

DOMESTIC VIOLENCE AGAINST WOMEN IN INDIA

Dhananjay Kumar

Assistant Professor of Political Science, S.D. College Ambala Cantt

Email- dhananjay6022074@gmail.com

ABSTRACT

A woman who is the cornerstone of family and society gives birth to life, Nurtures life, serves to shape life. The women by whom the culture is preserved and transmitted from generation to generation. The Biggest tragedy in our country today is that gross Injustice is being done to it. A women's silent suffering is making her a victim of Male Domination supported by the prevailing patriarchy. The autocratic nature of men and oppression of women in the society is making the situation worse. Almost every household in India is suffering from some kind of domestic violence. In Human rights both men and women are equal. Women are discriminated against in a male dominated society. As a result most of the women are unable to understand their Rights and freedom. This domestic Violence not only disrupts women. But it is also a hindrance in the development of our country. This paper is related to the atrocities against women in Indian Society. Through this paper light on how women are being exploited in India. Through this paper the literature has been reviewed as well as the research gap has been identified and some suggestions have been made to overcome this gap.

INTRODUCTION

Incidents of domestic violence and Harassment against women in Indian perspective is not a new social problem, but a very pleasant and challenging fact in Social life against women. In the Indian traditional male Dominated society although women have been reserved and respected in principle, but the practical side is not like this. The Disability of women and the privilege of men under the prevailing patterns of ideas, Superstitions, Customs and Behavior. Express the Sad Social Status of women. Women in India have been victims of exploitation and oppression for Centuries. His prestige inside and outside the House. For a long time , she has been victim of Humiliation, torture, Harassment. Exploitation and adultery. Whose strong evidence and evidence of Social family life are

available in the form of Records. When the male Dominated Society Comes on their pain and pain it fills but Does nothing. Insult, Harassment, Beatings, murders, Rapes etc. are those aspects of women's life which bring shame to Humanity on a Daily basis. Domestic violence against women is a flat on Indian Social life. A Developing nation which is on the way to become a Developed nation, can this Dream come true in the presence of Humiliated, Exploited and Harassed women? Whether Rural area of India or Urban women are Educated or uneducated, Household or working, girl child, teenager, girl child or old age are Victims of Domestic violence against women is that Despicable and Sad Social fact which is done by loved once against loved ones. The previous data of the government of India is a clear proof that the graph of Crimes against women had Increased Continuously. Domestic Violence mainly includes Dowry Harassment, Dowry Killing, Beating wife. Sexual abuse, child abuse, abuse of widows, old women, etc. Due to which problems of Social, economic and emotional Harmony arise in front of women. At the Same time, the society also looks at them with a Contemptuous view. As a Result, they lead al life of helplessness and Depression. To Tackle this problem at the national level the Government had implemented the Domestic Violence Act 2005 on 26th October 2006 which is Cognizable and non bailable offence. To curb the atrocities committed against women and children at home.

MEANING OF VIOLENCE

The term Violence Refers to any physical force for any Damage or Injury.

1. Oxford Dictionary Defines- “Violence as Behavior intended to Hurt, Damage or kill someone or something.”⁽¹⁾
2. W.H.O Defines Violence- “ The Intentional use of Physical force of flower, threatened or Actual, against oneself, another person, or against a group or Community, which either Result in or has a high likelihood of Resulting in injury, Death, Psychological Harms, or Deprivation.”⁽²⁾

OBJECTIVES OF RESEARCH

- Finding out the causes of Domestic Violence against women.
- To find out the features of Domestic Violence Protection Act-2005 and also to Critically Analysis of the protection of women from Domestic Violence Act-2005.

- Reviewing, the literature and also identifying Research Domestic Violence against women.
- To give some suggestions to remove domestic violence against women.

LITERATURE REVIEW

In a book **“Battered Women: Implications for social change”**, the author uses the word 'Battered', this word is used to express the state of women who were the Victims of Domestic Violence. The author in his book Express his concern over the issues while stating that cases under domestic violence battering of women occurs in intimate Relations especially within the household'. Explaining further, he states that acts like marital Rape, threat for murder, torture and harassment, slapping, biting, hitting, parking are Same of the forms he mentions that constitute women battering.⁽⁴⁾

Suresh Goel in his book **“Psychological Aspects of Domestic Violence”**⁽⁵⁾ state that Domestic Violence is a coercive attitude towards another person through the use of various methods. Threatening, harassing the victim. He also said that domestic violence constitutes many other types of abuse, such as physical, sexual and emotional, even psychological. Attacks, sexual abuse and beatings are also some of the other mentions of the author. The author attaches great importance to the passive exploitation of the victim. Defining passive abuse, the authors state that “passive abuse tends to be court, subtle and veiled. It includes harassment, obscurity, and neglect of spiritual and intellectual abuse. Further discussing the effects that domestic violence can have on a child.” After seeing older dependents leads to arrange of negative effects, they can also develop negative psychological problems and resort to violence and their wife when they grow up.

In the book **“ Behind closed Doors- Domestic violence in India”**.⁽⁶⁾ The author states that being assaulted used and raped by someone intimate as a husband is the most humiliating experience a women can have women facing such crimes do not even Realized that Domestic violence is Real Crime and such abuse is Regularly Experience by Countless women in every culture in India. The author says that behind the closed doors of a woman's culture, family, values and traditions, her voice remains unheard.

In another book **'overcoming a life of Domestic Violence and abusive relationship'**⁽⁷⁾ the author Describe many ways of dealing with domestic violence. In this book a number of factor are considered that will help a victim of this type of abuse to overcame and

Rehabilitate themselves after experiencing such abusive Behavior. Topics like how to forget the past and move towards the future, what are the Benefits of starting a new and fresh life, what are the causes of Domestic violence where the Victim can seek help in case of such on Experience. Different times a woman isolating herself as a Result of such abuse are some of the topic the author has discussed in detail.

CAUSES OF DOMESTIC VIOLENCE

- The main Reason for Domestic Violence against women is the Stupid mentality that women are physical and emotionally weaker than men.
- These include dissatisfaction with the Dowry received, arguing with he partner, Refusing to have size with him, Neglecting children, going out of the houses without informing the partner, not cooking delicious food.
- Reason for Domestic Violence against Men include Non- Compliance of Instructions from wives, ' inadequate earnings of men, Extramarital affairs, not helping wife in domestic activities, not taking paper care of children.

THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT-2005-

An Act to provide for ware effective protection of the Rights of women under the Constitution, who are victims of Violence of any kinds occurring with in the family and for matters connected there with or incidental. The incidence of Domestic violence is generally prevalent but has Remains largely invisible in the public sphere. Presently, where a women is subjected to cruelty by her husband or his relatives, it is an offense under section 498 A of the Indian Penal code 1860. As a result of this law is proposed to take into account the Rights guaranteed under articles. 14, 15 and 21 of the constitution to provide for a Remedy under civil law aimed at protecting women from being victimized by Domestic Violence and to prevent incidents of domestic Violence in the society.⁽³⁾

FEATURES OF THE PROTECTION FROM DOMESTIC VIOLENCE ACT:- 2005-

- The Act provide for the appointment of security officers and NGO's to provide assistance to women in Relation to medical Examination, legal aid, Safe Shelter, etc. Those who work to protect the interest of women and protect them from violence.

- The Act has been enacted to protect women from all imaginable forms of violence. It includes not only Physical abuse in its broadest Sense by including almost every form of Physical harm, but also Sexual, verbal, emotional abuse and economic abuse. The provision as it is read is so broad. It covers all types of Physical, mental, verbal, economic abuse.

CRITICAL ANALYSIS OF THE PROTECTION OF WOMEN FORMS DOMESTIC VIOLENCE ACT 2005:-

In the guise of providing protection, this law Actually strikes at the very foundation of marriage by promoting intolerance and encouraging unnecessary litigation even for petty domestic disputes. The law is based on a misconception and treats human beings as the sole perpetrators of domestic violence. This is totally a misconception and only confirms the gender bias in favor of women created by this law.

This law has been implemented to stop harassment of women. After the Domestic Violence Act 2005, married relationships which today are already in a critical state and will soon be on the verge of breaking up. It seems that now even the smallest things between husband and wife will turn into a mountain from the mustard seeds and the women will take the help of law to get the husband prosecuted. Although it is true that today the incidents of harassment of women are increasing continuously but this problem will not be solved by making this law. For this we have to make efforts socially, in which social services organizations non-governmental organizations and government will have to play a major role.

THE GAP IN RESEARCH AND SUGGESTIONS.

A lot of work has been done by scholars in the fields of Domestic Violence against women, but the main target of such Research work is in more Detail. There is a need to study the impact of such crime from different perspectives. It is felt that various issues like when man misbehaves with his partner, what kind of mental state he is going through, as well as there is a need to find out about what is happening in our society today. Incidents like domestic violence are increasing day by day, so what should be the participation of our society in removing it and what other measure can be adopted other than legal aid so that domestic violence can be stopped.

SUGGESTIONS:-

- Legal measures should be taken by improving the education system of women.
- Effective efforts should be made in the direction of improving the condition by providing more and more opportunities of employment to women.
- Appropriate punishment should be provided to the perpetrators so that others can take a lesson.
- Social boycott should be done at the community lever by condemning such men.
- Social institutions organizations and women's organizations should be encouraged more and more.
- Such women and their children should be provided protection, security and financial help from the government level.
- Free legal counseling and help centers should be established form the government level.

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