

Chapter-V

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SUMMARY AND RECOMMENDATIONS

SUMMARY

Domestic violence has become a major issue of concern and debate at the international level since the late sixties and has gained greater momentum following the Battered Women's Movement of the eighties. In India the issue of domestic violence came into sharp focus in the 1980s following the widespread coverage by the mass media of the growing incidence of torture of brides, of dowry deaths and of localised popular protests against these heinous incidents. The Government of India has recognised violence against women as one of the eleven critical areas of concern in its Country Report of the Fourth World Conference on Women at Beijing, 1995.

Domestic violence against women exists both in rural as well as urban areas. Professional service like family counselling has got its roots in the country. The study therefore limits to those individuals who have received some kind of services from the counselling centres. This study covers the three districts of West Bengal, viz., North 24 Parganas, South 24 Parganas and Kolkata, both rural and urban population. The data have been collected through interview of the victims registered during the last 5 years in the two Family Counselling Centres, one is situated at Salt Lake and other at Bhabani Bhaban, Alipore, Kolkata run by Jayaprakash Institute of Social Change.

The total registered cases in the two centres from its inception have been considered the universe of the study. There are about 2000 cases registered in these two counselling centres during the last 5

years. Out of these cases 350 cases have been drawn on the basis of stratified random sampling (rural and urban). Interview with the help of structured schedule, containing close-ended and open-ended questions have been used for collection of data.

The objectives of the study intend to examine the nature, types, degree and extends of domestic violence against women and also try to find out how for the Family Counselling Centres are combating these problems and its impact on bringing family and community peace.

This study is explained at length with a view to present the trend in the violence in rural and urban areas and about the vulnerability of the fair sex to different atrocities.

It is observed from the study that the young women were found to be the victims of violence in both rural and urban areas. A considerable percentage of victims fall in the age group of 16-20 years and 21-30 years. Less mature and more emotional – these two are main factors leading to family disharmony. It is because they are not mature enough to cope with and tackle the problems in the domestic sphere. Emotionality is another instinctive factor which resists the women to raise their voice against domestic violence. The grown ups belonging to the age groups 41-50 years and 51 years above are more mature and reasonable and hence they suffer less.

This study indicate that those who have Madhyamik to Post-Graduate education they are in better position to gain economic independence and with the higher education they start questioning the dominant position of their husbands. Such a threat is not tolerated by the husbands and they use physical violence as their ultimate resource to maintain their dominant position in the family. Low education level does not cause violence but it aggravates the frustration.

Wife beating is far less common in families in which women have independent economic and social resources, because these resources are valuable enough to make a husband think twice before acting in ways that might force his wife to terminate marriage. The reason is that housewives are abused more than working wives are because keeping in view their economic dependency they have "learned helplessness" with the result they have developed tolerance of such violence and do not share with outsiders that they are being abused or they would endorse the traditional gender roles and would not question the authority of their husbands.

It is observed that the monthly family income of 32% of the victims belong to the income group of Rs.4001-6000 in rural areas and in urban areas against total respondents 16.3% and 14.6% belong to the income group of Rs.6001-8000 and Rs.21001-25000 respectively.

This study indicates that negotiate marriage and marriage by consent are 73.2% and 25.4% respectively.. Both create strained life. While marriage is through negotiation there is no scope for choice of the girl. It happen that in absence of any active role of the partners in marriage the mindsets of the partners are completely different and creates the partners are completely different and creates scope for conflicts. Mutually married women also suffer from domestic violence because during pre-marital life they do not see anything wrong in each other but after marriage as they come closer to each other they begin to discover some faults in him/her and relationship begins to be strained and bitter.

The results of this study indicate that all forms of domestic violence occur most frequently among those who are less than 28 years of age. The data indicate that, domestic violence can occur at any age

but data on age indicate that wives of younger age are at higher risk of being abused.

This study indicates that the level of marital satisfaction and marital adjustment goes down after the birth of the first child. Among the victims of domestic violence it was found that the rate of violence against mothers who had three or more children or no child was more than double the rate for those who had one or two children.

This study indicates that bulk of marital discords and frustrations are produced by very specific conflicts of interests which cannot be attributed to definite weaknesses of either person. Many a times the partners' behaviour and the personal and social roles played by them cause disputes. And sometimes some wish of the partner is denied by the other which produces trouble.

The study indicates that 58.5% women have been suffering from physical and mental torture, 5.8% elderly persons mainly women are tortured by their own sons and daughter-in-laws, and in 4.3% cases brothers of the victims tried to deprive them from parental property and want to drive her out of the house and deprive her of the right of staying at the father's house.

There is no single factor to account for violence perpetrated against women. Several complex and interconnected institutionalized social, economic and cultural factors have kept women particularly vulnerable to the violence directed at them, all of them manifestations of historically unequal relations between men and women. Inequality in prosperity, inequality of thoughts, inequality of status and opportunities and moreover inequality in gender perception, generate a feeling inadequacy of one's 'self'. Such inadequacies of feelings have a cumulative impact on the development of one's image of 'self', of other

persons in society, of other social institution. Poverty, alcoholism, unemployment, frustration and poor role modelling also contribute to violent behaviour. This study reveals that major factor behind the violent behaviour of men is the patriarchal attitude of the society which perceives woman as an 'object' rather than a 'subject' and given her a low status in the society.

As our world becomes increasingly crowded and pace of life becomes faster and faster, people yearn for a quiet place where they can speak without fear, in the hope of finding a true listener. The Family Counselling Centres provide an answer to the rush and the noise of today's world—a quiet place where people can sit and tell their troubles to an empathetic listener. Counsellors of these Family Counselling Centres have vivid imagination, which enables him/her to visualize the problems of their clients and to experience them indirectly, so that she can actively participate in finding a solution.

Family Counselling Centres are working in the two broad fields. The first category consists of interventions directed towards the individual victims of violence. These tasks have been done by the counsellors through individual and Group Counselling for the victims, legal aid and obtaining legal redressal for the victims, medical aid, linking the individual (victim) to existing community resources and building new linkages for long term support to the victim and other potential victims.

The interventions in the second category aim at making some positive difference in the larger environment of the victim. This category includes advocacy interventions, policy reformulation, amending laws, extending the scope of existing services and developing new services for dealing with this issue at the macro-level. Basically it tries to

influence the general public opinion and mobilize community networks for prevention of such instances and promotion of gender equality.

The counsellor not only direct the interventions towards the victim alone, but also try to look into the other dimensions of the problem such as, the custody of children, emotional impact of parental conflict on children, economic needs of the individual / family in combating the current crisis etc.

When an individual comes to the Family Counselling Centre, the case is first registered on a prescribed format. The counsellors construct socio-cultural background to understand the psychic and emotional status of the individual with respect to her/him immediate and larger environmental i.e., family, community and society.

The counsellors enable the client to move from confusion to clarity, set goals for personal and family's growth through dissociation exercises. The counsellor identify the inner resources of the client them such that they become a pattern.

The findings of this study reveals that the F.C.C.s are an important right based scheme, not only in redressing the problems of women victims of violence and atrocities but also bringing about a positive change in the family spectrum.

The F.C.C.s are not only confined within the problems of victimized women, now it reaches to all members of the family, especially those in vulnerable situations. Although women in marital conflict and those facing domestic violence still remains the major group of client but other family members have also started seeking help from the FCCs for redressing a variety of problems, e.g., problems related to pre-marital relationship, teenage pregnancy, property disputes etc. This

reflects that the scope of intervention of the FCCs have been widened to address wide range of problems faced by different members of the family.

RECOMMENDATIONS

Domestic Violence is a complex problem and there is no one strategy that will work in all situations. To begin with, violence may take place within very different societal contexts and the degree to which it is sanctioned by a community will naturally influence the kind of strategy needed. Considerably the interconnections between the factors responsible for domestic violence — gender dynamics of power, culture and economics — strategies and interventions should be designed within a comprehensive and integrated framework. A multi-layered strategy that addresses the structural causes of violence against women while providing immediate services to victim — survivors ensures sustainability and is the only strategy that has the potential to eliminate this scourge. For example, a successful coordinated response may combine preventive strategies involving the community: remedial strategies that empower the women to seek legal remedies and help rebuild herself; and recuperative services which work either directly or through referral networks to develop long term viable livelihood options. In short, services that facilitate a movement from being a victim to a survivor of domestic violence are the most sustainable. Rapid modernization of the society compelled with an unrestricted and blind following of western culture are responsible, to a great extent for maladjustment among the family members. A return to the native cultural fold, strengthening of joint family system, strict prohibition of dowry, universalisation of women's education, ensuring legal rights and social status for women may go a long way in giving new strength to the institution of family. "We" feeling among different family members should be in calculated and strengthened. Instead of right, duties should be given prominence in order to develop a "family psyche" among the members.

It is felt that many older traditions have failed to become upto the level of new thinking and realization about human relationships which can for the dignity of all human beings – men, women and children. These require suitable modifications, i.e. a change in family life. At the same time, the old values of character, dedication and goodwill for each other need to be revived. Nothing should be done which makes any of the family members arrogant, selfish and egoistic. Effort should be made to create an environment in the family which is conducive to balanced growth of personality of all the family members. Constant efforts should be made to bring about harmony between the old and the new.

The most important factor for bringing harmony and happiness in family life is development of understanding between men and women. Unless the man-woman relationship is reconstituted and better understanding is fostered between them it is not possible to bring harmony in family life. Both man and woman hood need to be elevated to an ideal pitch by the discrimination of the knowledge which alone will lessen the social miseries arising out of wrecked families and family disharmony. The following specific measures are being suggested in this connection.

A change in the power structure of the family is also required. Both male and female partners should have equal say in familial matters. Empowerment of women is also required in order to ensure them a life of self-esteem, self-dependency and security in the family environment.

Universalization of family life education for all the boys and girls obtaining marriageable age, have to prepare them mentally for undertaking the new roles as may be expected from them in their new

status as husband or wife in their family. Family life education aims at promoting the quality of life through responsible decision making and improved understanding of human relationships and family roles. The concepts may include, the concept of family; family functions, family roles and relationships, health and nutritional needs of the family; psychological needs of the family; management of family resources; menstruation and changes in the body; care of children; good parenting practices; adjustment problems and the resolutions; and family welfare services etc.

Marital ties between the spouses are founded on emotional grounds. It involves a "heart-to-heart" relationship based on mutual love, understanding, faithfulness, cooperation and tenderness and purtio of soul. If the spouses fail to develop such an affair between them, an antagonism is the natural result. Conjugal relations and mental affection and dedication are not something which can be dictated or imposed. Therefore, in such cases where it is not possible to keep them together, the process of nullity of marriage or legal divorce should be speeded up. Divorce proceeding should be pruned up and the procedures should be simplified. The aim should be to either speedily find a reconciliation between the parties or if it is not possible to free them from the unwanted unhappy relationship within one year. A strong network of family counselling centres should be created with State Women Commission, Legal Aid Cells, Family Court, Lok Adalat, Women Police Cells, and Welfare Department for family disposal of the cases of marital discord. The development of such an integrated response of FCC to domestic violence should be informed by a multilayered strategy that empowers women through education, legal literacy, and enforcement of legislation on minimum age at marriage, inheritance of property and maintenance rights of woman. For example,

FCC's should be coordinated preventive strategies involving the community; remedial strategies that empower the women to seek legal remedies and help rebuild herself; and recuperative services which work either directly or through referral networks to develop long term viable livelihood options. In short, the services of FCC's facilitate a movement from being a victim to a survivor of domestic violence is the most sustainable.

The FCC's may be opened at least for in a district and subdivisions level to offer pre and post marital counselling to improve familial relations and marital adjustments. Family Counselling Centres should also be opened in all University / college campuses to counsel and guide educated youth for marital happiness. Short term pre-marital counselling training programme should also be organized by the FCC's at higher secondary school, college and university level. There must be some rules and regulations i.e. direct power of summons to the FCC's for handling the domestic violence cases properly, otherwise it is difficult to work with the client.

FCC's should be sensitized the police, the lawyers, the judges, the executives, the doctors, the people in all other major professions and most importantly common people all over in the matter of violence against women in general and domestic violence in particular through periodic awareness generation campaign. The Women Police Cells should give authority to deal with the women's cases otherwise they take time for securing permission from the male higher authority. It is imperative that the state recognizes the criminal nature of domestic violence and takes adequate measures to criminalize the offence. State reluctance to delve into what it sees as the private sphere is placing increasing numbers of women at risk. The state should utilize its legal

mandate to take strong positive action against wife batterers with the help of the FCCs.

A set of integrated responses that address the practical as well as the strategic needs of women provide the most meaningful and sustainable options to women facing abuse from intimate partners. This principle should inform the design and implementation of all intervention strategies dealing with domestic violence. Identifying primary and secondary stakeholders related to domestic violence is essential. At present the main actors involved include those associated with the judicial process, income generation and education. Those in housing, child protection services, the private industry, and trade unions are some of the other stakeholders that need to be sensitized and involved in developing a well coordinated, well-rounded response to domestic violence. In this process state should also be worked with the help of the respective FCC's in the district.

Women's access to and control over resources should be recognized and adopted as a primary indicator of development. Such a gender sensitization of all stakeholders should become an important component of effective responses to domestic violence. It should form part of the curriculum of training of the police, judiciary, bureaucracy, policy makers, social workers, counselors and other service providers. State agencies as well as the FCC's should work towards developing batterer-centered programmes that address the perpetrator of violence. Programme must integrate the provision of comprehensive medical and psychological care and support services for survivors of abuse. Immediate medical care is provided to some extent by different organizations should little attention has been paid to mental health services, such as therapeutic counselling, support groups and family

therapy. These are critical in rebuilding and sustaining the well being of the woman and her family.

All interventions programmes need to better address the needs of children affected by violence. This is a critical area of intervention that form the basis of prevention in a future generation of adults. In addition, shelter homes (i.e. Short Stay Homes and Swadhar etc.) must be made more accessible to women with children in both principle and practice; through providing children facilities. Although some shelter homes (i.e. Short Stay Home, Swadhar etc.) have a provision for allowing children, but it is not encouraged.

It is also important to bring to the notice that the existing database on domestic violence be enriched with rigorous empirical research on the incidence and prevalence of domestic violence. Wife battering has serious cost implications for health, legal and economic systems. Detailed research and analysis of these inter-linkages also needs to be undertaken to highlight the severity of the issue. Research should attempt to collate and analyze the potential of existing programmes and schemes (both state and FCCs) to address the issue of domestic violence, and suggest mechanisms for developing linkages as well as mechanisms to convert this potential into action plans.

Many women are unable to escape domestic violence because they are unaware of available services and agencies working in this area. Therefore, discriminating information by the FCCs on the range of services available is essential.

Another area to address in this context by the Family Counselling Centre is that of generating public awareness on domestic violence as a violation of human rights and debunking the popular notion that transactions within a marriage are outside the realm of community

intervention. Educational strategies aimed at changing attitudes, beliefs and biases of law enforcers, the judiciary and citizens need to be developed and implemented.

The Media, both electronic and print, should take an active role in highlighting acts of domestic violence and other offences against women, so that the offenders may not only come to suffer penal sentences under the relevant laws but also be ostracized by the society to given expression to its sense of outrage at such incidents. A convention of zero tolerance to crimes against women should be developed in the social arena. Thus, such offenders would come to realize that crime does not pay and it is not worthwhile to commit one. A conscious effort by FCC's to make media professionals aware of the issues, play on important role in addressing violence against women. Alternative media channels such as theatre groups, puppeteers, community radio station, musicians and performers of all sorts have a role to play in raising public awareness of the issue and creating role models for men and young people in the communities.

The protection of women from Domestic Violence Act, 2005 (POWFDV Act), which is a comprehensive law on this subject and has been officially notified into effect on October 26th 2006, addresses the core problems of domestic violence in their entirety. There are high expectations from the legislation now. However, the question is how far the law will succeed in giving true redress to the suffering victims. Protection Officers under section 9 of the POWFDV Act should be given the wherewithal to perform the job envisaged from them in the Act. They are the supporting pillars for the successful implementation of the Act. If they fail at the grassroots level, the law is bond to fail. FCCs, apart from being service providers (Section 10, POWFDV Act 2005), should organize massive awareness and legal literacy programmes to

enlighten both men and women about the rights of women under international and national laws and conventions. Men should also be made to participate in these programmes as much as women.

There should be a law to effectively regulate the activities of NGOs (who is running FCC) without effecting in any way their autonomy and freedom of action.

There ought to be a nationwide uniform system or protocol for medical examination of the victims of gender violence — be it rape or other forms of physical violence — to ensure an objective identification of the nature and causes of such violence for eventual punishment of the offenders. Doctors should have specialized training in the intricate procedures of Forensic Medicine so that violence of any nature on women could be accurately reported upon.

It is necessity to achieve empowerment of women in social, economical, political and educational fields — as also in healthcare and nutrition so that a system of perfect gender equality could be affected in the society. This is the key to stopping of violence against women. Given the age-old and deep-rooted attitude of discrimination towards women, it will, however, take a lot time and sustained effort to achieve success in empowering women to the desired level. There will be many hurdles in the process. Social duplicity in blocking the progress of women in the various fields will therefore, have to be overcome with determination. Besides this, women themselves have to develop an attitude of self-help and hard work. It has to be remembered that nobody is going to offer women their appropriate place and does just for mere asking. It has to be acquired by a sustained struggle for emancipation.

Professional Associations for doctor, lawyers, psychologists, nurses, social workers, welfare workers and other professionals are key players in opposing violence against women. Their members may come into contact with situations of domestic violence on a regular basis, but may not recognize the signs because own biases, background or lack of training. It is critical that such organizations build domestic violence and human rights curricula into their professional training and that professional in the field received regular training on these areas. Such associations need to develop protocols for identifying and referring cases of domestic to appropriate bodies and screening measures for detection and early intervention. These protocols must be developed in collaboration with local counsellors of FCCs, protection officer of POWFDV Act, school of social work and state women commission.

Religious leaders need to re-examine interpretations of religious texts and doctrines from the perspective of promoting equality and dignity for women Many men who abuse women justify such behaviour on a religious basis, and many cultural practices that abuse and violate women are justified in the name of religion. Religious leaders at all levels have a responsibility to ensure that religious interpretations are not used to oppress women.