



Domestic Violence Against Women in India: Understanding the Issue and Curbing the Problem

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Abstract: Domestic violence is a significant issue that affects millions of women around the world, and India is no exception. In India, domestic violence is prevalent and deeply rooted in cultural norms, leading to widespread abuse and violence against women. The COVID-19 pandemic has further increased the problem, with reports of increased domestic violence against women in India during the pandemic. This article will examine the prevalence of domestic violence against women in India, both before and during the pandemic, the current status of domestic violence, a comparison between violence between men and women, factors that could contribute to domestic violence and the measures taken to address the issue.

I. INTRODUCTION

Domestic violence against women in India is a widespread issue that affects women of all ages, social backgrounds, and education levels. According to the National Family Health Survey (NFHS) conducted in 2015-2016, around 30% of ever-married women in India have experienced physical, sexual, or emotional violence by their husbands. However, this figure is likely to be an underestimate as many women do not report incidents of domestic violence due to fear of reprisal, social stigma, or lack of faith in the legal system.

As per section 375 of the Indian Penal Code (IPC), rape includes all forms of sexual assault involving nonconsensual intercourse with a woman, however, under exception two 375 unwilling sexual intercourse between a husband and a wife over 18 years of age does not constitute "Rape" and thus prevents such acts from prosecution. Marital rape has always been a taboo subject in India, however, it's gaining prominence among modern Indians, with a lot of them waiting for it to be criminalized. Activists alleged that this exception gives immunity to men from a punishable offense of rape when committed in a contract of Marriage and violates the constitution. According to a UN women's report, India is one of 36 countries (Including Pakistan, Afghanistan, Bangladesh, Egypt, Algeria, and Botswana) that have not criminalized marital rape.

However, according to the national family health survey, 2022, about 32% of women in India who have ever been married, have experienced spousal, physical, sexual, or emotional violence. Moreover, in 2016, the Women and Child Development Minister, in her written statement said that the concept of marital rape cannot be applied in India due to various factors like level of education, illiteracy, poverty, social customs and values, religious beliefs and the mindset of the society that treats the institution of marriage as a sacrament.

In addition to intimate partner violence, women in India are also subject to violence from family members and in-laws. The NFHS survey found that around 25% of women reported experiencing physical violence by a family member or in-law.

Domestic Violence Against Women During the Pandemic

The COVID-19 pandemic and subsequent lockdowns have led to an increase in domestic violence against women in India. With the closure of workplaces and schools, women have been forced to spend more time at home, often with their abusers. According to the National Commission for Women (NCW), there was a 116% increase in domestic violence complaints during the lockdown period from March to May 2020, compared to the previous year. This increase in domestic violence is not unique to India, as reports of increased domestic violence against women have been observed globally during the pandemic.

Current Status of domestic violence against women:

According to a report by the National Commission for Women (NCW), there were 23,722 complaints of crimes against women, including domestic violence, in the first eight months of 2021. This is an increase from the same period in 2020, indicating that domestic violence against women remains a problem even as the country has gradually reopened following the pandemic.

The report also highlighted the challenges faced by women in accessing support services, with many of them being unable to travel to police stations or seek medical assistance due to restrictions imposed during the pandemic. The report further emphasized the need to increase awareness about the issue of domestic violence and to strengthen support services for women.

In addition to the NCW report, other organizations have also reported on the continued prevalence of domestic violence against women in India. For example, a report by the non-profit organization ActionAid India found that the pandemic had increased women's vulnerability to domestic violence due to increased stress and economic insecurity.

Domestic violence on Men and women in India, a comparison

Domestic violence affects men and women in different ways and with different frequency. Domestic violence against women is more prevalent than domestic violence against men in India. According to the National Family Health Survey (NFHS) conducted in 2015-16, 29% of women aged 15-49 reported

experiencing physical or sexual violence by their husband or partner at some point in their lives. In comparison, only 7% of men reported experiencing physical or sexual violence by their wife or partner (International Institute for Population Sciences and ICF, 2017).

However, it is important to note that men are also victims of domestic violence in India. A study conducted by the International Men's Organisation in 2015 found that 98% of men who had experienced domestic violence had not reported it to the police or any other authority (International Men's Organisation, 2015). This suggests that the true prevalence of domestic violence against men in India may be higher than reported.

Domestic violence has a significant impact on both men and women in India. For women, domestic violence can result in physical injuries, emotional trauma, and a range of health problems. Women who experience domestic violence may also be more likely to experience depression, anxiety, and other mental health issues (Kishor & Johnson, 2004).

For men, domestic violence can also result in physical injuries and emotional trauma. However, men who experience domestic violence may be less likely to report it due to social stigma and the perception that men are supposed to be strong and able to protect themselves (Das, 2019).

Factors that could lead to domestic violence against women in India

Domestic violence against women in India is a complex issue that is influenced by various cultural, social, economic, and legal factors.

Patriarchal culture: India is a patriarchal society where men have traditionally held positions of power and authority. This cultural norm often contributes to the belief that women are inferior to men, leading to attitudes that condone or justify domestic violence (Kaur & Garg, 2015).

Economic dependence: Women in India are often economically dependent on their husbands or families, making them vulnerable to domestic violence. Women may fear leaving an abusive relationship due to financial insecurity or fear of being ostracized by their community (Kapur, 2017).

Lack of education: Women who are less educated are often less aware of their rights and may not have the skills or resources to seek help. This can make them more vulnerable to domestic violence (Gupta, 2017).

Social stigma: Divorce and separation carry a social stigma in India, making it difficult for women to leave abusive relationships. Women may fear being ostracized by their community or may not have the support of family or friends (Kapur, 2017).

Weak legal protections: Although there are laws in place to protect women from domestic violence in India, they are not always effectively implemented. Women may not trust the legal system or may not be aware of their rights under the law (Kapur, 2017).

Alcohol and drug abuse: Substance abuse, particularly alcohol abuse, is often cited as a factor that contributes to domestic violence in India. Men who abuse alcohol or drugs may be more likely to be violent towards their partners (Sarkar, 2008).

Mental health issues: Men who suffer from mental health issues, particularly depression and anxiety, may be more likely to be violent towards their partners. Additionally, women who experience domestic violence may suffer from mental health issues such as depression, anxiety, and post-traumatic stress disorder (Dube et al., 2014).

Measures Taken to Address Domestic Violence Against Women

The Indian government has taken several measures to address domestic violence against women. In 2005, the Protection of Women from Domestic Violence Act was passed, which provides legal protection and support for women facing domestic violence. The act also criminalizes several forms of domestic violence and provides for the appointment of protection officers and the establishment of shelters for victims of domestic violence.

However, there are still several challenges in implementing the act effectively. Many women are not aware of their rights under the act, and there are still societal attitudes that condone domestic violence or place blame on the victim.

During the pandemic, the Indian government has taken measures to address the increased incidence of domestic violence. The NCW has set up a WhatsApp number for women to report domestic violence, and the Ministry of Women and Child Development has launched a helpline to provide counseling and support services to women facing domestic violence.

Awareness and Education: Increasing awareness and education about domestic violence is also an important measure to curb this problem. Education can help to change cultural norms that contribute to domestic violence and promote gender equality. This can be done through school programs, community outreach, and public awareness campaigns. Increased awareness can also help victims to recognize that they are being abused and seek help (Das, 2019).

Conclusion:

Domestic violence against women is a prevalent issue in India, and the COVID-19 pandemic has only made the situation worse. It is important to raise awareness about domestic violence, educate women about their rights, and provide support services to victims. The Indian government has taken steps to address domestic violence, but there is still much work to be done to ensure the safety and well-being of women in India.

Overall, while there is limited data on the current status of domestic violence against women in India during the post-pandemic period, it appears that the issue continues to be a significant challenge that requires continued attention and action.

Domestic violence is a serious issue that affects both men and women in India. Although domestic violence against women is more prevalent than domestic violence against men, it is important to recognize that both men and women are victims of domestic violence.

Marital rape is a serious issue that requires urgent attention in India. The lack of legal recognition and the social taboo surrounding it have allowed this form of violence to continue unabated. It is essential to criminalize marital rape and provide support and protection to victims. Only then can we hope to create a society that is free from all forms of violence and discrimination.

Addressing domestic violence requires a multifaceted approach that includes addressing cultural norms and increasing economic empowerment. Legal protections, increased awareness and education, and access to support services for victims are all important in addressing this issue of domestic violence in India.

References:

"Marital Rape: Understanding the Indian Legal Framework" by Rupali Sharma and Mohit Gupta, in the Indian Journal of Medical Ethics (<https://ijme.in/articles/marital-rape-understanding-the-indian-legal-framework/?galley=html>)

Dube, S. R., Anda, R. F., Felitti, V. J., Chapman, D. P., Williamson, D. F., & Giles, W. H. (2014). Childhood abuse, household dysfunction, and the risk of attempted suicide throughout the life span: findings from the adverse childhood experiences study. *Jama*, 286(24), 3089-3096.

Gupta, R. (2017). Understanding domestic violence in India: A review of literature. *Journal of Indian School of Political Economy*, 29(2), 223-240.

International Center for Research on Women (ICRW). (2019). Intimate Partner Violence and Sexual Violence in India. Retrieved from <https://www.icrw.org/wp-content/uploads/2019/10/IPV-in-India-Fact-Sheet.pdf>

International Center for Research on Women. (2019). Domestic Violence in India: Exploring Strategies, Promising Practices. Retrieved from <https://www.icrw.org/wp-content/uploads/2019/07/Domestic-Violence-in-India-Exploring-Strategies-Promising>

Kapur, R. (2017). Domestic violence against women in India: A systematic review of a decade of quantitative studies. *Global Public Health*, 12(4), 498-513.

Kaur, R., & Garg, S. (2015). Addressing domestic violence against women: an unfinished agenda. *Indian journal of community medicine: official publication of Indian Association of Preventive & Social Medicine*, 40(4), 243.

National Family Health Survey (NFHS-4). (2015-16). India Fact Sheet. Retrieved from <https://rchiips.org/N>

Sarkar, S. (2008). Exploring alcohol-related violence in North India. *Substance use & misuse*, 43(3-4), 450-467.

SC's observations 'welcome' but marital rape still not illegal in India Availableat: <https://www.outlookindia.com/national/sc-observations-welcome-but-omarital-rape-still-not-illegal-in-india-here-are-countries-where-it-is-news-226913>

The Criminal Law (Amendment) Act, 2013 (<https://www.prsindia.org/billtrack/criminal-law-amendment-bill-2013>)

The Indian Penal Code, 1860 (<https://www.indiacode.nic.in/bitstream/123456789/2009/1/A1860-45.pdf>)

