

CRIME AGAINST WOMENAsis Kumar Ray¹, Jyotin Kumar Dash², S. N. Gole³**HOW TO CITE THIS ARTICLE:**

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ABSTRACT: A study was conducted over 70 injured women being assaulted by their own husbands to find out the probable causes of such unfortunate incidents, the effects of age, type and duration of their marriage, their education, religion and socio-economic status and the impacts of the present corrective measures taken by way of legislation and other social means, in eradicating such problems from the society. The present study reveals that in spite of all steps taken by the Government and NGOs, more and more number of cases of assaults on wives are being reported. This problem is seen among all classes of women, irrespective of their caste, religion and socio-economic status. Hence, the author suggests a different type of approach towards prevention of this social infectious disease

KEYWORDS: Atrocities on women, Battered wives, Dowry torture.

INTRODUCTION: Assault on women by their husbands is a psycho-social problem which,

- Breaks the family harmony and at times terminates in death or divorce.
- Disseminates adverse effects on all the family members of both the spouse.
- The young members (Specifically the children) are the maximum sufferers.
- Damages the social psychology.

The term "battered women" is still not a part of the public's vocabulary. Writings on battered women are becoming less overtly hostile, but are still riddled with sexism.¹ This wide spread gender based violence has been recognized as a major public health concern and violation of Human Rights. Wife beating is a complex problem that involves much more than the act itself or the personal interaction between a husband and his wife. It has its roots in historical attitude towards women, the institution of marriage, the economy, the intricacies of criminal and civil law, and the delivery system of social service agencies. Blame is not easily fixed, nor are the cause of marital violence readily identified. 2.38% of Indian men admit they have physically abused their partners.³ It has already drawn maximum attention all over the world and corrective steps are being taken by way of legislative and other social means to eradicate this problem.

In our country too, different legal advisory for a have come up, thousands of women police stations and special courts have been established, stringent laws have been enforced and number of amendments have been made in IPC and Cr. P. C. We also find more frequently organized movements by women organizations and activists for establishing rights and privileges of women, protesting atrocities on women, imparting women education and conferring economic independence to women.

But it is a matter of great regret to note that every now and then we find the cases of assaulted wives an increasingly profile. As such it is the right time to review and assess the benefits we are getting from these remedial measures by spending cores of rupees and to search for an alternative and better line of management in the present system fails to yield a satisfactory result.

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MATERIAL AND METHODS: All the female injury cases brought to the Department of Forensic Medicine & Toxicology, Capital Hospital, Bhubaneswar (Odisha) by the police for medical examination from 01.01.2012 to 31.12.2013 with history of assaults by their own husbands were taken as study materials for the present work. The information on age of the victim ladies, type and duration of their marriage, their education, religion and socio-economic status were collected. The apartment causes and matter of tortures were collected from them and the data so obtained were analyzed and evaluated.

OBSERVATIONS AND DISCUSSION:

Table 1: Out of 270 injury cases brought for medical examination, 167 were males and 103 were females. It is also impressively observed that in the year of 2013, the percentage of female injury cases is considerably increased in comparison to previous year (i.e., in the year of 2012).

Period/Year	Male	Female	Total
From 01-01-2012 to 31-12-2012	80	35	115
From 01-01-2013 to 31-12-2013	07	68	155
Total	167	103	270

Table 1: Year wise distribution of injury cases

Table 2: Among the injured females, a large number (70 out of 103, i.e., more than 2/3rd) were assaulted by their husbands which reveals that in the present society a woman is more vulnerable at her own house and that too by her own husband than at outside by an outsider. Again, the incidents of assault on wives in the year of 2013 show a steep rise to 50 in comparison to 20 in the year of 2012.⁴ These observations are at par with the present global statistics, which reflects that one woman in every three is assaulted some way some times during her life. This rising incidents in battering wives indicates that (a) the present systems of management have failed in curbing this psycho-social endemic disease, which is very much prevalent in our society and/or (b) the legal awareness among the women about their rights and privileges has increased the number of reported cases which were otherwise likely to be disposed of unregistered.

Period	By Husband	By other	Total
2012	20	15	35
2013	50	18	68
Total	70	33	103

Table 2: Incidence of Assault by the Husbands

Table 3: In the present study the minimum age of the battered wife was observed to be 19 years and the maximum age 45 years. The most vulnerable age group comprises from 21 to 35 years with peak incidents in 26-30 years. A study in Bangladesh observes that married women aged 30-39 and 40-49 are only about half and one-third as likely to have been beaten in the previous years, compared to women aged 20-29 [Schuler et al 1996].⁵

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Age Group in Years	No. of Cases
0-15	0
16-20	7
21-25	16
26-30	25
31-35	15
36-40	4
41-45	3
46 and above	0
Total	70

Table 3: Age wise distribution of battered wives

Table 4: Although it has been ascertained from most of the victim ladies that they had been tortured by their husbands from the very first year of their marriage, the present study exhibits that such cases were reported to the police only at the end of 1st year and continued up to 20 years of marriage. The peak period of reporting was 5 to 10 years of marriage. Delay in reporting attribute for shake of self-esteem, family prestige, hope for a change and better future where the women prefer to stay mute and does not ventilate here grievances to out-side. It was only the torture became unbearable she seeks police/legal help. Incidents of torture beyond 20 years of marriage have not been reported. Perhaps during the said period she might have compromised and adjusted to the situations, the marital violence might have been minimized due to the presence of her grown up children or she might have been separated/divorced from her cruel husband.

In the Indian context, a recently study has observed that high dowries lower the probability that the wife will be beaten [Bloch and Rao 1995].⁶

Secondary schooling, autonomy, and delayed marriage have an important bearing on protecting women, and efforts to enhance these aspects of women's situation must be pursued (Jejeebhoy and Cook 1997).⁷

Duration (in Years)	No. of Cases
0-2	14
2-5	11
5-10	23
10-15	16
15-20	06
20 years and above	0
Total	70

Table 4: Report on Battered Wife and Duration of Marriage

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Table 5: It was observed that irrespective of this educational status, the women are frequently assaulted by their husbands. However, women having primary and secondary level education, outnumber the others. In the illiterate group there is every chance of un-reported cases for lack of their knowledge about their rights and privileges assured by the law of the land and their increased tolerance to such adverse situation, which they accept it to be a natural occurrence in married life. The incident is less in higher educated women, where mental torture is inflicted in place of physical torture. Again these women were capable of maintaining an independent life and for the sake of self-esteem and family prestige; they can avoid/ignore any type of conflicts which may lead to physical assaults.

Among the 70 victim ladies, 45 belong to Hindus, 13 to Christian and 12 to Muslim sects which indicates that wife battering is prevalent in all communities and a challenge for all with equal importance considering the ratio and proportion of the number of assaulted women to their population in the locality. Out of 70 cases of tortured victims 67 women have their arranged type of marriage and 3 women have love marriage.

Education	No. of Cases
Illiterate	10
Primary School	25
Secondary	28
Collegiate	07
Professionals	00
Total	70

Table 5: Battered Wives and Educational Status

Table 6: As regards socio-economic status torture on wives is seen in all classes being mostly reported in the middle class group followed by low socio-economic group and less number in higher classes. The causes of tortures as alleged by the victim ladies are multi factorial. Allegation of dowry in the early period of marriage (specifically within seven years of marriage) is more reported. In the late period of marriage the alleged cause was either alcohol/poverty. Specifically in the middle and higher socio-economic groups the cause of torture was alleged predominantly to dowry with occasional allegation of extramarital relationship of the husbands where as in low economic group the allegation was poised towards alcohol and poverty with occasional cases of suspecting the character of wife.

SE Status	Dowry	Alcohol	Poverty	Extramarital Husband	Infidelity Wife	Total
Low	0	13	4	0	3	20
Middle	29	1	3	2	0	35
Higher	11	3	0	1	0	15
Total	40	17	7	3	3	70

Table 6: Causes of Assault and Socio-economic Status

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Table 7: The present study reveals that the injuries inflicted on the body of the victim lady were mostly caused by fist and blows and the common instrument used in addition were such household appliances/articles readily available like a lathi, iron rod or wooden plank. Hence with all practical purposes it can be presumed that in most of such cases, the battering could be the result of a sudden provocation and is of unintentional in nature.

Manual		Instrumental	
Fist and Kick blows	43	Lathi	14
Teeth bite	07	Rod	14
Total	50	Wooden Plank	10
		Stone	03
		Cutting weapon	03
		Stabbing weapon	00
		Fire arm	00
		Thermal Burn	03
		Total	47
Only manual	23		
Only instrumental	20		
Both manual and instrumental	27		
Total	70		

Table 7: Manner of Battering

SUMMARY AND CONCLUSION:

- In spite of all the steps taken by the Government and NGOs the cases of assault on wives are increasingly reported, which proves that the measures so far taken are not appropriate /adequate to prevent the incidents.
- The young adult women is found more frequently tortured during her early period of marriage, which indicates that this problem is due to maladjustment in a new type of relationship in a different environment to which she was not acquainted earlier.
- This problem is seen in almost all classes of women irrespective of caste, creed education & socio-economic status.
- Almost in all cases, the incidents of assault appear to be result of sudden and unexpected anger and provocation without any motive or pre-plans.
- In most of the cases, the relatives of the victims (parents/Brothers) who accompany the tortured woman at the time of medical examination allege the incidents to be the result of dowry demand, but subsequent investigations reveal a different cause.
- While trying to solve the problems her parents and relatives do less help and more harm to the victim lady without their knowledge, by widening the difference and misunderstanding between the husband and wife.
- The present judiciary system also does not deliver any apparent relief to the tortured woman by allowing divorce in her favor and awarding punishment to her husband, because none of these measures can restore her lost/broken family harmony and provide her and her children a secured future.

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Therefore, the following curative and preventive measures are suggested for fighting again this psychosocial disease.

CURATIVE: For already disturbed family.

1. Post-marital family counseling: Behavioral therapy for husband and psychotherapy for wife. In hard cases the husband should be sent to correctional school instead of allowing a divorce in favor of wife or awarding punishment.
2. Parental Counseling: The parents/guardian of the both the parties should be advised not to interfere much and not to indulge themselves in the matter of small conflicts between husband and wife and to encourage them to settle their problem by mutual understanding.

For Prevention:

1. Premarital counseling should be made mandatory to educate the prospective couples about the right and privileges of the married couple, duties and responsibilities of the spouses towards each other and above all the purpose of marriage.
2. Spiritual and moral education in the school/colleges to be made compulsory.
3. Pre-marital mutual acquaintance/dating for a minimum period of 3 to 4 years should be allowed in the society in addition to the existing conditions towards ones taste, distaste, nature and compatibility and developing.
4. Mutual love and respect towards each other.

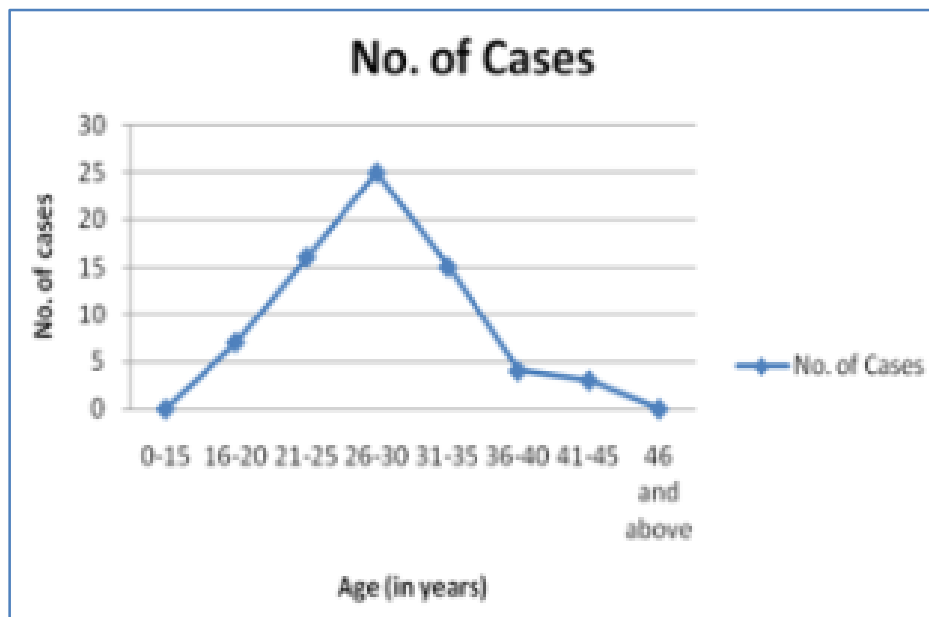


Fig. 1

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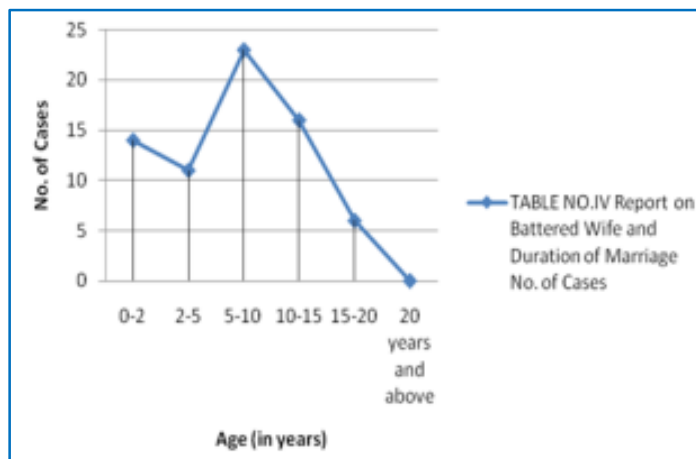


Fig. 2

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