

“Domestic Violence”

Ankita Mondal
VELS Institute of Science and Technology,
Pallavaram

This essay explains about domestic violence which is one of the top health and concerns in the country much of it is directed at women and children. Making people understand about its true definition, meaning and effects can be the one way help to make our society better. And people can take more effective action against its manifestation of abuse. In some cases, abusers may not even realize that they're inflicting domestic violence on someone else. On the other side, victims may not take any action against their abusers because they do not even realize that they're experiencing is indeed domestic violence. And sometimes if they realize also, they will not take any action by thinking the prestige of their family in the society and stay calm. According to studies, the happening of domestic violence among homosexual couples is approximately equivalent to that found among heterosexual couples.

India has adopted the convention on the elimination of all forms of discrimination against Women and the Universal Declaration of human rights, both of which women are given equal rights as men and are not subjected to any kind of discrimination. The Constitution of India also guarantees substantive justice to women. Article 15 of the Constitution provides for prohibition of discrimination against the citizens on grounds of religion, race, caste, sex or place of birth or their subjection to any disability, liability or restriction on such grounds. Article 15(3) gives power to the legislature to make special provision for women and children. The Protection of Women from Domestic Violence Act was passed in 2005.

Definition of domestic violence according to The Protection of Women From Domestic Violence Act 2005:

The term "domestic violence" includes elaborately all forms of actual abuse or threat of abuse of physical, sexual, verbal, emotional and economic nature that can harm, cause injury to, endanger the health, safety, life, limb or well-being, either mental or physical of the aggrieved person. The definition is wide enough to cover child sexual abuse, harassment caused to a woman or her relatives by unlawful dowry demands, and marital rape.

The kinds of abuse covered under the Act are:

1. Physical Abuse: an act or conduct causing bodily pain, harm, or danger to life, limb, or health; an act that impairs the health or development of the aggrieved person; an act that amounts to assault, criminal intimidation and criminal force.

2. Sexual Abuse: any conduct of a sexual nature that abuses, humiliates, degrades, or violates the dignity of a woman.
3. Verbal and Emotional Abuse: any insult, ridicule, humiliation, name-calling; insults or ridicule for not having a child or a male child; repeated threats to cause physical pain to any person in whom the aggrieved person is interested.
4. Economic Abuse: depriving the aggrieved person of economic or financial resources to which she is entitled under any law or custom or which she acquires out of necessity such as household necessities, stridhan, her jointly or separately owned property, maintenance, and rental payments; disposing of household assets or alienation of movable or immovable assets; restricting continued access to resources or facilities in which she has an interest or entitlement by virtue of the domestic relationship including access to the shared household.
5. Domestic Relationship: A domestic relationship as under the Act includes live-in relationships and other relationships arising out of membership in a family.
6. Beneficiaries under the Act:
 - i. Women: The Act covers women who have been living with the Respondent in a shared household and are related to him by blood, marriage, or adoption and includes women living as sexual partners in a relationship that is in the nature of marriage.
 - ii. Children: The Act also covers children who are below the age of 18 years and includes adopted, step or foster children who are the subjects of physical, mental, or economical torture. Any person can file a complaint on behalf of a child.
 - iii. Respondent: The Act defines the Respondent as any adult male person who is or has been in a domestic relationship with the aggrieved person and includes relatives of the husband or male partner.

Effects of Domestic and family violence:

Domestic violence tears lives apart. One in three women experience physical or sexual violence, or both, caused by someone known to them. It has big personal, social and economic effects. Effects on the victim: Death, illness, injury, disability, emotional, psychological trauma, homelessness, Use of alcohol and other drugs, physical health injuries and problems.

Effects on the family: Violence and the threat of violence at home creates fear and can destroy family environments and lead to the breakup of families. Hence frequent moving to avoid the abuser.

Effects on the community: Children growing up without learning about positive and respectful relationships. Abusers are going to prison. Higher rates of alcohol and other drug use, and mental health problems.

According to one study, during 1980s, many states and municipalities have instituted measures designated to deal swiftly and harshly with domestic abusers. In addition, governments have attempted to protect the victims of domestic violence from further danger and have launched programs designed to address the root causes of this abuse.¹

Effects on the children: Violence against children has lifelong impacts on health and well-being of children, families, communities, and nations. Violence against children can:

1. Result in death: Homicide², which often involves weapons such as knives and firearms, is among the top four causes of death in adolescents, with boys comprising over 80% of victims and perpetrators.
2. Lead to severe injuries: For every homicide, there are hundreds of predominantly male victims of youth violence who sustain injuries because of physical fighting and assault.
3. Impair brain and nervous system development: Exposure to violence at an early age can impair brain development and damage other parts of the nervous system, as well as the endocrine, circulatory, musculoskeletal, reproductive, respiratory and immune systems, with lifelong consequences. As such, violence against children can negatively affect cognitive development and results in educational and vocational under-achievement.
4. Result in negative coping and health risk behaviours: Children exposed to violence and other adversities are substantially more likely to smoke, misuse alcohol and drugs, and engage in high-risk sexual behavior: They also have higher rates of anxiety, depression, other mental health problems and suicide.
5. Lead to unintended pregnancies, induced abortions, gynecological problems, and sexually transmitted infections, including HIV.
6. Contribute to a wide range of non-communicable diseases as children grow older: The increased risk for cardiovascular disease, cancer, diabetes, and other health conditions is largely due to the negative coping and health risk behaviours associated with violence.
7. Impact opportunities and future generations: Children exposed to violence and other adversities are more likely to drop out of school, have difficulty finding and keeping a job, and are at heightened risk for later victimization and/or perpetration of interpersonal

i. Referring to one example is Alexandria Virginia which in 1994, began prosecuting repeat abusers under a Virginia law that makes the third conviction for Assault and Battery a felony punishable up to five years. As a result domestic homicides in Alexandria declined from 40 percent of all homicides in 1987, to the 16 percent of those between 1988 and 1994.

ii. The illegal killing of one person by another, murder.

and self-directed violence, by which violence against children can affect the next generating.

Whereas during this COVID 19 pandemic there have been rise in the number of domestic violence happening in Indian household. According to a survey, the states with the highest number of complaints include Uttar Pradesh with 90, Delhi with 37, Bihar with 18, Madhya Pradesh with 11 and Maharashtra with 18.

The National Commission for Women (NCW) has raised concerns about the increase in the number of cases of domestic violence and abuse during the lockdown period in the country in the wake of the coronavirus outbreak. The chairperson of NCW declared that the commission has been receiving complaints mostly via emails. In the first week of March, NCW had received 116 complaints of crimes against women from across the country. During the lockdown period, the number of the same for 10 days, from March 23-31, is 257. March 24- April 1, the NCW received 69 complaints of domestic violence, and it is increasing by the day. The Chairperson also reported that Women are not being able to reach the police if they want to, and in many cases, they don't want to approach the police because if the husband is released from detention after a couple of days, the woman will still be unable to leave the house.

Earlier the women would go to their parent's home but they are no longer able to do so. And the NCW has been in constant touch with the victims who have approached the Commission. According to the NCW data, during the lockdown period, there have been 69 cases of domestic violence, 77 cases under right to live with dignity, 15 cases of harassment of married women in the home, two dowry deaths, 13 cases of rape/attempt to rape. The number of domestic violence cases in the week prior to the lockdown was 30, Harassment of married women 13, right to live with dignity 35.

So, as a responsible person of this democratic country it is our prior duty, to make awareness in the society that domestic violence in one family can destroy the whole society. Today if any one child or any one women would bear violence then they should make complaint to the authorities because they are not alone, law and order is with them. Because if today they will bear then they can do suicide to kill their own pain. There would be a lot of untold story in this world where suffering of one person would be there. It is our duty to bring out those people who are suffering from violence because may be they can't able to say anyone and they may be in depression. Because the young generation will learn nothing worthful from this. The new generation is the hope of our nation so we should always try and take steps to make our society better and better. The increase in violence against women, especially domestic abuse is a very worrying trend. During these COVID 19 pandemic the people of this world will face a lot of problems and loss. So the efforts of the people can less the problem and will help to overcome.