

Domestic Violence: A Pessimistic Approach or Voluntary Acceptance by the Victim

Dr. Jaspreet Punia

Assistant Professor, (C.R Institute of Law, Rohtak)

ABSTRACT

The problem of domestic violence is present everywhere and it is endemic. Infact the problem is a very serious threat which is quite often ignored, excused and even denied. A behaviour which involves violence or other abuse in a domestic context against another such as in marriage or cohabitation. A neo term Intimate Partner Violence for domestic violence is done by a spouse or partner in an intimate relationship against the other spouse or partner. This paper tries to look into the various aspects which compel the victim to have a pessimistic approach towards this subject and also makes the victim readily accepting the problem.

INTRODUCTION

Domestic Violence can happen to anybody and it should not happen to anybody. Domestic Violence can take a number of forms including physical, emotional, verbal, economic as well as sexual abuse. Domestic Violence often occurs because the abuser believes that the abuse is justified and acceptable but another factor for the happening of this event is that the victim also voluntarily accepts this as her misfortune. Around 70% of women in India are victims of domestic violence, according to Renuka Chowdhury, former Union minister for Women and Child Development. This all occurs despite the fact that women in India are legally protected from domestic abuse under the Protection of Women from Domestic Violence Act.

Often the victim undergoes situational and emotional turbulences which forces her or him to accept the problem or continues to live with the abuser. It is estimated that very less domestic violence crimes are reported while the husk remains unreported. Whether it is the economic dependence on the abuser or fear of emotional damage to the children, fear of involvement in the court processes, cultural or religious constraints or it could be the fear of social isolation or even support from the family members. All such situational factors lead the victim to have a pessimistic approach towards this problem.

Not only the above situational factors are the reason for violence being unreported. There are emotional factors prevalent which makes the abuser feel justified in committing domestic violence. The victim fears loneliness and infact this is also a consequence of the domestic violence which makes the victim have self pity on her. The guilt of broken marriage breaks the victim mentally making her feel that she can not survive without the abuser so accepts this as her fate. Cultural constraints and orthodox upbringing is also a very strong factor which doesn't let the victim report the crime even to her parents and close ones. The victim sometimes believing in self made vision about his/her partner changing is also a potential cause for not making the crime public. Often the victim tries to rationalize the abuser's attitude, consequently making it a habit for the abuser and tolerating that habit of the abuser by the victim. Awareness, perception, definition and documentation of domestic violence differs widely from country to country. There may be a cycle of abuse during which tensions rise and an act of violence is committed, followed by a period of reconciliation and calm. Victims of domestic violence may be trapped in domestic violent situations through isolation, power and control, insufficient financial resources, fear, shame, or to protect children. As a result of abuse, victims may experience physical disabilities, chronic health problems, mental illness, limited finances, and poor ability to create healthy relationships.

The United Nations Declaration on the Elimination of Violence against Women identified domestic violence as one of three contexts in which violence against women occurs, describing it as:

"Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation".

In a 2012 news story, *The Washington Post* reported, "The Reuters Trust Law group named India one of the worst countries in the world for women this year, in part because domestic violence there is often seen as deserved. A

2012 report by UNICEF found that 57 percent of Indian boys and 53 percent of girls between the ages of 15 and 19 think wife-beating is justified.

In recent years, there has been progress in these areas, with laws being enacted in several countries: for example the 2004 Criminal Code of Ethiopia has a chapter on harmful traditional practices – *Chapter III – Crimes Committed against life, person and health through harmful traditional practices*. In addition, the Council of Europe adopted a convention which addresses domestic violence and violence against women, and calls for the states which ratify it to create and fully adjudicate laws against acts of violence previously condoned by traditional, culture, custom, in the name of honor, or to correct was is deemed unacceptable behavior. The United Nations created the *Handbook on effective police responses to violence against women* to provide guidelines to address and manage violence through the creation of effective laws, law enforcement policies and practices and community activities to break down societal norms that condone violence, criminalize it and create effect support systems for survivors of violence.

In cultures where the police and legal authorities have a reputation of corruption and abusive practices, victims of DV are often reluctant to turn to formal help.

CONCLUSION

Despite of all hurdles and hesitations it is the victim who should be the first person to cognizance this crime. The only way to break the cycle of domestic violence is to take action and the sooner the better. Start by telling someone about the abuse, whether it's a friend, loved one, health care provider or other close contact. At first, you might find it hard to talk about the abuse. But you'll also likely feel relief and receive much-needed support which is your right.

REFERENCES

- [1]. Chowdhury, Renuka (26 October 2006). "India tackles domestic violence"
- [2]. Times News Network (16 March 2012). Domestic Protection Act
- [3]. International Centre for Research on Women. Domestic Violence in India. International Centre for Research on Women and The Centre for Development and Population Activities, 2000. 18 Mar. 2013.
- [4]. Times News Network (16 March 2012). "'Domestic Violence Act not against men'"
- [5]. , Gwenneth. "The Impact of Domestic Violence on Women's Mental Health." Australian and New Zealand Journal of Public Health 22 (1998).
- [6]. Pandey, Geeta (30 May 2003). "Domestic abuse hits India's elite". *BBC*(Delhi, India).