

Analysing Research Approach Towards “Domestic Violence against Men”

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In the contemporary period of incredulity toward structures of exploitation, abundant knowledge has been generated by academics and scholars about gender discourse. Under the Asian demographic (in this case, India), Gender has always met with opposing views guarded by long distances between the two extremities of discussion. The confrontation of the East and the West in terms of the social structures constructed in both societies. The former has a collectivistic nature while the latter delves into extreme individualistic notions of the self. However, as more cultural products originating from the West are getting consumed in the East, there are instances of some individualistic traits within a rigidly collectivist society.

Moreover, this dissemination of popular culture, in particular, has made significant changes within the urban regions of India as well. However, structural patriarchy persists both in urban and rural areas of the country which consequently affects the form of episteme benign produced in academic spaces especially because of the ideals of a heteronormative structure in any space, be it academia or society in general.

Butler's insight towards the construction of gender in a predominantly heteronormative, cis-gendered, and patriarchal society has led to a massive exchange of information regarding the binding or limiting nature of gender for which the everlasting binary perspective of gender is to be blamed. Butler in her essay discusses the nature of gender by separating the biology or the concept of sex away from it to the extent of debunking the claim of gender as a fact.

In the essay, “Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory,” Butler writes:

Discrete genders are part of what 'humanizes' individuals within contemporary culture; indeed, those who fail to do their gender right are regularly punished. Because there is neither an 'essence' that gender expresses or externalizes nor an objective ideal to which gender aspires; because gender is not a fact, the various acts of gender creates the idea of gender, and without those acts, there would be no gender at all. Gender is, thus, a construction that regularly conceals its genesis. (522)

Since various acts of gender rightfully create the idea of that gender, it can then be argued that the largely held conceptions of notions like masculinity are a result of a long history of activities performed by men, both in private and public. Therefore the formation of masculinity as a concept and its idea in society can be analysed through gender-affirming activities. For instance, attributing the “need to be tough” or “acting manly” in the public sphere is considered to be a universally natural feature for men. Another example is the association of anger or violence as an inherent trait of “being a man”; these examples are therefore noted to be a part of being masculine or a symptom of one's masculinity.

It is important to discuss from here that violence, particularly the act of committing violence, has been continuously considered as an act that reinforces one's masculine nature. This is primarily because of how patriarchy as a structure in society not only warrants such false attribution but also fuels its glorification. Thus, such a feudal perception of masculinity which is highly patriarchal only leads to an increase in cases of rape, sexual assault, harassment, domestic violence, etc.

This study intends to focus on the episteme revolving around domestic violence suffered by men in India as a topic of research, especially on how it has been formed in the academic space. Moreover, to move further with such aim, the following passages of the study will demonstrate a heavily criticized analysis of two such studies on domestic violence on men which are extremely incompetent in addressing the problem. Instead, the formation of such scholarly content can very well be used to target the feminist movement. As a result, the critical analysis of the two selected studies helps in understanding how the discussion of domestic violence against males is prone to be influenced by patriarchy as a structural ideologue.

A Qualitative Understanding of Domestic Violence Against Women

Swamay Ray in her paper, “Legal Construction of Domestic Violence” mentions a deep analysis of laws about domestic violence in the Indian constitution. Cases of domestic violence usually go unreported or do not allow the women as victims to undergo a smooth protocol by the institutions of court and police because of the heavy influence of the “public and private” concept in Indian society. The Indian women's movement ever since its formation has struggled to bring the issues of women out from the private sphere. Moreover, with time the advocates of the movement realised that there is a continuous overlap between the institution of the private and the public. As a result, one must look at issues like domestic violence without isolating the private from the public (Ray 427).

There are a multitude of versions of inflicting violence that do not fall under the purview of Indian law, subsequently placing different forms of domestic violence away to the periphery. This has resulted in the incompetence of laws of domestic violence in the Indian judicial system.

Following this, Ray states the inadequacies of Section 498A and 304B of the Indian Penal Code (IPC) by their inability to highlight that the violence that takes place between two members is not always limited to the persons involved in the relationship. The party inflicting violence can also exist beyond the scope of marriage such as cousins, neighbours, friends, distant relatives etc., which does not follow under the ambit of the Sections mentioned above.

Dowry harassment has always been present within Indian families, be it rural or urban. Similar to domestic violence, it has repeatedly been treated as a private problem within the family. This further leads to the lack of investigation into dowry murders which are then ultimately ruled out as cases of suicide. The Dowry Prohibition Act of 1961 was a beginning step towards bringing the issues of violence against women into the limelight. However, the Act excluded the presents given to the bride and the groom along with the money transacted after the marriage from its scope. Moreover, while tackling the problem of dowry deaths was extremely important, the feminist groups related all the violence against women within their homes to only dowry demand. This form of homogenisation of violence caused the lawmakers to overlook other forms such as physical violence inflicted on women. However, it was not late until the feminist movement, after gaining a substantial proportion of momentum, started to highlight and isolate different forms of violence with their particular cause instead of premising them solely on the cases of dowry murders. Therefore, many issues regarding women that were considered to be private or taboo entered into the arena of discursive formation hence resulting in an increase in the demand for the formation of proper laws that are solely acquainted with cases of domestic violence.

As a result, new categories of violence were included under the formation of Section 498A and 304B of the IPC to deal with cruelty to the wives. However, the state still did not accept the term “domestic violence” thereby leading the discussions about the issue absent from the courts. Therefore it was much later that the Domestic Violence Bill 2001 was formed in response to the pleas and protests against the existing laws which ultimately proved to be institutionally patriarchal and biased.

Apart from the violence inflicted upon women by their husbands in most cases of domestic violence, the former is still prone to systematic oppression from the police which is inherently patriarchal. They are made to go through the experience of violence repeatedly without any adherence to protocol formulated by the institutions. Apart from this, the female body is always put into question in cases where the perpetrator accuses the victim of adultery to form a defense.

A progressive rather than limited interpretation of domestic violence cases is needed so that even the judiciary as a law-making institution incorporates a newer perspective of violence that escapes the hegemonic presence of patriarchal structures that are seen in the previous amendments.

Inquiry into the Episteme Relating to Domestic Violence on Men

The previous section of the study provided a clear view of a highly qualitative construction of arguments on the topic of domestic violence suffered by women. Since numerous social factors are bound to come into play during the process of deconstructing experiences of domestic violence in Indian society, Ray’s input on the laws through an in-depth understanding of her case studies provides a comprehensible view to the reader about the contextuality and its misinterpretation by the courts.

However, as mentioned in the Introduction of this study, some of the episteme or the scholarly research produced around domestic violence on men remains faulty; the following paragraphs shall discuss two such studies. During the process of reading these papers, the researcher noted that both of them were insufficiently researched in terms of providing an accurately lengthy analysis of the social conditions and processes that are involved in cases of domestic violence against men. Apart from the ignorance in providing heavily researched information for these social processes, the researchers failed to cite any sources in the parts where they claim to put their arguments about men as victims of domestic violence.

Moreover, both studies only relied on empirical methods of providing data to defend their arguments, but it needs to be pointed out that even the explanation followed in the statistical information was extremely limited.

Sanjay Deshpande in his paper, “Sociocultural and Legal Aspects of Violence against Men” claims to explore the extent of the problem of men not getting justice in their experiences of violence by highlighting the cause and effects of such cases.

However, his arguments fall short in comparison to the claims because of the study’s sole dependence on empirical data to solidify the arguments. He provides little to no information relating to the cause of the violence, the background of the space in which the victim experiences such acts of violence, or even his observation as a researcher on these cases. For instance, he writes:

This can include slapping; pushing; hitting by wife, her parents, or relatives; or throwing objects like utensils, cell phones, and crockery at the husband. (247)

Deshpande refrains from mentioning background information for the above arguments.

Moreover, throughout his paper which has an abundant amount of statistical information, Deshpande however, does not provide a discursive analysis of those statistics which could eventually lead to the discussion of numerous sociocultural factors that create a feeling of embarrassment for the male victims further preventing them from reporting their experiences.

The inclusion of sociocultural factors invites a discussion of the patriarchy and how the internalisation of toxic masculinity, as a result, has played a significant role in nurturing this sense of shame and embarrassment for the male victims.

Deshpande even fails to provide any support for his claims. For instance, he explains the psychological dimensions of violence against men without providing a credible source for the analysis. He writes:

Many women have serious anger management issues and because of this they become aggressive, and a verbal or physical abuse takes place. Women facing stress at workplace have frustration and anger due to the nonfulfillment of expectations and thus also can indulge in violent behavior. (247)

Not only such claims are fueled by a patriarchal mindset they are also not backed by any form of information which ultimately makes Deshpande’s study exceedingly unreliable. He mentions this as a “psychological dimension” but does not include any examples of the experiences of the patients undergoing therapy. Since the study is published in a reputed journal one can expect an in-depth mention of interviews or questionnaires if the research already includes a broad spectrum of statistical data. An ethnographic approach to the study makes the arguments much more comprehensible for the reader.

However, Deshpande does provide a social and legal reason for underreporting in which he critiques how a male-dominated society prohibits men from reporting their experience because of the fear of embarrassment. But, he limits this section of his study to a mere two paragraphs thereby limiting the scope of these arguments that are in dire need of more scholarly research because of the absence of an ample amount of literature produced on domestic violence on men.

Another study by Anant Kumar fails to address the problem and instead consists of information that is prone to be used as a medium against the feminist movement. In his paper, "Domestic Violence against Men in India: A Perspective" Kumar does not address the institutionalization of patriarchy in Indian society which is a stepping stone towards understanding the reasons for underreporting of such cases. He writes:

Women's position, power, and status are changing. They are empowered and aware of their rights. These factors along with education, changing values and norms, and gender role empower women in realizing that they are not inferior to men and even at places stronger and more powerful than men. (291)

In the pursuit of explaining the change in the power dynamic, Kumar's writing almost signifies a sense of fear that is created as women become aware of their rights. However, one can credit Kumar for synthesizing arguments in any possible way to support this insecurity which is abundant in his writing. He bases male violence to be premised in the analysis of power relations where he states, "if a male earns less than a female and his wife starts analyzing the situation and feels more empowered and powerful, the male develops insecurity and can even be a victim of violence thereafter." (295)

Apart from the patriarchal mindset of such hypothetical examples — Kumar does not provide any valid source for such an incident — there is a redundancy in his research to the extent that his insufficient effort in gathering more scholarly content to address the problem is widely evident. Lastly, it is only sufficient to call Kumar's work on the topic scarcely researched. This only develops more surety when one reads his mention of "increased homosexuality" as a consequence of the violence against men which only makes his study invalid but also hostile towards the LGBTQ+ community in India.

Conclusion

It is important to understand that one tends to form an argument about domestic violence against males—as the one discussed in this study—primarily due to the presence of patriarchy as a thinking process. Here "presence" signifies the intense internalisation of patriarchy into one's thinking process which creates a form of tunnel vision for social issues like domestic violence. Hence, there needs to be more unlearning about the normalised activities in a society that operates in accordance with the doctrines of patriarchy.

Therefore, such arguments ultimately are a symptom of that very patriarchal structure. As a result, this leads to the seclusion of numerous factors such as the conception of abuse for males, taboos surrounding the topic of therapy, the association of violence with masculinity, and a hesitancy or reluctance towards being overly emotional for males.

Thus, through the aforementioned arguments, it is not only clear that while researching such topics one is given the duty to include the experiences of the survivors in detail but also adopt a proper theorisation of these experiences according to the cultural context so that there is no lack created in the arguments. While one can certainly rely on empirical data to gather information to establish a certain sense of objectivity within the research, however, subjective experiences for a topic of study like "domestic violence against males" become equally important to analyse the interplay of social complexities and cultural practices across the public and private sphere.

Works Cited:

- Butler, Judith. "Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory." *Theatre Journal*, vol. 40, no. 4, 1988, pp. 519–31. JSTOR, <https://doi.org/10.2307/3207893>. Accessed 11 Dec. 2023.
- Deshpande, Sanjay. "Sociocultural and legal aspects of violence against men." *Journal of Psychosexual Health* 1.3-4 (2019): 246-249.
- Kumar, Anant. "Domestic violence against men in India: A perspective." *Journal of Human Behavior in the Social Environment* 22.3 (2012): 290-296.
- Ray, Sawmya. "Legal constructions of domestic violence." *Sociological Bulletin* 55.3 (2006): 427-448.

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