

Domestic Violence Against Women's in Muzaffarpur Town of Bihar: A Case Study

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Domestic violence is as old as recorded history which has been reported in virtually every society, every civilization. Discrimination and oppression leading to physical, mental or emotional violence have been accepted as a part of every patriarchal society. Except recent reference is found, domestic violence has been both socially and legally acceptable. Some important event, laws, codes, provide historical context, within which conceptualization of domestic violence becomes crystal clear. Two major elements combined to seal the status of women are male dominance and projecting women as 'property' an object belonging to men and secondly expectations from women as an ideal 'role model' suit each other, in such a way as to make her vulnerable and subject to discrimination, oppression and all sorts of victimization and resultantly compel their subordination.

Gender based violence—including rape, domestic violence, mutilation, murder and sexual abuse- is a profound health problem for women across the globe. Nonetheless, it is not considered as a public problem of serious concern.

The various forms of physical violence are:-

- ◆ Female foeticide and female infanticide.
- ◆ Incest, connivance, and collusion of family members to selfish, sexual
- ◆ abuse, rape within marriage.
- ◆ Physical torture like slapping punching, grabbing, murder.
- ◆ Overwork, lack of rest, Neglect of health care.

Violence against women has been clearly defined as a form of discrimination in numerous documents. The World Human Rights

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Conference in Vienna, first recognised gender- based violence as a human rights violation in 1993. In the same year, United Nations declaration, 1993, defined violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to a woman, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life”. (Cited by Gomez, 1996).

Radhika Coomaraswamy identifies different kinds of violence against women, in the United Nation's special report, 1995, on Violence Against Women;

- (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- (b) Physical sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.
- (c) Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs.

DOMESTIC VIOLENCE ACT, 2005

An Act to provide for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters related with or incidental to. The incident of domestic violence is commonly prevalent but has remained largely invisible in the public domain. At present, where a woman is subjected to cruelty by her husband or his relatives, it is a crime under Section 498A of the Indian Penal Code, 1860. As a result of that, a law is proposed keeping in view the rights guaranteed under Articles 14, 15 and 21 of the Constitution to grant for a remedy under the civil law which is intended to protect the women from being sufferers of domestic violence and to prevent the incidence of domestic violence in the society.

“Any act, omission or commission or conduct of the respondent shall constitute domestic violence when it harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of

the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or has the effect of threatening the aggrieved person or any person related to her by any conduct; or otherwise injures or causes harm, whether physical or mental, to the aggrieved person.

The salient features of the Protection from Domestic Violence Act, 2005 are as follows:

It seeks to cover women who are or have been in a relationship with the abuser where both parties have lived together in a shared household and are related by consanguinity, marriage or a relationship in the nature of marriage, or adoption; in addition relationship with family members living together as a joint family are also included. Even those women who are sisters, widows, mothers, single women, or living with are entitled to get legal protection under the proposed Act.

“Domestic violence” includes actual abuse or the threat of abuse that is corporeal, sexual, spoken, emotional and financial. Pestering by way of dowry demands to the woman or her relatives would also be covered under the definition. One of the most significant characteristics of the Act is the woman's right to secure accommodation.

The Act provides for the woman's right to live in the marital or joint household, whether or not she has any rights in the household. This right is secured by a residence order, which is passed by a court. These residence orders cannot be passed against anyone who is a woman.

The other relief envisaged under the Act is that of the power of the court to pass protection orders that stop the abuser from assisting or performing an act of domestic violence or any other specific act, entering a workplace or any other place frequented by the abused, attempting to communicate with the sufferer, dividing any assets used by both the parties and causing violence to the victim, her relatives and others who provide her assistance from the domestic violence.

The Act provides appointment of Protection Officers and NGOs to provide help to the woman with respect to medical check-up, legal aid, safe asylum, etc.

The Act provides for violation of protection order or temporary protection order by the respondent as a cognizable and non-bailable

offence punishable with sentence for a term which may extend to one year or with fine which may extend to twenty thousand rupees or with both. Similarly, non-compliance or discharge of duties by the Protection Officer is also sought to be made an offence under the Act with similar punishment.

Research Methodology

In this study, it is hypothesized that:

- There have been efforts to eliminate domestic violence and the associated effects, though some initiatives have been less productive.
- Awareness on the issues relating to domestic violence can help the victims
- know their rights and also reduce the level rate of the problem.

Research Design

Descriptive research design has been used in this study.

a. Universe

- Women respondents of Zeromile area of Muzaffarpur formed the universe and geographical area of the study respectively.

b. Sampling

- Sampling is done on random bases where a survey is conducted on the women's of Zeromile area of Muzaffarpur. The data is collected purely on random bases.
- Tools and Techniques of Data Collection Interview Schedule
- The interview schedule, which formed the major tool, was catered to the women's to draw information from them. This comprised mainly the personal data of the women's, their profile, type of violence, its reasons, nature, manifestations, frequency and consequences.

Sources of data

a. Primary Data

- The respondents viz. the women's of Zeromile area of Muzaffarpur constituted the source of primary data.

b. Secondary data

- Documents, books, reports of surveys and studies, literature pertaining to domestic violence and other relevant publications formed the secondary data source.

Conclusion

The findings derived from the data gathered from the women living in the Zeromile area of Muzaffarpur city are scripted below (survey on 50 women's):

- ◆ The study reveals that 20% of the respondents are being hurt physically by their in-laws/family members.
- ◆ 34% of the respondents are mentally hurt by their in-laws/family members.
- ◆ 32% of the total respondents faces problem of physical violence by their husband.
- ◆ 44% of the total respondents faces mental violence by their husbands.
- ◆ 10 % of the respondents were denied of their basic needs.
- ◆ 44%of the respondents faces mental depression as a consequence of domestic violence.
- ◆ Basic needs are very badly affected of 50% respondents facing domestic violence.
- ◆ 48% of the respondent's children's education is very badly affected by domestic violence.
- ◆ 76%of the respondents are not aware of laws related to domestic violence.
- ◆ 94% of the respondents are not aware of any organisation/ individual addressing domestic violence.

The study shows that domestic violence on women's is still prevailing in Zeromile Area of Muzaffarpur.

Suggestions

- (i) Attitudinal Change is needed among men and women; the basic social structure from long time in India is Patriarchal structure where we can see a male dominated society. There is unequal distribution of power relationship is the root cause of violent attacks. There should also be change in the attitudes between men and women to overcome the victimization of violence.
- (ii). Internalization of Legal Norms with Public Consensus Domestic violence in our country is yet held to be "interfamilial affair" and disallow the intervention of the close relatives and outsiders and the state. The real effective implementation of any legislation

- has to undergo a security of strong public consensus and acceptance in democratic processes.
- (iii). The strong legal mandate prescribed for officers and stake holders; the officers and institution is responsible for the more effective implementation of Act. It is needed to wipe out the gender discrimination, traditional relation of patriarchal society and male dominance.
- (iv). Gender Perspective training is necessary Gender perspective training should be mandatory by the law and is crucial for changing the crucial mind set of patriarchal society, police, service providers, medical practitioners, protection officers, and especially of magistrates, who often advise women to put up with the violence and "stop complaining".

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