

Domestic Violence Ends Three Innocent Lives: A Case Series

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Abstract

Violence against women is any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. Domestic violence can be defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound someone. Domestic violence can happen to any couple irrespective of their race, age, sexual orientation, religion, gender, socio-economic backgrounds and education levels. The management of domestic violence essentially requires combined effort of law enforcement, social welfare and healthcare services. The current article throws light on three separate incidents of domestic violence, where the victim was forced to commit suicide, but employing a different method in each case e.g. hanging, burning & consuming poison.

Keywords: Domestic violence; Physical & emotional abuse; Socio-demographic background; Suicide; Heinous crime.

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Introduction

In a country where womanhood is praised through epics and their devotion to goddesses, it is very disturbing as well as discouraging that there are continuous acts of violence against women. The United Nations defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to a woman,

including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life" [1]. The United Nation's special report on Violence Against Women identified different kinds of violence against women, such as:

(a) 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.

(b) Physical sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.

(c) Physical, sexual & psychological violence perpetrated or condoned by state, if it occurs [1].

Domestic violence can be defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner [2, 3]. There are four main reasons for domestic violence to persist in India: Male dominated society, lack of awareness of Laws, laxity in implementation of the existing Acts, Bureaucracy & Fear [4,5]. Researchers suggest it is useful to think of three sources of Domestic Violence: Childhood socialization, previous experiences in couple relationships during adolescence, and levels of strain in a person's current life [6,7]. This article describes the incidence of domestic violence involving three different women, the existing law & incorporation of new act safeguarding them from domestic violence.

Case Details

Case 1

History: A 24 year old female was married in a Hindu nuclear family of urban residence from upper middle class status. It was an arranged marriage for 5 years, and she had no children. Her husband alleged that she was having an affair with another teacher, a Co-worker in the same school where she taught Bengali. One night, after one such fight with her husband, she was found at her living room by her mother-in-law, who discovered that the dead body was hanging from the roof by a rope from the ceiling, a chair was lying on the floor. She was removed from her hanging position & rushed to the nearby hospital by her relatives & neighbor, where she was declared brought dead. Her parents alleged that there were frequent episodes of physical violence against her by her husband, as he suspected her to be involved in an extramarital affair with her co-worker. Postmortem examination was done on the next day.

Autopsy Findings (Images 1 & 2): Dried marks of salivary stains present over left angle of mouth & chin. External Injuries: a non-continuous ligature mark 40 cm by 1.5 cm placed obliquely, high up

around neck with gap of 7 cm over right mastoid region. Upper margin of mark present 5 cm below right angle of mandible, 8 cm below chin, 10 cm above supra-sternal notch, 8 cm below left angle of mandible, 7 cm below tip of right mastoid process. Skin of ligature mark brownish, parchmented, furrowed & abraded and on dissection, the subcutaneous tissue under ligature mark was whitish, hardened, condensed & glistening in appearance without any extravasation of blood. All injuries showed evidence of vital reactions. No other injuries except those noted were detected. All internal organs were congested. Opinion about Cause of Death was given as 'Death was due to asphyxia due to ante-mortem hanging'.



Image 1: Ligature Mark



Image 2: Ligature mark after dissection

Case 2

History: A 22 year old illiterate female was married in a Muslim joint family of rural residence from lower middle class status. It was an Arranged marriage with a man who had smoking and drinking habits. They were married for 4 years, with 2 girl children. She was regularly tortured both physically & mentally by her husband & in-

laws demanding more dowry from her and also abusing her, as she did not give birth to a male child. After one such altercation with her husband, she allegedly poured kerosene oil & set herself on fire. She sustained severe burn injuries & was hospitalized for treatment. However, she expired on the next day and postmortem examination was done.

Autopsy Findings (Images 3–5): Dead body of a moderately built female. Rigor mortis present all over, along with burning & singeing of hair. External Injuries – Dermo-epidermal burn injuries of varying depth present over entire face and neck all around, whole of both upper limbs, anterior & posterior chest and abdominal wall all around, whole of both lower limbs up to ankle joint, with no injury over both feet dorsum & sole. All injuries showed evidence of vital reaction. The margins & bases of injuries were congested. On internal dissection, all organs were congested. Histopathological examination of congested kidney and lung was done. Lung revealed interstitial oedema, while Kidney showed features of Acute Tubular Necrosis (Images 6 & 7). Opinion about Cause of Death was given as 'Death was due to the effects shock as a result of ante-mortem thermal flame burn injuries involving about 98% of total body surface area'.



Image 3: Deceased with External Burn Injuries

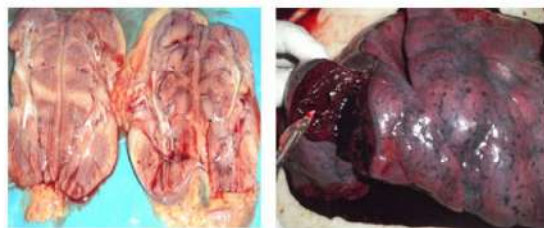


Image 4: Congested Kidney

Image 5: Congested Lung

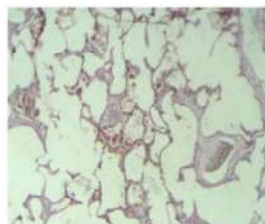


Image 6: HPE of Lung: Interstitial Oedema

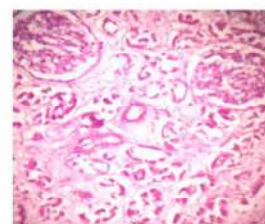


Image 7: HPE of Kidney: Acute Tubular Necrosis

Case 3

History: An 18 year old female had a love marriage into a Hindu Joint family of rural residence, belonging to Middle Class status, in March, 2018. She had completed her Higher Secondary examination and her husband owned a stationery shop. She had regular quarrels with her in-laws, who demanded dowry from her parents. In August, 2018, she had a major quarrel with her mother-in-law and allegedly consumed an unknown poison and fell ill; was rushed to the nearest hospital, where she was declared brought dead. Her parents gave history of her being tortured mentally by in-laws over dowry matters, & by her husband over petty matters but there was no history of any physical abuse by husband. Postmortem examination was done the next day.

Autopsy Findings (Image 8): Dead body of a moderately built female. No external or internal injury could be detected. On dissection, Stomach contained 100 ml yellow mucoid fluid with unpleasant pungent smell. The mucous membrane was grossly congested and there were sub-mucosal hemorrhage at several places. Viscera were preserved and sent to FSL for chemical analysis. Opinion about Cause of Death was given as Death was due to the effects of poisoning, however the nature of poison is to be given after receipt of FSL report.



Image 8: Stomach with Submucosal Haemorrhage

Discussion

In the present article, the authors discuss about three separate incidents of suicide by married women in different socio-demo graphic backgrounds. They differed in their age, education, marital status, residence, the type of family, socio-economic status, husband's profession & habits. But they had one thing in common—all were subjected to domestic violence at their in-law's place regularly, which forced them to commit suicide. In the first case, the husband suspected her of having an extramarital affair and subjected her to emotional violence regularly. In the second case, the female was subjected to physical, emotional and economic torture by her husband and his family members, who demanded for more dowry and also wanted her to give birth to a male child. The female in the third case was tortured physically and emotionally on the grounds of trivial household matters and also for dowry demands.

There are many different theories as to the causes of domestic violence. These include psychological theories that consider personality traits and mental characteristics of the perpetrator, as well as social theories which consider external factors in the perpetrator's environment, such as family structure, stress, social learning [8].

As with many phenomena regarding human experience, no single approach appears to cover all cases and there can be three main sources of Domestic Violence [9]:

1. Childhood socialization
2. Previous experiences in couple relationships during adolescence, and
3. Levels of strain in a person's current life. People who observe their parents abusing each other, or who were themselves abused may incorporate abuse into their behaviour within relationships that they establish as adults.

Domestic violence can occur due to the following causes [10]:

1. *Psychological*: personality traits and mental characteristics of the offender.
2. *Jealousy*: when one partner is either suspected of being unfaithful.
3. *Social Stress*: Stress may be increased when a person is living in a family situation, with increased pressures due to inadequate finances or others which may further increase tensions.

4. *Mental Illness*: Many psychiatric disorders are risk factors for domestic violence, e.g. personality disorders: all Cluster BPDs, (esp antisocial), paranoid and passive-aggressive.

Domestic Violence may be of the following types[11]:

1. *Physical Abuse*: contact intended to cause feelings of intimidation, pain, injury, or other bodily harm which includes hitting, slapping, punching, choking, pushing, burning, etc.
2. *Sexual Abuse and Marital Rape*: any situation in which force or threat is used to obtain participation in unwanted sexual activity, which is an act of aggression and violence.
3. *Emotional Abuse*: humiliating the victim privately or publicly, controlling what the victim can and cannot do, deliberately doing something to make the victim feel diminished or embarrassed, isolating the victim from friends and family, implicitly blackmailing the victim by harming others when the victim expresses independence or happiness.
4. *Economic Abuse*: when one intimate partner has control over the other's economic access.

All these violence may have the following effects [12]:

1. *Physical*: Bruises, broken bones, head injuries, lacerations, and internal bleeding that require medical attention and hospitalization.
2. *Psychological*: Depression is also common, as victims are made to feel guilty for 'provoking' the abuse and are frequently subjected to intense criticism. The most commonly referenced psychological effect is Post-Traumatic Stress Disorder (PTSD).
3. *Financial*: Due to economic abuse and isolation, the victim usually has very little money of their own and few people on whom they can rely when seeking help.

The response to domestic violence is typically a combined effort between law enforcement, social services, and health care and these can be [13]:

1. *Medical Response*: Many cases of spousal abuse are handled solely by physicians and do not involve the police.
2. *Counseling for Person Affected*: counselors

and therapists should assess every client for domestic violence with each individual privately during the initial interview, in order to increase the victim's sense of safety in disclosing domestic violence in the relationship.

3. *Counseling for Offenders*: to minimize the offender's risk of future domestic violence and should emphasize minimizing risk to the victim, and should be modified depending on the offender's history, risk of reoffending, and criminological needs.
4. *Law Enforcement*: The Protection of Women from Domestic Violence Act 2005 (PWDVA) was enacted in India from October 26, 2006. [14] This Act has 5 chapters & 37 sections, out of which a few relevant section are being discussed here:

Section 3: Definition of domestic violence: For the purposes of this Act, any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it:

a) harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or

b) harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or

c) has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or

d) Otherwise injures or causes harm, whether physical or mental, to the aggrieved person.

For the purpose of determining whether any act, omission, commission or conduct of the respondent constitutes 'domestic violence' under this section, the overall facts and circumstances of the case shall be taken into consideration.

Section 4: creates a social responsibility on members of the community at large who have knowledge of an impending or already committed act of domestic violence, to come forward to file complaint on behalf of the victim.

Section 5: social enactment that creates various legal, social, judicial, and administrative mechanisms to provide assistance to victims of domestic violence.

Section 6: clarifies that Shelter Homes are bound to provide shelter.

Section 7: person in charge of a medical facility shall provide medical aid to the aggrieved,

Section 8: Protection Officers should be women and should be appointed as full-time positions.

Section 9: defines the duties and functions of the Protection Officers.

Section 10: lays down the duties of Service Providers.

Section 11: lays down the various duties of the government to give the Act wide publicity through the media, to conduct periodic sensitization and awareness training of the state/central/police/judicial officers, to coordinate different ministries/departments, periodical reviews and to ensure that protocols for the various ministries concerned including courts are prepared and put in place.

Sections 12, 13, 14, 15 & 16: some provisions & procedures for obtaining orders or reliefs.

Section 17: every woman in a domestic relationship has the right to reside in the shared household whether or not she has any right, title or beneficial interest in it. The aggrieved person shall not be evicted or excluded from the shared household or parts save in accordance with the procedures established by law.

The purpose of PWDVA is to provide remedy under the civil law which is intended to protect the women from being victims of domestic violence & to prevent the occurrence of domestic violence in society. It is armed in providing support to woman facing domestic violence. Legal remedies pertain to civil relief such as injunction, compensation and monetary relief. There can be no arrest made on a complaint filed under this law [15].

Conclusion

Every couple possesses a unique set of problems & also need a different solution. There can be several factors for domestic violence. In spite of efforts made by various sections of society and the Government to curb the menace of domestic violence against women, there is a rise in domestic violence. If applied correctly the Protection of Women against Domestic Violence Act 2005 (PWDVA) is a powerful act. But, it will remain less fruitful if there is lack of awareness amongst the people of society, which could be brought about by educating every woman about their rights,

removing fear and coming out of the traditional set up of tolerating violence, counseling all family members along with the victim when the case is reported, creating awareness of social responsibility on members of society to report domestic violence, awareness produced through media sources, sensitization of the police to these issues and the power given to them, lawyers should connect criminal, community screening for domestic violence, providing adequate assistance to the victim by offering safe shelters, crisis intervention, advocacy, education & prevention programs and by provision of strict laws and punishment for offenders. Thus, in conclusion, it is essential that every strata of society must contribute to curb this heinous crime against women.

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