

## DOMESTIC VIOLENCE AGAINST WOMEN

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### ABSTRACT

In a fast paced world, where technology, infrastructures and human capacity building are some of the key drivers of many societies. As growths and changes in these aspects and many other important areas of the societies becomes inevitable one would expect the same growth and positive changes in the area of women's right to live and express themselves in all areas of the society such as social, political, entertainment, leadership etc. However, this isn't happening in many societies today, as women are being systematically discriminated upon and subjected to live by certain rules and regulations unlike their male counterparts. This has been made very possible as many of these discriminating laws are based on religious and traditional teachings and doctrines, which are mostly misinterpreted and used against women's right to freedom and expressions in the entire society. Today men in many societies and countries are given higher rights and priorities directly and indirectly as a result this leads to gender inequality and then violence against women of all sorts which is then justified. Women are expected to endure and live with such harsh and some cases unbearable conditions imposed on them. Domestic violence committed mostly against women of all kinds has become a norm in many societies with authorities doing less or nothing at all. This study seeks to carry out an in-depth research of this topic area of domestic violence in two countries, which are Iran and Malaysia by researching into the religious, traditional, political, societal, norms, laws, teachings and general believes in both countries.

**Keywords:** *domestic, violence, abuse, women, assault, psychological abuse, physical assault.*

## 1. Introduction

### 1.1 Background of Study

The term domestic violence is a term that can be described in different ways based on the fact that the term can be used in describing certain situations and sometimes it can be difficult to describe considering the fact that there is no standard or general definition, it is also inherently difficult to describe due to the fact that its meaning constantly changes based on the particular culture in which it is happening. It is also important to note that in many cultures today this term domestic violence doesn't even exist.

It is however used preferably to describe an unhealthy behavior against ones spouse this is mainly where the term is employed domestic violence, it is clearly regarded as violence that occurs inside the home. In other general terms domestic violence can be referred to as intimate

partner abuse, marital abuse, spouse abuse, family maltreatment, conjugal violence, family violence and assault. One thing is certain it is a kind of violence or maltreatment that happens in the home committed by close relatives.<sup>1</sup>

Furthermore, domestic violence can be also described as a misuse of power in a relationship by an adult in the relationship, this is a type of forceful way of achieving one's desire violently; it is clearly an establishment of fear and control in a relationship through a violent means. There are different types of ways this violence can take place in the home such as psychological abuse, physical assault, financial abuse, social abuse, or sexual assault. These abuses in the home can sometimes be rarely, on and off and can be also habitual.<sup>2</sup>

It is important to note that domestic violence can't be classified under argument between spouses, "It is clearly a pattern of bullying or coercive control that an individual uses over another person. Abusers use sexual and physical violence, threats, emotional insults and economic deprivation as a way to dominate their victims and get their way".<sup>3</sup>

The United Nations General Assembly (UNGA), in its general resolved effort put in place to put an end to domestic violence against women and girls describes the term 'violence against women'<sup>4</sup> as

***"Any act of gender based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life"***<sup>5</sup>

The UNGA in its power also went further to define the term 'gender based violence' as

***"Any acts or threats of acts deliberately to hurt or make women suffer physically, sexually or psychologically, and which affect women as a result of them being women or affect women unreasonably"***<sup>6</sup>

Generally the description or definition of the term 'gender based violence' is often interchangeably used with the term 'violence against women and girls' as they're both sharing the same meaning and used in describing similar situation concerning domestic violence against women and girls. Women are expected in many cultures to live everyday of their lives with such violence committed against them this abuse or violence comes in different forms such as physical, sexual or mental, and causes a lot of damages to the victim. This can also be an act of depriving the woman or girl child her basic rights such as freedom both in her private and public life; this indeed is a problem to the family and the entire society.<sup>7</sup>

Domestic violence against women happens everywhere in every country both the developed and the underdeveloped nations, however many country today try there very best to control the issues and keep it lowest in different ways as much as possible, while some other countries simply ignore the fact of the matter.<sup>8</sup>

This is now a universal issue that needs to be tackled by all as numerous survey regarding the issue suggests that domestic violence occurs in most families and that it happens have of the entire population of women in world had experienced one form of domestic violence or the other in their lifetime. This is confirmed by the United Nations commission, which has come up with different policies for the prevention of DVAW in the societies. And also based on the survey by World Health Organization (WHO), the prevalence of violence against women in the entire world was indeed significant. WHO in its recent study categorically stated that about 35% of the entire women in the whole world has in some way experienced physical or sexual violence.<sup>9</sup>

World Health Organization conducted a study on domestic violence in Iranian societies and the result shows that the prevalence of domestic violence against women and the girl child in different parts of the Iranian communities were specifically around 15.0% for physical violence, 42.4% for sexual violence and then high sum of 81.5% for mentally or psychological violence in a particular years in the entire Iran as a nation.<sup>10</sup> It is also clearly understood by numerous researchers in the topic area that the most pervasive form of human right abuse or violations worldwide is directly based on domestic violence against women and this is clearly a big concern.

The nature of humans is to live freely without restrictions or limitations, having freedom to express one's self in different ways, freedom of movement, speech, to socialize and basically perform all sorts of civil rights. However, in many societies today there are lots of restrictions that interfere with these basic rights and these restrictions are mostly exclusive for women and the girl child in the entire society. In most societies today women are not allowed right to a lot, they're most subjected to live under certain laws that are in many cases different from that of men in the society. This leads to gender differentiations and gender discriminations in the society, which has in the end lead to violence of types and sorts against women and the girl child.

When women are not given a leveled playing ground to express themselves in all aspects of the society then there is an imbalance, which might lead to abuse or violence of all sorts against women and this is what we see today in many societies. However, it is important to not that religion has played a major role in aiding and abetting such laws that must people would see as discrimination against women and this in turn permits domestic violence against women and the girl child as this laws that are made by religious rulers tends to allow in some certain context abuse against women.

Men and women are socialized differently, and gender-differentiated socialization is a longstanding tradition in the most societies.<sup>11</sup> Violence against women surrounds all of us,

whether or not we are aware of it.<sup>12</sup> Violence against women can become manifest in a variety of ways including physical, emotional and psychological assaults, homicide, and sexual assaults.<sup>13</sup> According to Sanday P. rape is prevalent in societies that are patriarchal or male-dominated in which a distinct separation of the sexes is present and where women's social roles are devalued.<sup>14</sup> This researcher also reported evidence of a correlation between the prevalence of interpersonal violence and rape as well.<sup>15</sup>

There is no universally accepted definition of violence against women. The United Nations Declaration on the Elimination of Violence against Women defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."<sup>16</sup> This definition refers to the gender-based roots of violence, recognizing that "violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men."<sup>17</sup> It broadens the definition of violence by including both the physical and psychological harm done towards women, and it includes acts in both private and public life.<sup>18</sup>

Domestic violence can be defined as a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.<sup>19</sup> Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.<sup>20</sup> Violence against the women is a significant problem for women in the Iranian Society. Despite the series of problems it poses to the victims, domestic violence against the women may be described as forgotten problem, often overlooked by people.<sup>21</sup> Fear of retaliation loss of job and loss of income are problems, which cause the victim women to refuse, complain or take any action against men in the court.<sup>22</sup>

Unfortunately, domestic violence against women at the workplace in Iran is often overlooked and regarded part of the work culture by some organizations. Women ignorance and unawareness about the domestic violence behaviors and their levels of understanding about the meaning of this issue cause failure in dealing with this problem.

Women are ashamed to disclose their violence experience, especially sexual violence because they feel humiliated of the gossip and defamation that will tarnish their reputation.<sup>23</sup> They also fear of society negative perceptions towards them. The lack of legal provisions and supports even makes preventing violence misconduct even difficult and almost impossible. No reporting from the women whom are victims of domestic violence because of these reasons mentioned earlier.<sup>24</sup> Thus, the access to correct statistics on domestic violence of women at work is not yet available in Iran.<sup>25</sup> In this regard, I'm going to talk about the base of problem that causes domestic violence against the women in Iran. Iranian law is very discriminatory towards women.<sup>26</sup> The Iranian constitution says a "woman's life is valued only half as much as a man's life"<sup>27</sup> Evidence of such state-sponsor of violence against women is seen in Iran's constitution. One of the most problems is because of no enough rules, which related to this issue. On the other hands, in Iran, we don't have any specific law to protect women in front of violence in their family. We have so many lacks of the rules in this issue. In this research I want to find new rules on how to prevent of this problem. Iranian women need to have more attention from the government, organizations and legal drafters in order to prevent of this misconduct. What more when women are losing physically, emotionally, psychologically and financially because this kind of crime is non-compensable at this point of time.

According to Women's Health Organization (WHO) on their study on women's health and domestic violence against women in (2007). The problem of DVAW is a worldwide issue coming to crosswise over national limits and financial, social, racial and class refinements. This issue is generally scattered topographically, as well as broad, making it a normal and acknowledged conduct. The aforementioned domestic violence issues are across the board, profoundly instilled and has severe effects on women's wellbeing and prosperity. Its proceeded with presence is ethically weak. Its expense to people, to the health systems and to society is gigantic. Yet no other real issue of general wellbeing has been so broadly disregarded thus minimal caught on.<sup>28</sup>

According to a study by (WHO) on the issue of domestic violence against women in western pacific region in the year (2001). The issue of Domestic violence against women is a longstanding sensation. Women were constantly viewed as powerless, defenseless and in a position to be maltreated. Violence and abuse has long ago existed and acknowledged as something that happens to women of all races and age. Social traditions, religious practices, monetary and political conditions may set the priority for starting and propagating domestic violence against women and girls, yet in any case submitting a demonstration of violence is a decision that the individual makes out of a scope of choices. Albeit one can't belittle the significance of full scale system level powers, for example, social and social standards in the etiology of sex based violence inside any nation, including India, individual-level variables, for example, watching violence between one's guardians while growing up, missing or dismissing

father, reprobate companion affiliations additionally assume essential parts in the advancement of such violence.

The sexual orientation irregularity in domestic violence is halfway identified with contrasts in physical superiority and size. Besides, women are associated into their sex parts in diverse social orders all through the world. In social orders with a patriarchal force structure and with inflexible sexual measures, women are frequently inadequately prepared to secure themselves if their accomplices get to be fierce. Be that as it may, a significant part of the divergence identifies with how men-reliance and frightfulness add up to a social demobilization. The spouses who abuse their wives commonly feel that they are practicing a right, keeping up great stability in the family and disciplining their wives being the women's misconduct - particularly the wives inability to keep their fitting spot.

According to a study on children affected by domestic violence, the study suggests that kids living with domestic violence experience the ill effects of the effect of living in a family that is commanded by strain and trepidation. These kids will see their mom debilitated, disparaged or physically or sexually attacked. They will catch clash and violence and see the result of the violence, for example, their mom's wounds and her traumatic reaction to the violence. Youngsters additionally may be utilized and controlled by the abuser to hurt their mom.<sup>29</sup> A report embraced by the Queensland Domestic Violence Taskforce 1988 expressed that 90% of kids present in brutal homes had seen the violence executed against their mom. In exploration attempted by the Australian Institute of Criminology 15% of youngsters studied had encountered domestic violence and 32% of youngsters knew somebody who had encountered domestic violence, Kids seeing the violence incurred on their moms regularly prove behavioral, physical or passionate issues like those accomplished by physically mishandled youngsters.

According to a study by researchers Trent and Margulies in (2007) titled Employment protections for victims of domestic violence and sexual assault. Whether it is emotional, economic, verbal, sexual, or physical type of domestic violence this is a big problem in the family that affects all the family members as it can lead to a problem of lower self-confidence and self-value, poverty and wellbeing dependency, social loneliness, and also a big issue of poor health condition for the female victim and her children as well as they are constantly subjected to such abuses or violence in the family. Furthermore the research findings suggests that the victims being the woman and her kids usually have to deal with a lot of social problem as a result of abuse they experiences at home. These issues are negative to the victim's general life or social life, some these problems is that they realize that they can't set a long-term goals for themselves, based on there economic and social isolations which they faced as mentioned they have limited information, they live basically in a world of fear and uncertainties for their health all this put together becomes a barriers for them to get a full employment or a job and become financially stable and independent.

According to a multi country study on Women's health and domestic violence against women carried out by the world health organization (WHO) in 2007. In tending to the issues of domestic violence a viable reaction to violence must be multi-sectorial; tending to the prompt down to

earth needs of women encountering violence and abuses in their own homes; giving them a long haul catch up and aid; and concentrating on amending those social standards about DV, mentality and lawful procurements that advance the acknowledgement of and even energize violence against women, and further undermine women's satisfaction in their full human rights and prospects or opportunities.

Additional the health systems in the societies can possibly manage violence against women decisively, especially through conceptive health administrations, which many of the women will then access sooner or later in their entire lives. Nonetheless, this possibility has in indeed is a long way from it being figured out or successful. A couple of medical specialists, medical attendants or other health work force have the mindfulness and the preparation to distinguish violence as the fundamental reason for women's health issues generally.

Furthermore, the entire society health system can assume an essential part in avoiding violence against women completely, this is clearly possible by serving to distinguish domestic violence or abuse against women early, giving victimized people the important treatment and introducing women to suitable consideration. The health administrations or services should be effectively located wherever especially where women sense safety, are approached with deference, are not trashed, and where they can get a quality, proper knowledge assistance. Finally a complete health system or sector reaction to the issue is required, specifically tending to the hesitance of maltreated or victims of DV against women to look for help.

Ravneet Kaur and Suneela Garg on their study titled 'Addressing Domestic Violence Against Women: An Unfinished Agenda' 2008. Suggested that The fact is known that financial reliance has been discovered to be the focal reason why most victims of DVAW stay in the abusive relationship. The study found out that without the capacity for women suffering from DV to maintain themselves financially they're not able to easily decide to leave the relationship, the women are also compelled to stay in oppressive associates and are not ready to be free from violence due to their reliance on the perpetrator for financial supports. Because of profound established values and societal cultures, women don't want to embrace the choice of detachment or separation.

They likewise fear the results of reporting violence and proclaim an unwillingness to subject themselves to the disgrace of being recognized as battered women in the entire society they live in. Absence of data about choices likewise compels women to endure quietly inside the four corners of their own homes. However it is also found that some victims of DV may accept the weird fact that they merit the beatings on account of some wrong activity on their own side. Some victims being the women also abstain themselves entirely from talking about the abuse to anyone else or outsiders on the grounds that they expect that their mail partner will further curse them damage in backlash for uncovering family insider facts, or they may be embarrassed about their circumstance.

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