
The ‘Surge’ in Domestic Violence: A Gendered Study of COVID-19

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Abstract

The devastating outbreak of COVID-19, apart from magnifying the broader concerns of economy, health, social conflicts, has amplified the rising concerns of gender-based violence against women. While tracing existing research on ‘Pandemics’, it is concluded that the outbreaks of such diseases derail the primary function and goal of feminism. At the outset of COVID-19, various national and international organizations anticipated a surge in the statistics of violence against women and children, both being the vulnerable groups of the society. In times of economic uncertainty, societal unrest, pandemics pave the way for exaggerating the dynamics of the forms of violence. One such form of interpersonal gender-based violence is domestic violence. Nations across the globe are adopting measures to address this issue. Many actions have authorized, such as social distancing, a complete shutdown of educational and employment sectors and restricting travel. But unfortunately, on one side where the lockdown is perceived as a national and international weapon to curb the concerns arising from COVID-19, the other side of the reflects a more menacing consequence, appearing post-lockdown. In the midst of constant isolation, increased number of domestic violence cases is reported. The paper aims to trace the possible mechanisms behind the surge

of violence with an historical insight and the redressal measures.

Keywords: Domestic Violence, Gender, COVID-19, Crime, Law

Position of Women during Pandemics-Through the Feminist Lens

The history of women’s vulnerabilities in the social, cultural, economic and, most importantly, the domestic spheres is deeply structured within the patriarchal crux of the society. The United Nations have responded to the consequences of the surge in domestic violence by stating the need to acknowledge women’s safety as the nation respond to the pandemic. In the United States of America, a study conducted by the National Domestic Violence Hotlineⁱ identified various instances where the perpetrators of violence in times of COVID-19 used the fear, anticipation and trepidation of the ‘virus’ to manifold the threat in isolating the victim, making almost 40 percent of the women under lockdown, as extremely vulnerable to the acts a domestic violence.

The paper aims to locate the mechanisms towards violence against women that are identified through the given illustration. There an urgent need to decipher the mechanisms behind the surge in domestic violence because it will help the

government and the policymakers to address the root causes and thereby develop mitigation measures, during and in the aftermath of the ‘pandemic preparations.

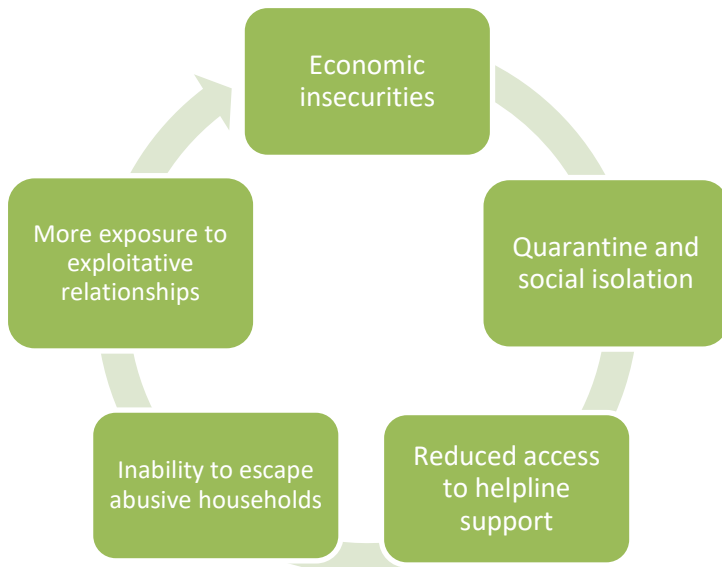


Fig 1: Mechanisms towards domestic violence in the lockdown period.

Feminist activists have stated the role of women during the domestic sphere has significantly risen in times of COVID-19. The World Health Organisation recognizes that in this familial space, women in exploitative and abusive relationships is likely to be exposed to domestic violence significantly as there is a lack of spatial difference among the family members and they are perpetually in close proximity coping with ancillary economic and psychological conflicts. Except for this, women losing their jobs against the backdrop of COVID-19 becomes a reason for their lack of financial stability and they are further marginalized into domestic vulnerabilities and isolation. Thus, increasing the menacing atmosphere of a patriarchal home. The

General Secretary of National Federation of Indian Women (NFIW), Annie Raja affirmed that the setback is that the government authorities have not considered is the impact of the imposition of the lockdown on families, which are extremely feudal and dogmatic. The role of women within the household, according to the Marxist philosophy, is not acknowledged as productive in nature or considered to be the ‘unpaid labour’; thus, the constant surveillance of the patriarchy of the household in the lockdown doubly marginalizes women. The consequences of the pandemic, therefore, has branded the family as a fundamental site of abuse, especially families that are considered subordinate to the social class hierarchy, such as the Dalits or economically backward.

Covid-19 and Domestic Violence Through the Legal Lens

Domestic violence is a form of gender-based violence against women, which constitutes discrimination against women. According to the current report of the National Crime Records Bureau, in 2018, there was 100,636 cases reported by women for cruelty by the husband or his relatives.ⁱⁱ Recently, the National Commission for Women affirmed that they have received 239 emails regarding domestic violence between 23rd March and 16th April, 2020 (the immediate week to the inception of the lockdown period) during a pandemic situation.ⁱⁱⁱ The state government of Kerala and Punjab have also taken cognizance of this alarming trend.

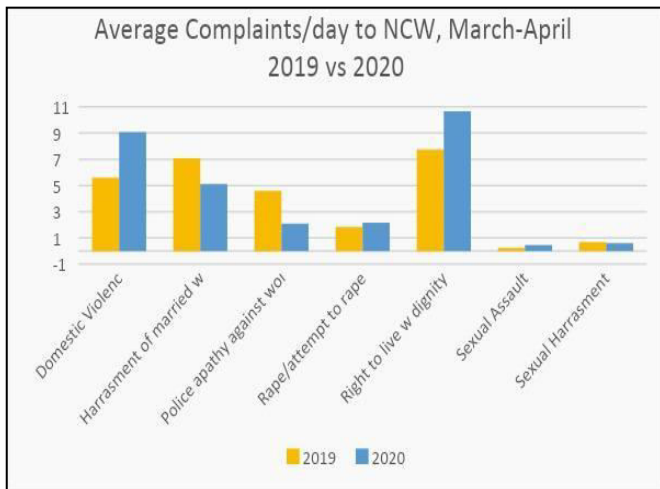


Fig. 2: – Source: <https://qz.com/india/1838351/indias-coronavirus-lockdown-leads-to-more-violence-against-women/>

Globally, the countries are witnessing pitch in domestic violence cases, which lead United Nations Secretary-General Antonio Guterres to appeal to all the governments of all the nations to give attention and prevent a “horrifying global surge in domestic violence” in lockdown measures.^{iv} The United States National Domestic Violence Hotline has received more than 2000 calls since March, 2020, reaching out for help as victims of domestic violence.^v Other nations such as Lebanon and Malaysia have reported domestic violence via their helpline numbers since the pandemic started.^{vi} In China, the calls have been tripled^{vii}, whereas Spain has noted that there has been a 47% increase in the number of calls within the first two weeks of April, 2020 in comparison to last years’ records.^{viii} In some of the countries, it is noticed that there is a drop in the calls recorded by the domestic violence help lines. The reason behind this is the threat prevailing in the household and consequently, calls are disconnected, or victims cannot reach out because they are under constant control of the

perpetrator of domestic violence. The subsequent increase in alcohol consumption and lack of indulgence in constructive activities is also traced as one of the reasons behind the shaping of gender-based violence.

From the international perspective, article 7 of the International Covenant on Civil and Political Rights^{ix} acknowledges the right ‘to not be subjected to torture or to cruel, inhuman or degrading treatment or punishment’. Adhering to the global initiatives of protection against violence, to protect the women from such types of abuse, Protection of Women from Domestic Violence Act, 2005,^x was passed by the legislative body under the Government of India. Previously, this Act defined that domestic violence could take on various things like physical, emotional, verbal, sexual or economic violence. But, in April 2013, the parliament amended the law and incorporated new categories of offenses and made the punishment more severe.

There is also another law to protect the women from these types of cruelty like the Criminal Law (Amendment) Act, 2013^{xi} and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.^{xii} Human Rights Watch has reported that sometimes women feel threatened to report the attacks in anticipation of being stigmatized. They also feel that they will not be able to prevail over from these institutional barriers in a criminal justice system that offers no security to victims or witnesses. Even if they show courage to report about the abuse, some unhelpful officers deny filing an FIR, which is the first step to initiate a police

investigation. This type of incident happens if victims belong from economically or socially marginalized communities.

To overcome the fatality of domestic violence, several nations across the globe have introduced new ways to curb this surge of domestic violence. For example, the French government has decided to redress towards the victims of this crime by placing them in the hotel rooms and initiated open counselling centres in grocery stores. The Spanish government has started a campaign by keeping all the helpline numbers open supporting women to raise their voices against the violence during the lockdown. The South African government has taken the decision to keep the court open for urgent protection orders. Active texting line through which victims can get help is also a part of the judicial strategies in combating the dangers risen due to COVID-19.

The Indian government has communicated a helpline number at the district level and psychologists for counselling. They also are taking complaints via social media applications such as 'WhatsApp'.^{xiii} They vigilance panel^{xiv}, which is keeping track of these cases, is offering counsel to the offending husband. If the counselling doesn't help, then they will be sent for the institutional quarantine. The vigilance panel is further keeping track of the pregnant women and lactating mothers so that they can receive an uninterrupted supply of essential items.^{xv} A community radio program has been initiated in Uttar Pradesh, generating awareness about domestic violence, its

identification, and the ways to deal with it during lockdown.

Conclusion

In India the predicament of domestic violence has increased but is often not even looked as violence. Women have been conditioned in such a way that they have accepted the violence as a daily event. One of the major limitations that the makers of mitigation strategies against COVID-19 is that there is a lack of comprehensive planning on the part of the Indian government to provide aid and assistant to several non-governmental organisations as they are unable to go beyond web counselling and telephonic assistance. The environment arising due to the virus is forcing women to be relegated within the coercive and abusive domestic space. It is therefore imperative for the world and the decision-makers to oblige this situation as important as the other point of address such as economy and health and thereby direct strategies to tackle the desolation from a distance.

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10. Criminal Law (Amendment) Act, 2013
11. Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

ⁱNational Domestic Violence Hotline is a 24- hour confidential service for survivors, victims and those affected by domestic violence. It advocates to the issues that the victims face via online methods such a chats, free confidential calls.

ⁱⁱ For more details, see,

https://ncrb.gov.in/sites/default/files/crime_in_india_table_additional_table_chapter_reports/Table%203A.2_0.pdf (last accessed 28/04/2020; 4:00 P.M.)

ⁱⁱⁱ For more details, see,

<https://www.deccanherald.com/specials/insight/coronavirus-crisis-no-lockdown-for-domestic-violence-829941.html> (last accessed 28/04/2020; 4:30 P.M.)

^{iv} For more details, see,

<https://www.aljazeera.com/news/2020/04/locked-abusers-india-domestic-violence-surge-200415092014621.html> (last accessed 28/04/2020; 3:00 P.M.)

^vFor more details, see,

<https://thediplomat.com/2020/04/indias-shadow-pandemic/> (last accessed 28/04/2020; 7:00 P.M.)

^{vi} *Ibid.*

^{vii} *Ibid.*

^{viii} For more details, see, <https://www.theguardian.com/global-development/2020/apr/28/three-women-killed-in-spain-as-coronavirus-lockdown-sees-rise-in-domestic-violence> (last accessed 28/04/2020; 5:00 P.M.)

^{ix}International Covenant on Civil and Political Rights is a multilateral treaty adopted by United Nations General Assembly Resolution in the year 1966. The treaty acknowledges humanitarian and political rights of citizens across globe such as right to life, right to personal integrity, right to individual liberty, etc.

^x Protection of Women from Domestic Violence Act, 2005

^{xi} Criminal Law (Amendment) Act, 2013

^{xii} Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

^{xiii} For more details, see,

<https://economictimes.indiatimes.com/news/politics-and-nation/india-witnesses-steep-rise-in-crime-against-women-amid-lockdown-587-complaints-received-ncw/articleshow/75201412.cms> (last accessed 28/04/2020; 5:00 P.M.)

^{xiv}Vigilance committee consists of women from three agencies: Women and Child Department, anganwadi workers and self-help groups of gram panchayats.

^{xv}For more details, see,

<https://www.thehindu.com/news/national/other-states/coronavirus-lockdown-pune-zilla-parishad-plans-tough-action-to-check-domestic-violence/article31371216.ece> (last accessed 28/04/2020; 5:00 P.M.)