CHAPTER 1

Introduction

Crimes against women in Kamrup Metropolitan District of Assam are a widespread problem that reflects the unequal power dynamics of men and women in society as also in personal abusive relationships. It is a pervasive phenomenon that exists all over the world in the forms of criminal violence\(^1\), domestic violence\(^2\) and social violence\(^3\). However, it remained an issue confined to domestic space and a matter talked at home for long, due to the lack of reporting of crime. It was only in the late sixties and early seventies that violence against women became an issue of global concern. In fact, during the International Decade of Women (1975-1985), the urge for protection of the rights of women secured worldwide recognition and since then it gained steady momentum. This recognition becomes international law with the adoption of the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) by the United Nations General Assembly in 1979. India signed this Convention in 1993, acceded CEDAW and committed itself to end all forms of discrimination against women. Despite the best efforts to end violence against women, their survival has been a question; their existence with dignity and honour has been a problem. Woman is still subjected to all sorts of atrocities, humiliation, torture, threats, dangers and even fatal assaults. She is abused by men both in the house and outside on the streets, buses, trains, schools, workplace, hospitals and everywhere.

---

1. Criminal violence refers to those acts which are legally forbidden and punishable by courts.
2. Any abusive, violent or threatening act inflicted by one family against another member constitutes domestic violence.
3. Social violence is a pattern of behaviour intended to threaten, harm or kill.
She therefore has no secured place in this universe to live in, neither in the home nor in the public space.

Crimes against women are a gender-based problem. It is deeply rooted in the global culture of discrimination which denies equality between men and women and legitimizes male domination and subordination of women. As recognised in the United Nations (UN) General Assembly’s 1993 Declaration on the Elimination of Violence against Women, violence against women ‘is a manifestation of historically unequal power relations between men and women, which has led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that it is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men’. Violence against women appears in many different dimensions around the world and the offenders are most often known to the victims including intimate partners, family members, relatives, peers and colleagues and sometimes may also be committed by strangers, in the public or private sphere. Women are subjected to different forms of violence that starts even before their birth and continues throughout their life; for instance, after getting confirmed that the sex of a foetus is female, it may be aborted or a girl may be killed in her infancy; girls and women may be subjected to various forms of abuses and atrocities- in adolescence, they may be raped; married women may fall victim to physical assault, raped or killed by their husbands and in-laws; widows may face negligence and elderly women may be tortured and assaulted. In the words of United Nations Development Fund for Women UNIFEM (2003):

At least one of every three women around the world has been beaten, coerced into sex, or otherwise abused in her life-time - with the abuser usually someone known to her. Women are at the receiving end of domestic violence, sexual assaults, and harmful traditional practices
like genital mutilation, dowry murder, honour killings, early marriage and human trafficking.

According to Amnesty International (2004):

Women from different countries and continents, from diverse religions, cultures and social backgrounds, educated or illiterate, rich or poor, whether living in the midst of war or in times of peace, are bound by a common thread of violence - often at the hands of the state or armed groups, the community or their own family.

It is a grave violation of Human Rights and its impact ranges from immediate to long-term multiple physical, sexual and mental problems and in extreme cases, death for women and girls. It negatively affects women’s well-being and also prevents women from fully participating in the development of the society. Thus, crimes against women are one of the most severe global epidemics which devastate the lives of women - killing, torturing, and maiming physically, psychologically, sexually and economically. Such crimes not only violate the fundamental Human Rights of women but also undermine the safety, dignity and overall status of millions of women throughout the world. It is, therefore, a major issue of concern in the modern day world.

1.1 Statement of the Problem

Crimes against women are an integral part of women’s lives in all societies throughout the world. Violence is seen in different forms and its place of occurrence may extend from home to the community and beyond to the State machinery. However, the largest number of violent incidence takes place within home. Domestic violence, one of the major forms of crimes against women, is prevalent in developed, developing as well as in the under-developed country. In America, around 1 in 4 women (24.3%) have faced severe physical violence by an intimate partner at some point in their lifetime (Black et.al. 2011). In Britain, overall 30.0 percent of women
are found to have experienced some kind of domestic abuse since the age of 16 (CSEW, 2012/2013). The number of women killed in domestic violence every year is 5000, while thousands of others are maimed or disabled (Hansar, 2007). Domestic violence is also reported in most of the households in Bangladesh and 87 per cent of women are the victims of domestic violence (BBS, 2013). An incident of domestic violence occurs every five minutes in India under its legal definition of ‘cruelty by husband or his relatives’ (NCRB, 2013). A study conducted in Uttar Pradesh and Tamil Nadu indicated that 40 percent of the respondents reported that they had been victims of wife beating (Coomaraswamy, 2005). A survey of women in rural Gujarat, 66 percent of the women who had been interviewed stated that they had been subjected to verbal or physical abuse (Visaria, 2000). Assam, situated in North–East part of India is no exception. According to the Report of the National Crime Records Bureau (2012), among all the states of India, Assam has reported the highest rate of crime against women (89.5%) during the year 2012 as compared to 41.7% at the national level. Women of Assam are also equal victims of violence like those of other parts of the country and a large number of cases of crimes against women are increasingly visible in recent times in the state. In fact, it is quite significant that of all the crimes committed against women in Assam, the highest number of cases is recorded in the category of domestic violence. Even NCRB (2013) has revealed that under the category of cruelty by husbands and relatives, the highest crime rate of 56.4 was reported from Assam. Thus, a crime against women specifically domestic violence is a significant issue in the state of Assam.

1.2 Review of Literature

The review of literature for the present study has been organized into five categories, namely: works related to theoretical aspects, works in the global context, works in the
Indian context, works in the context of Assam and works related to laws concerning crimes against women.

1.2.1 Work related to Theoretical Aspect:

**Rosemarie Tong**’s *Feminist Thought* comprehensively explains all strands of feminist thought and discusses the strengths and weakness of all the feminist theories – Liberal, Radical, Marxist, Socialist, Psychoanalytic, Existentialist, Postmodern, Ecofeminism, Multicultural and Global Feminism. *What is Feminism? An Introduction to Feminist Theory* by Chris Beasley is basically concerned with the theories that have been associated with the Feminist Movements in the West. It lucidly defines the different types of feminism. He also analyses certain contemporary influences that include Psychoanalysis, Postmodernism, Theories of the Body, the Queer Theory and threw light on the significance of race and ethnicity. Kate Millet in her book, “*Sexual Politics*” exposes with unbeatable reasons the patriarchal bias that works behind literary productions. She has applied feminist literary theory to particular works of literature and shows how such works have been produced by a culture dominated by males. Such works are degrading to women and stand in the way of reforming the condition of women’s lives. The book opens with the definition, description and examples of what she considers to be ancient and universal scheme in the area of sex for the domination of one birth group by another. Then she gives the cultural and historical background of the feminist movement. She deals with writers like D. H. Lawrence, Henry Miller, Norman Mailer, and Jean Genet in other parts of the book. While she admits that they are gifted writers, she remarks that their primary concern is to perpetuate male domination over the female consciously or unconsciously. Andrea Dworkin’s “*Right–wing women: The Politics of Domesticated Females*” (1978) deals with the cases of women who are radically male
identified; such women consequently survive by conforming to and assimilating with patriarchal value structure. She is of the view that rape, wife-beating, forced child-bearing, medical butchering, sex-motivated murder, sadistic psychological abuse are used to keep women passive and subordinated. A review of contemporary theoretical debates including Marxism, radical and liberal feminism, post-structuralism and dual systems theory is found in Sylvia Walby’s book, ‘Theorising Patriarchy’. She has argued cogently that relying on the most recent empirical findings, these theories can be applied to a large number of issues such as paid work, housework, the state, culture, sexuality and violence. She has also proposed a unification of class analysis and radical feminist theory with a view to elucidate gender relations in terms of both patriarchal and capitalist structure. Judith Evans in her Feminist Theory Today: An Introduction to Second-Wave Feminism offers an overview of feminist theories. She takes up for discussion major issues like equality and difference in the theoretical writings on feminism. She also makes an analysis of the different schools of feminist theories from the traditional to the postmodernist. What is Patriarchy? by Kamala Bhasin deals with the basic definition of patriarchy and many aspects related to it. She gives the meaning of the term ‘patriarchy’ and elaborates the fact that it is at the root of all crimes against women whether inside home or outside. What makes the book exceptional is its discussion on how patriarchy originated. She discusses the causes behind the rise of patriarchy from various angles- Marxist Feminist, Socialist Feminist, Radical Feminist and Liberal Feminist. At last, she demonstrates the areas where women are considered to be controlled by patriarchy and also identifies the factors upon which the whole edifice of patriarchy stands. The Creation of Patriarchy by Gerda Lerner is another book that goes back to the root of patriarchy. In her view, patriarchy began in the second millennium B.C. in the Ancient Near East- a
product of historical development. As such the system that allows male dominance over women is neither natural nor biological. She further clarifies the idea that patriarchy is a cultural construct. She also puts forward historical, archaeological, literary and artistic evidence in support of her opinion. These books would enable in building a conceptual and theoretical framework in understanding crimes against women.

1.2.2 Works in the Global Context:

*Violence against Women: An International Perspective* by **Holly Johnson, Natalia Ollus** and **Sami Nevala** is an outstanding work that focuses on gender-based violence. The International Violence against Women Survey interviewed over 23,000 women who had experienced gender-based violence in as many as eleven countries, namely Australia, Costa Rica, the Czech Republic, Denmark, Greece, Hong Kong, Italy, Mozambique, The Phillipines, Poland and Switzerland. An extremely valuable part of this book is the analysis of the findings of this survey. It also discusses contemporary theories on male violence against women and offers suggestions for making gender equality effective. *Sourcebook on Violence against Women* edited by **Claire Renzetti, Jeffrey Edleson, and Raquel Kennedy Bergen**, is a collection of writings by various scholars on the question of violence against women. The book’s most significant aspect is the addition of many ethical guidelines that one should follow while measuring experiences of women who have fallen victim to male violence, besides the discussion on major theories and methods that should be adopted while doing research on violence. *Domestic Violence: A Reference Handbook* by **Margi Laird McCue** contains the most comprehensive discussion on domestic violence from historical, social, psychological and legal points of view. The book also gains importance in view of the fact that it puts its focus on the seriousness and extent
Introduction

of the problem of domestic violence in a global context. Domestic violence is not only defined but its roots are also traced in history. It also offers an analysis of the causes and the types of violence which are categorised as physical, sexual and emotional. The typical theories applied to the study of domestic violence against women besides the impact left by domestic violence upon women, have been discussed. Another major addition to the book is the discussion on international treaties, conventions, conferences, documents related to violence against women. Moreover, it also provided some suggestions on how to prevent such violence. In Jayne Mooney’s Gender, Violence and the Social Order, an overview of violence against women is found in the context of analysis of a British survey that was conducted on large-scale victimization. A good number of theories and methodologies applicable to the study of domestic violence have been included. It also puts forward a number of initiatives for tackling the problem of women abuse. Fanny M. Cheung, Malavika Karlekar, Aurora De Dios, Juree Vichit Vadakan and Lourdes R. Quisumbing in Breaking the Silence: Violence against Women in Asia examines the problem of crimes against women in Asian countries including China, Hongkong, India, Indonesia, Korea, Nepal, the Phillipines, and Thailand. The focal point of discussion in the book is on the institute of the family that triggers violence on women. It also defines some underlying problems and records the respondents of the countries concerned to such violence.

1.2.3 Works in the Context of India:

Family Violence and Abuse in India by Amarjit Mahajan and Madhurima is primarily concerned with the phenomenon of family abuse in general. It discusses the reasons behind violence takes place in the family and also the consequences. The most interesting aspect of the book is that the issue of wife abuse is examined from
various angles. It also contains a part that deals with child and elder abuse. *Behind Closed Doors: Domestic Violence in India* edited by Rinki Bhattacharya brings to light how pervasive domestic violence against women in India is. The experience of seventeen Indian women from various cultural, religious, educational and class background, having abusive relationship has been presented. Their narratives have exposed what the title suggests – the violence against women that goes on behind the closed door of homes. Each life story is full of untold misery and suffering. The stories also reveal that the nature of violence differs from one kind of relationship to another and from one group of people to another. In addition to that, the book analyzes through the case studies, the socio-economic factors that affects a woman’s development and concludes with a discussion on the role of agencies like the police in tackling this vital problem. *Crime against Women* by Udai Veer covers all the aspects of crime against women. Various offences committed within the four domestic walls, in work places and public places are discussed elaborately. Some of the crimes taken up for discussion in the book are infanticide, eve-teasing, kidnapping, abduction, rape, violence after marriage like wife-beating, dowry related torture, harassment leading to suicide and murder. Another feature of the book is that it gives an analysis of the legal provisions incorporated in the Indian constitution for the improvement in the status of women and protection of women from exploitation. In his book *Violence against Women*, Ram Ahuja empirically looks into the question of atrocities against women. He pays specific attention to the five types of violence that normally women have to face: sexual violence, abduction and kidnapping, bride burning, wife battering and murder. He discusses a good number of theories that help understand the violence committed against women; at the same time, he also discusses the limitation that these theories have in explaining the assorted violence. The book becomes interesting
because of the addition of post-violence adjustment issues of the victims in the society. The role of the Police and judiciary in tackling such violence are also taken up for discussion. Crimes against women in Assam rarely find a space in the published works done in the context of India.

1.2.4 Works in the Context of Assam

In order to properly understand the problem of crimes against women in Assam, it is necessary to review the existing published works on women or violence against women. *Violence against Women in North East India: With Special Reference to Assam, Manipur and Tripura* by H. Sudhir and Jubita Hajarimayum deals with the various aspects of violence against women in the three north eastern states of Assam, Manipur and Tripura in North East India. The book’s principal interest is on the trends and factors connected with the problem. It looks at the constitutional and other legislative measures that have been taken to safeguard their interest and also highlight some strategies that can bring down crimes against woman. *Women of Assam* edited by Renu Debi is a study by several writers on the condition of women in the North East in general and Assam in particular. Social, political, educational and employment problems of women are dealt with in the book. The inclusion of a topic on rape and other atrocities by armed forces vitally related to the North East has enhanced the book’s importance for this research work. *Status of Women in Assam* is a volume, edited by S. L. Baruah, offers a collection of writings of non-tribal Assamese women in fields of the family, society, economic affairs, legal matter, religion, politics, administration and health care. It has discussed in details the manner in which the socio-religious factors shape a patriarchal society and puts restraint on the progress of women. It also examines how women have to face torture and harassment both in the family and the society. The book contains some suggestions, too, on how to improve
the present status as well as position of women in India. *Concerns and Voices: Essays on Gender and Society* edited by Bharati Sharma is another collection of articles that throws light on a number of women and children-related issues in Assam, the North East and the country in general. The issues taken up for examination are related to the society, culture, education, environment, law, politics, health service in both the physical and mental sectors, and some other aspects related to the lives of women. The fourth and the fifth sections of the book consist of the life histories of some women who have achieved iconic status for their pioneering and selfless work for the country. *Contemporary Women Issues: A Reflection* by M. Choudhury presents a number of articles that highlight many contemporary issues regarding women in India in general and in Assam and the North East in particular. Besides discussing various forms of violence against women, the book discusses the constitutional safeguards for securing equal rights for women and also protecting them against any sort of violence. These works however, do not focus on crimes against women in particular and falls short of any in-depth analysis of the same.

**1.2.5 Works related to Laws concerning Crimes against Women**

Savitri Goonesekere in her book *Violence, Law and Women’s Rights in South Asia* offers an analysis of the way in which the criminal justice system has responded to the crimes against women. She has selected for study the legal and institutional setup to control gender-based violence in three Asian countries- India, Pakistan and Sri Lanka. Through some case studies that she takes from these three different countries, she makes an attempt to look into the legal and judicial system with all its merits and demerits in handling cases of crimes against women. Preeti Mishra’s *Domestic Violence against Women –Legal Control and Judicial Response* gives the impression of an effort to understand the concept, forms and causes of domestic violence. The
book concentrates on analysing the legal and constitutional provisions to protect women from falling prey to domestic violence in India. A special feature of the book is that it has incorporated a detailed discussion on The Protection of Women from Domestic Violence Act, 2005. Meeta Deka’s Women’s Agency and Social Change: Assam and Beyond briefly discusses the issue of gender disparity so far the law is concerned in Assam. A few case studies of the Legal Aid Cell have been added to illustrate it. Shobna Saxena in her book Crimes against Women and Protective Laws discusses critically the laws that deal with crimes against women and considers some of the widely prevalent crimes against women like rape, dowry death, bride burning etc. She has also reviewed the failure of the criminal justice system in checking domestic violence against women.

It is clear from the review of literature that there is scarcity of works that throw light on the essential characteristics of the problem of crimes against women, particularly domestic violence in Assam.

1.3 Rationale

Crimes against women are steadily on the rise in Assam. It has posed a serious menace in the society. 8122 cases of crimes against women were reported in the state in the year 2008 which has increased to 17449 in the year 2013, thus recording an average increase of 17% during this period. The crime statistics reveal high increase in crimes against women in Assam. Moreover, the literature review shows that much work on crimes against women have been done in the Western countries as compared to that in India. It has also been found that there is a dearth of research on crimes against women in Assam. In fact, despite worldwide concern for domestic violence, not many studies have been taken up in the state of Assam that throws light on the problem in its totality. Moreover, the review of literature shows that not much
research-based work providing theoretical explanation combined with empirical research has been done on the issue of domestic violence against women in the State. The paucity of literature and the lack of research on crimes against women in Assam provide the rationale for the present work which attempts to analyze the overall phenomenon of crimes against women, domestic violence in particular. Therefore, study focuses on the nature, forms, causes and consequences of domestic violence against women.

1.4 Objectives

The study on **Crimes against Women in Kamrup Metropolitan District of Assam** covering the period from 2008 to 2013 has been undertaken with the following objectives:

- To analyze the trends of crimes against women
- To study the prevalence and examine the forms of domestic violence against women
- To understand the causative factors of domestic violence against women
- To suggest remedial measures to eliminate instances of domestic violence against women

1.5 Research Questions

The research questions of the study have been framed as follows:

- What are the trends in reported crimes against women?
- What are the major forms of domestic violence against women?
- What are the major causes of domestic violence against women?
- Who are the major perpetrators of domestic violence against women?
1.6 Study Area

Assam is a North-Eastern state of India located to the south of the Eastern Himalayas. The state of Assam is surrounded by Bhutan and Arunachal Pradesh on the North, Arunachal Pradesh, Nagaland and Manipur on the East, Mizoram and Meghalaya on the South, and Bangladesh and Tripura on the West. Except for a narrow corridor running through the foothills of the Himalayas connecting the State with West Bengal, Assam, North East India in general, is geographically almost entirely isolated from the rest of India.

Kamrup Metropolitan District of Assam has been chosen as the study area. It has four blocks- Chandrapur Development Block, Bezera Development Block, Rani Development Block, Dimoria Development Block besides Greater Guwahati Urban Area. It is one of the most advanced districts in terms of urbanization and location.
Dispur, the capital of Assam, is located within the district. Kamrup Metropolitan District is situated between 25.72° and 26.85° North Latitude and between 90.60° and 92.20° East Longitude and is bounded by Kamrup and Darrang district on the North, the state of Meghalaya on the South, Morigaon district on the East and Kamrup district on the West. The total geographical area of the district is 1527.84 km² and the total population is 1,253,938 of which male and female are 647,585 and 606,353 respectively. The density of population is 1,313 persons per sq km. The sex ratio in Kamrup Metropolitan District is 936 females for every 1000 males which is lower than the sex ratio at the national level (940). The female literacy rate is 85.07 percent which is lower than the male literacy rate which is 92.13 percent (Census, 2011).

![Map of Kamrup Metropolitan District](image)

Figure 1.2: Map of Kamrup Metropolitan District

Kamrup Metropolitan District of Assam has been selected as the study area for a number of reasons. It is one of the most crime-prone areas of Assam and it has diverse groups of population and this provides an opportunity to study the problem of crimes against women in respect of varied economic classes and linguistic and
cultural diversities. High number of crimes against women, inappropriate sex ratio, and low literacy rates of women are some of the other factors which have been taken into account in selection of the study area.

The period chosen for the study is from 2008 to 2013 and this period has been selected mainly on the basis of availability of data.

1.7 Theoretical Framework

There are a good number of theories that have been developed by researchers and social scientists to explain the phenomenon of crimes against women. Lewis Okun (1986) has offered around twenty well defined theories to explain abuse of women, family violence or other forms of violence that prevails in conjugal relationship. However, no theory till date has been able to fully explain the phenomenon of violence against women. In view of the complexity of the problem of violence against women, theories applicable in various disciplines have been applied to this problem. Such disciplines include psychology, social work, sociology, criminal justice and public health. As a result, numerous theories competing with one another are applied and various conclusions arrived at. Three broad categories of theory on violence against women have been identified by Gelles and Straus (1979). These are: Intra-Individual Theory, Socio-Psychological Theory and Socio-Cultural Theory. The first two are micro-oriented and the third one is macro-oriented.

The Intra Individual micro-oriented theories are concerned with the personality characteristics and mental health of the offenders in determining cases of violence and abuse against women. These theories look into the innermost part of the individuals who perpetrates violence and tries to find out the reasons behind such behaviour in their characteristics.
The *Psychopathology Theory* of violence asserts that certain internal characteristics like psychological disorder, mental illness and personality disorder provoke an individual to commit violence. This theory emerged out of research in child abuse and partner abuse and it was accepted as the common theory of such phenomena. Its hypothesis is that certain aberration in the character of an individual provokes him to inflict violence (Kurst-Swanger and Petcosky, 2003). People who are associated with battering are found to have lower self-esteem, emotions without control, unabated jealousy, hostility, aggressiveness and anxiety. The most common thing that is found in violent incidents involving spouses is jealousy (Bowker, 1983). Desire for power has also been found to be factor behind abusive behaviour by men (Button and Strachan, 1987). Similarly depression may lead to helplessness and this feeling of helplessness may lead to violence as the individual concerned would want to reduce this feeling (Tolman and Bennett, 1990).

The *Substance Abuse Theory* is based on the role of alcohol or other drugs in incidents of violence against women. Alcohol is the most commonly used drug and it contributes a great deal to creating violent situation in domestic lives. First, the brain chemistry may be changed by these substances in a manner that provokes violence even among individuals who are not otherwise violent. Even if somebody makes an attempt to give up the use of such substances, he may suffer from withdrawal symptoms like irritability which may lead to violence. Finally, alcohol and drugs may also act as agents that release violent tendencies in individuals (Gelles and Straus 1979; H.C. Johnson 1996). Thus, according to this theory, there is close link between alcohol and violence against women.

Another theory at the micro level analysis of the violence against women is known as *Socio-Psychological Approach*. It also puts its focus on external
Introduction

environmental factors that impact a family. This theory puts importance on making analysis of everyday interaction of the individual with the environment in the society that surrounds him or her. Three most well known theories in these categories are *Social Learning Theory, Exchange Theory* and *Resource Theory*.

According to the *Social Learning Theory*, violence and aggregation are not results of the inherent characteristics of an individual but are learned behaviour. They are experienced directly from the environment or by making observation of the conduct of others. This theory therefore looks upon the family as the training ground for violence and considers that violence is learned during what is called socialization within the family. Hence, the violent attitude of an individual is believed to have its roots in the family from which he/she comes. According to this theory, a child who grows up observing his father abusing the mother is likely to be abusive to his wife later (Corvo and Carpenter, 2000). Similarly, women who have observed violence in their parent’s conjugal life are more likely to fall victims to spouse’s abuse as their tendency is to accept it as something normal in such a relationship.

The *Exchange Theory* makes an attempt to explain that human interaction is based on the pursuit of rewards and at the same time, the avoidance of cost and punishment. Gain in social status, relationship and interaction is looked upon as rewards that bring gratification to people. On the other hand, any loss in status, loss of a relationship, and feeling of being disliked by anyone or by any group are considered to be costs (Nye, 1979). In the context of violence against women, the Exchange Theory believes that individuals used violence against their intimate partners when they expect that rewards for such violence acts will be higher than the costs. The rewards can also vary from one society and culture to another. For example, rewards in a society may consist of obedience of a wife to her husband; in another context
dowry may also be considered as a reward. Dowry violence, as Bloch and Rao (2002) maintains, does not refer directly to marriage related payments made at the time of the wedding but to additional payment demanded after the marriage by the groom’s family where the husband systematically abuses the wife in order to extract larger transfers.

All social systems ‘rest to some degree on force or its threat’ (Goode, 1971). WJ Goode proposed the Resource Theory. According to him, the force that a man or a woman can muster depends on the resources that he or she can command within a particular social system. In other words, the greater the resources a person can have command over, the more force he or she can muster. Interestingly, however, it is found that the more the resources a person can command, the less he will actually apply force overtly. The relevance of the Resource Theory has been supported by many studies (Hoffman, Demo and Edwards, 1994; Hotaling and Sugarman, 1986). In order to explain the violence that takes place within a family, this theoretical approach can be applied widely. For example, a husband with lower social status is more likely to use violence against his wife so that he can achieve greater power in the conjugal relationship (O’Brein, 1971). Scholars have also found that the number of violent incidents in a family tends to be higher if the woman’s occupational status happens to be higher than her husband’s (Anderson, 1997).

The Socio- Cultural Theory provides a macro analysis of violence against women in contrast to micro theories. In the application of these theories, social and cultural conditions are highly emphasized. Violence is looked upon as something that is born out of socially structured variables like inequality, patriarchy, cultural norms and attitudes about violence and family relations. Two important theories under this category are the Subculture of Violence Theory and the Feminist Theory.
According to the Subculture of Violence Theory, violence is committed by certain groups that belong to subculture where violence is taken as an acceptable norm. These groups have norms and values that give meaning and direction to violent acts. In fact, growing up in a sub culture, participating in it and learning from it may result in aggressive disposition (Wolfgang and Ferracuti, 1967). However, this perspective, cannot explain clearly why all men who grow up in such ambience do not become violent or abusive in their behavior.

The Feminist Theory is macro-oriented. It is an extension of feminism into theoretical or philosophical discourse that makes an attempt to analyse the socio-cultural conditions leading to situations of violence against women. It was the Feminist Movement that brought to limelight the problem of violence against women. According to Maggie Humm (1995) and Rebecca Walker (1992), Feminist Movement is described as having three waves: The First Feminist Movement (Early 19th and 20th centuries); the Second Feminist Wave (1960s to 1970s) and the Third Feminist Wave (1990s till the present).

The first noted modern and western movement which fought for women's suffrage throughout the world in the nineteenth and early twentieth century was the First Wave Feminism. It led mainly to Liberal Feminist Theory which argues for equality of all human beings. The basic idea of liberal feminism is that all people are God’s creation and deserve equal rights. They even claim there is no difference between men and women so far as mental capability is concerned. Women should, therefore, have the same rights as men and the same educational and work opportunities. The liberal feminists emphasized legal reforms to establish the equality between men and women in the society. They create and support the acts of legislation that not only ensure equal opportunities and rights for women but also
Introduction

remove the barriers which are preventing women from operating effectively in the public sphere on equal terms with men. The liberal feminists believe that the removal of these barriers will put up a challenge to the ideologies of patriarchy as well as liberate the women. (Merav, 2008).

The Second Wave Feminism gave birth to the development of *Radical Feminist Theory* which finds patriarchy to be at the root of women’s oppression. Though the word ‘patriarchy’ was used originally to describe the power of the father as the head of a household, it has been used since the Feminist Movement of 1960s to refer to the systematic organization of male supremacy and female subordination (Stacey, 1993). A radical feminist, Kate Millet (1970) greatly influenced on the Second Feminist Wave. She put forward the idea that the primary objective of the Feminist Movement should be the abolition of male supremacy in its social as well as private manifestations. According to her, patriarchy is the primary form of oppression perpetrated by human beings and maintained mainly by ideological control; she also views that it is a political institution where sexual domination of females by males is maintained. In her opinion, sexual politics and politics of patriarchy are the same; she also rejects the biological base for male supremacy. She explains that even though male supremacy is presented as a natural or biologically determined phenomenon, it is actually enforced socially by means of ideological conditioning, early childhood socialization, restrictions put upon the women in the family, male monopoly of violence of the physical kind and some other institutions. Another radical feminist Andrea Dworkin (1978) has viewed that several patriarchal strategies are applied to keep women subdued and subjugated. Such strategies include rape, sex determination followed by foeticide, bashing of female spouse, burdened with unwanted pregnancy, murder with sexual motivation and brutal mental violence. Hence,
Dworkin’s suggestion is that radical feminism should struggle for both ‘individual and collective survival that is not based on self-loathing, fear and humiliation, but instead on self determination, dignity and authentic identity’. Therefore, the Radical feminists consider male violence as the basis of patriarchy. It is a system where sex determines men’s superior power and justifies women’s subjugation. ‘In this system women’s labour power, women’s reproduction, women’s sexuality, women’s mobility and property and other economic resources are under patriarchal control’ (Walby, 1990). The man perpetrates both physical and sexual violence upon women through their supremacy that they maintain both within the family and in the society. Violence is central to the principal source of male control over women by the Radical Feminists. That is why they demand radical restructuring of the society by abolishing patriarchy in all contexts and levels of the society.

The Marxist Feminism is born out of the philosophy of Karl Marx who found women’s oppression to be a result of the economic structure of the society. This theory tries to find a link between the ownership system of private property and oppression of women in the capitalist society. According to Frederick Engels, occurrence of women’s oppression is simultaneous with the development of private property. He explained that human society was matrilineal before the emergence of private properties. But with the coming of private property, men wanted to retain power and assets, and pass it on to their male progeny. To ensure this legacy, the rights of the mother were overthrown. Women were domesticated and confined and their sexuality controlled and supervised in order to establish the right of the father. She became ‘the slave of his lust and a mere instrument for the production of children’ (Bhasin, 1994).
Of the question of women’s work there has been, of late, an increasing upspring among Marxist feminists. They take up the issue of making women’s domestic work trivial (Tong, 2009). Some of them lay emphasis on the fact that women are a class by themselves and the basic values that are needed for running family life smoothly are cultivated by them. They also want that women’s domestic labour should be socialized so that they can walk out of their homes to earn for their works like cooking, cleaning and child-rearing (Tong, 2009). Another believe held by them is that if wages for domestic works are demanded by women, an economic revolution will take place. On the other hand, Marxists of the present times are of the view that paying the housewives for their housework’s is not a feasible idea; in fact, it will be detrimental to their efforts of working side by side with men (Tong, 2009). They want that women’s work should be valued in the same scale as that of men. Moreover, adequate wages should be paid to every worker without considering his or her gender, sex, race, class, ethnicity etc.

Socialist Feminism is another point of view within feminism and it became quite a force during the 1960s-70s, the time when the second wave feminism was at its zenith. This theory looks into women’s experiences from the historical point of view and makes attempt to explain women’s oppression and exploitation because of certain forces and institutions like capitalism and patriarchy. Social feminism, therefore, is a branch of feminism that focuses upon both the public and the private spheres of women. They argue that liberation can only be achieved by working to end both the economic and cultural sources of women's oppression (Dominic, 2016).

The Third Wave Feminist Movement started in the early 1990s and it is still going on. It is commonly perceived to have emerged in reaction to the Second Wave feminism. Two forms of feminism that came to be popular in the wake of the Third Wave
Feminism are *Postmodern Feminism* and *Ecofeminism*. In the views of Postmodern Feminism, gender is socially and culturally constructed. It is not considered to be a biological fact (Brown, 1997). Diversity, coexistence of truths, roles and realities are embraced by Postmodern Feminism. That is why, it focuses on the strengths of the women than on their subjugation (Pomeroy et al., 2004). Ecofeminism, another variant of feminism, analyzes the link between women’s oppression by patriarchal power structures and the domination of the natural world by humans. It looks into all types of old practices of domination that include sexism, class oppression, racism and exploitation of nature. It then goes on to claim that the dominant and the exploiter are identified as belonging to the masculine gender and the subordinated and exploited is categorised as belonging to the feminine gender. It draws a parallel between men’s exploitation of women and nature and demonstrates how both are identified as passive and powerless. The Ecofeminists find much similarity between nature and women because of their reproductive capability which has been presented as ‘both the human female reproductive capacity and the reproductive power of non-human nature’ (Madsen, 2000). Moreover, the Ecofeminists demand ‘a feminine organizing principle that would transform consciousness as well as relations of production and reproduction within the global community’ (Madsen, 2000).

Thus it is found that there are diverse views and ideas existing within the groups and movements known as ‘feminists’. However, the most common view held by them is that men abused women with a view to maintaining power and control over women.

*Ecology Theory*

Attempts have been made by a number of theorists to explain the causes of violence against women. In fact, for many years, theorists have either tended to
emphasize on individual factors or they have proposed socio-psychological and socio-cultural explanations of violence against women. But sometimes the fact that gender abuse operates at multiple levels is not paid attention to. (Miller, 1994) No single factor can be used to explain why one behaves in a violent manner. The ecological model developed by Lori. L. Heise in 1998 sees violence against women as a phenomenon that is multifaceted and grounded in interplay among personal, situational, social, political, and cultural factors. This model argues that one factor alone cannot ‘cause’ violence; it is rather a combination of several factors that increase the risk of a man committing violence and the risk of a woman experiencing violence. This model distinguishes risk factors at four levels: the individual, the relationship, the community and the structural level (Heise 1998).

Thus, although different theories have been developed and used by the several researchers and social scientists to explain the causes of crimes against women, the present study will be based on Radical Feminist Theory. It is a perspective within feminism developed towards the end of the 1960s. It is rooted in the experiences of women and, as such is considered to be a theory that is of and for women. (Bryson, 1992). Catherine MacKinnon (1989) argues:

It is the only true feminist theory: Feminism has been widely thought to contain tendencies of liberal feminism, radical feminism, and socialist feminism, but just as socialist feminism has often amounted to traditional marxism ... applied to women - liberal feminism has been liberalism applied to women. Radical Feminism is feminism.

Although, there are many strands of feminism, it was only radical feminism which sounded a vociferous cry against the oppression of women both within and outside the home and attributed it to patriarchy and it structures focusing on power imbalance that perpetuate violence. The Radical Feminist Theory is found to be the most useful theoretical framework that can be applied to understanding the problem of
violence against women. Both India at large and Assam within, are mostly characterised by patriarchal, and very few matrilineal, societies. The men have the dominant power and authority over women in these societies and they control all areas of women’s lives that include their sexuality, labour, production, reproduction and mobility. Thus, the Radical Feminist Theory is found to be the most suitable theoretical approach to understand the abuse of women and particularly domestic violence against them. Kate Millet (1970) views patriarchy as a type of oppression. According to her, it is sustained by ideological control. Patriarchy is, therefore, considered as a political institution where females are sexually dominated over by males. Thus, sexual politics and politics of patriarchy are found to have a common basis which rejects the biological aspect of male dominance that is enforced through a process of socialization. Other patriarchal strategies of control as pointed out by Andrea Dworkin (1978) include physical, psychological, sexual and other kinds of abuse. In this context, mention may be made of Sylvia Walby (1990) who viewed that every aspect of a woman’s life in the patriarchal system is under the control of the males. Since this research work makes an investigation into crimes against women, especially in the sphere of domestic violence against women in Kamrup Metropolitan District of Assam and finds that patriarchy leads to violence against women, the study relies on the radical feminist belief that male violence is the basis of power where sex determines men’s supremacy and justifies women’s subjugation. Thus, various facets of the radical feminist theory as propounded by Kate Millet, Andrea Dworkin and Sylvia Walby have been found to be very convenient for the study and consequently applied. However, it has already been said that no single theory can explain fully the problem of violence against women; some features of certain theories like Psychopathology Theory, Substance Abuse Theory, Resource Theory
and Exchange Theory have been used in this study. Kurst-Swanger and Petcosky (2003) who represent the psychological theory are of the view that an individual is evoked to be violent by certain abnormalities in his or her character like mental illness. Gelles and Straus (1979) who has done their studies on the basis of substance abuse theory found that alcohol and drugs can be active agents for the release of tendencies that can turn an individual into a violent one. As shown by Gelles (1983), the exchange theory believes that violence is used by individuals when they perceive that reward for such violence will be higher than the costs. O’ Brein (1971) has opined that a husband is more likely to use violence against his wife if his social status is lower than that of her because he thinks that he can thus achieve a greater power in conjugal relationship. His opinion reflects the resource theory.

To conclude, the Radical Feminist Theory has been used widely in this study. However, certain aspects of some other theories like Psychopathology Theory, Substance Abuse Theory, Resource Theory and Exchange Theory have also been incorporated to understand and clarify the questions arising out of the problem of domestic violence against women and its perpetuation in the study area.

As such, the study has emphasized on crimes against women with special stress on domestic violence against women, the definition of domestic violence in the context of the study becomes necessary. For the purpose of this study, a working definition of domestic violence has been formed with inputs from Section 498-A of Indian Penal Code and The Protection of Women from Domestic Violence Act, 2005 as follows:

Any act by the husband or his relatives harming, harassing, injuring or endangering the life of a woman shall constitute domestic violence. Such acts also
Introduction

include causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse.

In the context of the study, physical abuse means any conduct that results in bodily pain or causes danger to life. Sexual abuse denotes an act that is sexual in nature and abuses, humiliates, degrades or in any other manner violates the dignity of a woman. As for verbal and emotional abuse, the term is inclusive of humiliation, insult, calling names and ridicules especially in the context of inability to bear a child or a male child. Moreover, if a woman is interested in any person and if that person is subjected to repeated threats of being inflicted with physical pain or psychological damage, it will fall in the gamut of verbal and emotional abuse. Economic violence will cover deprivation of any economic or financial resource to which a woman is entitled under any law; disposal of household effects, movable or immovable assets in which the women has an interest or has a right; prohibition or restriction put on a woman’s continuing access to resources or facilities which she is entitled to use or allowed by law to use.

1.8 Methodology

Research methods are the techniques used for collecting data. The present study is an attempt to enquiry into the problem of crimes against women using both quantitative and qualitative techniques of analysis. Many feminists are of the view that the qualitative method is more suitable for research on feminist topics. However, there are many others who emphasize the application of both quantitative and qualitative techniques. Interestingly, methodology has been gendered as Oakley (1997; 1998) would have us believe. The quantitative method is traditionally associated with ideas like positivism, scientific, objective, statistics and masculinity. On the other hand, the qualitative method is usually related to interpretive, non scientific, subjectivity and
femininity. Some researchers have, therefore, criticized or even rejected the quantitative method. They assert that it is in direct conflict with the aims of research done on issues related to women (Mies, 1983). The arguments that are offered in favour of the qualitative method are that it is found to be more useful in feminist research as it helps one to learn and realize the experiences through which women in contemporary society pass; this is also supposed to addressed adequately their needs by allowing subjective knowledge (Depner, 1981). However, not all feminists who have engaged themselves in feminist research have argued against the application of the quantitative method. For example, Jayaratne (1983) warns that feminists must not reject the quantitative method. O'Leary (1977) is of the view that linking feminist research with the qualitative methods simply strengthens traditional dichotomies that will not be in the best interest of research on feminist issues. The quantitative method has certain advantages according to some feminist researchers. Firstly, it can identify certain pattern in the oppression upon women and at the same time can inform decisions that should be taken to implement social change. Secondly, through surveys a researcher can get access to a large number of people; as such a research of this nature can represent a wider section of population and their multiple perspective which the feminists advocate (Miner-Rubino and Jayaratne, 2007). Another view in favour of mixed methods comes from Jayaratne and Stewart (2008) who say that the mixed method can serve feminist research agenda; so it should be used whenever it is possible and practical. This study is, therefore, based on both the quantitative and the qualitative methods.

Feminist methodology is based on ‘methodological multiplicity’ (Reinharz, 1992) which means a combination of various methods that include observation, interview and case studies. The methodological multiplicity has, therefore, been
employed in this study. The application of such methodology would not only help in understanding properly the problem of violence against women but also enable to identify the particular factors and processes associated with such violence in this part of this country.

1.9 Sources of Data Collection

Research is based on critical use of sources both primary and secondary. For primary sources for this study all the police stations in the blocks of the study area and the All Women Police Station of the urban center namely Greater Guwahati Urban Area of Kamrup Metropolitan District of Assam were visited for collecting the number of registered cases of crimes committed against women during the period 2008-2013. The Police Stations in the blocks include Azara Police Station, Garchuk Police Station and Basistha Police Station of the Rani Development Block; Kamalpur Police Station, Amingaon Police Station and Jalukbari Police Station of Bezera Development Block; Sonapur Police Station and Khetri Police Station of Dimoria Development Block; Pragjyotishpur Police Station, Noonmati Police Station and Satgaon Police Station of Chandrapur Development Block. The other primary data include the records of the office of the City Superintendent of Police, Guwahati (C.S.P.O), National Crime Records Bureau (NCRB) and Census of India. Moreover, to overcome the bias of Police and State Records, personal interviews were conducted. The interviewees were the selected victims of domestic violence as recorded in all the police stations of the two blocks namely Rani Development Block and Dimoria Development Block and one (All Women Police Station) of Greater Guwahati Urban Area of Kamrup Metropolitan District of Assam. As such, personal interviews have formed an integral part of the primary source for this study. The secondary sources
include books, articles and survey-based studies published in different parts of the world and India and related publications on crimes against women.

1.10 Sampling

The empirical study has been conducted in the Kamrup Metropolitan District of Assam. A multi-stage sampling procedure was adopted for the study. In the first stage, the urban centre of the District namely Greater Guwahati Urban Area and two development blocks - Dimoria Development Block in the East and Rani Development Block in the West have been selected.

The second stage involves the identification of the villages in each of the two blocks and specific localities in the urban area for the field survey. The villages were Chamata Pathar, Kachutali Pathar, Maloibari Jangle, Kahikuchi and Sonapur Pathar of Dimoria Development Block and Barjhar, Lakhara, Mirzapur, Jogipara and Pacheniapara of Rani Development Block. At the same time, particular localities of the urban area were Dispur, Hatigaon, Paltanbazar, Basistha, Noonmati, Chandmari, Jalukbari, Fatasil Ambari, Bharalamukh and Kahilipara.

In the final stage, victims of domestic violence as identified by the Police Stations were selected randomly for interview. Some of the victims identified by the Sonapur Police Station and Khetri Police Station of Dimoria Development Block and Azara Police Station, Garchuk Police Station, Basistha Police Station of Rani Development Block and the All Women Police of Greater Guwahati Urban Area were selected for the interview.

The sample size has been fixed at 60 keeping in view various factors. 30 samples have been drawn from ten localities in an urban area; 3 samples have been collected from each locality. For the rest 30 samples of two development blocks have
been selected. From each block, five villages have been selected and three samples from each of the villages have been drawn.

1.11 Tools and Techniques of Data Collection

In the initial stage, primary data was collected from the records of the Police Stations of the Kamrup Metropolitan District of Assam. This was very helpful in tracing the trends of various crimes that take place against women in the study area. Thorough scanning of the trends reveal that domestic violence against women constitute the largest number of crimes. It was, therefore, decided to focus on this particular area of crime against women. In the area taken up for studying the problem, it was then realised that a proper understanding of the problem was not possible without an in-depth study that would be based on field surveys. Therefore, for the collection of more primary data a semi-structured questionnaire was used. The respondents had been personally interviewed with the help of this questionnaire. Semi and unstructured interviews are methods widely used in feminist research as they are claimed to ‘convey a deeper feeling for or more emotional closeness to the persons studied’ (Jayaratne, 1983). The questionnaire was developed after a proper understanding of the phenomenon of domestic violence. In fact, prior to the actual study, a pilot survey was also conducted on a small population so that no areas of importance are left over. After going through this process, the questionnaire was finalised for the study. The interview schedule includes some of the structured questions which helped in gathering data on quantifiable variables like age, educational qualifications, economic conditions and other demographic details of the victims, their husbands and in-laws. But, since the main objective of this study is to get an overall idea on the nature and form of crimes against women occurring inside the home, a major section of interview schedule data is based on open-ended
questions and informal communication with the respondents. Such a study helped in finding out the specific factors and issues associated with the problem of domestic violence in-depth.

1.12 Chapterization

The thesis is organised into seven chapters.

Chapter 1 Introduction provides the statement of the problem of crimes against women. Some of the theoretical explanations of crimes against women are also examined. It also consists of a Literature Review, Rationale, the main objectives, research questions, hypotheses and methodology behind the fieldwork of the study. Chapterization has also been included in the chapter.

Chapter 2 Crimes against Women: Global, National and State Perspectives deals with the meaning and concept of crimes against women. The various forms of crimes against women are also explained in the chapter. It looks into the phenomenon of crimes against women occurring at the international, national and State level.

Chapter 3 Women in Patriarchy discusses the meaning and concept of ‘patriarchy’ for a deeper understanding of crimes against women. It traces the origin and development of patriarchy and explores the various social institutions like family, religion, education, politics, economy, and the media that perpetuate and reinforce the ideology of patriarchy. It demonstrates the relationship between patriarchy and crimes against women and also provides some instances of patriarchal traditions leading to such abuses in global, national and state level.

Chapter 4 Domestic Violence against Women: An Overview deals with the meaning and concept of ‘domestic violence’ against women. It looks into the prevalence of the phenomenon of domestic violence against women. The various
forms of domestic violence against women and its impact are also explained in the chapter.

**Chapter 5** *Domestic Violence against Women in Kamrup Metropolitan District of Assam* is an analysis of the data collected in the field survey.

**Chapter 6** entitled *Domestic Violence: Woeful Voices* deals with some of the narratives of the victims of domestic violence who were interviewed intensively for the study.

**Chapter 7** *Conclusion* presents an overview of the entire study and its major findings, with some of the suggestions to reduce and combat the problem of crimes against women committed inside home as an outcome of the study.

In order to make an in-depth study on crimes against women, it is necessary to provide an outline of the problem of crimes against women. Therefore, the next chapter *Crimes against Women: Global, National and State Perspectives* is an earnest attempt to explain the problem of crimes against women in details.
1.13 References


CEDAW (1979), *Convention on the Elimination of All Forms of Discrimination against Women Adopted and opened for signature, ratification and accession* by General Assembly resolution 34/180.


*National Crimes Record Bureau, Crimes in India* (2013), Govt Press, New Delhi.


UNIFEM (2003), Not a minute more: Ending Violence Against Women, New York.


