
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

**DOMESTIC VIOLENCE WITH THE PERSPECTIVE OF A MALE
VICTIM**- Vartika Shukla¹**INTRODUCTION**

Violence done within the victim's immediate family is referred to as "domestic violence." This includes the couple's present and former spouses, other family members, close relatives, and close friends. When there is a particular relationship between the abuser and the victim, who is the target of the abuse, and there may occasionally be a power imbalance between them, this is when the term "domestic violence" is used. The victim is the perpetrator's fault. The driving force will be abuse, whether it be physical, sexual, or psychological.

An act of hostility that is done by a partner or family member is referred to as domestic violence. The victim is forced to have sex against his or her will, the perpetrator places the blame for the violent outburst on the victims, and the victims are watched over by their spouses or partners. These are all warning indications of domestic violence. Other red flags include the abuser controlling the victim's medication use, the abuser destroying the victim's valuable property, and the abuser making threats against the victim and other family members. Domestic violence, according to Barber (2008), can be characterised by its emotional, financial, and physical perspectives

CRIME COMMITTED AGAINST MEN IN INDIA

The National Family Health Survey (NFHS-4) 2015–2016 found that 12% of male fatalities and 8% of female fatalities were caused by non-medical causes, such as accidents, assaults, poisoning, homicides, or suicides.

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For both men and women, this reaches its peak between the ages of 15 and 29, when it reaches a high of 50% of all male fatalities. Violence occurs more frequently and for different reasons in rural and urban regions. These findings are disturbing, but it's also true that many men keep quiet for fear of retaliation, rejection, bullying, or job loss. The issue is thus further obscured. Men can also forcefully engage in sexual intercourse at work or at home to avoid consequences or to receive rewards. In several Indian states, a young guy with respectable credentials and a solid income is kidnapped and forced into a marriage against his will. False rape accusations are frequent, as are other accusations like molestation. Because women are considered to be the weaker sex by law and society, men are frequently the target of false accusations of sexual assault and rape. This is accurate in situations involving fake dowries and domestic violence against males under Section 498A, as stated by several courts during their hearings.²

DOMESTIC VIOLENCE AGAINST MEN

Research from all over the globe shows that boys are more likely to be physically abused as children than girls are. This leads them to believe that men are inherently aggressive. Not only are boys seen as violent, but they are also disproportionately victims of crime. According to research done in 2007 by India's Ministry of Women and Child Development (MWCD),

- Of the children who were victims of physical abuse, 54.68 percent were boys;
- Of the children who suffered physical abuse at home, 52.91 percent were boys; parents were the most common abusers.
- Boys who were living on the streets reported that they had experienced physical abuse from both family members and other people in a rate of 65.99%.

Due to a lack of information and the frequent underreporting of instances, domestic violence is not a topic that is frequently discussed in society from the victim's perspective of a male victim. Research has been done on this element of domestic violence to examine the physical and emotional effects of the various forms of abuse on the victims.

²<https://journals.sagepub.com/doi/full/10.1177/2631831819894176#bibr6-2631831819894176>

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Little is known about the experiences of male victims of domestic violence. Barber claims that one male spouse is abused by another every 14.6 seconds. Many men who have been victims of assault struggle with feelings of shame and confusion about how to proceed. If you believe Fink (2006), 7.6% of American men have been abused in a romantic relationship. The National Centre for Addiction and Victims of Violence reports that 1 in 14 males have been physically abused by a spouse, current or former partner. Additionally, the NCADV found that 835,000 men are victims of intimate partner or wife violence each year. Because males often feel nobody will listen to them when they talk about it, and because they also think therapy won't help, this is seen as a problem. Many male victims of domestic violence do not speak out or report the incidences to the authorities because they feel it is an issue that is solely affecting them. Battered men often fear that the authorities will not take their case seriously if they disclose domestic abuse because of the stereotype that it only happens to women (Neeley-Bertrand, 2010).

The term "gender inequality" describes the overt or covert differential in treatment of people based on their gender. Chromosomes, brain architecture, and hormone variances all play a role in the biological and social construction of gender. Because of the dichotomous structure of gender, there is disparity that shows up in many areas of daily life. Additionally, there is gender inequality when there are inequalities between men and women and when boys and girls receive different treatment.

The sociological concept of gender is how civilizations categorise and assign social roles to men and women based on their sociocultural makeup. The distinction between sex and gender was created to address the widespread propensity to blame women's subordination on their physical makeup. For a very long time, it was believed that sex determines the various traits, roles, and statuses given to men and women in society, that these differences are natural and hence unchangeable. The duties and behaviours that are allocated to men and women depending on their sexual preferences are considered as being intimately tied to gender. Gendering a child starts as soon as they are born, both in families and in society. The birth of a boy is joyful, but the childbirth of a daughter is painful. Sons receive more affection, respect, better food, and better medical care. Girls are urged to stay at home and be shy, while boys are pushed to be strong and outgoing. These are all gender-based distinctions that society has produced. Because of this, gender inequality is a type of inequality that is

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unique from other types of social and economic inequality. It occupies a prominent spot both inside and outside the house.

It results from or before patriarchal gender norms and social views as well as variations in financial endowments between men and women. Amartya Sen, a Nobel Prize winner, examines the issue of global warming in his article 4 based on his April 24, 2001, Radcliffe Institute inaugural lecture "a thorough and very troubling examination of the "many faces of gender inequity. He claims that Queen Victoria complained to Sir Theodore Martin about "this insane, evil folly of 'Woman's Rights'" more than a century prior, in 1870." The strong empress unquestionably did not require any protection that the recognition of women's rights may provide. We are not interested in the chances of defeat; they do not exist, she could write to A.J. Balfour in 1899 even at the age of 80. However, given how often they are diminished and defeated by adversity, that is not how most people's lives unfold. Additionally, the burden of adversity frequently falls disproportionately on women within each community, nation, and class.

MALE VICTIMIZATION:

Research data shows that men are more likely than women to suffer from intimate relationships, sexual violence and stalking according to a survey conducted. Most victims come forward before the age of 25, and many are first-time victims even before turning the age of 18 years.³

VIOLENCE AMONG INTIMATE PARTNERS

- Throughout their lifetime, one in three men may encounter physical abuse, stalking, or contact sexual assault by an intimate partner.
- Approximately 56% of the men have once in their lifetime experienced sexual, physical and/or intimate partner violence before the age of 25.

SEXUAL ASSAULT

³<https://www.cdc.gov/violenceprevention/intimatepartnerviolence/men-ipvsvandstalking.html>

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- In the United States, about one in four men have ever been the victim of contact sexual violence.
- Approximately 1 in 14 American men have had their bodies penetrated at some point in their lives.
- More than 1 in 38 American men have been the victim of a successful or unsuccessful rape at some point in their lives.
- Approximately 71% of male victims of complete rape or attempted rape are victimized before the age of 25.

Stalking

- One in every 17 American men has experienced harassment at some point during their lives.
- Before the age of 25, over 41% of male victims had been stalked for the first time.

INVISIBILITY OF MALE VICTIMS OF DOMESTIC VIOLENCE

Accurate statistics on domestic violence are difficult to collect because many cases go unreported, but estimating the number of male victims is even more difficult. Traditional gender roles in society and the shame of being seen as a victim play a major role in this. Although some studies show that both men and women experience domestic violence, the majority of victims are women.

The difference in the number of victims may be due to men's fear of arrest when reporting domestic violence to the police. Men who are abused within the family may not want to leave their children to a woman because it would put their children at risk. But doing so also runs the risk of giving the impression that the man is a thief. As long as the stereotype persists that men are always abusers and women are always victims, abused men are unlikely to openly voice their oppression.

WHAT TO DO IF YOU'RE THE VICTIM OF DOMESTIC ABUSE

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A victim of domestic violence is a victim regardless of the gender of the abuser. Even if you are physically larger or stronger than the woman, you should still take any aggressiveness seriously because even seemingly insignificant incidents could develop into more dangerous situations. Controlling your emotions and physical behaviour is essential, especially in places where domestic violence occurrences call for the detention of at least one participant. In many jurisdictions, the person who is detained by the authorities is usually the "primary attacker," who may or may not have initiated the abuse. Although it may be easier said than done, men who are victims of domestic violence need to report the abuse to avoid the problem. If you're worried about talking to someone you know, there are support groups in every state. If the abuse continues, consider getting a restraining order or protection to protect you from the abuser. If you're unsure of your options or need help obtaining legal protection, consult a social security attorney in your area.

GENDER-BASED VIOLENCE STATISTICS IN INDIA

Nevertheless, a new study indicates,⁴ that in 51.5% of cases, men were victims of violence by a spouse or intimate partner, and 10.5% of the cases occurred in the last year.

- The National Family Health Survey from 2004 found that this violence is frequently committed by a male relative of the wife who threatens or attacks the guy rather than always being committed by the female partner or wife. An estimated 3 crore males in India experience domestic violence, including physical abuse and threats from the wife's family.⁵
- Between April 2005 and March 2006, 1,650 men were interviewed and their individual cases were examined as part of a study on domestic violence against males undertaken by My Nation in collaboration with the Save Family Foundation (Delhi). The survey found that Indian women were the most domineering and abusive.⁶
- 98% of the respondents across India have experienced domestic violence more than once. This survey included Indian fathers from different economic classes, but researchers found that most respondents belonged to the middle and lower middle class families.

⁴India. Indian J Commu Med. 2019;44(1):35.

⁵https://library.cqpress.com/index.php?utm_source=cross-product-footer&utm_medium=cross-product&_gl=1*s2ufcl*_ga*MTUxMDU1NzEyOS4xNjUwNDc2ODY5*_ga_60R758KFDG*MTY2ODg0MDY1Ny4xMi4xLjE2Njg4NDA2NjYuMC4wLjA.

⁶https://leanlibrary.com/?utm_source=cross-product-footer&utm_medium=cross-product

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- Nadda et al. A significant increase of 35% and 26.9% in physical abuse against women was found; this shows that Indian women experience less physical abuse than Indian men. There is no gender equality when it comes to physical violence in India.
- In a survey of 1000 married men in the diverse age ranges of 21 to 49 years old in the rural towns of Haryana, 52.4% of men reported witnessing violence motivated by gender in India. 51.5 percent of men had experienced some form of cruelty or violence at the hands of their women or intimate partners. In the past 12 months, 10.5 percent men have experienced gender-based violence at the hands of their female partners or close friends. Physical abuse is the second most prevalent type of domestic violence against males after emotional abuse in relationships.⁷
- A wife or husband may experience IPV or an intimate partner. Some of the main causes of IPV are lack of education, middle class mentality, high income, etc.
- In India, violence motivated by gender is not just experienced by women. Most women witness violence, thus there is a stereotype that domestic violence is only experienced by women, which is untrue. Given that India is a hierarchical or manly-dominated country, it might be challenging to accept that men can experience domestic abuse.
- The incident took place in Rajasthan's Alwar district. Seven years ago, the husband, a principal at a school, wed his wife after falling in love with her. But the husband said that after a while of marriage, his wife started hitting him without cause. He endured his wife's abuse of him on a long-term basis, both physically and psychologically. But as he put it, the wife had "passed all limits" at this point. To seek justice and take action against his wife, the Principal has gone to the Bhiwadi court.⁸
- Domestic violence against men has been documented in India before, thus this is not a new occurrence. Surprisingly, 51.5% of 1000 males in India report having experienced domestic abuse at least once in their lifetimes. Even Nevertheless, Indian law does not recognise domestic violence against men as a crime. The rules that protect women from domestic abuse do not consider the potential that men may also experience harassment. Many men who experience domestic violence ultimately choose not to pursue justice or are forced to turn to other legal systems that deal with severe trauma or mental harassment. Because of this, many men in India are falsely accused of domestic abuse, which severely wrecks their life. In

⁷<https://ncadv.org/statistics>

⁸<https://www.firstpost.com/india/school-principal-moves-court-for-protection-against-domestic-violence-by-wife-incident-caught-on-camera-10726711.html>

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addition, because there are no strict laws against it, even if women are proven guilty of mistreating their husbands, they are able to avoid punishment.

- According to the National Bureau of Statistics, 757,000, or one third, of domestic violence victims each year are men (1.561 million women).
- One in four women and one in four victims of domestic violence throughout their lives are men. One in six men will experience domestic violence.
- Men accounts for 26% of domestic violence criminal cases recorded by the police. This equates to approximately 155,000 crimes per year.
- Only 4.4% of domestic violence victims who receive help from local services are male, according to SafeLives. This shows that very few men receive support from nearby domestic violence organizations.
- The charity has seen a 25% increase in calls to its helpline and a 75% increase in website views during the pandemic.
- 1% of men who called the Humanitarian Initiative helpline had never spoken to anyone about their crisis before, and 64% would not have called if the helpline had been anonymous.
- There are a total of 269 places where men can take shelter or find safe shelter. 180 jobs do not require expertise, and 89 jobs require expertise. These are managed by 42 groups. There are 12 partner institutions (housing or safe housing) (average 4). Image from September 2022
- Half of male victims (49%) have never told anyone they were victims of domestic violence compared to female victims (19%).
- 11.2% of male victims (7.2% of female victims) decided to kill themselves due to their partners violence. During the pandemic, the agency has received more calls about suicidal thoughts.
- Between April 2015 and March 20 of the most recent year, an average of 12 males (and 74 women) every year were slain by a partner or ex-partner.⁹
- Contrary to popular belief, approximately two-fifths of domestic violence victims are men; This contradicts the notion that almost all of the victims and victims are women. Men's rights group Parity said men abused by their partners were less likely than women to receive protection, were often ignored by police and their abusers went unpunished.
- They are more likely to be hurt by their partner or girlfriend than previously thought, according to a domestic violence charity. According to the Domestic Violence: Men's

⁹<https://www.mankind.org.uk/statistics/statistics-on-male-victims-of-domestic-abuse/>

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Perspective report, domestic violence is mostly seen as a female victim/male problem. However, research shows that this is a false belief.

- According to the Domestic Violence and Crime Agency, approximately 40% of all domestic violence victims in 2004-2005 and 2008-2009 (the years for which this information is available) were men. In 2006-07, 43.4% of victims of communal violence were male; The incidence increased to 45.5% in 2007-08 but fell to 37.7% in 2008-09.
- The same data showed that an equal, if not slightly higher, number of men reported serious violence against their partners. The Ministry of Labor reported that the figure was 48.6% in 2006-07, 48.3% the following year, and 37.5% in 2008-09. 2008-09 data is as follows: "More than a third of women (28%) and nearly a quarter of men (16%) have been exposed to violence at home since the age of 16. According to these figures, 4.5 million women and 2.6 million male victim of domestic violence.

INTERNATIONAL COMPARATIVE ANALYSIS OF COUNTRY PERFORMANCE

- In the United States, 1 in 9 men report having experienced some form of domestic violence from a spouse or an intimate partner. One in seven males have experienced some form of physical abuse from their spouses or an intimate partner.¹⁰
- In the UK, men make up two out of every five victims of domestic abuse. This disproves the widespread misconception that domestic violence mainly affects women. Domestic violence against men frequently goes unreported, and the majority of the time, the perpetrators are not penalised by the authorities, according to men's rights advocacy group Parity.¹¹
- Forty percent of victims of domestic violence between 2004–2005 and 2008–2009 were men, according to a British crime survey. It dropped to 37.7% in recent years.
- Men are more likely than women to experience domestic abuse committed by strangers or in public settings. Since the age of 15, 1 in 16 Australian men has experienced physical or sexual abuse at the hands of their wives, intimate partners, or the person they are living with.

¹⁰<https://www.theguardian.com/society/2010/sep/05/men-victims-domestic-violence>

¹¹<https://journals.sagepub.com/doi/full/10.1177/2631831819894176>

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One guy is slain per month from 2012–13 to 2013–14 as a result of experiencing domestic violence from either their current or former partner.¹²

- Domestic violence by a spouse or other intimate partner affects one in nine men in the United States. A spouse or other intimate relationship has physically abused one in every seven men.
- The most recent Indian study indicated that the prevalence of violence against intimate partners (51.5%) was higher than the statistics on domestic abuse gathered by the “Partner Abuse State of Knowledge Project (PASK)” from the United States, Canada, and the United Kingdom (19.3%).¹³
- In India, domestic abuse became a punishable offence in 1983. According to section 498A of the Indian Penal Code, the offence is punishable.¹⁴

According to surveys and research from different nations, domestic violence against men by their wives or a sexual partner is not unusual. There should be appropriate mechanisms to address domestic abuse in a more impartial manner.

IMPACTS OF INTIMATE PARTNER VIOLENCE ON MEN

Violence of any kind affects a person's physical, mental, emotional, and psychological well-being. Furthermore, it violates fundamental human rights. Unreported and unrecognised violence against men can, in extreme cases, lead to death, divorce, depression, and failure to accept the family. Men who are married tend to commit suicide more frequently than those who are divorced or single. Women are more prone to consider suicide, according to WHO (2002), even though men do so more frequently. This is sometimes referred to as a gender dilemma in society.

According to the World Health Organization (WHO), exposure to violence can increase the risk of developing chronic diseases like heart disease, insulin resistance, and cancer, as well as infectious diseases like HIV and social problems like crime and additional violence. It can

¹²<https://www.aihw.gov.au/reports/domestic-violence/family-domestic-sexual-violence-in-australia-2018/contents/summary>

¹³<https://www.domesticviolenceresearch.org/domestic-violence-facts-and-statistics-at-a-glance/>

¹⁴<http://www.measuredhs.com/pubs/pdf/FRIND3/15Chapter15.pdf>

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also increase the risk of smoking, alcohol addiction, drug abuse, mental illness, and suicidality.¹⁵

SILENT SUFFERING: THE HIDDEN IMPACT OF DOMESTIC VIOLENCE ON MEN

- **Helplessness:** the feeling of losing control, powerlessness, fear of not being able to do anything, acting passively in a bad situation, and a lack of motivation to flee the abuse are all consequences of a man's experience with physical and sexual abuse (for example, being beaten by the father or other family members). Helplessness is a taught emotion that might return after each instance of maltreatment.
- **Becoming a victim of bullying:** This might have short- or long-term effects on the victim's emotional and physical health. Their sense of self-worth may suffer, and they run a greater risk of developing mental health issues, behavioural issues, social issues, emotional issues, depression, substance abuse, physical injuries, and headaches.
- **Becoming a bully himself:** When the victim reaches maturity, there is a strong possibility that they will participate in risky behaviour, including violence. Additionally, they might abuse drugs, fight, behave destructively, mistreat their family members, and participate in criminal activity.
- **Having health problems:** In maturity, these difficulties may appear as depression, personality disorders, anxiety disorders, violent behaviour, substance misuse, and various physical health issues.

The effects of domestic abuse as an adult (such as being hit by a spouse) frequently result in the disintegration of the patriarchal idea, which may further harm the man's sense of self and leave him feeling powerless or dissatisfied. Violence from a spouse who has behavioural or rage difficulties could:

- Make it harder for him to face or deal with the situation if the man is not violent or has never been physically abused. A persistent sense of powerlessness may contribute to depression and low self-esteem.

¹⁵<https://dc.etsu.edu/cgi/viewcontent.cgi?article=2448&context=etd>

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- Raise his chance of developing a tobacco or alcohol addiction. This could then result in physical health concerns like heart disease and respiratory troubles as well as major mental health problems like depression or anxiety.
- Cause rage disorders, sadness, and suicide. making it challenging for them and their family to cope.
- Make it harder to function. Simple daily tasks like finishing them on time, remembering specifics, and being punctual become challenging.

make him more susceptible to various physical and mental health problems. Heart disease, high blood pressure, depression, and anxiety are a few of the illnesses that could have an impact on the person.

Legal Issues

Despite the evidence of violence against men, no laws protecting them have yet been passed by the legislature. Every domestic violence law acknowledges that women are the victims. The Indian Supreme Court passed the Dowry Prohibition Act of 1961 and later Section 498A, both of which express concern and urge an end to "Legal Terrorism" in the form of the misuse of 498A and the necessary amendments from Parliament.¹⁶

SEEKING PREVENTIVE HELP FOR MALE VICTIM OF DOMESTIC VIOLENCE

Men frequently conceal the violence they experience from their spouses or intimate partners for a variety of reasons¹⁷:

Male stereotypes in general: Men commonly face discrimination and are apprehensive to talk about the violence they witness out of concern for being evaluated and characterised as effeminate and weak. They think their campaign against violence will be ineffective since the Indian Constitution has provisions and articles that are specific to gender. They feel they have failed in their duty to protect and support their families. Concern over phoney cases: Many men believe that disclosing violence could lead to conflict and do not want to fac

¹⁶<https://library.cqpress.com/>

¹⁷<https://blog.ipleaders.in/domestic-violence-men-india/>

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e legal action due to gender bias or gender laws in our constitution. They don't want to separate their families, but they feel like they have to. They feel that they have to leave their families and do not want to go on a long journey to care for their children. Beyond the absence of laws, social norms also prevent men from seeking justice. Patriarchy gives the idea that men are immune to violence. They were believed to be so strong that no one, especially women, could crush or harm them. The proverb "Mardkodardnahihota" forces people to remain silent or turn a deaf ear to their suffering. The stigma of being beaten by a woman further prevents people from talking about it, especially when it comes to spousal abuse. His masculinity is put to the test when he is assaulted by a woman. Therefore, the patriarchy that grants a man the authority to enslave a woman also undermines his ability to ask for assistance.¹⁸

Is it worth it for men to suffer and suffer while remaining silent to protect their masculinity? Why can a man's strength be expressed only through physical strength?

The problem is that intimate partner violence is very rare in our lives. If this is happening to women, it's ignored because it's something women have to deal with because of their gender. In fact, it is considered impossible for this situation to happen to a man. Therefore, it is time for us to start taking the spouse seriously and stop looking at them through a patriarchal lens. Domestic violence/intimate partner/spouse abuse is wrong, regardless of the gender of the perpetrator. While we raise awareness about domestic violence against women, we also need to help men who are exposed to this evil. We need to create equality, not another dictatorship.

Legal and Social Justifications for Underreporting¹⁹

The majority of Indians remain with their families even after getting married due to social and familial pressures. Guys find it embarrassing to discuss the violence because of this. Society has a big impact on discriminatory laws and attitudes against one gender in addition to these factors.

Denial: The majority of people think that domestic violence solely affects women. They maintain their denial even after learning that men can experience domestic violence. To put it another way, nobody ever wants to discuss it.

¹⁸<https://www.shethepeople.tv/top-stories/opinion/male-domestic-violence/>

¹⁹<https://www.juscorpus.com/domestic-violence-against-men-in-india/>

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Men who believe it is shameful to be physically abused by a woman in a society where men are the majority choose not to report the abuse. Additionally, family pressure and apprehension about becoming the target of 498A false claims discourage them from taking any legal action. Most people do not believe men who expose domestic violence and assault. Furthermore, when these guys seek to discuss the problems in their relationships and families, no one takes them seriously. Many men are ashamed to acknowledge or talk about being beaten by their wives.

Underreporting is likely due to a variety of factors, including the hope and belief that things will get better, the fear of losing respect and social status, safety concerns, a love for their families and children, and the dread of being held accountable. Men complaining might sometimes be viewed as "feminine behaviour" in the heavily patriarchal Indian society.

CONCLUSION

Equal rights and opportunities for men and women should be a fundamental human right. Victims of rape, domestic violence, and sexual assault are disproportionately male. But they don't have a voice to share their grief. It seems obvious that our country has to pass laws protecting men, given that there is already a law protecting women. At this point in history, when gender equality is widely recognised, it would be absurd for our statute to omit this provision. Millions of men suffer from feelings of victimisation and alienation; a law protecting them from domestic violence would be beneficial to them. Furthermore, it would provide those men with a legitimate channel to express their pain in the hopes of receiving assistance.

The social structure, including the power dynamics, norms, and values, is changing.

More and more men are coming forward to report instances of domestic violence, including harassment, abuse, and physical violence. The moment has come to acknowledge their problem as one of public health and social concern and to work towards a workable solution.

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