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## DOMESTIC VIOLENCE: A CRIME AGAINST WOMEN

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**Abstract:** Domestic violence is one of the crimes against women which might be related to their disadvantageous position in the society. Domestic violence refers to violence against women specially in matrimonial homes. The hassle is grossly under-reported. A range of causes were blamed for crimes against women. An inefficient law implementing agencies has frequently been jogged for the growing range of instances being reported. Also, psychiatric morbidity can perpetuate such crimes. The act of domestic violence toward women is a human rights violation in addition to an illegal act under law. It is consequently extensively taken into consideration a threat to women's rights via any lens. Greater gender equality can be accomplished if fundamental health needs are met and if cultural biases that permit for domestic violence in India stops. Women go through many types of physical and emotional abuses because of cruel, heinous and unlawful activities that happens with them in their homes. It has been seen through researches that women who've experienced domestic violence have a tendency to have more long-term mental problems and drug dependencies than others who do not face such problems. Domestic violence is greater in women belonging to low socio-economic status. In India, decreasing domestic violence is vital not only from an ethical and human rights perspective but also due to apparent instrumental health benefits that might be gained from such reduction.

Key Words: Domestic Violence, Crime, Women, Causes, Consequences, Laws

### INTRODUCTION

Domestic violence is violence committed by someone in the victim's domestic circle. This includes partners and ex-partners, immediate family members, other relatives and family friends. The term 'domestic violence' is used when there is a close relationship between the offender and the victim. There is usually a power gap between them. The victim is dependent on the offender. Domestic violence can take the form of physical, sexual or psychological abuse.

### TYPES OF DOMESTIC VIOLENCE AGAINST WOMEN

The types of domestic violence against women range from physical, sexual, verbal and emotional abuse to economic abuse.

- **Physical Abuse**

Physical abuse is the most prominently visible form of domestic violence against women. It has been defined in the Domestic Violence Act to include any act that causes bodily pain or danger to life, limb or health or development of the victim. Assault, criminal force, and criminal intimidation are forms of physical abuse.

- **Sexual Abuse**

Sexual abuse against women is in the nature of sexual/reproductive coercion. According to the Domestic Violence Act, sexual abuse is any abuse of a sexual nature that 'abuses, humiliates, degrades or otherwise violates the dignity of a woman.'

- **Verbal And Emotional Abuse**

Verbal abuse includes remarks/threats made by the domestic relations during domestic violence against women. Verbal abuse further leads to emotional abuse and in an incredibly common form of domestic

violence from the human rights perspective. The combination of verbal and emotional abuse leads to psychological abuse and erodes a woman's sense of self-worth.

- **Economic Abuse**

Introducing economic abuse in the categories of abuses under the Domestic Violence Act has been a remarkable step by the government. Economic abuse is generally characterised as a method of depriving or threatening to deprive the victim and her children from the use of financial resources/assets.

## CAUSES OF DOMESTIC VIOLENCE

There is no uniform or single reason that leads to domestic violence. It is a combination of various sociological/behavioural, historical, religious, and cultural factors that lead to perpetration of domestic violence against women.

- **Sociological And Behavioural Factors**

The sociological, behavioural and cultural factors include factors like anger issues/aggressive attitude, poverty/economic hardship, difference in status, controlling/dominating nature, drug addiction, upbringing and psychological instability (bipolarism, depression, stress, etc.) among others. Neglect of conjugal responsibilities due to extra-marital affairs or lack of trust also contributes to domestic violence.

- **Historical Factors**

Historical factors can be traced back to the inherent evil of patriarchy and superiority complex that has prevailed for centuries among men.

- **Religious Factors**

A subtle form of domination on women, if not direct and glaring, reflects in the religious sanctifications. This also contributes to perpetration of domestic violence against women.

- **Cultural Factors**

Cultural Factors leading to domestic violence include the desire for a male child. This obsession resulting from the lack of awareness and inherent male superiority leads to perpetration of domestic violence against women. This is not an exhaustive list of factors and the motivations or triggers behind domestic violence may vary.

- **Dowry**

Dowry is a form of socio-cultural factor. But it becomes important to separately mention it because of the rampant domestic violence cases resulting from illegal demand of dowry. This was realised by the Parliament also because dowry-related domestic violence has been made a separate head in the scope of abuse resulting in domestic violence under the Domestic Violence Act.

## CONSEQUENCES OF DOMESTIC VIOLENCE AGAINST WOMEN

Domestic Violence against women can cause long term and short-term physical and mental harm. The domestic violence against women also affects the children in the family causing long-lasting impressions on a child's vulnerable memory.

- **Short-Term Consequences**

The short-term physical consequences of violence can encompass minor injuries or severe conditions. They can consist of bruises, cuts, broken bones, or injuries to organs and other parts in the body. Some physical injuries are difficult or not possible to know without scans, x-rays, or other testings carried out by a physician or nurse. The long-emotional and verbal abuse may have an effect on the woman's mood and children's mood in their everyday activities and can also reduce the efficiency.

- **Long Term Consequences**

Violence against women, including sexual or physical violence, is linked to many long-term health problems. Long-term mental health effects of violence against women can include Post Traumatic Stress Disorder, Depression or Anxiety. This can further lead to the problem of substance abuse and drug addiction. Sexual violence can result in irreparable injury to sexual violence and a loss of self-worth.

## LAWS TO PREVENT DOMESTIC VIOLENCE IN INDIA

There are several Laws in India which directly deals with the protection of married women from her partner and her partner's family: -

- **Protection Of Women Against Domestic Violence Act 2005**

This is an act of the Indian Parliament enacted to protect women from Domestic Violence. It prohibits a wide range of Physical, Sexual, Emotional & Economical abuse against women and all these are broadly defined under the Act. It provides security to women in a family from men in a family. The extent of the Act covers

not only the protection of women who are married to men but also women who are in Live-in-relationship, just as family members including Grandmothers, Mothers, etc. A woman has right to be liberated from any type of violence under this Act. Under this law, women can look for security against Domestic Violence, Financial Compensation, Right to live in their mutual house and they can get maintenance from their abuser in case they are living separated.

This law is to guarantee that women don't get kicked out of their own house and can support themselves if they have been abused. It also ensures the protection of women from their abusers.

#### • **Section 498 A of Indian Penal Code**

498A. Husband or relative of husband of a woman subjecting her to cruelty—Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine. Explanation—For the purpose of this section, "cruelty" means—

Any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or Harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

#### • **Dowry Prohibition Act 1961**

This is a Criminal Law that punishes the giving and taking of dowry. The tradition of dowry itself is banned under the Dowry Prohibition Act, 1961. According to this law, gives, takes or even demands dowry, they can be imprisoned for a period of 6 months or they can be fined upto five thousand rupees. Later amendment was made in Dowry Prohibition Act in 1986 and again in 2018 as Dowry Prohibition (Amendment) Act 2018 where punishment was made more stringent.

### **CONCLUSION**

In the end I would like to conclude that, as long as this orthodox society will exist, women and other weaker sections of society will suffer by this horrendous and inhumane kind of crime. More than 50% of domestic violence related crimes are unreported and whichever cases are reported they are mostly left unattended. Even after so many years of independence, it is doubtful to say that women will get justice and it is just because of this society and the complex legal system. If the society will keep on ignoring such cases this will create an utter chaos because one out of every three women suffers from this immoral and inhumane crime and this can lead to some more heinous and horrible crimes and this can happen with anyone. For that we need more strict and more stringent punishments for such psychopathic criminals and more speedy justice should be provided in such cases and for that we need to stand together and support the victims of such horrendous crime.

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