

# Visible and Invisible Bruises: Curbing Domestic Violence for Empowerment of Society

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**Abstract – Gender based violence has emerged as a global issue threatening rights and dignity of women. Violence against women has serious socio-economic and health related consequences. Gender based violence not only leads to decreased efficiency, productivity but also affects women's physical and mental health, their sexual and reproductive health, self-esteem, ability to work and make decisions about their fertility. Violence can have far reaching mental health consequences - post traumatic stress disorders, suicidal ideation, depression, anxiety, multiple personality disorders and sexual dysfunctions (rigidity and phobia about sex). All these problems have their origin at home, family culture and family value system. I strongly feel solutions to all the above mentioned problems lies with us ,our values which we inculcate in our children ,moral aptitude of the parents and the family atmosphere where a child learn to behave and respect. Legislation comes later first we have to imbibe the right moral values Then only we can expect enforcement of legal provisions by government officials, police and judiciary The government officials-state and central, police and judiciary should be given periodic sensitisation and awareness training on issues related to Protection of Women through Domestic Violence Act, 2005.**

**Key Words – Gender Violence, Domestic Violence, Family Values, Protection of Women Domestic Violence Act 2005**

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## INTRODUCTION

Administration today is no longer just concerned with maintenance of law and order. Promoting individual happiness and strengthening community welfare have become essential features of modern welfare states. The field of social welfare administration is challenging and arduous because the beneficiaries of welfare and development programmes come into contact with the governmental agencies with multiple handicaps. Therefore the Government is duty bound to try and mitigate their problems through developing enabling services and linkages. The progress and prosperity of a nation is judged from the socioeconomic status of its population, especially of the weaker sections - the disadvantaged groups like women, children, schedule castes and tribal people who suffer from abject poverty, hunger, disease and exploitation.

Gender based violence has emerged as a global issue threatening rights and dignity of women. Violence against women can be considered as a violation of Human Rights and dignity. Violence against women exists in each society and can be related to any social, economic and cultural status. Today in the wake of modernization Domestic violence can take different names and forms such as dating violence, spousal violence, and Intimate partner abuse. Gender based violence has emerged

a global issue, threatening the well being, rights and dignity of women.

Violence against women has serious socio-economic and health related consequences. It not only affects women as individuals but their overall economic condition and development. Gender based violence not only leads to decreased efficiency, productivity but also affects women's physical and mental health, their sexual and reproductive health, self-esteem, ability to work and make decisions about their fertility. Violence can have far reaching socio economic and mental health consequences - post traumatic stress disorders, suicidal ideation, depression, anxiety, multiple personality disorders and sexual dysfunctions (rigidity and phobia about sex).

Violence against women promotes disequilibrium in society and leads to rape, kidnapping, sexual harassment, abduction, dowry deaths and immoral traffic. Impact of Domestic violence is not just on those abused but on the entire family members, entire social network of both the victim and the abuser. Growing Children are emotionally damaged. Domestic violence results into critical consequences- feelings of shame and guilt, hopelessness and helplessness and also suicides and murder. There is a lot of confusion in the planning process, decision making and execution

of development plans and policies. We need to have a sound organizational apparatus, manpower planning and the most important our will and enthusiasm to carry out the baffling and difficult tasks on which the future of women and children depend.

### Act and Interpretation

The Protection of women from domestic violence Act 2005 was brought into force by the Indian Government on 26<sup>th</sup> Oct 2006. This Act covers not only physical rather emotional, verbal, sexual and economic abuse also. Any Act can be called domestic violence if it endangers the health, safety, life or wellbeing both mental or physical of the victim and indulges abuses. Domestic Violence is legally punishable offense but it is not a crime. Domestic violence can be perpetrated by any person who is or was in domestic relationship (living together in a shared household, by blood relation or through marriage) with the victim. Only a woman victim can take action against male aggressor under this Act; however many times judgments have shown that aggressor can be a woman also.

A woman even if, is not harmed but if her children are abused, as the natural and legal guardian of her children she can take action. As legal step any harassed woman should approach the police for help or seek the help of a protection officer. (Appointed by the government). The police are duty bound to register an F.I.R., even if it doesn't fall within their territorial jurisdiction, later they can transfer it to the police station under the proper jurisdiction.

### FEW OBSERVATIONS ARE AS FOLLOW

Violence against women promotes disequilibrium in society. Such violence is visible at all stages of women's life

- A. Prenatal – Pre-birth elimination of girl child, physical battering during pregnancy
- B. Infancy - Female infanticide, differential access to healthcare and nutrition
- C. Childhood- Child abuse, child marriage, prostitution
- D. Adolescence - Molestation, rape, incest, exploitation at work place
- E. Youth and adulthood - domestic violence, marital rape, dowry torture, coerced pregnancy and homicide
- F. Old age - Desertion, abuse of elderly, abuse of widows, lack of care and nutrition

All these problems originate from home, family culture and family value system. Solutions to all the

above mentioned problems lies with us, our values which we inculcate in our children, moral aptitude of the parents and the family atmosphere where a child learns to behave and respect. Legislation comes later first we have to imbibe the right moral values. Then only, we can expect enforcement of legal provisions by government officials, police and judiciary. Moreover even if laws are there we are not tuned to follow the rules

### UPCOMING TRENDS LEADING TO DOMESTIC VIOLENCE

**Breakdown of joint family system** and preference for nuclear family is most important reason for increasing domestic violence. There are no elders in the house to teach moral values to the growing children and there is no control of the elders to evade abusive or physical gestures of the family members. There is neither fear factor nor moral pressure to respect spouses. In this materialistic world spouses being ambitious develop No care No share attitude. Their selfish desire dominate family culture and child learns and socializes with the same values.(1)

With the **working mothers**, problem is more serious. Kids grow up either with the maids or in the day care centers and there is all possibility of child abuse, feeling of alienation, reactionary behavior and exposure to unethical practices. Parents today have measured emotions for their children so does the children. They have calculated respect for the Parents and their values. Family values like care, and concern emotions are now shrinking.(2)

Atmosphere of **equal sharing of work** responsibility, health care and also for reproductive health should be generated. Though it is very difficult task to change the mentality of men in the patriarchal society of ours, but it is not impossible and for this the working females have to motivate and educate their men. There should be no bias between boys and girls.(3)

**Threat to male authority** is the main cause of domestic violence. Prevention of domestic violence depends upon changing the attitude that violence is not a means to control women for conflict resolution or degrading her self esteem so as not to raise her voice (4)

There has been violence against women by women by Mother in law and sister-in-law's due to threat of their prolonged authority and supremacy in the family, daughter in law avoidance and fear of separation of sons and brothers from them. It is unfortunate that sensitivity towards same gender is missing. Mutual respect and empathy between men and women and also between women should begin. If senior or elderly women of the family start

supporting and encouraging new entrants(daughter in law) in the family ,problems of disrespect and harassment of women will be minimized and stopped. A little respect and authority to them will protect women from violence at home.(5)

Women in society are regarded a class apart. There is no respect for single women in the society. Unmarried women, divorced, single parents and separated women face societal disrespect and insults. To save their face value and to prevent such misfortunes, women tend to develop the tendency of tolerating domestic violence. Not only the illiterate or economically weaker women but even educated and financially independent women hide their problem either because of disrespect for self or for their parents or for the future uncertainty of their children.

During course of my discussion, many women changed their positions and statements about harassments and violence due to moral dilemma of being disrespected in their community. They **prefer to cope up, willingly or under pressure rather than to combat** .Initially their problems get boiled but gradually start simmering. Such victims develop the conviction that they are to be *oppressed by their male counterparts and the oppressor thus gets the clean chit of oppressing*

Laws today are like polestar that can be seen but cannot be approached easily. Their long drawn process is monetary loss, lack of transparency about laws and fear of its implementation are big deterrent. Laws are like jewellery that gives extrinsic beauty but intrinsically it is hollow. There has been approachability issue due to lack of awareness and social stigma.

## SUGGESTED MEASURES

Most women choose to suffer silently than to report to police for fear of further victimisation or bringing dishonour to the family.The police treat such incidents as marital disputes and often refuse to register them. Even when they are registered, they are rarely prosecuted with zeal.Similar Gender bias is reflected in the judiciary as well.

Women victims need to be treated with utmost sensitively.Victims of sexual violence suffer from a sense of shame, self-guilt, and fear and feel humiliated, abandoned, traumatised and stigmatised.

1. In such cases the role of police is not one of interrogator but of a facilitator and empathiser.The government officials-state and central, police and judiciary should be given periodic sensitisation and awareness training on issues related to Protection of Women through Domestic Violence Act, 2005
2. Civil society, the State and the people have to determinedly ensure some follow up actions
  - a. Condemn violence against women and refrain from invoking customs, traditions which are against the freedom of women.
  - b. Periodic review of laws and their implementation to ensure efficacy of legal measures; bring in strict legislation against perpetrators of practices and acts of violence (female infanticide, prenatal sex selection, female genital mutilation)
  - c. Strengthen institutional mechanism so that women can report cases of abuse and violence in a safe and confidential environment.
    - i. Adopting new laws and reinforcing old ones
    - ii. To punish security forces, police and other agents, who get engaged in acts of violence against women in course of performance of their duties?
3. Passing protection order by the magistrate in favour of aggrieved person and prohibiting the respondents from communicating, meeting and causing any acts of violenceto the aggrieved and relatives;
4. Recognising women's' vulnerability to violence and other forms of abuse of women, promoting research, collecting data, compiling statistics and disseminating findings of research and studies widely.
5. Women have to be empowered to raise their moral aptitude and voice against the violence at homes.The meaning of Gender and Sexuality and the balance of Power between men and women in the family and in the society should be reviewed.
6. Need to spread the values of equity. Boys must grow up in the knowledge that they can't take women for granted. For that to happen, mind set has to first change at Home. Children shouldn't not grow up seeing their fathers abusing their mothers.Ethical values may be ingrained in the minds of children

7. Mental compatibility not caste or class compatibility should be a condition of marriage. Both men and women should bear all responsibilities, perform duties and take decision together.

There is no doubt that strong legislation backed by effective law and order machinery and robust judiciary constitute an effective antidote to prevent gender based violence. But I strongly believe the origin of such violence lies essentially in the socialization process of our lives. Fear of law fails to stop such crimes, because of the powerful urge to commit them comes from deeply ingrained flawed values. Hence there is an urgent need to shift attention towards our institutions of socialization – family, schools, colleges, religious organizations and the like. Each one of the societies has to take the responsibility with the belief that they should come first and law after words. Gandhi JEE had rightly said *BE THE CHANGE THE WAY YOU WANT TO BE THE SOCIETY*

## END NOTES

1. The respondent was a teacher having nuclear family in Delhi. 22nd February, 2019
2. Almost Ninety percent of my respondents had shared this opinion with me.
3. Almost all respondents had consensus on this aspect of domestic violence, 11<sup>th</sup> January 2019
4. Directly or indirectly all respondents consented to it.
5. Observation drawn in the counselling session with victims organised by an NGO-SWEDA, 18<sup>th</sup> January, 2019

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