

Domestic Violence against Working Women in West Bengal - A Case Study Based on the Real Life Experiences, Official Documents and the Role of the NGOs

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The main objective of this paper is to highlight the problem of domestic violence in West Bengal, a state of India, and how it is affecting the working women in general. As we all know the problem of domestic violence is a very common issue and it exists everywhere regardless of the socio-economic status of a country. The core of this matter has an intimate connection with the structure of the society which is male-dominated or in other words, patriarchal. The above-mentioned statement is definitely controversial, but do we have any other choice to refute or negate the fact that women are always considered as less empowered than men? I may sound feminist, but I believe, feminism is a scholarly male-oriented construct, which separates women from the mass and marginalises their identity.

Now the question is what is my hypothesis and how do I prove this? Here my argument stands on some basic viewpoints. Firstly, this paper is not an empirical study which only deals with information and the narration of that information. Rather it will be focusing more on the analysis of the present situation in West Bengal and the way outs if there are any. Secondly, the issue of domestic violence is neither academic nor entertaining; it represents hard core social reality. So the discussion on this topic portrays a subtle approach to look into the matter, where emotion plays the role of a catalyst. Thirdly, the stance of the state and the involvement of the private organisations surely help to know the truth, but truth can be also half or hidden, so an impartial method of enquiry has been adopted by the author to situate where do the victims stand and how they are coping up with the actual situation.

It would be really apt if I begin my discussion with a proper definition of domestic violence. Though I believe it is certainly unrealistic and futile to describe what domestic violence is, as it has polygonal perpetual characteristics, which are increasing day by day, still to feed our so called hunger for knowledge gathering, we define violence in the context of domesticity. According to 'The Protection Of Women From Domestic Violence Act, 2005, Act No.43 Of 2005', domestic violence is an action which "*harms or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse...*(Chapter 2)" In this Chapter, in the section, Explanation 1, there are the legal descriptions of different kinds of abuses, but most of these explanations need to be more specific and straight. There are only two lines in this chapter to describe "sexual abuse" which points out "*any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of women;*"

Here my argument is what do we understand by the “*dignity of women*”? Aren’t we trying to outcaste women from the rest of society by linking the question of dignity with sexuality? Can we label a marital rape victim as degraded because her husband had sex with her forcibly? If is it so, then we should not talk about women empowerment as we are determining the status of a woman from her physicality, not from her intellectual properties. In my opinion, violence against women does not cause derogation of women; it shows the rottenness of the male-dominated society which lacks dignity. We cannot limit or restrict the sufferings of the domestic violence victims by certain legal terms, as violence, which is the result of an abnormal mental state does not know any boundary or line of control. Therefore it is difficult to find a suitable definition of domestic violence as I consider.

It is also important to mention why have I chosen working women not women in general as the central theme of my paper? Basically in India if we refer to the Domestic Violence Act of 2005, the very legal term domestic violence deals with the sufferings of childless women or women who fail to give birth to male child and the problem of dowry. There is perhaps no mention of working women employed in both organised and unorganised sectors as the victims of domestic violence.

We have a preconceived social belief that working women are mostly being harassed by their employers and “The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013” also points out the same. Here one vital fact which draws my attention is that what about those women who work in the unorganised sectors? Do the laws in India are equally applicable for them too? This specific issue needs our attention.

In other words, still in India the thought of working women is not very widespread and they are ostracised in terms of attaining social privileges and rights. In India, the homemakers get more social attention and sympathy than the working women because of their unemployed status. Our society thinks their joblessness or economic dependence on their husbands reflects the most noble feature of their character i.e. tend to sacrifice the desire of being independent for the betterment of family. Here my argument is these women can also be considered as working as they are giving labour to run the household. But they are not salaried or paid which is also a notion of passive violence negating their existence or identity.

In 2012, there was a proposal from the government to “share a certain percentage of their income with their wives, who stay back and do household chores (Times of India, 9th September, 2012).” The proposal was supposed to consider by the Ministry of Women and Child Development (WCD) for “socio-economic empowerment of homemakers”. This proposal never becomes a reality. The society believes that working women are empowered and they are capable to deal with their own problems without any kind of social help. In my opinion, empowerment has no connection with financial stability; it is an intellectual property which further furnishes by social prestige and economic power. From the epistemological standpoint, a homemaker can also be empowered since she also fall under the category of ‘working woman’ as she is working by making the home, whereas a working woman as in one who work outside the house, if she earns well also can be a victim of domestic violence if

she is not fit to handle the situation. My case study is based on those women who stand in between of the attainment of empowerment and the struggle to achieve it socially.

There are several NGOs working against domestic violence in Kolkata and amongst them, Swayam deserves special mention. It has support services (direct support and group activities), public awareness and education programs, skill enhancement programs to make women conscious about this issue. The West Bengal Commission for Women has multiple schemes and programs to aid the victims of domestic violence. The Commission also conducts Paribarik Mahila Lok Adalat, where the women can ask for justice regarding marriage and other family matters. It is difficult to get any data from these organisations on domestic violence against working women as the approach towards this problem is not that much specific.

Harihar Sahoo and Manas Ranjan Pradhan in their article “Domestic Violence in India: An Empirical Analysis” have given emphasis on autonomy and showed through table that how the levels of autonomy, from low to high determine domestic violence. They have the opinion that, the working women are more prone to domestic violence than the non-working female section of the society. Here I can justify their argument by relating the concept of autonomy with the very matter of quest for identity which ultimately leads to the ego clash between the husband and wife. Another article by Prasant R. Kokiwar and others which was published in MRIMS Journal of Health Sciences, Volume 3, Issue 1, January-June 2015, highlighted the problems facing by the working women of an institute. They did their survey for 1 month at Malla Reddy Institute of Medical Sciences and Malla Reddy Hospital of Hyderabad in the Telengana state of India and interviewed 125 female employees who were working there during that time.

All of these interviewees did not belong from the same socio-cultural, religious and economic backgrounds. Amongst these ladies, 29 admitted to be the victims of domestic violence and held responsible either husband or the members of his family like mother-in-law, sister-in-law etc. Slapping was the most common form of physical abuse as reported along with kicking and other forms of hitting. Some of these ladies also faced economic exploitation as their full salary was forcibly taken away from them. In some cases they were pressurized to leave the existing job and also to bring money from the parent’s place.

According to the study, 69% women faced emotional abuse which was no less traumatic than physical violence. Apart from using slangs, the other forms of emotional abuses which they faced were such as – giving verbal threats for physical abuse, continuous blaming for bad housekeeping, insult, causing guilty feeling for no fault, disrespect, restriction on meeting of parents or friends, no right to express opinions on family matters, suspicion for extramarital affair, harsh criticisms and mockery for having low intelligence, etc. But it was evident from this survey that in the cases of above-average educated and high salaried women, the severity of domestic violence was less. Out of 29 women, 22 expressed their survival strategies against domestic violence. Amongst these 22 women, 45.4 % women were brave enough to fight back. 31.8% women tolerated and did not react. 18.1% women resisted and 4.5% felt depression.

The above-mentioned article also cited from the Research Study Report, Planning Commission, Government of India which was conducted in 2003 and was based on the survey of the states of Andhra Pradesh, Chhattishgarh, Gujrat, Madhya Pradesh, and Maharashtra. According to the Research Study Report, apart from the established issues like dowry, the drunkenness of husband, failure of giving birth to male child, etc., the two other major reasons behind domestic violence are husband's problems in his workplace and his jobless status. But the manifestation of violence can't harp on a single cause; rather it's an amalgamation of all the probable reasons as the authors of the article opined. Though this article is not based on West Bengal but helps us to situate the problem in a broader spectrum. It is also true that sometimes due to the fear of prolonged nasty legal battle and the custody issue (if the working mother is not that much affluent to keep the child without any financial help from the husband and if the husband does not agree) the victims prefer silence. This particular approach was also seen in this article with regard of the response or reaction of the victims towards this issue.

The concept of domestic violence has a rich past in the Indian tradition. In ancient India, women not only being deprived of right to property, even they were considered as other's property. In the Vedas, it was mentioned, a woman should surrender herself to her husband and she has no right over her body. According to Taittiriyo Samhita, women are subjects for having sexual pleasure and it is not wise to do the maximum utilization of cow, land and women – otherwise they will die or will be unwell. The Vedas also termed women as evil and maladroit which indicates the intensity of emotional abuse during that time. Sukumari Bhattacharya, an eminent social anthropologist of India, opines, in the ancient period, society had understood the existentiality of mind was absent in women, or in other words, their mind was under the egotistical control of the male members of the society. The men tended to be anti-women and sexually perverted by their choice and intention. This above-mentioned introduction is needed to explore the personal experiences on domestic violence.

Here I would like to mention about three cases. Subject A is a bank employee and her husband is a Government Officer. They have one son and daughter and both of them are established in their career. Subject A is a victim of physical abuse by her husband and her ill-fated married life has a negative impact on the children, especially on the daughter. The daughter though pampered but is not mentally stable. She tells to her friends that how her father beats her mother squeezes her neck and uses slangs. Subject A belongs from higher middle class society and gets attractive salary but choses to be passive for the family prestige and future of her children as how she describes the situation. Subject B was a Professor of Social Science who got a Government job in a college in the outskirts of Kolkata, the capital of West Bengal. Her married life was full of traumas unfortunately exposed to everyone. Her husband left her and people started talking and defaming the victim. Ultimately the victim committed suicide to save her dignity and self-respect.

Subject C got married 12 years before and teaches Social Science near Kolkata. Her husband is a renowned medical practitioner who earns in lakhs. Subject C is a dedicated academician and not that much efficient home-maker. From the beginning she had issues

with her mother-in-law and husband who did not approve her life style and radical mentality of negating the social norms of being docile and domestic as a wife. The problems took more severe form when she became the mother of a male child and her husband's family demanded her complete involvement in the household. She refused to leave her career and tried to balance between career and family life. The boy grew old and was detected with ADHD which made the situation more troublesome and everybody started blaming her. But she never lost her confidence though her stressful condition made her the patient of nervous breakdown, mood swing, depression and anxiety. At Present, she stays alone as her son prefers to live with his father. Subject C has agreed for mutual divorce and use to get moral support and backing from her employers as well as from colleagues and friends. In the case of Subject C, her status as a working woman has given her empowerment to secure her position as an independent modern woman.

Observations:

This paper is an eye opener to me with regard of where we stand in the society? While writing this paper certain questions bother me to a great extent. Firstly, why do we most of the time relate domestic violence with married women? In the case of working women domestic violence can occur before marriage also. Many girls in our country are forced to leave night shift jobs as their parents don't want them to continue due to the fear of social objections especially from the neighbors and relatives. The safety of women is also a matter of concern as according to the newspaper reports the women who work in the night shifts are more exposed to molestation and rape. Here we may say the root of domestic violence has positioned inside the socio-political system of our country as the state fails to provide security as well as awareness to recognize women empowerment.

Secondly, what is the relevance of the PWDVA Act of 2005? Here one can argue that even the lawmakers and judiciary initially showed reluctance for "*the application of constitutional principles to the private domain of the family and the home...*" (Indira Jaising, 2009). The Delhi High Court once stated, "*introduction of Constitutional Law in the home is most inappropriate. It is introducing a bull in a china shop...In the privacy of the home and married life, neither Article 21 nor Article 14 have any place.*" (Jaising, 2009) The PWDVA Act talks about 'shared household' defining the very concept 'domestic' with a difference. The law approves the married woman's right to reside in her in-laws house and this very concept of shared household was also in the Hindu Law in the form of coparcenary or joint heirship where women, being a part of it had the right to reside. But often the judiciary fails to apprehend the essence of the above-mentioned term and confuses the entire procedure. Indira Jaising in her article "Bringing Rights Home: Review of the Campaign for a Law on Domestic Violence" (2009) rightly observes, in India a woman if she is a victim of domestic violence has to satisfy the queries of the police first to access the law. Not only that, if the police is not happy with her explanations then the husband or the members of his family never be placed under the jurisdiction of trial. The scope of law against domestic violence is restricted or "limited" in India as Jaising believes. According to the National Crime Records Bureau or NCRB's initial report for the year 2016, West Bengal witnesses the highest number of cases of domestic violence in comparison with the other 28 states of India. From

this perspective, it is essential for us to resituate this particular problem for the better understanding of the present situation.

Lastly, I would like to conclude with two newspaper reports which draw my attention and make my standpoint dichotomous. A report was published on 4th November, 2017 in Times of India featuring the story of Ratula Saha, a 30 year old model from Narayanpur, near Kolkata airport. Ratula is a victim of domestic violence by her father who also assaults her mother and brother. This report quotes Anuradha Kapoor, director of Swayam, who says, *“If one looks closely at extended families, neighbourhoods, acquaintances or friends, there will be several cases of domestic violence. All of them needn’t be physical abuse. They could be an entire spectrum ranging from verbal to psychological to sexual. They seldom come out in the open because the survivor is often in denial.”* Another report was published on 26th November in Anandabazar Patrika, a vernacular newspaper describing the suicide of Ananya Konar Sai, a 27 year old housewife from Kolkata. In her suicide note, Ananya held responsible her husband Arnab Sai for her death. She also wrote how Arnab was pressurizing her to get a job and told her she would only become a mother after fulfilling the desired condition. Ananya was a victim of emotional abuse which came to an end with her death just after 9 months of marriage. Nilanjana Sanyal, a leading psychologist of Kolkata, aptly comments on this incidence, *“Nowadays, the expectations from the wife or daughter-in-law has taken a new dimension. Previously women after marriage were expected to do household works. But at present, the educated women after marriage are expected to be employed soon so that she could contribute to run the family or would share the financial burden of her husband. This is the rule of the materialistic world where everything is getting distributed on the basis of market price. There is no room for emotion and dearth of happiness is evident in relationships...”*

These two incidents are helping me to break the preconceived notions of domestic violence. The specification of the working women from the rest is surely an encouraging attempt but violence in the sphere of domesticity knows no difference between married or unmarried, it swallows all who come under its purview. Especially for the married women, we cannot draw a boundary line. Inside the household of a working woman, irrespective of her socio-economic status she has to perform the matrimonial duties and responsibilities like a non-working woman to maintain peace and happiness. From this perspective, every working married woman is a housewife and every housewife is a nonpaid working woman. The segregation is epistemologically incorrect and ontologically unethical.

References:

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