

# Domestic violence : A Huge Difference Between Statistic And The Real Picture

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**Abstract - It is a phenomena that may be seen all throughout the world, but it is most pronounced in India because of the frequency of dowry, male dominance, and joint-family systems. Consequently, these factors contribute to the fact that women are victims of violence in the home. Not only might women endure violence at the hands of their husbands, but also at the hands of their husbands' family members. This is especially the case when the issue at hand is dowry, whether there is no dowry at all or an amount that is insufficient. Few incidences are reported, which contributes to the inaccuracy of the data since it is ingrained in the culture of India to be concerned about the views and opinions of others. Consequently, societal shame is also a factor. In most cases, the police and the courts are informed when the victim dies as a result of their injuries, when they commit suicide, or when they go to a hospital to seek medical treatment. If this is not the case, then minor forms of abuse are often hidden.**

**Keywords - domestic violence, perpetrator, victim, gender differences**

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## 1. INTRODUCTION

Violence against women is a major problem in India, according to the UN. The patriarchal culture and the encouragement and practise of male domination have led to this behaviour. One of the most significant public health concerns in the United States has been its prevalence. If you don't know what domestic violence is and how many people are affected by it, you won't be able to make an informed decision about how to help others. Individuals can take action against this crime if they understand what it is. Most abusers don't realise they are committing activities that fall under the purview of domestic violence, which is unfortunate to say. People who have experienced domestic violence often don't know what constitutes abuse or think it's acceptable in a relationship because they don't know what constitutes domestic violence or because they don't know how to recognise it. A person who knows what domestic abuse is may be able to aid a friend or family member who is suffering from it. According to the US Department of Justice, "domestic violence" is any pattern of behaviour in a relationship that is abusive in character and intended to acquire control over the other spouse (or partners). An someone can be a victim of domestic abuse regardless of their socioeconomic status or academic level, as well as their ethnicity or religious affiliation. Ghosh, (2004) Domestic violence is any violence that occurs inside the personal relationship of two persons. In the beginning, it was referred to as domestic violence against the wife. However, since it was discovered that the perpetrators were not only women, this phrase was outlawed. A lady was often the perpetrator of violence towards her husband. a 33-year-old man was duped

into marrying a girl who hasn't even finished the ninth grade. The girl's family had lied to him, and he knew it, so he confronted them. When Lokesh claims that he did not take anything as dowry, the girl accusing him of abusing her and taking 21 lakhs of dowry has made false charges against him. Due to her lack of education and desire for additional dowry, the Delhi Police concluded that Lokesh was the one who had been assaulting his newlywed wife. His marriage was endangered by Delhi police, who assaulted him and urged him to stay with her. That young lady and her family were not named as suspects in any criminal investigation. There are a wide range of persons who can be victims, including spouses, children, members of the family, and those who live together. This includes domestic violence crimes, such as when a mother in law is seen assaulting her own daughter-in-law or the other way around. When domestic abuse is reported, most people believe that police may only issue a protection order against the violent partner. This is not the case! To ensure the safety of the victim, several jurisdictions grant restraining orders against the abusive partner. Is that, however, all you have to offer? The rejection of a partner to go back into a relationship has proven life-threatening in several circumstances. It is the goal of this study to figure out why fewer crimes are being reported and what the law says about safeguarding victims in these situations. [1]

## 2. DOMESTIC VIOLENCE IN INDIA

There is a lack of research into domestic violence in underdeveloped countries compared to western

countries. Therefore, the gap between feminist and family violence methods appears to be less apparent in the literature. In India, the historical, underlying patriarchal structure dominates the domestic violence discourse and appears to be a core foundation for most academics, indicating a feminist bias. Despite the fact that both men and women have a part in the propagation of India's patriarchal traditions, all research identified and given here by the author (and presented here) focus only on female victims of domestic abuse. This apparent feminist tendency is a far cry from the prevailing methodology used in these Indian research, which instead focus on household-level structural disparities (such as caste, education, and money). While several studies have sought to incorporate gendered components such as female employment, their limitation to a local scale has hampered the testing of larger gender norms. It appears that a thorough comprehension of domestic violence literature for India necessitates an openness to both feminist and family violence viewpoints, as well as an ecological framework in order to be most instructive. [2]

### 2.1 A Brief Background On India

Cultural influences on domestic violence are being increasingly recognised in Western nations, although this awareness has not been fully expressed until recently. Domestic violence in India is influenced by a variety of cultural histories, many of which are presently being challenged by varied levels of modernization. India is not a homogeneous society, as is commonly portrayed in the press. There are several cultural traditions that influence caste discrimination, gender roles, and attitudes toward domestic violence in the subcontinent. Northern states like Uttar Pradesh and Punjab, where patriarchy is more prevalent and education is more prevalent than in other parts of the country, follow a regional pattern of more egalitarian states like Kerala and Tamil Nadu. When it comes to India, there is a rising discrepancy between those who live in rural regions compared to those who reside in large cities, as the country continues to modernise. [3]

### 2.2 A family violence approach

According to Gelles (1985), a broad range of theories may be used to address domestic violence, including the "social structure model," which is especially relevant in the Indian setting. Gelles (1985: 361) defines this social-structure family violence interpretation of domestic violence as stress is unevenly distributed in communities, notably due to unequal work prospects and income, exposure to disease, and other markers of disadvantages. There are many degrees of domestic violence that result when violence is viewed as a "acceptable response or adaptation to stress" by the individual or group involved (Gelles, 1985: 361). Using a social-structure model in India, we may predict larger levels of domestic violence among the lowest castes and tribes,

those living in rural poverty, urban slums, and those who are socially ostracised. [4]

### 2.3 An ecological model of domestic violence in India

When considered within the context of an ecological model, the diverse conclusions and interpretations of domestic violence do not always come into direct opposition with one another. Instead, this approach places an emphasis on how important it is to consider the background of the research being analysed. It is possible that the influence of larger-scale societal issues, which are not taken into consideration on such small-scale investigations, is the reason why so many of the studies cited above come to contradictory conclusions. This conceptual framework will serve as the basis for our investigation of domestic violence in India. Naved and Persson (2005: 289-291) adopted the ecological model in order to carry out their research on domestic violence in Bangladesh. [5]

## 3. TYPES OF DOMESTIC VIOLENCE

- **Physical Abuse**

The term "physical abuse" refers to any act or behaviour on the part of the offender that is of such a type as to be likely to inflict bodily injury, pain, or risk to life, limb, or health, or that hinders the health or development of the person who is the target of the abuse. It encompasses actions of criminal force, criminal intimidation, and criminal acts of assault.

- **Emotional Abuse**

Mental aggression against the victim's psyche is what is meant by emotional abuse. It is a form of psychological torment that often leads to the suicide of the sufferer. Suicide is a common cause of death for victims of emotional abuse because of the extreme emotional torment they have endured.

Such abuse takes many forms, including undermining a victim's self-esteem, humiliating them in front of others, isolating them from family members who love and care for them, and inflicting public embarrassment. Cruelty and harassment shall be defined as any of the aforementioned acts. It is common for victims of domestic violence to become so isolated that they believe that suicide is their only choice for escaping their abusers.

- **Sexual Abuse**

The third type of domestic violence is rape or sexual abuse. When we hear the word "rape," we don't think of it as a part of the relationship between a husband and wife since it's a private affair between the two of them or the "holy institution" of marriage, but why is

that? But the law has ignored a valid form of abuse that we can't.

Section 357 of the Indian Penal Code states that a man does not commit rape if he engages in sexual acts with his own wife and she is not under the age of 15 years.

It is only because sexual abuse is not a criminal offence that so few cases have been brought to light that the number of victims has remained underreported.

- **Economical Abuse**

Economic or financial abuse is a fourth type of abuse that victims may encounter in their relationships with others. This is not a sort of abuse at all, but rather a type of legacy that has persisted for generations and continues to do so now. It's part of the most widespread practise of dowry demand, which has caused a lot of women's lives. Many Indian brides are considered ATM cards for their husbands' families, and they may use the card with a password of "violence" anytime they need money.

In light of the difficulties in obtaining evidence to support dowry-related fatalities, the legislature decided to add a clause pertaining to the assumption of dowry death on the basis of specific fundamentals. The presumption section 113B of the Evidence Act was inserted in light of this. The legislation requires proof that the women involved were exposed to abuse or harassment for, or in connection with, the demand for dowry shortly before their death.

- **Psychological abuse:**

Emotional abuse and psychological abuse are sometimes mistaken. Fright has a major role in psychological abuse. One of the most common forms of psychological abuse in relationships is the threat of physical violence towards a partner, a family member or a friend. If someone attempts to prevent their spouse from interacting with their family and friends, this becomes psychological abuse as well. [6]

### 3.1 Assessment

Patients should have a thorough evaluation after being told about their abuse, provided they are stable and not experiencing any discomfort. Priority one is to do a risk assessment. Uncertainty in a patient's evaluation can be reduced using a set of common prepared questions. If you are in urgent danger, you should seek help from an advocate, a shelter, a helpline for victims, or the law.

- Assessment should focus on mental and physical health as well as the history of current or previous abuse if there is no imminent risk present. These replies help us choose the best course of action to take.

- First and foremost, a doctor must be sensitive to the cultural values of his or her patients. Incorporating a cultural sensitivity evaluation with a history of domestic violence may lead to better therapy.
- Domestic abuse victims may or may not wish to be referred. Many people are afraid for their lives and their finances. This means that they may be assessing the advantages and disadvantages of leaving the abuser in order to avoid the loss of support and the potential burden of child care responsibilities. Regardless of the patient's decision, healthcare providers must reassure the patient that the decision is theirs to make. Access to resources, safety, and better assistance are all part of the plan.
- If the patient decides to leave their present environment, they should be provided information on how to get help from a local domestic violence shelter.
- If there is proof that the patient has been injured or there is a risk to their life or limbs, the patient should be sent to the local law enforcement officers.
- Counselors often consist of professionals like as social workers, psychiatrists, and psychologists who have specialised training in the treatment of abused partners and children. [7]

### 3.2 Reasons for domestic violence

According to studies, those with psychiatric disorders are more likely to engage in domestic violence than those without such conditions. According to statistics, three out of every five married women are physically abused by their spouses, including beating, assault, and sexual abuse. Clinical and general public investigations have shown that their spouses' heavy drinking and abusive behaviour are strongly linked. Domestic violence increases when spouses spend more time at home, according to research.

The fact that domestic abuse occurs in the privacy of one's own home is a major deterrent to reporting it. Women between the ages of 24 and 34 are more likely to be victims of domestic abuse, according to a recent study. Early marriage has resulted in young people marrying when they are as young as eighteen or nineteen. Domestic violence can also be caused by psychological abuse and an inferiority feeling. Emotional, financial, and sexual abuse are all manifestations of domestic violence, as well as physical assault. [8]

### 3.3 A Need Of Change

Men may be physically stronger than women, but in India, where women enjoy a slew of legal protections, it's safe to claim that females really have

a leg up on men when it comes to asserting their legal rights.

When it comes to child custody, moms receive preferential treatment over fathers in all types of situations, including criminal ones. Why? Surely, just because a mother bears her kid in her womb for nine months, she is entitled to custody? But why can't the general public understand what's really going on? Why is it so difficult for society to see and accept the differences between people? It's time to transform society, society's thinking, and society's attitude. Those were the times in history when women needed to be emancipated, educated, and guarded against oppression and abuse. Women nowadays are more conscious than ever before of the importance of securing and protecting themselves.

When it comes to the issue of women being harassed, it is true that some segments of society, particularly rural regions, need to be emphasised; however, just because this is the case does not mean that the women of other segments of society would use this as a weapon against males. To put it another way, if the misuse of rights committed by a woman against a man is considered to be a crime, then the harassment committed by a man against a woman should also be regarded as a criminal offence. [9]

#### 4. CONCLUSION

Despite the fact that domestic violence is a common occurrence in modern society, the debate and study described above show that victims have a poor regard for the law and strict measures to combat domestic abuse. Because of this, it is imperative that the Domestic Abuse Act, 2005, be used to assist promote public awareness of domestic violence incidents.

A better understanding of the present state of domestic abuse in the country and how we can address this issue by providing proper protection and compensation to the victims will be gained by doing this research. As a matter of fact, the laws now in existence do not adequately penalise perpetrators of domestic violence like in the case of sexual abuse. As a result, it is imperative that we develop comprehensive legislation that covers all forms of domestic violence, not just the physical ones.

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