

Research Study on “Domestic Violence among Married Women of BPL Families in Shimla District of Himachal Pradesh”



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Abstract

International events namely United Nations conferences on population and development; the Declaration on the Elimination of Violence Against Women; Platform of Action for United Nations and Beijing World Conference on Women recognize violence against women as a violation of basic human rights, impediment to women's autonomy and adverse repercussion on reproductive health. This research project has focused on the issue of domestic violence against women of BPL families in Himachal Pradesh. Previous studies on the topic of domestic violence has emphasised that poor economic conditions increases the possibility of the hyenas act of domestic violence. Along with it, these studies suggest that it is always about power and control over the partner, by depriving female from financial independence. Would these two statements be true in every context? What happens when female may earn a small, yet important income in comparison to male? Both male and female coming from the economically weaker section has to put collective efforts to survive and neither has to power of money, in that case would economic condition still influence the act of domestic violence. This research study tries to answer these and related questions.

The conducted study was done using 800 women (as the sample) from BPL families (as the criteria) income being below 20,000 p.a. The area of the study was Shimla district (as the universe of the study) which comprises of 10 development blocks, though the state of H.P has figured in many reports as the state with the least percentile in domestic violence index but on ground level the situation is different from the recorded one. Furthermore being a progressive state with high female/male literacy rate and high economic independence for women, reports are still registered for the domestic violence in Shimla district. These two factors make it a good universe for the study.

Weak economic conditions as mentioned in previous studies affect domestic violence rate but if women is earning then other psycho-socio reason are more likely to contribute in the violence against women and the strategy to deprive her of financial sources to gain power and control over her does not work as such.

Acknowledgment

This report is an effort of all the field investigators, who endured the tough mountainous terrain of Shimla district of Himachal Pradesh and gathered accurate and true primary data. I would like to thank them for all the efforts and support.

I would also acknowledge support of my research coordinator Dr. Priyanka Bhardwaj without whom this project would have been not an easy and well-organised task. Along with it, I acknowledge the full support (moral, financial and psychological) given by the Chairman of the Ngo, Mr. Rohit Sharma: “The Kazan’s” for this project.

Last but not the least I would like to extend my thanks to the National Commission for Women, New Delhi for providing us with the opportunity to conduct this research and make a difference (no matter how small) in the lives of Women.

And my sincere thanks to all my esteemed colleagues especially Dr. Grant Duncan Associate Professor at Massey University, New Zealand and Dr. Ishbel Herman, research fellow at Iowa University, U.S.A for their valuable inputs.

In the end my gratitude to all the respondents who agreed so bravely to participate in this research, for them.....

“Light is beyond tunnel, all you have to do is get the courage to walk....Come I will walk with you.”

Anil Sharma

Project Director

Preface

It is hard to deny that there is domestic violence against women in families of Himachal Pradesh despite the efforts of Indian Central and State government to stop it. While the causes vary, the basic fact is that;

In our society, violence is bursting. It is present almost everywhere and nowhere is this eruption more intense than right behind the doors of our homes. Behind closed doors of homes all across our country, women are being tortured, beaten and killed. It is happening in rural areas, towns, cities and in metropolitans as well. It is crossing all social classes, genders, racial lines and age groups. It is becoming a legacy being passed on from one generation to another.

According to United Nation Population Fund Report, around two-third of married Indian women are victims of domestic violence and as many as 70 per cent of married women in India between the age of 15 and 49 are victims of beating, rape or forced sex. In India, more than 55 per cent of the women suffer from domestic violence, especially in the states of Bihar, U.P., M.P. and other northern states.

This report was commissioned by National Commission for Women after the Ngo: "The Kazan's" came across the huge number of cases on domestic violence against women in weaker economic sections of the society; in Shimla district and thus proposed a research study on the topic; exploring an on-going, alarming escalation of atrocities on Women especially families of Below Poverty Line. It presents a picture of a present-day Shimla district, a peaceful place in Himachal Pradesh, in which there is widespread insecurity amongst women, especially weaker section.

Since its inception in 1994, The Kazan (which is now renamed as Sahaas: Brotherhood Uplifting CYWO) has promoted, researched ways and emphasized on uplifting the children, youth, women, and old-aged people. The NGO's previous work include many socially targeted programs like reporting , organising successfully rallies and providing resources and support for a

research study: “Present Status of Single Women In Shimla District; Himachal Pradesh: Numeral Indexing and Highlighting Major Issues.”

The Kazan’s is pleased to publish this sole working report that aims to investigate specific issues in depth using expert research. The author Anil Sharma, the project director, was supported by Dr. Priyanka Bhardwaj who is an experienced researcher in social welfare issues with qualifications in Social Policies and Public Administration.

This report first outlines the background and introduction into the research and goes on explaining what the research study is about and its scope. The second part looks at the meaning of domestic violence, along with its history and classification is also explained in it. There is also reference to data about domestic violence in both global and Indian context. Establishing this fact is vital because where Domestic Violence data is quoted to support the making of social policy, it is very important that changes in that data tell us something meaningful, rather than merely reflecting, say, what is out there. It also considers the physiological context of it, and discusses how the consequences of domestic violence affect the children and the wider community. Part three discusses the results, conclusion, and recommendations and illustrates case studies of how the new picture has emerged in this concept and the previously believed power and control theory might not be the only purpose of the perpetrator.

Executive Summary Report

Introduction

The project attempts to explore and establish the relation between economic condition of a male & a female in a family and domestic violence. H.P was selected for the study as it is seen as one of the most progressive states in India. It is also the state with the low recorded domestic violence. This low domestic violence is mostly witnessed in the economically weaker section of the society (according to police reports and individual NGO(s) assessments). Shimla district of Himachal Pradesh is one of the most progressive district in whole of the state. It's apples growing belt has produced both rich and poorer classes. Along with native population people from not only other district/region of H.P but also from the other parts of India (especially from Bihar, Jarkhand etc) have migrated in search of peaceful and fulfilling lives. Thus creating potential economically weaker sections and increased reporting of domestic violence. All around the world domestic violence is associated with the theory of power and control over partner and economic weakness (of a women) is considered as a factor heightening domestic violence. Is it true in all case, even if the male has lower income power in comparison to female? Is domestic violence all about power and control? Shimla district where there is much progress and richness; domestic violence, even though officially recorded low, is very much present in society, why does Shimla district shows domestic violence in weaker section of the society? The study tries to provide answers to such and related questions.

Database

The study partially depends on information gathered in a previous projects and studies plus information is gathered by fresh interviews. Dataset is created after research of the names of 31681 BPL¹ registered families; this dataset is called Database A. Database B comprises of data from 10 development blocks, 363 panchayats, 2895 Census Villages, 1200 household, 1000 individuals. This integrated survey, using appropriately designed questionnaires, uncovered data on socioeconomic, legal factors like effects of male financial conditions,

¹ BPL is a term used to describe families living below poverty line.

involvement of male's family member, legal right awareness about domestic violence in BPL families of Shimla district.

Domestic Violence

Domestic violence, also known as domestic abuse, has been broadly defined as a pattern of abusive behaviours by one or both partners in an intimate relationship such as marriage, dating, family, friends or cohabitation. In majority of cases *domestic violence happens against women*. India being no exception, in fact according to statistics published by the National Crime Records Bureau (NCRB) in 2002 a total of 147,678 crimes against women were reported in 2002 compared with 143,795 during 2001. Nearly two in five (37 per cent) married women have experienced some form of physical or sexual violence by their husband. The prevalence of spousal physical or sexual violence is much higher among women in the poorest households (49 per cent) than among women in the wealthier households (18 per cent). The prevalence of physical or sexual violence ranges from 6 per cent in Himachal Pradesh and 13 per cent in Jammu and Kashmir and Meghalaya to 46 per cent in Madhya Pradesh and Rajasthan and 59 per cent in Bihar. Other states with 40 per cent or higher prevalence of spousal physical or sexual violence include Tripura, Manipur, Uttar Pradesh, Tamil Nadu, West Bengal, and Assam.

Even though Himachal Pradesh is constantly figuring in many reports as the state recording the lowest percentile of domestic violence, on ground level the story is different. Nearly 36% of women in Shimla district are from economically weaker section suffer domestic violence (physical or sexual) and around 55% of women from well-to-do farmer families have experienced some form of domestic violence (verbal or psychological abuse) because of the shame and peer pressure these women opt to remain silence or during surveys these women are hesitant if the investigators are males. The Kazan's Ngo experienced this fact during previous research project for NCW, thus with practical reality being different from the official one, Shimla district in Himachal Pradesh is indeed witnessing domestic violence. But the interesting factor in this scenario is that these females are mostly empowered, no matter how small it is.

Conclusion

Domestic violence in Himachal Pradesh is an issue for which government of H.P has devised model and policies to combat it. As stated in many surveys, report that it is state showing the lowest percentile in domestic violence issue. Indeed no doubt that H.P is better than other states in comparison in this regards. The data recorded shows that majority of cases registered come from family with low income sources which even includes famers. In terms of unofficial data that Ngo has experienced. During previous research study for NCW, seminars and workshop along with cases brought to its notice; the case of domestic violence against women in Himachal Pradesh exists even in well-to-do families but is mostly in form of verbal or psychological abuse. But it is also true that Women in Himachal Pradesh are comparatively empowered (whatever source of income they use) along with higher education level amongst girl. They have shown to earn more than their counter part. In such cases while taking into account these unofficial and official cases, it is very surprising to see, hear and read about the case of domestic violence. Therefore it is vital to establish that importance of economic condition in perpetuating domestic violence against women.

Chapter 1

1. Background and Introduction

Since times immemorial, domestic violence has been an intrinsic part of the society we are living in. The contributing factors could be the desire to gain control over another family member, the desire to exploit someone for personal benefits, the flare to be in a commanding position all the time showcasing one's supremacy so on and so forth. On various occasions, psychological problems and social influence also add to the vehemence.

There have been significant historical problems that have led to the implementation of the Violent Crime Control and Law Enforcement Act. Domestic violence, and the effects of these relationships, has existed throughout history. It wasn't until the 19th century that domestic violence became a social issue. As a middle class developed and opportunities for leisure emerged, women became active in social and political issues. In 1878 Francis Cobb wrote, "Wife Torture in England", bringing women battering into the public eye (Stark & Flitcraft, 1991). Cobb fought for jail time for batterers and alimony for families while the abuser is in jail. A product of Cobb's campaign was the "...Wife Beaters Act of 1882, allowing courts to confine wife or child beaters in the pillory for up to four hours, and permitting long prison sentences and whipping for a second offense,". As women gained more ground in the 1970's, spousal abuse became a public issue. Britton (1993) believes that the battered women's movement was put in to the public arena because of three social movements that were already under way; women's liberation, women's health, and anti-rape movements. The already existing movements had resources and networks that the battered women's movement could draw from and gain its own strength.

Scholars believe that in ancient India, the women enjoyed equal status with men in all fields of life. Works by ancient Indian grammarians such as Patanjali² and Katyayana suggest that women were educated in the early Vedic. Rig Vedic verses suggest that the women married at a mature age and were probably free to select their husband. Scriptures such as Rig

² Patanjali is the compiler of the Yoga Sūtras, an important collection of aphorisms on Yoga practice.

Veda and Upanishads mention several women sages and seers, notably Gargi and Maitreyi.

Some kingdoms in the ancient India had traditions such as *nagarvadhu* ("bride of the city"). Women competed to win the coveted title of the *nagarvadhu*. Amrapali is the most famous example of a *nagarvadhu*. However, later (approximately 500 B.C.), the status of women began to decline with the Smritis³ (esp. Manusmriti) and with the Islamic invasion of Babar and the Mughal empire and later Christianity curtailing women's freedom and rights. Although reformatory movements such as Jainism allowed women to be admitted to the religious order, by and large, the women in India faced confinement and restrictions. The practice of child marriages is believed to have started from around sixth century. The Indian woman's position in the society further deteriorated during the medieval period when Sati among some communities, child marriages and a ban on widow remarriages became part of social life among some communities in India. Even an extracts from Ramcharitamanas of Tulsidas like '*Dhol, Gauwnaar, Shudra, Pashu aur Nari; Sakal Tadan ka Adhikari*' [drums, uncivilized illiterates, lower castes, animals and women are all fit to be beaten] suggests the declining status of women.

In short, though not always but from medieval period, women were subjected to inequality and have been looked down as an inferior sex. Staring from childhood to the end of her life she has to be under the control of father or husband or the son. The subordinate status of women combined with socio cultural norms that are inclined towards patriarchy and masculinity can be considered as an important factor determining the domestic violence and projects the power and control theory.

³Smirits refers to a specific body of Hindu religious scripture, and is a codified component of Hindu customary law.

2. Background into Research

Women in India now participate in all activities such as education, sports, politics, media, art and culture, service sectors, science and technology, etc. Indira Gandhi, who served as Prime Minister of India for an aggregate period of fifteen years is the world's longest serving woman Prime Minister. The Constitution of India guarantees to all Indian women equality (Article 14), no discrimination by the State (Article 15(1)), equality of opportunity (Article 16), and equal pay for equal work (Article 39(d)). In addition, it allows special provisions to be made by the State in favour of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)), and also allows for provisions to be made by the State for securing just and humane conditions of work and for maternity relief (Article 42), yet domestic violence is on rise.

The latest National Family Health Survey-III found that 37.2 per cent of women had experienced violence and cited lack of education as the main reason for their suffering, "Women without education much more likely than other women to violence in marriage." But women who have secondary or higher secondary education, 16 per cent have reports of abuse. In view of the prevalence as well as the pervasiveness of domestic violence, many researchers in the past have attempted to assess the situation besides exploring its possible cause and subsequent consequences for society in general and women in particular. INCLIN (2000), found it as a problem that cuts across age, education, social class and religion in India. Other studies suggest that sons of violent parents (Straus et al., 1980 and Martin et al, 2002), or men raised in patriarchal family structure that encourages traditional gender role (Fagot et al., 1998 and Malamuth et al., 1995) are more likely to abuse their intimate partners. While many other studies reveals that lifestyle of men such as smoking, alcoholism and drugs promote men to commit domestic violence (Leonard, 1992; McKenry et al., 1995; Rao, 1997 and Bhatt, 1998). Study by Mishra, 2000; Hindin, 2002 and Rao, 1997 indicates that marriage at a younger age makes women vulnerable to domestic violence. Gerstein (2000) studied men in Uttar Pradesh and is of the view that low educational level and poverty are important reasons for domestic violence.

This project focuses on the economic factor in different light and try's to understand whether it is always about power and control, as suggested in most of the studies, on domestic violence. It considers economically weaker section of the society with low income sources of both male and female, low education level and opportunities. These weaker sections of the society, in today's world, struggle for survival and collective efforts are need of the hour. But women in this section now have to go out and work to keep their family running. They have the money earning power and yet are subject to domestic violence; contrary to belief that if no economic independency for women then they are more like to be subjected to domestic violence. Therefore this project tries to understand this claimed fact, when in practicality the situation is less if not all different for earning women(no matter how small they earn).

3. Why Shimla District of Himachal Pradesh?

The State of Himachal Pradesh has a small population and a mountainous ecosystem. It shows a higher level of progress in terms of access to clean energy sources, water supply and sanitation than other states. It has high girl education level, is officially low in domestic violence issue, yet the records of the police, individual Ngo assessments, cases in the local newspapers projects different stories. These factors along with other named below collectively makes Shimla district of Himachal Pradesh a potentially perfect universe of the study, where the main aim of this research can be verified with high success ratio.

Other factors are:

- It is one of the top scoring states in terms of Women rights and equal opportunity.
- The NGO was contacted by quite a few numbers of women in the Main Shimla office to mediate on their behalf with in-laws. It was evident there that a woman was subjected to the abusive on the issue of income sources.

4. Research Question

This research study, as mentioned previously, focuses on the economic conditions as a major player in the domestic violence or not. According to previously conducted studies on domestic violence against women, about 98% reports that -- firstly, the purpose of domestic violence is about power and control over partner and secondly, economically weaker section where women have no financial independency project more cases of domestic violence.

In today's time when consumerism is high and India is on economic boom to survive for economically challenged section is a collective task. Both male and females have to work to get bread and butter. In such scenario where

- a) Economically the family is under resourced,
- b) Female contributes economically to the family

Domestic violence is still witnessed against the female. Thus, this Research Study on "Domestic Violence among Married Women of BPL Families in Shimla District of Himachal Pradesh" aims to verify the two facts, namely economically weaker section witness more domestic violence and domestic violence is always about power and control over partner through these defined objectives.

Main Research Objective:

Is the low income status a major contributor in Domestic Violence against Women?

Sub Objectives:

- 1) If low income group is the major contributor of the domestic violence against women then,
 - a) What are the factors, in low income group section, that result in domestic violence?
- 2) What are the prevalent forms of domestic violence used by husband?
- 3) To find out the impact of domestic violence on women in term of personal , social and family level

- a) Is there role of other family members during domestic violence?
- b) Is police, administration or any other social services are approached after the incidence by the victim?
- c) Is woman suffering from domestic violence psychologically or legally equipped?
- d) Is child threatening a tool for domestic violence?

Chapter 2

1. Need for the Project

1.1) Women's status in India

According to the UN Human Development Report (1996), women -- comprising nearly 65% of the illiterate in India -- represent 24% of the total labour force, 21% of professional and technical workers, and only 2% of administrators and managers. The Government of India's National Crime Records Bureau recognizes that one of the precipitating factors in violence against women is their low income status in society. In reviewing statistics regarding violence, they state:

“Women...continue to be victims of domestic violence, family violence, and violence in the community and at work places. Illiteracy, ignorance, lack of awareness, poverty, added with traditional oppression and customs, place the Indian women at uneven status/environment. The resultant consequences are lower sex ratio, lower expectancy of life, high infant mortality rate, high drop-outs in primary schooling, and low wage rate” (National Crime Records Bureau, 1994)

Studies on this topic have and have always focused on the fact that **Domestic violence and abuse are used for one purpose and one purpose only: to gain and maintain total control over partner.**

This observation has been supported after considering income and socioeconomic standing “Lack of economic resources underpins women's vulnerability to violence and their difficulty in extricating themselves from a violent relationship”. The link between violence and lack of economic resources is circular. But this aspect looks into the economic status of women and considers economy as form of control by male in order to gain control.

A study showed that this section showed a sexual violence rate of 35 percent. The rate almost doubled to 61 percent among the highest income groups. This fact is very contradictory to the assumption that low-income group section of

society would see high percentage of occurrence of domestic –violence. Therefore a question to consider is **what happens in a scenario when the male is at the lowest rungs of the socio-economic ladder**—which could include migrant labor, cobblers, carpenters, and barbers in regards to domestic violence against their partners?

As previously understood and assumed that low income group has, unlike the other families of the economical hierarchy these families, low- education level. Therefore chances of domestic violence against women double in a low income status group. Thus women in these families suffering from domestic violence are result low level of socio-economic status. But an interesting observation here is that male and female of these low income level families are at the same footing in terms of power, which is no power at all. Their main focus is to survive the day rather than gain control over another. In such scenario where the resource are very limited and battle is with life to survive , domestic violence is caused due to power control (as believed in every domestic violence study) or is there low economic status of the male factor involved in it ?

This study aims at finding the factors causing the domestic violence in already economically under pressured families and verifies the fact that is domestic violence is due low economic conditions.

For this purpose of the study BPL⁴ families from Shimla district has been selected.

⁴ BPL criteria ; A family whose income annual income is less than Rs 20,000 or Not having 2 hactares of land/ *pucca ghar* /TV/ fridge / Motor cycle etc.

1.2) Scope of the Project

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 lives, and breeds some of the most drastic forms of violence perpetrated against women and girls. 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 adult lives they suffer – 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, sati (the burning of a widow on the funeral pyre of her husband), and killings in the name of honour.

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. This project looks into BPL families which have already low economic power to sustain themselves and man and women both are equally racing to survive each day with collective efforts, yet domestic violence against women are recorded in these families.

Table 1 - Examples of Violence against Women throughout the Life Cycle

<i>Phase</i>	<i>Type of violence</i>
Pre-birth	Sex-selective abortion; effects of battering during pregnancy on birth outcomes.
Infancy	Female infanticide; physical, sexual and psychological abuse.
Girlhood	Child marriage; female genital mutilation; physical, sexual and psychological abuse; incest; child prostitution and pornography.
Adolescence and Adulthood	Dating and courtship violence (e.g. acid throwing and date rape) economically coerced sex (e.g. school girls having sex with “sugar daddies” in return for school fees); incest; sexual abuse in the workplace; rape; sexual harassment; forced prostitution and pornography; trafficking in women; partner violence; marital rape; dowry abuse and murders; partner homicide; psychological abuse; abuse of women with disabilities; forced pregnancy.
Elderly	Forced “suicide” or homicide of widows for economic reasons; sexual, physical and psychological abuse.(Source: “Violence Against Women”,
(Source: “Violence Against Women” , WHO., FRH/WHD/97.8)	

Chapter 3

1. Study Approach

1.1) Study approach and data collection methodology

This research study, as previously mentioned, is conducted using database A and database B. Using structured questionnaire with close-ended questions, interviews were done with the responds. The conducted research is Non-Experimental Research since it aimed to find out factors causing the domestic violence amongst married women in the BPL families which cannot use control groups. The data obtained is analyzed through quantitative methods like statistical analysis.

Sample and Sampling Technique

In order to explore the main objective of the research the target group of this research is Women from the BPL families of Shimla district. Though the official records have shown Shimla district to be one of the low scorer in domestic violence aspect in H.P but unofficially situation is quite different. Another interesting fact is that these cases are mostly from the lower income group families, therefore BPL families from Shimla district is select as the universe of our study (p) as there is high number of case registered with local police station which also was substantiated during the initial research period.

Database A

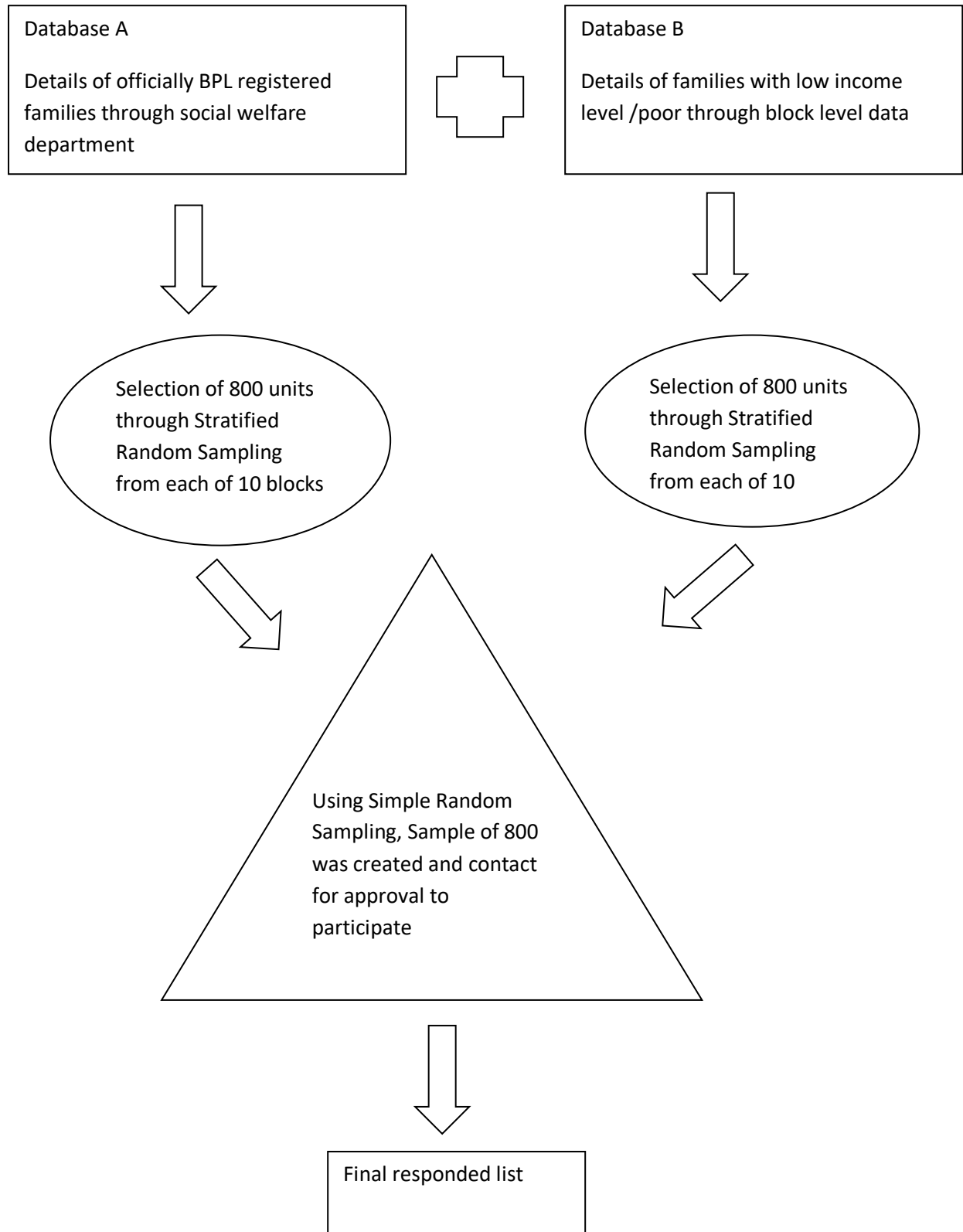
Database A comprises the name and contact details of BPL register families in Shimla district which was extract from The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) database and Administrative fact file in Social Welfare department of the H.P government.

Database B

It comprised of the names and contact details of poor families from 10 development blocks, 363 panchayats, 6108 Villages, 1200 household, 1000 individuals. This data was obtained from income index at block level. Reason for building this extensive database was to give equal and fare opportunity to everyone; keep research as true as possible, wide universe give better change

to complete aim of the study with accuracy. Upon integration of the two databases sample frame was generated, represented in below diagram.

Dig1. Case Study of Shimla district: sampling procedure



Sampling Technique

The sample size (n) selected in this research is 800. The sample of 800 women from BPL families of Shimla district is collected after initial searching of official data records from the department of Social Welfare and verifying their details.

There are 10 blocks in Shimla district and each block has certain number of register BPL families. In order to be unbiased, to give equal chance and free from influencing the results of the main objective of the study, all BPL families registered in the 10 blocks is therefore taken instead of only those BPL families which have records of domestic violence in the local police station. Stratified Random sampling technique is applied to create sampling frame for both database A and database B. Two lists were obtained of 800 each database. Using Simple Random Sampling technique sample frame (s1) was created. From each block of 10 blocks the sample size (n1) was kept 80 ($80 \times 10 = 800$)

During our initial contact with all the candidates from sampling frame (s1) (for approval) many refused to participate. Therefore the resulted sampling frame (s2) was created which had varied number of responded from each of the 10 blocks instead of 80 (as initially planned). But in the entire sample size (n) which is 800 was obtained. Upon preparing sampling frame (s2) field investigators were dispatched in each block to interview the participants.

Table 2—Sample Size data of the study population

Name of Development Blocks	Number of Sample Size Taken	Total Number of Poor Families above BPL	Total Number of BPL Families
Mashorba	11	76	3150
Theog	80	190	3415
Basantpur	40	75	2885
Narkanda	119	102	3619
Rampur	35	95	2841
Chrigoan	118	156	3588
Nankhari	85	164	2388
Jubbal-Kotkhai	160	274	2681
Rohru	61	98	3475
Chopal	91	163	3639
Total	800	1200	31,681

Chapter 4

1. Domestic Violence

1.1) What is Domestic Violence

Domestic violence, also known as domestic abuse, spousal abuse, family violence, and intimate partner violence (IPV), has been broadly defined as a pattern of abusive behaviours by one or both partners in an intimate relationship such as marriage, dating, family, friends or cohabitation. It can be a male's or a female's atrocities towards another male or a female. Anyone can be a victim and a victimizer. Domestic violence, so defined, has many forms, including physical aggression (hitting, kicking, biting, shoving, restraining, slapping, throwing objects), or threats thereof; sexual abuse; emotional abuse; controlling or domineering; intimidation; stalking; passive/covert abuse (e.g., neglect); and economic deprivation.

The U. S. Office on Violence Against Women (OVW) defines domestic violence as a "pattern of abusive behaviour in any relationship that is used by one partner to gain or maintain power and control over another intimate partner".

The Children and Family Court Advisory and Support Service in the United Kingdom in its "Domestic Violence Policy" uses domestic violence to refer to a range of violent and abusive behaviours, defining it as:

Patterns of behaviour characterised by the misuse of power and control by one person over another who are or have been in an intimate relationship. It can occur in mixed gender relationships and same gender relationships and has profound consequences for the lives of children, individuals, families and communities. It may be physical, sexual, emotional and/or psychological. The latter may include intimidation, harassment, damage to property, threats and financial abuse.

1.2) Classification

All forms of domestic abuse have one purpose: to *gain and maintain control* over the victim. Abusers use many tactics to exert power over their spouse or partner: dominance, humiliation, isolation,

threats, intimidation, denial and blame. The form and characteristics of domestic violence and abuse may vary in other ways. Michael P. Johnson argues for three major types of intimate partner violence. The typology is supported by subsequent research and evaluation by Johnson and his colleagues as well as independent researchers. Types of violence identified by Johnson:

- **Common couple violence (CCV)** is not connected to general control behaviour, but arises in a single argument where one or both partners physically lash out at the other. Intimate terrorism is one element in a general pattern of control by one partner over the other. Intimate terrorism is more common than common couple violence, more likely to escalate over time, not as likely to be mutual, and more likely to involve serious injury.
- **Intimate terrorism (IT)** may also involve emotional and psychological abuse.
- **Violent resistance (VR)**, sometimes thought of as "self-defence", is violence perpetrated by victims against their abusive partners.
- **Mutual violent control (MVC)** is rare type of intimate partner violence occurs when both partners act in a violent manner, battling for control

Others, such as the US Centre for Disease Control, divide domestic violence into two types:

- Reciprocal violence, in which both partners are violent, and
- Non-reciprocal violence, in which one partner is violent.

But the most common know or used classification in domestic violence is:

- **Physical:** Physical abuse is abuse involving contact intended to cause feelings of intimidation, pain, injury, or other physical suffering or bodily harm.

Based on the study done 41.31 per cent of women reported physical abuse

- **Sexual:** Sexual abuse is any situation in which force or threat is used to obtain participation in unwanted sexual activity. Coercing a person to

engage in sex, against their will, even if that person is a spouse or intimate partner with whom consensual sex has occurred, is an act of aggression and violence.

- **Emotional:** Emotional abuse (also called psychological abuse or mental abuse) can include humiliating the victim privately or publicly, controlling what the victim can and cannot do, withholding information from the victim, deliberately doing something to make the victim feel diminished or embarrassed, isolating the victim from friends and family, implicitly blackmailing the victim by harming others when the victim expresses independence or happiness, or denying the victim access to money or other basic resources and necessities.
- **Verbal:** Verbal abuse is a form of abusive behaviour involving the use of language. It is a form of profanity that can occur with or without the use of expletives. It is one of the most common form of domestic violence which accounts for nearly 81% (according to the survey conducted)
- **Economic:** Economic abuse is when the abuser has control over the victim's money and other economic resources. In its extreme (and usual) form, this involves putting the victim on a strict "allowance", withholding money at will and forcing the victim to beg for the money until the abuser gives them some money. It is common for the victim to receive less money as the abuse continues. This also includes (but is not limited to) preventing the victim from finishing education or obtaining employment, or intentionally squandering or misusing communal resources.

1.3) Gender with most recorded sufferer of Domestic Violence

Domestic violence against Women is most common of all. Though women today have proved themselves in almost every field of life affirming that they are no less than men, the reports of violence against them are much larger in number than against men. According to a UN press report two third of married Indian women are victims of domestic violence. Seventy per cent of married Indian women between the ages of fifteen and forty nine were proven victims of ugly incidences like rape, beating, forced or coerced sex (United Nation

Population Fund Report) and each incident of domestic violence leads to the loss of seven working days for a woman in a country like India.

1.4) Domestic Violence across the globe

Women are subjected to domestic violence more often and more severely than are men. According to a report by the United States Department of Justice, a survey of 16,000 Americans showed 22.1 per cent of women and 7.4 per cent of men reported being physically assaulted by a current or former spouse, cohabiting partner, boyfriend or girlfriend, or date in their lifetime.

A 2001 survey of over 22,000 residents of England and Wales by the UK Home Office showed four per cent of women and two per cent of men were victims of domestic violence in the last year. Of the most heavily abused group, 89 per cent were women.

A Canadian study showed that 7% of women and 6% of men were abused by their current or former partners, but female victims of spousal violence were more than twice as likely to be injured as male victims, three times more likely to fear for their life, twice as likely to be stalked, and twice as likely to experience more than ten incidents of violence.

Per cent of women surveyed (national surveys) who were ever physically assaulted by an intimate partner: Barbados (30%), Canada (29%), Egypt (34%), New Zealand (35%), Switzerland (21%).

South Africa is said to have the highest statistics of gender-based violence in the world and this includes rape and domestic violence (Foster 1999; *The Integrated Regional Network* [IRIN], Johannesburg, South Africa, 25 May 2002).

In Turkey 42% of women over 15 have suffered physical or sexual violence

In India, around 70% of women are victims of domestic violence. The Human Rights Watch found that up to 90% of women in Pakistan were subject to verbal, sexual, emotional or physical abuse, within their own homes

Domestic violence and abuse against women is prevalent everywhere, regardless of size, or strength, or race or country.

1.5) Domestic Violence Bills and laws in India

In India domestic Violence came to be recognized as a specific criminal offence, when section 498A was introduced in the Indian Penal Code 1860 (Criminal Law 2nd amendment of 1983) this section is formulated to do with cruelty by a man or his family towards married women. Economic and social circumstances can also induce tension which can result in violence. Women are more vulnerable to Domestic violence world over, because they are economically dependent on their male counterparts, have children to care for, and are physically weaker.

Indian lawyers collectively drafted a bill on domestic violence in 1992 and circulated it widely in all women's organizations and groups in 1994, the National Commission for women (NCW) came out with the draft of its bill, which was criticized by various women organizations and the existing criminal laws were proving inadequate, in meeting the needs of Indian women. But later the government of India introduced a bill on domestic violence in the lok sabha the bill was titled ' The Protection from Domestic Violence Bill 2001' this new law is a landmark in an attempt to protect women against domestic violence and the new law has specially proved effective, because it gives sweeping powers to a magistrate to grant protection orders in such cases.

The efforts of international organizations and Indian government to launch overt campaigns to counter the menace of domestic violence, atrocities against women continue unabated.

The Protection Of Women From Domestic Violence Act,2005

The protection of women from domestic violence bill,2005 having been passed by the lok sabha on 24th august,2005 and by the Rajya sabha on 29th august,2005 received the assent of the president on 13th September,2005 and came on the statute book.

This act 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 connected therewith or incidental thereto.

This act was enacted to deal with the failures of earlier acts and bills against domestic violence this act protects women facing violence in domestic relationships and it is not limited to matrimony alone, but also include relations in the nature of marriage and all others who live in a common shared household.

The law contains a declaration that it has been made to protect the rights of women under Article 14 and Article 15 of the constitution of India, to equality and non-discrimination and under Article 21, to life and liberty.

But laws will not entirely helpful unless entrenched attitudes change.

Chapter 5

1. Analysis of Interview Results

1.1) Survey area profile

Interviews of 800 Women from BPL families of Shimla district, comprising of 10 blocks ; namely Mashobra, Theog, Basantpur, Narkanda, Rampur, Chrigoan, Nankhari, Jubbal-Kotkhai, Rohru, and Chopal, through the questionnaire were taken for the study. The survey reveals that the area has slightly more females than males in the population with 1036 females per 1000 males. The general characteristics of the districts are as follows:

Table 3-- Sample Coverage area in Shimla district

Characteristics	Total	Study covered
Total Population	7,21,745	0.110%
Number of villages	6108	0.846%
Censes Villages	2895	0.401%
Revenue Villages	3213	0.445%
Estimated number of households	1, 54,693	21.4%

1.2) Observations from the interviews

Economic Independency:

a) Males of Shimla district had less employment than Females
b) Females had more income support than males
c) Social Securities are more provided to Females
d) Income level of around 70% of the household was below 20,000 p.a. 30% had other un-named sources of income.
e) Around 68.5% females contributed economically by earning.

Matters of Argument:

a) Around 95% of female replied yes to some issues or the other resulting in Argument
b) 79% argument was upon money matters, like managing the money and its income source.
c) Household work like cooking, cleaning does not form major source of contentions between the two. It was nearly 12.8% only.
d) Drugs and Alcohol use was accounted for 81.12% as main source of tension
e) Surprisingly, around 61.87% responded mentioned “other women” as the cause of tension.
f) Children and matters related to them were very low in the list of argument, nearly 15.37% argued over matters related to child
g) 86% responded agreed that argument resulted in physical fight

Forms of domestic violence used by husbands:

a) Hitting with fist or Punching= 82.87%
b) Calling bad names= 81.5%
c) Slapping=76.125%
d) Rapping=75.87%
e) Emotional Blackmailing=57.62%
f) Kicking=31.5%
g) Burning=25.25%

Others

a) Around 39% responded stated in-laws were involved during domestic violence
b) Leaving partner was opted by only 11.85% responded.
c) During pregnancy 86.5% female agreed of no/less domestic violence
d) A child as threat was used in 38% of cases.
e) Police , administration or individual organisation were not approached by 83.12% of females
f) Around 91.34% replied “no” upon asking about awareness for legal rights
g) Last but not the least 90.25% women showed enthusiasm for seeking helping hand/ service for the situation.

Chapter 6

Conclusion

The research study titled “Domestic Violence among Married Women of BPL Families in Shimla District of Himachal Pradesh”, considered the families from below poverty line as their criteria for study of domestic violence against women with the aim of finding out whether low economic conditions contribute in domestic violence. As previous studies on the topic of domestic violence around the globe have suggested that domestic violence is the result of

- a) Gaining power and control over the partner
- b) The lower economic condition, the more prevalence of domestic violence

This research study upon collecting data from 6108 villages of Shimla district, 800 individuals through structured interviews and analysing its results by using statistical tools can conclude the following:

1. Economic conditions and domestic violence

- a) Domestic violence is indeed related to low economic conditions. Since around 92% of women in responded reported some form of violence or the other along with it 82% of the responded belonged to families from poor economic conditions (See Fig 1).
- b) In Shimla district it was found that majorly women had economic independency and earned small amount of amount working as tailor, construction site worker, vendors, pion, sweeper, maids etc yet they witnessed domestic violence. Some even had income support, if no employment, or other un-named sources of income but still were subjected to domestic violence (see Fig 2).
- c) This can be supported by the fact that majority of argument which turns into physical fight is due to money management and related issues. “Drugs &Alcohol”, “Other women” were the next two top most issues resulting in domestic violence. “Sexual relations” is another issues

causing domestic violence, refusal to participate in sex causes physical battering (see Fig 3).

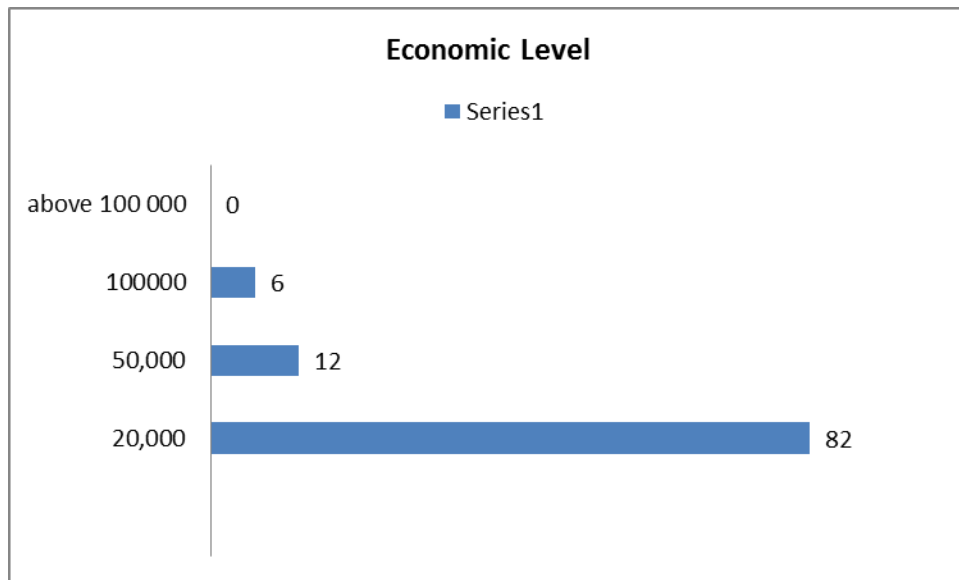


Figure 6- Represents the economic conditions of the studied population.

Figure 1 represents the economic status of the study population. Majority are Below Poverty Line.

Comment: But the surprising result is that this low economic condition is not of a female but of a male.

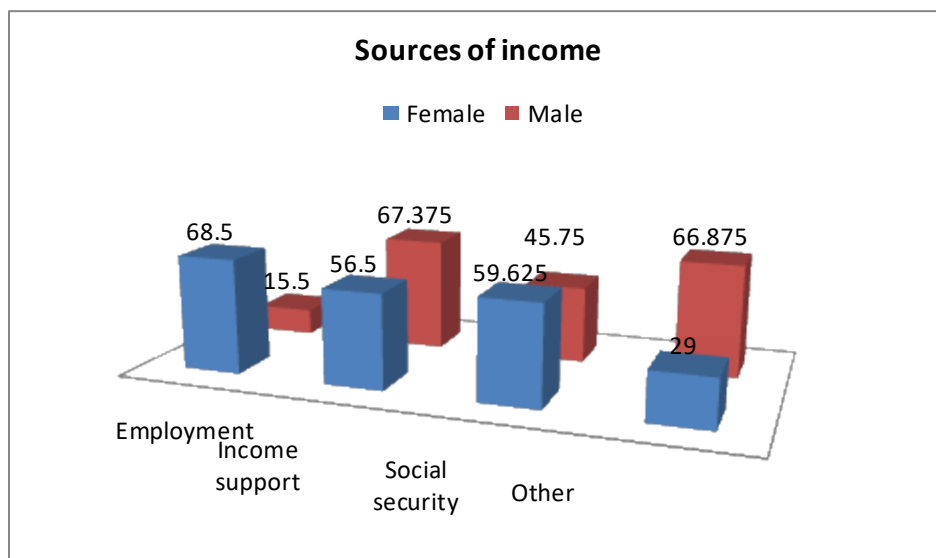


Figure 7-Represents types of income a male and female has access to.

Figure 2 depicts the all the different types of ways through which both male and female earn money. It shows the comparison between the income source of a male and female of the study population of this research study. There is an emergence of new observation about female earning more than her counterpart.

Comment: This could result in inferior complex in male causing insecurity regarding women able to earn more than him leading into violence.

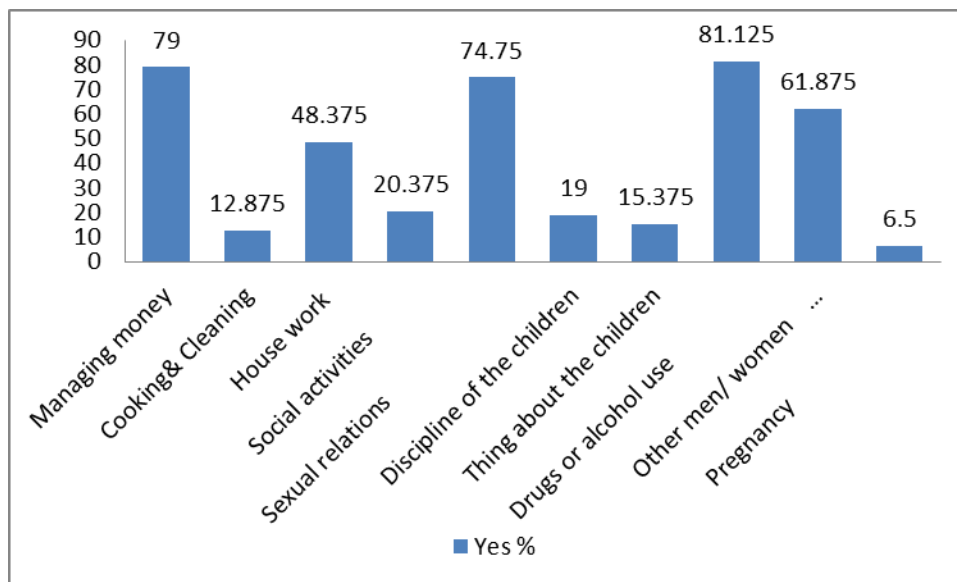


Figure 8- Represents percentage of different factors causing domestic violence.

Figure 3 shows the findings of the study about the different factors causing domestic violence.

Comment: As major 3 factors contributing in domestic violence is Managing Money, Drugs and Alcohol and lastly Other Women, thus it may be stated that domestic violence does not always is about gaining control but can also be caused to inferiority complex in male.

2. Forms of domestic violence used by husbands

- a) Hitting with the fist, slapping, verbal abuse, sexual assault and emotional blackmail (in order of taking place) seem to be the most popular forms of domestic violence. It was found in this Survey that many females were

suffering from more than one form or the other instead of just a form of domestic violence.

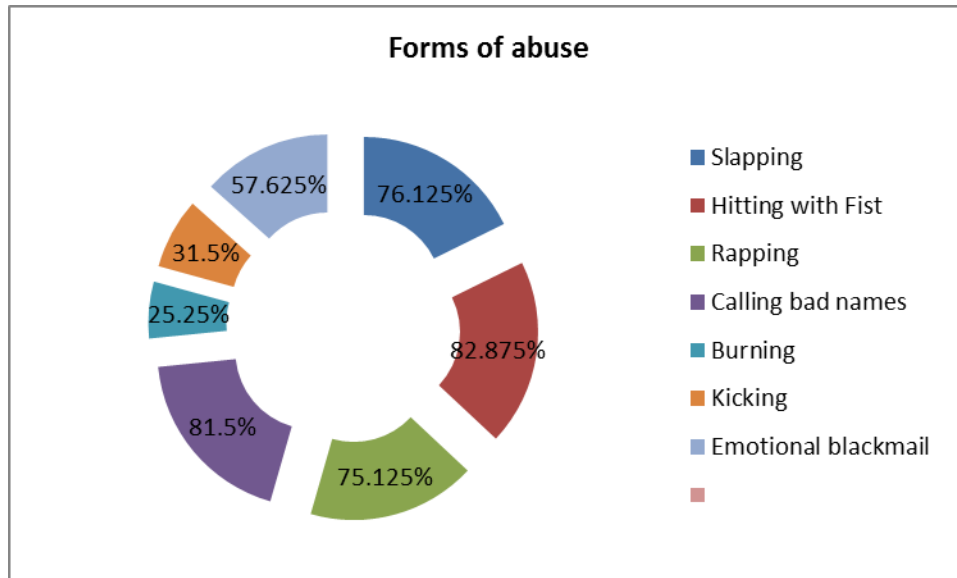


Figure 9- Represents the percentage of different forms of Violence

Figure 4 shows the ration in which different form of violence is used by male as abuse. Interestingly, Women witnessed violence due to factors like other women whereas cooking and cleaning was not a major issue.

Comment: This graphs shows that Physical pain is the main strategy of a male to damage a women's confidence.

3. Socio- psychological factors and domestic violence

- a) In terms of socio-psychological factors the indication were that family member (in-laws of female) were involved during domestic violence. Considering the fact that these women are economically independent still find involvement of in-laws or is responsible situations that results in domestic violence (see Fig 5).
- b) Another fact which was evident was that during pregnancy they were very less subjected to violence. But child was used a threat to cause psychological abuse.

Table 4--Emotional abuse using child as a tool.

	Percentage of agreement	Percentage of disagreement
Female	84.87	15.12
Her Child	38	62

- c) Yet around 88% of women did not have opted for leaving their partner. Though answers were not recorded officially, yet respondents indicated that due to peer pressure, fear of shame and society along with notion of being alone with a hope of one day things will change, stop them from leaving their abusive partners (see Table 5).
- d) Due to same pressure and hesitation very less responded approached authorities for help like police or any other administration.
- e) Neither were majority of responded aware of their constitution or legal rights but around 90.25% showed willingness to seek help only if provided to them.



Figure 10- Represents Involvement of relatives leading to domestic violence

Figure 5 shows the involvement of social factors like relatives of males causing domestic violence.

Comment: Lot of domestic violence issues are caused to male's family members domination.

Table 5—Psychological effect due to societal pressure		
	Percentage of agreement	Percentage of disagreement
Leaving abusive Partner	88%	12%
Approaching authorities for help	83.12%	16.87%
Willingness to seek help but only if provide to them	90.25%	9.75%

Summary of results

There is no one 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 interconnected institutionalized social and cultural factors have kept women particularly vulnerable to the violence directed at them, all of them manifestations of historically unequal power relations between men and women. Factors contributing to these unequal power relations include: socioeconomic forces, the family institution where power relations are enforced, fear of and 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 legal and social status.

Lack of economic resources underpins women's vulnerability to violence and their difficulty in extricating themselves from a violent relationship. The link

between violence and lack of economic resources and dependence is circular. On the one hand, the threat and fear of violence keeps women from seeking employment and on the other, without economic independence, women have no power to escape from an abusive relationship.

The reverse of this argument also holds true which is what gets highlighted in this research , using BPL families as universe of the study, where the economic power is neither in males hand or female's hand. In fact both are struggling equally to survive the day, in such case it is managing the earned money and the fact who a female may earns more is the major cause of the domestic violence. This concept of insecurity in male partner coaxes him to act out aggressively, also leading to be the sources of excuse in other matter like other women, in-laws demands etc. This pattern is witnessed in some countries by UNICEF research; that is, women's increasing economic activity and independence is viewed as a threat which leads to increased male violence. This is particularly true when the male partner is unemployed, and feels his power undermined in the household.

Jason Burke for guardian post U.K recently wrote an article titled "The worst places in the world for women: India" In this article he explore interview with Kusum (from Uttar Pradesh) a maid working for wealthy Indian family in Delhi earning Rs. 5,500 yet is subjected to domestic violence by her husband . Mentioned cause is the money matter and her earning which is required to be sent to her in-laws back in Uttar Pradesh.

The conclusion of this report can be summarised as:

- ***Economically weaker section does indeed project high cases of domestic violence.***
- ***Women being economically independent does not make them free from domestic violence, if anything it push deeper into the realm of domestic violence.***
- ***Conducted research point towards the changed trend in theory of power and control. It suggests the possibility of a new psychological factor such as inferiority complex in male a source of domestic violence.***

Chapter 7

Recommendation

What do we need?

A very important question in wake of domestic violence remedies is that what exactly we are looking for in the process of minimising their occurrences. Is it about gathering more information on such cases for just expressing our concern over this issue with more accuracy? Or we want to make more and more policies to show that we have measures set-up but in practical level they work to their minimum?

It is time to our voices, so that the mess could be cleaned up with sheer force and determination. For this force and determination “We, the people of India” need to work collectively, with uniformity, with one goal of better society and for that women status needs to be protected.

There is need for:

- **Central Government**

1. *Change of Attitude*

- 1.1) Unless or until people will not change their mind set, habits and stop practices false practise in the name of traditional culture; no law, no policies can be effective.
- 1.2) For this more awareness camps for male and their family member should be organised so that the root cause of domestic violence can be moulded.

2. *Need for educating young girls in school and outside*

- 2.1) Authorities should make a point to implement legal rights awareness course for the girls in the school so that at least they grow up to be aware of their options in the country.
- 2.2) For girls and women who cannot access school/ education, camps should be organised at block level each 6 months , so

that they too get an opportunity to understand their options and services they can get

3. Need to encourage Women's personality

3.1) Major aspect that was visible in this research was the attitude of the Women itself. Around 98% of women were unwilling to leave or report the incidence, even though they earned money, due to shame, peer pressure etc.

3.2) This needs to be tackled by making women aware that it is not their fault and there is no shame in accepting the situation. For this personality development classes consisting of psychological analysis should be organised.

3.4) Once acceptance is achieved, encouragement to help them can be followed.

3.5) This can be followed by self-defence classes

4. Enact new statutes providing for fast, inexpensive, and comprehensive civil protection order relief, with enforcement through equally fast, inexpensive, and comprehensive criminal contempt motion procedures

• **State Government**

1. Police and Health Care

1.1) Police plays a major role in tackling the domestic violence cases. They need to be sensitized to treat domestic violence cases as seriously as any other crime.

1.2) Pass new laws requiring police, prosecutors and judges to be trained about domestic violence, and to improve their enforcement of existing and new laws concerning domestic violence

1.3) Special training to handle domestic violence cases should be imparted to police force.

- 1.4) They should be provided with information regarding support network of judiciary, government agencies/departments.
- 1.5) Gender training should be made mandatory in the trainings of the police officers.

2. Need for implementation of stringent law

- 2.1) In 1983, domestic violence was recognised as a specific criminal offence by the introduction of section 498-A into the Indian Penal Code. This section deals with cruelty by a husband or his family towards a married woman.
- 2.2) The Government of India passed a Domestic Violence Bill, 2001, "To protect the rights of women who are victims of violence of any kind occurring within the family and to provide for matters connected therewith or incidental thereto".
- 2.3) An act called Protection of Women from Domestic Violence Act, 2005.
- 2.4) But unfortunately, at present there is all these law in the Indian Constitution are not strictly implemented by the grass level authorities.
- 2.5) Authorities should take steps to recognize Domestic Violence as a public health issue.
- 2.6) A crisis support cell needs to be established in all major Government and Private Hospitals with a trained medical social worker for provide appropriate services.
- 2.7) Training programmes must be organized for health professionals in order to develop their skills to provide basic support for abused people.
- 2.8) Documentation on the prevalence and the health consequences of domestic violence should be undertaken by the concerned

government departments, health care institutions, NGOs and counselling centres.

2.9) A nodal agency should also be set up for the annual consolidation of the documented work and publish the same for wider publicity among the masses for increasing awareness.

3. *Role of Non-Governmental Organizations (NGOs)*

3.1) The role of non-governmental organizations in controlling the domestic violence and curbing its worse consequences is crucial. These NGOs continue to spread awareness amongst people regarding the legal rights they have in hand for fighting against the atrocities they are subjected to.

3.2) They should be encouraged and given maximum support to report any case of domestic violence so that proper action may be taken against the culprits.

4. Engage in mutual and coordinated inter-agency task forces to improve the delivery of services by district courts, local police, state prosecutors, lawyers, law schools, social service workers, state hospitals, doctors, and various treatment programs to both barterers and victims.

5. This study conducted indicates that trend might be changing; there might be more than power and control as an excuse for domestic violence. Since the respondents in this study lived in a progressive environment, this result could be applicable to such environments. But progress is fast catching notion in India and this might be an onset of change in the trend, therefore to validate it as a universal factor, same project with larger and cross-sectional population should be conducted.

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Appendix ----

Questionnaire

Name of the women Age.....

Father Name/ husband Name..... Panchayats.....

Block..... District Shimla

1. Does the partner reside in the home? Yes No

Sources of income	Female Applicant	Partner
	Yes-No	Yes-No

Employment

Income support

Social security

Other

(B)Economic Level per annual

(a) 20,000 (b) 50,000 (c) 1,00,000 (d) above 1,00,00

2. Couples most frequently argue about. How often do you and your partner argue about these things? Tick any of following option

Always, Almost Always, Usually, Sometimes, Never

Managing money	....	....	....
Cooking, Cleaning,	....	....	....
House work		....	....
Social activities ...		....	....
Sexual relations	....	....
Discipline of the children...			....
Thing about the children...			....
Drugs or alcohol use	....	....
Other men/ women ...		....	....
Pregnancy			

3. Who usually has the last word in an argument between you and your partner?

(a) you (b) partner (c) other family member

4. Has an argument ever turn into physical fight between you and your partner?

(a) Yes (b) No

5. Has there ever been a physical fight during a pregnancy?

(a) Yes (b) No

6. Has your partner ever threatened to hurt you and to hurt your children?

You

Children

(a) Yes (b) No (a) yes (b) No

7. Types of domestic violence used

Slapping Hitting with Fist /punching

Rapping

Calling bad names Emotional blackmail

Kicking Burning

8. have you ever left your partner, or tried to leave, because of domestic violence?

(a) Yes (b) No

9. Has your partner ever used weapon against you?

(a) Yes (b) No

10. Have you other others ever called the police because of domestic violence?

(a) Yes (b) No

11. Are you aware of your legal rights for women?

(a) Yes (b) No

12. Would you like help safety planning for you and your children?

(a) Yes (b) No

13. Do you want help in seeking a temporary battered women's emergency residence, court order of protection, support group, or any other services for you and your children?

(a) Yes (b) No

Name of investigators:.....

Signature :.....

Date of interview :.....

Checked by :.....