

“AWARENESS REGARDING DOMESTIC VIOLENCE AMONG MUSLIM WOMEN”

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ABSTRACT

Domestic abuse and violence occurs against women in all societies. Thousands of women around the world are victims of abuse every year by their husbands and other family members. However, Muslim women's experiences of domestic abuse are greatly influenced by cultural dynamics and pressures, which impact on the way they disclose and seek help. Domestic violence among the Muslim community is considered a complicated human rights issue due to varying legal remedies for women by nation. This paper provides us knowledge regarding domestic violence awareness and experience among Muslim. The research findings centered on the themes like Muslim women and domestic violence, causes, impact on women children and society, rights in personal law, legal issue and reforms for Muslim women in India. Qualitative method has been used as a research methodology to analyze the domestic violence.

KEYWORDS: Awareness, Cultural Dynamics Experiences

INTRODUCTION

The status of women in the ancient Indian society was held high place and respectful as mentioned in Rig-Veda and other scriptures. But later on due to the fast changing condition of society, women lost their high status and respect. Society tied them to the boundaries of the house. Domestic violence, or Intimate Partner Violence (IPV) as it is sometimes called, is a worldwide problem. Cultural and household stress factors contribute to the prevalence of domestic violence, and it has been argued that these factors need to be thoroughly addressed through such channels as the institutionalization of routine screening for warning signs of domestic violence by health professionals, legislation (along with feasible mechanisms for enforcement), and support and empowerment stemming from women's groups. In 2010, a movie based on Domestic Violence titled “Bell Bajao” was released with the support of the Ministry of Women and Child Development which won an award at the Cannes Film Festival.

According to a latest report prepared by India's National Crime Records Bureau (NCRB), a crime has been increasing quite rapidly there is crime recorded against women after every three minutes in India. Every one hour two women are raped in this country. The census statistics showed a declining sex-ratio due to the health status among women. The spread of social evils like rape, kidnapping, Domestic violence, dowry death etc. have grown up over the years

MUSLIM WOMEN AND DOMESTIC VIOLENCE

Domestic violence has hurt many Muslim women's and families, and weakened the whole Muslim community. Prophet Mohammed (peace be upon him) mates are created for you from among your selves, that you may dwell in tranquility with them, and he has put love and mercy between your (hearts)."Qu'ran30:21 "I recommend that you treat women with goodness. The best of you are those who treat their wives the best." Prophet Mohammed (peace be upon him)

According to psychologist and a Sheikh the rate of domestic violence in Muslim community is increasing quite rapidly, and this is apparent from the number of women who seek assistance from Muslim leader to domestic violence. There is a wrong perception that women have no rights and duties in Islam. Muslim women's experiences of domestic abuse are greatly influenced by cultural dynamics and pressures, which impact on the way they disclose and seek help. Conservative interpretations of [Surah, An-Nisa, 34](#) in the [Qur'an](#) regarding marital relationships find that hitting a woman is allowed. Broader interpretation of the term does not support hitting a woman, but separating from her. Variations in interpretation are due to different schools of Islamic [jurisprudence](#), histories and politics of religious institutions, conversions, [reforms](#), and education.

OBJECTIVES OF THE STUDY

The objective of the study is to find out whether women in Muslim communities are aware of their human rights. The study will further assess whether the dependence of women on men affect domestic violence. The study will investigate whether culture impacts negatively on violence against women.

METHODOLOGY OF THE STUDY

Qualitative research method has been used as a research methodology to analyze the "Awareness Regarding Domestic Violence among Muslim Women" along with secondary source and selected academic article, book, documents, to comprehend the paper

THE RESEARCH FINDINGS CENTRED ON THE FOLLOWING THEMES

- Muslim Women And Domestic Violence,
- Causes/reasons for domestic violence
- Impact Of Domestic Violence On Women, Children And Society
- Muslim Women's Rights In Muslim Personal Law
- Constitutional And Legal Provision For Women

CAUSES/REASONS FOR DOMESTIC VIOLENCE

The causes for women stalking and wife beating include: - for demanding more dowry, discrimination of women, torture by husband and in-laws, arguing with the partner, refusing to have sex with the partner, neglecting children, going out of home without telling, indulging in extra marital affairs, not looking after in-laws, not cooking properly, cruelty by husband or in-laws mentally, physically emotionally or sexually, and all other inhuman acts. Usually violence takes place due to lack of understandings between the couple as well as in the family. In all above mentioned causes women are subjected to torture. Around 70% of women in India are victims of domestic violence, National Crime Records Bureau reveal that a crime against a woman is committed every three minutes, a woman is raped every half hour, a dowry death occurs every one hour, and one case of cruelty committed occurs every nine minutes. All this happening even though there is law enacted for women in India.

IMPACT OF DOMESTIC VIOLENCE ON WOMEN, CHILDREN AND SOCIETY

The impact of domestic violence is very major it not only affects on women but on whole society and the feature

of society. Children’s suffer a lot for this cause they go through depression in their early life which cause hurdle for their study. Both mother and children will always get agonized and emotionally disturbed and remain quite after the occurrence of the incidents. Many children to escape from this kind of situation they left their houses without intimating their parents or adopted bad habits which destroy their features. The suicide case of such victimized women is also increasing day by day. A working Indian woman due to domestic violence may lose her efficiency in work or drop out from work in some cases.

- Women who are victims of domestic violence and who suffer it effects on their health and physical psychological and emotional condition .due to this it is difficult for them to give their children the proper attention love and care.
- A child who witnessing violence leaves very scared distressed and troubled and uneasy in their mind about their future about their own safety and that of their mother and sibling.
- Around 60% of children face their mother’s enmity.

MARRIAGE AMONG MUSLIMS IN INDIA AND MUSLIM WOMEN RIGHTS

Marriage: In the Muslim community marriage is universal for it discourages celibacy. Slam has almost made it compulsory. Prophet Mohammad also stressed that married life is preferable to unmarried life. Both the main sects within Islam called ‘Sunnis’ and ‘shias’ consider marriage almost obligatory.

Legal: Muslim marriage can be called “sahi nikah” only if it is not against ‘shariah’.

Social: both in home and society Muslim women having important role to play according to Islamic law

Religious: on the basis of the above statement it should not be concluded that the Muslim marriage does not have any religious significance. Marriage in the Muslim society is a religious duty also. It is devotion and an act of ibadat. It is believed that a person who does comply with it is rewarded in the next world, and he who does not, commits a sin. Hence, jang (1953) has maintained that ‘nikah’ though essentially a contract is also a devotional act.

The bride groom makes a proposal to the bride just before the wedding ceremony in the presence of two witnesses and a mauvali or kazi. The proposal is called ijab and its acceptance is called qubul. These two words must be uttered clearly before the assembled persons by the bride and the bridegroom or by their agents of sound mind.

Mehr or Dower

Mehr or dower is a practice associated with Muslim marriage. ‘Dower is the sum of money or other property which a wife is entitled to get from her husband in consideration of the marriage. ‘Purpose of mehr as per the Muslim law, dower is an obligation imposed upon a husband as a mark of respect for wife. Its main purposes are to put a check on the husband to divorce wife, to enable a women to look after herself after her husband’s death or divorce.

Divorce/Talaq

According to the traditional Muslim law, divorce can be obtained directly in two ways without the intervention of the civil court they are a) khula and b) talaq. Khula: husband and wife can obtain divorce by mutual consent .talaq: Muslim husband can give divorce to his wife as per the Muslim law without intervention of the court.

Maintenance

Maintenance is the money someone gives to a person, in order to pay for their food, clothes and other necessary things. Maintenance is money given by the husband to maintain his divorced wife and children. Where the wife refuses to live with the husband due to non-payment of prompt dower, her refusal will be considered valid and her right of maintenance is not affected whether marriage has been consummated or not. Where the wife refuses to live with the husband or return to her house due to some valid reason (his cruelty) the right of maintenance is not affected. We will not go deep into the other aspects connected with maintenance.

Muslim Women Property Rights

In the ancient time the Arabs keep out females from inheritance completely. prophet Muhammad (peace be upon him) stress upon the rightful position of the women in the society. Muslim women having right over the property left by the parents and their nearest relative, both men and women having equal right, whether the property small or extend the duty of men to look after the household activates. If the wife is working it is not compulsory to pay for house hold activates women may keep all of income for her. The rules of inheritance are specified by a number of Qur'an verses, including *Surah "Baqarah"* (chapter 2) verses 180 and 240; *Surah "Nisa(h)"* (chapter 4) verses 7–11, 19 and 33; and *Surah "Maidah"* (chapter 5), verses 106–108. Three verses in *Surah "Nisah"* (chapter 4), verses 11, 12 and 176, describe the share of close relatives. The religious inheritance laws for women in Islam are different from inheritance laws for non-Muslim women under modern common laws in Europe, Americas, Australia, Asia and Africa. [Bernard Lewis](#) notes that classical Islamic civilization granted free Muslim women relatively more property rights than women in the West, even as it sanctified three basic inequalities between master and slave, man and woman, believer and unbeliever. Even in cases where the property rights were granted, they were very limited and covered only upper class women. Over time, while women's rights have improved elsewhere, those in many Muslim-dominated countries have remained comparatively restricted.

CONSTITUTIONAL AND LEGAL PROVISION FOR WOMEN

Every state has a constitution of its own which acts as a frame work of rules and regulation to govern the entire system. women are condemned to lead an existence of subjugation without an independent identity. So, in order to right the wrong committed against women by way of discrimination and exploitation, the constitution has provided for reservation to women in different sectors to emerge out of the shadows of the masculine society. Women reservation bill was mooted in the parliament to provide 33% reservation for women in parliament and legislatures. education is the key to enlightenment and empowerment. So, the constitution recognized the need for women to be educated because one educated women creates an educated family.

Constitutional Provisions for Women are as Under

- Article 14 equal rights and opportunities to both men and women
- Article 15, prohibits, discrimination against any individuals on grounds of religion, race, caste, sex etc.
- Article 16 provides for equality of opportunities matters relating to employment or appointment to any office under the state.
- Article 39(a) (d) mentions policy security of state equality for both men and women the right to a means of livelihood and equal pay for equal work for both men and women.

- Article 42; maternity relief.

Legal Provisions for Women are as Under

Maternity Benefit Act 1961: A Woman is entitled 12 weeks maternity leave with full wages.

The Dowry Prohibition Act, 1961: Under the provisions of this Act demand of dowry either before marriage, during marriage and or after the marriage is an offence.

The Equal Remuneration Act of 1976: This act provides equal wages for equal work: It provides for the payment of equal wages to both men and women workers for the same work or work of similar nature. It also prohibits discrimination against women in the matter of recruitment.

The Protection of Human Rights Act, 1993:

Protection of Women from Domestic Violence Act, 2005: This Act came in to force on 26th day of October 2006. Protects women from any act/conduct/omission/commission that harms, injures or potential to harm is to be considered as domestic violence. It protects the women from physical, sexual, emotional, verbal, psychological, economic abuse.

Protection of Women against Sexual Harassment at Workplace Bill, 2010: on November 4, 2010, the Government introduced protection of Women against Sexual Harassment at Workplace Bill, 2010, which aims at protecting the women at workplace not only to women employee but also to female clients, customer, students, and research scholars in colleges and universities patients in hospitals. The Bill was passed in Lok Sabha on 3.9.2012.

CONCLUSIONS

Islam is a religion grounded in justice and mercy; and it is a religion that values and promotes healthy individuals and peaceful families. Islam encourages us to be proactive members of society and to use any and all appropriate tools to end oppression.. It is time for Muslims to collaborate with other Muslims, and non-Muslims, to establish healthy and vibrant communities that can only exist through the protection and promotion of healthy and peaceful families. The noble Qur’an instructs Muslims to: ‘stand up firmly for justice as witnesses to God, even if it is against yourselves, or your parents, or your relatives’... and to ‘fight in the cause of God and for those who, being weak are ill-treated and oppressed.’ So, if one individual wrongs another, or if one of the parties acts wrongfully towards the other ‘then we must fight against the one that oppresses another until the person complies with the command of God.’ (Qur’an 4:135, 4:75 and 49:9).

REFERENCES

1. Ahuja.R. “Crime against women” Rawath publication Jaipur. 1987
2. Alkhateeb, (n, d): Ending domestic violence in Muslim families.[online]. Available: <http://www.stepingtogeather.org/article02.html-2001>.
3. Alpaslan, N: 1997 Methods and means for a meaningful marriage: A preparation for marriage and marriage guidance workbook. Cape Town: kagiso.
4. Alwani and S. Abugideiri. (FAITH 2003) What Islam say about Domestic Violence: A guide for helping Muslim Families.
5. Anveshi, 1995. “Women in India and other mental health” Hyderabad,.

6. Baer, Gabriel (1983). "Women and Waqf: An Analysis of the Istanbul Tahrîr of 1546". *Asian and African Studies*.
7. Bernard Lewis (2002), *What Went Wrong?*, ISBN 0-19-514420-1, pp. 82–83
8. Burton & Ballantyne (2005). "Women, Property and Power in Eighteenth-Century Cairo (Author: Mary Ann Fay)". *Bodies in Contact: Rethinking Colonial Encounters in World History*. Duke University Press. pp. Pp.129–130. ISBN 978-0822334675.
9. C.N.Shankar Rao (2003) *Sociology*: S. Chand And Company Ltd Ram Nagar New Delhi
10. Dr. parvathi appaiah(2006) *political science fundamentals of political science and government*: published by jai bharath prakashana, mangalore
11. Glassé, Cyril (1989). *The Concise Encyclopedia of Islam*. London, England: Stacey International. pp. Pp.188–189.
12. Joseph and Nağmābādī, *Encyclopedia of Women and Islamic Cultures: Family, Law and Politics*, Brill Academic, pp. 137-138, ISBN 978-9004128187
13. Joseph and Nağmābādī, *Encyclopedia of Women and Islamic Cultures: Family, Law and Politics*, Brill Academic, pp. 299-305, ISBN 978-9004128187
14. M.N.Suresh Kumar, Dr G.R.Poornima(2008) *Political Thinkers Trends And Processes*: Ubs Publishers Distributors Ltd Bangalore
15. Naila Kabeer (1999), *Resources, agency, achievements: Reflections on the measurement of women's empowerment*. *Development and change*, 30(3): 435-464
16. Nevdita Giri, 2006, "Laws Institution and Women's Right in India" in *Laws Institution and Women's Right in India*(ed) by Tapan Biswal, Opp.CitP.302).
17. Zilfi, Madeline C. (1997). "Women and Waqf Revisited: The Case of Aleppo 1770-1840 (Author: Margaret L. Meriwether)". *Women in the Ottoman Empire: Middle Eastern Women in the Early Modern Era*. Brill. pp. Pp.131–132. ISBN 978-9004108042.
18. <http://www.oalib.com/paper/2229414#.Vy26YYR97IU>
19. <http://helpandcaresociety.org/author/manoj/>
20. <http://www.ijsr.net/archive/v3i8/MDIwMTUyNTU=.pdf>
21. <http://www.iosrjournals.org/iosr-jhss/papers/Vol20-issue2/Version-3/H020235155.pdf>
22. <http://premkumarroy.blogspot.in/>
23. <http://eaandfaith.blogspot.in/2006/04/wife-abuse-in-muslim-community.html>
24. <http://www.thefreelibrary.com/Muslim+women's+experiences+of+domestic+violence+in+the+Nelson+Mandela...-a0170732313>
25. <http://premkumarroy.blogspot.in/>

26. <http://www.antiessays.com/free-essays/Domestic-Violence-In-India-328506.html>
27. <http://speakupandbreakthewalls.blogspot.in/>
28. <http://www.authorstream.com/Presentation/Stefanie-46336-Cecilia-Perez-FAMILY-VIOLENCE-IMPACT-CHILD-DEVELOPMENT-Gender-Based-Violation- Womens-a-Entertainment-ppt-powerpoint/>
29. http://www.wow.com/wiki/Women_in_Islam
30. <http://www.slideshare.net/sushilyati/status-of-women-in-india-internees-report> | https://www.researchgate.net/profile/Tanuja_Varshney/publication/262184373_Muslim_Personal_Law_in_Reference_to_Inheritance_WOMEN_IN_ISLAM/links/02e7e536e6c28393c7000000.pdf
31. <http://grcgujarat.org/constitutional-provisions.html>
32. <http://www.drmgrdu.ac.in/Events/MBA/we360.htm>
33. http://www.prindia.org/uploads/media/Constitution%20Eighth/bill184_20080923184_National_policy_for_empowerment_of_women.pdf

