

The Unsafe Home: An Analysis of Reported Domestic Violence in India

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ABSTRACT

Violence against women has been acknowledged both nationally and internationally as a violation of women's basic human rights, an issue which weakens the overall development of women globally. India enacted the *Protection of Women from Domestic Violence Act* in 2005 in order to address the issue of domestic violence. This work examines the impact of the law and women's education and economic status on reported cases of dowry deaths and cruelty by husband and his relatives in 28 states of India between the years 2001 to 2016. My study hypothesizes that the states' female literacy rate and female workforce participation are negatively associated with the rate of reported cases of dowry deaths and cruelty by husband and his relatives. This study supports the ameliorative hypothesis that higher literacy rates and advanced economic and political status help reduce the victimization of women. Also, variations are seen among the 28 states for the cases of reported dowry death rates and cruelty by husband and his relatives' rates, suggesting that rates of dowry death are significantly higher in the eastern region and rates of cruelty by husband and his relatives are significantly higher in the south and the west (compared to the north).

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GENERAL AUDIENCE ABSTRACT

Domestic violence is a global issue. It can be understood as arising from patriarchal values and gendered norms which relegate women to a subordinate position to men. India is the world's largest democracy, and India is a place where crimes against women are highly prevalent. India enacted the *Protection of Women from Domestic Violence Act* in 2005 in order to address the issue of domestic violence. This study examines the impact of the Act after 14 years of its passage. Domestic violence takes different forms ranging from physical, sexual, emotional, and psychological violence. This study focuses on two forms of domestic violence: dowry deaths and cruelty by husband and his relatives against the wife. It focuses on the analysis of reported cases of the two crimes. In this study, data from various Indian governmental websites have been collected and analyzed to demonstrate rates of domestic violence for all the states of India. The purpose of this study is to examine the impact of women's status—operationalized as female literacy rate and female workforce participation—on the number of reported cases of domestic violence in Indian society from 2001 to 2016. This study supports the ameliorative hypothesis, which argues that places in which women have higher status report lower rates of victimization.

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Introduction

Intimate partner violence (IPV) is the most common form of violence against women globally (Women, 2018). The World Health Organization defines IPV as "... any behavior within an intimate relationship that causes physical, psychological or sexual harm to those in the relationship, including acts of physical aggression, sexual coercion, psychological abuse, and controlling behaviors" (Organization, 2012). IPV affects women across the life span from cruel behavior by husbands or in-laws in society to forced suicide and abuse (Garcia-Moreno, Jansen, Ellsberg, Heise, & Watts, 2006). According to data of UN Women, more than one-third of women in the world have experienced intimate partner violence in their lives. Intimate partner violence, either physical or sexual, heightens the risk of various mental and physical problems such as depression, suicidal tendency, HIV infections, and many times even homicide death.

Since the early 1990s, various world forums such as the World Conference on Human Rights and the Declaration in 1993 and the World Health Organization (WHO) (Garcia-Moreno et al., 2006) expressed that the problem of women abuse is a matter of public health, human rights, and social concern. The Commission on Human Rights (UN) appointed the first rapporteur for violence (specifically for women) to ensure the accountability of governments in different countries. In 1995, the Fourth World Conference on Women was held in Beijing, China. One of the main agendas known as the Platform for Action of this meeting was to list concrete actions to be taken by governments and the UN to eradicate violence against women (Nations, 1995). The United Nations Commission (2013) on the Status of Women exclusively discusses the complete eradication of all forms of violence against women and girls. The UNiTE movement of the UN emphasizes eradicating domestic violence against women by following the Millennium Development Goals, 2000-2015 (Devries et al., 2013). In another initiative in 2017, the UN and

European Union (EU) launched a global effort to eliminate violence against women by 2030 (Fund, 2017). The Sustainable Development Goals of UN, goal number 5, primarily focusses on promoting gender equality and empowerment of women (United, 2018). In the global context of intimate partner violence, South Asia specifically India has a large share, which cannot be ignored. The Indian subcontinent (including Pakistan and Bangladesh) contributes to 37% of total cases of intimate partner violence, which is more than the average global figure of 33% (WHO, 2010). The intimate partner violence ranges from 23.2% in the high-income countries, 24.6% in the Western Pacific Region, 37% in the Eastern Mediterranean region, and 37.7% in the South-East Asia region. Sharma (2015) finds that about 70% of Indian women have faced domestic violence once in their lifetime, which is much more than the already high global average of nearly a third of women (Women, 2018). A majority of these cases are "cruelty by husband or his relatives" (32.6%), followed by "assault on women with intent to outrage her modesty" (25.0%), "kidnapping and abduction of women" (19.0%) and "rape" (11.5 per cent) (NCRB data 2016). These are merely the number of reported cases of crimes against women. The numbers are grossly below the actual incidences. The National Family Health Survey conducted in 2015-2016 helps in analyzing the trend in the under-reporting of cases of domestic violence by comparing data on real crimes with data recorded with NCRB. The comparison states that approximately 99.1 % of the cases of domestic violence go unreported (Pramit & Tadit, 2019).

Considering this situation of violence against women, the Indian government enacted a law against domestic violence in September 2005. It is known as the Protection of Women from Domestic Violence Act of 2005 (PWDVA), and it came into force on October 26, 2006. The main focus of this legislation is women (instead of both partners) because in most reported cases, men are the offenders and women are the victims (K. India, 2018). According to this law, domestic

violence includes, for example, harms or injuries which endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person (e.g., physical abuse, sexual abuse, verbal and emotional abuse, and economic abuse); harasses, harms, injures or endangers the aggrieved person related to an unlawful demand for any dowry or other property; or otherwise injures or causes harm, whether physical or mental, to the aggrieved person. This law covers all the women in a household, not only wife.

Despite the PWDVA of 2005, many cases of domestic violence go unreported. Hadi's (2018) study about domestic violence in Pakistan argues that men use force to overpower and suppress women and to silence them. It is a display of the systemic unequal power relationship in patriarchal societies. For the sake of its existence, patriarchy makes violence necessary (Hadi, 2018). Domestic violence is common despite strong laws against it. Most cases of domestic violence are primarily ignored and considered as a private matter which is not discussed in public; hence, there should be no external intervention (Hadi, 2018). Patriarchal norms privilege men and justify the subordination of women (Ahmed-Ghosh, 2004). In patriarchal societies, women are seen as an 'object' rather than a 'subject' and are given low status in the community (Hadi, 2018). In this system, women and children are deemed inferior to men in the family, and intimate partner violence is seen as a private household matter; hence, domestic violence is under-reported (Hadi, 2018). Scholars have argued (Jacob & Chattopadhyay, 2019) that continuing gender inequality and societal gender norms perpetuate the problem of domestic violence and discourage women from coming forward (Jacob & Chattopadhyay, 2019).

The purpose of this study is to examine the impact of women's status—measured as states' female literacy rate and female workforce participation rates—on the number of reported cases of domestic violence in Indian society from 2001 to 2016 while considering whether rates increased

due to the passage of the PWDVA in 2005. Specifically, the current study focuses on the analysis of reported cases of dowry deaths and cruelty by husband and his relatives. Dowry is an amount given by the brides to the groom's family in marriage. When the bride's in-laws are dissatisfied with the given dowry or when the bride or her natal family fails to meet the demands for dowry, the scenario of abuse and violence begins against the bride. Dowry-related violence happens after the marriage, when the groom and his family try to extort more from the wife's family. In this study, data from various Indian governmental websites were collected and analyzed to demonstrate rates of domestic violence for all 28 states of India. In the following section, I review both patriarchal practices and socialization, and gendered economic inequalities in India, which shapes the occurrence and underreporting of domestic violence.

Literature Review

Patriarchal Practices and Socialization in India

The occurrence of violence against women has been explained in the context of patriarchy, which is systemic in society and privileges men, who occupy positions of institutional power (Haq, 2013). Fernandez (1997), in his work on domestic violence by extended family members in India, argues that women in India are socialized from a young age to believe that they are subordinate to men and they are merely a guest in their own home. They are also made to think that they rightfully belong in their husband's home (Fernandez, 1997). A clear message on gender-specific roles is imposed on them. For example, cooking, house cleaning, and raising kids are works only for women. Men are supposed to earn for the family; hence, they are the head of the families. In India, divorce is rare; only one in eight couples divorce (Post, 2011). A woman is separated from her family of origin when she marries. So, she has no family to come back to if her husband abuses her. A woman's parents may not want her back after marriage, because a woman is socialized into thinking that her real family is her husband's family. This situation is part of the patriarchy system.

In India, there is patriarchy, and there is Brahmanical patriarchy. Within Brahmanical patriarchy, the ordering of society was based on the ownership of land (Chapman, 2014; Uma, 2003). Kumkum Roy (Roy, 1991) through her study on the ancient Brahmanical texts, argues that there was a connection between production and reproduction. Control over production was by the king, and control over reproduction was by the head of the household. Thus, in two parallel processes patriarchal control over production and reproduction (reproduction because the lineage is patrilineal), and the subordination of women was established (Uma, 2003). The priests were the ones who ritualized patriarchy, and the kings implemented it. Importantly, Brahmanical patriarchy is accepted among women. The foundation of this acceptance is the concept of pativrata or wifely

duties, which is present in ancient texts and is considered sacred. Pativrata means total devotion of a wife to her husband, her lord. A woman's everything is her husband (Uma, 2003).

In his study on domestic violence in independent India, Chapman (2014) argues that adolescent girls are trained to believe in pativrata and later on when they become wives, they tend to lead a life with the idealized notions of a wife (Chapman, 2014). Uma Chakravarti (2003) defines the pativrata doctrine as a masterstroke of genius. According to her, it is the most successful doctrine of patriarchy in the Indian Brahmanical context. Women many times think that they would gain respect and power by adopting the idealized codes. Recent self-report surveys shed some light on how women and girls internalize attitudes that justify domestic violence in India. Among 15-49-year old, 57% of boys and 53% of women justified wife-beating (Ramadurai, 2013). Thus, the majority of women feel that wife-beating is acceptable, even though significant numbers face domestic violence themselves (Kimuna, Djamba, Ciciurkaite, & Cherukuri, 2013).

In her work about different forms of atrocities against women, Krishnaraj (2007) discusses the patriarchal system in terms of male dominance through superior rights, authority, and privileges which leads to the socialization of men and women in different gender roles structurally, which is often disempowering to women. Primary importance is given to the control over her sexuality and its safe transferal into the husband's hands (Krishnaraj, 2007).

Dowry and its Demands

In this section, I review how patriarchal and economic practices and customs contribute to violence against women in India, in the forms of dowry violence and cruelty by husband and his relatives. The dowry system, which was once a custom in the upper castes among Hindus became prevalent across all castes, classes, and religions in the post-Independent India (Samanta, 2009). Dowry is an amount given by the brides to the groom's family in marriage. In contemporary India,

the dowry system is not only embedded into society culturally, but it also exists because it is a symbol of social prestige. It is an issue of prestige to both taker and giver. The giver believes that the daughter will have a good marriage with more dowry, while the taker believes that the sons will have a good reputation with more dowry (Samanta, 2009).

Dowry, in its contemporary form, has become a means of extortion, it is a way to extract more and more from the bride's family. It not only includes gold; it provides property assets like house, land, and other items like television, cars, refrigerator, air conditioners, microwave, clothes and also cash. It is a form of consumerism (Mandelbaum, 1999) as one wants the best possible products and the highest number of products. It is seen as a gift to evade the laws, even though it is extortion. Dowry demand by the groom's family is impacted by the wealth of family as well as the attractiveness of the woman.

Dowry plays a central role in these processes. Dowry is now a part of consumerism in India. Being a part of the economy, it gains more importance in contemporary time. Due to its deep consumeristic importance in terms of property assets, household items, jewelry, cash and various other forms, the dowry system has spread widely in India, including the rural poor, lower caste people (both urban and rural), among non-Hindu communities like Muslims and Christians (Samanta, 2016). The new bride instead of being seen as a new member of the family, is measured in terms of the dowry she fetches and her capability to give birth to sons (Ahmed-Ghosh, 2004). Most violent acts take place in the context of dowry demands, such as when the in-laws pressurize the bride to ask for financial assets from her parents as dowry (Dube, 1988). Because of the large number of murders among Indian women from stringent dowry demands, the Indian government enacted a law called the Dowry Prohibition Act 1961.

Domestic violence in India is somewhat unique because the male partner and his family members in many cases, live together in a joint household, and they collectively commit violent acts against the women in the relationship. The consequence of this situation is that women are hesitant to protest against the abusers as women consider the abusers to be part of their own family (Ahmed-Ghosh, 2004). There is a close association between dowry and violence against the new brides by husbands and his relatives as violence occurs as a form of punishment for not meeting the dowry demands of the in-laws during or after marriage (Banerjee, 2013). The social justification for the custom of dowry is that it helps in increasing a groom's wealth and provide a marriage opportunity to a less educated or simple looking woman, for whom marriage might otherwise be difficult (Chapman, 2014).

According to Hester (2013), domestic violence is a gendered phenomenon where men abuse women. However, examples exist in India, where women have conducted violence against other women in numerous cases. The most common violence where women are also the offenders is when violence occurs against young females of the family where the mother in-laws are the perpetrators in dowry-related cases (Gangoli & Rew, 2011). An Indian study by some scholars indicates that 33% to 40% of domestic violence cases include the more extensive household, including female relatives of the husband as offenders of violence. In a patriarchal society, and culturally emphasized, a son brings status to his mother. It is she who is elevated socially by giving birth to a son. This is the reason why a son has special place in a mother's life. Derne (2006) is of the view that in many cases mother in-laws view daughter in-laws as threats to the mother-son relationship as they consider their sons to be extremely precious (Derne, 2006). A mother-in-law has power over the bride, and hence many cases of abuse with women (especially mother-in-law) as abusers are reported.

Education, Economic Participation, and Domestic Violence

It has been argued that patriarchal structures and economic or social inequalities produce domestic violence (Marium, 2014). Marium (2014) argues that a low literacy level among women contributes significantly to domestic violence. Uneducated women are economically less productive, and hence, they have a very minimal role in decision making in the family (Arends-Kuenning & Amin, 2001). Thus, they are in a subordinate position as compared to husbands. Low levels of education among females is typical in many developing countries, such as Pakistan, Bangladesh, and India. (Marium, 2014). Because of the link to violence against women, it is essential to assess women's educational attainment and economic participation in India. Boyle et al. (2009) argue that education might have an indirect impact on domestic violence. Education can influence beliefs, self-image, and capability of women and can lead to a change in their attitudes towards domestic violence. It can lead to a reduction in tolerance for any abusive behavior and lower risk of experience of violence or abuse. More literacy would help in more liberal ideas and values related to women's rights and less tolerance towards abuse by the hands of the partner or his family members (Boyle et al., 2009). Simister and Makowiec (2008) also argue that domestic violence among women is less common if the literacy level among females is high. They also noted that acceptance of violence depends on the victim's education level (Simister & Makowiec, 2008).

Women in India can broadly be categorized as rural and urban. According to the (Indian) National Family Health Survey (NFHS) 4, the experience of physical violence is more common among women in rural areas (32%) than among women in urban areas (25%) (NFHS, 2015). Low literacy levels worsen domestic violence in rural India among women, more dominant cultural norms, poverty, and limited access to support services for victims (Marium, 2014). Women's

participation in the economy is still weak, mainly because of the problems associated with their gender roles, especially in rural areas. In 2011, the overall Workforce Participation Rate was 25.51% for females and 53.26% for males. While there was no rural-urban gap for males (53%), there was a considerable rural-urban gap for females (rural - 30%, urban - 15.4 %) (Vikaspedia).

Weitzman (2014), in his study about intimate partner violence and men's and women's status in India, argues that a wide gap exists between status of men and women in India. 76% of women in India are likely to enroll in college (for a bachelor's degree) as likely as men. However, out of this 76 % women, merely 36% likely participate in the labor force and 15% of those who participate in the labor force, probably get right positions like a manager, senior official, or legislator (Bank, 2018). In a case where such inequalities are present, women who are financially independent can be seen as a threat to gender roles in which masculinity means a man's capability to control and assure monetary prospects of his family and women, in contrast, are expected to be homemakers and to be restricted to the domestic realm (Weitzman, 2014). Ghose (2004) did a study on employment in India and argued that only 37% of women who have a college-level (bachelors' degree) education in India are participants in the labor force.

Due to persistent social pressure in support of marriage, women feel threatened to come out of an abusive relationship, even if they have their own resources (Weitzman, 2014). Weitzman (2014) further argues that an inverse relation between women's financial independence and domestic abuse would indicate that women's economic assets could lead to a reduction in victimization by enabling to draw material concessions to their husbands. In case where this situation does not exist, a woman's superior status will increase violence, thereby restricting women to participate in any economic activity or opportunities (Weitzman, 2014).

A stable and easily accessible financial passage plays a very significant role in living a life free of abuse and violence for the women experiencing domestic violence (Showalter, 2016). Much prior research has established the fact that domestic violence is linked to financial dependency on abusive partners, thus restricting women from leaving them (Strube & Barbour, 1983). As the male partner/husband sees that the wife is self-dependent, he could feel the pressure of challenge to his masculinity. Generally, it is assumed that a low literacy rate of women contributes as a vital factor of domestic violence. Being uneducated makes the women economically less productive, and it is usually this case that they are seen to have less negotiating power in the family (Arends-Kuenning & Amin, 2001). Thus, their position is subordinate to their husband's place in the family. This subordinate position of women to men can also be found in the concept of Brahmanical patriarchy as discussed earlier. The gender norms are such that the woman's place is considered to be the father's home before marriage and the husband's home after marriage. This strong systemic patriarchy leads to difficulty in getting a divorce, as the stigma lies on a woman more than the man. This is also pertinent to her not being able to leave an abusive marriage.

Domestic Violence Legislation in India

Women's activism started to gain momentum after 1970 in India (Patherya, 2017). Several events and discussions began to analyze the hollowness in the fundamental rights and political representation of women and gender discrimination (Jaising, 2009). The Indian government appointed a committee to look into the matter of constitutional provisions as well as legal and administrative provisions which are related to the status of women in India. The committee submitted a report titled "Towards Equality" in 1974 in which it stated that gender disparities had increased and the social and cultural institutions in the Indian society prevent women from

accessing constitutional and legal rights. The deaths of brides by accidents in the kitchen started to make a significant appearance in crime data in the 1970s and 80s (Patherya, 2017).

In response to these issues of accidental kitchen deaths of women or as it is termed "bride burning" related to dowry demands after marriage, Section 304B in the Indian Penal Code (IPC) in 1986 created a new offense of dowry death. This new provision paved the way for prosecution of husband and in-laws of a woman if she died as a consequence of burns or due to any other injury within seven years of marriage under suspicious circumstances and also if it could be shown that the woman was subjected to harassment by husband or in-laws because of dowry demand (Government, 1961). A consensus among judges and lawyers was established on the seriousness of the crime. A national-level colloquium on domestic violence was developed which involved lawyers, academicians, activists, and appellate judges. The colloquium drafted a proposal, and between 1998 and 2002, a discussion started over the proposal. The discussion involved numerous meetings with a number of women organizations, which led to tabling of the bill in the Indian parliament in 2002 (Jaising, 2009).

Furthermore, the PWDVA 2005 was the outcome of a long battle and tireless campaign against domestic violence by the women activist group in India. Indira Jaising (2009) argues that feminist involvement with domestic and dowry violence began long back in the 1970s and was discussed for the first time in public (Jaising, 2009). The movements and agitations by different women groups pressured state to investigate the matter of deaths by fire. The campaign paved the way for Criminal Law (Second Amendment) Act in 1983. It introduced Section 498A in the Indian Penal Code (IPC). According to this section, cruelty against the wife by husband and his relatives was made a cognizable, non-bailable offense with up to three years of imprisonment and fine. Cruelty included physical and mental cruelty or any harassment linked to dowry demand. As

dowry deaths occur within the walls of the house, it is difficult to find a witness for the criminal activity. Hence, in the case of dowry deaths, a dying declaration by the victim is also considered as substantial evidence in establishing the case (Shukla, 2017). Another reason for counting dying declaration as evidence is because much sanctity is attached to the words of a dying person because a person on a death bed is not likely to lie (Shukla, 2017).

PWDVA was landmark legislation because it conformed to the constitutional provisions of equality, non-discrimination, and right to life and liberty. It also symbolized compliance by India to the [1979] Convention against Elimination of All Forms of Discrimination Against Women (CEDAW), an international Bill of Rights for women. The Act is a civil law required to provide emergency relief to women in the form of protection orders, financial assistance, and compensation orders. It offers functionaries like Protection Officers and Service Providers with primary duties to help women to access reliefs provided under the law (Care, 2016). The Protection Officer is the key person for assisting women from the very first stage. The officer has to help a woman file her case, then take the case to court and secure that the court orders for relief to be adequately implemented and accepted by the respondent (Ghosh & Choudhuri, 2011). This law also provides for service providers for shelter, medical facilities, and NGOs. The NGOs can help the victims to register their cases with the police. The Indian government has also made efforts in creating all women police stations in order to facilitate crime reporting by women. opening of police stations increased reported crime against women by 22 percent (Amaral, Nishith, & Bhalotra, 2018).

The Underreporting of Domestic Violence in India

Despite these pieces of legislation, girls and women in India are suppressed because of the societal pressure not to report any abuse, be it sexual assault, physical assault, or molestation

(Sharma, 2015). This scenario leads to underreporting of cases of violence, gives an upper-hand to criminals, leads to the subordination of the role of women within society, and infringes on their human rights (Ghosh, 2013). In a report (2012) of the National Crime Records Bureau (NCRB), around 0.25 million crime cases against women were reported. A significant portion of these crimes was abuse by the husband or his relatives. However, these data are grossly under-reported. The actual number of domestic incidences is much higher than the reported cases (Bureau, 2012).

Reporting of incidences of domestic violence is the first step towards ending the silence, and it can be considered a move towards resisting female victimization (Kethineni, Srinivasan, & Kakar, 2016). The reporting has many risks involved in it. The family can disown the victim, humiliation by police can occur, or violence can increase due to retaliation (Jacob & Chattopadhyay, 2019). How a victim is treated after the *act* of domestic violence has an impact on the recovery of the victim. Family, friends, and neighbors can help a victim overcome the trauma (Jacob & Chattopadhyay, 2019). India, in many regards, lacks infrastructural and medical facilities to help the victim and minimize her trauma (Jacob & Chattopadhyay, 2019).

Further, due to the deep-rooted patriarchal mindset within legal institutions, domestic violence is generally considered to be a private family matter (Jacob & Chattopadhyay, 2019). Women prefer to seek help first from parents and health-care providers (Mahapatro, Gupta, & Gupta, 2014). The fact that formal routes are present to report domestic violence, a vindication of cases of domestic violence takes place on the pretext of kinship ties and forces the victim to settle the dispute and stay back rather than separate or divorce (Vatuk, 2013). Because of the underreporting of domestic violence, official rates need to be treated with caution and not framed as prevalence or occurrence rates.

In the current scenario, the cases mentioned in NCRB data excludes the actual incidences of domestic violence filed under section 498A, section 304B, and section 306 in the IPC. The three sections are for cruelty by husband and his relatives, for dowry deaths, and abetment of suicide, respectively. Moreover, the cases including the matter of protection from husband and relatives, and maintenance in case of domestic violence are not recorded by the NCRB. Instead, they are registered with the court under the PWDVA. The women activist groups have not been able to access this data despite a lot of efforts (Chachra, 2017). Chachra, in her study, also argues that the NCRB data does not show the actual trends in domestic violence correctly because there is an evident disproportion between the data of NFHS 4 and the reported data of NCRB. There is a drop of 27.2% in the reported cases and the actual instances mentioned in NFHS 4 conducted in 2015-2016 (Chachra, 2017).

Underreporting of cases occur because victims are hesitant to approach the police, or discuss violence with anyone in the family or with friends, feel suppressed by social norms, or they fear demands for bribery or may be abusive treatment (Aaron, Marwah, & Rita, 2015). Police may be unwilling to take up the matter as they are many times pressured to suppress the reported crime rates in their designated areas. Karp et al. (2015) argue there is massive under-reporting of crimes against women in India. They quote a study in 2010, where approximately 66% of New Delhi's women had faced sexual harassment in the previous year (Aaron et al., 2015). With a total of 16.8 million residents of Delhi, of which 7.8 million were females, roughly five million females were subjected to sexual harassment. However, little of this harassment was recorded in official crime data (Aaron et al., 2015).

One of the reasons for under-reporting is the hesitant attitude among women regarding the natal family's willingness and capability to support her (Jacob & Chattopadhyay, 2019). The

willingness and capability to support the victim depend significantly on poverty and patriarchal norms of the family. Many women believe that their families would not be able to bear their "burden," especially when they have children. This belief stops them from reporting abuse (Jacob & Chattopadhyay, 2019).

Many formal and informal institutions are available in India to address crimes related to domestic violence. However, due to the lack of responsibility and carelessness, issues related to violence against women remain unsolved. A Caste Council or Jati Panchayat is one of the formally organized units in Indian society (Iyer, Mani, Mishra, & Topalova, 2012). The principal objective of Caste Council is to maintain the unity of the caste and to solve the critical issues associated with that community. Caste panchayats are more influential in villages than in cities. These kinds of judicial setups always lack women representation and mainly increase the caste divide in society. In general, these panchayats do not favor women much in their judgments (Iyer et al., 2012).

Theoretical Perspective

Feminist approaches to domestic violence draw links between social and economic gender inequality and violence against women (Hackett, 2011). These relationships are systemically embedded in patriarchal institutions like the family and societal gender norms in Indian society. There are three different hypotheses namely, the ameliorative hypothesis, the protective hypothesis, and the backlash hypothesis. These three hypotheses can have either positive or negative impact on the rates of female victimization. The ameliorative hypothesis argues that higher education and advanced economic and political status help to decrease the victimization of women. The protective hypothesis explains that higher political status helps to promote female welfare and social security. In sharp contrast to these two hypotheses, the backlash hypothesis

argues that as women attain higher social, economic, and political status, female victimization rates increase (Liu & Fullerton Jr, 2015).

Liberal feminists argue that male dominance is responsible for violence against women (Chon, 2016). Equal access to employment opportunities, income, promotion, and legal provisions and assistance could help to reduce the number of violent crimes against women (Vieraitis, Britto, & Kovandzic, 2007). The ameliorative hypothesis explains that if the status of women is increased in the society, the cases of incidences of violence against women will decrease (Liu & Fullerton Jr, 2015). In recent times, female workforce participation has increased. Thus, the number of females with economic power, thereby gender equality, continues to grow (Chon, 2016). The protective hypothesis argues that female victimization will decline as women gain political power, which would help support changes socially and also at policy level which would help in improving women's condition in society (Liu & Fullerton Jr, 2015). However, the backlash hypothesis challenges these views of liberal feminists. This hypothesis maintains that growing gender equality heightens women's victimization (Chon, 2016). Once males realize that the increased social status of women threatens their social status or masculinity, they are more likely to use violence against females to maintain their dominance (Chon, 2016).

According to Vauqueline, socialization theory argues that, depending upon cultural outlooks, social practices become gendered (Vauqueline, 2015). Ideas which promote inferiority or superiority of either sex and push stereotyped gendered roles pose a constraint on achieving gender equality. In India, the process of sex role socialization considers violence within a family as legitimately enacted by men (Vauqueline, 2015). Girls are socialized into the status of the victim, and they are taught to be passive and to conform to the control of men. In the same way, boys are taught to exhibit their power and authority (Marsh, Cochrane, & Melville, 2004). A gender role

socialization perspective argues that when a man's ability or gendered masculine identity is threatened, he may try to re-install it through the use of physical coercion (Marin & Russo, 1999).

The purpose of this research is to help the reader understand how dowry, specifically Indian custom, is patriarchal in nature; and how it victimizes women. Though women face abuse in their homes, the incidents are under-reported. The under-reporting is because of the fact women fear reporting involves many risks. The government passed the laws to protect women against abuse and violence, however, the cases of reported dowry deaths and cruelty by husband and his relatives against the wife still feature in the crime chart. As discussed above in the ameliorative and protective hypotheses, possibly, better education and income opportunities may be related to lesser dowry violence.

The Current Study

In the current study, I build upon research on domestic violence in India by investigating the cases of cruelty by husband and his relatives and dowry deaths. India is a very diverse country with twenty-nine states. All the states differ in demography, culture, language, ethnicity, religion, and their prevalence of domestic violence. According to the National Family Health Survey, the highest female literacy rates are in Kerala (92%), and Rajasthan has the lowest rate (52.6%). Female workforce participation varies in rural areas from 52.9% to 5.8%, and urban areas, from 30% (in Kerala) to 5.4% (in Bihar) (o. India, Census, 2011). Spousal violence ranges from 6% in Himachal Pradesh to 59% in Bihar and is more common in rural (32%) than urban areas (25%) (NFHS, 2015).

A variety of cultural norms is present across the country, which affects gender roles and attitude towards domestic violence. Mayer (2006) argues that a striking difference in the regional pattern exists in states in the north like Uttar Pradesh and Punjab, where citizens have a more patriarchal and sexist outlook than in southern states like Kerala and Tamil Nadu, which have a more egalitarian, less sexist and educated outlook. Also, a disparity exists within the states between the experience of domestic violence among the victims, depending upon the residency of the victims, which is rural or urban (Mayer, 2006). This is because industrialization and modernization have changed the face of India. This finding is supported by Koeing et al. (2006) who argue that the determinant of domestic violence in Uttar Pradesh is economic pressure, lack of assets, low education. A study by Visaria (2000) in rural Gujarat revealed that economic stress leads to marital violence, especially in women of the lower class (Visaria, 2000).

As discussed above, the Indian states are different in terms of demography, culture, and women's status and resources. Numerous scholars have linked women's status to the occurrence

and reporting of violence against women in a variety of countries. Reporting is uncommon because it involves risks such as a lack of acceptance by families, humiliation by police, and an escalation of violence (Aaron, Marwah, & Rita, 2015). Thus, it is challenging to interpret reporting rates as prevalence rates. For instance, in 2015, over 113,000 cases were filed under the section called "cruelty by husband and relatives" by the NCRB. This figure is an 80% increase from 2006, in which approximately 63,000 cases were filed (Bureau, 2015). The increase could be either because of an actual increase or because of the increase in reporting adhering to the fact of awareness about the law, rather than increasing in the crime (Manisha, 2017).

Because of this underreporting, I consider higher rates a reflection of women's willingness to report and agencies' willingness to intervene on behalf of women's safety and rights. I examine how the female literacy rate and female workforce participation, as indicators of women's status, are associated with reported rates of cruelty by husband and his relatives and dowry deaths in the different states. In states with higher female literacy rates and female workforce participation rates—where they are more empowered and are more aware of their rights and privileges—I expect there to be *ameliorative* and *protective* processes that prevent women from being the victims of violence in the home. I hypothesize the following:

H1: States' female literacy rates are negatively associated with their (a) dowry death reporting rates and (b) cruelty by husband and relatives reporting rates.

H2: States' rates of female participation in the workforce are negatively associated with (a) dowry death reporting rates and (b) cruelty by husband and relatives reporting rates.

The current study will analyze the effect of female literacy rate and female workforce participation rate on the rate of reported dowry deaths and cruelty by husband and his relatives.

Also, it will examine why the change in the rates of reported dowry deaths and cruelty by husband over time, from the years 2001 to 2016, during which the PWDVA (2005) was passed.

Data and Methods

This research utilizes a quantitative approach. The data have been collected from multiple sources. These sources are Indian government websites for the National Crime Records Bureau of India, the Census of India, and NITI Aayog. In these analyses, the state is the unit of analysis. Rates of dowry death and cruelty (the dependent variables) and female literacy, workforce participation, and female population (the independent variables) were collected and calculated for each state. Crime rates were collected for the years 2001 to 2016 in order to assess change over time. Because the census is only conducted every ten years, yearly data for female literacy and female population is unavailable. Thus, for the years 2001-2010 the census data of 2001 has been used. For the years 2011 to 2016, the census data of 2011 has been used.

Dependent Variables

The National Crime Records Bureau (NCRB) was set up in 1986 to act as an archive of information on crime and criminals in order to support the investigating agencies for finding out links between crime and perpetrators. The database could help the investigators in analyzing the trend of crimes. It is an Indian government agency accountable for collecting and analyzing crime data as defined by the Indian Penal Code (IPC) and Special and Local Laws (SLL). The headquarter of NCRB is in New Delhi. NCRB is part of the Ministry of Home Affairs (MHA), Government of India (Bureau, 2019). Data are collected by the NCRB from the police departments every year and compiled into the Crime in India report. The report contains information on the different crime rates on the Indian states. The NCRB is the source for the two dependent variables in the study: dowry deaths and cruelty by husband and his relatives.

Dowry death reporting rate: The rate of dowry deaths was calculated for each state with the following equation:

Dowry death reporting rate = (number of reported dowry deaths/number of women living in the state) *1000

Cruelty by husband and his relatives: The rate of cruelty was calculated for each state with the following equation:

Cruelty reporting rate = (number of reported cruelty incidents/number of women living in the state)
*1000

Independent Variables

Female literacy rate: The female literacy rate is defined as the total female population of an area aged seven and above who can read and write. Data for this variable were gathered from the Indian government website for the Census of India, the largest single source of a range of statistical information on various characteristics of Indian people. The Office of the Registrar General and Census Commissioner under the Ministry of Home Affairs, Government of India conducts the decennial census for India. It was established in May 1949 (C. o. India, 2011). Census data are published every ten years. The literacy rate in the census is calculated as follows:

Female literacy rate = (Number of literate persons aged seven and above*100)/ Population aged seven and above.

Female workforce participation rate: This variable has been categorized into two parts: rural and urban, for each state by the National Institution for Transforming India (NITI) Aayog in order to assess the workforce participation in rural and urban areas individually. The source for the data is the NITI Aayog website of the government of India. The NITI Aayog was formed on January 1, 2015, through a resolution. NITI Aayog is the premier policy 'Think Tank' of the Government of India, providing both directional and policy inputs. It was established to achieve Sustainable Development Goals and to promote cooperative federalism among the Indian states

and the central Indian government (National Institution for Transforming India, 2019). This variable is measured as the number of females working per thousand females in the region. The workforce participation rate among women includes activities such as government job services, private firm jobs like work in companies, factories, domestic help, engagement in other economic activities such as animal husbandry, poultry, agricultural labor, tailor, weaver, and other professions.

Control Variables

Female population: The source for this variable is the Census of India website.

Region: The states have been categorized as North, South, East, West, Central, and North-eastern depending upon the geographical location of the states by the Geological Survey of India. North is the reference group because it contains Uttar Pradesh and Bihar, the two states which have high crime rates against women. They have a more rural population and female literacy rate as well as female workforce participation rate are also low here. Uttar Pradesh comprises 17.15% share of the total Indian population while Bihar comprises about 9% share of the total Indian population (Statistics, 2018). Other states in the north with significant populations include Punjab, Haryana, Delhi NCR. Due to this high population, the number of reported cases of crimes is also high in the north. The northern states are open areas with a significant focus on agriculture; hence, the rural population is more in these states, and female literacy level is low. Due to the low level of female literacy level, the female workforce participation rate is also low.

Year: Data were collected for the years 2001 to 2016, and the year is included as an independent variable to assess change over time.

Analytic strategy

Because both of the dependent variables are continuous variables, I use OLS regression. I use multiple regression analysis via Stata 15.1 to determine the effects of female literacy rate and female workforce participation rate on the rates of dowry deaths and cruelty by husband and his relatives.

Results

Figures 1 and 2 depict the variation in the reported cases of dowry deaths and cruelty by husband and his relatives against the wife respectively, region wise for the years 2001 and 2016. The years 2001 and 2016 have been chosen for this analysis because, in this figure, the rate of the two crimes has been depicted. In order to get a better view of the trend in the rate of reported dowry deaths and rate of reported cases of cruelty by husband and his relatives after the enactment of PWDVA, it is good to analyze the trend for a past few years instead of directly analyzing for the year of enactment of the law. Figure 1 shows that eastern and northeastern states show increases in rates of reported dowry deaths from 2001 to 2016 in comparison to other states.

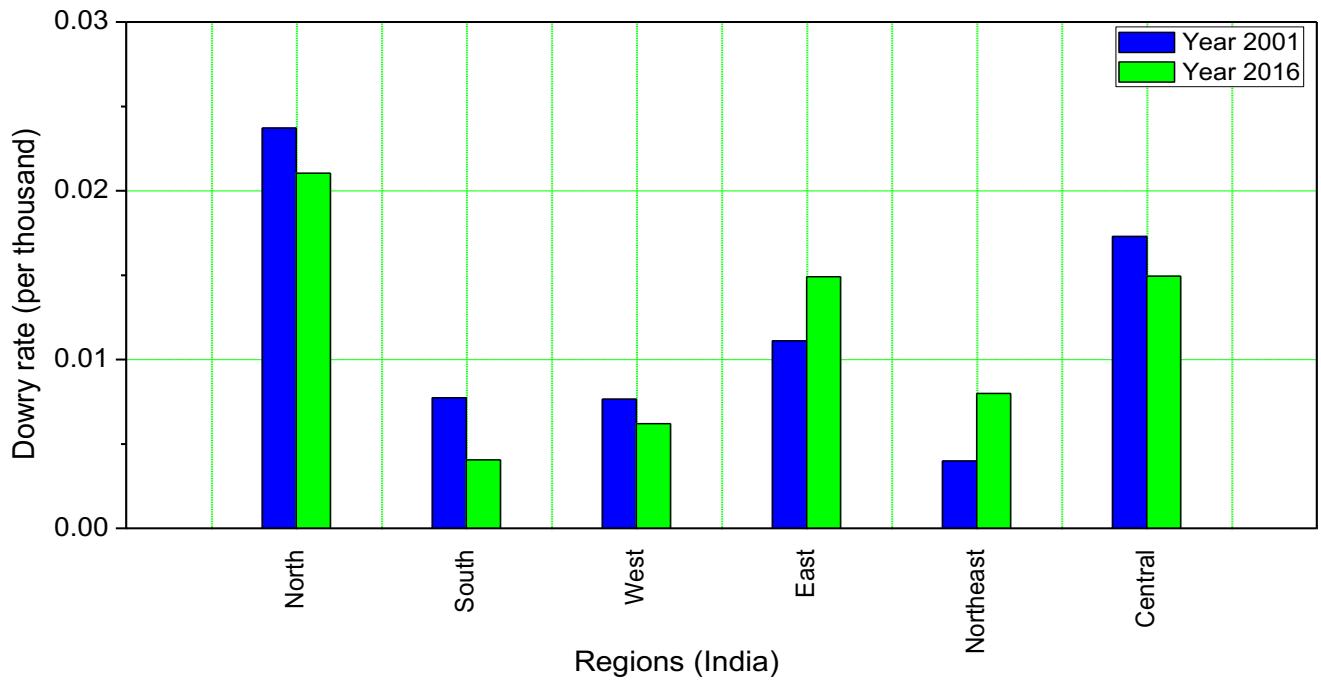


Figure 1: Reported rates of dowry death cases region wise in 28 states for the years 2001 and 2016

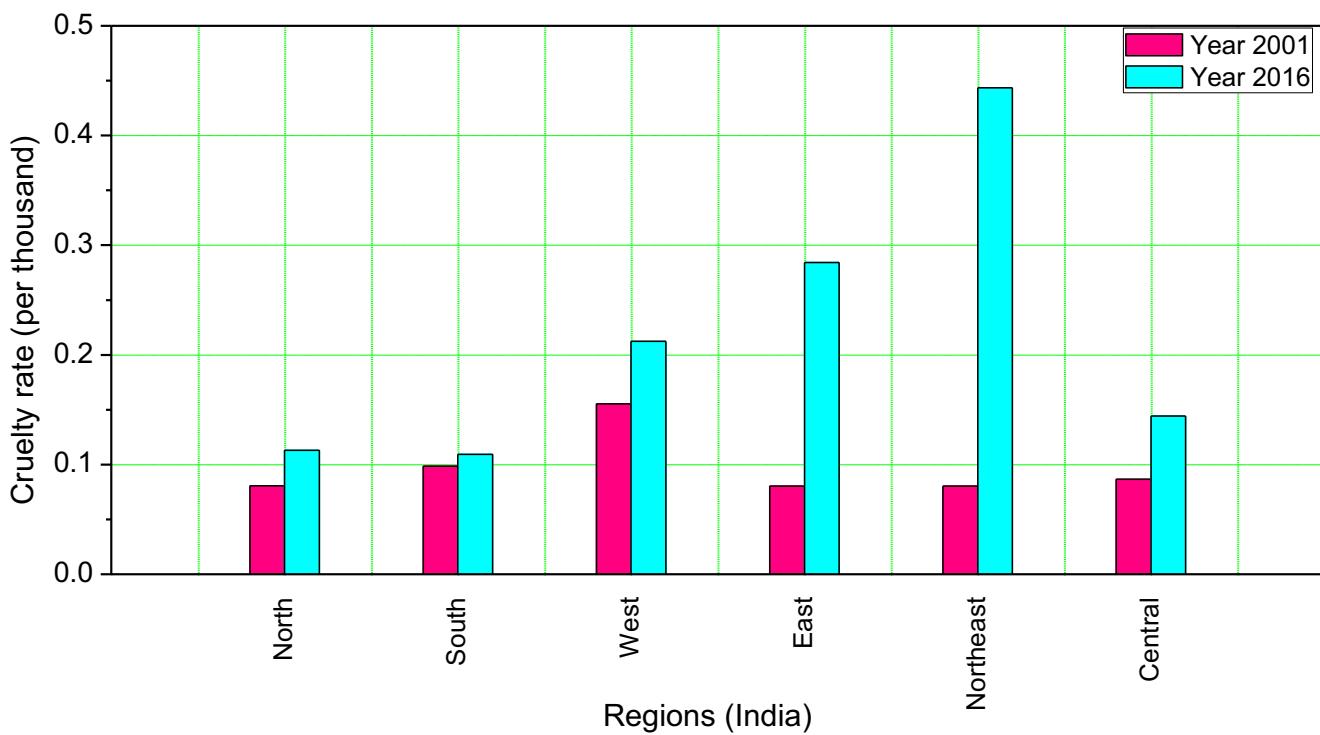


Figure 2: Reported rates of cruelty cases region wise for the years 2001 and 2016

According to figure 2, the cruelty rate is on the rise from 2001 to 2016 in all the regions.

However, it is seen to rise sharply in the northeastern states in 2016 when compared to 2001.

From 2001 to 2016, the dowry death rate varies from 0 to 0.0578, and the rate of cruelty by husband and his relatives against the wife varies from 0 to 0.7377 (Table 1). The literacy rate among women significantly varies from 33.1% to 92.1%. This shows the differences in violence against women over time and among the 28 Indian states on the women literacy front. The rural female workforce participation rate has more variations than the urban female workforce participation. The rural female workforce participation ranges from 5.8% to 52.9%, while the urban female workforce participation rate ranges from 5.4% to 31.4%.

Table 1: Descriptive Statistics of Dependent and Independent Variables

Variables	M	SD	Min.	Max.
Crime rates				
Dowry rate (2001-2016)	0.0095	0.0094	0	0.0578
Cruelty rate (2001-2016)	0.1271	0.1331	0	0.7377
Dowry cases (2001-2016)	264.7400	446.8700	0	2473
Cruelty cases (2001-2016)	2893.4000	3941.0200	0	23278
Literacy percent	61.6600	13.1000	33.1200	92.0700
Workforce percent				
Rural (2001-2016)	31.5600	11.2100	5.8000	52.9000
Urban (2001-2016)	16.7200	5.8600	5.4000	31.4000
Region	%			
South	14.32%			
East	10.70%			
West	14.28%			
North	25.00%			
Central	7.14%			
Northeast	28.57%			

Women's Status and Violence against Women

Table 2 demonstrates several essential findings in the regression model. First, the regression model shows the precise impact of literacy rate on the rate of reported dowry deaths. The female literacy rate of the states has a statistically negative significant relationship with the rate of reported dowry deaths ($b=-0.0002$, $p<0.001$). This supports the ameliorative hypothesis which states that better education and advanced economic and political status aid in decreasing the abuse of women.

Table 2: Dowry Deaths and Cruelty by Husband and His Relatives Regressed on Female Social Variables, Rural Population, Year, and Region

Independent Variable	Dowry Rate	Cruelty Rate
	b (SE)	b (SE)
Literacy percent	-0.0002*** (0.001)	0.0011 (0.0006)
Female Workforce Rural	-0.0002** (0.0000)	-0.0032*** (0.0007)
Female Workforce Urban	-0.0000 (0.0001)	0.0007 (0.0018)
Rural population	0.0001 (0.0004)	0.0050*** (0.0007)
Year	0.0000 (0.0000)	0.0010 (0.0013)
Region		
South	-0.0356** (0.0012)	0.1191*** (0.0219)
East	0.0006 (0.0012)	0.0127 (0.0224)
West	-0.0053** (0.0012)	0.1909*** (0.0221)
Central	0.0021 (0.0013)	0.0213 0.0246
Northeast	-0.0089*** (0.0010)	-0.0011 (0.0186)

(North is reference group).

Note: b = unstandardized beta coefficient, SE = standard error. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Similarly, the female workforce is significantly and negatively related to the reported dowry death rate for the rural areas ((b=-0.0002, p<0.05).

Next, I assess the effects of women's status on the cruelty rate (Table 2). The effect of literacy rate on cruelty by husbands or relatives is not as high as dowry deaths ($b=0.0011$, $p>0.10$). Female workforce participation rate in rural areas is significantly and negatively related to the rate of reported cases of cruelty by husband and his relatives ($b=-0.0032$, $p<0.001$). However, this trend does not have a significant correlation for urban female workforce participation ($b=0.007$, $p>0.10$).

Regional Variation

Rates of dowry death and cruelty by husband vary significantly across regions, as seen in Tables 2. As discussed earlier, the reference group is states in the North region, because the northern states have a high population and hence, high crime rate. Also, the northern states are open areas with a significant focus on agriculture; hence, the rural population is more in these states, and female literacy level is low. Rates of dowry death are significantly higher in the Southern region ($b=-0.0356$, $p<0.01$), Western region ($b=-0.0053$, $p<0.01$) and the northeastern region ($b=-0.0089$, $p<0.001$) than the eastern and central region. This can be attributed to the fact that a lot of migration from north Indian states to other regions is witnessed. The migration of communities from north India to the southern, western and northeastern part of India might have led to the penetration of ill custom of dowry into these regions. Different patterns appear for cruelty by husband and relatives. The south and west regions have a significant positive relationship with the cruelty by husband rate.

Discussion

Domestic violence is a serious social issue and is a national as well as an international concern. Data of UN Women states that approximately 35% of women worldwide have experienced either physical and sexual intimate partner violence or sexual violence by a non-partner at some point in their lives (Women, 2018). The National Family Health Survey of 2015 of India states that every third woman, above the age of 15, has faced domestic violence of various forms. A report (2012) of the National Crime Records Bureau (NCRB) states that around 0.25 million crime cases against women in India were reported. A significant portion of these crimes was abuse by the husband or his relatives. Thus, one sees that the crimes against women are in being reported in a significant number. However, the actual cases of crime against women, which is far more than the reported cases, are not available because of under-reporting. The under-reporting of cases gives an upper hand to the offenders and leads to more victimization of women. There are several cases where domestic violence is seen as a private family matter, and any external interference in it is seen as an intrusion. Many scholars have studied the domain of women victimization at homes (Aaron et al., 2015; Ahmed-Ghosh, 2004; Chapman, 2014). This study examines the rate of two reported crimes, dowry deaths, and cruelty by husband and his relatives in the 28 Indian states. An analysis of regional variation in the two reported crimes makes this study a unique one.

The overall goal of the current study is to assess whether rates of domestic violence, as reported in the NCRB are related to women's status and whether PWDVA 2005 has resulted in higher reporting rates. My study enquires into whether female literacy rates by state as well as female workforce participation rates affect the reporting rates of dowry deaths and cruelty by the husband and his relatives. I expected a negative correlation for both of these types of crime, as

other scholars have found (Arends-Kuenning & Amin, 2001; Chon, 2016). I find that female literacy rates and female workforce participation are associated with lower reported rates of dowry deaths. If the women, as a group, are more literate and economically empowered, they may be more protected from dowry violence (Marium, 2014). These women may also be more aware of their rights and more likely to report the abuse to the police. Based on these analyses, it appears that educational improvement in women's lives will contribute to decreasing dowry-related cases more than workforce participation increase. These findings, at least in the case of dowry deaths, support the ameliorative hypothesis that proposes that domestic violence might decrease if women are more empowered.

The crime of cruelty by husband and relatives is significantly higher in states with a larger rural population, and the effect of rural population is positive and approaches significance in the case of dowry violence deaths. It might be the case that most women are not financially independent in rural areas, though I do control for literacy and workplace participation. or it may be due to difficulties in the implementation of national policies in rural areas (OECD, 2015).

In 2005, PWDVA was passed. PWDVA was a drafted law to protect women from domestic violence to improve victims' ability to file a case against the offenders and win cases, thereby sending a strong message to Indian society that these crimes are to be taken seriously. I include data from the years 2001 to 2016 and control for year in regression. Results indicate that reported rates of both types of crime have increased over time, as year is positively and marginally significant in regression analyses. The rate and change in of reported crimes seem to vary by state, however. As shown in Figure 2, the cases of cruelty by husband and his relatives have increased over the years 2001 to 2016 in all the regions while the cases of *dowry* deaths have increased in eastern and northeastern parts of India. This increase in the number of reported cases of both crimes

could be either because of an actual increase in the number of crimes or because of an increase in reporting of cases by victims because of awareness. However, findings are difficult to interpret, because this increase is a gross under-reporting of the actual cases of domestic violence among women because as per a study of NFHS 4 and NCRB data about 99.1 % of cases go unreported (Manisha, 2017; Pramit & Tadit, 2019).

It has been argued that the administration, in this case, the police system, the bureaucracy, and the judiciary lack the sensitivity of the matter when it comes to an understanding the law, executing court orders and punishing the offenders (Hackett, 2011). This may explain the lack of significant, clear patterns of change in crime reporting rates over time. The act covers physical abuse, sexual abuse, verbal, economic, and emotional abuse. However, it does not have any reference to 'forced sex,' or 'sex without wife's consent,' termed as marital rape. It might be the case that any female member, not only daughter in law or wife, can be subjected to cruelty or sexual harassment. Though the Act covers all women members of the family, a large section of women who make use of the act is married women. This indicates the Act's broader non-acceptance in the domain of non-marital area (Rachna, 2010).

The impact of the PWDVA on the status of women cannot be analyzed in a restricted time zone of 2001-2016. The factors leading to domestic violence, as discussed in the earlier sections are deep-rooted in Indian society. One needs to visualize the fact that the impact of the laws can be seen maybe after one or two generations. Future researchers should continue to assess how changes in reported rates of violence change over time in coming years, while accounting for additional implemented legislation.

Limitations

This study has several limitations. The female literacy rate and the percentage of the rural population of the states are unavailable year wise as the census is conducted every ten years in India. The same is the case with the female population. The limitation regarding female workforce participation rates is that the data is unavailable for every year of study. I had to use previous years of data to estimate workforce participation rates for the following years (e.g., the year 2000-01 for the years 2001-2003).

The National Crime Records Bureau data of 'Crimes against Women' is not a sociological or anthropological survey of people throughout India. It is a count of the number of crimes that have been reported and then recorded by the Indian police (Bureau, 2015). Hence, it does not contain unreported crimes of domestic violence. Moreover, this leads to a severe case of under-reporting of actual cases of crimes against women. This can create a significant problem in the analysis of any crime by not providing the actual results about that crime. A better method would have been an analysis of all the reported and unreported crimes against women. This analysis is not possible in the current study, as there is no access to the unreported cases of domestic violence.

This study does not have measured individual mechanisms like attitudes and behaviors. It also does not contain individual-level data. I cannot measure attitudes, goals, mindsets of victims (women), and offenders (men and family). Also, the time frame of years 2001-2016 is too short of analyzing the trend of crime reporting of the two crimes. The factors which lead to domestic violence are deeply rooted in Indian society. It might be that one could see the change in trends of reported crimes of domestic violence after 30-40 years from the passage of the act. Hence, there is a need for more time frame for the analysis of the reported cases of domestic violence in India.

Conclusion

The study examined the role of female literacy and female workforce participation on the number of reported cases of domestic violence for two crimes, dowry deaths and cruelty by husband and his relatives against the wife. Improving women's status and education may have an impact on decreasing rate of dowry deaths, though it may have less of an effect on other forms of violence, such as cruelty by husband and relatives. Hence, there is a need to have a change in the mindset of the people in order to stop cruelty against women at homes (Chon, 2016). Rural female workforce participation will have an impact in reducing reported dowry deaths and cruelty by husband and his relatives. However, urban female workforce participation will have an impact in reducing dowry death rates but not the cruelty rates. This adheres to the ameliorative hypothesis and a study by Marium where she argues that low literacy level among women contributes to domestic violence against women (Marium, 2014). This also conforms to the study by Boyle et.al where they argue that more literacy would help in more liberal ideas and values related to women's rights and less tolerance towards abuse by the hands of the partner or his family members (Boyle, Georgiades, Cullen, & Racine, 2009) . Also, Simister and Makowiec (2008), in their work have argued that domestic violence among women is less common if the literacy level among females is high (Simister & Makowiec, 2008).

The PWDVA 2005 is an act specially designed to protect women rights. It has many positive aspects. It has given a platform to the victims of domestic violence to file a case, win it and give a strong message to the society. However, it seems that the act lacks on a few fronts because there are cases of reported domestic violence even now, many cases being unreported even after 14 years of the passage of PWDVA (Ghosh & Choudhuri, 2011). PWDVA is reduced to a status of a common Indian law because of reasons like absence of compassion by the

administrative institutions when it comes to understand the law, implement court orders and punish the abusers (Ghosh & Choudhuri, 2011). The popularity of the law is mainly in urban areas. This is because the literacy rate among males and females is more in urban areas, hence more awareness about the law. There is a need to initiate actions among the different stakeholders like police, judiciary, civil societies etc.

The reported cases of domestic violence are in a real sense grossly under-reported. There is a need for an inclusive mechanism in India which could keep track of unreported crime cases and also encourage people to come forward and report cases of any crime committed against them. The experience of violence weakens the concept of women empowerment and to address this issue of domestic violence against women there is a need to ponder about the social norms and attitude towards gender roles in the society (Krishnaraj, 2007).

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