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Corona May Halt Your Movement, Not Your Right- (Give a fight back against Domestic Violence)

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Abstract: Domestic violence refers to the form of violence committed by one of the spouses in an intimate correlation with the spouse, but this much of a comprehensive concept and incorporates violence against children, parents or parents. The victims of domestic violence are mostly women's. In fact, domestic violence is one of the least recorded crimes against women worldwide. A law was passed by the Indian parliament to protect the women from domestic violence. In humanitarian law this law defines domestic violence first. It is a broad and comprehensive definition and includes physical violence, as well as other forms of violence, such as emotional / verbal, sexual and economic violence. This civil law is a deliberate to Endeavour for protection orders and cannot be prosecuted. All other instances of domestic violence brutality amongst the ménage under domestic violence act should be considered violations of IGC-related acts of violence, regardless of the gender of the victim. The reports of accelerating rates of violence have surfaced across the world .The rationale for this upsurge happens to be with shelter in-place measures and widespread organizational closures associated with Covid-19. The opposite contributory factors to the present issue are stress and associated risk factors like unemployment, frustration, reduced income, limited resources, alcoholic abuse and limited social support are likely to be further compounded.

Increasing risk of domestic violence-related homicide is a serious issue with reference to domestic abuse or family violence. Last but not the smallest amount additionally to adult victims of family violence there are children and pets who reside in hour or more of households where violence is perpetrated are at great risk of affected by physical and/or emotional distress.

The National Commission for ladies in India surveyed that the amount of violence cases has shot up. Thus there has been a pointy rise within the number of distress calls during the Covid-19 lockdown. The problem of domestic violence is not limited in India. This is happening worldwide with the expansion of blocking orders. Women and children suffering from domestic violence do not avoid bullying during detention. This problem has grown unexpectedly, moving from Brazil to Germany, Italy and China in jurisdiction "A home where women is not safe is not a home" in literal terms we can call this domestic violence. This is a form of violence where one person dominates himself over another person in the family which may be his or her child, wife, husband in the family. This conformation of violence can resemble a lot of form of violence like physical violence, verbal abuse, sexual abuse, financial abuse and emotional abuse.

As observed in the Indian societies such form of violence has been prevalent over the female gender .This form of violence in our society is very mushily gender biased, as we are living and thriving in a patriarchal community and society, where the female gender has always been suppressed. Among 3 women in every 2 women in India around the country is facing or has faced domestic violence.

I. HISTORY

As we go into the roots of this form of violence, beating one's wife was considered something similar to as husband rights. The wife's consort or the earner of family was permitted to do anything he wants in his family. The women and the wives in the family were equally not empowered nor did they have the courage to raise their voice for themselves over their husbands. And due to this the evil broadened and escalated to its highest peak in today's time. This virus of male toxicity evolved from time to time, we could see different colors' of it, growing and expanding in our society.

This domestic violence has also taken in form of demanding dowry from the bride's family. And if the bride's family were not able to meet up with this demand, the bride faced heavy consequences in her in-laws house. The newlywed wife is tortured and harassed not only by her husband but also by her in laws; they also tend to break off the marriage, which not only causes humiliation to the bride family but also irreparable financial losses. Dowry death has been regarded a customary occurrence in our country. Dowry

death commonly known as demise of married women who are not only murdered but sometimes also driven to suicide over a dispute about their dowry with their husband and in-laws and also making the women’s home the most perilous place to live in .

According to the Indian national crime records bureau (NCRB: the record between 2001-2016)

The number of dowry deaths has been normalized per 100,000 women each state. The number of dowry death has been calculated and analyzed under interstate variations;

1) *Worst State: Concentration of Dowry Death*

2001		2016	
STATE	Concentration (%)	STATE	Concentration (%)
MADHYA PRADESH	8.89	MADHYA PRADESH	8.44
BIHAR	12.54	BIHAR	13.24
UTTAR PRADESH	32.27	UTTAR PRADESH	38.46

Sources: Calculation based on NATIONAL CRIME RECORDS BUREAU.

Note: only major Indian state have been considered for this purpose of tabulation.

II. FAMILY WELFARE COMMITTEE

After listing the sampled 83,703 women nationwide, it had been determined that 8.5% of women between the age of 15-45 experiences not only domestic violence but also faces sexually abuse.

Stalking, acid attack as well as voyeurism under the criminal law amendment act of 2013 has been enlisted under the Indian penal code to provide protection from such heinous action over women and also cases under section 498A of IPC, 1860 which deals with husband or relative of husband of a women subjecting her to cruelty are mainly dealt under the family welfare committee.

For looking into such complaint these committees would need a month and only designated investigating officers can conduct inquiries as directed by the Supreme Court.

The Honorable Supreme Court in Rajesh Sharma and others vs. State of U.P, (2.1) has declared that there shall be no arrest under section 498A, unless district family welfare committee reports vets domestic violence by the family members.

But on 14th September, 2008 the Supreme Court dismisses the Family Welfare Committee to look into the complaints by women under section 498A for harassment cases.

The apex courts comprised of three judges, Justice AM. Khanwiker, justice DY. Chandraohud and also headed by chief justice of India (CJI) Deepak Mishra, said the law is being misused by some individual in our country.

The court said in its order that “we think it is appropriate to direct the Investigating officers (IO’s) to be careful and follow the principles stated in Joginder Kumar case (3) which dealt with the, and is also known as the “guidelines for arrest cases”. The court also directed the DGP of each state to ensure that IO’S, under section 498A of Indian Penal Code, in-charge of investigation of cases of offences should be given rigorous training with respect to the principles stated by this court relating to arrests.

III. EMUMERATION OF DATA

On an average, 20 people per minute are physically abused by their intimate partner in U.S.

- A. Among every 4 women, 1 woman faces physical violence both at home and work.
- B. Among every 7 women, 1 woman faces sexual violence by their intimate partners only.
- C. Among every 7 women, 1 woman is stalked by their partner or husband.
- D. More than 2000 calls were received on an single days of domestic violence helpline,

Nation-widely, states like Bihar, U.P, Madhya Pradesh, Rajasthan, Manipur, Tamil Nadu and West Bengal ranks highest amongst other states in the country in regarding to the reports of domestic violence. 63% of cases come from urban areas or urban families. Domestic violence has its other out-turn also, like increasing the risk of homicide by 50% and also has increased the rate of marital rape in Indian homes. And marital rape is not criminalized in India and there is no punishment for it. Our Indian penal code explicitly allows men to rape his adult wife. Along with domestic violence marital rape is also a huge problem. It is the cry of shame that even after modernization of our century; marital rape has not been criminalized in this country. Equality now's report titled "THE WORLD SHAME: the global rape epidemic" has reported that India was one of the 10 out of 82 jurisdictions that still legalizes rape within marriage. Domestic violence has been one of the reasons that have leveled up marital rape in our country.

IV. CONTEMPLATION BY THE UNICEF

In 2012, UNICEF released a global report card on adolescents. It provided that 57% of boys and 53% of adolescent girls around the world think that it is absolutely justified by the husband in hitting or beating his wife. It is not 53% of adolescent girls thinking but sadly 50% of women aging Between 15-49 think domestic violence is justified.

The female population really doesn't come up with this problem of domestic violence for the shame that will be brought down on the family and them also think coming out with their problem could put their husbands reputation at stake in the society or work place. The report also showcased it not only affects the women population but also has put a dangerous impact on the most vulnerable group i.e. the children living inside such house.

Children are regarded as quick learners so seeing or facing such violence in homes may risk their lives into deviant behaviors in their future lives. Children after seeing such violence in home takes up the roles like their father or the family member henceforth such legacy of Domestic Violence continues.

Most of the Indian family cohabits in joint family. In such cases the women not only faces violence but also faces humiliation. In such setting woman not only faces violence from their husband but also faces the same from the family member also. Domestic violence is like a chronic disease that has only persisted over a long period but also has spread itself rapidly over the country affecting millions of population.

V. DOMESTIC VIOLENCE DURING LOCKDOWN

There have been many shades of violence. After the prevailing of lockdown in our country, the case of domestic violence has escalated to its peak. The lockdown is supposed to be mass effort all across the world to save lives by putting our vulnerable group at risk. Increasing cases of violence are not surprising for us.

A lockdown means sharing the same roof with the abuser by the wives and children. In a country like India, where every third women has faced domestic violence be it-physical or mental abuse, the calls to the helpline numbers have dropped. It was stated by one of the founder and director of Prajnaya trust, a Chennai based NGO, Swarna Rajagopalan, that it is a ticking bomb in already abusive homes.

She also said as the tension outside goes up, the violence over women and children increases at home. She also commented that the Indian homes has so much sexism and gas lighting that it does not take much to bring in violence in the home.

The anxiety about the economic burden and risen level of uncertainty in income during the period of lockdown has added up to the burden of violence. The trend has been similar in other situation for similar situation which come up during these Chennai Floods.

VI. DIFFERENT COLOURS OF DOMESTIC VIOLENCE

Domestic violence has not only led to physical and mental abuse but also had lead to increased labor amongst women. According to the complaint reports, in Bengal a women's ration card were stolen by her husband and was forced to starve. She wasn't getting any ration as the police didn't allow her to take ration without a ration card. It was also reported that if a women showed any symptoms of corona virus or even has flu, she has to go through not only physical and mental abuse but also faces shame and humiliation in the society.

The rural area has been facing far worse situation. The impact of lockdown has doubled the difficulty on the single mothers and survivors of abuse. In rural areas Domestic violence has accelerated to its peak. With the passage of time the economic shape is deteriorating. Penury and ravenous is omnipresent. The earning sections of the people are dealing with not only failure in income but also with the feeling of helplessness which is turning that into violence on women. Now-a-day domestic violence has been included in the daily routine life of women

VII. HOW DIFFICULT IT IS FOR THE VICTIMS TO GET HELP?

This wretched condition/situation in our country is accelerating more and more as the women are not able to go out for help. Day by day the power of this sin is up surging. The week after lockdown the phone call started dropping. There was a drop in calls from the usual 10-15 every weeks, as the constant fear and increasing certainty in violence. With abusive families at home and services under limitation, the silence of the already silent victims is only getting louder. After the country wide lockdown was imposed, the NCW received 214 complaints out of which 58 were cases related to domestic violence. The NCW has 861 cases of domestic violence this year.

In our country NCW and many NGO's working for women empowerment, has put up their helpline numbers but the problem is with the abusers at home they probably can't make that call. It is difficult for the women to reach out for help when the perpetrators are at home.

The relative situation can be analyzed more roughly when the lockdown is lifted. Smt. Rekha Sharma, chairperson NCW has regarded that there shall be more calls and complaints once the lockdown is lifted. Another reason, why women aren't able to reach out for help because in lots of Indian homes there is only one phone and mostly they don't belong to the women. According to Harvard Kennedy school study in 2018 the average of 71% of men use mobile phone, as against 38% of women. This shows us the huge gender gaps in access of technology. So the victims, of domestic violence are not able to make calls or rather, they are able to do it only.

VIII. AMERICAN PSYCHOLOGICAL ASSOCIATION VIEWS (APA)

Violence in home can lead to adverse mental health outcomes and physical health adversity, depression, post-traumatic stress, risky sexual and substance use behavior. According to the centre of the Disease Control and Prevention, 1 in 3 episode of violence from their conjugal partner in their lifetime, which also has led to cases of homicide? Psychologist Josie has found in her research that social isolation and stress has raised the risk of domestic violence.

According to her research, social factors have put people at risk for violence as due to reduced access to resources, increased stress due to strained finance and job losses. According to the psychologist Nadine Koslow who is a PhD at psychiatry and behavior sciences, before the pandemic, a survivor or victim could flee a violent situation by going to the shelter or filing a protective order with the police.

But due to the situation of this pandemic such options aren't available easily. At the same point of time the shelter homes are closing or the emergency wards are brimming and due to this situation of pandemic people are not able to go out in public due to the risk of getting COVID-19.

Due to these reasons the survivors are ambushed in this escalating series of violence of tension, power and control. Research has also shown age, race and gender plays an important role in a person's likelihood to experience abuse from their intimate partner. Disabled women's are more exposed to sexual compulsions. Psychologist Carrie Hippy, has also shown in the research that sexual and gender minorities are more prone to increased risk for domestic violence during the COVID-19 pandemic as because these stressors are already marginalized members of society.

IX. CHILD ABUSE DURING LOCKDOWN

COVID-19 has been declared as international pandemic which has both short term and far reaching implications for our families. As the virus continues to spread people are facing multiple new stresses, which includes physical, health risks, school and business closures, family confinement, isolation, and economic vulnerability during this lockdown period. The children are unable to leave their home which has led to the exacerbation of the situation. The person committing the abuse puts the child's life not only in danger but also clearly violates the fundamental right of life and the right to live with dignity. The government helpline for protection of child rights had received 92000 calls on child abuse and violence. The number of calls after lockdown period has started on March 24, has increased by 50 %.

It is not only physical or sexual abuse on children but domestic violence in home has also disturbed the psychological and mental health of the children. Abusive behaviors on the women at homes has not only shown traumatizing effects on the children but has also led to deviant behaviors amongst them. To overcome the immediate and long term effect of this crisis, the government should ensure access to critical services which must include: nutrition, mental health support, health care, psychological support. The Government must also provide protection against violence and ensure social protection for child sensitive cases. The Child Right Body has taken an initiative, for asking the government to declare 1098 toll-free and add make it a Covid-19 emergency outreach number for children, women and caregivers.

X. UNITED NATIONS

The UN chief calls for the domestic violence as “ceasefire” amid “horrifying global surge”. The combination of economic and social stresses brought during the period of their pandemic has led to the drastic increase in the number of women and girls facing abuse in almost all countries. However, even before the spread of the novel corona virus, according to the statistical reports it shows that every 3rd of women around the world has experienced some form of violence in their lives. This issue not only affected the poorer economies but also affected the developed countries as well. According to the general secretary, Mr. Guterres said “local group support groups are paralyzed or short of funds. Some Domestic violence shelter are closed, other are full”. The reason for the shortage include their conversion into health facilities or measures are being brought up for the barring new victims for fear of further spread of the virus. The UN chief has also urged to all the government to make the prevention of domestic violence against women an integral part of their national response plea toward COVID-19. The UN secretary general concluded his speech by addressing “together we can and must prevent violence everywhere, from war zones to people’s home, as work to beat COVID-19, the appealed for peace in homes around the world.

XI. NATIONAL COMMISSION FOR WOMEN

The national commission for women is a statutory body working under the Indian government not only exerts for the strategy of women empowerment but also work for them. This statutory body was ingrained on 31st January 1992. It is lately led by Mrs. Rekha Sharma.

After the Enforcement of lockdown in India due to the novel corona virus, the chairperson of NCW, Rekha Sharma reported there has been a steep rise in the number of complaints that are being received on the website of NCW. Rekha Sharma also reported that every day the numbers of complaints are increasing, her email id has also received numerous numbers of complaints from aggrieved women’s across the country. From the period 23rd April till 1st April, the NCW has received 257 new complaints. The grievances were associated to domestic violence and child ill treatment and abuse. On April 10, the new set in motion a Whatsapp number: 7217735372 to report domestic violence on an everyday basis during this period of lockdown. The NCW has also setup a special team to separately handle complaints as fast as possible.

The NCW reported that firstly the message received on the Whatsapp number are being analyzed, related to domestic violence the lockdown and then are taken up on priority and also the state police authority and administrative are informed to take charge and also provide the aggrieved women with help and security . There has not been steep rise in the cases of domestic violence but also there has been an abrupt increase in the complaints and also accusations regarding “the right to live with dignity”.

An analysis by the NCW-

Complaints from 2nd to 8th March 2020 were 116

Complaints from 23th to 1st April 2020 has increased to 257

Statewise Analysis: (Source- [bengali:abplive.com](http://bengali.abplive.com) & NCW)

STATES	2 nd – 8 th march	23 rd march - 1 st April
Uttar Pradesh	36	90
Delhi	16	37
Bihar	8	18
Maharashtra	5	18
West Bengal	2	9
	67	172

XII. THE DOMESTIC VIOLENCE TABLEAU ACROSS THE WORLD

Domestic violence is a kind of violence which takes place in a domestic setting. It is also regarded as intimate partner violence, domestic violence can be of different forms which include physical, verbal, emotional, sexual, economic abuse, which can range from coercive forms to violent physical abuse which may include beating, acid throwing and etc., and sometimes also include marital rape. The UN secretary general Antonio Guterres addressed that it is a horrifying global surge. The European Parliament had a press release addressing women alone". In this year of pandemic financial insecurity, income uncertainty and stress has increased aggression and violence at home. There is always a rise in domestic violence whenever families spend more time together.

XIII. SITUATION BY COUNTRIES AND CONTINENTS

- 1) *Australia*: During this period of outbreak of a pandemic, the Australian government reported that Google accounted the maximum searches for domestic violence help in 5 years during the outbreak. Even the Western Australia police reported 5% increase in domestic violence reports in prior to years before.
- 2) *China*: Jingzhon is an anti-domestic violence activist, and the retired police officer Wan Fei reported the domestic violence case has tripled in the month of February 2020 compared to February 2019. "90% of the cause of violence is related to COVID-19
- 3) *France*: France minister of the interior – Christophe Castanet had announced that there has been 36% increase in domestic violence cases in Paris of the lockdown was improved on 26th march 2020. He also introduced measure for the female victims to call help at the pharmacies by telling them a secret code and also instructed the police on high alert during this period of lockdown.
- 4) *Pakistan*: The mental health professionals in Pakistan reported that the case of domestic violence has accelerated to its peak during this time of pandemic crisis. The national disaster management authority of Pakistan has setup a different cell to deal with gender and child abuse cases.
- 5) *United Kingdom*: Leicestershire police had reported the rise in domestic violence due to the crisis which spread throughout the world due to the novel corona virus. It also reported that job insecurity, financial cases and health concerns has lead experience of abuse for the first time for many others in the country. This evil is spreading like wildfire, in already ignited families. Various steps are been taken to prevent such violence by government across the globe.

XIV. CONCLUSION

In India, our legislation has toiled a lot and has made both "women specific legislation "as well as "women related legislation". Some these are:

A. Women Specific Legislation Includes

- 1) *The dowry prohibition act , 1961*
- 2) *The indecent representation of women (prohibition) act 1986*
- 3) *Protection of women from domestic violence act , 2005*
- 4) *The sexual harassment of women at workplace (prevention, prohibition and redressed act) 2013*

B. Women Related Legislation Include

- 1) *The Indian penal code ,1986*
- 2) *The Indian evidence act ,*

The complaint of domestic violence is at its peak despite of existence of so many legislation in our country. The figures of complaint are accelerating rapidly. During this ambit period of lockdown in our country due to spread of novel corona virus, cases of domestic violence has multiplied itself ten times. The NCW has launched a Whatsapp number to report domestic violence during COVID-19 lockdown. The Whatsapp number – 7217735372 is a new addition to the online complaint links and email. The NCW has also organized an online conference with all the state commissioners for women to discuss the situation also strengthen the support network available to women. Efforts are strenuously being put by the NGOS. WEFT (women entrepreneur has also launched initiative calls "red dot". Numerous other cooperation and organization are slogging towards this situation. Nevertheless, day by day the amounts of complaints keep on expanding. If you want to be discernible, you must uphold your voices. For women empowerment Independency and education both should be a dominant and foremost point. Make themselves aware of such situations and the existences of such legislations and helpline.



It's time for women to show their righteousness for themselves and take obligatory steps along with it. They should break the carapace of terror and confront such, abusers and also inspire others to do so. The oppressed cladding such violence should upraise their self esteem and feel strong to speak up against the abusers at home. They should also start up their own social networking, which may inspire victims to open up. There is absolutely no limit to what women can accomplish and achieve.

“So, I want every women know that her voice can change the whole world”.

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