

DOMESTIC VIOLENCE- THE INDIAN SCENARIO***Rupal Vora****(Faculty & Coordinator, Counselling Programmes)**Sies Institute Of Comprehensive Education, Mumbai, India***Abstract**

Gender-based violence or violence against women and girls is a global pandemic that affects one in three women in their lifetime (World Bank, 2019). Violence against women is a growing concern for any modern society. It is an extreme manifestation of gender inequality and systemic gender-based discrimination. Violence against women can be manifested in many ways, it may be physical, emotional, sexual, psychological, verbal and economic. It may involve a variety of other behaviors used to maintain fear and power such as intimidation, isolation and threats. Domestic violence is a common form of violence against women which is considered “normal” within many cultures. Domestic violence refers to violence against women particularly in matrimonial homes. It is a glaring reality in India. It is one of the crimes against women which is linked to their disadvantageous position as a result of the tight patriarchal norms and structure of traditional Indian culture. Culturally sanctioned beliefs have historically legitimized a man’s use of violence with respect to his wife. India is one of the thirty-six countries that still have not criminalized marital rape. The present paper explores domestic violence in the Indian scenario and the possible ways to put an end to this social evil.

Key Words: *Gender inequality, Discrimination, Domestic violence, Culturally sanctioned beliefs*

INTRODUCTION

Gender-based violence is a phenomenon deeply rooted in gender inequality. It is one of the most serious human rights violations. According to World Bank [1] gender-based violence or violence against women and girls is a global pandemic that affects one in three women in their lifetime which cuts beyond all economic, religious and social boundaries. It is found in developed as well as developing countries. India is no exception, violence against women is found rampant in society. This paper is divided into two parts. **PART A** deals with domestic violence and examines the common forms of gender based violence – wife beating and marital rape. **PART B** of the paper highlights the initiatives taken by SIES Institute of Comprehensive Education to train their Post Graduate students of Counselling to become competent counsellors who are equipped to understand the dynamics of domestic violence and are able to offer the corresponding counselling services to these victims.

PART A

Violence against women is rooted in the unequal relationship in society and can be understood in a gender framework [2]. The terms gender and sex are often used interchangeably, however both have different meanings. ‘Sex’ refers to the biological differences between males and females such as genetic differences and genitalia whereas ‘Gender’ is a sociological term that involves attitudes, activities and social norms that society deem more appropriate for one sex over the other. Sen [3] reiterates that whereas sex is natural, gender is a social construct referring to the various roles, identities, behaviors as well as the characteristics and appearances that have developed through the cultural interpretations of genetic sex. Gender thus creates hierarchies as it affects the opportunities and constraints faced by a particular gender. Gender-based violence is violence directed against a person because of their gender. In India women are victims of gender-based violence.

In India violence against women is accepted as a social norm. This gender based violence in India has its roots in the staunch patriarchal culture of the country which puts women in a disadvantageous position in society. Fear and threats of violence and harassment limits a woman’s capacity to lead a free and full life. Domestic violence is the most common form of violence against women. Sahoo and Ranjan [4] reiterate that domestic violence is

any act of physical, sexual, psychological abuse which also includes threats of such abuse directed against a woman by a person intimately connected to her through marriage, family relationship. This violence has its roots in the socio-cultural setup of society. Domestic violence is viewed as a private family matter in India which is to be settled within the home without any outside involvement[5].

Wife beating is the most common form of domestic violence. The NFHS-4 (2015-16) surveyed 572,000 households in 640 districts of India. It was found through this survey that while 42% of men thought it appropriate for a man to beat his wife, a shocking 52% of women agreed with it. The age group which was most inclined to justify beating were men in the age group 15years to 19 years and women in the age group 40 years to 49 years. The most common cause for beating was failure to obey the husband orders or not meeting the husband's expectations. The survey found that meaning of disobedience ranged from failing to serve a hot meal to the husband to arguing with her mother in law. A woman subjected to this kind of domestic violence lives in constant fear and threat.

Wife battering can not only cause long term physical and mental health problems to the victim but also serious psychological problems to her children.

The **Protection of Women from Domestic Violence Act 2005** is an [Act](#) of the [Parliament of India](#) enacted to protect women from [domestic violence](#), however due to the socialization of the women regarding traditional gender roles, non-awareness of legal rights and lack of societal support, not many women take help of this act. Another horrific form of domestic violence is marital rape. **Marital rape** is the ultimate form of masochism which Indian society turns a blind eye. In our culture marital rape conveniently hides behind the iron curtain of marriage. The NHFS-4 reports that 31% of married women that is one in three have been subjugated to physical, sexual and emotional violence at the hands of their spouse.

Gosselin [6] states marital rape can be classified into 3 types:

- ❖ **Battering rape:** When rape is combined with beating. Physical violence continues during the sexual act.
- ❖ **Force-only rape:** Husband uses threats and violence only to the degree to coerce sex. Majority of marital rape cases fall in this category.
- ❖ **Obsessive rape or Sadistic rape:** Involves torture and pervert acts.

Research indicates that marital rape often has severe and long-lasting physical and psychological consequences for women[7]. The physical effects of marital rape as given by Mishra and Singh[8] include injuries to private organs, lacerations, bruising, torn muscles, fatigue, fractures and vomiting. Anxiety, shock, intense fear, eating and sleep problems, depression, problems in trusting relationships, and negative feelings about themselves are some long term effects.

Considering the ill effects of marital rape, the pressure for reform of our legal system is mounting. It is shocking India is one of the thirty-six countries that still have not criminalized marital rape. The definition of rape that is codified in Section 375 of the **Indian Penal Code** defines rape as all forms of sexual assault involving nonconsensual intercourse with a woman. However, Exception 2 to Section 375 exempts unwilling sexual intercourse between a husband and a wife over fifteen years of age. Thus marital rape is immunized from prosecution and husbands can “prey” on their wives in the security of the home

Indian criminal law is still a slave to the patriarchal culture and discriminates against female victims who have been raped by their own husband. Marital rape victims have to take recourse to the Protection of Women from Domestic Violence Act 2005. The lawmakers with their patriarchal cultural mindset continue to argue that criminalization of marital rape will endanger the sacred institution of marriage and secondly it may be misused by women [9].

Violence against women is a serious concern for any modern society and must be prevented. **The World Health Organization (WHO)** has listed 7 strategies to prevent this violence-

1. Strengthening of relationship skills which aim at improving skills in interpersonal communication, conflict management and shared decision making.
2. Economic and social empowerment of women.
3. Legal, health, social and police related services provided to survivors.
4. Strategies targeting to women to reduce poverty.
5. Creation of safe environments including home, schools, public and work spaces.
6. Establishing nurturing family relationships and good parenting programs.
7. Most important is transformation of the attitudes, beliefs and norms that result in harmful gender attitudes and stereotypes.

Most important besides the above is education in gender equality to the public.

Violence against women is a black blot on the fabric of any society and must be stopped with an iron hand.

PART B

SIES Institute of Comprehensive Education conducts courses in counselling, teacher education and special education. Counseling students have chosen one of the most difficult vocations of our times. Counselling is a dynamic field. With each year we find a change in the counseling issues. In order to prepare counselors to deal with contemporary issues such as domestic violence, we have adopted a holistic approach. A number of steps which go beyond the Mumbai University syllabus have been taken to prepare students to be able to deal with clients who have are victims of domestic violence.

- ❖ Self-Development Workshops:- workshops on topics such as enhancing self-esteem, confidence building, communication skills, assertiveness are conducted firstly for students themselves to become confident and assertive. This then has a cascading effect as they can transfer this knowledge to their clients
- ❖ Legal Awareness Workshops:- Legal experts are invited to conduct sessions on various laws pertaining to women, Domestic Violence Act, Prevention of Sexual harassment at Workplace Act etc.
- ❖ Talks by experts/NGOs/Social Welfare Organizations:- Sessions are organized by experts or NGO' such as Majlis working at grass root level and enlighten the students on the latest in the field.
- ❖ Sessions conducted by the Gender Sensitization Cell of the college:- The Cell is continuously striving to spread awareness regarding rights of women.
- ❖ Screen of films on Domestic Violence:- organizations such as SNEHA are invited to have film shows followed by discussions.
- ❖ Visits to Family Counselling/Welfare Centers:- visits to Streechetna and other family welfare centers open the doors of understanding domestic violence counseling for the students.
- ❖ Internship in Family counseling centers:- exposes them to real life situations.
- ❖ Case studies and role plays are carried out in class:- using appropriate counseling skills and therapies. This includes individual and group counseling.
- ❖ Special session on marital counselling by experts.

CONCLUSION

Violence against women is an extreme form of gender inequality. There is a need to change the mind set of society. Harmful gender discriminating practices, attitudes, beliefs, norms and stereotypes that justify violence against women be it domestic violence or any other type must be abolished. Laws safeguarding women must be given sharper teeth. The socialisation practices which inculcate gender discrimination must be stopped. Colleges/ mental health training institutions must train their students how to offer counselling and other services to women who are

victims of violence. In the end, it is evident that no society can flourish if half its population is victim of discrimination. In the words of UN Women Executive Director **Phumzile Mlambo-Ngcuka** “A culture must be created and the law in every society must be such that human rights are protected and violence against women is never tolerated.”

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