

Domestic Violence - Case Study of Srinagar

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Abstract: *The violence against women is not a new phenomenon. It is since unknown times that women have been maltreated by society. Woman is more vulnerable to harsh treatment as she has to live among strangers after marriage. In Kashmir women has been facing domestic violence since long. There are many stories about it in Kashmir literature and folk traditions. The paper studies the violence in present day educated and developed society and finds that the domestic violence is still persisting and in much harsher and diverse ways.*

Keywords: *Domestic violence, women, violence*

I. Introduction

In general, domestic violence against women refers to a social phenomenon which reveals violent as well as non violent behavior of male members of society towards female members in and around domestic framework, especially after the marital life of women starts. It includes all types of attitudes and behaviors related to the personal and social interests of women in post marital life. It involves all verbal and physical acts which abuse, hurt and violate against women in general by men related through marriage.

In operational sense domestic violence against women represents, “the force whether overt or covert used to wrest from an individual [A WOMEN] something she does not want to give of her free will and which causes her either physical injury or emotional trauma or both”. Women all over world and especially in India have been facing violence in all spheres of life for thousands of years. They face domestic as well as social violence which leads to subordinate position of women. There are many ways in which women suffer and are made to suffer. In behavioral terms, violence against women ranges from simple suppression to abuse, aggression, exploitation and severe oppression. We know it as female infanticide, the abortion of female foetus, the neglect and under-nourishment of girl child, denial of education to girls, rape, pre-puberty marriage, wife beating, and the harassment of a bride leading to her suicide or murder.

Violence in general, is a coercive mechanism to assert one's will over another, in order to prove or feel a sense of power. It can be perpetuated by those in power against the powerless, or by the powerless in retaliation against coercion by others, responsible for their powerlessness. Any individual or group facing the threat of coercion or being disciplined to act in a manner required by another individual or group is subject to violence. This is not necessarily confined to physical violence but by the creation of an atmosphere of terror, a situation of threat and reprisal¹.

II. Nature Of Domestic Violence

Domestic violence is as old as Indian history itself. The nature and extent of domestic violence depends upon the quality of life and basic social cultural milieu. Family as an institution laid down certain principles, which regulate the relationship between husband wife and their children. The domestic violence causes a breach in the husband wife relationship due to many reasons. Primarily, the violence can be categorized in two ways i.e., Mental and Physical. The mental violence can be carried out with the help of psychological weapons (insult, abuse, humiliation etc.), that hurt the individual and the scars are deep rooted. The physical violence includes different types of aggressive /physical assaults i.e., husband beating wife. The physical violence is quite common among people living in lower and lower middle strata of the society. The inmates living in the family are generally affected by such incidents. But the adults such as parents, brother, sisters and in laws are less affected by such acts as compared to innocent children who are in the formative phase or developing stage.

The universality and pervasiveness of violence against women cuts across geographical, cultural and ethnic boundaries, so does it persist despite significant social changes. The difference is usually one only of culturally or temporarily specific manifestations, but rarely that of the presence or absence of this violence itself.

Domestic violence is a problem that affects many people in many countries, nowadays. The victims are mostly women and children and the abusers are usually their husbands /fathers. It usually happens at home, women of all cultures, races, occupations, income levels and ages are battered by husbands.²

The domestic violence against women composes of all acts which hurt the women physically and mentally .Thus it reflects in all practices related to wife beating , harassment of women ,denial to basic rights and needs to women , demand of dowry , grabbing of working women's money , threat of divorce to wives, eve teasing of girls , sexual exploitation /harassment of women , psychological torture , denial of due property rights

, abuse of women by in laws families , attempt to kill women in these families , bride – burning and rape of women³.

An aspect of power dynamics of social situations ‘violence’ is not simply aggression or injury committed by one individual (man) against another (women); it is a behavior in which a more powerful person takes advantage of and abuses a less powerful one.⁴

The domestic violence as in other parts of country is seen in Kashmir as well. In spite of education and economic empowerment of women they are still subjected to many types of violence at her in laws home. There is need to understand the level of violence found in the urban Kashmir, so that socio-legal measures could be taken for preventing the same in future. This paper studies the domestic violence prevailing in Srinagar city. The data has been collected from Police as well other secondary sources.

S.NO	Nature of crime	2010	2011	2012	2013	2014
1.	Cruelty by husband.	07	40	47	50	38
2.	Breach of trust.	02	08	02	03	03
3.	Dowry.	–	01	01	–	–
4.	Attempt of murder/Life threatening.	–	–	01	–	–
5.	Total cases.	09	48	51	53	41

There are constitutional provisions which ensure the equality of men and women at all levels and the following articles have been laid for this purpose

Article 14: Confers on men and women equal rights and opportunities in political, economic and social sphere.

Article 15: prohibits, discrimination against any citizen on grounds of religion, race, caste, sex etc.

Article 16: provides for equality of opportunities matters relating to employment or appointment to any office under the state.

Article 39 (A)(D): Mentions policy security of state equality for both men and women the right to a means of livelihood and equal pay for equal work for both men and women.

Article 42: direct the state to make provision for ensuring just and humane conditions of work and maternity relief.⁵

There are legal measures as well for this purpose. However, in spite of this there is a tremendous rise in the officially claimed number of crimes committed against women and particularly wives in matrimonial homes in India. Violence against women is not however new and it is found in all societies across all economic and age groups, as mentioned above.

Domestic violence appears to be an intrinsic part of women’s lives. The women’s movement in India particularly during the last three decades has reacted sharply to such escalating instances of violence against women by demanding legislative action. These efforts, argues Menon (2000), have been successful in that every campaign has resulted in legislative changes. Yet, implementation of these laws has remained partial. Conservation and incorporation of more stringent punishment for a crime in the law book has rather resulted in fewer convictions than before. As a result, there is growing awareness among women activists about the efficacy of law to prevent such violence. The Protection of Women from Domestic Violence Act, 2005 (PWDVA) has been added to the existing laws in recent times.

Domestic violence in Srinagar (source Police official records Rambagh women police station)

Traditionally there has been no voice raised against the gender violence in Kashmir. Patriarchal society bound values are strongly imposed. There is no strong opposition to any violent measure against a daughter in law. Generally speaking neighbors are rarely encouraged to pose their nose in the domestic conflict in their vicinity. This has been encouraging the violence against the daughter in law. Generally up to the time an act of physical violence takes place none would interfere into the private matters of the family or express any resentment to that.

As per official record of police the following cases of domestic violence against daughter in law/ wife were registered in Srinagar from year 2010 to 2014 and are given in given table:
The domestic violence of following forms has been observed as per this data:-
Cruelty of husband, breach of trust, dowry, Attempt of murder/Life threatening.

The cruelty of husband could include abusing, accusing, using ill names; call by bad names, speaking against the wife's parents/ siblings etc. The cruelty can be physical as well as verbal. In physical cruelty often husband and even mother in law / father in law thrash women. it may be due to her domestic fault: not cooking food in time, not cooking food as per taste of husband etc. verbal can be as mentioned above, abuse, calling ill names of her parents, using foul language such as: (gaun,kanjer Dheul ,) prostitute, etc.

Breach of trust: it happens that husband disposes the ornaments of wife without her permission, has relations with another women etc.

Dowry: is not a common issue now, as most of the parents give it voluntarily. However, in rare cases there is demand of further dowry in terms of cash etc.

Attempt of murder/ life threatening: there may be such instances due to mutual verbal fight or some ill attitude by the wife etc.

In year 2010 the total family violence cases registered were 09. Out of which 77.7% were cruelty by husband which includes abusing, beating, torture, accusing.

22.2% were breach of trust which includes dishonestly use or dispose of the property.

While as no case of dowry or attempt to murder/life threatening had been registered.

In year 2011 the percentage of cases of cruelty of husband were 83.3%, the percentage of cases of breach of trust was 16.6%, dowry 2.08%, and attempt to murder/life threat 0%.

In year 2012 the percentage of cruelty of husband is 92.156%, the percentage of breach of trust is 3.92%, the percentage of dowry is 1.96%, and the percentage of attempt to murder/life threat is 1.96%.

In year 2013 the percentage of cruelty of husband is 94.33%, the percentage of breaches of truth is 5.66%, the percentage of dowry is 0%, and the percentage of attempt to murder/life threat is 0%.

In year 2014 the percentage of cruelty of husband is 92.68%, the percentage of breaches of truth is 7.31%, the percentage of dowry is 2.43%, and the percentage of attempt to murder/life threat is 0%.

The cases of Cruelty by husband. Of husband registered in the succeeding year have increased from 2010 to 2013 but there has been sudden decrease in 2014. The causes of increase may be due to awareness among people to report to police about the happenings in their homes/. As generally people hesitate to report these matters to police, for they don't consider it proper or meaningful to do so. Or rather there is not much trust among people in the police or any other government agency.

Breach of trust cases reported have more or less same frequency except in 2008.

Dowry cases have been reported in 2010 and 11 only. There might have been some seriousness in these two cases, otherwise as mentioned earlier. Dowry is not so serious issue in Kashmir, now days.

Attempt of murder/Life threatening case as mentioned in the table is only one reported in the year 2012 but it does not mean that such cases are not happening. There have been many cases of bride /wife burning as the last few years reported in dailies of Kashmir. However, as mentioned earlier people do not want to make an issue official or to be registered by police due to causes mentioned above.

III. Conclusion

The domestic violence in every society is the outcome of men domination. Woman has always been in subordinate position and this all is due to the ill thinking of men folk that women are inferior to man. Even if woman is economically dependent on man but man is also dependent on woman for his domestic, emotional and psychological needs. They are made equal with difference in responsibilities. They in most cases can not take each others position. However, there are many responsibilities which men and women can share or exchange. History bears testimony to the facts that women have proved worthful in those fields as well where men have worked.

Taking present scenario men and women worked shoulder to shoulder but there are social norms which keep a difference between them. The violence against women and that too at domestic level is not the weakness of legislation but rather of implementation of the same. There is not record of all the problem issues faced by women and not all women rather families report it or bring to the notice of the general public through media. Generally in rare cases are men folk or the person responsible for the violence against women brought to books. There is always fear of family breaking kids future etc which come as hurdles in tackling such issue. It is believed that poor women have to suffer finally. Until and unless full-fledged institutions are developed for supporting such women who fall prey to these conditions, till than there is no preventive method of these evils.

IV. Recommendations

® To create awareness everywhere about women to end exploitation against women.

® Establishment of fast track courts by government.

® Impart of religious education .Religion teaches a person good behavior, ethics, social and personal dealings and above all respect of women by man.

®Need of legal and police action immediately after such heinous acts are committed.

References

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