

Domestic violence and its impact on children

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Abstract: *Violence is an invasive force in the lives of children and children who grow up witnessing violence in their homes are at risk for psychological, behavioral, and social maladjustment, the empirical basis for this has not always been recognized. This article provides an insight into what constitutes domestic violence and its harmful impact on young minds.*

Key words: *children, constitutional safeguards, domestic violence, effect, human rights.*

I. Introduction

Defining Domestic Violence in the home

Violence is an act of aggression, usually in interpersonal interaction or relations. Violence is a coercive mechanism to enforce one's will over another in order to prove or feel a sense of power.¹ Violence is seen as an active endeavour by men to regain a sense of control over at least one element of their environment when they feel out of control generally. Domestic violence is violence that takes place between people who are usually bonded through law, blood or intimacy. Domestic violence refers to violence, intimidation, and harm perpetrated by one person against another with whom the person is in a relationship. Domestic violence occurs within the home and poses a threat to the sanctity of familial relationships. Domestic violence involves a sequence of frequent acts that escalate so that the perpetrator maintains authority and control over the victim. The family is seen as the base of human survival, a place of safety, love, care and loyalty. Family is the dominant ideology, through which a particular set of household and gender relationships are universalized and naturalized. Domestic violence is a gender based violation of human rights having multi-dimensional repercussions in the well-being of individuals in family and society. Domestic violence refers to assaultive and coercive behaviors that adults use against their intimate partners² and surveys show that domestic violence against women is widespread³. Govind Kelkar situates violence against women in the socio-economic and political context of power relations.⁴ Domestic violence is seen as a manifestation of patriarchal and hierarchical social structure. It excludes women from political, business and religious leadership. Domestic violence is a patriarchal mechanism for controlling women. It is defined to include all acts of physical, sexual, psychological or economic violence that may be committed by a person who is a family member or by a person who has been an intimate partner or spouse, irrespective of whether they lived together. In 1993, The United Nations Declaration on the Elimination of Violence against Women recognized domestic violence as one of three contexts in which violence against women occurs. It is described as: physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.

Forms of domestic violence

Domestic violence can take a number of forms including physical, sexual, economic, emotional and verbal. Acts of physical violence by the husband against his wife includes pushing, shaking, slapping, arm twisting, hair pulling, punching, kicking, dragging, beating, trying to choke or burn her on purpose, and threatening her or attacking her with a weapon. Acts of sexual violence by the husband include physically forcing the wife against her will to have sex or perform other sexual acts that she did not want to perform. Acts of economic abuse includes controlling access to money and other resources. Acts of emotional violence by the

¹ Kahol Yudhishtar. (2003). *Violence Against Women*. Reference Press, New Delhi, p.37-38.

² Holden, George W 2003. "Children Exposed to Domestic Violence and Child Abuse: Terminology and Taxonomy." *Clinical Child and Family Psychology Review* September 2003, Volume 6, Issue 3, pp 151-160

³ Kishor, Sunita, and Kiersten Johnson. 2004. *Profiling Domestic Violence: A Multicountry Study* ORC Macro.

⁴ Karlelar, Malavika. 1998. "Domestic Violence", *Economic and Political Weekly*, July 4-7, pp.1742-51.

husband against the wife includes jealousy, anger, intimidation, controlling, neglect, humiliation, threats, isolation and verbal abuse. Verbal abuse might involve threats, name-calling, blaming, ridicule, disrespect, and criticism. Victims of domestic violence may be trapped in violent situations through isolation, power and control, insufficient financial resources, fear, shame or to protect children.

Victims of domestic violence may be trapped in violent situations through isolation, power and control, insufficient financial resources, fear, shame or to protect children. The consequences of domestic violence are substantial-in terms of physical injury, psychological and emotional distress, suicide, and substance abuse among victims. Victims of domestic violence experience an increasingly diminished sense of control that leads to powerlessness and helplessness psychological conditions that disenable individuals from leaving abusive relationships. As a result of abuse, victims may experience physical disabilities, chronic health problems, mental illness, limited finances, and poor ability to create healthy relationships. Victims may experience post-traumatic stress disorder. Children in families in which such violence occurs have remained largely invisible as victims. Children who live in a household with violence may continue the legacy of abuse when they reach adulthood. It is very important to remember that a key component in raising an emotionally and developmentally healthy child is not only ensuring the safety of the child but also the safety of the primary caretaker.

Effect of domestic violence on children

Domestic violence not only poses a direct threat to women's health, but also has adverse consequences for the survival and well-being of children. According to Article 1 of the 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 earlier".

Children need a safe and secure home, free of violence, and parents that love and protect them. For too many children, home is far from a safe haven. Every year, hundreds of millions of children are exposed to domestic violence at home, and this has a powerful and profound impact on their lives and hopes for the future. These children not only watch one parent violently assaulting another, they often hear the distressing sounds of violence, or may be aware of it from many telltale signs. Children who witness domestic violence in their own homes may see the abuser threaten the adult victim and even if they don't see the actual physical assault, they are often exposed to the repercussion - broken furniture, food strewn about or smashed pictures. Such children often become isolated, fearful and vulnerable. They are always worried for themselves, their mother, and their siblings. They may feel insignificant and defenseless. The emotional responses of children who witness domestic violence may include fear, shame, guilt and depression. Moreover children who grow up witnessing their mother being battered by their father often suffer from psychological trauma and all this comes in the way of normal healthy development. Physical responses may include stomachaches, headaches, and other related ailments. The behavioral responses of children who witness domestic violence may include acting out, withdrawal, unable to make friends, exhibit violent, risky or delinquent behaviour. Later in life, these children are at greater risk for substance abuse, juvenile pregnancy and criminal behaviour than those raised in homes without violence. Some studies suggest social development is also damaged. Some children lose the ability to feel empathy for others. Others feel socially isolated, unable to make friends as easily due to social discomfort or confusion over what is acceptable. Many studies have noted that children from violent homes exhibit signs of more aggressive behaviour, such as bullying, and are up to three times more likely to be involved in fighting. The children may exhibit signs of anxiety and have a short attention span which may result in poor school performance and attendance. They may experience developmental delays in speech, motor or cognitive skills. Infants and small children who are exposed to violence in the home experience so much added emotional stress that it can harm the development of their brains and impair cognitive and sensory growth. Behaviour changes can include excessive irritability, sleep problems, emotional distress, fear of being alone, immature behaviour, and problems with toilet training and language development. Another ill impact is that children who are raised in abusive homes may tend to believe that violence is an effectual means to settle any disagreement as well as to dominate one's partner. Several studies also reveal that children who witness domestic violence are more likely to be affected by violence as adults – either as victims or perpetrators. What is even worse is that the children may in future replicate the violence they witnessed as children. Boys who are eyewitness of their mothers' abuse are more likely to batter their female partners as adults than boys brought up in normal healthy environment. Girls who witnessed their mothers' abuse are more likely to believe that threats and violence are the norm in relationships.

An additional issue is the impact on the child of the meaninglessness of the violence they witness or experience. No one talks about what is happening and the mother's sense of helplessness leads her to dissociate from the violence so that when it is not happening, she may act as if there's nothing wrong. So the child's thoughts and feelings about the experience become fragmented, disorganized and they are unable to make sense of it. Witnessing violence affects children's view of the world and of themselves, their ideas about the meaning

and purpose of life, their expectations for future happiness and their moral development. This disrupts children's progression through age-appropriate developmental tasks.

Constitutional safeguards for children

Children have certain special rights and legal entitlements that are being acknowledged nationally and internationally. The constitution of India recognized the rights of children for the first time and included several articles dealing with their liberty, livelihood, and development of childhood, non-discrimination in educational spheres, compulsory and free education and prohibition of their employment in factories, mines and 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)
- Right to nutrition and standard of living and improved public health (Article 47)

Way forward

Human rights are rights inherent to all human beings, irrespective of our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible. While all children have the right to enjoy fundamental human rights, their situations are not uniform. At the same time, childhood and the range of children's needs and rights are one whole, and must be addressed holistically. A life-cycle approach must be maintained. Children's rights are the human rights of children with particular attention to the rights of special protection and care afforded to minors. This includes their right to association with both parents, human identity as well as the basic needs for food, universal state-paid education, health care and criminal laws appropriate for the age and development of the child, equal protection of the child's civil rights, and freedom from discrimination on the basis of the child's race, gender, national origin, religion, disability, colour or ethnicity. There is no place for violence in a child's life. It is important to raise awareness on the devastating effect of domestic violence on children as we know that much can be changed by bringing this problem into the open. The message to all must be that domestic violence is damaging to everyone, including children who are exposed to it, and that it can be stopped. Legislation and policies must reinforce the message that domestic violence is a crime that perpetrators will be punished and victims protected. These policies must focus on the protection of children and address the impact of violence in the home on children. In order to respond to the overwhelming issues associated with domestic violence, child welfare professionals need to understand these issues and know how to identify them as well as assess and provide treatment to children and youth affected by domestic violence.

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