INTRODUCTION

Violence is a demonstration of hostility, generally in inter personal relations or relations. Violence is a coercive component to implement one’s will over another so as to demonstrate or prove a sense of power. Abusive behaviour at home is violence that happens between individuals who are generally related through law, blood or intimacy. Domestic violence at home alludes to brutality, intimidation and harm executed by one individual over another with whom the individual is in a relationship. Domestic violence usually occurs within the four walls of a home and represents a threat to family relationships. Abusive behaviour at home includes a succession of regular acts that escalates with the goal that the perpetrator has power and command over the person in question. The family is viewed as the base of human survival, a position of security, love, care and security. Family is the predominant belief system, through which a specific arrangement of household and gender roles are universalized and naturalized. Domestic violence at home is a gender based violation of human rights having multi-dimensional repercussions in the prosperity of people in family and society. Domestic violence at home alludes to assaulitve and coercive practices that are used against their partners and may studies have shown that domestic violence against women are widespread. Domestic violence is viewed as an appearance of man centric and hierarchical social structure. Though in the 21st century we see that women have gained a name for themselves and that we can see them in political, business and religious platforms even in this situation women are still looked down upon. It is defined to include all acts of physical, sexual, psychological or economic violence that is usually committed by an individual who is a relative or by an individual who has been a close accomplice or life partner, regardless of whether they lived together.

In 1993, the United Nations Declaration on the Elimination of Violence against Women perceived domestic violence at home as one of three settings in which violence against women takes place. It is depicted as: physical, sexual and psychological brutality happening in the family, including battering, sexual harassment of female children in the family, dowry related violence, marital rape, female genital mutilation and other customary practices harmful to women, spousal violence and violence related to exploitation.

ABSTRACT: Domestic violence is an obtrusive power in the lives of kids and youngsters who grow up seeing brutality in their homes are in danger for mental conduct and social maladjustment, the experimental reason for This has not always been recognised. This article gives an understanding as to what comprises aggressive behaviour at home and its negative impact on young minds. Introduction to aggressive behaviour at home has huge negative repercussions for children's social emotional and academic functioning.

In the recent past psychological wellness experts have created treatment projects and different approaches in order to alleviate these detrimental effects. However, there is still trouble in recognising and gaining access to this segment of the general public on the grounds that the event of aggressive behaviour at home remains a special kind of mystery in most houses. The issue of aggressive behaviour at home is regularly overlooked because it is assumed that children are not capable of understanding such difficult emotions and as a result do not know how to process them. Another common error of judgement is that children are incapable of communicating such harsh experiences as conflict is highly subjective issue and it is perceived differently by different people.

Until recently, few federal and state laws specifically addressed the needs of children in families where children were subjected to domestic violence. Many laws, particularly in the areas of domestic violence, family law, child welfare, welfare reform, and immigration, can have profound effects on the well-being of these children. The growing understanding by legislators and policymakers of the potential harms of domestic violence to children has resulted in recent years in statutory changes, particularly at the state level. However, laws that are enacted and implemented with inadequate knowledge of the complex dynamics of domestic violence may have unintended negative consequences for the children these laws are designed to protect. In this article we will be looking into the different laws available in India which throw light on this subject.

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A LEGAL ANALYSIS OF THE VICTIM OF DOMESTIC VIOLENCE IN INDIA

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INTRODUCTION
Domestic violence at home can take various forms including physical, sexual, financial, emotional and verbal. Acts of physical violence by the husband against his wife includes pushing, shaking, slapping, hair pulling, punching, kicking, dragging, beating, attempting to choke or burn her intentionally, and threatening her or assaulting her with a weapon. Acts of sexual violence by the husband incorporate physically compelling the wife to have intercourse or perform other sexual acts that she would not be willing to perform. Acts of economic violence incorporates controlling access to cash and other assets. Acts of emotional violence by the husband against the wife includes jealousy, anger, terrorizing, controlling, disregard, humiliation, threat, isolation and verbal abuse. Verbal abuse may include threats, ridiculing, blaming, disrespect, criticism.

Victims of violence at home might be caught in brutal circumstances through confinement, power control, inadequate money related in order to cause fear, disgrace or for the safety and security of the children. The outcomes of abusive behaviour at home are considerable regarding physical damage, mental and psychological distress, suicide, and substance abuse among some victims. Victims of domestic violence at home experience an undeniably lessened feeling of control that leads to a sense of weakness and helplessness and they are so emotionally drained that they feel that they can never leave such abusive behaviour. Because of such violence, unfortunate casualties may encounter physical handicaps, interminable medical issues, psychological instability, restricted funds and poor capacity to make healthy relations. Unfortunate casualties may encounter post-traumatic stress disorder. Children in who's family experience violence have been remained largely invisible as victims. Children who live in an atmosphere where violence is seen on a daily basis as they grow up will carry on the legacy of violence into their adulthood. The important factor in raising a child who is developed socially, physically and emotionally will require not only ensuring the safety of the child but also that of the caretaker or guardian.

EFFECT ON CHILDREN

Domestic violence at home not just represents an immediate risk to women’s wellbeing, yet in addition has unfavourable ramifications for the survival and prosperity of children. As indicated by article 1 Convention on the rights of the child (1989), a child means every human being below the age of 18 years unless, under the law applicable to the child majority is attained whichever is earlier. Children need a shelter and secure home, free from abuse and violence, and guardians that adoration and ensure them. For such a large number of children, and parents who love and protect them. Consistently, a huge number of children are presented to aggressive behaviour at home, and this has a ground-breaking and significant effect on their lives and trusts later on and for many children it's from a safe heaven. Children who witness violence at their very own homes may see the abuser threaten the intimate partner the grown-up injured individual and regardless of whether they don’t see the real physical attack they are regularly presented to repercussions – broken furnishings, sustenance strewn about or crushed pictures.

Children regularly turned out to be isolated, frightful and helpless. They are constantly stressed for themselves, their mother, and their siblings. They may feel unimportant and defence less. The emotional responses of children who witness abusive behaviour at home may incorporate fear, shame, guilt and depression. Also youngsters who grow up seeing their mother being battered by their father frequently experience psychological trauma and this comes in the way of the child’s over all development. Physical responses may incorporate stomach hurts, headache and other related ailments. The social reactions of youngsters who witness aggressive behaviour at home may incorporate acting out, withdrawal, unable to make friends, exhibit violent, risky or delinquent behaviour. Further down the road, these youngsters are at more serious risk for substance abuse, teenage pregnancy and criminal conduct than those brought up in homes without violence. A few investigations propose social development is also damaged. A few youngsters lose the capacity to empathise with other people. Others feel socially isolated, unable to make friends as effectively because of social discomfort or confusion over what is acceptable. Numerous studies have noticed that kids from violent homes show indications of more aggressive behaviour, for example, tormenting and are up to multiple times bound to be engaged with fighting.

The effect of the emotional and psychological effect of domestic violence starts in the mothers womb only and this later when the child is growing up will have developmental issues for example, scholarly capacities, mental exercises, and practices. The mother plays an import and role in the development of the child and sometimes it so happens that because the mother is going through so much of trauma she will not be able to give proper care to the child and this leads for the child to feel neglected and later this opens a doorway to many bad habits and crime. In young men, the impacts of seeing abusive behaviour at home can be seen...
CONSTITUTIONAL SAFE GUARDS FOR CHILDREN

Children have special rights and legal entitlements that have been recognised nationally and internationally. The Constitution of India recognised the rights of children for the first time and included several articles dealing with liberty, livelihood and development of children, non-discrimination with regard to education and equal and compulsory education for all children and prohibition of their employment in factories, mines and in hazardous industries. The Constitution, promulgated in 1950, encompasses most rights included in the UN Convention on the Rights of the Child as Fundamental Rights and Directive Principles of State Policy.

Constitutional Guarantees that are meant specifically for children include:

- Right to free and compulsory elementary education for all children in the 6-14 year age group (Article 21 A)
- Right to be protected from any hazardous employment till the age of 14 years (Article 24)
- Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength (Article 39(e))
- Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment (Article 39(f))
- Right to early childhood care and education to all children until they complete the age of six years (Article 45)

Besides, Children also have rights as equal citizens of India, just as any other adult male or female:

- Right to equality (Article 14)
- Right against discrimination (Article 15)
- Right to personal liberty and due process of law (Article 21)
- Right to being protected from being trafficked and forced into bonded labour (Article 23)
- Right of minorities for protection of their interests (Article 29)
- Right of weaker sections of the people to be protected from social injustice and all forms of exploitation (Article 46)
CONCLUSION

Human rights will be rights inborn to every single person, independent of our nationality, place of residence, sex, national or ethnicity, colour, religion, language, or some other status. These rights are interrelated, interdependent and indivisible. These rights are altogether interrelated, associated and inseparable. While all kids reserve the option to appreciate central human rights, their circumstances are not uniform. In the meantime, adolescence and the scope of children’s needs and rights should be catered to effectively. Minors in such a situation should be given more attention, care and protection. This incorporates their right to associate relationship with both the parents and the society and get the basic essential requirements for food, all inclusive state-paid education, health care and criminal laws suitable for the age and advancement of the children, rise to security of the child’s social, equality, and opportunity from non-discrimination based on the child’s race, sexual orientation, nationality, religion, disability, colourand ethnicity.

There is no place for violence or inhuman treatment for children or any human being. It is imperative to bring issues to light on the overwhelming impact of abusive behaviour at home on youngsters as we realize that much can be changed by bringing this issue into the open. The message to all must be that domestic violence at home is harming to everybody, including children who witness it and it should be stopped. Legislations and policies must reinforce the message that domestic violence at home is a crime that the perpetrators will be punished and victims will be protected.

These policies must look on the immediate need to protect children from domestic violence nurture them with care and protection when they experience or witness it themselves and the other thing that should be looked into is the fact that the Protection Of Women from Domestic Violence Act 2005 only looks at the women who is being harassed but it ignores the fact that there are children also who suffer and they need protection and care also and therefore we need a better law or the inclusion of children also in the definition of domestic violence. Institutions and NGO’s should come forward to help these children have a safe and better understanding of what a healthy and a happy home environment is so that they can grown up to become better citizens of the country because in the 21st century world the youth forms half the population and they can make or break a country.

Though we have constitutional safeguards to protect children and other child welfare legislations. Here are a few suggestions to provide justice to the victims of domestic violence:

1) Amendment to the existing legislation of Domestic Violence Act to incorporate provisions for a child to report and seek legal help.
2) NGO’s or other social organisations working for women and children to address the issue as these children of domestic violence may not open up easily.
3) Schools and other educational institutions should equip with good counsellors who can identity such children and motivate them in dealing with the crisis and promote them to lead a good life.
4) Other stakeholders like police machinery to become more aware and help the juveniles due to domestic violence or children who report to them for help in domestic violence.
5) The marital property in divorce or in domestic violence should be kept secured in a way that the benefits arising from these property should be secured for the child welfare.