

COMBATING DOMESTIC VIOLENCE AGAINST WOMEN

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Abstract--Women and children are often in great danger in the place where they should be safest; within their families. For many, 'home' is where they face a regime of terror and violence at the hands of somebody close to them-somebody they should be able to trust. Those victimized suffer psychologically and physically. They are unable to make their own decisions, voice their opinions or protect themselves and their children for fear of further repercussions. Their human rights are denied and their lives are stolen from them by the ever-present threat of violence. The present paper is a descriptive presentation of different types of domestic violence against women, scope of the problem, factors influencing domestic violence and strategies and interventions to be adopted for combating domestic violence against women. As this paper demonstrates, domestic violence is a health, legal, economic, educational, developmental and above all, a human rights issue. Much has been done to create awareness and demonstrate that change is not only necessary, it is also possible. Now that strategies for dealing with it are becoming clearer, there is no excuse for inaction.

Key words - Women, Domestic Violence, strategies and Interventions, Human Rights

I. INTRODUCTION

Violence against women is a serious problem in India. Overall one third of women age 15-49 have experienced physical violence and about 1 in 10 has experienced sexual violence. The term 'domestic' includes violence by an intimate partner and other family members, wherever this violence takes place and in whatever form. In recent years, there has been a greater understanding of the problem of domestic violence, its causes and consequences, and an international consensus has developed on the need to deal with the issue. The convention on the elimination of all forms of discrimination against women adopted by the United Nations General Assembly some 20 years ago, the decade-old convention on the rights of the child, and the platform for Action adopted at the Fourth International

Conference on Women in Beijing in 1995, all reflect this consensus. But progress has been slow because attitudes are deeply entrenched and, to some extent, because effective strategies to address domestic violence are still being defined. As a result, women worldwide continue to suffer, with estimates varying from 20 to 50 percent from country to country. The definition refers to the gender based roots of violence, recognizing that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men. It broadens the definition of violence by including both the physical and psychological harm done towards women, and it includes acts in both private and public life. The declaration defines violence against women as encompassing, but not limited to three areas: violence occurring in the family with in the general community, and violence perpetrated or condoned by the State. Primarily it is the family where the seeds of violence are sown.

II. SCOPE OF THE PROBLEM

The family is often equated with sanctuary - a place where individuals seek love, safety, security and shelter. But the evidence shows that it is also a place that imperils love, and breeds some of the most drastic forms of violence perpetrated against women. Violence in the domestic sphere is usually perpetrated by males who are, or who have been in positions of trust and intimacy and power - husbands, boyfriends, fathers, fathers-in-law, stepfathers, brothers, uncles, sons or other relatives. Domestic violence is in most cases violence perpetrated by men against women. Women can also be violent, but their actions account for a small percentage of domestic violence. Violence against women is often a cycle of abuse that manifests itself in many forms throughout their lives. Even at the very beginning of her life, a girl may be the target of sex-selective abortion or females 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 or sterilization, and harmful traditional practices such as dowry related violence. And in later life, widows and elderly women may also experience abuse. Throughout her life cycle the woman may be forced to undergo blatant abuse. While the impact of physical abuse may be more visible than psychological scarring, repeated humiliation and insults, forced isolation, limitations on social mobility, constant threats of violence and injury, and denial of economic resources are more subtle and insidious forms of violence. The intangible nature of psychological abuse makes it harder to define and report, leaving the woman

in a situation where she is often made to feel mentally destabilized and powerless. Jurists and human rights experts and activists have argued that the physical, sexual and psychological abuse, sometimes with fatal outcomes, inflicted on women is comparable to torture in both its nature and severity. It can be perpetrated intentionally, and committed for the specific purposes of punishment, intimidation and control of the women's identity and behavior. It takes place in situations where a woman may seem free to leave, but is held prisoner by fear of further violence against herself and her children, or by lack of resources, family, legal or community support.

TABLE I. EXAMPLES OF VIOLENCE AGAINST WOMEN THROUGHOUT LIFE CYCLE

Phase	Type of violence
Pre- birth	Sex selective abortion; effects of battering during pregnancy on birth outcomes
Infancy	Female infanticide; ritual sexual and psychological abuse
Girlhood physical	Child marriage, female genital mutilation (genital mutilation)
Adolescence and adulthood	Psychological and physical abuse, incest, child prostitution and pornography Dating and courtship violence (eg. Acid throwing, rape, economically coerced sex, sexual abuse in the workplace, sexual harassment, merit, forced prostitution and pornography, wife beating, women, partner violence, marital rape, dowry abuse, and murders, abuse of women with disabilities, forced pregnancy)
Elderly	Forced suicide or homicide for economic reasons; dowry-related violence

Source: "Violence against women"

WHO, FRH/VHD/97.8

Thus at all stages of life a woman may face one or the other form of violence. Let us examine the causes of Domestic violence. After all it is the home where seeds of violence are sown.

III. CAUSES OF DOMESTIC VIOLENCE

There is no single factor to account for violence perpetrated against women. Increasingly, research has focused on the inter relatedness of various factors that should improve our understanding of the problem within different cultural contexts. Several complex and inter connected institutionalized social and cultural factors have kept women particularly vulnerable to the violence directed to them, all of them manifestations of historically unequal power relations between men and women. Factors contributing to these unequal power relations include socio economic forces, the family institution where power relations are enforced, fear of or control over female sexuality, Belief in the inherent superiority of males and legislation and cultural sanctions that have traditionally denied women and children an independent and legal status.

TABLE II. FACTORS THAT PERPETUATE DOMESTIC VIOLENCE

- Cultural - Gender-specific socialization
- Cultural definitions of appropriate sex roles
- Expectations of roles within relationships
- Belief in the inherent superiority of males
- Values that give men proprietary rights over women and girls
- Notion of the family as the private sphere and under male control
- Customs of marriage (bride price/dowry)
- Acceptability of violence as a means to resolve conflict
- Economic Women's economic dependence on men
- Limited access to cash and credit
- Discriminatory laws regarding inheritance, property rights, use of communal lands, and maintenance after divorce or widowhood . Limited access to employment in formal and informal sectors.
- Limited access to education and training for women
- Legal Lesser legal status of women either by written law and /or by practice
- Laws regarding divorce, child custody,
- Maintenance and inheritance
- Legal definitions of rape and domestic abuse
- Low levels of legal literacy among women
- Insensitive treatment of women and girls by Police and judiciary
- Political Under – representation of women in power, politics, the media and in the legal and medical professions
- Domestic violence not taken seriously
- Notions of family being private
- Risk of challenge to status quo/ religious laws
- Limited organization of women as a political force
- Limited participation of women in organized political system

The impacts of violence are varied and manifest in dif-

ferent consequences. Some of them are outlined below.

IV. HEALTH CONSEQUENCES OF VIOLENCE AGAINST WOMEN

Domestic violence against women leads to far-reaching physical and psychological consequences, some with fatal outcomes (see Table 3). While physical injury represents only a part of the negative health impacts on women, it is among the more visible forms of violence. The United States Department of Justice has reported that 37 per cent of all women who sought medical care in hospital emergency rooms for violence-related injuries were injured by a current or former spouse or partner. Assaults result in injuries ranging from bruises and fractures to chronic disabilities such as partial or total loss of hearing or vision, and burns may lead to disfigurement. The medical complications resulting from FGM can range from hemorrhage and sterility to severe psychological trauma. Studies in many countries have shown high levels of violence during pregnancy resulting in risk to the health of both the mother and the unborn foetus. In the worst cases, all of these examples of domestic violence can result in the death of the woman.

TABLE III. HEALTH CONSEQUENCES OF VIOLENCE AGAINST WOMEN

NON-FATAL OUTCOMES

Physical health outcomes:

- Injury (from lacerations to fractures and internal organs injury)
- Unwanted pregnancy
- Gynaecological problems
- STDs including HIV/AIDS
- Miscarriage
- Pelvic inflammatory disease
- Chronic pelvic pain
- Headaches
- Permanent disabilities
- Asthma
- Irritable bowel syndrome
- Self-injurious behaviours (smoking, unprotected sex)

Mental health outcomes:

- Depression
- Fear
- Anxiety
- Low self-esteem
- Sexual dysfunction
- Eating problems
- Obsessive-compulsive disorder
- Post traumatic stress disorder

FATAL OUTCOMES

- Suicide
- Homicide
- Maternal mortality

HIV/AIDS

(Source: "Violence against Women", WHO Consultation, 1996)

The impact of Domestic violence can only be examined to a certain extent. The reaction of Domestic violence on the women's total health cannot be limited to any one issue.

V. DOMESTIC VIOLENCE AND HIV AND AIDS

Nearly 14 million women today are infected with HIV and the rate of female infection is rising. A forthcoming study from WHO finds that the greatest risk of HIV infection for many women comes from a regular partner, and is heightened by an unequal relationship that makes it difficult, if not impossible, to negotiate safe sex. For these women, sex is not a matter of choice.³⁵ A study of women aged 18 and over in one province in Zimbabwe found that 26 per cent of married women reported being forced to have sex when they did not want to. It is widely acknowledged that, even when a woman is aware that her partner has other sexual partners, or is HIV infected, she may not be in a position to insist on condom use or monogamy. Most HIV/AIDS prevention programmes, however, advocate both methods. Many women would feel that any attempt to discuss such measures would provoke yet more violence.³⁶ Other studies have found that the spread of HIV/AIDS in some parts of Africa is being exacerbated by practices that see women as the 'property' of men. The tradition of wife or widow inheritance, for example, is fairly common in eastern and southern Africa. When a woman's husband dies, his wife and property are often inherited by his eldest brother. In western Kenya women have been forced to marry, even when their husbands have died of AIDS, when they themselves are infected, or when their future husband has AIDS. There are no laws to address this practice in Kenya.³⁷

Sexual cleansing is a more recent phenomena, resulting from, and contributing to, the spread of HIV/AIDS. Practised within extended families in western Kenya, Zimbabwe and parts of Ghana, it is based on the belief that a man can be cured of HIV/AIDS if he has sex with a young girl who is a virgin. Girls as young as eight are selected to ensure their purity.³⁸ A new approach is required that acknowledges the links between violence against women and the spread of HIV/AIDS, and translates this into policies and programmes for HIV prevention and care.

While the health debacle cannot be ignored. We also need to focus on ways and means of combating domestic violence against women. Such strategies would equip them to face the violence and its consequences.

VI. L. STRATEGIES AND INTERVENTIONS TO COMBAT DOMESTIC VIOLENCE AGAINST WOMEN

Domestic violence is a complex problem and there is no one strategy that will work in all situations. To begin with, violence may take place within very different societal contexts, and the degree to which it is sanctioned by a

community will naturally influence the kind of strategy needed. Considering the interconnections between the factors responsible for domestic violence - gender dynamics of power, culture and economics - strategies and interventions should be designed within a comprehensive and integrated framework. A multi-layered strategy that addresses the structural causes of violence against women while providing immediate services to victim-survivors ensures sustainability and is the only strategy that has the potential to eliminate this scourge. When planning strategies and interventions, there are a variety of stakeholders that should be borne in mind. Partnerships with these stakeholders can operate on several levels at once.

. At the level of the family, the stakeholders include women, men, adolescents and children

. Within the local community, partnerships have to be developed with traditional elders, religious leaders, community-based groups, neighbourhood associations, men's groups (e.g., village farmers' associations), local councils and village level bodies

. Within civil society, the range of partners include professional groups, women's and men's groups, NGOs, the private sector, the media, academia, and trade unions.

• At the state level, strategies must be designed in partnership with the criminal justice system (the police, judiciary and lawyers): the health care system: parliament and provincial legislative bodies: and the education sector.

. At the International level, the stake holders include international organizations (such as the United Nations agencies, the world bank and the regional development banks)

VII. LINTERVENTION AREAS FOR DEFENSE

AGAINST VIOLENCE

Domestic violence is a health, legal, economic, educa-tional, developmental and human rights problem. Strategies should be designed to operate across a broad range of areas depending upon the context in which they are delivered.. Key areas for intervention include

- Advocacy and awareness raising
- Education for building a culture of non violence
- Training
- Resource development
- Direct service provision to victim survivors and per petrators
- Networking and community mobilization . Direct intervention to help victim survivors rebuild their lives
- Legal reform
- Monitoring interventions and measures . Data collection and analysis . Early identification of at risk families, communities , groups and individuals

These are not mutually exclusive: interventions may touch upon several areas at once. Above all, five underlying principles should guide all strategies and interventions attempting to address domestic violence.

- .Prevention

- Protection
- Early Intervention
- Rebuilding the lives of victim survivors
- Accountability

VIII. CONCLUSION

Women need to be empowered through education, employment opportunities, legal literacy, and right to inheritance. Human rights education and information regarding domestic violence should be provided to them because this is a matter of their absolute rights. Integrated supportive services, legal intervention and redress should be made available in situations of domestic violence. Assistance to help women rebuild and recover their lives after violence should be part of the intervention strategy, including counseling, relocation, credit support, and employment. Consistent support for women must be provided by all relevant sectors - the criminal justice system, health, welfare, and the private sector. Support must also be available to women via informal networks such as family, friends, neighbors and local community groups.

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