

DOMESTIC VIOLENCE TOWARDS WOMEN IN ASSAM

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ABSTRACT

Violence against women, of late, has become a global problem. Women of all races, ethnic groups, classes and nationalities are affected by it. It has recently emerged as a life-threatening problem for individual women and as a grievous problem for societies. In many countries, women fall prey to customary practices that violate their human rights. Violence impacts the lives of millions of women globally in all socio-economic and educational classes. It cuts across cultural and religious barriers and hinders women's right to fully engage in society. Violence against women takes a discouraging variety of forms, from domestic offense to rape, to childhood marriages and to practices like female circumcision. All these deny the most fundamental human rights.

Crime against women is not a recent phenomenon in Assam. In Assamese society, as per available written records of social organization and family, women have been subjected to ill-treatment, humiliation, torture, and exploitation. These records exhibit repetition of incidents of rape, abduction, torture and murder of women. Yet, sadly enough, literature on social problems or on criminal violence have not given much importance on female victims of violence. There are not much attempts made to explain why both the public and the academicians alike have ignored for so long the hard fact that women have continuously been ruthlessly exploited in our society. The aim of this paper is to find out the causes of domestic violence against women and the socio-economic status of women in Assam.

Keywords: *Assam, Domestic Violence, Economic abuse, Male guardianship, Socio-economic status.*

1. Introduction

Domestic violence against women has emerged as an important social evil in India. Internationally, a member of her own family has beaten, coerced into sex or abused one in every three women in their lifetime. Compared to their masculine counterparts, women in India have never encountered equal rights and liberty. The concept of 'Ardhangini' (half of the body) seems to be restricted only in literatures and have never been implemented in practical life.

Violence against women may be psychological or physical [1]. Physical violence is described as the use of physical force against another individual resulting in physical, sexual or psychological damage, including beating, pulling, shoving, pressing, biting, pinching and so on. Psychological violence is defined as the

intentional use of power, including threat of physical force that can result in harm to family life, livelihood, physical, mental, spiritual, moral or social development and includes verbal abuse, bullying/mobbing, harassment, intimidation and threats [2].

Given the incidence of domestic violence, many scientists have attempted to figure out the possible causes and impacts of domestic violence on females and society. Numbers of family members, type of marriage and husband's education besides menstrual problems have significant influence on domestic violence [3]. Lifestyle of men such as smoking, alcoholism and drugs promote men to commit domestic violence [4]. Further, marriage at a younger age makes women vulnerable to domestic violence [5]. Besides this, sex of the children, ownership of property, dowry, working status of the person can't be ignored [6].

Women in all countries, irrespective of status, class, age, caste or religion, experience violence in virtually all spheres of life, whether at home, school, work, on the street, in government institutions, or in times of conflict or crisis. Violence is also present throughout the lifetime of a woman, affecting girls and older women too [7].

Violence against females of all types is rising in Assam. And maintaining pace with the state capital, in places of both the upper and lower Assam, these atrocities are growing in an alarming rate. Domestic violence is an act of physical, sexual or psychological violence, or the danger of such violence, inflicted on females by an individual closely linked with her through marriage, family relationship or acquaintance, is universal and has its roots in society's socio-cultural setting. Domestic violence refers to violence against women especially in their husband's homes. Starting from childhood to the end of her life she has to be under the control of father, husband or the son. The offender of domestic violence has often been found to be the males and the victims, their sexual partners. Yet in many cases of domestic violence, single women both unmarried and widow becomes the victims of mental and physical exploitation in the private domain [8].

Especially in Assam, domestic violence against unmarried females can be seen in both rural and semi-rural and urban regions. They happen in all parts of the state in high frequency. Likewise, marital rape and women's destitution, which leads to trafficking and forced prostitution, are also severe state problems. To support this argument, number of cases have been studied and analyzed based on secondary data.

2. Objectives

The basic objective of this paper is to figure out the causes of domestic violence against women and socio-economic status of women in Assam.

3. Methodology

The study is mainly based upon the collection of secondary data. The secondary data was collected from various sources of publications such as News Papers, Magazines, Journals, Research articles, Internet and published records.

4. Cases

4.1 Marital Rape

Marital rape also known as spousal rape is a non-consensual sex where the perpetrator is the spouse of the victims. It is a type of partner rape, domestic violence and sexual abuse. It can damage the victim equally,

emotionally and physically even more than the rape done by a stranger. In many states, such as Assam, spousal rape either continues legal or illegal, but is commonly tolerated.

Case 1

It has been reported in the year 2008 that a housewife from Dibrugarh district of Assam became a victim of marital rape. It was a case of dowry and the husband often sexually abused her for it. Moreover, as she gave birth to two girl children, she was also abused also for it. Later on, she was found dead in her own house under mysterious circumstances. It was reported that her husband combined together with her in-laws immolated her. Although he was arrested after protests by various women rights organizations, he was released soon by the authorities.

Case 2

A poor woman who serves as a cook in one of Kamrup district's private hostels said she is also a victim of marital rape. The woman has three children and an unemployed husband. Being an alcoholic, he usually becomes violent enough to sexually exploit his wife. She has never reported the case to police out of fear. She also claims that her neighbors are unsupportive and that she is very used to it now.

Case 3

According to the confessions made by a teacher that she has been a victim of marital rape a long back. Her husband is a reputed doctor in the district and is an alcoholic. The egoism issue between the pair and the lifestyle differences has created serious disturbances as a consequence of which she often raped and mentally assaulted by her own husband. She also reported that she could not complain this for the fear of societal taboos. The first observation which can be made from the above-mentioned cases is that all of them go unreported. It is very essential to socially recognize marital rape; rather it is more essential than legal acceptance. Because of the absence of social recognition this has become very difficult for the victims of marital rape to open up about it. These victims in Assam hesitate to talk about it because the act of marital rape has not attained the status of rape. This prohibits them from speaking out against their exploitation. They believe that there is no point of talking or telling others about their oppression. Thus they stay in double dilemma.

In these instances, there is no role for the class of women to prohibit or facilitate marital rape in Assam. Here, explanation of class women can be identified with the above three cases where women of all classes are exploited equally regardless of their economic status in the society. The private hostel cook is a victim of marital rape as well as a school's assistant teacher. Economic independence is not enough alone, though very important, to offer women the power they need to face the fight. Due to long-standing public-private dichotomy traditions, even economically independent women have to rely on their parents or husbands or families for shelter. Therefore, their effort to upgrade their social status cannot safeguard them within the house's four walls. They are also afraid of social taboos. These females are exploited by their spouses as the most susceptible social categories. They cannot protest because this is forbidden by society. The fear of home and wider society persecution make them vulnerable to marriage rape. Both educated and uneducated women are therefore simply compromise the situation.

The family is often associated with sanctuary – a place where people seek love, security, safety and shelter. But

the proof demonstrates that it is also a place that endangers life, and that it breeds some of the most dramatic types of violence against women and girls. Males who are, or who have been, in positions of trust, intimacy and power usually perpetrate violence in the domestic sphere. An intimate partner's sexual abuse and rape is not regarded a crime, and many cultures do not regard forced sex as rape if they are married to the perpetrator or cohabiting with him. The inference is that the husband has the right to unlimited sexual access to his spouse once a woman enters a marriage contract.

The victims were not aware of the legal provisions available for their safeguards in two of these cases. Because of India's vague marriage rape legislation, educating females about their rights is difficult. And thus making them combat against marital rape is harder.

Husbands also do this because they think that females are their private property. Here, in his book "The Origin of Family, Private Property and State," Friedrich Engels obviously cites how the origin of private property leads to the wife's subordination to the husband.

It is therefore a common belief that the husband owns his spouse, the wife is lowered to slave status, and therefore he can use her naturally for his sexual pleasure, even if it involves the use of force. In all three instances, this age-old practice has resulted to nonconsensual sexual intercourse. The partner also knows that the wife is not going to complain, and even if she does it will remain unheeded. Therefore, he can commit rape without any fear and also without realizing the gravity of his act at many times.

The societal patriarchy impacts the husband's psychology in such a manner that he subjugates his spouse by exploiting her in the sexual domain, which can be reflected in case 3, in order to prove or revitalize his 'manhood'. Thus the superior-subordinate relationship created by patriarchy in the private domain is also responsible among the economically downtrodden couple [9-10].

4.2 Dowry

Amongst the predominantly Bengali majority areas in Cachar, Hailakandi and Karimganj, dowry has been a major cause of concern. In North East Network's (NEN) recent visit to Luming town which has a strong Bengali majority, the Director of Ghorua, a Non Government Organisation, reported that dowry deaths have become a scourge in the area.

Case 1

In the case of Kabita Das, her in-laws started demanding dowry and physically torturing her within fifteen days of marriage. She bore everything silently because she was new to that family. Later the neighbor arranged a Panchayat meeting after seeing her in pitiable condition and the Panchayat ordered her husband Abinash's family not to torture her. But his family did not pay heed to the order and the torture continued. Not being able to bear it, she went to her sister's house. When her husband did not come to take her back, her sister persuaded Kabita to go back to her husband's house. One day her father-in-law strangled her for not going to work as she was in fever, leading to her hospitalization. But her husband did not want to spend money for the treatment and even planned for second marriage. The Panchayat advised Abinash to stay separately with Kabita. He agreed at that time, but he did not bring Kabita back from her sister's house where she still lives. She does not want a divorce, as she is afraid of living alone. (Source: NEN Field Study)

Case 2

Fatima Begum of Sonitpur was married to Alimuddin in 1998 after paying a huge sum of money as dowry. After the marriage, Fatima discovered that her husband had a relationship with another girl with whom he had an agreement of court-marriage. With the help of her brother Fatima got the marriage annulled. Following this, her husband, mother-in-law and father-in-law began physically torturing her and demanded a scooter and Rs. 50,000 from her family. Fatima finally approached the District Level Committee for Crimes Involving Women (DLCCIW), a woman's organization operating in Sonitpur. The organization issued a notice to Alimuddin, following which the torture increased. Alimuddin threatened to remarry. In September 2003, he married his uncle's daughter. Fatima approached the Sonitpur Police Station but till date the police have taken no action. (Source: NEN Field Study)

From the above cases it can be analyzed that dowry is the way to fulfill the consumable greed of the husband and their relatives through marriage. As the social structure of these areas is very much patriarchal in nature, women from their very childhood remain dependent economically and psychologically upon the male members of the family. This dependency prevents them from breaking their brutal marriage and thus women face continuous physical and psychological trauma during their married life. Women who cannot bring dowry along with them are often beaten, burnt alive and are threatened for their lives. Yet they do not leave their house because of economic dependency, fear of the society, lack of knowledge about their rights, lack of confidence, social pressure and stigma, lack of support, of structures and facilities and also because of the future of their children. A woman who dares to leave their matrimonial house is often not sure that their maternal house would accept them or not. Even their adoption is not long since the family of the mother feels that they would be burdened by the battered females. Thus the women ultimately have to remain in their husband's house against their will. As in the case of Kabita, she went to her sister's house but was again sent back to her husband's house in spite of tortures she faced. This was due to the social stigma and financial dependence attached to society's social structure. Moreover, in both the cases, the government's role was not as active as it should be as it failed to save women from continuation of domestic violence with proper legislation. In the absence of proper legislation, the police administration is not in a situation to take legal action against the reported domestic crime. It is note-worthy here to mention that police administration does not give emphasis on domestic violence thinking it to be private matter and advises the victim to solve their issues within the four walls of the house [9-11].

4.3 Destitute Women

Domestic violence is one of the most prevalent types of driving the victim out of her home. Such females often have nowhere to go. The following instances demonstrate how parents often force their daughters to return to their abusive husband and resist legal intervention, even after the spouse or members of his family attempted to kill her.

Case 1

Radha and her husband Bikram lived in Karimganj with their two kids. Bikram started physically and mentally abusing his spouse immediately after the marriage and accused her of having extramarital affairs with several

other males. Often in the middle of the night, he would toss her and the kids out of the house. Bikram also appealed for divorce but Radha did not want the same because of insecurity in her future life. (Source: NEN Field Study)

Case 2

One year after the marriage of Maya, her mother-in-law and husband began to physically and mentally torture her. One day, she came to the house of her parent after being kicked out of the house. Her parents brought her back to her in-laws. Her mother-in-law then kicked her out, and abused her parents. (Source: NEN Field Study)

Case 3

Najma, who hails from the village of Rupahi in Nagaon District lost her parents in her childhood and was brought up by her brother and sister. She was married, but left her husband due to the physical and mental torture from him, and returned to her sister's place to stay. Taking the opportunity of her plight, one guy lured her of getting a good job in Pune, and subsequently sold her in a brothel of Pune. (Source: NEN Field Study)

From the above cases it can be said that, Maya's parents were reluctant to take her back into their house because she was seen as an additional burden on the family. Moreover, if there are younger female relatives in the house, then females are actively discouraged from leaving the husband because it is seen to affect the likelihood of getting married to the younger siblings. If the couple has young kids, females often choose to remain in the abusive partnership because she feels the kids may be affected by the stigma of being a single mom.

Similarly, despite his abusive behaviour, Radha did not want to leave her husband. Domestic violence was also caused by suspicion of having additional marital affairs, which brought physical, sexual and psychological abuse to the lives of Radha. The threat of being thrown out brought millions of women to bear extreme violence in silence, sometimes by the hands of their relatives to the point of death.

Thus, from Najma's case it can be said that she left her husbands' house because of domestic violence but felt herself economically dependent on her sister's income. Traffickers who lured them for good job and bring them to the world of prostitution often misuse this trauma of dependency. Women who always remained in the private domain are suddenly brought out to public world where they are ignorant of what is good for them and what is bad which ultimately bring their life to a prostitute or sexual object [9-10].

4.4 Single Women Cases

Single woman has a hard time and is often subjected to violence and abuse because they are seen as an extra burden. They almost never have a share of the family property or a say in family matters.

Case 1

Mala Baruah, a 37-year-old resident of Jorhat, lives with her mother, elder brother and his wife in a house built by her father. Mala and her mother support themselves from the pension of her late father, but that money is not enough for them to survive. As an unmarried girl in the family, her elder brother looks upon her as an additional burden and does not contribute towards her maintenance. When she asked for her share of property to ensure a smooth life for her mother and herself, her brother and sister-in-law physically assaulted her. When she approached her neighbors, she was told that she was selfish and materialistic because she was thinking of asking for a share in the family property. It has become exceedingly difficult for Mala to live at home, because of

excessive physical and mental abuse by her brother and his wife. (Source: NEN Field Study)

Case 2

This case deals with an unmarried woman of 42 years of age, working as a cook in one of the private hostels in Dibrugarh. Because of her unmarried status she is looked down upon by the neighbor and also by her own family members. Her brother and sister-in-law assault her not only mentally but physically also. Her brother very often beats her up. Her sister in law also tortures her by making her do all the domestic work. (Source: NEN field study)

Thus from these cases it can be remarked that a single woman, no matter how productive and independent, is always given inferior status both at home and in the society. In the above case the cook though economically productive and independent is oppressed domestically by her own sibling and other relatives just because she is not married. Thus her status in her own house is reduced to the minimum. Also, because her own people ridicule her, the outsider takes this opportunity as a means to exploit her both mentally and sexually. She confessed that she has been a victim of eve teasing and molestation by the local men. The presence of patriarch in the house makes her both physically and emotionally weak and vulnerable. She loses her self-confidence and dignity. Thus, she also loses the opportunities for a self-esteemed and self-sufficient life [9-10].

4.5 Widows

Widows are another group of women who are extremely vulnerable to exploitation.

Case 1

Dipa Gohain, a resident of Sibsagar, has been a widow for ten years. For her, the last ten years have been very hard. She had to fight to get a job to maintain herself alive after the death of her husband. She began working as a housewife, but when she was sexually assaulted by the owner's son, even then she had to move on. Men often come and ask if she's ready for cash to have sex. Sometimes they attempt to force themselves on her on rejection. (Source: NEN Field Study)

Case 2

Monica Das from Shantigram, Cachar District of Assam was married to Babul Das, a driver. Three years after he died in an accident, his parents, elder brother and sister accused her of causing his death and bringing bad luck to the family. They began to torture her physically and mentally. They also blamed the son of Monica for Babul's demise. Monica and her son started to deny food. After a couple of days she was thrown out of the house with her son and they moved to the house of her siblings. Her sister-in-law was dissatisfied with her presence and often tortures her and beats her in her brother's absence, but Monica bears it all quietly as she knows outer world life is much harder to survive.

Therefore, it can be said that a single woman's life is open to various kinds of violence where the perpetrator is either the husband or his parents or the strangers with whom the females come into touch for work. Single women have been provided a very inferior place by the society where they are often believed to be sex objects, poor luck and extra burden. It can be said from the above instances that females must either stay silent or bear violence in order to have a home to reside in or bear physical attack and societal abuse in order to demand property rights. A single female thus achieves a very marginal position in society because she is economically

dependent on the family male. Despite the recent legalization of women's property rights in India, they do not appreciate the fruits of their property rights. Women who strive for the rights of property are often criticized for being in nature greedy and materialistic. Thus the status of women has worsened both at home and in society as they have no assets either in their paternal or married house which eventually offers men a high financial status and women a low and dependent status. So, it can be said that when an alcoholic and unconscious person becomes the property owner, then a woman who is sane enough to care for the family and home is considered incapable of maintaining or owning the family property. Moreover, the patriarchal socialization internalizes every woman in such a way that she does not claim property rights for herself assuming that she does not require so [9-10].

5. Overall Analysis

Another type of domestic violence against females is economic abuse. It is the consequence of dependency - objective, subjective or both. The main types of economic exploitation are preventing a female from getting a job, forcing her to leave the current job, collecting complete quantity of her wage under force, pressurizing her for bringing cash from her parent's family again and again and forbidding her to make acquisitions of her choice. The causes of domestic violence as reported by the women respondents were parents' failure to pay full amount of dowry, refusal to bring money from patriarchal family, parents' failure to keep promises and fulfill commitments made at the time of marriage, extra marital relations, resistance to sexual abuse, medically unfit for conception, female child is delivered every time, husband's unemployment, and alcoholic husband. Thus it can be said that a single cause was not the root of violence in all cases but a mix of causes were observed in sufficiently large number of cases. The parents and relatives in maximum cases advised the victims to plug up, whereas advice to break off was not recommended by anyone. Domestic violence against married females perpetrated by their husbands or other family members has ruined cordial intra-family relationships. The abuse of the mother had an adverse effect on the lives of the kids who lost their respect for relatives and other elderly people in the family. Young-aged women, and especially those who were married at a lower age, are at a greater danger of physical abuse compared to those who are in a greater age group and were married at a later age. These upper age group women, on the other hand, are more likely to be violated emotionally compared to those in the lower age group. Physical violence is mostly recorded from rural fields in lower-class families as well as from urban areas in lower and middle-class families. In contrast, instances of emotional violence are discovered primarily in urban regions and also in middle-class and upper-class households. The economic abuse is executed along with other forms of domestic violence and is observed at a higher rate in rural areas and in lower class families of urban areas.

6. Conclusion

It is painful to notice that despite theoretical constitutional equality for all (men and women); distinct private regulations indicate that males and females are not equal. Even today, male guardianship prevails and women's 'marriage' translates into subordination in ways that do not apply to men. Such paradoxes continue to exclude females from an equal footing with men in free India in official and informal areas. It's a reality that women's domestic violence is universal across culture, religion, class, and ethnicity. This concealed nature of domestic

abuse against women continues so because of the dividing line of public- private affairs. Historically, the legislation has regarded the domain of the house to be within the household's male-head's control and awarded him unquestionable authority over the household. It is necessary to conceptualize domestic violence as an intra-family dispute or a criminal violation of freedoms.

(The names of the cases mentioned above have been changed in order to protect the identity of the persons)

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