

“Rapid growth of Domestic abuse in the Lockdown Period”

Bidisha Roy
Department of Law,
Burdwan University, Golapbag Campus,
Barddhaman, West Bengal

Domestic violence in India includes any form of violence suffered by a person from a biological relative, but typically is the violence suffered by a woman by male members of her family or relatives. This social disease has often been studied as an abusive expression triggered by financial stress, mental stress, fear, and of course, systemic patriarchy, that has furthered the cases of financial abuses, and at times, even murders.

Not all abusive relationships involve physical violence. Just because you're not battered and bruised doesn't mean you're not being abused. Many men and women suffer from emotional abuse, which is no less destructive. Unfortunately, emotional abuse is often minimized or overlooked—even by the person experiencing it. The aim of emotional abuse is to chip away at your feelings of self-worth and independence—leaving you feeling that there's no way out of the relationship, or that without your abusive partner, you have nothing. Emotional abuse includes verbal abuse such as yelling, name-calling, blaming, and shaming. Isolation, intimidation, and controlling behavior are also forms of emotional abuse. Abusers who use emotional or psychological abuse often throw in threats of physical violence or other repercussions if you don't do as they want. The scars of emotional abuse are very real and they run deep. You may think that physical abuse is far worse than emotional abuse, since physical violence can send you to the hospital and leave you with physical wounds. But emotional abuse can be just as damaging—sometimes even more so.

According to a National Family and Health Survey in 2005, total lifetime prevalence of domestic violence was 33.5% and 8.5% for sexual violence among women aged 15–49. A 2014 study in *The Lancet* reports that although the reported sexual violence rate in India is among the lowest in the world, the large population of India means that the violence affects 27.5 million women over their lifetimes. However, a survey carried out by the Thomson Reuters Foundation ranked India as the most dangerous country in the world for Women. The 2012 National Crime Records Bureau Report of India states a reported crime rate of 461000, rape rate of 2 per 100,000, dowry homicide rate of 0.7 per 100,000 and the rate of domestic cruelty by husband or his relatives as 5.9 per 100,000. These reported rates are significantly smaller than the reported intimate partner domestic violence rates in many countries, such as the United States (590 per 100,000) and reported homicide (6.2 per 100,000 globally), crime and rape incidence rates per 100,000 women for most nations tracked by the United Nations.

There are several domestic violence laws in India. The earliest law was the Dowry Prohibition Act 1961 which made the act of giving and receiving dowry a crime. In an effort to bolster the 1961 law, two new sections, Section 498A and Section 304B were introduced into the Indian Penal Code in 1983 and 1986. The most recent legislation is the Protection of Women from Domestic Violence Act (PWDVA) 2005. The PWDVA, a civil law, includes physical, emotional, sexual, verbal, and economic abuse as domestic violence.

The nation-wide lockdown since March 25 to check the spread of Covid-19 saw National Commission of Women receiving significantly higher number of complaints from women seeking protection from domestic violence. In April and May, of 3,027 complaints received by NCW across 22 categories of crimes against women, 1428472 %) were related to domestic violence. The data from January to March on the other hand shows that of a total of 4,233 complaints made during that period, about 20.6% (871) were related to domestic violence.

A month wise assessment of domestic violence complaints further reinforces the rise in complaints. These complaints accounted for 51.45% (514) of the 999 complaints made to NCW in April. In May, complaints of domestic violence accounted for 45.07% of the 2028 complaints. When compared to the pre-lockdown period, it turns out that in January, domestic violence complaints accounted for 18.54%(271) of the 1462 complaints. The percentage of domestic violence complaints was 21.21%(302 of 1424) in February and 22.21%(298 of 1347) in March. Since the lockdown came into effect, NCW Chairperson Rekha Sharma has time and again raised concerns over increase in domestic violence complaints and the need to reach out to women caught in the confines of their homes with their abusive partners. The Commission constituted a special team to handle these complaints on a fast-track basis.

There were also an increase in the number of complaints from women seeking help to protect their rights to live with dignity. Of the 1906 complaints received since January, 464 were registered in May. Complaints related to cyber-crime too saw an increase from 37 in March to 55 in April and 73 in May. However studies show that complaints related to rape or attempt to rape has considerably decreased. While 142 complaints were received in January, there were just 12 complaints in April and 51 in May.

Gender-based violence has never been a stranger to us and has been best identified with the isolation of the victims and exerting physical, psychological, and at times, financial control over them. As the ongoing pandemic epitomizes global isolation, it is no mystery that the rate of reported domestic violence and gender-based harassment cases has also gone up.

The sense of isolation and financial and medical anxiety coming along with the deadly pandemic and sinking economy have increased the frequency of terror within homes and most certainly challenged the concept of 'escape' for the victims. Work, school, and homes sans the abusers

being different mediums of escape for women and children before the lockdown don't exist anymore.

With spaces of escape blurring out of the lives of the victims, the ideas of fear and threat usually driving abuses are now resulting in using Covid-19 as an excuse to amplify their cases. In many scenarios, the abusers have been found to spread misconceptions around the pandemic in an attempt to contain the victims at home, threaten to not provide financial support if the victim is dependent on them, not pay medical attention if the victim shows symptoms of the virus, and abuse alcohol and drugs as an excuse to cope with the ongoing stress.

A major difference between our health emergency and gender-based atrocities is that there may never be a one-stop vaccine to end the latter. One of the key reasons behind gender-based violence is propagating rape/misogynistic culture in our everyday lives as a widely accepted norm. Disguised in forms of sexist dialogues and jokes, subtle elements of stalking culture in mainstream media, degraded terms used for individuals who don't identify as cis men, etc., the list finds its way into the ever-growing violent attitude against women. Instead of focusing on all kinds of toxic behaviour falling on the misogynistic spectrum, most of the attention is usually paid to an offense that looks more substantial in nature, any one-dimensional corrective measure on which, may not give us promising conclusions. Moreover, the power dynamics between a dominating and a dominant gender that usually accelerates toxic masculinity always justifies the oppression on the latter.

The number of crimes against women has always been underreported, even during the times of the deadly virus. 'Me Too', in spite of being one of the most powerful initiatives taken by the feminist movement in India, had seen many pitfalls in bringing the abusers down and at times, receiving all complaints and cases of harassment against women in India. While our culture infused with the patriarchal fear has certainly kept many women away from raising their voices, let's also look at how it has affected systems dealing with harassment in India.

The policies addressing the safety of women that we've already had in place have had only little impact. While most of the reformations are under-developed, there are several issues like micro aggressions, marital rape, etc. that don't even have separate provisions to be dealt with. Protection of Women from Domestic Violence Act (2005) has reached out to some women but has largely been flawed with an exhausting procedure and no uniform protocol for service providers that the victims have to go through. Due to this lack of seriousness, little focus has been provided to most of the systemic measures related to gender-based discrimination in India. In order to work around this, we need to treat it as a priority similar to other essentials of democracy with more detailed funds, exclusive attention, and a more advanced strategy.

While the verbal advocacy of ‘violence against women’ has often been used as a steady jargon, the ineffective political initiative on the ground increases the internalized discrimination against women.

To conclude, domestic violence is a pattern of abusive behaviours by one or both partners in an intimate relationship such as marriage, dating, family, friends or cohabitation. Domestic violence has many forms including physical aggression (hitting, kicking, biting, shoving, and restraining, slapping, throwing objects); it can also be sexual or emotional. The main causes of domestic violence will depend on the abuser back ground such as: Witnessed abuse as a child, Was a victim of abuse as a child, Abused former partners, and may be because of Unemployed or underemployed, Poverty or poor living situations, a social evil that cannot be eradicated so very easily.