating women candidates (Qureshi, 2003).

Looking a little back in history it can be seen that women’s participation in the Assam movement took place “in an environment when there was no competition between men and women for leadership. Women’s leadership qualities as also heroism were the subject of public adulation during the euphoric days. But once the halcyon days of a popular movement were over, the party elite, male dominated as is the case with every other political party, chose to ignore the leadership qualities of women who matters. The agenda for women’s activities came to be confined as usual to ad-hoc functions like campaigns, mass rallies, protest demonstrations and the like” (Qureshi, 2003).

**Domestic Violence against Women in Assam**

As in other parts of India, the problem of domestic violence is also a reality in many Assamese homes. Though it is very often said that the position of women is better in Assam and the entire North East as compared to their
counterparts in the rest of India and they enjoy greater ‘mobility and visibility than women of other communities in the country’ (NEN, 2005). Statistics show that women in Assam are also the subjects of violence in general and domestic violence in particular.

Data from the National Family Health Survey -3 conducted during 2005-2006 shows that 39.5 per cent of ever married women in Assam faced spousal violence. Rural women suffered more spousal violence (42.7%) than women residing in the urban areas (25%). When figures relating to only spousal violence are seen, 42.1 per cent of women reported experiencing emotional or physical or sexual violence, 36.7 per cent experienced physical spousal violence and 14.8 per cent experienced sexual spousal violence and 15.6 per cent experienced emotional spousal violence. The percentage of women in the age group 15 to 49 years who experienced different forms of domestic violence reveals that in Assam 36.5 per cent of women experienced physical or sexual violence, 9.6 per cent experienced both physical and sexual violence, 24.7 per cent experienced physical violence only and 2.2 per cent experienced sexual violence. The low figures for sexual violence may be due to the non-reporting of this form of violence owing to its extremely private nature. Gender role attitudes have a great influence in shaping the attitudes of the women to the perpetration of domestic violence. Less than half, i.e., 45 percent of the women in Assam believe that it is justifiable for a husband to
beat his wife. Thirty two percent say that wife beating is justified if the woman shows disrespect for in-laws and thirty one percent say that wife beating is justified if the woman neglects the house or children. The survey further found out that “36 percent of ever married women report having ever been slapped by their husband, 15 percent of ever married women report having had their arm twisted or hair pulled by their husband, 13 percent report having been pushed, shaken or had something thrown at them by their husband and a similar proportion report having been punched with his fist or with something that could hurt them. Eight percent report that their husband kicked them, dragged them or beat then up and 2-3 percent says that their husband tried to choke them or burn them; or threatened or attacked them with a knife, gun, or any other weapon. Fourteen percent report that that their husbands have physically forced them to have sex, and 6 percent report that their husbands forced them to perform sexual acts that they did not want to perform” (National Family Health Survey, India, 2005-06).

It is held that domestic violence is a crime that largely goes under reported and therefore reported cases present only the ‘tip of the iceberg’ of the real incidence of domestic violence. Nevertheless, statistics of these reported incidences of domestic violence show how such cases present an ever increasing trend.
Figure 4.1.1: Trends in reported cases of Domestic Violence in Assam.

Source: Office of the DIG, Assam

Figures available with the State Central Investigation Department for the last five years show how reported cases of domestic violence are increasing every year in Assam. With regard to reported cases, the Evaluation of the PWDVA, 2005 has shown that Assam's track record is worse with 39 cases of domestic violence being registered under the said act followed by Manipur with 13 cases. As against a total female population of 2,173,488 the total number of cases registered under section 304B, 498A, DPA and NCRB in 2006 in Assam was 2684. The NCRB statistics relating to the incidence and rate of crime committed against women in states in 2007 show that in Assam the incidence is 6844 and it constitutes 3.7 per cent of the all India rate. In this regard Assam ranks 12th among 28 states of India (NCRB). But the figures indicate violence...
faced only by married women. As per NFHS-3 statistics while the incidence of gender based violence is high, only a small minority of women seek police help and fewer yet follow through by registering the cases under Dowry Death(Section 304B), Cruelty by husband and relative(Section 498A), Dowry Prohibition Act,1961. Therefore, analysis of reported cases of domestic violence does not present a complete picture of the situation (Jaising, 2008).

Although the concept of dowry was practically unknown to the majority of Assamese people (NEN, 2005), recent newspaper reports show increased reports of dowry in the state. The All India Democratic Women’s Association in a survey conducted during 2003 on the status of dowry in five districts of Assam- Kamrup, Barpeta, Dibrugarh, Dhubri and Sonitpur- found that 20.9 per cent of the respondents believed that dowry was common in Assamese society although 79 per cent felt that they could be married off without dowry. Quite surprisingly, the study also found 5.9 per cent of the respondents claimed that dowry is demanded even after marriage (NEN, 2005).

An analysis of the status of women in Assam in different historical epochs thus reveals that the status and position of women did not follow a uniform trend. Sometimes women have had a subordinate position to men. An understanding of the position of women becomes important in the context of domestic violence. Male domination over social, political and economic institutions reinforces male dominance in the family as the laws and policies are likely to have a male bias being formulated by men. Men’s actions within
the family, even if wrong, receive social sanction, because societal norms are influenced to a great extent by male-centric ideas when men are more numerous in the institutions of power.
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