

CHAPTER 6

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6.1 Introduction

The battered women's movement was the outcome of changing political awareness and organizing capacity of women. The domestic violence movement believes that abuse is not an individual woman's problem, but a social problem. The first published book on domestic violence, *Scream Quietly or the Neighbors Will Hear*, written by British advocate Erin Pizzey was well received by feminists in the United States and facilitated in organizing a movement to make the plight of battered women public. Advocates, such as Del Martin, Lenore Walker and Mildred Daley Pagelow argued that it was time to put an end to domestic violence and empower its abused women by recognizing the fact that violence against women was the result of unequal power relationships between men and women. It was no longer tolerable to think that violence within the four walls of the home is acceptable and that the women must have done something wrong to trigger the violent episodes. A time came when women started organizing to create hotlines and shelters for abused women and their children. The battered women's movement was guided by the belief that women are subjected to atrocities and violence at the hands of their husbands (Schechter, 1982). This theme stimulated networks among thousands of women and started developing programmes throughout the United States, Canada and Europe. The issue of domestic violence became a public issue in the 1970's. The battered women's movement was put in to the public arena because of three social movements; women's liberation, women's health, and anti-rape movements. These pro women movements had both resources and strength from which the battered women's movement could draw from and gain its own strength. Gradually, many battered women's shelters opened in the United States. The first such shelter was the Women's Advocates shelter in St. Paul, Minnesota, which opened in 1971. The experience of battered women as victim of male violence and social indifference was drawn attention to as the chosen form of legitimizing the need for a shelter. By 1982 the battered women's movement started to represent the groups of organizations serving battered women and their children. The number of battered women's shelter rose to 700 shelters serving 91,000 women and 131,000 children.

annually. Gradually shelters were set up in Ireland, Canada, Australia and Europe. The battered women's movement succeeded in reaching its goal to bring the hidden nature of domestic violence out into the open and provide battered women and children both shelter and support (Dobash & Dobash, 1992). It was in 1984 that in the United States the Family Violence Prevention Services Act was passed. This act empowered the Secretary of Health and Human Services to sanction grants to States with a view to assist the establishment, maintenance, and expansion of programs to prevent incidents of family violence and give assistance including shelter to the victims of violence and their dependents. Awareness campaigns were initiated at the local, state, and national levels. The system of reform that commenced during 1980s notably expanded in the 1990s ; its focus shifted to a broader set of systems, including welfare systems and policy issues, such as housing, mental health, substance abuse, and childcare. Finally in 1993 the United Nations recognized domestic violence as an international human rights issue and adopted a Declaration on the Elimination of Violence Against Women. The movement has helped to draw attention towards the seriousness of the crime of violence against women research, and has increased public awareness of a once hidden part of daily life for countless women and their children.

Research on crime and violence against women in India has emerged out of the Indian women's movement and concern regarding issues such as dowry deaths (Kumar, 1993). Despite the advancement made in the field of women's rights the issue of domestic violence remains a blazing problem in need of urgent solution. It is true that men have abused their wives since ages. Women having been at the receiving end not from today but from earlier times. Incidents like abduction of *Sita* by *Ravana*, *Brihaspati*'s wife *Tara* abducted by *Soma* and birth of *Puruva* out of illicit union between *Buddha* and *Illa* are reflective of exploitation of women by men in earlier period (Singh, 2011). Wife battering happens when the husband thinks his wife and children are his property and whenever a husband feels that his wife is stepping out of her role or is even thinking of stepping out of her role. Wife beating was prevalent even during the rule of Romulus in Rome. During that time a husband was permitted to physically discipline his wife with a rod whose circumference should not be more than the thickness of a man's right thumb. This concept led to the emergence of the term, The Rule of Thumb. The threat of domestic violence continues till date but earlier it was considered as a private matter in which the State should not interfere and now the problem of domestic violence is considered as a social problem rather than an individual problem.

Women constitute almost half of the total population of the world. Women have occupied a significant status in society owing to their role as home makers and child bearers. With passage of time, women now no longer remain confined to the premises of home; they have started participating in economic activities and they are earning well for themselves and their family. In spite of the advancement, there are women in developing countries who are the victims of centuries old traditions that deny them the right to participate actively in societal life. Violence against women is a matter of human rights concern that has gained prominence over the last decade. Violence against women in the form of domestic violence, family violence, marital rape, dowry deaths, mental torture and physical abuse are commonly experienced by women across the world. Home is the place of violence for many women and girls. The perpetrators of domestic violence are predominantly the males and women are the victims. Violence against women deprives a woman from enjoying basic human rights and fundamental freedoms. Violent episodes may affect confidence and ability of women to participate in development process. The need of the hour is to take the private matter out into public and to suggest remedial measures to curb the menace. This chapter deals with the background of battered women's movement, how patriarchal society shapes attitudes towards women and addresses the issue of gender discrimination and domestic violence that is meted out against women within the four walls of the home. Most importantly an attempt has been made in this chapter to throw light on the main findings of the present study followed by an outline a set of recommendations that could be adopted to help prevent further occurrence of violent episodes between spouses at home.

6.2 Summary

Domestic violence is seen as a manifestation of patriarchal and hierarchical social structure. It excludes women from political, business and religious leadership. Domestic violence is a patriarchal mechanism for controlling women. Domestic violence is an extreme manifestation of unequal social relations between men and women within the family and the state legitimizes this inequality. The specificity of violence against women involves an analysis of gender and its centrality to the family that has gender inequalities at its heart. The state provides the legitimizing ideology of the family centric male dominance (Sinha, 1989). Violence against women throughout the life cycle derives essentially from cultural patterns, in particular the harmful effects of certain traditional or customary practices and all acts of violence linked to race, sex, religion or language that perpetuate the lower status accorded to

women in the family, the workplace and the society (Roy, 2003). Violence against women is a cycle of abuse that manifests itself in many forms throughout their lives. At the very beginning of her life, a girl may be the target of sex-selective abortion or female infanticide in cultures where son preference is prevalent. During childhood, violence against girls may include enforced malnutrition, lack of access to medical care and education, incest, female genital mutilation, early marriage, and forced prostitution or bonded labour. Some go on to suffer throughout their adult lives – battered, raped and even murdered at the hands of intimate partners. Other crimes of violence against women include forced pregnancy, abortion and harmful traditional practices such as dowry-related violence, sati and killings in the name of honour. And in later life, widows and elderly women may also experience abuse.

The study seeks to explore the causes and kinds of domestic violence against women and its negative effect on the lives of women and children. The study is also an attempt to investigate the reasons for which women continue to remain in abusive relationships. The present study focuses mainly on violence on married women within family relationships and ill – treatment by in – laws and family members. In order to find out the nature of domestic violence a total of 262 informants are interviewed for conducting the present study. Women aged 16 through mid- 50's, who are currently married or divorced or separated, are interviewed to obtain information on the research topic. The study was conducted in ward number 92 under Kolkata Municipal Corporation (KMC).

The thesis focused on domestic violence against married women and every chapter deals with the issues pertaining to domestic violence to better understand the extent, severity, causes and consequences of the problem. In the first chapter, broad definitions of violence against women, domestic violence and intimate partner violence are given. The various forms of domestic violence are discussed and attention is drawn towards the effect of domestic violence on the physical well being and psyche of an abused woman. A detailed discussion on what constitutes domestic violence is also given. In the second chapter an overview of literature review is given that depicts the contributing factors of domestic violence as well as the impact of domestic violence in the lives of women and children. The study explores the reasons due to which women remain trapped in abusive relationships and gives an insight into the theoretical background of domestic violence. The third chapter deals with the methodology that the researcher adopted to carry out the research work. The researcher made use of interview schedules for carrying out the research work. Two separate schedules are

administered to the respondents; the first schedule contains general questions relating to domestic background and the second one includes specific questions relating to the causes, kinds, effects, frequency of violence. This chapter contains in depth discussion on the tools of data collection; sample of the study, sampling procedure adopted to carry out the study, area of the study; objective of the study; significance and limitation of the study. The society should recognize the fact that any kind of crime against women including domestic violence is a criminal offence that should be condemned by all. In spite of the existence of laws to uphold rights of women, women continue to suffer from unequal treatment, exploitation and humiliation. The fourth chapter deals with the crimes committed against women, provides vivid description of constitutional and legal safeguards formulated to promote human rights of women and also the legal measures that have been formulated to punish the perpetrators of violence against women. The fifth chapter includes a comprehensive analysis of research findings. The findings of the research are illustrated with the help of tables and charts. Case studies collected from both primary and secondary sources have also been included in this chapter. The study is significant in the sense that it seeks to help policy makers and practitioners to come up with recommendations and strategies that would assist to limit domestic violence against women. Finally in the sixth chapter the researcher has made an effort to highlight the growing concern about violence against women in general, domestic violence in particular and the main findings of the present study have been summarized. This is followed by a set of recommendations that are crucial in order to raise awareness on the gravity of domestic violence amongst married women.

In patriarchal society, both sons and daughters take their social identity from the father. The cultural emphasis on the marriage of the daughter and her permanent departure from natal family is deeply entrenched. A crucial component of patriarchal society is the example of living arrangement. The perfect legitimized family in India is a joint family where the leader of the family is the eldest male who takes all the important decisions concerning family matters. The domestic front is controlled by the eldest female member. A newly married bride enters this set up of family after marriage. Even after marriage, she is considered as outsider. Her real value in marital home comes when she gives birth to a son. The mother in law who was once an outsider has become an insider with the passage of time and she now exercises dominance over the new bride. This dominance may be seen as an execution of patriarchal authority by mother in law over the new bride. There is a tussle for power among the female members and patriarchy uses the unequal power relations to dominate the young

bride and in doing so patriarchy manipulates the agency of mother in law (Desai & Thakkar, 2001).

Violence against women becomes significant in the context of marriage when a husband who is supposed to love and protect his wife beats her. It is indeed a shocking experience for a woman to be beaten by her husband. The study highlighted the fact that majority of the respondents admitted to the presence of domestic violence in their marital life. Domestic violence is more prevalent among young and middle aged women. The victims belong to various strata of society but domestic violence predominantly affects poor women who have less economic independence or are economically entirely dependent on husbands. Poor women who are victims of domestic violence are in a vulnerable position because they have less freedom and less access to health care facilities. The victims are subjected to various kinds of violence, that is, physical abuse, emotional abuse, sexual abuse, economic abuse and verbal abuse. The main factor of domestic violence in Indian society is growing demands for dowry. In many cases, the demand for dowry continued even after marriage. The respondents are physically assaulted by husbands and in-laws if growing dowry demands are not met. In many cases, violence commenced after the respondents gave birth to girl child. There are families that differentiate between boy child and girl child. The respondents shared their experience of being ridiculed and abused for giving birth to girl child and pestered by their mothers-in-law to conceive again who hoped and prayed for male grand children. In majority of the cases, the in-laws display unsatisfactory attitude towards the respondents. This specially happens when the mothers-in-law fear losing control of their son and they are unable to feel content on seeing their son happily settled with the woman of his choice. Battered women are unable to come out of abusive relationships if they are economically dependent on their husbands and if they do not have a supportive natal family. The main reasons behind occurrence of violence are loyalty to patriarchal norms, lack of economic independence, no or little emotional support from natal family, illiteracy, lack of legal awareness and all these factors put abused women in a precarious condition that makes them susceptible to domestic violence. The crime of domestic violence is still viewed by many respondents and their family as a private matter. Persistence on maintaining family privacy is based on historical establishment of patriarchal marriage and common law rights and privileges. Marriage under common law of England was the union of husband and wife into one single legal identity. The identity was that of the husband. The very terms husband and wife imply gendered relationships based on male dominance and female submission. There

are forces that support family privacy and obstruct interference of outside forces, thinking this invasion into private life as anti-family. For this reason women often fail to report incidence of violence perpetrated towards them at home. Women may fear stigma, embarrassment and loss of reputation in society. It is because of this feeling that married women often do not report incidence of violence committed against them due to feelings of stigma associated with going to court against the husband or his family members.

6.3 Conclusion and Recommendation

In Indian families, the head of the family is a man who happens to be the head of the family. Patriarchal family implies the institutions of male rule and demand female subordination. Women should be kept within their homes and governed by male family members. The family is seen as the base of human survival, a place of safety, love, care and loyalty. Family is the dominant ideology, through which a particular set of household and gender relationships are universalized and naturalized. Home is the basis of human ideology. Family forms the basic unit of society. The society exercises its decisive control over this unit by its regulation of marriage and the annotation of rights and duties that are the natural outcome of marriage and consequent reproduction. From this point of view, women are seen as wives and mothers and the responsibilities such as child bearing, child rearing and other household duties are entrusted to them. Men on the other hand are accorded the roles of husbands and fathers whose duties include taking care of the financial welfare of the family and providing adequate protection to the family members. The relationship between family members is thought to be supportive and respectful but ironically enough, it is the home where mostly incidents related to domestic violence take place and such incidents are predominantly perpetrated by the male members of the family against the female members of the family. The idea that women should occupy domestic sphere only has been an accepted notion for centuries. Men on the other hand, were supposed to inhabit the public sphere. This outlook is governed by adherence to traditional social norms. Social norms indicate a set of rules defining correctness of behaviour. In other words, social norms form the basis of what is considered to be appropriate behaviour and what is not considered to be appropriate behaviour (Sherif, 1936). Domesticity can be understood as a universal phenomenon just like patriarchy can be considered to be a staple feature of social organization all over the globe today. Domesticity was seen as the natural order in which human relations should occur, the universal civilized standard for home and family life (Walsh, 2004). The culture of

domesticity system emphasized new ideas of femininity, the woman's role within the home and the dynamics of work and family. True women were supposed to possess four principal virtues: piety, purity, domesticity, and submissiveness. These ideas developed and strengthened the distinction between public and private sphere and viewed the construction of family and domestic relations as something private. This gender specific division of labour was the main reason behind social discrimination. Family is viewed as a refuge in a stony-hearted world that should be safeguarded from the inspection by the state and law. Family has been understood as beyond the state intervention that always tended to downplay the oppression of women within this domestic sphere. Thereby the authority structure came to be considered as patriarchal marked by unequal gender relations of power running along the gender lines in which man's powerful position and woman's subordination is accepted as a social norm.

Wifehood and motherhood are glorified and granted not only social sanction but also eulogized in literature, arts, religion so that women do actively want to essay their social roles (Geetha, 2006). Marriage and motherhood are the most honourable and religiously valuable achievement for a woman. Women rarely had an identity of their own apart from that given to them as wives, mothers and daughters. Rights and duties are fixed by the society. A woman plays her role in the family and the society through different ways from the beginning of her life cycle to adulthood as a daughter, sister, and wife, daughter – in – law, mother and widow (Raju, 1988). Women have always been considered as subservient to men and this gave men the chance to dominate over the fairer sex. Marriage is a sacred institution but a successful marriage is determined by the quality of marital relationship. Men are always believed to be breadwinners for the family and it is widely accepted idea that a married woman's world should revolve around her husband and children. Such gender stereotypes surrounding marriage and women should change. Women will continue to be victims as long as they are relegated to inferior status in society. It has become imperative to re-examine gender roles both inside and outside of marriage. Only when marriage will be viewed as an egalitarian relationship will instances of wife battering be eliminated (Martin, 1978). This study is significant because it attempts to analyze the causes and various forms of domestic violence against married women in the society. The study highlighted the requirement for integrated policy response and the need to build up mechanisms for observing and assessing programmes and policies. There is also the need to put into practice all the existing legislations and ensuring greater accountability from governments in order to eliminate

violence against women. Keeping in mind the objectives and findings of the study the following recommendations are being suggested that are crucial in order to raise awareness on the gravity of domestic violence amongst married women: -

Society differentiates between men and women. Society does not treat men and women equally. From the very beginning girls are made to accept the norms of patriarchal and male dominated society and they grow up accepting themselves to be subservient to boys. Parents need to treat boys and girls equally and boys should be taught to treat girls with respect. Education both formal and also within the homes is equally important.

Family is the basic unit of society. Family consists of men, women and children. The unit of family begins when the girl enters a new family as a complete stranger by way of marriage. The newly married bride is expected to respect elders, perform household chores that have been assigned to her. Similarly it should be the duty of the members of the marital family to treat her with respect and care. The relationship is delicate and both sides should take proper measures to make it happy and long lasting.

Domestic violence is not only legal problem; hence cannot be eliminated through the adoption and implementation of legal measures. Nonetheless the legal measures can serve as a means of controlling violence within the fabric of family system. The menace of domestic violence is a social and psychological issue. For this reason, in order to tackle this growing menace a change should be brought about in the attitude of men towards women and children. To put it simply, there is need to change our patriarchal mind set. Only a fundamental societal change can result in attitudinal change at all levels. It is important to sensitise men and make them both believe and recognize that women are not their property but human beings with desires and feelings and must be treated with respect and dignity.

Another problem that emerged from discussion with some of the respondents is that marital dispute is often due to the nature of over possessive parents who are not happy to see their son happily settled with their wives. These parents fear losing hold on their son after marriage. Due to this insecurity they try to create differences between the couple and in the process the married woman's life becomes miserable. In some cases, the husband is completely under the dominance of his parents and blindly obeys their instructions. It becomes difficult for a woman to adjust in her marital home in such a situation. It is important for the parents of the husband to understand that every relationship requires a space

of its own and they should stop intervening with the sole purpose of making woman the emotionally tense and insecure. Woman plays a vital role in the formation of family and society. For this reason it is important to give the woman her rightful position in the family and society.

Dowry is a leading cause of marital disputes and domestic violence in our society. It is greed for easy money and a sense of social recognition because more dowry means higher status in society. Many innocent girls have been brutally killed by their husbands or his relatives either because they could not bring sufficient dowry or due to the incapacity of their family to meet recurrent dowry demands. It is unfortunate that this kind of incidents have become common despite the passing of The Dowry Prohibition Act, 1961. Law alone cannot put an end to this menace; therefore both men and women should be made more aware about the evil consequences of dowry.

Illiteracy hampers a woman's ability to organize to fight for change. Education is a must if women are to establish an individuality and identity of their own. The light of education should be spread among the masses because it will help in developing their critical outlook and forming opinion about what is right and what is wrong.

It is important that women be empowered. Empowered women can develop the power to take important decisions concerning their personal as well as professional life. To put it simply, only when women are empowered will they be able to take active part in the decision making process in family matters. This would in the long run help in improving the quality of life for women and their families in particular as well as the community, in general.

Enactment of laws alone will not be enough to combat this menace. Laws need to be strengthened and strictly enforced. It must be noted that laws can act as a platform based on which women can take active steps against the attacker. Effective implementation of laws are hampered when the attitude of the police, prosecutors, magistrates are guided by the belief that their role is that of a mediator. Such legal actors tend to believe that reconciliation and negotiation approach is preferable than criminal law approach. An effective legal response requires that principal actor understand the dynamics of domestic violence; the victims and their families receive adequate services and protection whenever necessary, and perpetrators receive fitting treatment. Above all, the society should recognize the fact that domestic

violence is a criminal offence that should be condemned by one and all. It is required to implement and monitor action plans to address violence against women.

A victim of domestic violence initially approaches family and friends for solace. In case of any injury they avail the service of health care professionals and in case of aggravated form of violent episodes which is unlikely to end and more likely to recur the victims think of consulting social workers. Generally, legal action is the last resort for victims of domestic violence. It is imperative to provide adequate health services to assist women in abusive relationships. Professionals working in the health sector should understand the dynamics of violence within the four walls of the home and should look at the issue as a structural problem rather than an individual problem. At the same time it is important to formulate a comprehensive health sector response to study impact of domestic violence against married women.

Police has a key role to play in addressing this form of violence. In spite of this most of the time police refuse to file FIR and asks the victim to settle the matter. Often victims are pressurized to withdraw complaint. Law enforcement agencies should be well trained to act in a swift and sensitive manner in cases pertaining to domestic violence committed against women and children. The government recognizing the fact that police are often reluctant to intervene in such cases, should come up with strategies to encourage police force to act in a sensitive manner. In fact there is need for gender sensitization of police personnel of all ranks.

A wider social movement is required to educate women of their rights and women should be encouraged to come forward and report cases of domestic violence. Such movement is more required where women are still uneducated and less aware of their rights and becomes easy prey to exploitation. In maximum cases it may be observed that women bear the brunt of violence silently to protect family honour. Women should overcome the feelings of fear and stigma associated with going to court against the husband or his family members or filing for divorce suit. Instead they should stop tolerating the harassment and violence at home and should come forward to register the cases.

NGOs can launch campaigns to educate and inform public of the current problems facing women, highlighting statistics. Human rights organizations should work with existing public institutions like schools, colleges, universities and organize campaigns through social media,

workshops, and seminars. This would help to throw light on the issue and might pave way towards a change in patriarchal mind set.

Awareness camps should be organized from time to time to draw attention to the issue of domestic violence against married women as well as to the legal provisions to which every woman are entitled. This would help in sensitizing legal and justice systems to the specific needs of victims of violence. The Domestic Violence Act is a path-breaking law in many respects. It recognizes various forms of domestic violence — physical torture, mental torture and, more importantly, economic violence. Efforts should be taken to generate awareness about this Act which specifically addresses the cause of abused women.

Gender sensitization programmes should be organized to make men sensitive towards gender equality concerns. It is important that men become sensitive to the needs and problems of women.

More research is required to study the causes and consequences of various aspects of domestic violence against married women. Research should also be carried out in areas pertaining to strategies and initiatives adopted in order to confront this intimidating problem. Advocacy is required to generate greater social recognition of the existence of domestic violence, its detrimental effect on both family and society.

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