

## ANALYSIS OF TRENDS OF WOMEN DOMESTIC VIOLENCE IN INDIA – WITH SPECIAL REFERENCE TO U.T. & DELHI

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### ABSTRACT

Gender discrimination can be track back to ancient society or civilization. The most common type of violence against women worldwide is “domestic violence” or the physical, emotional and/or sexual abuse of women by their intimate partners or ex-partners. Research on violence against women raises important ethical and methodological challenges in addition to those posed by any research. According to available statistics from around the world, about thirty three percent of the women have experienced violence in one form or the other in their intimate relationship at some point in their life. In India, the actual prevalence of domestic violence against women is scant. For a variety of reasons, women may fail to report violence that takes place in the family .Even today, various forms of violence against women are prevalent in our society, though many cases remain unreported due to cultural norms, apathy or ignorance. Present study try to enlighten the actual scenario of domestic violence in our society. The study is limited to view perception pertaining to domestic violence through schedule survey by purposive random sampling. The study was conducted in the state of Tripura as it ranks fourth in National Crime Record Bureau regarding Violence against Women. Though, the study is confined to the analysis of socio-cultural and educational background of the victims of domestic violence, however, critical appreciation of pertinent literature and analysis of secondary data on matters related to domestic violence and other related aspects has been ensured in the study.

**Keywords:** Violence against Women, Domestic Violence

### INTRODUCTION

The issue of violence against women in India was brought to the forefront after the brutal gang-rape of a 23-year-old woman in Delhi on 16 December 2012. The December incident led to a sudden outpouring of anger and frustration about the situation that allowed such attacks to take place. People took to the streets in large numbers calling for change. But the issues involved are complex and deeply rooted. The challenges Indian women face include an often misogynistic society outdated and sometimes repressive governance structures, an inefficient legal justice system, a weak rule of law and social and political structures that are heavily male-centric. It is difficult and potentially misleading to make a culture-based argument about the problems that women face in India because of the size and diversity of the country. There is no one culture that is either exclusively Indian, or covers the whole population residing within its borders. Generalizations that ignore even one percent of the population leave more than ten million people out of the calculation. Thus the situation of women varies within India. Especially

women from the north-eastern provinces as well as in the south tend to be in a better position. Their share of the female work force, especially in the service sector seems to be quite high. Moreover, they are considered to be more visible and active in the public sphere. Moreover regressive social codes that disproportionately penalize women are not unique to India, and have been a social hurdle in all countries when it came to extending political, legal, and economic rights to women.

Nevertheless some numbers clearly indicate a large problem in Indian society's attitude of women at the macro level. According to the 2011 census the sex ratio between men and women indicates 940 women to a 1000 men which is a definite improvement over the 2001 census where the ratio was 933: 1000. However, India still has one of the lowest sex ratios on the world with approximately 35 million women "missing". The highest number of missing women at birth is in the north-western states of Punjab, Rajasthan and Haryana, etc. Research indicates that 12% of this gap is found at birth which increased to 25% in childhood.

Some of the widely regarded key explanations for this missing number are sex-selective abortion and possible neglect of young girls during infancy indicating a high preference for male children rather than female children.

This preference for boys is also evident in the gender gap in the literacy rate in the 2011 census which shows that 82% of males and 65% of females are literate. The difference of 17% indicates that many Indian parents still believe that educating the sons takes precedence over daughters while allocating family resources. Nevertheless, it is considerable improvement over previous census data where the gap was 27% (1981), 25% (1991), and 22% (2001).

Much of the violence against Indian women is in the form of domestic violence, dowry deaths, acid attacks, honor killings, rape, abduction, and cruelty by husbands and in-laws. One of the key challenges is dowry - a practice of the bride's family giving gifts of cash and kind to the groom and his family. In some cases the groom's family mistreats the bride if such demands are not met. To protect women against this threat the Indian government had enacted the Dowry Prohibition Act and the Protection of Women from Domestic Violence Act and cruelty under Sec 498A of the Indian Penal Code. In 2012, according to the National Crime Records Bureau (NCRB), dowry deaths - or murders of women by the groom or in-laws because of unmet high dowry expectations - constituted 3.4% of all crimes against women. In other words, last year in India on average 22 women were killed per day because their families could not meet dowry demands.

The NCRB statistics indicate that an Indian woman is most unsafe in her marital home with 43.6% of all crimes against women being "cruelty" inflicted by her husband and relatives. These numbers do not include incidences of marital rape, as India does not recognize marital rape as an offence. Of the 24,923 rape incidences in India in 2012, 98% of the offenders were known to the victim, which is higher than the global average of approximately 90%. This may also mean that children - boys and girls - in India grow up in a situation where they see violence against women as the norm.

The distribution pattern of crimes against women has not changed much in the last few years, but between 2001 and 2011 the overall number of incidents of crime against women rose steadily, and was 59% higher than in 2001.

Rape and violence against women are among the most under-reported crimes worldwide because of the

social stigma attached to the nature of the crime. The UN Office on Drugs and Crimes records that in 2010 there were only 1.8 cases of rape reported per thousand people in India; in Germany it was 9.4, in Norway the figure was 19.2, in the United States it was 27.3 and in Sweden it was 63.5 per thousand. It is legitimate to question whether these figures represent the number of crimes, or how easy it is for women in these countries to report them to the police.

In India, where the culprits are largely known to the victim, the social and economic "costs" of reporting such crimes are high. General economic dependence on their families and fear of social ostracization act as significant disincentives for a woman to report any kind of sexual violence or abuse.

Therefore the actual incidence of violence against women in India is probably much higher than the data suggests.

Another barrier to reporting is the unwillingness of police officials to register complaints. If the case is lodged, sub-standard investigative procedures and low conviction rates strengthen the impression that there is little benefit in reporting the crime. Moreover, most police in India function within the framework of the Police Act of 1861 which emphasizes enforcing order rather than upholding rights. Therefore, if a police station registers many crimes within its jurisdiction, it is considered to be incapable of enforcing law and order. This perception is a severe disincentive for a police officer to record a crime in his jurisdiction, especially if the crime is seen as "less important".

The presence of more women police officers might help in dealing with the problems most women encounter in reporting cases of rape, violence or harassment. Unfortunately there are only 84,479 women police personnel in India, constituting only 5.33% of the total police force. Nevertheless the one positive note is that the NCRB noted that 72.2% of the total registered cases of crimes against women in 2010 were investigated by 2011, making for a strong argument that if a case is registered by the police it is likely to be investigated and disposed of.

On 23 December 2011 the Indian Government set up the Justice Verma Committee to propose amendments to criminal law dealing with sexual offences. A month later, Justice Verma submitted its report recommending wider inclusion to the definition of rape, changes to the medico-legal examination procedures of the rape victim and the prosecution of members of armed forces/uniformed personnel under ordinary criminal law in the case of rape.

In response the Parliament passed the Criminal Law (Amendment) Act 2013 which provides for amendment of the Indian Penal Code, Indian Evidence Act and the Code of Criminal Procedure. It also enacted the Sexual Harassment of Women at Workplace (Prohibition, Prevention and Redressal) Act 2013, 16 years after the Supreme Court directed the Indian Government to provide legal framework to deal with the issue of sexual harassment.

Some of the positive measures in these amendments included recognizing acid attacks, sexual harassment, voyeurism, stalking and trafficking of persons as criminal acts under the amendments to the Indian Penal Code, 1860. Five exclusive fast track courts were set up to deal with cases of sexual violence against women. Additionally a women's distress helpline number, 1091 was launched in various Indian cities. Unfortunately the incorporation of the majority of Justice Verma recommendations into the criminal law amendments is not enough to change the fundamentals that drive anti-women discrimination. Stories of harassment, the rape of women - including of children as young as five or six years of age - and

governmental incompetence or apathy continue to make their way into the front pages of Indian newspapers on a regular basis.

## RESEARCH JUSTIFICATION

According to the research conducted by Rao's (1997) "dowry shortfall" was most significant factor, whereas in Krishnan's (2005) it was "female financial autonomy". Thus, even though both studies were conducted in rural Karnataka, since neither included the other's most significant variable in their study, it is not possible to fully compare the results. Consequently, the legitimacy or authority of the various domestic violence theories cannot be fully compared.

The researcher conducted above do contribute to our understanding of predictors of domestic violence at a household level. Indeed, the revelations that 'control of income' and 'dowry deficit' both contribute to violence, are only possible in a study that can access **individual level** data. One negative aspect of household level studies, however, is the difficulty in expanding the findings to relevance for other communities. That is, whilst a domestic violence theory may be true for rural Karnataka, it may not be valid for urban Delhi? It is difficult to compare results when the location, demographic and research procedures are different. Furthermore, not all of the **theories** of domestic violence presented above are directly suitable for explanation of household survey data, as will be explained further below.

There are a few studies recently where some researchers have begun to adopt a combined approach to domestic violence. CIA consensus is emerging that personal, economic, social, and cultural factors combine to cause abuse." (Naved and Persson 2005: 289).

A further dimension to integrating the theories of domestic violence is to consider the competing approaches in a layered or tiered model. A conceptual framework adapted by Naved and Persson (2005) presents the various contributors to domestic violence in a tiered model of society (see diagram below). This acknowledges the influence of larger society factors through to family and individual level factors, with the compounding effect on each as we progress down the levels. For example, gender inequality within a State or region will influence the family power structure, which is one influence on the individual level of female education- all of which could contribute to the level of domestic violence.

The theories proposed earlier by the researchers like (Exchange, Resource, Family Violence and Patriarchal) may all explain contributing causes to domestic violence. Household level studies, for example, would be best suited to uncover the effects of individual, wife-husband, and familial determinants of domestic violence. Resource theory examines the wife-husband dyad; exchange theory. and socio-economic theories are focused more on familial context, but also the wider social context.

Another study named Patriarchal theory is focused on this level of analysis, and Family Violence theories also contend with the larger social structure. Another approach called tiered approach to domestic violence complicates, rather than simplifies, the uncovering of determinants of domestic violence. But this' approach is more likely to yield a comprehensive understanding of all the factors involved- from societal to individual- and how they interact.

Thus far, researchers of wife-beating in India have focused on household level surveys to collect data and test theories. "A final limitation (of previous studies) has been an almost exclusive focus on the roles of individual-level determinants, with much less attention given to the roles of broader community and

contextual factors in precipitating or protecting against violence." (Koenig *et al.* 2006: 132)' For construction of a tiered model of domestic violence, then, analysis and collection of larger scale data is also required.

## RESEARCH QUESTIONS

Many researchers have noted that domestic violence, despite its "serious consequences for the health and well-being of women" (Rao 1997: 1169), has not been systematically studied in India or similar countries. Whilst the open literature on domestic and dowry violence in India is expanding, there are surprisingly few statistical studies into the contributing factors at a household level and none found at a State-wide level. Current theories on the causes and precipitators of violence certainly enable a greater understanding of the complex social, economic and historical tapestry that underlies violence against women. However, without qualitative and quantitative studies of domestic violence in communities across India, these theories remain unproven and incomplete.

Household level surveys need to be complimented by large-scale societal data on domestic violence trends, in order to understand the complex interaction of determinants. As recognized by Krishnan (2005: 88); "To date, however, few researchers have identified specific aspects of gender inequalities that contribute to women's vulnerability to marital violence." According to Rao (1997: 1169), one of the primary reasons for this lack of data is the "sensitivity of the subject and the difficulty of including such questions in conventional surveys".

Large-scale, India-wide surveying of domestic violence is a time-consuming, difficult task. This work, whilst not able to accomplish such a task, will attempt to contribute a pseudo-large scale analysis of wife-beating and wife-murder over the major Indian States. The following paper will explore the large-scale indicators and precipitators of domestic and dowry violence against women. It will use data from the Indian National Crime Records Bureau, and other available social, demographic and economic variables, to statistically analyze the trends in domestic violence against women across the States of India.

This will hopefully go some small way towards understanding the nation-wide trends in domestic and dowry violence in India, at least for a "snap shot" in time. Future studies in this area will hopefully see other researchers delve into a time-varied, India wide analysis of domestic violence.

Broadly following questions may be answered:

- Why does domestic violence fluctuate from one State to another?
- What are the factors responsible for Domestic Violence in India?
- Is there a fundamental underlying current that drives this;
- Is there a trend that can be observed and explained?

## HYPOTHESIS

- There is no significant relationship between dowry deaths and female education.
- There is no significant relationship between Dowry deaths and household size.
- There is no significant relationship between Dowry deaths and son preference.
- Cruelty and Female Valuing are significantly related.

- Cruelty and Female education are significantly related.
- Cruelty and Law and Order are significantly related.
- There is no significant disparity among the Indian states regarding domestic violence.

## METHODOLOGY

The data has been collected from the National Family Health Survey (NFHS- II) conducted during 2000-2013 has been used for the present analysis. This survey provides information on fertility, the practice of family planning, infant and child mortality, maternal and child health and utilization of health services provided to mothers and children. This also provides indicators of the quality of health and family welfare services, reproductive health problems, status of women and domestic violence. The survey follows a multi-stage sampling design to select the eligible woman for the interview. The research findings of the present paper are based on a nationally representative sample of 90,303 ever-married women in the age group 15-50 years.

There are two composite indices namely 'standard of living of the household' and 'women's autonomy' have been constructed as the important determinants of the domestic violence. The Collected data is analyzed using SPSS and our analytical approach includes multivariate analysis. In view of the available literature and data a number of variables viz. age of woman, education of woman, work status of woman, age at first marriage, marital duration, sex of living children, exposure to mass media, women's autonomy, sex of the head of household, religion of the head of household, caste of the head of household, standard of living of usehold and place of residence of household have been included multivariate analysis. Multivariate analysis in the form of logistic regression has been carried out to assess the statistical significance of the association and because of the dichotomous nature of women's view with at least one reason for justifying a husband beating his wife, beaten or physically mistreated, beaten or physically mistreated in the recent years.

## LIMITATION OF THE STUDY-

- The most important limitation of the research is that the data is taken from NCRB for the study.
- Since the data was taken from NCRB, So, the reliability of the data was main issue.
- The scope of the study was limited because the study is being done in holistic view, therefore some minor issues may not be covered.
- Since the data was taken from NCRB there may be chance that the respondents may be biased on influenced by some other factors.
- Since the data was taken from NCRB there may be chance that the respondents in many cases reluctant to answered many questions.
- Time and money were the greatest limitation in carrying out the survey.
- The mere information which we get from the respondents is not sufficient to arrive at a conclusion.

## CONCLUSION

Domestic violence against women is an age old phenomena. Women were always considered weak, vulnerable and in a position to be exploited. A life cycle approach is useful to examine the situation of domestic violence against women. Due to several economic and social factors, the incidence of domestic violence against women is increasing in many societies. The nature and extent of domestic violence vary

depending upon the socio-cultural setup and value system.

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