

Analysing Various Dimensions, Policies Related To Domestic Violence And Its Acknowledgement Globally

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Abstract

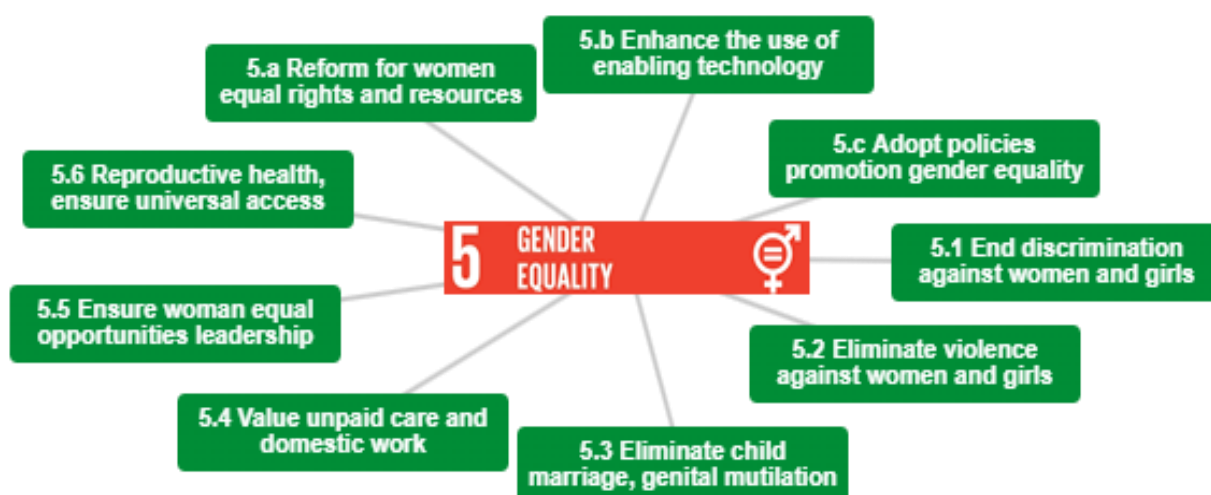
Domestic violence is one of the kinds of heinous crime present across the globe. It's dynamism and vastness making it more crucial to intervene, acknowledge and at the same time provide remedial measures within a stipulated time. From the time of history, we came across various forms of abusive behavior against women, but firstly, it was not acknowledged on time, secondly very few actions were taken up, thirdly delays in justice which makes of course no sense at all. Now, in the time of digital era, many things have changed. There are fast track courts, portals for complain online, women helpline number etc. All these are created towards providing justice to women but if we see ground reality there are thousands of pending cases, harassments in police stations, delay in lodging FIRs, lack of sensitivity, makes all these efforts null and void. This study tends to analyze different aspects and dimensions of domestic violence and efforts taken nationally and internationally to provide fair treatment to this section of the society and help them to live a dignified life.

Key Words- Domestic violence, abusive, digital era, fast track courts.

Introduction

Violence is a form of expression which was/is/will be always present in every society in one form or the other. Violence is increasing its area and dimension depending on the society and the strictness of its laws. If we talk about domestic violence particularly, it basically started in a patriarchal society where masculinity prevailed. Women were considered as second class and passive citizens financially dependent, weak and soft in all forms. Majorly, violence takes place when one party is confident that by the use of his power he will be overpower or dominate the other and there will be no strict action against him i.e., he is not having any kind of fear of being punished. Violence not only affects the physical health but also emotional and mental peace which further affects other relationships. In a violent environment, people are not able to focus on their work thereby reducing their productivity, children's studies got effected, stress and anxiety increases which effects health badly leading to origin of any diseases. Violence many a times increases to a level that it leads to death of members of the family.

Domestic violence is a crime in itself and posses a negative impact on the society as a whole. This issue is recognized nationally as wells as globally and many policies framework is committed to make an effort to end violence against women through Sustainable Development Goals of UN. As per the WHO, "about 1 in 3 (30 per cent) world wide have been subjected to either physical/sexual intimate partner violence or non- partner sexual violence in their lifetime". There is a significant rise in the cases of domestic violence world wide during COVID-19 due to increase in the level of frustration, stress, layoffs, aggravated the situation further.



The convention on the elimination of All forms of Discrimination Against Women (CEDAW) adopted in 1979 is a global treaty that mandates nations end all forms of discrimination against women and girls and advances their equal rights, ratified by 187 countries so far. This convention made recognition of women and their problems a centre issue. The UN MDGs goal no 3 (“Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015.”) and after that SDGs goal no 5 (“Gender Inequality”) took its roots from this particular organization.

UN SUSTAINABLE DEVELOPMENT GOAL-5 (Gender Inequality)

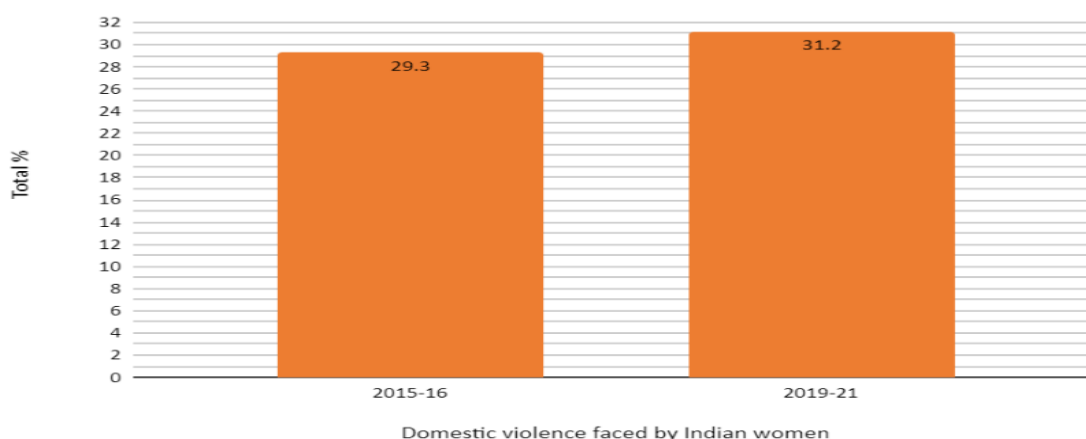
United Nations member countries adopted SDGs in 2015 successor of MDGs in order to deal with the pressing problems like poverty, hunger, quality education, clean water and sanitation, good health and well being, gender inequality etc. They are total 17 in numbers and 169 targets. The domestic violence issue comes under particularly Goal 5 i.e., “achieve gender equality and empower all women and girls”. As per the UN this goal has 9 targets and 14 indicators within each target which are listed below.

Here is some data which represent types and amount of violence women and girls are facing across the globe. Our world in data team, has gathered data on each target which helped to analyze the progress of SDGs across the globe. From the data it has been found that the countries of the West are performing much better than the South East Asian countries and African countries whether it’s a matter of addressing legal framework, violence against women from an intimate partner, women marrying at early age. Female genital mutilation are broadly concentrated in north African countries. Representation of women in lower house of the parliament is very less as it should be. The world as a whole is not on track in order to fulfill the target by 2030 as stated. Much more needs to be done in a more appropriate manner. At a present rate they will take around 300 years to end child married, 286 years to close gaps in legal protection and remove discriminatory laws, 140 years to achieve equal representation in leadership in the workplace. Quota system will be effective in increasing percentage of women but again the real power will lie with whom is a question. Most of women lack decision-making regarding their own reproductive health and rights which should be an immediate concern to deal with.

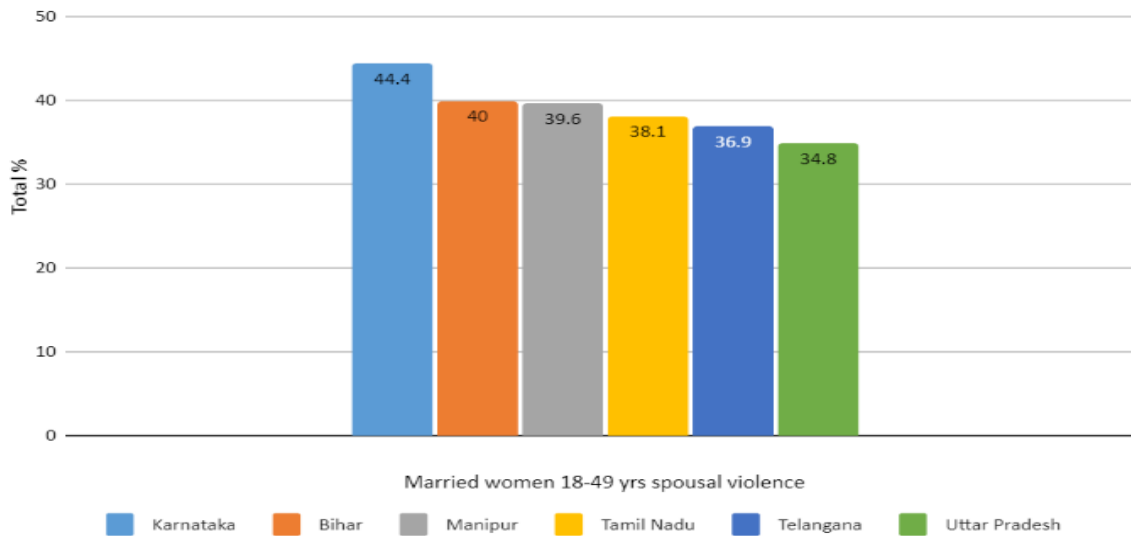
CASE OF INDIA

As per the latest NFHS 2019 -21, around 30 per cent of Indian women face domestic violence. There are certain dimensions which needs a relook like a slap from husband to a women is a type of violence or not. Many a times violence is justified by counting the mistakes made by the person. There is a need for clarity to define the violence and it's minor or major types. Even a minor type of abuse can have devastating effects on the emotional and mental well being. Gender based violence is the violation of fundamental rights as well as basic human rights Article 15 of Indian Constitution “prohibits discrimination on the basis of race, sex, place of birth, caste, religion”. Article 39 “mentions that the state shall direct its policy towards securing to all citizens men and women, equally, the right to means of livelihood,”. Article 39(a) “ensure equal pay for equal work”. Article 42 “the state should make provisions for ensuring just and humane conditions of work and maternity relief.” Although it is written in formal sense but true implementation of this is still lacking. This study specifically highlights the gender based violence against women. Domestic abuse has been considered as a criminal offense since 1983 under the Indian Penal Code 498-A section. However, the protection to women granted only after the commencement of the PWADVA (“Protection of Women from Domestic Violence Act, 2005”). This act covers physical, emotional, sexual, verbal, economic violence, dowry related issues, live-in partners issues. Despite the vastness of this act, women and girls continued to be assaulted.

POSCO ACT (2012)- Protection of Children from Sexual Offenses Act, aimed to protect children from crimes like sexual harassment, pornography and special courts were also established for such cases. Domestic abuse and violence mainly take place by family members and relatives. Alcoholic husband, greedy in-laws and relatives, family friends, boyfriends, step brothers/ step fathers and mothers, honor killing. This tells the crimes mainly done by those whom the women rely and trust more. This makes the situation more verse because to fight with them is more difficult than the person from outside. World Economic forum published 17 the edition of global gender gap index which provide a cross country analysis. Out of 146 countries India was placed at 127th position although it had moved 8 spots above from the the last year but when compared to world it is seriously a big concern and this again emphasis the need of reforms. As per the findings of NFHS 2019-21, around 29 percent women aged between 18-49 experienced physical violence and 6 percent out of this suffered from sexual violence, 3 percent got physically violence during pregnancy. As per the survey conducted by the officials of NFHS, data of domestic violence is presented below.

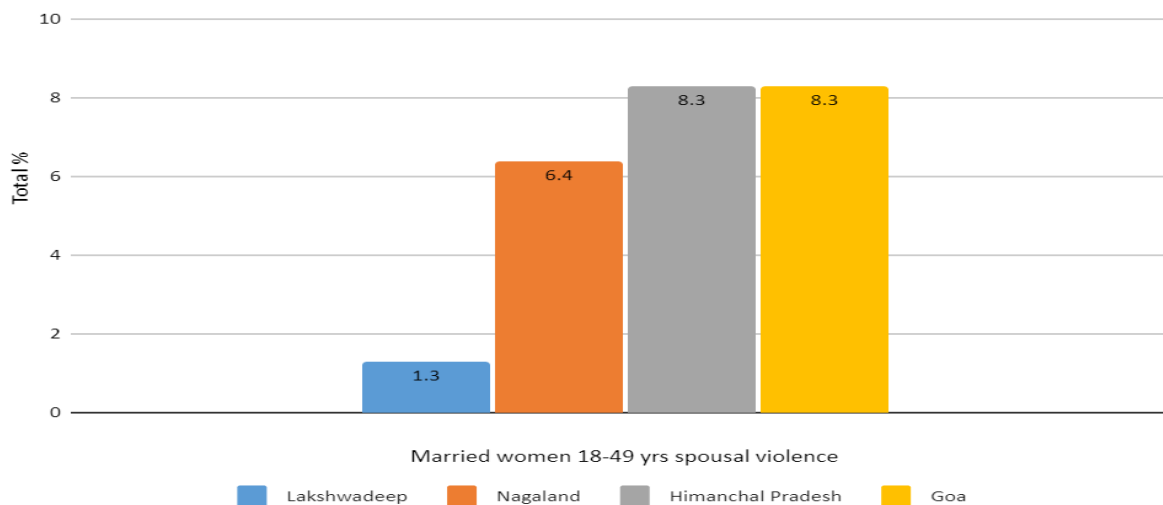


STATES WITH HIGHEST CASES OF DOMESTIC VIOLENCE



The data shows that the violence still remains a serious concern and much more strict laws and regulations needs to be formed in order to protect the 50 percent of the total population.

STATES WITH LOWEST CASES OF DOMESTIC VIOLENCE



Government is aware of the issues and has taken several measures to protect the females of our country but the implementation part made all the effort null and void. For example, there is Dowry Prohibition Act since 1961 but dowry cases and incidents are not reducing and it has become the sign of status these days.

MISSION SHAKTI- This program is introduced to ensure women empowerment, safety, security. Skill development, capacity building programs are running in our country but still women and girls needs their fathers, brothers, sons, husbands to move out or travel with them to ensure their safety.

SAKHI- One Stop Centre- This is a very innovative step carried out by ministry of women and child development. They are integrated centers which include service like medical assistance, legal help,

psycho-social counselling, temporary shelter to the women who are in need. Digital Shakti Campaign- This mission target to empower and educate women and girls digitally and develop skills to confront any appropriate or criminal behavior online. Although number and forms of cases and incidents vary from state to state, but the number of cases is not negligible. Problems like unemployment, restlessness, layoff in recent times, poverty, displacement aggravating the problem further. Before forming the policies and the root cause of the problems needs to be acknowledged first and exact step must be taken with great care in order to suffice all forms, dimensions under the policies.

Suggestions and Conclusion.

In today's time, world is more in favor of women today as compared to the past but much needs to be done upon the ground. It is true today, we see many successful women in various fields but poor, marginalized, less educated, financial dependent still are facing problems. Despite proving their wisdom, courage, they are underrepresented and gets dominated in one way or the other in every field. They are considered as less intelligent, less valuable still today. They face different kinds of challenges depending on the work they are into. They have to fight every time firstly with their own thoughts that they can also do it and then to the society. Issues like sexual favors, sexual assault, harassment, blackmailing makes them all time vulnerable. For women to get their respect, dignified life, position as per their merit, acceptance in all sense are the challenges and have to overcome. The real game is of mentality and mindset with which we brought up our child. Society has to recognize that biological difference can't be at par with social differences. Social differences are created in every society in a way they find suitable at that time but now they things have really changed. We are living in a digital era, there are number of opportunities and possibilities to prove our talents. Talent in itself is unbiased it just comes to one who works hard, discipline, ambitious, practice. It does not discriminate that it will be found in men and not in women, but society decides which talent needs to be recognized and which not. Everything out of the box or unconventional is not bad and awkward it's just our perception. Rather unconventional thinking leads to creativity and revolution which is still necessary so that rationality, logical and unbiased thinking can prevail which consequently needs to end discrimination and violence in all forms.

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