

Domestic Violence: A Problem and How It Affects Children's Psyche

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Abstract:

The majority of victims of domestic violence have always been women, and this pattern has persisted into the 21st century. Regardless of their age, religion, caste, or social status, women from all social backgrounds are affected by domestic abuse. Domestic abuse, however, can also afflict men, children, and the elderly in addition to women. All facets of society and demographics are impacted by domestic violence.

Domestic abuse refers to a pattern of abusive behaviour done by one partner to take or maintain control over a romantic partner. It can happen in any kind of partnership. Any pattern of coercive behaviour that negatively impacts a person in an intimate partner relationship, regardless of whether it is physical, sexual, emotional, economical, psychological, or technical, is considered domestic abuse. No matter a person's ethnicity, age, sexual orientation, religion, sex, or gender identity, domestic abuse can affect them. Domestic abuse affects people from all socioeconomic backgrounds and educational degree.

Intimate partners who are married, residing together, dating, or who are parents together might experience domestic violence. In both same sex and opposite partnerships, it is possible. The victims of domestic abuse, as well as their family, friends, workplace, any witnesses, and the community at large, are all significantly impacted. Domestic violence has a detrimental effect on many people, including children who endure it as they grow up. Frequent exposure to violence in the home teaches children that abuse is a normal part of life, which increases the likelihood that they will grow up to be society's next victims and abusers in addition to exposing them to a number of physical and social problems.

Abuse in the home is nothing new. It has been a part of societies all around the world for a very long time. The goal of a growing initiative in the second half of the 20th century was to raise awareness of this enduring societal problem. As a result, legislation was passed by the federal and state governments to safeguard victims and hold violent offenders accountable. 1994 saw the initial passage of the Federal Violence Against Women Act (VAWA). It generously supports programmes to stop domestic violence. Domestic violence is a severe public . According to the Centres for Disease Control and Prevention (CDC), 26% of men and 41% of women have experienced intimate partner violence at some point in their life. All three types of abuse are mentioned in reports of physical abuse, sexual abuse, and stalking to law enforcement.

Key words: Intimate partner violence, felony, physical assault.

Introduction:

Domestic violence is a pattern of abusive behaviour used by one spouse in any relationship to grab or maintain control over another intimate partner, according to the U.S. Department of Justice Office on

Violence Against Women. According to the legislation, domestic violence, which may involve one or more incidents, is a felony. It could involve an attempt at physical attack or threats of impending harm. Sexual assault could appear as a symptom. It may also cover the psychological damage brought on by stalking.

When domestic abuse is mentioned, domestic violence is typically the first thing that springs to mind. Any attempt to dominate and control another person in a marriage or other close relationship is referred to as domestic abuse. Domestic violence and abuse are just used to seize and maintain total power over you. A violent individual is not fair-minded. An abuser might use intimidation, guilt, shame, and horror to wear you down and keep you under their control.

Verbal or physical threats can turn into domestic violence. In addition to the obvious risk of physical harm, domestic abuse has severe emotional and psychological effects. Emotionally abusive relationships can diminish our sense of self-worth, bring on anxiety and depression, and make us feel helpless and alone.

There are many types of abuse of domestic violence. Some of them are: Any act of aggression or harm to the victim's body is considered **physical abuse**. The victim's child might experience abuse. Physical abuse can entail being denied medical care as well as being forced to consume drugs or alcohol. Physical abuse includes hitting, biting, slapping, beating, pushing, punching, pulling hair, burning, cutting, pinching, etc.

When the victim is coerced into having sexual contact or engaging in sexual activities without their consent, this is considered **sexual abuse**. This typically takes the form of forced sex on the victim, sexual insults, marital rape, physical assault followed by forced sex, and even making sexual jokes about the victim.

In **Emotional Abuse** the abuser may cause emotional harm to the victim's relationship with their children. A few instances of emotional abuse include unrelenting criticism and insults.

When the abuser succeeds in making the victim financially dependent, this is referred to as **economic abuse**. They might prevent the victim from getting access to money or from going to work or education. Economic abusers typically want to maintain a tight hold on their financial wealth.

Review of Literature:

Albert R. Roberts *Handbook of Domestic Violence Intervention Strategies: Policies, Programs, and Legal Remedies* provides leading-edge theory, research, and protocols for efficient responses to domestic violence by attorneys, lay advocates, social workers, nurses, psychologists, schizophrenics, general practitioners, emergency medical personnel, police, probation officers, prosecutors, parole officers, and judges. It also looks at the most effective and successful domestic violence interventions, projects, legislation, and legal remedies.

Mandy Burton's *Legal Responses to Domestic Violence* uses a rigorous approach to evaluate changes in substantive law and practise, notably the move towards an integrated justice approach, by involving every stakeholder within the legal system

Richard L Davis *Domestic Violence: Intervention, Prevention, Policies, and Solutions* talks about how most nationally recognised domestic violence organisation and activists will accept the definition of domestic violence as provided in the book. It offers a reasoned and logical point of view that promotes

knowledge founded on facts rather than fervent ideologies. The book summarises multiple key federally funded reports and offers original meta-analysis styled empirical summaries of ongoing research and intervention efforts.

Objective of the Study:

The following goals will be kept in mind as the study moves forward:

- Is Domestic Violence a Felony?
- How is Domestic Violence a social issue?
- Significant Effects of Domestic Violence
- Important domestic violence laws.

Research Methodology:

The methodology adopted here is analytical. Both primary and secondary sources are used. The primary sources are books and e-books, secondary sources are the creative writings and relevant materials collected from various articles, journal, newspaper and book pertinent to the study area.

Is Domestic Violence a Felony?

Domestic violence is considered a felony when certain criteria are met. For the most part, the following conditions can turn a domestic violence incident into a felony:

- If the victim was a child or senior citizen
- Experienced bodily harm or a corporal injury, especially if it was serious
- A weapon was employed.
- There have been previous incidents of abuse or a history of abuse that is known
- An earlier domestic violence offence conviction and
- In order to carry out the violence, the defendant disobeyed a protective or restraining order.

Civil and criminal elements are both present in a domestic violence case. The criminal procedure code is followed, and the magistrate court can continue to hear the case. The parties are referred to as petitioner and responder rather than as complainant and accused.

How is Domestic Violence a social issue?

Many sociologists think that the concept of gender is socially constructed and influenced by factors in culture like family, religion, education, job, and the media. We have created gender norms and stereotypes within our families, where we are socialised, as a result of these influences. It is also being underlined that the father is the family's main earner while the mother takes on a more domestic role. However, thanks to advances in society and law, we are starting to alter how individuals understand gender within the family. As a result, situations like domestic abuse, which were hitherto thought of as private family matters, are now identified in government policy as public societal issues.

Domestic violence is a tragic social problem that has an impact on all aspects of our society. Our primary socialisation takes place in the home, where we learn gender roles and build the foundation for how we are socialised differently. Men are frequently socialised into demanding and more violent

positions than women. In the workplace and in academics, men are typically given more important roles to play, which places them above women.

Because of the way men have been socialised, this attitude is usually seen in the home. Serious consequences could arise for both the victim of domestic violence and the family's children. Families frequently need to change their homes and schools in order to be safe from the abuser. This could result in social exclusion from society, which would have a worse impact on the victims.

Significant Effects of Domestic Violence

30% of women worldwide have experienced physical or sexual abuse as a result of an intimate relationship. According to the World Health Organisation, up to 38% of all murders of women are the result of intimate relationships. Domestic abuse in the home can have complex impacts on a child. Domestic and familial violence has both short-term and long-term negative effects on women, including physical, emotional, psychological, economical, and other effects.

It is possible that women who experience domestic and familial violence face higher rates of miscarriage because pregnancy is typically a time when abuse begins or increases.

Women who experience domestic and family violence are more likely to experience sadness, nervousness, fears, worry, and sleeping issues. They are more anxious and more likely to attempt suicide. They are more likely to misuse alcohol, other drugs, even trace amounts of tranquilizers and analgesics.

Without really seeing the abuse, children may know when it is occurring. They might hear an altercation start or see their mother's injuries. As an alternative, they might notice the dispute between their parents, which terrifies and annoys children.

Children's reactions can vary depending on the circumstance. But children frequently have a range of mental, bodily, and cognitive issues.

The neural connections in young children's developing brains establish the foundation for how they will understand emotion and their place in society. Emotional stress brought on by living with abuse may prevent its progress. Children who have experienced domestic violence may experience sadness, severe anxiety, and attention deficit disorder. They might have academic difficulties, poor social skills, and a history of risky or violent behaviour.

Important domestic violence laws

In the 21st century, various approaches are employed to deal with the societal problem of domestic abuse. Domestic violence has been actively eliminated by governments all around the world. In addition, domestic violence has been recognised as a social issue due to the media, lawmakers, and advocacy groups.

According to Section 3 of the **Protection of Women from Domestic Violence Act, 2005**, domestic abuse is prohibited in India and is defined as any act, commission, omission, or conduct by a person that endangers the health or safety of a person, whether physically or mentally. In order to comply with an unlawful demand, it also includes any bodily harm, coercion, or abuse done to a person or anybody connected to that person.

The **Indian Penal Code's Section 498A** makes it illegal for a husband or a family member to treat a woman cruelly. Under the provisions of section 498A of the IPC, it is unlawful for a husband or a

relative to harass a woman for dowry. Physical or mental assaults of this nature are both possible. It also includes any intentional acts against women that compel them to endanger their life, their bodily functions, or their general well-being. Health in this context refers to the women's physical and emotional wellbeing

The distribution and receipt of dowries are prohibited by the **Dowry Prohibition Act of 1961**. The entire practise of dowry is forbidden by the Dowry Prohibition Act of 1961. Anyone who provides, embraces or even seeks dowry is subject to a six-month prison sentence or a fine of up to 5,000 rupees, according to this law.

Conclusion:

Domestic violence is on the rise daily, especially in Lockdown. We are not really speaking out against it, yet it is one of the most horrific types of abuse that women in our culture currently face. Modern regulations simply exist on paper; the real world is different. The majority of victims of domestic violence, based on an inquiry, are women, but men are also impacted by this problem.

Although there are still problems with domestic violence, India's laws and legislative system contain provisions and protections against it.

If the problem is not properly addressed, domestic violence is going to persist in all societal classes. As members of the younger generation and as Indian citizens, we must band together and enact strict legislation to protect domestic abuse victims. Governmental bodies and non-governmental organisations (NGOs) may also participate in awareness-raising initiatives, such as conferences for discussing laws and regulations, roundtables on how to deal with domestic violence, and counselling for psychological as well as physical wellness.

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