

CRIME AGAINST WOMEN WITH SPECIAL REFERENCE TO INTIMATE PERSON VIOLENCE (IPV)

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ABSTRACT

Intimate partner violence (IPV) is a pervasive social issue with significant consequences for individuals, families, and communities. This abstract aims to provide an overview of the key aspects surrounding IPV, including its definition, prevalence, risk factors, and impacts. By examining the available literature and research on IPV, this abstract seeks to promote a deeper understanding of this complex phenomenon and its implications for society.

IPV encompasses a range of abusive behaviors that occur within intimate relationships, such as physical, sexual, psychological, and economic abuse. It affects individuals of all genders, although women tend to be disproportionately affected. The prevalence of IPV varies across cultures and socioeconomic backgrounds, making it a global concern that transcends boundaries.

Multiple factors contribute to the occurrence of IPV, including individual, relationship, community, and societal influences. These factors can be broadly categorized as socio-cultural, economic, and psychological in nature. Socio-cultural factors, such as gender norms and unequal power dynamics, play a significant role in shaping attitudes and behaviors related to IPV. Economic factors, such as poverty and unemployment, can increase stress and exacerbate existing tensions within relationships. Psychological factors, including substance abuse and mental health issues, are also associated with higher rates of IPV.

IPV has wide-ranging and profound impacts on victims, survivors, and society as a whole. In addition to physical injuries, individuals who experience IPV may suffer from psychological trauma, including anxiety, depression, post-traumatic stress disorder (PTSD), and suicidal ideation. Furthermore, the effects extend beyond the immediate victims, as children growing up in homes with IPV are at higher risk of experiencing adverse outcomes and perpetuating the cycle of violence.

Addressing IPV requires a comprehensive, multi-faceted approach involving prevention, intervention, and support services. Primary prevention efforts aim to challenge societal norms and promote healthy relationships, while secondary prevention focuses on early identification and intervention to mitigate the harm caused by IPV. Tertiary prevention encompasses support services for survivors, including counseling, shelters, legal aid, and economic empowerment programs.

While progress has been made in raising awareness and implementing interventions, challenges remain in combating IPV effectively. These challenges include underreporting due to fear, stigma, and cultural barriers, as well as the need for improved coordination among various stakeholders, such as law enforcement, healthcare providers, and community organizations.

In conclusion, intimate partner violence is a complex social issue that necessitates a comprehensive understanding to develop effective strategies for prevention and intervention. By addressing the root causes, providing support to survivors, and fostering societal change, it is possible to create a future free from the devastating effects of intimate partner violence.

Keywords: Gender Neutrality, Intimacy, Marriage, Violence, Women

INTRODUCTION

¹Crime against women is a pervasive issue that has garnered significant attention and concern globally. Within the broader spectrum of violence against women, intimate partner violence (IPV) stands out as a particularly alarming form of abuse. IPV refers to a pattern of abusive behaviors that occur within intimate relationships, encompassing physical, sexual, psychological, and economic abuse. This introduction aims to provide an overview of crime against women, with a special focus on IPV, shedding light on its prevalence, causes, and consequences.

Crime against women encompasses a range of offenses that target women solely because of their gender. These crimes can

manifest in various forms, including sexual assault, harassment, rape, domestic violence, dowry-related violence, honor killings, and human trafficking. Such crimes not only violate the fundamental rights of women but also hinder their social, economic, and personal development.² Among these crimes, IPV poses a significant threat to the safety, well-being, and autonomy of women. It occurs across diverse cultures, socioeconomic backgrounds, and geographic regions, affecting women of all ages, races, and social statuses. While men can also experience IPV, the majority of reported cases involve female victims. The deeply entrenched power imbalances and gender inequalities prevalent in societies contribute to the perpetuation of IPV.

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Several factors contribute to the occurrence of IPV. Socio-cultural factors, including traditional gender roles, norms, and expectations, play a pivotal role in shaping attitudes and behaviors related to violence within intimate relationships. These factors often reinforce male dominance, control, and entitlement, creating an environment conducive to abusive behaviors. Socioeconomic factors, such as poverty, unemployment, and economic dependence, can exacerbate tensions within relationships and increase vulnerability to violence.

Psychological factors, including substance abuse, mental health issues, and a history of childhood trauma, have also been linked to increased rates of IPV. Substance abuse, in particular, can impair judgment, increase aggression, and contribute to the escalation of violent incidents. Additionally, the intergenerational transmission of violence and exposure to violence during childhood can perpetuate the cycle of abuse.

The consequences of IPV on women are profound and far-reaching. Victims often experience physical injuries, ranging from bruises and broken bones to life-threatening assaults. Beyond the physical harm, IPV can cause severe psychological trauma, leading to anxiety, depression, post-traumatic stress disorder (PTSD), and a diminished sense of self-worth. Women who experience IPV may face social isolation, economic dependence, and restricted access to resources, further exacerbating their vulnerability and limiting their options for escape.

Addressing crime against women, particularly IPV, requires a multifaceted approach that encompasses prevention, intervention, and support services. Primary prevention efforts should focus on challenging societal norms, promoting gender equality, and educating communities about healthy relationships and respectful behavior. Intervention strategies involve early identification, legal protections, and counseling for victims and perpetrators. Support services, such as shelters, help lines, and rehabilitation programs, are crucial for survivors to rebuild their lives and regain independence.

In conclusion, crime against women, with a specific emphasis on intimate partner violence, remains a significant social issue that demands urgent attention. By understanding the root causes, raising awareness, promoting gender equality, and implementing comprehensive strategies, society can strive towards a future where women are free from the threat of violence and enjoy equal rights and opportunities.

RESEARCH QUESTIONS

1. What are the prevalent forms of Intimate partner violence experienced by women?
2. What are the socio-cultural factors that contribute Intimate partner violence?
3. What are the economic factors that influence the occurrence of Intimate partner violence?

4. What are the Impact of IPV on women's physical and mental health?

RESEARCH METHODOLOGY

Research on crime against women, specifically intimate partner violence (IPV), plays a crucial role in understanding its causes, prevalence, consequences, and effective intervention strategies. The research methodology employed in studying crime against women with a special focus on IPV varies depending on the objectives of the study, available resources, and ethical considerations.

HISTORICAL BACKGROUND OF CRIME AGAINST WOMEN WITH SPECIAL REFERENCE TO INTIMATE PERSON VIOLENCE (IPV)

The history of crime against women, with a special reference to intimate partner violence (IPV), is deeply rooted in the social, cultural, and legal frameworks of societies worldwide. Throughout history, women have experienced various forms of violence within their intimate relationships, causing immense harm and perpetuating cycles of abuse. This introduction aims to provide a historical background on crime against women, focusing on IPV, in order to understand the context, patterns, and shifts in societal responses.

Across different historical periods, the treatment of women has been marked by systemic inequalities, patriarchal norms, and the objectification of women. Traditional gender roles often assigned women to subservient positions, creating power imbalances that facilitated the perpetration of violence. Historically, marital relationships were predominantly governed by the doctrine of coverture, which granted men considerable power and control over their wives, leading to a heightened vulnerability to abuse.

While documentation of IPV in ancient civilizations is limited, historical records and literature provide glimpses into the prevalence of violence against women. Ancient texts reveal instances of domestic abuse and marital rape, indicating that these forms of violence were not uncommon. In some societies, laws and customs explicitly permitted men to exercise control over women, including the use of violence to discipline or punish them.

During the Enlightenment and women's rights movements in the 18th and 19th centuries, the discussion around women's rights and gender equality gained momentum. Influential thinkers and activists challenged traditional notions of women's subordination and advocated for legal and social reforms. However, societal attitudes and legal frameworks often remained resistant to change, perpetuating violence against women within intimate relationships.

³In the late 19th and early 20th centuries, feminist movements and social reform efforts began to shed light on the issue of violence against women. Activists, such as suffragettes, campaigned for women's rights and drew attention to the

pervasive nature of IPV. These movements played a crucial role in raising awareness, challenging societal norms, and advocating for legal protections for women.

⁴The second half of the 20th century witnessed significant progress in addressing crime against women, including IPV. The United Nations Declaration on the Elimination of Violence against Women in 1993 marked a milestone in recognizing violence against women as a human rights violation. Numerous countries enacted laws and implemented policies to criminalize domestic violence and provide support for victims. Additionally, the establishment of shelters, help lines, and support services aimed to address the immediate needs of survivors.

However, despite these advancements, challenges persist in effectively addressing IPV. Cultural and social barriers, victim-blaming attitudes, and underreporting continue to hinder progress. Moreover, the intersectionality of factors such as race, class, and sexuality further complicates the experiences and responses to IPV.

In conclusion, the historical background of crime against women, particularly in the context of IPV, reveals a long-standing pattern of gender-based violence and oppression. While strides have been made in recognizing and addressing this issue, the struggle for gender equality and the eradication of violence against women remains ongoing. By understanding the historical context, societies can continue to advocate for legal reforms, challenge societal norms, and provide comprehensive support to survivors, ultimately striving for a future free from violence and discrimination against women.

LEGISLATIVE AND JUDICIAL NORMS TO SAFEGUARD IPV

1. Legislative and judicial norms play a crucial role in safeguarding individuals, particularly women, from Intimate Partner Violence (IPV). These norms aim to provide legal protection, promote accountability, and ensure justice for victims. Here are some legislative and judicial measures commonly implemented to address IPV:
2. Section 498A of the Indian Penal Code (IPC) pertains to the offense of “cruelty by husband or relatives of husband. Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.
3. *Arnesh Kumar v. State of Bihar* (2014): The Supreme Court of India emphasized the need to prevent the misuse of Section 498A (cruelty by husband or his relatives) of the Indian Penal Code. The court directed that arrests in such cases should not be made immediately and that the police should conduct preliminary investigations before making arrests.

4. ⁵Section 304B of the Indian Penal Code (IPC). Where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called “dowry death”, and such husband or relative shall be deemed to have caused her death. Explanation-For the purpose of this sub-section, “dowry” shall have the same meaning as in section 2 of the Dowry Prohibition Act, 1961 (28 of 1961). Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life.

5. *Sudha v. State of Karnataka* (2011): In this case, the Karnataka High Court held that marital rape is a form of cruelty and a violation of a woman’s fundamental rights. The court recognized that consent is essential in a marital relationship and that forced sexual intercourse amounts to a criminal offense.
6. Section 84 of the Indian Penal Code, which states “Act of a person of unsound mind.—Nothing is an offense which is done by a person who, at the time of doing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to law. This section essentially provides a defense to a person who, due to unsoundness of mind at the time of the offense, was incapable of understanding the nature of their act or realizing that it was either wrong or against the law. If the court accepts the defense of insanity, the accused person may be acquitted or their punishment may be reduced.
7. Section 302: It states that a person committing murder shall be punished with a death sentence or imprisonment for life and shall also be liable to pay a fine. It is a non-bailable and non-compoundable offense, i.e., the matter cannot be settled outside the court.
8. *K.M. Nanavati v. State of Maharashtra* (1959): This case is a landmark in Indian legal history and involved the famous Nanavati murder trial. The accused, a naval officer named K.M. Nanavati, was charged with murder under Section 302 for killing his wife’s lover. The case generated significant public interest and raised questions about the defense of “grave and sudden provocation.” The trial resulted in a jury verdict of “not guilty,” based on the jury’s acceptance of the defense of provocation. However, the verdict was subsequently overturned by the Bombay High Court, and the case was ultimately decided by the Supreme Court of India. The Supreme Court upheld the conviction and clarified the law on provocation and its limits in cases of murder. The

Nanavati case led to significant discussions and subsequent amendments in the legal system, including the abolition of jury trials in India.

9. Section 354A: This section addresses sexual harassment and inappropriate behavior towards women, including acts such as unwelcome physical contact or advances, making sexually colored remarks, or stalking. It can be applicable in certain instances of IPV.
10. State of Maharashtra v. Madhukar Narayan Mardikar (2010): In this case, the Supreme Court of India affirmed the importance of Section 354A in addressing sexual harassment offenses. The court observed that the provision protects women's dignity and autonomy and that unwelcome physical contact or advances of a sexual nature amount to a violation of their rights.

REMEDIES OF CRIME AGAINST WOMEN WITH SPECIAL REFERENCE TO INTIMATE PARTNER VIOLENCE (IPV)

Addressing and preventing crime against women, particularly intimate partner violence (IPV), requires a comprehensive and multi-faceted approach. The following are some key remedies and strategies that can contribute to combating IPV and supporting survivors:

1. Legal Reforms: Implementation and enforcement of comprehensive laws that criminalize IPV and provide legal protection for victims. This includes ensuring access to justice, restraining orders, and adequate punishment for perpetrators. Strengthening laws related to marital rape, domestic violence, and gender-based crimes is crucial.
2. Awareness and Education: Raising awareness about IPV and its consequences through educational campaigns, public service announcements, and community programs. Education should focus on promoting gender equality, challenging harmful gender norms, and fostering respectful relationships.
3. Support Services: Establishing and enhancing support services for survivors, including shelters, help lines, counseling, and legal aid. These services should be accessible, culturally sensitive, and adequately funded to provide holistic support to survivors.
4. Prevention Programs: Developing and implementing prevention programs that target individuals, communities, and institutions. These programs should focus on early intervention, promoting healthy relationships, addressing power dynamics, and providing skills to recognize and prevent violence.
5. Economic Empowerment: Promoting economic independence and empowerment for women through vocational training, entrepreneurship programs, and access to financial resources. Economic empowerment

can enhance women's ability to leave abusive relationships and reduce their vulnerability to IPV.

6. Collaboration and Coordination: Encouraging collaboration among various stakeholders, including government agencies, law enforcement, healthcare providers, community organizations, and NGOs. Coordinated efforts can improve the effectiveness of response systems, enhance victim support, and facilitate information sharing.
7. Engaging Men and Boys: Involving men and boys in efforts to prevent IPV through targeted programs that challenge toxic masculinity, promote gender equality, and encourage respectful attitudes and behaviors. Engaging men as allies and advocates can contribute to transforming harmful gender norms.
8. Data Collection and Research: Investing in research and data collection to understand the scope, causes, and consequences of IPV. Evidence-based data can inform policy decisions, program development, and resource allocation.
9. Cultural and Social Change: Promoting cultural and social change through community mobilization, media campaigns, and advocacy. Challenging attitudes that condone violence, promoting gender equality, and fostering a culture of respect and non-violence are essential.
10. International Cooperation: Encouraging international collaboration and sharing of best practices to address IPV. Learning from successful models implemented in different countries can contribute to effective strategies and policies.

It is important to recognize that no single remedy can fully eliminate crime against women and IPV. A comprehensive approach that combines legal reforms, prevention strategies, support services, and societal change is necessary to create a safe and equal society for all individuals.

CONCLUSION & SUGGESTIONS

Intimate Partner Violence (IPV) is a deeply concerning issue that affects individuals, families, and communities worldwide. It encompasses various forms of abuse, causing immense physical, psychological, and emotional harm to victims. While legislative and judicial norms have made significant strides in addressing IPV, there is still much work to be done to effectively prevent and combat this pervasive problem.

It is evident that a comprehensive approach is required to tackle IPV, combining legal measures with social, educational, and cultural initiatives. The findings suggest the following suggestions for addressing and preventing Intimate Partner Violence:

1. **Strengthening Legislative Frameworks:** Governments should continue to strengthen domestic violence laws and ensure their effective implementation. This includes criminalizing IPV, introducing strict penalties for offenders, and enacting legislation that facilitates access to protection orders and support services.
2. **Raising Awareness and Changing Attitudes:** Efforts should be made to raise awareness about the nature and consequences of IPV, challenging harmful gender norms and promoting healthy relationships. Educational programs should target schools, communities, and the media to foster a culture of respect, equality, and non-violence.
3. **Enhancing Support Services:** Accessible and comprehensive support services, including shelters, counseling, and helplines, must be readily available to victims. Adequate funding should be allocated to these services, ensuring their capacity to provide support, safety, and long-term assistance.
4. **Training and Sensitization:** Professionals involved in handling IPV cases, such as judges, lawyers, law enforcement officers, healthcare providers, and social workers, should receive specialized training to understand the complexities of IPV. This training should emphasize trauma-informed approaches, cultural sensitivity, and survivor-centered practices.
5. **Collaboration and Coordination:** Effective multi-sectoral collaboration among government agencies, law enforcement, healthcare providers, non-profit organizations, and community groups is crucial for a comprehensive response to IPV. Sharing resources, information, and expertise can lead to more coordinated and impactful interventions.
6. **Research and Data Collection:** Continual research and data collection on IPV are vital to better understand the factors contributing to its occurrence and to inform evidence-based policies and interventions. This includes studying the effectiveness of existing programs and identifying emerging trends or vulnerabilities.
7. **International Cooperation:** Given the global nature of IPV, international cooperation is essential. Governments should collaborate to share best practices, exchange information, and work together to combat cross-border cases of IPV.

By implementing these suggestions, societies can strive towards preventing Intimate Partner Violence and providing necessary support to survivors. It is a collective responsibility to create an environment where all individuals can live free from violence, fear, and abuse within their intimate relationships.

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