

## **CHAPTER- NINE**

### **SUMMARY OF THE FINDINGS, CONCLUSION AND RECOMMENDATIONS**

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Domestic Violence not specific to any particular community or to any particular country. It is a widespread problem found all around the world. In most of the cases of domestic violence, it is the women who suffer. This research emphasises on the domestic violence committed against the married women. In Indian society, there are different forms of Domestic Violence, for example—the physical, mental and financial torture. The torture is generally inflicted by husband, in-laws or any other member staying in the matrimonial home. This type of violence generally affects the women both physically and psychologically. Often, her closed people too suffer as a result of violence, e.g. the children. Domestic violence, in a sense, is different from other types of crimes committed against women. Domestic violence is a particular type of violence, which is gendered in nature and it occurs within the context of patriarchal environment and within the family. This defines its complex nature. As it is committed within the four walls of the matrimonial family, for the married women, so the domestic violence is often not acknowledged patriarchal in society. Patriarchal deep-rooted power dynamics are deeply ingrained in family values and that contributes to the problem. The ‘hidden’ and ‘private’ nature of the problem obstructs the reporting of the crime. It is often considered ‘normal’ as society is conditioned in that manner. At the broader level, the main reason behind domestic violence is the traditional and patriarchal mindset of the society which nurtures the issue of gender inequality and subordinate status of women. The issue of gender inequality is supported by the community and by the several agents of socialisation. In the patriarchal environment, several factors instigate domestic violence, like demand for dowry, alcoholism of husband, incompatibility, mismatch of expectations, ego conflict, extra-marital affairs, suspicious nature of the husbands etc.

In India, to address the problems of crime against women within the domestic sphere, several legal measures have been made from time to time, e.g. different sections under Indian Penal Code, 1860 (Section 498A and 304B to mention the most vital), Dowry Prohibitions Act, 1961 etc. In 2005, a new law was made, namely The Protection of Women from Domestic Violence Act, to deal with different forms of domestic

violence. After more than a decade of the passing of the law, it is necessary to study the effectiveness of this legal measure.

The objectives of the study are primarily to identify the various factors which instigate domestic violence against married women. At the same time the research intends to study the nature and forms of domestic violence experienced by the victims. Moreover, the research also tried to understand the perception of married women about domestic violence. Attempt has been made to get a sense of what they consider to be domestic violence and what they do not. The respondents may have faced violence in their own marital life or they may have seen a woman in their family, or in neighbourhood, facing domestic violence. Efforts are made to identify the factors that influence their perception.

The research has also tried to study the different strategies adopted by the victims to address domestic violence in their life. Additionally, the research has also made effort to get a sense of the awareness level of the respondents regarding different legal options available. Similarly, the research has tried to study the functioning pattern of different governmental and non-governmental bodies in tackling the issue. Based on the findings, the researcher has tried to come out with some recommendations to tackle domestic violence.

This research has adopted cross-sectional research design to collect data from different sections of the society at the same time. Non-probability Purposive Sampling Technique is used which to cover and select married women from different socio-economic backgrounds. The number of respondents is 120 which is selected from different economic, religious, caste, residence, age, educational and occupational backgrounds etc. For data collection, flexible approach has been adopted. The interview schedule comprised of both closed and open-ended questions which has helped the researcher to collect huge qualitative data. In-depth interview with the victims has helped to understand several issues, associated with domestic violence. Interviews of different professionals who are specialised in the field of dealing with domestic violence cases are also taken. Apart from the first-hand information from the sample population, certain information from secondary sources like NGOs, Family Counselling Centres (FCCs), Police Stations, NCRB data and relevant information from local Municipal Corporation etc. are also collected to understand the context. In case of data presentation, responses of the respondents have been given in tables with

numbers only to make a sense of the context. But more importantly, the narratives of the respondents, particularly that of the victims, have been studied in great details to understand different issues associated with domestic violence.

The present research has been carried out in Durgapur, which is located in the Paschim Bardhaman district of West Bengal. Durgapur is an industrial city with a cosmopolitan culture that includes people from different socio-economic backgrounds. The initiative of industrialisation in the geographical area began in 1950s and gradually with the establishment of new industries people from different areas with different skills came here for income opportunities. A research in Durgapur will have the potential to understand how domestic violence takes place in different sections of the society. The area of research is falling within the jurisdiction of Durgapur Municipal Corporation (DMC). DMC covers diversified areas like residential urban, industrial as well as slum areas. In this research, women from different sections of society have been interviewed and their perceptions based on their experiences about domestic violence has been recorded. In this way, attempts have been made to address the objectives of the research.

## **9.1. Summary of the findings and explanations**

### ***9.1.1. Domestic Violence and Family Income***

The study clearly points out that Domestic violence is present in every section of the society in Durgapur, irrespective of the family income of the respondents. It is also seen that ‘experience’ of domestic violence comes down with the rise in family income but the better economic condition does not ensure that domestic violence will cease to exist completely.

Again, it is seen that the frequency of domestic violence also decelerates with increase in family income. Different forms of domestic violence for example, physical, mental and financial violence exists in almost higher, middle and lower income group. However, it is also true that there is a decreasing trend of occurrences of each and every form of violence with the increase in family income. Physical violence is more common in economically poor families than in economically solvent families.

There is no noticeable variation between the perpetrators of violence and family income. Husbands, in-law or all other members residing in the victim’s matrimonial

family inflict domestic violence upon the victims, irrespective of the family income of victims.

A considerable number of victims from higher family income background think that the extent of domestic violence against women is same as earlier. It is also seen that with increase in family income, the perception varies. Most of the respondents from higher family income category feel that domestic violence is rising. Certain number of respondents from lower family income background possess no idea about the rise of domestic violence against women in society.

It is also seen that victims from all family income category consider that women feel ashamed to discuss the issue of domestic violence publicly and they prefer to compromise with the existing situation which sometimes instigates rising of domestic violence. The victims from higher family income category further specified that inadequate implementation of existing laws is also a contributing factor to the violence in the society. Again, a section of women, from each economic background, try to remain silent about their sufferings and never report their problems to legal bodies like police, Protection Officers etc. which sometimes gives courage to the culprits.

The respondents also talked about the immediate steps to minimise domestic violence. Respondents from middle and higher family income category perceive that the best approach to address domestic violence is discussing the matter with the perpetrators. It is conceived that if the victims initiate talking about the problems with the people whom she feels responsible for the occurrences of problems, then minor conflict could be resolved. Minor conflicts are normal phenomenon in every married woman's life. But if intervened at the beginning, it might not turn to extreme form of domestic violence. Majority of the respondents from different family income background said that filing a police complaint is the second option, if problems are not resolved through talking. Certain respondents from lower and middle family income category feel that women should adjust with the situation. Most of the respondents from lower and middle family income category feel that economic independence is required for married women to take any bold step. Additionally, they also specified that often the married women lack social support, if they decide to leave their husbands due to domestic violence.

The respondents also suggested certain ways for preventing domestic violence. Majority of the respondents from different family income category feel that women should protest and raise their voice against any sort of atrocities faced by them. Silently tolerating exploitation in the violent environment does not work. Additionally, respondents from higher family income category have also talked about certain other options to prevent domestic violence, like the accused must get proper punishment, women should report their issues to law enforcing bodies etc. Some respondents also feel that positive parental education from childhood is also required for everyone, irrespective of sex. Proper education through socialisation makes responsible human being who would not approve domestic violence. Certain number of respondents from lower family income group perceives that the community, especially women, should stand beside the victim in her crisis period which might help her to fight with domestic violence.

The victims from lower and middle family income background have told that they have experienced domestic violence mainly due to demand for dowry and alcoholism of husband. Some victims from lower family income background also specified that frustration of husbands due to unemployment, and extreme poverty, sometimes result in violence upon the victim in the family. It is seen that victims from higher family income have background talked about several reasons apart from the above two. The reasons are— incompatibility between husband and wife, suspicion within husband's mind, extra-marital relationships of husband, ego conflict which develops due to unequal social or economic background between husband and wife etc. The victims from higher family income group have also talked about patriarchal values of the matrimonial family which nurtures the traditional and conservative ideology. Such mindset often results in domination over women, particularly over a newly married wife. A few victims from middle and higher family income category have also spoken about unsatisfied sexual relation between the husband and the wife sometimes trigger domestic violence.

Most of the victims from different family income backgrounds said that they protested against the violence after a certain extent. They have revealed that at the preliminary stage, the victims tried to make necessary adjustment by making compromises up to a certain extent. But, when the situation turned worse, the victims revolted against the atrocities going on upon them. A certain number of victims from higher family income

background said that they raised their voice against the violence from its very onset, whereas not a single victim from lower family income background did the same.

It is also observed from the findings that most of the victims from all family income background reported their problems to the family primarily. The victims from different family income backgrounds mostly prefer to keep their problems secret and restricted within the ambit of family. They are of opinion that domestic violence is private matter and as far as possible it should not be exposed in public. Hence, it is better if close family members and relatives could provide help so that problem could be reconciled privately. A few women from higher family income background suggested that the victims should report their problems to police and legal bodies also. It is also noticed that only one victim from higher family income category took help of Protection Officers which reflects the limitations of the implementation of the new law in the researcher's area of work. Some victims from lower family income background said that they approved local clubs and women's organisations, which are active in their locality, for help.

It is also found that respondents from different family income categories have heard about the different laws existing to check domestic violence. But majority of them are not aware about the several useful provisions of the laws. It is also found that maximum number of respondents are not sensitized about the implementing procedures of the laws on domestic violence. It is also vital to mention that with the increase in family income level of the respondents, their awareness level also increases. Most of the respondents from higher family income level are having a clear picture about the provisions of law and its implementation. Again, majority of the respondents from lower family income category not even heard about the existing laws on domestic violence.

While closing the discussion, it has been observed that with the increase in family income, domestic violence is eventually decreasing. This is due to the fact that with increase in family income, people are getting education. Education helps to change conservative attitude towards women. On the other hand, if women are educated, it enhances their social prestige. Then they are more respected and less exploited. Better education addresses problems like poverty, ignorance, illiteracy, unemployment etc. which decreases alcoholism and violence against women in the family. Through better

socialisation, larger society can fight against the ‘culture of violence’ practiced especially among lower family income group.

#### ***9.1.2. Domestic Violence and Individual Income***

The married women who are economically independent and more stable suffer less frequent domestic violence in comparison to respondents from lower/no income group.

The severity of physical violence decreases with increase in individual income level, but the infliction of mental and financial violence upon the victims does not indicate any major variation with increasing individual income level. The victims are facing domestic violence largely at the hands of their husbands but in many cases, they face violence from their in-laws. It is also found that with the increase in individual income level, husbands are involved in less domestic violence.

A considerable number of respondents, in every individual income category, believe that domestic violence is increasing with changing time. But, the respondent’s individual perceptual level varies with increase in individual income level. A large number of respondents with lower/no-income level possess no idea about the increasing rate of domestic violence, whereas a significant number of respondents from higher individual level believe domestic violence is increasing. It is also revealed that respondents from all the individual income level categories view ‘talking with husbands and in-laws’ is the most safe and acceptable action to address domestic violence. The economic insecurity among the ‘no-income’ or ‘lower income category’ prevents the victims from taking drastic actions like reporting the incidents of violence to the law enforcing agencies or leaving husband’s home.

There are several reasons like demand of dowry, alcoholism of husband, incompatibility, ego conflict etc. which increases the possibility of domestic violence against the married women. Most of the victims from lower or no individual income groups said that ‘demand of dowry’ and ‘alcoholism of husband’ are the most important factors for instigating domestic violence, whereas the respondents from higher individual income group stated that ‘incompatibility’ and ‘ego conflict’ are the main reasons of occurrences of domestic violence in their life. It can be safely concluded that domestic violence is a complex phenomenon and it is not possible to explain the occurrences of domestic violence on the basis of any single factor.

From the interactions with the married women of Durgapur, it is clear that the individual income of the victims helps them to protest against domestic violence. Most of the respondents from no-income or lower individual income group never raise their voice against domestic violence in comparison to respondents from higher individual income group. Though, there are several other factors that determine victim's decision and her capability to raise her voice. For example, the support from the parents, support from the friends and relatives are important for a victim to protest. However, the individual income plays a major role in determining victim's reaction towards domestic violence. It is not only the women having good income, even women from the lower income group, for example the maid servants, have often been able to protest against domestic violence.

From this study, it is found that the victims have taken help from different sources like family, police, NGOs, Protection Officers, Counsellors etc. In most of the cases, the victims, irrespective of their individual income, were primarily helped by their paternal family. There is still hesitation, particularly among the victims from lower individual income group, to take legal action or to approach the police.

It is also observed that knowledge level of the respondents about the existence of laws to tackle domestic violence is consistently increasing with the increase in individual income level of the respondents. However, a good number of married women, including some having good income, do not possess proper understanding about the law. The respondents have heard about the law, but not about the necessary provisions. On the other hand, some maid servants, who work in the households of the rich and the educated, have come to know about the existence of law and formed some idea about approaching the law enforcing agencies. The researcher has found a few maid servants who did approach the police and were able to tackle domestic violence quite effectively.

Individual income definitely helps a victim to protest but economic independence does not necessarily lead to taking active step against violence. Often it is found that working women, even having a good and stable income, hesitate to protest beyond a level fearing lack of social support if the situation gets worse.

### ***9.1.3. Domestic Violence and Age***

It is noticed that victims from all age groups have reported to have experienced domestic violence once or for a prolonged time in their lives. It proves that domestic violence is going on for a long time and this is not a new phenomenon.

However, the married women from relatively younger age group are facing domestic violence less frequently as compared to respondents from middle and older age group. The researcher has found victims who are facing violence for years, even after in their old age. It is also found that the occurrences of physical violence are more in case of younger age group of the victims whereas, occurrences of mental and financial violence are relatively more in case of older age groups of the respondents.

Often, the domestic violence continues with passing age if not addressed effectively in the initial stage. The husbands are mainly responsible for domestic violence. There are some reasons to believe that the nature of violence and perpetrators change with the passage of time. The role of in-laws in causing violence comes down in many cases with the progress of time.

From this study, it appeared that for the respondents from relatively younger age group, all the approaches available to address domestic violence are very new, therefore, they are confused regarding their response to deal with domestic violence. But, with increasing age, women understand the complexities of married life and gradually start exploring the best options to deal with the problem. Most of the women feel that a victim should not take a decision in a hurry. For example, many women feel that, filing police complaint or leaving husband should be the last option. There exists scepticism about the police in all the age group.

In this study, the respondents of different age groups are asked about their perception about best way for preventing or minimising domestic violence. The respondents, have talked about different ways for preventing domestic violence. Most of the respondents from younger age group feel that a victim should not tolerate domestic violence for a long duration and appropriate punishment for the accused is required to create a fear of law in the society.

It is very vital to take a look at the way the victims have reached towards the domestic violence. A considerable number of victims from younger age group reacted against the domestic violence and protested after a certain extent. Whereas, in comparison to them,

the victim respondents from older age group reacted less. They have given the impression that they tolerated violence for a longer duration. Perhaps, it indicates a change in the attitude of women over time. Women have become more conscious about their self-respect and more options, including legal measures that are available to take on the culprits. But it must also be noted here that there are victims from all the age groups who never raised their voice against the domestic violence going on upon them. This is partly because of lack of social support and partly because of fear of more uncertain future.

#### ***9.1.4. Domestic Violence and Education***

This research shows that a large number of married women from illiterate or lower educational level have suffered domestic violence in their marital life. The extent of domestic violence decreases as the educational level of women increases. But it is also found that even some women, having higher education, have become victim of domestic violence.

It is also seen that respondents from lower educational background, suffer more physical and mental violence compared to educationally well-off respondents. Lack of education often make women more economically dependent on their husband and that make them more vulnerable to violence.

It is also found that the perception of the married women is highly influenced by their respective educational attainments. A fairly decent number of respondents from less educational level possess no proper understanding about the trend of domestic violence, whereas a good number of respondents from higher educational level are clear in their opinion that the domestic violence is rising in our society.

It is imperative to mention that the married women from illiterate category generally do not support leaving husband as the best approach to address domestic violence against women. Most of them are of the view that one should try their best to make necessary adjustment with the situation. In fact, married women, in considerable number from each educational level support the view. They largely prefer that discussion with the perpetrators as the best way to address domestic violence. Filing a police complaint or leaving the home of husband is not the first choice for most of the women.

Respondents, particularly those from lower educational background, do not believe that reporting of domestic violence to the law enforcing agencies would prevent violence.

But they consider neighbours, especially women, living nearby could provide help to the victims to fight with the domestic violence. However, some married women from higher educational background stated that women should not tolerate domestic violence under any circumstances. They believe, if protest is not made in the beginning, later the situation turns bad to worse and ultimately it often becomes unmanageable. So, it is better to address the problem when it is at the lower level.

While talking about the reasons of domestic violence, respondents from all the educational backgrounds revealed that demand for dowry is the major instigating factor towards its causation. It is also seen that with increasing educational level, the respondent's opinion also varies. Maximum number of respondents from illiterate and lower educational category talked about demand of dowry and alcoholism of husband as the major factors for violence. The educated women on the other hand have given more emphasis on factors like incompatibility, ego conflict, unsatisfied sexual relations, patriarchal domination etc.

As far as the reaction of the victims against violence is concerned, it can be clearly found out that married women from illiterate and lower educational background usually do not protest in the initial stage of violence. But, a good number of respondents from different educational backgrounds protested against domestic violence in an active way after a certain extent.

The study also shows that a large number of respondents from illiterate and lower educational backgrounds have not even heard about the laws which are existing to mitigate domestic violence. As expected, considerable number of respondents from higher educational background not only possess knowledge about the laws and some of them have quite clear idea about the legal provisions. But one must note that there are some highly educated women who are completely ignorant about the probable legal options for a victim of violence.

#### ***9.1.5. Domestic Violence and Employment Status***

The study reveals a connection between the incidences of domestic violence in an individual woman's life and her employment status. It has been noticed that respondents from no income category experience more domestic violence in comparison to the respondents from employed category. But, irrespective of one's

employment status, the occurrences of domestic violence are common in married women's life.

Again, it is also found that, married women from no income category, the housewives, face more physical violence. It also found that several working women face mental and financial violence. Often it is found that a working woman is prevented by her husband, or by her in-laws, to spend her earning the way she likes. One major reason for domestic violence in several families is the conflict generated from the decision of the newly married bride to work outside home. Conservative families often find it hard to accept a working woman. The working woman, in many cases, finds it tough to balance the home and her job. Failing which she is accused of neglecting her family duties. The conflict results in domestic violence.

In this research, it is found that a good number of respondents from working women category believe that domestic violence is rising day by day. It is also found that many respondents from no income category do not possess any idea about the magnitude of the problem. Working women get the opportunity to mix with people from different backgrounds and so they have better understanding about the trend of violence.

It is also noticed that a large number of respondents from no income category do not have much clear idea about the main reasons for rising of domestic violence. It is also seen that majority of the respondents from no income category suggested safe option more desirable to tackle domestic violence. They believe discussing the matter with husband and with other relatives is more preferable than filing police complaint or leaving the home of husband. On the other hand, the working women are less unsecured about their life and many of them favour much courageous approach to address domestic violence.

It is very important to mention that married women, mainly housewives, regard informal means as the best option for preventing domestic violence in the society. They majorly preferred involvement of neighbourhood women and family members to stop domestic violence. Comparatively, working women in more number believe that formal options should be considered after a certain point and matter should be taken to police to reduce the occurrences of domestic violence.

Employment status is also related with the reaction towards domestic violence. It has been found that quite a large number of victim from no income category never rose

their voice against the domestic violence going on upon them. However, most of the respondents from working women category protested against the domestic violence after a certain extent.

The victims of domestic violence, irrespective of their employment status, consider family members, particularly the parents, as the most approachable and reliable source of help to deal with the problem. It is also observed that most of the respondents from working women category consider police and other justice delivery mechanisms as important sources of help at the time of need.

The study reveals that a large number of housewives have not heard about the existence of law on domestic violence. In comparison, working women in larger proportion possess relatively clear knowledge about the law on domestic violence and its provisions. But it is also found that several working women, with good and stable income, are confused about the legal provisions available to a victim.

#### ***9.1.6. Domestic Violence and Duration of Marriage***

Domestic violence is nothing new in Indian society. A good number of respondents, irrespective of duration of marriage have admitted to have suffered from domestic violence in different stages in their lives. But, the occurrences of domestic violence gradually decrease with the increase in marriage duration, this study indicates. Newly married women experience adjustment problems but as duration of marriage increases, respondents become mature and discover innovative ideas to adjust with the environment. Often the interference from the relatives help to change the uncomfortable situation. The study also shows that not only the occurrences, but the frequency of domestic violence also decreases with increase in duration of married life. Women respondents, who are newly married, suffer from domestic violence more frequently in comparison to respondents from higher married duration.

There is also a variation in the nature of domestic violence with changing marital duration. In the starting days of marriage, physical violence is more acute whereas mental and financial violence often increase with the growing duration of marriage. However, one must not forget that mental trauma is always associated with physical torture. Financial violence too hurts the sentiment of the victim.

#### ***9.1.7. Domestic Violence and Type of Family***

From this research, it is seen that domestic violence against women happens in both type of family — nuclear family as well as in joint family. However, violence is more acute in nuclear family. It appears from the study that women respondents face more domestic violence in nuclear family because of absence of other members to resist the occurrences of violence against the victims. However, the opposite is also true in some cases. In some joint families, it is found that the in-laws are either actively involved in violence or are provoking the husband against his newly married wife. Often, it is found in joint families that the mother-in-law or the unmarried sister-in-law do not want to lose their authority over the economic affairs of the family. So, they try to corner the newly married bride by different means—from mental torture to physical violence.

Depending upon the type of family status, the nature of violence varies to some extent. Physical violence relatively is more common in case of nuclear family. But one must note mental and financial violence are faced by the victims in both kinds of family.

Family background is expected to play a role in the formation of the perception of the married women. But we do not notice any sharp difference here. It has been seen that most of the respondents from nuclear family background believe that talking with the perpetrators—the husband basically, as the best approach to address domestic violence more or less. Most of the respondents staying in joint family background prefer the option of adjustment with the situation as the best way to deal with domestic violence. From the interactions with the married women of Durgapur, it is quite clear that they attach a lot of importance to family. Women in general fear break down of family. They pointed out that society do not like a woman who is responsible for the breakup of the family she is married to. Therefore, leaving husband is the last option for most of these women.

It is also revealed that very less number of victims living in joint family background never rose their voice against the domestic violence going on upon them, compared to those from nuclear family. It is also found that a considerable number of women victims from nuclear family background have shown courage and enthusiasm to react overtly towards the domestic violence going on upon them.

Most of the respondents staying in both joint and nuclear family, have chosen various sources of help to fight against domestic violence. Several victims living in nuclear family mostly approached the paternal family members and other relatives for help. Same approach was adopted by many victims from joint family, as well. Some victims took help of NGOs and women organisations to deal with domestic violence.

#### ***9.1.8. Domestic Violence and Type of Marriage***

It is found that respondents who have undergone arranged marriage have experienced more domestic violence after marriage in comparison to those who had love marriage. In case of arranged marriage, often the women do not come to know their husbands, or other members of the matrimonial house, properly. Often the newly married women are not prepared about what is expected of them. This situation may give rise to conflict which might result in causation of domestic violence. But it does not mean in case of love marriage everything goes smoothly. Even in love marriage, it is difficult to have a proper understanding of the environment of the boy's family in advance. In some cases, it is found that no dowry demand was made at the time of love marriage. But after a few months, the husband and the in-laws realised the loss of opportunity to have some wealth and thereafter the torture for dowry started.

If one considers different nature of violence, it has been seen that the married women are sufferers of violence irrespective of their type of marriage. The victims suffer physical, mental as well as financial violence in the hands of the perpetrators in case of both type of marriage—love or arranged.

In case of love marriage, it is found that in most of the cases the perpetrators of violence are primarily the husbands. But in case of arranged marriage, the in-laws play relatively greater role (table 7.4.4). Women having arranged marriage have pointed out demand for dowry and alcoholism of husband as the two main reasons of violence.

#### ***9.1.9. Domestic Violence and Husband's Occupation***

It is found that domestic violence happens more frequently among those respondent's whose husbands are either not working or daily wage earner. The husbands of the respondents who are professionally qualified inflicts less domestic violence upon the victims. The husbands having low income or unemployed husbands often suffer from frustration and that is reflected in their violence against women. Unemployment not

only brings economic insecurity, but it also generates feeling of inferiority complex which results in ego-conflict.

The research points out that physical and mental violence are committed by the husbands from different occupational background, including the highly paid educated professionals. But it is more common for wives, whose husbands are from lower income or no income group like the daily wage earners. It is also found that for the wives of the poor paid husbands, the dowry demand, alcoholism of husbands, and the suspicious attitude of husband towards their wives are the major factors causing domestic violence.

## **9.2. Performance of the existing law on Domestic Violence**

In this research, the definition of domestic violence against women has been adopted from the law on domestic violence i.e. the Protection of Women from Domestic Violence Act, 2005 (PWDVA). PWDVA, for the first time, defined domestic violence in a comprehensive way. It talks about different forms of domestic violence, not giving emphasis on physical violence only. Previously, Section 498A of IPC dealt with physical violence. But the new law talked about all forms of abuses like mental torture and financial violence.

From the findings of the present research, it is seen that the married women, from different sections of the society, have experienced different forms of domestic violence—physical, mental and financial. Several victims have suffered from all types of violence at the same time. However, maximum number of them have very little or no idea about the laws existing to deal with domestic violence. The different provisions of laws are known to very few. A good number of housewives, even some educated working women, not even heard about the existing law on domestic violence.

It is true that some respondents from higher educational level have heard about the new law and knows about its applicability. But they form a small section of married women. So, the lack of awareness about the law is a major issue.

The study findings also show that quite a good number of victims from different income backgrounds, different age groups, and from different educational backgrounds have never protested against the torture going on upon them. They include highly educated, women in well paid jobs and aged women. These victims disclose that they do not know about any law or legal help properly, and some of the respondents from

poor background also said that laws are not for poor uneducated women. Most of the respondents are of the opinion that the personnel responsible for delivering justice are biased towards patriarchal structure of the society and there is very little hope for women to get justice. So, the scepticism about the law enforcing agencies remain.

The victims generally prefer to approach their close relatives, mainly the parents, for help. There is another angle to it. Women in large number consider domestic violence as extremely private matter which does not deserve to be discussed in public. Even, they go to that extent to say that police or law may be of immediate help, but long-term relief is not provided by government bodies.

PWDVA is made in the year 2005 to cover different types of domestic violence cases, but it is noticed during interview that many women do not know about the law. Some of the respondents also thought that Section 498A of IPC and PWDVA are the same law. But actually, they are different.

It is also reflected from the findings of the study that after family members, married women sometimes go to the police station for getting relief from domestic violence. But very less number of respondents were found, irrespective of their income, education, marital status and age, who approached the Protection Officer. Many married women consider Protection Officer as new designation of a Police Officer with some added responsibilities. For the lack of reporting to the Protection Officer, the main causes are primarily lack of knowledge and secondly the attitude to consider domestic violence committed within the four walls of matrimonial family as ‘family problem’ which should not be taken to the outsiders. The respondents are of the view that it is very shameful on their part to expose their “intimate private matter” in public domain. In addition to that, occurrences of domestic violence against married women are to certain extent regarded as ‘natural’ and it is accepted in the patriarchal family setting. The male domination is accepted more or less which gives some justification for the subordination of women who should tolerate the behaviour of their husbands.

There are different professionals working in Durgapur—the researcher’s selected area of study. The researcher took interview of health professionals, police, lawyer and NGO workers. They told the researcher that more efforts are required on the part of Government and Non-Governmental bodies to generate awareness about the new law on Domestic Violence.

One major limitations identified by the experts is that the provisions mentioned in the PWDVA are not visible at the ground level. The professionals like police, lawyer and most importantly Protection Officers are unable to achieve much success to make the general public, especially women, aware about the PWDVA. The professionals have also affirmed that the community of Durgapur is extremely influenced by patriarchal value system. People, from very childhood are socialised in that manner and their individual roles and functions are gendered as a result. Hence, women victims and their family members (mostly parents) are reluctant to bring the occurrences of domestic violence in forefront. It is sometimes found that the victims took years to realise that what they are going through is violence—which is a criminal act. Such feeling develops only when the situation becomes unbearable. When the condition becomes unmanageable, usually that is the time the victims look towards the law enforcing agencies.

It is also seen that the women who are uneducated and unemployed face more domestic violence. Due to the feelings of insecurity and fear of social stigma, women try to make necessary adjustments with the torture. Police or other agencies, rarely find the scope for intervention when the violence is in initial stage. The professionals raise one very important point i.e. physical violence is considered as actual domestic violence by most of the married women from different sections of society. Financial violence and mental torture are ignored, they are viewed as ‘normal’ in family setting.

The data of the researcher confirms the view of the professionals working with domestic violence. There is no or very little awareness about the law among the respondents—the married women of Durgapur. One major reason is that the professionals, like the activists who are supposed to spread awareness about the new law lack adequate skill to do so. It is seen that the provisions of the law are not reaching the lower socio-economic strata due to poor community participation in campaigning against domestic violence. Only a handful of respondents possess clear idea about the new law, the researcher found. The professionals like police, the NGO workers—those who are supposed to reach maximum people of community, have not been able to concentrate enough in the field of domestic violence. There is not much publicity of the Act.

Another important point is that in 2005 the Domestic Violence Act came into existence but the implementation rate in the next few years is very poor in Durgapur. The number

of cases registered under PWDVA is very less and most of the cases are registered under section 498A of IPC. The police and lawyers believe that 498A of IPC is more known to the people than the Act on domestic violence.

That apart, it is also found out that mental violence is not considered as serious form of domestic violence, not only by the married women but even by the professionals. Moreover, the PWDVA is also inappropriate in its functioning and takes long time to ensure justice to the victims. There are also instances of misuse of the Act at the hands of powerful people which question its applicability.

However, it will be unfair to discuss only the negative aspect of the new law. The professionals admit after that the enactment of the PWDV Act, the issues related to domestic violence are discussed more. Previously also, there was large scale domestic violence in India. But women did not have access to any single comprehensive legislation dealing exclusively with domestic violence and its various forms. But due to the enactment of PWDVA in 2005, several debates and discussions were initiated. Various NGOs and organisations took the issue of domestic violence seriously and the adverse impacts upon the victim's life were highlighted by the academic studies by the media. One must not forget that media played a part in spreading discussion about domestic violence. Several campaigns like 'Bell Bajao' (Ring the Bell in English) created sensitization and public awareness.

The issues of sexual violence and marital rape received huge media attention in India only after the enactment of PWDVA. In India's conservative traditional mentality, the concept of marital rape was never considered as separate issue of discussion. Marital rape is an exception to rape under IPC, but the Domestic Violence Act, 2005 comes forward to the rescue of victims through Protection Orders or separate orders. Sections under IPC does not address the issue of sexual abuse or marital rape faced by a married woman. It is only applicable for women who are staying separately from their husband. But the Magistrate under PWDVA, 2005 possess the authority to protect the victims of marital rape by assigning the services of protection officers in the affected area. Due to this Act, various studies and reports have attempted to bring domestic violence in various platforms, for discussion.

But, there is a long road ahead. This is a fact that the justice delivery mechanism interpreted the law widely, but the law has not had the impact as desired. It is expected

that this landmark legislation should protect and grant relief to the victims of domestic violence. It is to be kept in mind that domestic violence does not affect any one individual alone, it affects the wider society as well. It is also expected that the professionals engaged in addressing domestic violence must look at societal attitudes towards domestic violence and develop intervention strategies accordingly.

### **9.3. Causes of violence and Recommendations**

From this research it can be said that there are several factors which are directly or indirectly responsible for the occurrences of domestic violence against the married women. Undoubtedly, this is a complex phenomenon and cannot be explained on the basis of any single factor. Several reasons of domestic violence came in the light after interviewing from the respondents. The main reasons are—demand of dowry, alcoholism of the husbands, incompatibility between husband and wife, extra-marital relationships of husband, suspicious nature of husbands, frustration resulted out of poverty and unemployment of husband, non-fulfilment of expectations of husbands/in-laws, ego-conflict of the husband, birth of girl child in a conservative family, etc. All these factors are influenced by the strong patriarchal values which often turns into disrespect for women. This disrespect and disregard for the women is mainly responsible for the domestic violence against women. Even in the age of science, the social institutions and society have not questioned the patriarchal structure in effective ways.

It is very necessary to understand the steps usually taken by the victims to deal with domestic violence. It is also required to study the several justice delivery mechanisms existing in the larger society and their effectiveness towards providing relief to the victims, in time of need.

The traditional mind-set of society nurtures the idea of gender inequality and subordinate status of women. The notion of gender inequality is strongly supported by the people of local community and various institutions. The different agents of socialisation like family, marriage, religion, law enforcement mechanisms etc. support the subservient status of women. The lower status of women generates the ground for domestic violence. Due to deeply embedded patriarchal values, domestic violence remains ‘hidden fact’. From their childhood, women are socialised in such a manner, they themselves consider domestic violence as normal phenomenon in a woman’s life.

It is ‘justified’ also in certain circumstances. For example, sometimes it is thought that violence is justified to control an over-smart woman who might be posing a threat to the patriarchal authority of a family. Even the presence of laws and legal machineries offer little help. This is due to the fact that they cannot operate in a vacuum. They function in a particular socio-cultural context which is highly influenced by patriarchal culture which is intensely implanted in familial setting. In the present study, during interaction, many women said that they remained silent about violence for years due to fear and shame, and lack of trust in law. The poor women are of the opinion that laws are meant for high class women. It is not for victims of lower and lower middle-class background. Even the victims from rich families have reservations about the professionalism of the law enforcing agencies. Moreover, women maintain silent due to their social and economic insecurity. The victims also lack public support in many cases. People often hesitate to come to the help of victim thinking it is not proper to interfere into someone’s family matters. Even police think twice to decide about the level of intervention.

There are several other reasons which respondents mentioned during interaction. But as I have mentioned earlier that there is no single cause of domestic violence against married women. So, it will not be judicious to recommend specific suggestion to prevent domestic violence. On the basis of the analysis of the causes of domestic violence, the following recommendations are suggested to prevent the violence from taking place and to offer relief to the victims in effective ways:

***Addressing Dowry Demand:*** Demand of dowry is a major factor which instigates domestic violence. It affects the institution of marriage largely and it is a socio-cultural phenomenon. During interview, a good number of victims talked about the demand of dowry after the marriage and that resulted in domestic violence. Even in love marriage, it was found that after marriage, with the passage of time, there was a demand of dowry from the groom’s family. In certain cases, the victims and their parents consider that giving dowry to fulfil the demand of the members of matrimonial family is justified to a great extent. The women also assume that fulfilling the material demand of the husband’s family to a large extent would prevent domestic violence. But there is no guarantee.

It is notified that most of the victims never protested against the domestic violence from beginning assuming payment of dowry would stop violence in near future. They

tried to make necessary adjustment with the violent environment and after a particular extent, they revolted. Undoubtedly, addressing the problem of dowry is the first task to mitigate domestic violence.

It is vital that the legal institutions should take pro-active role to deal with the cases of domestic violence caused by the demand of dowry. But one must note, that in this context, the women victims have an important role to play. Women should take the first step and should not back out after reporting the incidence to the police. The police and other service providers said during interview that they usually get confused and frustrated due to the fluctuating nature of the victims. They said the victims or their family members never report at the time of demand of dowry. But when the torture reaches a very serious level, they come to report their cases. Even after doing so, they sometimes think of withdrawing their cases. Sometimes they even decide to go back to their husband without informing the police. The community at large should come in support of the dowry victims. Campaign against dowry should be carried out in massive scale.

***Dealing with Alcoholism of husband:*** The current research findings suggest that alcoholism of the husband increases the occurrences and the severity and frequency of domestic violence. the consumption of alcohol makes men aggressive. They lose their cool and composed temperament. That apart, they torture their wives for the money to purchase liquor. Alcoholism of husband is not usually the cause of violence, but it generally makes the situation more worse. Generally, women from the lower class are more affected by alcoholism of husband. But instances of domestic violence instigated due to alcohol consumption of husband among the higher income group women were also reported. In a case, it is found that the alcoholic husband forced his newly wife to drink against her wish. When she protested, she was tortured both mentally and physically.

To address the problem of alcoholism, it can be recommended that the local community people should take effective role in a coordinated manner. The NGOs and the women`s organisations working in the ground level should consider the matter seriously and formulate effective action plan to deal with these cases. Movements should be initiated to stop making and selling alcohol in the locality. It is necessary to make network of women to deal with domestic violence. If required, help from police or the local bodies should be taken. Campaign should be initiated against alcohol consumption.

**Mobilizing people against domestic violence:** Self Help Groups (SHGs), could play a very efficient role to deal with the issues of domestic violence. Such groups should unite women, particularly from the less educated and poor families, and try to identify the families where domestic violence is occurring. The members of the group should express their solidarity with the victim in public. The demonstration of public support would force the culprits twice to torture the victim again. It is clearly seen that women cannot gather courage, quite often, to protest due to lack of local community support. So, the local community support is crucial to deal with the problem. But that is not enough. The community where the victims are residing, should work in collaboration with law enforcement agencies, social service providers like the NGOs to create a victim-friendly environment. Efforts are needed to raise community/neighbourhood awareness about the problem and mobilization of the entire community to oppose the occurrences of domestic violence.

Campaign against domestic violence should encourage people to help victims they know and meet regularly. The maid servants generally work in the houses where the educated and empowered women reside. The educated people should provide help to the victims who work in their households. Not only financial help, through counselling and delivering good advices to them could also of huge benefit in this case. The NGOs may organise campaigns in different localities. People can be best educated through informal modes like street plays, posters, leaflets etc. which will make a better impression on the minds of the people, especially among the people of lower socio-economic category.

It is also strongly recommended that the NGOs/Voluntary Organisations working for this cause should be provided more access to resources. The necessary training of the activities is also necessary. And primarily, the organisations should be within the reach of victims. The NGOs should focus on the cause. Certain campaigns like “Bell Bajao” should be propagated. Spreading publicity for personal gain of their promotions should not be the primary objective. People in position of visibility of Durgapur like Chairman of Municipal Corporation, any member of Community Development Block, Accredited Social Health Activist (ASHA) workers etc. must speak and join the campaign to promote gender equality in the affected geographical area.

Media could also play effective role through spreading awareness. Intervention is more necessary in cases where the extra-marital affairs of husband causes extensive domestic

violence upon the victims. Several husbands are found who get involved in extra-marital affairs and thereafter torture the wives when the wives protest. Sometimes torture is carried out to throw away the wife from the house or to get divorce so that the husband can marry once again. In such instances, the victims should be advised to inform the matter to the family members and neighbours. Intervention should be quick from the relatives and friends. Efforts should be made to address the problem from the very beginning. If needed, the victims should be supported to take legal option. In such cases, the possibility of reconciliation is very limited. The research findings show that sometimes those type of husbands apologise to the wives and promise to give up extra-marital relationship. But a few months later, they again get involved into relationship and start misbehaving with the wife. Even the in-laws, sympathetic to the wife, fail to change the mindset of the husband. So, the intervention should be quick and people around the victim should come out in their support.

***Empowering women:*** Community support for the victims is essential but empowerment of women is necessary in the initial stage. It is seen that even the educated victims are not accumulating courage to revolt against domestic violence. They are not prepared to take drastic step to fight with the situation. This is because the women are not actually becoming empowered through education. It is identified that many victims acquire educational degree but they are not suitably prepared to do job. They lack skill, courage and the attitude. Two important issue are of concern here. Firstly, women are socialised in a manner that education is required for them only to raise their status level so that they could get good husband. There are instances, found by the researcher that the parents/in-laws of the victim believe that, after all, women have to get married and look after the household work. Education is required so that they learn how to maintain the matrimonial family. Education has very little utility for women beyond that. Other than that, some are of the opinion that if husband or husband's family need any financial support, then only married women should go out and work. This mindset is required to be changed for women empowerment.

But there is another challenge that should not be overlooked. Unfortunately, the education system at present is not adequately empowerment oriented. In addition to that, there are reservations about the quality of education. Moreover, in true sense, the education is not spreading awareness among the women so that in crisis period, they can handle the situation. There is a gap between the spreading of knowledge through

education and women empowerment. Educational institutions should do a lot to spread awareness about the available legal options for ensuring safety of women. Such provisions may be included in the syllabus. Seminars and workshops at regular interval would be of great help. It is a matter of concern that even the highly educated women have very little idea about what to do at the time of domestic violence. If a woman is empowered, she would not waste time for unnecessary effort to adjust with the violent environment for a long time. Empowerment, economic and psychological, is essential otherwise a victim would feel shy and would not approach professionals for help. Family Counsellors and Social Workers are of great help to deal with domestic violence, if approached.

***Addressing Poverty and unemployment of husband:*** In some instances, it is observed from the research findings that poverty and unemployment of husband sometimes resulted in domestic violence upon the victim. Victims of lower economic background, often reported that they face violence due to the frustration of husband caused due to extreme poverty and unemployment of husband. Due to frustration they consume alcohol and are used to inflict violence upon their wife. In the present study, it is found that quite a good number of respondents belonging to lower socio-economic background are maid servants. They said during interview that previously, they used to face domestic violence from their husbands. The husbands from non-working background used to inflict more violence. After becoming economically independent, the victims reported that physical violence minimised but mental violence remained. The husbands unemployed or poor, pressurize the victims for money. Whenever the victims deny, they experience domestic violence. Domestic violence for this reason is quite common in the slum area. The poverty alleviation programmes of government need to get properly implemented in the poverty inflicted area.

***Convincing the in-laws about their roles:*** The several other reasons like incompatibility between husband and wife sometimes lead to ego conflict between them which might lead to occurrence of domestic violence against the wife. Some respondents talked about their husband's suspicious nature which influence domestic violence, in certain instances. Suspicious nature of husband is a state of mind which requires counselling by the specialists. The relatives, particularly from husband's side, should intervene in such cases. One must note that it is the in-laws who are in the best position to prevent domestic violence. In many cases, the problem actually starts with

these people. They provoke the husband against the newly married wife. If the in-laws are sympathetic to the married women, the probability of violence would decrease, though that might not be sufficient to eradicate it completely.

During interaction, quite a considerable number of respondents said that due to mismatch of education, culture, rich family status of the wife, financial independence of wife etc. husbands feel inferior in comparison to their wife's status. The husband's feeling of inferiority sometimes leads to a stage where the husband might feel that his superior position (patriarchal conditioning) is being threatened. Then to secure his authority he inflicts violence upon his wife. The in-laws should try to change the mindset of the husband. They may act as a bridge between the husband and the wife at the time of crisis.

The bridegroom's family should keep it in their mind that the bride is entering in their family leaving behind all her close relatives, associates, friends, known places etc. She has dreams of a better life in future. With lots of expectations a woman enters her marital home. The husband and other members of matrimonial home should try to make the newly wedded bride comfortable. She should feel like home and relaxed. The warm welcome of the matrimonial house members should be such that the bride consider herself as part of her new residence. During interaction, some victims said that from the initial days of marriage, they did not receive very hearty welcome from their matrimonial house. Some victims said they got immense ill-treatment from the in-laws and husband from very early days of their marriage. This is not desirable. The bride is coming from different socio-cultural background, it is quite natural that her family values and culture might be different. The matrimonial family members should accept her as she is and should give some time to her to make adjustment with the new environment. It is not desirable that the in-laws and other family members should complain always about their unfulfilled expectation from the victim women.

The point that I want to highlight here is that moral values in the family are important. While mobilising the public support, the campaigns should not only focus on the legal provisions for the protection of the victims but also on the family values—the values that take care of every member of the family, the values that treats every one with respect including the newly married wife. The brides too should show respect and care for others in her husband's family. In some cases, the attitude of the newly married women towards others too is responsible for vitiating the family atmosphere. Unless the

patriarchal culture is questioned and changed, domestic violence cannot be tackled. Some victims mentioned about birth of girl child as instigating factors which triggers domestic violence.

The social campaigns should also focus on changing the patriarchal mindset. The husband should always respect his wife and treat her as his friend and better-half in true sense. He should not feel shy to help her in her daily work, and should not feel that women are born to serve and are suitable only for doing household chores. The new bride should get equal opportunity along with other members of the family to participate in family decision making process. If she desires, she should be allowed to continue her study or build her career.

For long term effect, the community people and specially the family members of the victim's marital home, needs to get aware about the equality between girl and boy. In recent times, both Government of India and West Bengal State Government have sanctioned various programmes and schemes for the protection and development of girl child. NGO workers and other field level workers should be specialised in the field of recent developments going on the field of protecting girl child from exploitation.

#### ***9.4. Concluding Remarks***

This study shows domestic violence is present in every section of the society— among the rich as well as among the poor. Women belong to different castes, tribes, religion are suffering from such kind of violence after marriage. The victims of violence include the illiterate, as well as highly educated women. The violence is present in both nuclear families and joint family. Love marriage does not guarantee that violence would not take place. There are different reasons for domestic violence such as demand for dowry, alcoholism of husbands, incompatibility between the victim and husband, extra-marital relationship, ego conflict, unsatisfied sexual relations, patriarchal domination (disrespect for women), frustration of husband due to unemployment, expectation of husband/in-laws not fulfilled by the married women and birth of girl child. The study finds, that in the study area, physical violence is quite common, but other types of violence, e.g. mental and financial are no less important, particularly for the educated women. More importantly, a large number of victims suffer from violence on a regular basis but many women tolerate violence fearing lack of social support if she protests beyond a point.

While concluding this chapter, the researcher would like to state that Domestic Violence against Women is not a ‘women-centric’ problem, rather it is a larger public problem. So, the solution needs involvement of public bodies along with change in the societal mindset. This problem not only affect women (daughter, sister, mother, and wife) but it also affects her male relatives—her children, father, brother etc. In fact, domestic violence makes the family environment uncomfortable for all and the relatives of both sides suffer from the adverse consequence of domestic violence.

Therefore, it is an urgent need to change the way of thinking of the people. Educational institutions should teach that both men and women are equally important parts of society. Awareness at individual level, group level and the entire community level are required. To formulate preventive measures for domestic violence, along with victim and general women, men should also participate in all such programmes. Domestic Violence is often considered ‘normal’ in many instances in patriarchal society. Through awareness and gender sensitization, change in the mindset of the people should be brought. Apart from that, proper socialisation of children, since childhood, is required which should not be patriarchy oriented. The socialisation process should be based on the principle of equality, the boys should learn to respect the dignity of women.

There is also the need to give emphasis on empowerment-oriented education. Skill development is necessary for the boys as well as for the girls. Along with education, girl child needs congenial environment where there is love and happiness among father and mother and among other members of the family. During the interview, it was found that some victims had encountered violence in their childhood which affected their personality development. They themselves admit that they lack courage for taking action against the culprits of domestic violence. On the other hand, the boys who grew up in the culture of violence at home sometimes become aggressive in their nature. They saw their fathers to torture their mothers and they do the same with their wives. So, the campaigners should also focus on encouraging people to make peaceful family environment.

As domestic violence is also a legal issue, so involvement of legal bodies is essentially required. As immediate help, when the consequence of domestic violence is grievous, the law enforcement machineries should ensure strict action against the perpetrators. Police should be more efficient and women cells should be made more effective in dealing with the sensitive issue of domestic violence.

In addition to that, awareness campaigns on the Protection of Women from Domestic Violence Act, 2005 should be increased. The Act should function more effectively to provide immediate relief to the victims. As promised by the Act, the number of shelter homes and alternative residences for the victims, where they can stay in crisis situation, should be provided in good numbers. This area needs more attention from the concerned authorities.

Finally, the Professional Social Workers, possessing skilled knowledge about human behaviour and several operational methods of social work, have an important role to play. They should intervene to change the patriarchal mindset of the entire society. The NGOs and several other women organisations should try to fulfil the gap between the police and the general public. Blaming the police or other authorities would not do any good. Everyone should make effort to stop domestic violence.