CHAPTER-I
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The level of civilization of any society is determined and judged by how it treats its womenfolk and children. Since democratic governments are elected by the people, the extent of a democratic government's commitment to the needs and aspirations of the womenfolk is a strong indicator of how mature and civilized that society is and how committed it is to the ideals of a welfare state.

Women occupy an important and vital position in the society and are a cradle of civilization. Their role in shaping the family and moulding the society cannot be underestimated. Human rights and fundamental freedoms are the birth right of all citizens and their protection and the promotion of their interests, regardless of caste, creed and gender, are the first responsibility of a government.

Violence is an action or policy or an attitude that causes bodily and mental injury and debars or dehumanizes a person. "Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men to the prevention of women's full advancement," said the Platform of Action, World Women's Conference Beijing, 1995. As a UNICEF publication puts it, the enormous contribution that a woman makes to family, community and national life depends upon "her knowledge and strength, her moral and personal relationship, the support she gives to the community, her participation in the affairs of the wider world, and her sense of command over the forces shaping her life." Domestic violence devastates all of these.¹

Domestic violence is violence that occurs within the private sphere, generally between individuals who are related through intimacy or law. It is nearly always a gender specific crime, perpetrated by man against woman, where one individual exercises
power over the other.\textsuperscript{2} The need to dominate and to beat the other into submission is born out of an individual's personal history and experience and has nothing whatsoever to do with his public face. Violence would seem to be the inevitable outcome of patriarchal values and relationships. Every woman has the right to live like a human being with dignity. Both physical and verbal assault is equally humiliating and hurting. The very right of survival of a woman is at stake when her dignity and self-respect is challenged by the ill treatment meted out by her partner who had vowed to provide everything to her during her lifetime.

Study reveals that a major section of women has been living a torturous life to the extent of endangering their very existence in the hands of their husbands on whom their entire well-being and safety and security are entrusted. These women are statistically safer in the streets than they are in their homes.\textsuperscript{4} In the recent years in our society, there has been an increasing evidence of violence within families. Domestic violence in general and violence against women in particular is gradually gaining worldwide attention. Newspapers now carry reports of dowry deaths, bride burning, and atrocities by husbands or the relatives of the husband.

India is a signatory to many international conventions. The Convention on the Elimination of All Forms of Discrimination against Women, often described as the bill of rights for the women, was adopted in 1979 by the United Nations General Assembly. In December 1993, the UN adopted the Declaration on the Elimination of Violence against Women, which defined what constituted violence against women and outlined actions governments and communities should take to prevent such acts.\textsuperscript{3} The principle of gender equality is enshrined in the Indian Constitution, which not only grants equality to women but Article 15 (3) in it empowers the state to make special provisions for women.\textsuperscript{4} The issue does not concern just women only any more. It has to be a national and a political priority. The Vienna Accord of 1994 and the Beijing Declaration and the Platform for Action (1995) have acknowledged that domestic violence is undoubtedly a human rights violation, requiring interventions by state and
voluntary agencies. 1975 was proclaimed as International Women’s Year by UN General Assembly as they recognized the need to intensify action to improve the status of women and to bring about awareness among women as to their emancipation so that women should not continue to be treated as private property of men and be subjected to all sorts of mistreatment.

Almost half of India’s population is women. There can be no genuine progress in a society, which leaves behind half of its members --- the women. Our country India is a tradition bound society where women have been exploited socially, economically, physically, psychologically and sexually from time immemorial, sometimes in the name of religion and sometimes on the pretext of sustaining our traditional values as embodied in the scriptures. All these unfortunately had society’s sanction.

In Assam and North-east of India, women enjoy greater mobility and visibility than women of other communities in the rest of the country. Till the other day practices such as dowry and bride burning were not prevalent in the region. But study has revealed now that violence against women particularly domestic violence on married women is on the rise in Assam and the North-East.

Domestic violence has now become more acknowledged and recognized whereas it had previously been hidden. It has been recognized lately as a social problem, though the degree of this realization still varies sharply from country to country and from place to place within the same country. “In the 1980s, India recognized for the first time ‘cruelty by husband’ as a crime,” says Ranjana Kumari, Director of the Centre for Social Research. She said, “After ten years of lobbying, street agitation and numerous dowry deaths, the government is now willing to accept that the husband — traditionally considered the chief guardian within the family — could indeed be a criminal.” Such violence is, in most cases, sadistic and in violation of all civilized norms of life. The problem of bride burning or dowry death is largely recognized by the public, the intellectual community and the criminal justice system as a criminal
violence. The cases of dowry deaths are largely hidden behind the closed doors of homes, so the seriousness of the extent of dowry deaths are not known, which are far more prevalent than what the public and professionals realize. Research now has established a very high co-occurrence of domestic violence and child abuse in the form of emotional damage inflicted on children who are caught up in living with the abuse of their mothers. People who treat their spouse violently also assault their children. Children are the worst victim of domestic violence.8

Around 2/3rds of married women in India are normally victims of domestic violence and one incident of such violence results in women losing several working days in India, says a UN report. As many as 70% married women in India between the age group of 15 and 49 are victims of assault, rape, coerced sex, the UN Population Fund Report said. The report further said that violence against women was putting a huge strain on a nation’s social and legal services and leads to heavy loss of productivity. Overall, the report said, several governments have started taking action and enacting laws to fight the menace but their effect is limited because of deep-rooted social norms in several societies.

The consequences of domestic violence are devastating, including life long emotional distress, mental health issues and poor reproductive health. Domestic violence has direct relation with economic production of goods and services. Huge amount of economic productivity loss is experienced in India annually owing to domestic violence. Studies of the UN Population Fund indicate that domestic violence affects the female health resulting in direct economic loss. Women are made crippled physically and psychologically and their self-esteem and utility get eroded very fast. Despite efforts by government and campaigns carried out by international and other non-official organizations, violence against women continues on a wide scale in both developed and developing countries, the report said 9.
1.1 Objectives of the study:
The study is an attempt to have a holistic view of the hydra headed problem of domestic violence on married women and to evaluate the impact of various protective laws and amendments that are in force to curb them. The objectives of the study are:
  • To analyze the present scenario of domestic violence in Assam.
  • To study the different causes of the rising trend of the crime of domestic violence in Assam.
  • To evaluate the legal and constitutional protection for women.
  • To suggest the remedial measures.

1.2 Hypothesis:
1. Personality traits and social ethos of the perpetrators of violence are the causes of domestic violence and dowry death.
2. The response of the state has fallen short of the requirements for making the society free of domestic violence

1.3 Significance of the study:
The sacred nature of family in our society has made the issue of family violence a taboo to be researched in. This is the reason why there is little research on domestic violence. Traditionalists felt aggrieved and held changing family patterns responsible for this malaise of the Indian society. They consider physical conflict in the family as something not worthy of focused attention. Therefore violence in the family had not emerged as a social problem because social historians had not labeled it as a problem. The cultural freedom of Assamese women which they enjoyed in by-gone days but deteriorated in recent times made the subject significant for the study from the point of view of domestic violence.

Domestic violence is now an issue of considerable social concern worldwide. India and its constituent part Assam are no exception. Considering its importance and
impact on social and economic development of the country as well as on human rights, urgency was felt for a study of domestic violence in Guwahati city, the capital of Assam in the light of the spurt of domestic violence here as reported in the media in the recent years. The need of the day is to do research in strategies of counselling which can help in reduction and eventual elimination of wife abuse and family violence.

The quick transformation in the socio-economic culture of Guwahati city in recent years has had far reaching impact on the rest of Assam. The sudden boom of industry, commerce and trade built up a cosmopolitan culture in the city. The cultural transformation had its direct influence on marital relationship and family life of Guwahatians, rich or poor and literate or illiterate. It has become complex and violence ridden, giving rise to increasing number of cases of wife beating, dowry-related violence, infidelity and intolerance. In view of the new developments, it is time that the causes and nature of family abuse and violence are gone into to search for legal and social remedies for the same. A family being the primary unit of social and economic life, there can be no peace on those fronts if there is no peace in the family. Such a research, therefore, may help change the attitude and mindset of the members of the society especially the male members and educate the victims to become aware of their rights and the related provisions of law so that they can come up to assert themselves.

1.4 Scope of the Study:

The study of domestic violence encompasses the demographic composition in Guwahati city, the gateway of Assam, and its sociological nuances, the lifestyle of the population having regard to its class composition, economic empowerment (or lack of it) and cultural practices that are a hallmark of the Assamese society. As a natural corollary, it was brought into the study the constitutional and legal provisions in the law of the land during the period of 1991 to 2000 on the basis of registered cases in the police stations of Guwahati city and have tried to examine their adequacy.
for the protection of women from the savage, violence that occurs within the four walls of a 'home'. The matter has been put to test in the thesis to find out whether the state and its subordinate organs, which are under obligation to implement the law, have really been doing it and if so what extent.

1.5 Methodology:
The present study has been conducted by adopting both theoretical and empirical methods. The investigation, which is exploratory by nature, was made at the following stages, viz. (a) data collection, (b) sampling, (c) use of study tools and (d) classification, analysis and interpretation of data.

The study being specially focused on the city of Guwahati, data involving incidents of domestic violence and registered in police files was collected from the police stations of the city.

Various theories concerning feminism, patriarchal values etc were adopted. These methods have helped to sift the information gleaned during the study. In view of the in-depth and exploratory nature of the study, the samples in it were randomly selected and kept restricted to 20.6% of 276 cruelty cases and to 72.7% of 44 dowry death cases.

The problem of domestic violence is so wide spread and deep seated that no single method is adequate to know in full its characteristics and implications to arrive at correct findings and reach appropriate conclusions. The empirical method of study, both the quantitative and qualitative methods, has been applied. Among the primary sources made use of, materials from the concerning police stations, the C.I.D. headquarters of the state, the Directorate of Prosecution, Family Counselling Centres, Legal Aid Cell of state level NGOs have been added. Of the secondary sources of the study, mention may be made of newspaper reports and a good number of other publications. The qualitative method has been applied to reach the depth of the
problem by studying the intricacies of incidents of domestic violence as far as possible in respect of the causes and effects of the problem. Observation method was also used to understand the gravity of the problem from which not only the victim but also their families suffered.

In the course of field studies, a number of sufferers of domestic violence in shelter homes, at women police station, at CID office and counselling centres and legal aid cell were interviewed. To know the response of the state to curb domestic violence, officials of different governmental organizations like the police, the judiciary and the social welfare department and members of the State Women Commission and Human Rights Commission were interviewed. Moreover, personal interactions with the victims and their families also helped the understanding of the response of the state and the justice system.

1.6 Scheme of the Study:
The present work has been divided into six chapters including the two chapters of introduction and conclusion.

Chapter One introduces the subject along with the objectives and methodology of the research. The chapter also dwells upon theoretical aspects of violence. It brings out the paradox of the life married women face the world over. The chapter focuses the socio-economic culture prevalent in India with a special exposition of the sufferings of women in Assam and of Guwahati city in particular and the role of reformers to rescue women from domestic violence.

Chapter Two unveils the National and Global scenario so far as domestic violence against married women is concerned. It cites the statistics of this widely prevalent crime with numerous case studies of different countries from various authoritative sources. The chapter is therefore by itself a comparative study of the global and our national scenario with special focus on the state of Assam.
Chapter Three deals with the analytical study of domestic violence on married women. It is based on the theoretical and empirical study of domestic violence from the victim's perspective. The main purpose was to identify key sociological factors of sufferings of married women affected by domestic violence. Based on 276 cruelty cases and 44 dowry death cases registered by the police during the period of 10 years from 1991 to 2000, the analysis has been done on the subject, treating 76.9% of the cruelty cases and all the death cases as samples. The chapter dwells at length with the near and remote causes, the varied nature and far-reaching consequences of domestic violence in a descriptive form.

In Chapter Four, the response of the state to domestic violence in India has been examined in great detail. As a sample of study from 276 cases cruelty cases, 20.6% were taken and from 44 dowry death cases 72.7% were taken for the study of response of the state - registered in different police stations of Guwahati during 10 years period of 1991 to 2000. The chapter emphasizes the fact that the Indian state like all the other sovereign countries has the fundamental responsibility to ensure the enforcement of rights and security of women. The chapter includes case studies to examine the actual impact of the legal measures taken so far.

Chapter Five deals with the role of NGOs in the matter of domestic violence. It highlights the necessity for intervention by NGOs in incidents of family violence by the way of counselling, helping out victims in seeking the legal remedies, providing shelter and even food and clothing and making them self-reliant by organizing vocational training in different trades. Global experience shows that victims of domestic violence ordinarily try to avoid going for legal redress owing to patriarchal values being prevalent in almost all societies. They therefore prefer to take intervention of NGOs in marital problems as it helps keep the matter in the private domain.
Chapter Six, the concluding chapter scans through the whole project and presents a review of the topics that are covered. It also embodies the findings following from the study and also records suggested measures to address the problem.

1.7 Review of literature:
During the course of the work on domestic violence; among some important literature, legal or otherwise, available in this sphere for a clearer picture of the issue, the following need special mention.

'Home Truths About Domestic Violence,' Edited by Jaina Hamner and Catherine Itzin, London and New York, is a compilation of a number of papers that primarily deal with the conceptualization of various factors responsible for domestic violence in British society. The broader issue of domestic violence has been expanded to include even child abuse in a family as a part of it. In their well thought-out opinions, man's violent behaviour in a family has strong psychological causes and consequences of such behaviour are devastating for the society. In this connection the authors have enumerated scores of ways in which violence is perpetrated on the victims in a family --- which are really revealing and help make a comparison with the ordeal women face in India.

'The Victimization of Women,' Edited by Jane Roberts Chapman Margaret Gates, made a graphic pen picture of battered women's sufferings from domestic violence. They look miserable but draw no sympathy because they are said to provoke situations leading to their injuries. Some people look at these women as masochistic or as mentally sick and just playing stupid and they withdraw their support because they feel the women themselves are responsible for their plight. Thus the book helps the appreciation of the plight of battered women.

In this book 'Gender, Violence, and social Order' Jayne Mooney dwells upon the predicament in a violent marriage of a woman if she has children to take care of.
Ordinarily such a woman has not only to suffer pervasive domestic violence but also frequent sexual exploitation. She cannot seek an alternative to this situation because she belongs to an inferior part of the economic division in the family and the society. It has rightly been discerned by the author that a professional woman has a greater capacity to come out of an abusive relationship but that is beyond the options available to a non-professional woman.

Among the Indian Authors, Ms Rinki Bhattacharya --- herself a victim of domestic violence in the hands of a celebrity husband (reputed film director Basu Bhattacharya) --- has a profound understanding of the numerous forms of assaults and humiliation faced in a violent home. She has made in her book ‘Behind Closed Doors’ a comparative study of family violence in different countries and that in India and examined the society’s callousness toward the issue. In her compilation in the book, Ms Bhattacharya has given first person narratives of several women in India which are spine-chilling.

The book ‘Crime against Women’ edited by Sushma Sood, is a valuable contribution to the study of what we can call ‘dynamics of wife abuse’. It is a conglomeration of a number of pieces written primarily on domestic violence and wife battering. The sociological perspective of domestic violence in our society and its various aspects including suggestions for initiating some effective policies and programmes have been beautifully made in the articles contributed by stalwarts in the field. Each of the articles in this collection opens up the hitherto concealed dimensions of the problem.

Sri S.K. Pandit, in his book ‘Women in Society’ has gone into the cultural evolution of the family system in India and values that passed on from generation to generation with distortions taking place in it to the disadvantage of a married woman. He also has made a study of the life of working women who suffer from domestic violence. Lastly he examined the role of marriage law in curbing violence against married women right from child marriage to inheritance laws and so on.
‘Crimes Against Women’ by R.K.Dutta; ‘Indian Women Today Tradition Modernity and Challenges’ edited by Uma Shankar Jha Premlata Pujari; ‘Women Marriage Family Violence and Divorce’ by Bela Rani Sharma; ‘Violence Against Women’ by Ashin Roy; ‘Crime Against Women’ by Nehal Ashraf; ‘Violence Against Women’ by Ram Ahuja; ---- the above books dwell into the problems of domestic violence as manifested through the disposition of the husbands in the families. The authors have delved into causes and consequences of marital violence, noting even the effects of apparently insignificant causes hidden in the family.

The series of books ‘Protecting Our Women’ by Maya Majumdar combines statistics with a sociological enquiry to discern the root causes responsible for battering of women in families. The author had an in-depth scientific approach to the study of violence on women in family. She not only had touched upon the factors and causes of wife beating but also the pattern that gets revealed in the commission of the crime. Smt. Majumdar examines the response of the police and judiciary to the crime of domestic violence and also to the other crimes against women like abetment to suicide, demand for dowry etc. in great detail. Thus the book gives an inner picture of the problem of domestic violence that encompasses the length and breath of this country.

✓ The book ‘Women, Law, and Social Change,’ compiled by Dr. Shamsuddin Shams throws light on many wider issues affecting women. The issues dealt with include rights of women in Islam, Hindu marriages, dowry, family violence, access of women to economic power, problems of working women, theoretical explanations on discrimination against women, maternity rights of women and constitutional/legal safeguards for women. This study enhances our perception about the acute nature of the violence against women in India regardless of their religion, caste, and literacy level etc. etc.
Shova Saxena in her book 'Crimes against Women and Protective Laws.' deals with various protective laws in India in respect of women. The author in a simple narrative not only deals with the provisions of law in regard to offences committed against women in and outside marriage but also several case laws to present a clearer picture of the implications of the current laws. It even deals with some intricate points in investigation and prosecution needed to secure justice.

The author V.K. Dewan in his book ‘Law Relating To Offences Against Women’ has done a fascinating presentation of the numerous case laws that arm the legal fraternity to combat the crimes. This is an exhaustive treatise on crimes against women, their social impacts and the laws that are in the statute book to deal with them.

In the books named ‘Social History Of Assam’ by M.L. Bose, ‘Socio Economic and Cultural History of Medieval Assam (1200-1800 A.D.)’ by Shatyendra Nath Sharma and ‘Status of Women in Assam’ by S.L. Barua, the authors have given a cultural profile of people of Assam with an historical background, which is an important factor to determine to a great extent the social status of women in Assam.

‘Status of Women and Social Change’ edited by Professor Kunja Medhi of Gauhati University covers a wide range of subjects that are relevant in the study of women’s status and rights in Assam. This book deals with a sympathetic undertone all the multifarious aspects of the problems of women including domestic violence. It is therefore an invaluable contribution to the study of the problems visiting women in Assam.

A good number of journals currently in publication have also come on the aid of the present study. ‘Manushi’ edited by Madhu Purnima Kishwar has been continuously dealing with issues and complexities that are inherent in the incidents of domestic violence and gave intricate interpretations of the existing laws. ‘Economic and Political Weekly’ is a reputed journal, which has been giving a lot of emphasis on the
subject of domestic violence and been coming out with thought provoking articles on violence and victimhood in women's battle for survival. The articles are of a very high standard and are therefore a good set of inputs for the preset study. Journals like 'Mainstream' and 'The Indian Journal of Social Work' have also been giving due importance to the problem of domestic violence in the Indian society and provided a lot of inputs in the social and legal aspect of the subject.

1.8 Family and violence:
The foundation of society is based on family and the institution of marriage. The family is the most closely knit the smallest and the most enduring of all social groups under the umbrella of the state. Family is considered as basic to morality and healthy growth of a society and therefore of vital interest to the social life. Understanding the importance of marriage from a secular point of view as an important institution, it is required to be regulated by law. Lord Westbury emphasized the importance from the observation in Shaw Vs Gould that: “Marriage is the very foundation of civil society, and no part of the laws and institutions of a country can be of more vital importance to its subject.”10 The sacred book of Veda has described: “where women are respected, gods dwell there.” Shukrari Shastri has rightly said: “A house is not itself a home, it is a woman who makes it one.”11

The model husband within the household was not a tyrannical patriarch but one who toiled for the welfare of his family. Family is considered as a sanctuary of tranquility and harmony where domestic violence is a veritable incongruity, a contradiction in terms. The safety that kinship provides in the family and the peaceful image of the home is shattered by violence. The most pervasive form of crime against women is the violence by the intimate male partner. In this modern age, the beating by the husband of his wife cannot be ignored. A wife is not a chattel and simply cannot be allowed to be beaten at the whims and caprices of the husband. The physical and emotional violence on wife by the husband is considered a serious matter and cannot be taken as the ‘ordinary wear and tear of married life,’ and it amounts to cruelty. Domestic
violence can take many forms and variations and can happen once in a while or all the time. Domestic violence can be psychological, social, and financial abuse, physical or sexual abuse. Women are more at risk at home from men (husband) whom they trust most. The specialty about the offence of domestic violence is that it keeps occurring life long as a constant companion of the victim women and is a continuous crime unlike other crimes.

According to a study conducted under National Family Health Survey (NFHS) = II, one in five Indian women face domestic violence. Many feel that it is a fairly conservative estimate, keeping in mind the “culture of silence” that surrounds the issue. Not only has domestic violence against women been acknowledged worldwide as a violation of the basic human rights of women but also as a source of health burdens, inter-generational effects and demographic consequences.\(^1\)\(^2\)

1.9 History of wife abuse and legal remedies:
The problem of family violence, which involves violence against married women, is not a new one. Evidence abounds throughout historical records of all cultures about incidents of violence in families. The suicide and murder of brides were there in the earlier days also but at present due to the awakening about women’s rights, newspaper reports and prominence given by the mass media, the public has become more aware.

History of wife abuse is ancient. Women gave up their freedom to protect themselves against the threat of violence from other men and mated with one man. Martin (1976) traces the history that this compromise had been accepted by society and allowed violence to exist between bonded couple. This problem of domestic violence had been under concealment for long long years and the society took an inordinately long time to acknowledge it as a serious social problem. Until recently, to discuss such assault or taking the help of the police or the legal machinery and conducting research on domestic violence have been a taboo despite the long history of wife abuse.\(^13\)
Since ancient time, an almost socially sanctioned practice of violence against women had been in existence. Male dominated family structures, which were already in existence throughout the historical periods, were simply affirmed by major religions all over the world. In the early history of the United States and in English common law, references are seen of official discrimination against women and tolerance of domestic violence. Traditions subordinating women to the institutional rule of men have a long history rooted in patriarchy. In ancient western societies, women, whether slave, concubine or wife, were seen to be inferior both physically and intellectually in virtually all countries. They were treated as a property in law. Husbands ruled in the home as men ruled in government and society.

English common law, the predecessor to many U.S. statutes, endorsed the custom of male control over women. English feudal law reinforced the right of men to physically punish their women if needed and supported the concept of male property rights over women. In 1641, the Massachusetts Body of Laws and Liberties, enacted by Puritans, were the first laws in the world to make domestic violence expressly illegal. This statute provided that “every married woman shall be free from bodily correction or stripes (lashing) by her husband, unless it is in his own defence upon her assault.” Similarly, the pilgrims of Plymouth Plantation made wife beating illegal and punishable by fine or whipping. Over a period, the criminal justice experience evolved in favour of women to stop domestic violence. Till the end of 19th century, it was not criminal for husband to beat his wife. In some circumstances, a husband was supported by the law even if he kept his wife locked up.

In the early Vedic period, Indian women were looked upon with great respect but gradually deterioration took place. Marriage in Vedic era was a sacrament. It was an indissoluble bond between a husband and a wife and was based on perfect equality between a man and a woman. But there was a gradual decline in the status of the wife in the post Vedic period. Men became the lord and the master of his wife and he was
to be adored and obeyed by her even if he was devoid of all virtues. The invasion by Muslims in medieval era proved detrimental for women.\textsuperscript{18}

The superior status of man makes woman merely his appendage. In the early historical periods, Indian husband played a dominant role in the family as a provider and also provided identity, leadership and physical protection to his wife. Husband had the right to use physical corrective methods over his erring wife and wife-beating was permitted by the society. Kautilya also supported wife-beating either with a bamboo bark or with a rope or with a palm of hand on her hips. On the other hand, wife had the foremost duty to honour and serve the husband even in adverse situations.\textsuperscript{19} It came to such a pass that men used to take pride in wife-beating, which was reinforced further by cultural norms.

Such attitudes were aptly described in western countries by Rathus and Navid (1980) in expressions like “Wives and rugs should be beaten regularly,” “Women should be struck regularly, like gongs.” This culture of violence has highlighted by Strauss (1977) through a folk verse:

“A woman, a horse, and a hickory tree,
The more you beat them, the better they be.”

This attitude got reflected across cultures and echoed by a great Indian mystic poet Tulsidas. He wrote:

\texttt{Dhle, Ganwar, Shudra, Pashu aur Nari,}
\texttt{Yeh Sab Teran Ke Adhikari.}

(A rustic, uncultured, scheduled caste, animal and women, they all deserve to be beaten regularly).\textsuperscript{20}

Kautilya, Manu and later Smriti writers demanded of the wife not only to merge her identity and individuality with those of her husband but also accept him as God ‘Patiparameswar’ irrespective of the type of treatment she received. Sati custom can be cited as extreme case of family violence and exploitation.\textsuperscript{21} According to Smriti
writer Manu, husband had absolute rights over the wife to the extent of inflicting corporal punishment. If she said anything disagreeable to her husband, he could even discard her immediately.\textsuperscript{22} The Smritikaras ordained that a woman is never independent and had to live at the mercy of her father, husband and son till her death. Anant Kundali in Assam also expressed the same idea of Manu and Yajnavalka in his verse Kumar Harana Kavya that women should always remain in bondage and never be free like men. Sankardeva had the same idea about women and stated that women by nature were never independent.\textsuperscript{23}

Koran states that “Men have authority over women because Allah has made one superior to the other, and because they spend their wealth to maintain them; good women are obedient.” It is widely held that men bash their wives because religion and custom have always supported men’s right to do so.\textsuperscript{24}

In the 1970s, the battered women’s movement became well known and domestic violence became a political issue. In the words of Dobash and Dobash; “It emerged in a rather unexpected manner, beginning with a campaign to protest against elimination of free school milk and ending with a refuge for battered women.” In course of campaign, Erin Pizzey and her associate met many mothers who suffered from isolation and loneliness. To combat this problem a community centre was set up for women and their children. Very soon they found that those women were victims of violence at the hands of their male partners, so the house was made a refuge. The work they were doing for battered women received a great deal of publicity, which encouraged establishment of local women’s aid groups.\textsuperscript{25} The women’s aid movement came out to be very successful in bringing the problem of domestic violence to governmental and public attention.

Dowry is one of the major causes of domestic violence in India. Problems related to dowry have come to the attention of Indian social workers from the 1960s onwards. Dowry has been referred to as a social cancer, a cruel custom and an insult to the
dignity of women. The dictionary (Webster Dictionary and Cambridge Dictionary) meaning of dowry is the money, goods or estate that a woman brings to her husband at marriage. The custom of ‘kanyadaan’ (giving the daughter in marriage) followed by ‘varadakshina’ (gift to the bridegroom at the time of marriage) may have given rise to dowry. However, dowry as it now exists involves the extraction of cash and material goods by the grooms and his family from the bride’s parents and changed the meaning from a ‘voluntary offer’ to the ‘coercive demand.’

Ever since the British rule started codifying criminal laws beginning with the enactment of the Indian Penal Code 1860, the issue of domestic violence in India has never been an issue. Thus, there was no special provision in the IPC or any other law to provide for punishment of the perpetrators of domestic violence. Thanks to the activists’ role played by feminists, sociologists, media and others in the decades immediately following the attainment of independence in 1947, the original idea that domestic violence was but a purely family matter became no longer acceptable to the society. The State could not afford to remain a mere spectator to the problem of domestic violence, which was gradually treated as a matter of public concern. As far back as 1983, Section 498-A and Section 304-B were added to the Indian Penal Code as a penal measure against atrocities on women and dowry deaths. But even these measures were not a sufficient deterrent against domestic violence. A comprehensive new law named Protection of Women from Domestic Violence Act 2005 was enacted.

1.10 Role of Feminists:

A revolutionary step was taken by feminists all over the world to emancipate women from centuries of oppression. The feminist movement demanded gender equality and recognition of women as ‘free human beings’ who will have worth equal to that of males. Broadly, the basic idea of feminism is the equality of women with men, in all fields, where women have equal worth with men.
In different countries around the globe, different feminist theories and practices were developed because of different histories, cultures, social structures and problems. Multicultural feminism recognizes that women share similarities, and also experience differences of a socially grounded womanhood. The concept of patriarchy is the most innovative and distinctive contribution of feminism to social thinkers and political thought (Coole, 1990), where it implies a system of social structures and practices in which men dominate, oppress and exploit women. Feminist researchers contend that violence is part of a system of coercive controls through which men maintain societal dominance over women. For liberal feminists, such a state must be transformed, while the radical feminists regard state as a patriarchal institution from which women cannot expect to gain. Liberal feminism emphasizes on change through law and the courts. Radical feminists are more interested in changing consciousness rather than changing the law. Socialist feminists try to locate the sources of women’s oppression in the economic, social and cultural processes and have challenged the capitalist economic and social relationship as these perpetuate gender oppression and regarded major structural changes as necessary. Feminist’s main objective is to change the unequal power relationship in favour of women. They emphasize on empowering women in all areas of life – the family, work and society.

Indian women’s movement asserts that women are social persons and insists that in families very often women experience the manifestation of oppression and violence. According to feminists the family is private only in appearance but intra-family relations are in fact shaped by wider structures of society. Three distinct phases are evident in the struggle for Indian women’s social justice and equal rights. The first phase was in the 19th century when social reformers like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, K.C.Sen, Swami Vivekananda, and Swami Dayananda crusaded against social evils and tried to apply rational and humanitarian criteria to the problems like sati, child marriage, infanticide, oppression of widows. The social reformers in that period tried to stop cruelty against women and aimed to improve the position of women within the family but equality with men was not the criteria of the
movement. So the emancipation of women remained limited. The second phase of Indian feminism was more democratic with the active role of Mahatma Gandhi, Jawaharlal Nehru, Dr. Ambedkar and advocated perfect equality by denouncing any kind of discrimination against them. The third phase was in the mid 1970s, emerging as a more vibrant phase of Indian women’s movement, which is distinctly feminist, anti patriarchal and draws support from other movements for social change.

One of feminism’s major contributions to domestic violence policy and practice has been to identify men as primarily the perpetrators of domestic violence, because men dictate social power relations. The empowerment of women has always been a sole aim of the women’s movement because battered women are very often powerless, especially in the face of male violence. Wife battering, though existing through ages as a universal phenomenon, has been shrouded by the victims in secrecy, guilt and shame. It is only with the emergence of the second wave of feminism in the 1980s; wife beating has been recognized a social problem of major proportions involving serious physical injury and sometimes death. It is significant that violence against women in the society became publicly evident at a time when there has been a strong feminist movement.

1.11 Theoretical Perspectives of Domestic Violence:
Several theories have been developed to explain and verify factors associated with family violence and wife abuse, which are discussed below to analyze domestic violence.

Traditional Socialization Theory – This theory has been used by Martine Moore, Page low and Walker. According to this theory, wives get beating because they are traditional and they believe men have a right to beat them if they are at fault and they deserve beating for that. The women believe that they have no right to protest and the situation is inescapable. They never ask their husbands to stop such cruel treatment as
they are dominated by traditional ‘sex-role ideology’ delivered by the socialization process. In most of the cases, their traditional views are nurtured by their parents.\textsuperscript{37}

**Learned Helplessness Theory** – This theory has been used by Ball, Wyman and Walker. According to this theory, the early childhood experience of women where they were exposed to violence in their families is a determining factor. The women acquire feelings of helplessness and poor self-image when they are exposed to violent relationship between their parents or they themselves are battered by their parents. Women believe that they cannot escape from such a situation for which they blame themselves, and place them at high risk of depression. The battered wives are thus afraid to stay and too terrified to leave. They fear of losing husband’s affection and disrupting their home life, which prompts them to tolerate husband’s battering.\textsuperscript{38}

**The Balance of Power Theory** – This theory is used by Straus, Gelles and Steinmetz (1980). The Balance of Power Theory is based on marital relationship and marital interaction. The wife who has inferior status and is not a part of decision making in the family is more prone to family violence than those who are associated with egalitarian decision making.\textsuperscript{39}

**Resource Theory** – William J. Goode (1971) in his Resource Theory says that all social systems (including family) rest on some degree of force or threat and the greater the resource a person can command in a social system, the more he can employ force. A batterer learns to use force or threat of force if he feels there is an imbalance in family transactions.\textsuperscript{40}

**Patriarchy Theory** – Patriarchy Theory developed in 1979 by Dobash and Dobash argues that patriarchy leads to subordination of women and contributes to a historical pattern of systemic violence directed against them. Feminists also establish a link between patriarchy as a social system and violence against women. The brutalization of an individual woman (particularly in the family) by an individual man is not an
individual and family problem but the manifestation of the historically and cross culturally existing male domination on women. Social sanction of wife abuse is a reflection of patriarchal norms, which support male dominance in marriage. Men are predisposed for earning livelihood for the family and held all centres of power, resources, property etc. whereas women being busy with bearing and nursing children became dependent on men. This resulted in unequal distribution of power relation in the family. So aggressiveness, male dominance and female subordination are cherished in society, said Dobash and Dobash.

Psycho-analytical Theory – This theory focuses upon stress, anxiety, anger and guilt instilled during child rearing. They frequently depict the abused women masochistic or exhibiting ‘learned helplessness’. The men, who batter from this perspective, are fearful and hateful towards women because of the childrearing they have received. Men develop hyper-masculinity to over-compensate for their emotional insecurities.

Social Learning Theory – Batterer learns to be violent by watching and experiencing violence of his parents. They consider family as “cradle of violence” where violent behaviour is inter-generational.

Coercion Theory – According to William Goode, husbands use physical force or its threat against wives because violence is crucial to the maintenance of family. He believes, use of physical force is an integral part of the institution of family and is one of the means to maintain control in family. He argues that the structure of family system would destroy if force does not exist.

Exchange Theory – The Exchange Theory, propounded by R.J.Gellas (1983), explains the use of violence by a husband on his wife is guided by the extent of cultural tolerance and by the principles of costs and rewards for that behaviour. If legal and social sanctions would make such behaviour risky, the husband would think twice
before resorting to violence. Violence is learned and reinforced in the social cultural context and that violent spouses normally have violent home backgrounds.\textsuperscript{44}

\textbf{Structural-stress Theory} – According to the theory, violence is a product of socially structured stress such as low income, illness, unfulfilled expectations etc.\textsuperscript{45} The frustrations inevitably and innately lead to aggression. The degree and nature of wife battering is sometimes affected by stressful situations in family, like poverty, unemployment, conflict between mother-in-law and daughter-in-law and so forth.

\textbf{Cyclical Theory} – Walker’s Cyclical Theory explained that there are three phases of violent relationship between husband and wife. Firstly tension building phase, secondly the explosion or acute battering incident and thirdly the calm and loving respite. The third phase is not applicable in all the incidents.\textsuperscript{46}

\textbf{Status Inferiority Theory} – The Status Inferiority Theory maintains that where wife outshines her husband by holding prestigious position, he hits her to prove his superiority to become the boss of the house.\textsuperscript{47} When wives excel, husbands are unable to accept their inferior position and this result in violent behaviour on their part as an outburst of their frustration. In inferiority theory, there are cases where wives earn more and have better status, which rouses in the mind of the husbands jealousy and an inferiority complex but this does not entirely determine the husband wife relations. Traditional attitudes force the wife to accept husband’s dominance and authority, whatever may be his income or educational level. Straus (1977: 69) pointed out that “in the matter of sexual inequality, cultural norms and wife beating,” when husbands fail to surpass their wives in personal ‘resources’ such as intelligence, knowledge, occupation, prestige and income, they may fall back on the ‘ultimate resource’ of physical force to maintain their superiority.\textsuperscript{48} For many people a marriage licence is a hitting licence.
However, all these theories were developed in the west. Dowry related violence on the other hand, is peculiar to Indian culture, where besides the husband; normally his kin also join together in persecuting the bride. In some cases the culpability of girl’s parents also cannot be ruled out. Dowry serves as the foundation on which explanation for discrimination against women has been built. The colonialists stressed its cultural roots in Hinduism; Marxists see it as an economic institution, feminists view it as gender discrimination, for daughters did not traditionally inherit land. Today the dowry system is seen as the prime motive for two other crimes, namely infanticide and foeticide which are widely prevalent in the subcontinent.49

Two theories have been proposed to explain the dowry death issues:

Psychological Disorders: The Intra-Individual Level of Analysis - According to this theory it is said that those who (husband and in-laws) cause a woman’s death on the issue of dowry are psychologically deranged or ill.

Social Learning and Stress or Family Determinism – According to this theory, the mothers-in-law who were themselves humiliated and tortured either by their parents or by their mothers-in-law develop a personality disorder which disposes them to a life pattern of violence and aggression.50

Some of the theories are experimental but to a large extent applicable in violent relationships. A single prevalent theoretical explanation does not cover fully the cause of such criminal act.

1.12 Status of women in Assam:

Assam is situated at the centre of India’s northeastern region (known also as ‘the land of seven sisters). It acquired the status of a state within the Indian Union on 26 January 1950 with Shillong as it capital, when the constitution of India came into force. Prior to that, Assam has been a Governor ruled province in British India since 1921. In
1972, Dispur (Guwahati) became the capital of Assam. The total land area of Assam is 78,438 sq. km., which has 2.7 % of the total population of the country. The state presently has 30 districts. Assam can be divided geographically into two distinct regions, namely the Brahmaputra valley and the Barak Valley.

Assam had a population of 14.6 million in the 1971 census, 22.4 million in 1991 census and 26.6 million in 2001 census. According to 1991 census, the male female ratio in Assam was 1000: 923 and in 2001, 1000: 932 compared to 1000: 933 for all India.

The Assam population is composed of heterogeneous elements of different races, castes, languages and cultures. This diversity has led to the growth of innovatively diverse social institutions and caste systems, which played a significant role in the society. Due to the influence of non-Aryan communities, a lot of new social practices developed over the years. With the decline of the feudal system in the later years of British rule, the joint family system, which once prevailed strongly in Assam, started crumbling. Different types of tribal people are living in Assam and they profess different sub-cultures and faiths. Every tribe has its own distinctive social customs. The custom of bride price was prevalent among almost all tribes of Assam.

Like the rest of India, Assamese people consider marriage as a sacred institution which all males and females have to go into. Hindu scriptures generally governed the women of the upper castes and classes, although owing to the predominance of non-Aryan elements, there had been strong local variables of the norms laid down on them. The joint family system was in vogue in those periods. The concept of dissolution of marriage was not there because of the sanctity attached to the institution of marriage. Tradition has put Assamese women, just like the rest of India, in a deplorable status though sati, dowry and infanticide of the female issue never existed in Assam earlier. In the traditional Assamese society, women were primarily engaged in household duties, rearing of children and looking after the comforts of the all members of the
family. In economic activities – women from farming communities worked in the field.⁵⁴

1.1 Sex ratio in Assam, 1991 and 2001:

![Sex Ratio in Assam, 1991-2001](chart)

Source: Census 1991, 2001

1.2 Literacy Rate by Gender for Assam and India, 1991 and 2001

![Literacy Rate by Gender for Assam and India 1991-2001](chart)

Source: Census 1991, 2001
In Assam the male literacy rate in 1991 was 62% and female literacy 43% in 1991. In 2001 male literacy rose to 64% for Assam 65% for all India and female literacy went upto 64% in Assam against 54% in all India.\textsuperscript{55}

The British introduced English education in Assam along with the rest of India. The newly educated generation of the early 19th century raised objections against many evil practices and superstitions in the society. Progressive writers and reformers like Anandaram Dhekial Phukan, Gunabhiram Barua, Hemchandra Barua, Lakshminath Bezbarua pleaded for widow remarriage and against child marriage. In Assam, particularly in the upper caste, the notion of early marriage was so deeply entrenched that the people thought that girls were born only to be given away in marriage as early as possible, a norm which was not applicable for the lower castes. The Assamese people never considered education for girls as necessary. With the initiative of Christian Missionaries, the first girls’ school was opened in Sibasagar in 1840 and then at Nagaon and Guwahati subsequently. In 1901, the percentage of female literacy was 0.59, in 1931 below 2%, and in 1941, 4.38%. It was only after independence that women’s education made notable progress, particularly since 1951. By 1961 and 1971, this percentage rose to 19.21 to 23.52 respectively.\textsuperscript{56}

Some educated Assamese women, influenced by the progressive ideas in the early twentieth century proposed to form a women’s association (Mahila Samity) to promote the interest and welfare of women. In 1926, the Assam Mahila Samity was formed under the presidency of Chandraprabha Saikiani. This organization tried to create public opinion for the benefit of women against social evils like child marriage and polygamy. Taking prompt action in such matters, they used to issue cancellation notices on behalf of the ‘Samity’; the samity was therefore called ‘biya bhanga samity’ (marriage cancellation organization). They also protested against purdah system, which had crept into Assamese society in later years. In the 1925 session of ‘Assam
Sahitya Sabha' held at Nagaon, the bamboo screen, which was isolating women from men, was pulled down by Chandraprabha Saikiani and thus history was created.\textsuperscript{57}

The present scenario in Assam is not encouraging. The Table gives a picture of the crime scenario in respect of women in Assam.

\textbf{1.1 Crime against Women in Assam, 2001 to 2006 (up to October)}

<table>
<thead>
<tr>
<th>Year</th>
<th>Murder</th>
<th>Rape</th>
<th>Kidnapping, Abduction</th>
<th>Molestation</th>
<th>Cruelty by husband</th>
<th>Dowry death</th>
<th>Immoral Traffic Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>131</td>
<td>785</td>
<td>1070</td>
<td>850</td>
<td>1248</td>
<td>59</td>
<td>6</td>
</tr>
<tr>
<td>2002</td>
<td>150</td>
<td>903</td>
<td>1276</td>
<td>984</td>
<td>1694</td>
<td>70</td>
<td>24</td>
</tr>
<tr>
<td>2003</td>
<td>123</td>
<td>1049</td>
<td>1351</td>
<td>878</td>
<td>1808</td>
<td>60</td>
<td>22</td>
</tr>
<tr>
<td>2004</td>
<td>137</td>
<td>1036</td>
<td>1552</td>
<td>883</td>
<td>1945</td>
<td>74</td>
<td>28</td>
</tr>
<tr>
<td>2005</td>
<td>136</td>
<td>1217</td>
<td>1456</td>
<td>899</td>
<td>2206</td>
<td>99</td>
<td>25</td>
</tr>
<tr>
<td>2006</td>
<td>108</td>
<td>1000</td>
<td>934</td>
<td>769</td>
<td>1944</td>
<td>67</td>
<td>17</td>
</tr>
</tbody>
</table>

\textit{Source: CID, H.Q. Assam}

The violence against women is no less unnerving compared to other parts of the country. There was a time when the Assamese took legitimate pride in the fact that they did not have dowry, and that it was something looked upon. There is now a deep sense of shock among the older generation of people of Assam at how even Assamese families have succumbed to the lure of the easy money that dowry provides. Of late, there have been disturbing reports of violence inflicted on young brides for failing to bring adequate dowry from their parents in a State that is supposed to have no dowry at all.

Women in Assam tend to marry at a somewhat older age than women in other parts of India. National Family Health Survey-II disclosed 24\% of women age 15-19 are already married (26\% in rural areas and 9\% in urban areas). 41\% of women in Assam still marry before reaching the legal minimum age of 18 years. At least 1 in 7 ever-married women in Assam have experienced domestic violence since the age 15, and at least 1 in 12 has experienced domestic violence in the past 12 months.\textsuperscript{58} According to
reports of respondents in NFHS-II, 16% of women in Assam have experienced violence since the age of 15 and 14% have been beaten or physically mistreated by their husbands. Less than 1% have been beaten or physically mistreated by in-laws and 2% by other persons. During the survey conducted in Upper Assam and lower Assam, the IIPS (International Institute of Population Science) has found that two out of three women justify beating of wives by their husbands which show the culture of widespread social acceptance of domestic violence on married women in Assam.

1.13 Guwahati City:

Guwahati since 1972 has been the capital of Assam. Dating back to the times of yore, in the Mahabharata and the Puranas, Guwahati, the capital of Assam and the principal city of the North-East, was known as ‘Pragjyotishpur’ or ‘City of Eastern Light’. From the prehistoric days, Guwahati was the capital for many ruling dynasties. Shillong was the capital of Assam during the British days and till the creation of Meghalaya state. In 1972, the capital of Assam was shifted from Shillong to Guwahati to the present site of Dispur. As the gateway of the North-East, Guwahati from the beginning was the centre of trade and commerce and also an important political, educational, and social centre of the region. In 1965, with the establishment of the Municipal Board, Guwahati became a Municipal town. It became the first city of the North-East in 1974 with the establishment of a Municipal Corporation. The area of Guwahati city is 216 sq km covering 60 administrative wards. As per 1991 census, the city covers an area of 313 sq. km. with the total population of 5, 84,342.

Most of the population in Guwahati is of Indian origin except for some Nepalis, Bangladeshis, Afghans, and a handful of European missionaries. Assamese is the largest linguistic group followed by Bengali, Bihari, Manipuri, Rajasthani, Oriya, Sindhi etc. Scheduled caste and scheduled tribes population of the city consist of Kaibartas, Hiras, Bodo-Kacharis, Karbis, Garos etc.
Guwahati experienced a very high degree of migration. 1971 census showed that only 40.73% of the population constituted non-migrant and 59.27% of the total population of Guwahati had migrated to the city. The highest number of people having migrated to Guwahati city has been from within Kamrup district-17.07%; followed by those from other districts of Assam, 15.2%; from outside Assam 16.92%; and from outside India 10.62%. The population migrating from Bihar 41.90%; from West Bengal 12.62%; from Rajasthan 10.74%; from Meghalaya 10.20% and from Uttar Pradesh 9.62% constitutes the main source of migration from ‘other states of the country’. Of the total number of foreign migrants, about 70% came from East Pakistan (now Bangladesh) and 15.5% from Nepal.\textsuperscript{64}

In North-East India, Guwahati is one of the fastest growing urban centres. The population of Guwahati was 2,00,377 in 1971, which accounted for 11.3% of the state’s urban population. The population of Guwahati was 5,84,342 according to 1991 census and it accounted for 23.3% of the total urban population of the state. The continuous influx of population from within and outside the state caused the rapid increase in population in the Guwahati city.\textsuperscript{65}

### 1.2 Population growth in Guwahati, 1901 – 2001

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>1901</td>
<td>11,661</td>
</tr>
<tr>
<td>1911</td>
<td>12,481</td>
</tr>
<tr>
<td>1921</td>
<td>16,480</td>
</tr>
<tr>
<td>1931</td>
<td>21,797</td>
</tr>
<tr>
<td>1941</td>
<td>29,594</td>
</tr>
<tr>
<td>1951</td>
<td>43,615</td>
</tr>
<tr>
<td>1961</td>
<td>1,00,707</td>
</tr>
<tr>
<td>1971</td>
<td>2,00,377</td>
</tr>
<tr>
<td>1991</td>
<td>5,84,342</td>
</tr>
<tr>
<td>2001</td>
<td>8,09,895</td>
</tr>
</tbody>
</table>

*Source: Directorate of Census Operations, Assam*
1.3 Population growth in Guwahati, 1901-2001

![Population growth in Guwahati, 1901-2001](image)

1.3 Literacy in Guwahati city

<table>
<thead>
<tr>
<th>Total literacy in 1991</th>
<th>Male literacy in 1991</th>
<th>Female literacy in 1991</th>
<th>Total literacy in 2001</th>
<th>Male literacy in 2001</th>
<th>Female literacy in 2001</th>
</tr>
</thead>
<tbody>
<tr>
<td>402733</td>
<td>247432</td>
<td>165301</td>
<td>634247</td>
<td>361288</td>
<td>272959</td>
</tr>
</tbody>
</table>

*Source: Directorate of Census Operations, Assam*

In 1991, sex ratio of Females, out of 1000 Males was 783. In 2001 sex ratio of Females, out of 1000 Males was 839.66

According to 1991 census, the sex ratio of Guwahati was 783 females per thousand males which was very low compared with the all India figure of 929 females per thousand males. The low sex ratio was influenced by the migration of low income earning male workers from other places who had not brought their families along with them for the economic and the housing conditions prevailing in the city.67 In 2001 the sex ratio improved and became 839, though it was much less than the all Assam figure of 923 and all India figure of 933.
Assamese culture over the centuries transformed itself into a composite one, being the product of a continuous interaction of tribal or Indo-Mongoloid and Indo-Aryan or Hindu culture. The social structure and economy of Guwahati have undergone revolutionary changes in the recent decades. Guwahati has turned into a mosaic of professionals, traders, bureaucrats, middle class people, low income earning people and above all the politicians. Another important aspect of the life in Guwahati city is that the population of the city is mixed one and a good segment of the population is non-Assamese. The greater Assamese society, which was more or less homogeneous and vertical in structure, became heterogeneous in composition and horizontal in structure. As Guwahati is the capital of Assam and the gateway of the North East, government officials, industrialists, business people from different trade and commerce, academicians and all other kinds of people from different parts of India have conglomerated here and they together constitute the canopy of a new social system. The new Assamese society consisting of different linguistic and religious groups provided a different cultural transformation of the society. The tradition and culture of Assamese society slowly got influenced by the culture of other parts of India.

**1.4 Population on Religion Basis in Guwahati, 1991 and 2001**

<table>
<thead>
<tr>
<th>Religion</th>
<th>1991</th>
<th>2001</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buddhists</td>
<td>846</td>
<td>1181</td>
</tr>
<tr>
<td>Christians</td>
<td>4377</td>
<td>6459</td>
</tr>
<tr>
<td>Hindu</td>
<td>503696</td>
<td>688067</td>
</tr>
<tr>
<td>Jains</td>
<td>4221</td>
<td>7429</td>
</tr>
<tr>
<td>Muslims</td>
<td>65165</td>
<td>102832</td>
</tr>
<tr>
<td>Sikhs</td>
<td>3159</td>
<td>3470</td>
</tr>
<tr>
<td>Others</td>
<td>299</td>
<td>149</td>
</tr>
<tr>
<td>Religion not stated</td>
<td>2579</td>
<td>308</td>
</tr>
</tbody>
</table>

*Source: Directorate of Census Operations, Assam*

In Assam, particularly in Guwahati city, the status of women has changed a great deal following modernization and industrialization. Media and television played a very important role in transforming the very nature of socio-psyche of the Assamese
society. Soaring prices and rise in materialism has been changing the society very fast making man working against time in an attempt to survive and to accumulate means for more and more worldly comforts. It is not enough that a single person would manage all material comforts; his wife is also expected to fulfil at least partly the demands for economic betterment by bringing in a fat dowry or taking up a job by going out of home. The workingwomen, who are married, also remain under tremendous pressure to cope up with the domestic work and responsibilities at home and professional work outside home, a state of affairs that leads to material and physical fatigue. The negative fallout is manifest in the way the husband would maltreat his wife. She has also to face her torturous in-laws. She is often burnt to death. The irony is that despite 'modernization', women are supposed to remain submissive and tolerant, and they ought to seen adapting to what the men and their families would set as a ‘code’.

The traditions and conventions of joint families which used to provide lots of support in the family in the past have now crumbled. The present nuclear family of modern life style has been facing newer problems to deal with difficult situations. The incidence of violence within and outside of family has been increasing at an alarming rate. Wife beating, dowry death, female foeticide, torture for dowry and sexual crimes are common crimes to make the right thinking people concerned. The media has been reporting such cases everyday though many also go unreported.

1.5 Crimes against women in Guwahati, 1997 - 2002

<table>
<thead>
<tr>
<th>Guwahati</th>
<th>Kidnapping</th>
<th>Rape</th>
<th>Molestation</th>
<th>Cruelty by husband</th>
<th>Dowry death</th>
<th>Immoral Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997</td>
<td>32</td>
<td>20</td>
<td>11</td>
<td>69</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>1998</td>
<td>55</td>
<td>43</td>
<td>45</td>
<td>26</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>1999</td>
<td>52</td>
<td>30</td>
<td>60</td>
<td>42</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>2000</td>
<td>53</td>
<td>39</td>
<td>53</td>
<td>48</td>
<td>15</td>
<td>11</td>
</tr>
<tr>
<td>2001</td>
<td>26</td>
<td>34</td>
<td>27</td>
<td>41</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>2002</td>
<td>22</td>
<td>12</td>
<td>13</td>
<td>94</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: State Crime Records Bureau, Assam.
The above Table and Diagram show that among the crimes against women in Guwahati, the maximum number of crimes is committed against women in marital relationship during the 5 years period of 1997 to 2002.

The types of crimes now being committed were unheard of in the city of Guwahati till a few years ago. Owing to the fast growing sociological developments discussed above, the city has assumed a heterogeneous character and got profoundly influenced by pan-Indian patriarchal attitude that gives birth to domestic violence. The present study is all about this phenomenon.
References

15. Ibid, p. 58.


28 Ibid, p. 42.

29 Ibid.


32 Ibid, p. 53.

33 Ibid, p. 59.

34 Ibid, p. 54.


38 Ibid.

39 Ibid, pp. 113-114.


Ibid.


Ibid, p. 2.


Ibid.


Ibid.


The Times Of India, 30 April 2003.


64 Ibid, p. 11.


66 Directorate of Census Operations, Assam.
