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DOMESTIC VIOLENCE – THE SHADOW PANDEMIC

**ANALYZING THE UTILITY OF THE DOMESTIC
VIOLENCE ACT IN LIGHT OF CONTEMPORARY
PANDEMIC**

RIYA LUHADIA

ABSTRACT:

This article will discuss about the issues of Domestic Violence during the pandemic. Torture to the women by domestic violence has increased due to the pandemic as many of them get frustrated and treated her/his partner in an ill mannered way causing violence to the spouse. Reason can be many but main point is due to the idleness of either of the spouse or job loss, unemployment etc can be the reason behind the increase of domestic violence. Not only because of the pandemic the violence has increased many other reasons are also there which are the cause of domestic violence like one can be jealous of the other or there are cases where both the spouse are of the nature of taking revenge so there can be many possible reasons. To every problem in the world there is a solution and in same way there are solutions available to both the spouse related to this problem. In many cases related to domestic violence there is a pressure on either of the spouse because of dowry, property, maintenance etc which creates differences in the husband wife relationship leading to more problems and make the situation complicated as one plays the dominant role in the relationship which also creates the differences and problems so to avoid all these problems everyone should aware of their rights and laws prevailing in the country so as to fight for their survival. What are the problems faced by the women and how are they handling all these and etc, all problems and solutions related to this topic are to be discussed and focused in this article.

INTRODUCTION

No matter where one lives but one should be staying home the maximum amount as he/she possibly can.

Domestic Violence is a type or can be a sort of abuse that mostly involves a spouse or partner but it can also be a child, elderly relative or other family member or domestic violence is any behavior from a male for the purpose of which is to gain control or power over a woman or a girlfriend, wife or a female member of the family is called as domestic violence.

It may include:

- Physical violence which can cause injuries such as bruises or broken bones
- Sexual violence
- Threats of physical or sexual violence
- Emotional abuse that can cause depression, anxiety or social isolation.

It can be physical abuse, sexual abuse, verbal abuse, emotional abuse or even economical abuse these are all either can be called as an abuse or violence. It is like in the air means everywhere, there is no Country no society is free from domestic violence against women.

KEY WORDS

- Violence – behavior which harms or damages somebody/something physically.
- Covid19 – Corona virus disease 2019.
- Pandemic – a disease that diffuses over a country
- Impairment – a state of being weakens and damaged.
- Lockdown – a state of confinement or for a security measure.
- Provoke – to cause a particular feeling or reaction.
- Counseling – professional advice and help given to people with problems.
- Investigation – examination or inquiry of the facts, about a situation
- IPV - intimate partner violence.
- Trivial – not worth
- Impedes – hindrance
- DV – domestic violence
- GBV – gender base violence
- VAW – Violence against women.

HYPOTHESIS

- The question arises is that what is the reason of domestic violence and why it has been rapidly increasing since the period of lockdown.
- The researchers and many studies regarding the theory has analyze the situation and stated that the reasons to this issue are different depending upon the circumstance and situation in which a husband and wife is living and its rapid increase due to lockdown is because of the loneliness, idleness, unemployment and hatred among the husband and wife so that has to be resolved for the better future of parties to the problem.

In simplest form we can say that domestic violence is a pattern of behavior which is meant to control a woman in order to change the sense of self meaning her identity, her behavior that the male better cannot tolerate.

- Anyone can be physically abused doesn't matter if he/she is big and strong or small and weak.
- Anyone can be a victim. Everyone deserves to be feeling safe at home, in relationships. Being abuse not only affect the current life but later life too so one should overcome from it as soon as it arises without any delay because by being abusive in any stage of life can lead to mental health issues.
- Basically children who grew up with physically abusive parents or caretakers have the worse effect in their future and later life because a child tends to do same as his/her parents do no matter what is right or what is wrong.
- Domestic violence starts in a pretty much slowly and gradually so the woman doesn't notice it and the guy comes like a whirlwind like he is polite and very affectionate at the beginning but a little by little as he gets used to the relationship and after some time they develop hatred due to the personal reasons or any other reason which creates violence on the other spouse mainly known as domestic violence.
- Physical abuse is defined as the use of physical force that may result in bodily injury, physical pain or impairment. This could be anything like pushing, pinching, beating, biting, throwing things etc so if anyone ever does something that puts you in danger, that is abuse and it is not at all okay.

- In different areas the corona virus is impacting differently the economy like foreign affairs so on but this article will mainly focus on the domestic violence during the pandemic.
- During COVID-19 pandemic the common directive from everyone is to 'stay home to stay safe'. But for many women 'staying home' does not at all similar to safety. Many of them are sadly trapped with the abusers with nowhere to go. After the imposition of lockdown to control the spread of this pandemic, instances of domestic violence have been on a rise across the country.
- There was an incident which happened amid the lockdown where there was a severe violence. The girl did not want to live in that house anymore but because of the lockdown she couldn't go anywhere else. She was trying to reach out to the police but they were also not able to provide help she even spoke to Shakti Shalini Organization's councilors, but she could not be rescued. Anyway after some time they handled to get her the telephonic police intervention after that at least the physical abuse was stopped, but she is still facing emotional and verbal abuse. This was just a one case but there are many more and may be serious in nature.
- Since the lockdown, the number of complaints doubled in the first week later on the number decreases, but it is still more than the usual complaints received before the lockdown.

The domestic violence has specially increased in the northern states and NCW is on its toes and working on the complaints 24x7. It is one of the most common forms of gender-based violence that might be inflicted by member of family or family or household and/or by intimate partners, who might be former or current romantic or sexual partners. The erstwhile situation is called family violence and the other one is known as intimate partner violence (IPV).

- In many cases, women face violence at night. But after the lockdown, they are staying with the abuser throughout the day the option left with them is and only they can try is to limit their engagement with the abuser. But where there is physical abuse, where they need immediate intervention in that situation they can approach the police, because they are the only machinery who can immediate help them.

- Study also says that unemployment among men led to abusive behavior during the great recession of the 2000s. The study also said that as men felt increasing anxious and out of control over their jobs and financial security. They became more likely to increase control over their romantic partners, sometimes to the point of abuse.
- According to NCW, most of the complaints use e-mails to report such incidents, so this puts women without internet access at a much higher risk. A Whatsapp number has now also been introduced for women to report such cases of violence.

So heartbreaking but not surprising and that's the saddest part of how domestic violence is increasing during the Covid times.

The cause is what actually makes something happened so when we look at domestic violence we have to ask is something a factor or is it a cause for example alcohol is a factor but not a cause domestic violence.

But causes can be:

1. Historically unequal power relations –The political, economic and social processes that have evolved over many centuries have kept men in a position of power over a woman.
2. Control of women's sexuality – many societies use violence as a way to control women's sexuality, and likewise in many societies violence is used to punish women who exhibit sexual behavior, preferences and attitudes that violate cultural norm.
3. Cultural ideology – Culture defines gender roles and some customs, traditions and religions are used to justify VAW¹ when women transgress these culturally assigned roles.
4. Doctrine of privacy – The persistent belief in many societies that VAW is a private issue seriously impedes attempts to eradicate this violence.
5. Patterns of conflicting resolutions – Link have been identified between VAW in the home and community in areas that are in conflict or that are militarized.
6. Government inactions – Government negligence in preventing and ending VAW establishes a tolerance of VAW throughout the community.

¹Violence against Women- a woman is violated because of being a woman, which means her gender is the reason why she is being violated.

- Domestic violence by men against the women can be said to cause by power and control misuse within the context of male privilege. This male privilege can be found in both individual and societal level where male dominance is maintained indicating that men have power over women and children.
- The male abusers choose to abuse because they want to feel that they are actually controlling. Their behavior stems from a sense of entitlement as men and also by race and other discriminatory attitudes. Thus, domestic violence by men against women can be said to be caused as a result of the inequalities between men and women, rooted in traditions long formed that the men is seen as the head of the family. This then encourages men to believe that they are entitled to power and control over their partners.
- Covid 19 has created a dual danger for men and women who suffer from domestic violence and there is a loophole in the 'stays home- stay safe' order as it has created a new challenge in removing abusers.
- This epidemic can lead to domestic abuse pandemic as whole country even the world is under lockdown and the women who are actually suffering domestic violence since earlier will have to face more problems due to the lockdown as they have to live with their husband and continuously bearing the torture and pain which is making domestic violence a pandemic where already a pandemic is existing.
- A message to keep everyone safe but for some it's doing the exact opposite. Unfortunately, for some being at home regards as not being safe. It's the time for abusers to curve self isolation measures to empower themselves. The consequence is an uptick in domestic violence.
- Reasons for the domestic violence in any society it is a patriarchal society group maybe religion, culture, norms controlling finances substance use and in the background of lockdown stress uncertainty, frustration, unemployment spending more time together provokes this domestic violence.

What can other organizations can do?

- ✓ Government response to domestic abuse and GBV² should be identified among essential services simply we can say that during the crisis the governments need to

² Gender base violence

ensure that police, health and social services are part of essential services for survivors of GBV.

- ✓ Also shelter services should be expanded to all the departments irrespective of any discrimination on the basis of caste, creed, color etc by following a gender responsive approach.
- ✓ Civil society's organizations should increase awareness on services available and find variety of innovative ways of providing protection and support to survivors of GBV.
- ✓ Media organization can report on gendered impacts of Covid19 emphasizing that the outbreak affects men and women differently. In addition they can assure that the voices of women and girls are understood.
- ✓ Private sector companies can support government and civil society organizations on providing GBV services and all the information available during the period of confinement and lockdown. Development partners can redirect the resources to include GBV prevention and response in all programmers.
- ✓ Everyone particularly neighbors; family members and friends can do something as a kind of help to protect the victim from the violence.
- ✓ Everybody can do something or the other for the betterment of himself/herself anytime and anywhere possible because seeking services can reduce the consequences violence on the well being of the health and safety of women and children.
- ✓ Because of the domestic violence it creates a very bad impact on the children's as they get to know the ill things of the society which in future tends them to do the same and it will never come to an end and will continue which disturbs the peace and harmony of the world and society as well so this needs to be stop forever so as to have a peaceful environment and happy life.

What can one do if she is having a risk of suffering from GBV?

This is to bring into everyone's notice that even in exceptional situation, health and police services tends and remains open. If any of the family member is at risk of experiencing any kind of violence then seek support by doing whatever possible one can do for the protection and safety.

Under no circumstances domestic violence is justifiable. For women the lockdown has tripled their stress and the amount of work they have to do is increase and violence has increased anonymously

Reasons why women tolerate domestic violence can be;

- Many women's are not aware that they have been trapped in this domestic violence cycle and come to this what is domestic violence cycle shortly and many of them are not aware.
- Even if they are aware they are in denial.
- Family pressure
- Social stigma
- Children's future or threat
- Economic reasons
- Death threat by the abuser
- Hoping for change

Government need to act to protect women;

- During this lockdown the Government needs to announce that there are various places like hotels, maybe hostels various supported accommodation shared accommodation available to the women who is evicting, without this women will not be able to come out of this domestic violence.
- The Government shall also make conscious of what is domestic violence means and they should set up various counseling centers maybe online comes in centre helpline and also physical helpline should be developed at the various pharmacies etc and they should be made what facilitator to give complaint to seek help.
- The very essential is unemployment pension because economy is one of the reasons many women do not come out of this domestic violence.
- Relationship free legal aid prosecuting the abuser and also the government should need to have zero tolerance to domestic violence that is the policy we should up and the women empowerment is a crucial phase or what equal to crucial point in overcoming domestic violence³.

Coming at the societal level we need to stop stigma discriminating.

Do not discriminate the victim by any means that may feel like depressing to her.

Reprimand the abuser.

³<https://www.naaree.com/domestic-violence-helplines-india/>

Support the victim.

Facilitate the victim to take decisions.

Educate female children.

Gender sensitization to all male children, at individual level;

- Can break the silence
- Seek help actively
- Fight back by legal mechanism
- Help codes
- Have a escape plan ready
- Do not get the trapped- DV⁴ cycle

Though this lockdown is able to bring them the epidemic under control but there is a new epidemic which is lurking around that is domestic violence against two men and this has brought in what we called as gender inequalities and threat to do one across the world. This lockdown has destroyed or weakened the existing fragile social India and peer support system to the women because they cannot access this helpline, they cannot take this support system and for women what time at home means more domestic violence.

Examples of domestic violence can be;

- ✓ Physical violence on trivial issues or without any reason
- ✓ Jealous/suspiciousness/infidelity monitoring.
- ✓ Checking phone calls/social media/email of the victim
- ✓ No freedom of choice
- ✓ Using children to control sexual abuse
- ✓ Insulting
- ✓ Making the victim believe that they are incapable of surviving alone.

- ❖ Crisis such as the current covid-19 pandemic can increase the risk of women and girls to experience gender-based violence⁵. It is because when people are confined

⁴Domestic Violence

⁵https://www.googleadservices.com/pagead/aclick?sa=L&ai=DChcSEwiVnqyBkN_rAhWTfysKHWwsCmkYABAAGJzZg&ae=2&ohost=www.google.com&cid=CAESP-D2KJx_F1xNJAr_KgzvI3W_va-1t7uAUhP172ahd-WwfANO0wghzsOQKLQsqxbaNAscPTPF-vwhKINsBidoLA&sig=AOD64_0f3cemhn8B8iXgDmLrlHe2rL4xMQ&q&adurl&ved=2ahUKEwiasp2BkN_rAhWe8HMBHc4IADMQ0Qx6BAgEEAE

indoors sometimes with a large family privacy is limited and stress may increase, women at risk may find it difficult to escape from a dangerous situation due to movement restrictions.

- ❖ Some people may be unable to work or even lose their job, failure to provide for the family needs may lead to tension and conflict resulting in acts of violence. Women are lesser expected than men to have power and capability in decision making for example when and where to seek health services this may put their general needs and health at risk, people cope differently with the situations and circumstances of tensions and conflict in the household because of which some may also adopt unhealthy behaviors such as intake of alcohol or drugs consumption this may lead to increase in act of violence and creating problems in the home. Home is not an intact or secure place for all.
- ❖ The domestic violence is a wrongful practice and is against the humanity also because after the marriage of a man and a woman it is the duty of the man and family to take care of the wife like their family as she after the marriage has left behind everything even her father mother so it is the duty of the husband to treat and consider her as a eminent part of the family and in return to that too is the duty of the wife also to take care of his husband and his family as after marriage this becomes her family who will help and support her in every bad and good times. So this mutual understanding is necessary from both the parties in the relationship so as to live a happy and peaceful life. No one should act as dominant to another in a relationship both should have equal power and equal say so that none of them can overpower another in any situation and there should be equality maintain throughout.
- ❖ GDV does not only affect individuals and families but also communities and the societies as a whole. Everyone can take action but the need for that is one should have proper education and knowledge about all the prevailing laws, rules and regulation so that they have all evidences to prove them as a victim and can attain freedom from the bond of violence.

Almost one third of female homicide victims that are reported in police records are killed by an intimate partner⁶.

⁶<https://www.accesscontinuingeducation.com/ACE5010-14/c2/index.htm>

- So the conclusion is that because of lockdown women's are facing too much of domestic violence as they can't even tell anyone about that or cannot go anywhere which are not at all good for their health and also not at all appropriate. As they have no choice with them except to stay at home and being tortured some are able to call police but some are not as they are in such a worse condition that's why should be helped as soon and immediately as possible or otherwise may lead to some problems. So our motive is to break the silence of the victim and help her out as soon as possible.
- There should be proper means of education provided to every girl child so they can fight against issues and problems like these in their future with compulsory self defense.
- So there must be proper data of the people suffering from such a cause and have the means and all to protect themselves so as to at least have a better survival during the lockdown.
- There should be online counseling or investigation should be happened so as to protect them and they feel protected and light hearted after such counseling, consultation or investigation. As women's are the important and purest soul who helps to manage all things and take care of her family so it is the duty of every person to know and take care of every woman near them.

The Jurat