

CHAPTER I

INTRODUCTION

1.1 Background of the Study

Violence against women and girls (VAWG) is well recognized as a human rights violation. The Convention for the Elimination of Discrimination against Women (CEDAW, 1992) and the UN article that prohibits torture (UN, 1984) have both brought VAWG out of the private and into public spheres globally and in doing so have recognized VAWG as an infringement of women's basic human rights. The impact of VAWG as a public health problem with legal, social, cultural, economic and psychological dimensions has been increasingly articulated (UNFPA, 2009). In 1996, the World Health Assembly declared VAWG to be major public health problem that urgently needed to be addressed by governments and health organizations (WHO, 1996).

Violence against women (in its broadest sense) can occur throughout women's lives over the course of the lifecycle, irrespective of class, caste/ethnicity, social status, race, nationality or any other defining features (CRDC, 2002). It is estimated that globally one in three women is abused during her lifetime, and 8-26% of women and girls report having been sexually abused as children or adults (Holden, 2003). VAWG that occurs in the domestic sphere and is perpetrated by their intimate partners, including spouses, is a particular problem, with between 13% and domestic violence in their lifetime (Crowell et al 1996; CRDC, 2002; Kishor et al, 2004).

Domestic violence is defined by United Nation as "violence occurring within the private sphere, generally between individuals who are related through intimacy, blood or law" (WHO, 2003). Domestic violence is also referred to as "Wife beating" "Wife battering" intimate "Partner abuse" (Heise, 2000). In most of the traditional societies, wife beating is largely regarded as a consequence of a man's right to inflict physical punishment on his wife. In many setting like ours women are expected to look after their homes and children, show obedience and respect to their husband. If a man feels that his wife has failed to play her role or overstepped her limits, for instance, asking for husband expenses or stressing the need of their children then violence may be his response.

WHO defines violence as the intentional use of physical force or power, threatened or actual, against oneself, another, against a group or community, that either results in or has a high likelihood of resulting injury or death, psychological harm, mal-development or deprivation. Each year, more than million people lose their lives, and many more suffer from injuries due to violence. Over all, violence is among the leading cause of death worldwide for people aged 15-44 years. Violence is universal scourge that threatens the life, health and happiness of all human being. This includes threats, coercion and the arbitrary deprivation of resources is violence against women usually performed by a male partner. Intimate partner violence occurs mainly from adolescence and early adulthood onwards, most often in the context of marriage or cohabitation, and usually includes physical, sexual and emotional abuse as well as controlling behaviours. Sexual violence can occur at any age - including during childhood and can be perpetrated by parents, caregivers, acquaintances and strangers, as well as intimate partners. Both forms of violence are in the majority perpetrated by men against girls and women; however the sexual abuse of female children is also common. (WHO, 2014).

Violence against women and girl (VAWG) is a global epidemic that kills, tortures and hurt - Physically, psychologically, sexually & economically. VAWG takes several forms. It also includes domestic violence; most women are not safe even in their own home. Every human being has basic right to live in their home peacefully, but women's basic right is isolated due to violence. Therefore, VAWG is the most pervasive of human right violation.

A husband or boyfriends for the purpose of coercing and intimidating women into submission defines domestic violence as forces or threats of force. It manifest mostly as wife beating, which is a pattern of coercive control that one person exercise over another abusers use physical and sexual violence, emotional insults, economic deprivation and manipulate their partners, battering not only harms the women physically by abusing fear and other forms of emotional and psychological distress but prevents her from doing what she wishes or forces her to behave in ways unacceptable to her. Data from various countries suggest that partner violence account for a significant number of deaths by murdering among women. Studies from Australia, Canada, Israel, South Asia and the United States of America show that 40-

70% of female murder victims were killed by their husbands or boy friends (World Health Organization, 2014).

Nepal consists of diverse ecological, ethnic, cultural and multi-language societies; in general our country is predominantly a Hindu country, where it has its own cultural practice & value regarding the status of women and men. The status of men & women are unequal. Women are considered as second - class citizens in this patriarchal society (SAATHI, 2011). Thus most of the families are men headed and treat the women as commodities or child producing machines. Women are affected disproportionately in different ways than men. In addition the combination of poverty and gender discrimination results in many unpleasant problems in their own family.

Our cultures are patriarchal in nature. Thus, in the socialization process while women are taught to be non - aggressive, submissive, soft spoken and timid. Men on the other hand are taught aggressive, violent and bold. In addition Nepali law does not address domestic violence, despite its high prevalence in all sectors of the society (SAATHI, 2011). Generally speaking, domestic violence is regarded as family business, which does not require intervention of law. Hence many cases remain unreported and it will continue to remain behind closed doors as long as the society continues to regard domestic violence as normal, or to dismiss it as a private matter. Then women continue to suffer gross violations of human rights within their homes. Violence can result in injury to victims, which also bears the cost of seeking medical treatment, the inability to supplement family income due to loss of productivity and employment. It continues to destroy families and affects society at large. So, the issue of domestic violence needs to be mainstreamed in the government policies and a program with high priority.

Thus domestic violence on women is referred to as beating of wife or abuse. In traditional societies wife beating is largely regarded as a consequence of a man's right to inflict physical punishment on his wife and how such violence brings the consequences of physical health, mental health problems, reproductive health problems and so on which hinders the proper well being of the women. A patriarchal society is also another reason of coercive control on women.

1.2 Statement of Problem

Domestic violence has continued through out history unreported and unchallenged. It has profound effect on women. After marriage, the greater risk of violence for women continues to be in their home where husband and family live together. Domestic violence has been taking place primarily within the home and among members of a particular household. Thus, domestic violence has been treated as a private matter and not of social concern and there is a cultural practice no to interfere by any outsiders. Culturally, there is a norm which accepts fate; “To be born as a women is the result of your bad deeds in the previous life”, (SAATHI, 2011) there is saying about women "One needs to forget oneself and serve to others", (SAATHI, 2011). So, it is culturally accepted in the form of women's fate.

Victims of domestic violence are often married women. Incidence of home based violence against women is high though it is unreported. Violence is unacceptable and no women deserve to be beaten, sexually abused or made to suffer emotionally. Our society has created an environment, where the society is tolerant of the abuser and is intolerant of the victim. However, domestic violence is a sensitive issue and therefore very little information is available. Domestic violence could be eliminated and prevented, if research is conducted to address such issue. Policy makers, social workers, human right activists, police as well as all people who are concerned about violence against women can utilize finding of this study. So findings of the study not only help to prevent and control the domestic violence but also useful to uplift the social status of women at large. This study will try to determine:

-) Why women are victims of such violence in the society?
-) Why women are force to accept the violence rather than advocating against it?
-) What are the social aspects which made them to tolerate such violence?

1.3 Rational of the Study

Domestic violence is home-based violence, which disproportionately affects women than men. This includes physical & psychological abuse, deprivation and marital rape. In the Nepali context domestic violence stems from the assumption that once a man marriage a women he has absolute control over her. It is usually due to the right to domination of females. This is principally owing to the influence of the tradition idea of men "Men are superior to women", (WHO, 2014) It has severe effect on human

rights and dignity of women. It is the result of unequal power relation between women & men (SAATHI, 2011).

In fact, the family should be the safest place for women in time of trouble. The family is an institution where one should get emotional support, comfort, care, food and shelter. Yet this institution can be the unsafe place for women. It can be a battle zone, full of conflicts and strife. Because it is perceived as a close and private space, the home allows for atrocities to continue undetected and sanctioned by the community. Domestic violence is one such atrocity. Domestic violence is a problem, which is usually hidden from the public view. It is therefore an issue which is largely unrecognized and unacknowledged in our country. The most important thing is that they protected their beloved husband from having criminal records, which could jeopardize his career and future livelihood.

Violence against women has gained increasing recognition as a human right issue, as a reproductive health issue, and as a developmental issue that affects not just women themselves but society as whole. So, it is necessary to provide recommendation that if the women do not report the incidence of domestic violence as a result it may become the most unreported crime in society. It may be very wide spread and dangerous by leaving the spread of domestic violence un-intervened; our society is condoning the culture of violence, which has women and the country's socio-economic well being as its hostage. So it is necessary to bring out the matters, which always hide inside homes.

In the Nepali context, no one intervenes at the time of domestic disputes in the home due to our cultural practices, one more backdrop of this pervasive culture where perpetrator of domestic violence receive legal, judicial and cultural impunity, a handful of individual organization have recognized the need for concrete effective means to address domestic violence.

This study is designed to explore the root cause and consequences of domestic violence. The findings of this study may help to sensitize program designers to conduct further studies to explain in more details for planning regarding legal protection for women especially married women.

1.4 Objective

General objective

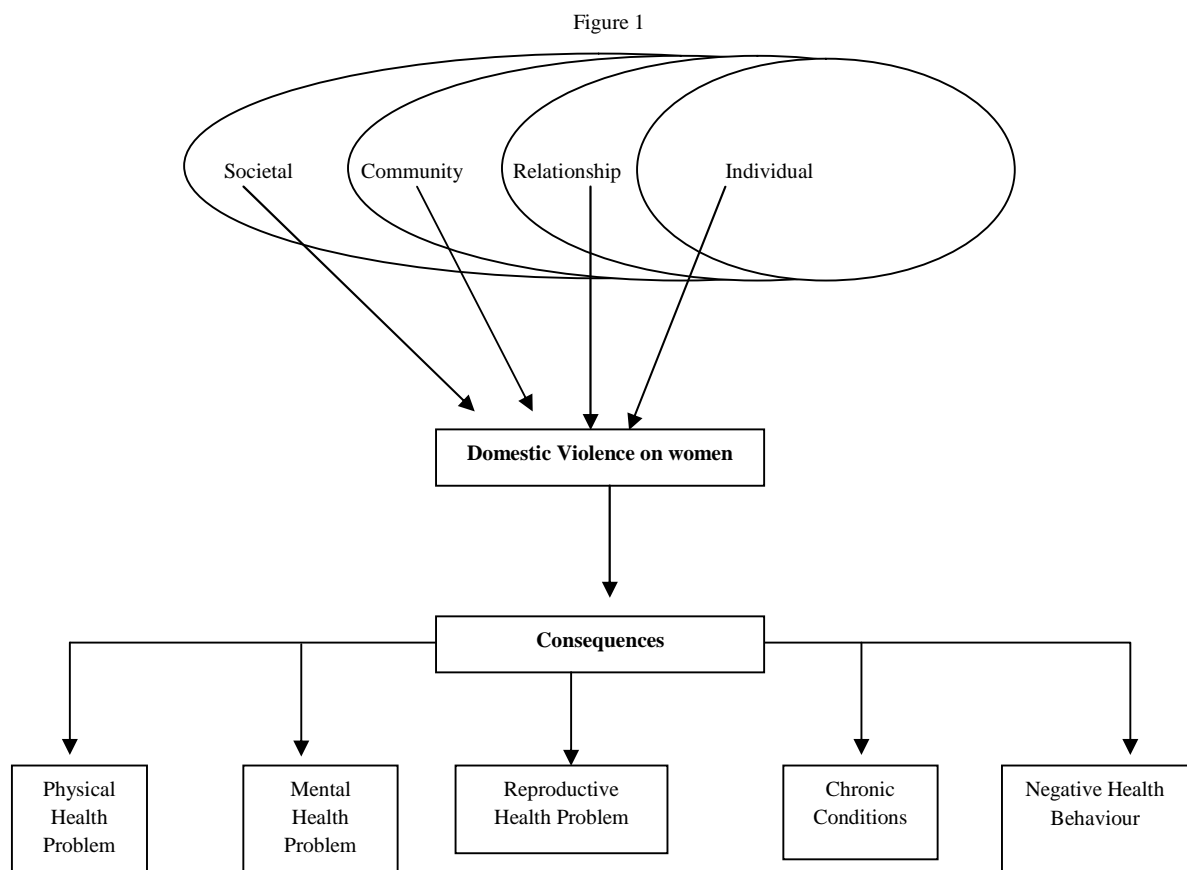
General objective of this study is to assess the situation, their causes and the consequences of domestic violence.

Specific objectives

-) To identify the socio-cultural factor related to domestic violence
-) To identify the root causes of domestic violence.
-) To find out the consequences of domestic violence.

1.5 Conceptual Framework

Conceptual framework deals with abstractions (concepts), which assembled together by virtue of their relevance to a common them. It also asserts relationships between the concepts. In this study relationship of concepts under study are assembled together and conceptual framework is constructed. The ecological model on the top showing the factors associated with the domestic violence, which leads to the domestic violence. Consequences of violence are shown on the bottom. In this way relationship between cause and consequences of domestic violence are explained. Figure 1 is presented as the conceptual framework of the study.



-) **Individual:** includes biological and personal history factors that may increase the likelihood that an individual will become a victim or perpetrator of violence. Biological and personal history factors that influence the individuals behave and increase their likelihood of becoming a victim or perpetrators of violence. Examples of factors that can be measured or traced include demographic characteristics (age, education, income) psychological or personality disorder, substance abuse and history of behaving aggressively or experiencing abuse.
-) **Relationship:** includes factors that increase risk as a result of relationships with peers, intimate partners and family members. These are a person's closest social circle and can shape their behaviour and range of experiences. Close relationships such as those with family, friends, intimate partners and peers, and explores how these relationship increases the risk of being a victim or perpetrator of violence. In youth violence, for example, having friends who engage in or encourage violence may increase a young person's risk of being a victim or perpetrator of violence.
-) **Community:** refers to the community contexts in which social relationships are embedded – such as schools, workplaces and neighbourhoods – and seeks to identify the characteristics of these settings that are associated with people becoming victims or perpetrators of intimate partner and sexual violence. Risks at this level may be influenced by factors such as residential mobility, population density, high level of unemployment, or the existence of local drug trade.
-) **Societal:** includes the larger, macro-level factors that influence sexual and intimate partner violence such as gender inequality, religious or cultural belief systems, societal norms and economic or social policies that create or sustain gaps and tensions between groups of people. It includes the availability of weapons and social and cultural norms. Such norms include those that give priority to parental rights over child welfare, those that regard suicide as a matter of individual choice instead of a preventable act of violence, those that entrench male dominance over women and children, those that support the use of excessive force by police against citizens, and those that support political

conflict. Larger societal factors also include the health, economic, educational and social policies that help to maintain economic or social inequality between groups in society.

-) **Physical Health Problem:** Injuries range from cuts, bruises, and black eyes to miscarriage, bony injuries, splenic and liver trauma, partial loss of hearing or vision, and scars from burn or knife wounds. Injuries to the breast, chest and abdomen. Defensive injuries are common. For example, fractures, dislocations, and contusions of the wrist and lower arms result from attempts to fend off blows to the chest or face.

-) **Mental Health Problem:** Mental Health Disorders involves six criteria: (1) Exposure to a traumatic event that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or other that involved intense fear, helplessness, or horror; (2) at least one symptom of persistent re-experiencing (e.g., recurrent and distressing recollections of the events, recurrent distressing dreams); (3) at least three symptoms of persistent avoidance and numbing symptoms (e.g., efforts to avoid thoughts, feelings, or conversations associated with the trauma; feelings of detachment; restricted range of affect); (4) at least two persistent symptoms of increased arousal (e.g., difficulty falling or staying asleep, difficulty concentrating, hyper vigilance); (5) Duration of symptoms is more than 1 month; (6) The disturbance causes clinically significant distress or impairment.

-) **Reproductive Health Problem:** include chronic pelvic pain, vaginal bleeding or discharge, vaginal infection, painful menstruation, sexual dysfunction, fibroids, pelvic inflammatory disease, painful intercourse, urinary tract infection, and infertility.

-) **Chronic Conditions:** Women who were in abusive relationships often have chronic health conditions such as lower back pain, headaches, memory loss, difficulty sleeping, depression, diabetes, asthma, and digestive disease.

-) **Negative Health Behaviour:** includes harmful alcohol and substance use, multiple sexual partners, choosing abusive partners later in life, lower rates of contraceptive use.

1.6 Limitation of the Study

The study population was limited to the Ward No. 9, Balkot VDC, Bhaktapur District and Domestic Violence Victims reported to Women Cell of Kalimatti, Kathmandu, therefore study findings could not be generalized to other districts. This study adopted the purposive and snowball sampling technique of non-probability strategies, which might reduce the external validity. Information bias may have occurred due to sensitive issues regarding hidden problems; similarly, due to the sensitive nature of the study, participant may hesitate to answer all the questions.

1.7 Organization of the Study

This study divided into five Chapters. The first chapter deals with the background of the study, problem statement, justification of the study, objective of the study, study limitations, conceptual framework and organization of the study. The second chapter focuses on review of related literature to violence against women, especially Global epidemic of the domestic violence, prevalence in Nepal, associated factors of domestic violence and its consequences. The third chapter deals with the methodological part. Methodological part includes the study design, population and sampling, tools and techniques, data collection procedure and methods of analysis. The fourth chapter deals with the discussion of the findings. The main focus of the study is to explore the root cause and consequences of domestic violence. The final chapter presents summary, conclusions and recommendations. The summary includes a brief description about the objective, methodology; data processing etc. Conclusions are focused on the briefing of the overall study findings. Recommendations are especially focused on the suggestions on the basis of the findings to reduce the violence in the society.

CHAPTER II

LITERATURE REVIEW

No country or community is untouched by violence. Image and accounts of violence pervade the media; it is on our streets, in our homes, schools, work place and institutions. Violence is universal scourge that tears at the fabric of communities and threatens the life, health and happiness of all. Each year, more than 1.6 million people worldwide lose their lives to violence. For every one who dies as a result of violence, many more are injured and suffer from a range of physical, sexual, reproductive and mental health problems (Linda & Etienne, 2002).

Because it is so pervasive, violence is often seen as an inevitable part of the human condition a fact of life to respond rather than to prevent. A substantial proportion of the costs of violence result from its impact on victims' health and the burden it places on health institutions. This gives the health sectors both a special interest in prevention and a key role to play.

Any form of intended or perpetrated harm to a child or adult living in his or her natal or marital home constitutes domestic violence. Domestic violence can take place between intimate partners, parents and children, in-laws, or any constitutions of the family. Violence against women and girls exists in all societies, cultures, and socioeconomic groups throughout the world, and is gross violation of their fundamental rights. While domestic violence is an extremely common phenomenon, it tends to remain private, within a home. The secrecy that surrounds domestic violence means that incidents are very rarely reported. Although patriarchal systems and social norms of privacy limit quantitative evidence, there is sufficient documentation conforming that the impact of violence on a reproductive health are wide ranging and severe. Violence kills and disables as many women between the ages of 15-44 as cancer. And its toll on women's health surpasses that of traffic accidents and malaria combined (UNFPA, 2005).

2.1 Perspectives on Domestic Violence

There is no clear cut definition of domestic violence. However, there are various perspectives of domestic violence. Every individual defines domestic violence in his or her own way according to his or her life experiences.

A paper presented by of An Ma Guo (2000) on the legal response to domestic violence in China illustrates 4 characteristics, which should be followed or considered for domestic violence and these include;

-) Firstly domestic violence is limited within the family. Any violence that takes place outside the family is no domestic violence such kind of relationships are no recognized as family relationships of China.
-) Secondly, domestic violence takes the form of beating, binding, confinement, cruelty injuring, physical punishment or other coercive methods.
-) Thirdly, domestic violence in China includes physical, mental and sexual violence.

Domestic violence includes both physical and psychological abuse and deprivation and marital rape. Domestic violence stems from the assumption that once a man marries a women he has absolute control over her. Violence occurs when one persons assumes the right to dominate another and decides to use force, implied or actual to achieve control over another persons.

A research report from Hebert Laura (1997) on "Monitoring the domestic violence Act" revealed that domestic violence as recognized by the following act:

-) Willfully or knowingly placing or attempting to place the victim in fear of physical injury.
-) Causing physical injury to victim.
-) Compelling the victim by force or threat or otherwise, from the victim has right to abstain.
-) Confining or detaining the victim against the victim's will; and
-) Causing mischief or destruction or damage property with intent or cause of knowing that is likely to cause distress or annoyance to the victim. It should be by a person against his or her spouse, his or her former spouse, child or other family members.

Domestic violence in the family stems from the concept of male superiority and power. In most countries, the male has been historically and traditionally considered

the provider and more powerful figure, and that is the basis for the exercise to control over the female (UNIFEM, 2000).

In the (WHO, 2014) Newsletter titled "Global campaign for violence prevention" which notes gender-based violence is a daily and often deadly fact of life for millions of women and girls around the world. Domestic violence is a particularly insidious form of gender-based violence. In the place where they should feel the greatest safety and security-the family women and girls often face terror from physical, psychological, sexual and economic abuse.

2.2 Global Overview of Domestic Violence

A National Survey of violence against women in Canada had shown that one third of all women had been physically assaulted by their partners. It is also mentioned that the weapon used by perpetrators develops upon their cultural factors and availability of weapons. In the United Nations, more murder of women is committed by guns where as in India, guns are used but beating and death by fire are common. Then perpetrators of the crime claimed that she died in a kitchen accident. About 30% of ever-partnered women throughout the world have experienced physical or sexual violence by an intimate partner at some point in their lives. One in five girls has been sexually abused during childhood. (WHO, 2014)

In India dowry related accident kills about 2500 brides every year. On the other hand, abortion is a form of violence about 8000 fetuses (young babies) are aborted at a Bombay clinic, among which 7999 are female. In Bangladesh about 3,00,000 Bangladeshi children have been trafficked to brothels. About 65% of reported cases of VAW were against adolescence and women in their early twenties (20-29) ages. Studies reveal that 47% of Bangladeshi women have been abused by their partners. In Pakistan, sample survey showed that 82% of women in rural Punjab feared violence resulting from husband's displeasure over minor matters, in the most urban areas 52% admitted for being beaten. (UNICEF, 2011)

Population-based studies from various countries indicate that 10-69% of women aged 15-49 years experience physical abuse by a male intimate partner at least once in their lifetime (Heise, Ellsberg & Gottemoeller, 1999; Heise & Garcia-Moreno, 2002) while 6-47% of women report attempted or actual forced sex by an intimate partner in their

lifetime (Jwekes, Sen & Garcia-Moreno, 2002). The WHO multi-country study on women's health and domestic violence against women found that between 6% and 59% of women reported experiencing sexual violence by an intimate partner in their lifetime with the figures for most sites falling between 10% and 50% (Garcia-Moreno et al., 2005)

A National Survey by women's aid organizations of Malaysia has conducted in-depth interview with 60 women in 1990/1991. The report shows that among 60 women, 92% were kicked, punched or slapped, 22% had suffered attempts of strangulation and 10% had been stabbed or threatened with knife or instrument. Further more, 68% had reported being beaten when pregnant and 50% experienced sexual coercion in the form of physical force during sexual intercourse (Josiah, 2000)

World Health Organization (2002) shows that in Peru 70% of all crimes reported to police are of women beaten by their husband. A study in a Bangkok slum found that 50% of married women were beaten regularly. In the United States, every 15 seconds a woman is beaten and four battered women die each day. Each year more than 1.5 million women seek medical care for injuries resulting from domestic violence. 40% of Chilean women reported that abuse against them increased during pregnancy.

A report of violence against women and girls in UN Women (2012) shows the incidence of women physically assaulted by their abusive intimate partner was as follows:

Bangladesh	-	53.3%
United Republic of Tanzania	-	55.9%
Tajikistan	-	58.3%
Uganda	-	59.1%
Solomon Islands	-	63.5%
Democratic Republic of the Congo	-	64.1%
Kiribati	-	67.6%
Ethiopia	-	70.9%

(Source: UN Women, 2012)

A situation of violence against women and girls in South East Asia (Hayward & Finney, 2000) has presented gender based violence is a violation of women's rights. It also mentioned that the most common form of domestic violence in South Asia in the most gender sensitive region in the world where 79 Million females are missing. The

South East Asian region has one of the highest incidences of gender based violence in the world. This is a result of overall inferior status of women and girls and of unequal power relation between genders. The report notes that more than 5,000 women are killed every year in India because their- in laws consider their dowry inadequate.

A health profile on women of South East Asia (2000) mentions the various evidence based studies of different countries regarding domestic violence. For instance in Bangladesh 270 cases of death were reported during 1982-1985 in News paper related to abuse. 29% of women had been beaten to death, 39% subjected to other forms of physical torture and 185 had been attacked by sharp weapon, The other study of Maharastra, India shows that 120 cases of deaths of women were due to dowry (Homicide committed by the husband or his family members). 88% women were very young and below age 25.46% of those women died of burns and 34% had died of drowning. The principle accused were the husbands in 86% of the total 120 cases of homicide.

2.3 Intimate Partner Violence

An intimate relationship is an interpersonal relationship that involves physical or emotional intimacy. Physical intimacy is characterized by romantic or passionate attachment or sexual activity. While the term intimate relationship commonly implies the inclusion of a sexual relationship, the term is also used as a euphemism for a relationship that is strictly sexual. Intimate relationships play a central role in the overall human experience. Humans have a general desire to belong and to love, which is usually satisfied within an intimate relationship. These relationships involve feelings of liking or loving one or more people, romance, physical or sexual attraction, sexual relationships, or emotional and personal support between the members. Intimate relationships allow a social network for people to form strong emotional attachments. (Miller R. & Perlman, D., 2008)

The (World Health Organization [WHO], 2002) defined violence as the intentional use of physical force or power, intentional or actual, against oneself, against another person, or against a group or community that either results in, or has high likelihood of, resulting in injury, death, psychological harm, maldevelopment, or deprivation. Intimate partner violence (IPV) is one of the major public health issues currently

facing human society. IPV as “any behavior within an intimate relationship that causes physical, psychological and sexual harm to those in the relationship”. IPV is prevalent in all human societies irrespective of religion, socioeconomic status, and culture. A study conducted by the WHO reported that the magnitude of IPV against women varied among countries depending on their developing status; for example, 61.7% of women in Bangladesh and 15.4% of women in Japan experienced IPV in their lifetime.

Intimate partner abuse is generally part of a pattern of abusive behavior also known as "wife beating" "battering" or "domestic violence" (Prospero M. & Miseong K., 2008). Women face the threats of violence in various forms throughout their lives. Apart from physical assault, intimate partner abuse includes psychological abuse, such as constant belittling, intimidation, humiliation and coercive sex. This form of abuse is also present in controlling behaviors such as isolating women from family and friends, monitoring her movements and restricting her access to resources and services. So the domestic is commonly perpetuated by intimate partner, following evidence is showing the extent of problem related to intimate partner violence.

IPV has various health effects, including acute and chronic as well as direct and indirect health problems related to physical, psychological, and reproductive health. Sexual risk taking, unplanned pregnancy, multiple partners, sexually transmitted infections (STIs), abortion or miscarriage, depression, prenatal substance use, and low birth-weight were found to be associated with IPV. A systematic review showed that IPV was associated with STI but also with unplanned pregnancy, sexual risk taking, inconsistent condom use, partner non-monogamy, abortion, and sexual dysfunction. Abusive partners may have risky sexual behaviors, including multiple partners, and abused women may not be able to negotiate for safer sex, which may result in STI transmission (Coker A., 2007).

Various small scale-studies have documented wide ranges of IPV prevalence in Nepalese women. A cross sectional study conducted among 1,296 rural married women of 15–24 years of age representing four major ethnic groups of four districts (Dolkha, Sindhupalchowk, Dang, and Kapilbastu) in Nepal reported that 46% had experienced sexual violence from husbands at some point of life and 31% experienced sexual violence in the last 12 months (Puri M. et. al, 2012) Another cross sectional

study among 1,536 reproductive age married women of four districts (Achham, Gulmi, Rupendehi, and Ilam) reported that 58% had experienced sexual violence from their husbands at some point in their lives (Adhikari R., 2010). Similarly, another study interviewed 791 married women of reproductive age from rural parts of six districts (Dadeldhura, Nawalparasi, Makwanpur, Siraha, Sindhupalchowk, and Sankhuwashava) of Nepal revealed that 16.6% experienced sexual violence from intimate partners at any point of life and 7.1% had sexual violence from an intimate partner in the last 12 months (OPMCM, 2012) According to the Nepal Demographic Health Survey (NDHS) in 2011, 21.5% and 12.3% of women aged 15–49 experienced physical and sexual violence in their lifetime. Furthermore, sexual violence was more prevalent among divorced, separated, or widowed women (22%) compared to currently married (15%) and never-married women (2%). NDHS 2011 revealed that a third of married women experienced some form of violence from their husbands at any point in their lives (MOPH, 2012).

Extent of Problem

-) Violence by husband is a major health concern in South-East Asia.
-) Up to 50% women reported physical violence by their husbands or partners in South East Asian Region (UN Women, 2012).
-) In Nepal intimate partner physical violence 23.1%, Sexual violence by intimate partner 14.3%, forced first sex is 29.4% and abuse during pregnancy 6.2% (UN Women, 2012)
-) Violence related injuries were the fifth most common cause of maternal death in rural Bangladesh (Hug, 1992).
-) Effects of such violence on victims range from relatively minor cuts and bruises to permanent disabilities and death.
-) Most victims of physical aggression are subjected to multiple acts of violence over extended period of time.
-) Physical violence in intimate relationships is often accompanied by psychological abuse and in a third to over a half of the cases by sexual violence.

-) Partner violence accounts for 40-70% murders, where women are killed by their husband or boyfriend, often during ongoing abusive relationships (Hayward & Finney R., 2000).

2.4 Domestic Violence in Nepal

In Nepal, violence against women started being openly discussed and addressed only in the last decade. The general taboo of not accepting this form of violence was related to strong patriarchal society and limited freedom of expression of such social evils. It has therefore been openly discussed as the most common form of gender based violence is domestic violence, or gender based violence in families.

Historically, violence against women and girls has been in existence in Nepali society. A situation analysis conducted by SAATHI (1997) on violence against women in Nepal revealed that 93% had exposed to mental and emotional torture, 82% were beaten, 30% raped, 28% forced in to prostitution, 64% reported polygamy. The maternal mortality study conducted by Family Health (1998), Revealed that higher suicide rate among women of reproductive age group. Another report from Nepal reported that maternal mortality accounts for highest number of women's deaths each year, followed by suicide. Almost five hundred cases of suicide were reported to Nepal police in 2003-2004 (Asia foundation, 2004). The census recorded half million women living in polygamous marriages (DFID, 2005), and other studies have shown that polygamy is a serious cause of depression for women in Nepal. In one study, 100% of respondents said they knew of girls between the ages of 11-15 who had suffered sexual abuse (SATHI, 2011).

A reference kit on violence against women the girls on South East Asia (2000) has presented the data of Nepal on domestic violence, which is faced by married women.

-) In a period of 6 month from June to December 2000, the women's right help line in Kathandu received 624 calls from women, Out of these call, 107were from battered wives.
-) 58% of the domestic violence cases reported daily abuse.
-) 77% of the violence perpetrators were family members, and
-) 66% of the women endured verbal abuse, 61% sentimental torture etc.

We also hear the news of domestic violence against women in daily news as well as many articles is published in daily newspaper. The main reason cited for domestic violence are dowry related issues, infertility, alcoholism and suspicious habit of husbands etc. Violence against women is less reported in Nepal. It is due to the both shame and guilt experienced by the families of victims and unsatisfactory response by police. Very few women are courageous enough to take their cases to court, because of the social pressure they used to conceal such incidents. However, there are some research reports available.

There is no specific law governing domestic violence against women. Reported cases are often dismissing on legal ground. Wife battering is covered by general physical assault legislation. It is only punishable but depending on the nature, effects of the assault and the weapon used. But there is no provision of punishment for mental torture and verbal abuse (UNICEF, 2001).

Nowadays, many NGO's, INGO's & Government are working to stop Domestic Violence from Nepali Society. Different types of Law provided by the nation to women to stop discrimination on the basis of Gender. Society is also being aware about different types of Law provided by state and different organizations are working on this subject for mitigating the GBV from the grassroots level. DFID approved the women's empowerment and promotion of rights through paralegal committees programme in 2009 for three years with the aim of scaling it up nation-wide. From July 2012, the women's paralegal programme is being transitioned into the women's development program of the Government of Nepal. The focus of the program is to protect women and children, particularly from the poor and socially excluded groups, from gender-based violence, abuse, exploitation and discrimination.

Grounded in the vision of equality enshrined in the UN Charter, UN Women will, among other issues, work for the: elimination of discrimination against women and girls; empowerment of women; achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security. UN Women will provide substantive support to UN bodies on all aspects of gender equality issues. Guided by CEDAW, BPfA and MDGs, UN Women in Nepal, will focus on the following key areas:

- ❖ Violence against women
- ❖ Peace and security
- ❖ Leadership and Participation
- ❖ Economic Empowerment
- ❖ National planning and budget

2.5 Causes of Domestic Violence

The World Report on Violence and Health (WHO, 2000) uses an ecological model to understand the multifaceted nature of violence. First introduced in the late 1970s for the study of child abuse and subsequently used in other fields of violence research, the ecological model is still being developed and redefined as a conceptual tool. Its strength is that it helps to distinguish between the myriad influences on violence while at the same time providing a frame work for understanding how they interact.

Lisa, Sidney, Farzana & Khairul (2004) analyzed the socioeconomic factors and process associated with domestic violence in rural Bangladesh showed that of about 1,200 women surveyed, 67% had ever experienced domestic violence, and 35% had done so in the past year. According to the qualitative findings, participants expected women with more education and income to be less vulnerable to domestic violence; they also believed (or hope) that having a dowry or a registered marriage could strengthen a women's position in her marriage. Yet, of these potential factors, only education was associated with significantly reduced odds of violence; meanwhile, the odds were increased for women who had a dowry agreement or had personal earnings that contributed more than nominally to the marital household. Women strongly supported educating their daughter, but pressures remain to marry them early, in part to avoid high dowry costs.

There is no one single factor to account for violence perpetrated against women. Several complex and interconnected institutionalized social and cultural factors have kept women particularly vulnerable to the violence directed at them, all of them manifestations of historically unequal power relations between men and women. Factors contributing to these unequal power relations include: socioeconomic forces, the family institution where power relations are enforced, fear of and control over female sexuality, belief in the inherent superiority of males, and legislation and

cultural sanctions that have traditionally denied women and children an independent legal and social status. Lack of economic resources underpins women's vulnerability to violence and their difficulty in extricating themselves from a violent relationship.

The threat and fear of violence keeps women away from seeking employment, or, at best, compels them to accept low-paid, home-based exploitative labour. Without economic independence, women have no power to escape from an abusive relationship. The transition period in the countries of Central and Eastern Europe and the former Soviet Union – with increases in poverty, unemployment, hardship, income inequality, stress, and alcohol abuse – has led to increased violence in society in general, including violence against women. These factors also act indirectly to raise women's vulnerability by encouraging more risk-taking behaviour, more alcohol and drug abuse, the breakdown of social support networks, and the economic dependence of women on their partners. The concept of ownership, in turn, legitimizes control over women's sexuality to ensure patrilineal inheritance. Women's sexuality is also tied to the concept of family honour in many societies. Traditional norms in these societies allow the killing of 'errant' daughters, sisters and wives suspected of defiling the honour of the family by indulging in forbidden sex or marrying and divorcing without the consent of the family. By the same logic, the honour of a rival ethnic group or society can be defiled by acts of sexual violence against its women. Experiences during childhood, such as witnessing domestic violence and experiencing physical and sexual abuse, have been identified as factors that put children at risk (Khan M., 2000).

Religious and historical traditions in the past have sanctioned the chastising and beating of wives. The physical punishment of wives has been particularly sanctioned under the notion of entitlement and ownership of women. Male control of family wealth inevitably places decision-making authority in male hands, leading to male dominance and proprietary rights over women and girls. Excessive consumption of alcohol and other drugs has also been noted as a factor in provoking aggressive and violent male behaviour towards women and children. Lack of legal protection, particularly within the sanctity of the home, is a strong factor in perpetuating violence against women. In many countries violence against women is exacerbated by

legislation, law enforcement and judicial systems that do not recognize domestic violence as a crime.

2.6 Consequences of Domestic Violence

The consequences of abuse are profound, extending beyond the health & happiness of individuals and well-being of entire communities. Living in a violent relationship affects a woman's sense of self esteem and her ability to participate in the world. Abused women are routinely restricted in the way they can gain access to information and services, take part in public life, and receive emotional support from friends and relatives. Not surprisingly, such women are often unable to look after themselves and their children or to pursue jobs and careers.

Although it is unreported, domestic violence may cause as much disease, disability, and death as many other illnesses combined. Domestic violence, including sexual abuse such as marital rape and incest, are major causes of disability, and effectively destroy many years of a woman's healthy reproductive life. Gender based violence has direct effect on women's ability to exercise autonomy in the use of reproductive health services, and limits women's abilities to protect themselves from sexually-transmitted and reproductive tract infections.

UNFPA (2005) stated that the quality of life in families and communities is reduced by violence. Children who witnessed or experienced abuse suffer long term psychological effects, and are themselves more likely to become perpetrators of violence. Violence against women directly impacts their participation in the work force and democratic processes. Adolescent girls who have suffered abuse are more likely to experience repeated unwanted pregnancy repeated abortions and to contract sexually transmitted infections, including HIV. The cycle of violence are generational and also individual, women who have been sexually abused once are more likely to suffer again.

2.6.1 Health

A growing body of research evidence is revealing that sharing her life with an abusive partner can have a profound impact on a woman's health. Violence has been linked to a host of different health outcomes, both immediate and long term.

Studies by McCauley et al. (1995) showed that women who have experienced physical or sexual abuse in childhood or adulthood experienced ill-health more frequently than other women-with regard to physical functioning, psychological well-being and the adoption of further risk behaviors, including smoking, physical inactivity, and alcohol and drug abuse. In general, the following conclusions emerging from current research about the health consequences of abuse:

-) Felitti et al. (1998) the influence of abuse can persist long after the abuse itself has stopped.
-) Lemon et al. (2002) the more severe the abuse, the greater its impact on a women's physical and mental health.
-) McCauley et al. (1995) the impact over time of different types of abuse and of multiple episodes of abuse appears to be cumulative.

Obviously, violence can lead to injuries, ranging from cuts and bruise to permanent disability and death. Population based studies suggest that 40-72% of all women who have been physically abused by partner are injured at some point in their life. In Canada, 43% of women injured in this way received medical care and 50% of those injured had to take time off from work (Tjaden & Theonnes, 2000).

Injury, however, is not the most common physical outcome of partner abuse. More common are functional disorders- a host of ailment that frequently have no identifiable medical causes, such as irritable bowel syndrome, fibromyalgia, gastrointestinal disorders, and various chronic pain syndromes. Studies consistently link such disorders with history of physical or sexual abuse. Women who have been abused also experienced reduce physical functioning, more physical symptoms and greater number of days in than non abused women.

Women who are abused by their partners suffer more depression, anxiety and phobias than non abused women, according to studies in Australia, Nicaragua, Pakistan and the United States. Research similarly suggests that women abused by their partners are heightened risk for suicide and suicide attempts (Roberts et al., 1998)

2.6.2 Reproductive Health

Women who live with violent partners have a difficult time protecting themselves from unwanted pregnancy or disease. Violence can lead directly to unwanted pregnancy or sexually transmitted infection, including HIV infection, through coerced sex, or else indirectly by interfering with a women's ability to use contraceptives.

Deuba & Rana (2005) mentioned that domestic violence has been reported to result in high maternal death, preterm birth and high parental mortality, abortion, miscarriage and impact on long term health of women. A study recently conducted among 300 mothers of hospital deliveries and 50 mothers who delivered in the communities showed that domestic violence was frequent phenomenon during pregnancy. Most frequent types of injuries included black eye, bruises, sprains and face injuries as a result of hitting, slapping, kicking, pulling hair, burning with cigarette etc. Verbal abuse, neglect and deprivation also resulted in emotional distress of the pregnant women. Some 42% of women reported forced sexual intercourse during pregnancy.

Deuba & Rana (2005) in the same study asked the trained attendants, auxiliary nurse midwives and obstetricians regarding the most common complications observed with these victims of violence during pregnancy. The common complications were miscarriage, abortion, stillbirth, antepartum hemorrhage; preterm delivery, low birth weight, early neonatal deaths, and other ill health of mother are child. These findings show that violence against women is prevalent and often result in severe physical and psychological ill health to the pregnant women and children.

Table 1: Percentage of Mothers Abused During Pregnancy by Types of Physical Injuries

Types of Injuries	Community Women	Hospital Women
Black eye/swollen eye	50%	81%
Scratches/bruises	50%	77%
Sore Muscle/ sprain	60%	61%
Cut lip/ chipped teeth/ broken nose	10%	38%
Head/ Forehead injuries/ unconscious	30%	29%
Burns	-	7 Persons
Forehead/ head injuries that requires stitches	-	5 Persons
Injuries that required stitches	-	2 Persons
Cigarette Burns on Face	-	1 Persons

Source: Deuba & Rana (2005), Kathmandu, Nepal.

A study from North India by Rob et al. (2006) reported that overall 37% of men said they had committed one or more acts of physical or sexual violence against their wives in the past 21 months, with 12% reporting physical and sexual violence. Thirty four percent of women reported at least one symptoms of gynecologic morbidity. Compared with women whose husbands reported no violence, those who had experienced both physical and sexual violence and those who had experienced sexual violence only had elevated odds of reporting gynecologic symptoms.

UNFPA (2011) stated that the reproductive and psychological health of women severely affected by violence between intimate partners. Pregnant women are particularly vulnerable to gender-based violence. Women experience violence from their partners run twice the risk of miscarriage and four times the risk of having low birth weight baby.

UNFPA further reported that violence have profound effects, direct and indirect, on women's reproductive health including:

-) Unwanted pregnancy and restricted access to family planning information and contraceptives.
-) Lower birth weight of the babies.
-) Complications from frequent, high risk pregnancies and lack of follow up care.
-) Increased vulnerability to illness, disease and death.
-) Persistent gynecological problems.
-) Psychological problems and depression.

Sexually transmitted infections (STI), unsafe abortion and even suicide are common consequences due to domestic violence. The maternal morality and morbidity study of Nepal reported that 4 of 132 maternal deaths were suicides (Ministry of health, 1998).

Violence against a pregnant woman may also result in miscarriage or parental death. Some studies have shown strong associations between pelvic pain in women and violence by their male partners (South East Asia, 2000). A research report presented on violence mentions that battering is a real problem, with the risk increasing during pregnancy one more study has shown that physical abuse during pregnancy increase

the risk of preterm deliveries and low birth weight infants, etc (Campbell, 1995). Thus violence against women has recently become a priority issue for the ministry of women, children & Social welfare.

2.7 Existing Legal Provisions for violence against women in Nepal

The kingdom of Nepal has ratified all major human rights treaties including the UN Convention on the Elimination of All Forms of Discrimination Against Women. The democratic Constitution (1990) of Nepal guarantees equal protection and non-discrimination based on gender to all Nepalese citizens. An examination of the law of the land reveals that there are no specific laws that define or treat VAW in Nepal as a special form of violence. Current Nepalese law does not provide for a specific act to book perpetrators of VAW or create support systems for women victims of violence. However, there are special acts regarding rape, incest, intent to rape, bestiality, general assault, trafficking of women for prostitution provided within the new National Civil Code (Naya Muluki Ain) of the country. For Rape states that the victim is entitled to obtain half of the perpetrator's property, similarly Husband and Wife Act ensures that a woman gets her share of the property if the husband does not provide her food, clothing and shelter or mistreats and abandons her. The same applies if he brings another wife (SAATHI, 2011).

2.7.1 Domestic Violence (Crime & Punishment) Act

On 5 May, 2009 Parliament of Nepal passed the Domestic Violence (Crime and Punishment). The Act includes physical and psychological violence within the definition of domestic violence. The Act also states that the reporting of the crime can be made both verbal or in written forms. If the case does not get resolved through quasi-judicial bodies or mutual understanding, the victim can file a case directly to the courts. Furthermore, a third party can also file a report on behalf of the victim. It also has provisions for interim relief to the victim of the domestic violence. The court can order interim protective measures for the entire duration of case proceedings. (Interim Constitution of Nepal, 2063)

2.7.1.1 Domestic Violence (Crime and Punishment) Act, 2008, Nepal

Respecting the right of every person to live a secure and dignified life; to prevent and control violence occurring within the family and for matters connected therewith and incidental thereto making such violence punishable; and for providing protection to the victims of violence; Be it enacted by the Constituent Assembly in accordance with Article 81(1) of the Interim Constitution of Nepal, 2007 as follows:

1. Domestic Violence shall not be committed, aided or abetted:

- (1) No body shall commit; or aid or abet; or incite the commission of acts of domestic violence.
- (2) Whoever commits an act contrary sub-section (1) shall be deemed to have committed an offence under this Act.

2. File complaint or petition:

- (1) Any person who has reason to believe that an act of domestic violence has been, or is being, or is likely to be committed, may immediately lodge a written or oral complaint with the Police Office, National Women's Commission or Local body.
- (2) In pursuance of sub-section (1), a complaint shall be registered immediately if received in a written manner; and after writing down the factual details with the signature of the complainant, if received in an oral manner.
- (3) If the complaint is lodged in the National Women's Commission, necessary action shall be taken in accordance with the relevant law that governs the National Women's Commission.
- (4) If the complaint is lodged in the Police Office, the perpetrator shall be produced before the Police Office within 24 hours of the lodging of the complaint excluding the time of travel, for the recording of his/her statement. If he/she refuses to appear, force may be applied for his/her arrest.
- (5) If the complaint is lodged with the Local Body, excluding the time of travel, the perpetrator shall be produced in the Local Body within 24 hours of the

lodging of the complaint for the recording of his statement. If he/she refuses to appear, force may be applied for his arrest.

- (6) If the aggrieved person has been physically wounded or mentally tortured as a result of the act of domestic violence, he shall be immediately sent to the nearest hospital or health post for necessary check-up and an injury report shall be drawn up. If the medical report is prepared by the Local Body, a copy of it shall be sent to the Police Station.
- (7) While conducting preliminary investigation on the complaint lodged as per sub-section (1) of section 4, if the situation so requires, the aggrieved person and his/her dependants shall be provided with immediate protection with the help of the Police Office.
- (8) Upon statements recorded as per sub-sections (4) or (5) of section 8, if there is reason to believe that an act of domestic violence has been committed, and if the aggrieved person so desires, the police officer or local body officer, may, within 30 days from the date of registration of the complaint, conduct reconciliation between the parties.
- (9) While conducting reconciliation according to sub-section (8), as per necessity and availability, assistance may be taken from a psychologist, sociologist, social activist and a family member trusted by the aggrieved person; or any other witness. The psychological and social effects on the aggrieved person, of such reconciliation as well as his/her right to confidentiality shall be borne in mind.
- (10) The Police Officer or Local Body Officer shall, during the prosecution and/or arriving at a decision upon the receipt of the complaint, ensure presence of the perpetrator on the due date of the Court.
- (11) If the perpetrator fails to present himself/herself in accordance with sub-sections (4) and (5); or he/she cannot be made present; or the parties fail to settle their dispute through reconciliation, the Police Officer and Local body officer, with the consent of the complainant shall, after the expiry of 15 days as per subsection (8) and within 15 days thereafter, send the complaint

mentioning all details, along with evidence and other legal documents incidental thereto, to the Court.

- (12) It shall be the duty of the Police Officer to provide assistance as per sub-sections (5) and (7).

3. Court shall take action:

- (1) Upon receipt of a complaint as per sub-section (11) of section 4. The Court shall prosecute and decide the case as per this Act, on the basis of (the facts of) such complaint.
- (2) Notwithstanding anything contained in sub-section (1), the aggrieved person may directly file his complaint with the Court. 6. Power to grant interim protection order: (1) If the Court has reason to believe, on the basis of preliminary investigation of the complaint, that the aggrieved person needs to be given immediate protection, it may, till the time the final decision on the complaint is made, pass the following orders against the perpetrator:
- (a) To allow the aggrieved person to continue living in the shared household, to provide him/ her with food, clothes, to not cause physical injury to him/ her and to behave with him/ her in a civilized and dignified manner.
 - (b) To provide necessary treatment or to give money for the treatment of the aggrieved person if he/ she has incurred physical or mental injury.
 - (c) To make necessary arrangements for the separate living of the perpetrator in the event that it's not conducive for them to live together, and in such cases, make necessary arrangements for the maintenance of the aggrieved person.
 - (d) To not insult, threaten or behave in an uncivilized manner; or aid and abet these acts

- (e) To not harass the aggrieved person by entering his/ her place of separate residence; or in public roads; or entering his/ her place of employment; or through the media or in any other manner.
 - (f) To carry out or arrange for getting carried out, necessary and relevant action for the protection and welfare of the aggrieved person.
- (3) On the basis of preliminary investigation upon the complaint, if the Court has reason to believe that as per sub-section (1), the minor children of the aggrieved person or any other person dependant on him, require protection, the Court shall issue, from within sub-section (1), any appropriate order.

4. Proceedings to be held in camera:

- (1) Upon receipt of complaint to which this Act applies, all or any proceedings and hearings shall be held in camera if the aggrieved person so desires.
- (2) In accordance with sub-section (1), during the proceedings and hearings in camera, the claimant, defendants, their respective legal practitioners and only others who have the permission of the Court, shall be allowed to enter the court room.

5. Summary Court procedure to be followed:

While conducting prosecution and deciding the case as per this Act, the procedures prescribed in the Summary (Court) Procedures Act, 2028 (1971) shall be followed.

6. Perpetrator to bear expenses of treatment:

- (1) If a person who has been subject to domestic violence sustains physical or mental injuries so as to require medical help, the total costs of treatment in the hospital shall be borne by the perpetrator.
- (2) Notwithstanding anything contained in sub-section (1), if the Court has reason to believe that the perpetrator is an indigent person, it may order for the sanctioning of treatment expenses for the aggrieved person, from the Service Center.

7. Compensation orders:

The Court may, depending on the nature of the act of domestic violence, its degree, the pain undergone by the aggrieved person, and also taking into account the economic and social status of the perpetrator and aggrieved person, order the perpetrator to pay appropriate compensation to the aggrieved person.

8. Service Centre:

- (1) For the immediate protection of the aggrieved person, and for the separate shelter/ accommodation of the aggrieved person during the course of treatment, the Nepal Government, according to the need, may establish Service Centers.
- (2) For the purpose of sub-section (1), any organization may, on gaining permission as prescribed, establish and operate Service Centers.
- (3) Service centers operating as per sub-section (2) shall be given financial and other aid from the Treasury established under Section 12 of this Act.
- (4) The service centre shall provide, as per necessity, legal aid, psycho-social service and economic aid to the aggrieved person.
- (5) The provisions of management, operation and monitoring of Service Centre shall be as prescribed.

9. Service Treasury:

- (1) Nepal Government shall, for the operation of Service Centers established as per sub-section (1) of section 11, establish a Service Treasury.
- (2) In the Treasury established as per sub-section (1), the following funds shall be kept:
 - (a) Fund received from the Nepal Government.
 - (b) Fund received from any national or foreign organizations, institutions or individuals
 - (c) Fund received from any other source.

- (3) The management and operation of the Service Fund shall be as prescribed.

10. Punishment:

- (1) Whoever commits the act of domestic violence shall be punished with a fine of three thousand rupees which may extend up to twenty-five thousand rupees; or six months of imprisonment; or both.
- (2) Whoever attempts to commit domestic violence or abets the crime or incites others to commit the crime shall be liable to half the punishment of that of the perpetrator.
- (3) Whoever has been punished once for the offence of domestic violence shall be liable to double the punishment upon every repetition of the offence.
- (4) If a public servant commits the offence of domestic violence, he shall be liable to an additional ten percent punishment over and above the prescribed punishment.
- (5) Whoever doesn't obey the Court orders issued according to Section 6 shall be fined Two thousand rupees to Fifteen thousand rupees; or four months of imprisonment; or both.

CHAPTER III RESEARCH METHODS

3.1 Research Design

This study adopted an explorative qualitative and quantitative research design based on complexity & sensitivity of the subject matter under study.

Exploratory research is defined as the initial research into a hypothetical or theoretical idea. This is where a researcher has an idea or has observed something and seeks to understand more about it. An exploratory research is an attempt to lay the groundwork that will lead to future studies, or to determine if what is being observed might be explained by a currently existing theory. Most often, exploratory research lays the initial groundwork for future research.

Exploratory research can come in two big forms: either a new topic or a new angle. A new topic is often unexpected and startling in its findings. New angles can come from new ways of looking at things, either from a theoretical perspective or a new way of measuring something. Further the researcher had used this technique to explore the root causes of domestic violence in the specific area by using different research tools.

Qualitative research is designed to reveal a target audience's range of behavior and the perceptions that drive it with reference to specific topics or issues. It uses in-depth studies of small groups of people to guide and support the construction of hypotheses. The results of qualitative research are descriptive rather than predictive. Six case studies had been conducted, so that the research will be qualitative in design for the qualitative data collection. The researcher had used the in depth interviews with the respondents and some interesting cases are being used in the research design.

Quantitative research is the systematic empirical investigation of observable phenomena via statistical, mathematical or computational techniques. The objective of quantitative research is to develop and employ mathematical models, theories and/or hypotheses pertaining to phenomena. The process of measurement is central to quantitative research because it provides the fundamental connection between empirical observation and mathematical expression of quantitative relationships. Quantitative data is any data that is in numerical form such as statistics,

percentages, etc. The researcher analyzes the data with the help of statistics. The researcher is hoping the numbers will yield an unbiased result that can be generalized to some larger population. Qualitative research, on the other hand, asks broad questions and collects word data from phenomena or participants. The researcher looks for themes and describes the information in themes and patterns exclusive to that set of participants. For the quantitative data researcher had used open ended questionnaire and such data are being interpreted and came out with the findings.

3.2 Study Area and Rationale for Selection

This study has done in the Ward No. 9, Balkot VDC, Bhaktapur District and Domestic Violence Victims reported to Women Cell of Kalimatti, Kathmandu. Among the victims many are from marginalized community in Bhaktapur and Kathmandu district. There is Women cell in different Police Station of Kathmandu district to deal on domestic violence. Therefore, researcher was interested to explore the root causes of this hidden issue as well as its consequences.

3.3 Population and Sampling

Married female, who were suffering from domestic violence, were selected for the study from the Balkot VDC, Ward No. 9 and the victims of domestic violence reported in Women Cell, Kalimatti, Kathmandu district. Non-probability purposive sampling technique was adopted in selecting the respondents. The size of the sample consisted of 30 victims reported to women cell, Kalimati and the Balkot VDC, Ward No. 9.

3.4 Tools and Techniques of Data Collection

Following methods were used to collect the data.

-) **In-depth Interviews:** is a qualitative method of analysis, which proceeds as a confidential and secure conversation between an interviewer and a respondent. By means of a thorough composed interview guide, which is approved by the client, the interviewer ensures that the conversation encompasses the topics that are crucial to ask for the sake of the purpose and the issue of the survey.
-) **Case Studies:** are analyses of persons, events, decisions, periods, projects, policies, institutions, or other systems that are studied holistically by one or

more method. The case that is the *subject* of the inquiry will be an instance of a class of phenomena that provides an analytical frame — an *object* — within which the study is conducted and which the case illuminates and explicates. The researcher had deeply studied six cases and came out with the respected findings.

-) **Focused group Discussion:** is a form of qualitative research in which a group of people are asked about their perceptions, opinions, beliefs, and attitudes towards a product, service, concept, advertisement, idea, or packaging. Questions are asked in an interactive group setting where participants are free to talk with other group members. The researcher had conducted 2 focused group discussion in which only the females victims are divided in two groups in which each groups contains 5-6 female members were involved.
-) **Observation:** is the active acquisition of information from a primary source. In living beings, observation employs the senses. In science, observation can also involve the recording of data via the use of instruments. The term may also refer to any data collected during the scientific activity. Observations can be qualitative, that is, only the absence or presence of a property is noted, or quantitative if a numerical value is attached to the observed phenomenon by counting or measuring.
-) **KII:** are interviews conducted with key individuals within the community, schools, etc. Key Informant Interviews provide project staff with detailed, qualitative information about impressions, experiences and opinions. Conduct interviews in person or by telephone (or by Skype or video conferencing if available). Interviews can be either informal or more formally structured. Chief of women cell, Kalimatti, Lawyer of Nepal government who is advocating the rights of women in women cell, spoke person of different NGO's etc. where taken as Key Informant from where the researcher had got the information about different issues and the problems which could not be gain from the interviewer.

The researcher developed open ended interview guide after reviewing the related literature. Checklist was also developed for focused group discussion. The validity of questionnaires, interview guide and checklist was established by seeking opinion from research advisor and other expertise. The reliability was established pretesting the

questionnaires and interview guide, who were also suffered from domestic violence in Kathmandu district.

3.5 Data Collection Procedure

The purpose of the study was explained to the subjects and informed consent was obtained verbally from them. The respondents were assured of the anonymity, confidentiality and privacy of information given by them. Data was collected by using in- depth interview guide prepared for the purpose of this study. Data was collected in the convenient time of the respondents. Responses from the respondents were written field note was taken. Their verbal expression and emotional status was also observed at the time of interview. Supporting data was also collected from the legal adviser, Nepal Police of Women Cell and different social service providers (NGOs' People). Triangulations of the information were done for more reliable and accurate report.

3.6 Data Analysis

Collected data were checked and organized daily for completeness and accuracy. Transcribed the verbatim from in-depth interview along with field notes. Then the transcription was translated in English. The voluminous data were reduced and garbage out and concept were identified. Obtained information was categorized in different subheading according to the objectives. The interpretation of each and every information was done to develop the themes. According to the identified theme, findings were reported.

CHAPTER - IV

DISCUSSION OF THE FINDINGS

This chapter deals with an in-depth analysis and interpretation of the responses to the research questions.

4.1 Socio-demographic Characteristics of the Respondents.

Domestic violence against women in the study area was found among women of all age groups. Patriarchal norms and the low status of women did not preclude even old women. (more than 50 yrs) from being a victim of violence. While Nepali society upholds the chastity and virginity of women as the ultimate prestige and dignity of a family, on the other hand, the socialization process encourage girls and women to become victims as it instills in them the values of suffering silence, tolerance and non-retaliation. Values of being shy and shameful about voicing victimization especially sexual exploitation and domestic violence further silence a victim into submission.

Table 2: Distribution of Respondents by Age

Age	Respondents
	Number
15-19	2
20-29	15
30-39	10
40-49	3
Total	30

Source: Findings From Field visit (2014/2015)

Majority of victim of domestic violence were adult and young adult respectively (20-29 yrs & 30-39 yrs). Practice of early marriage is highly prevalent in the country so, teenagers were also victimized by domestic violence in their husband's family. Even in the 5th decade of life women were not safe in their family. The root cause of violence in later life was sexual dissatisfaction and extramarital relation of the husband. From the above finding, we can conclude that domestic violence cuts across all ages in Nepal and women have to suffer by violence throughout the life cycle.

Table 3: Educational Status of Respondents

Educational Status	No.
Illiterate	5
Only can read and write	9
Primary level	11
SLC	4
Intermediate level	1
Total	30

Source: Findings field visit (2014/2015)

Data in the table indicates that lack of education can increase vulnerability to domestic violence and exploitation. Only 1 respondent had attended higher education. It could be either deduced that as education empowers women, she becomes less vulnerable to domestic violence or more educated victims refused to be identified due to fear of loss of social prestige. This lack of education is also reflective of the poor economic status of the victim's family.

Religion

The overarching patriarchal values promoted by Hindu religion stipulate the dominance and superior status of men in comparison to women. Religion also encourages stereotypical behaviors, i.e. aggression, power, control in men, and tolerance and silence in women. These stereotypical roles also influence that has controls over whom and who can explicit whom in a given social context. Study findings revealed that majority (87%) of respondents were Hindu, 13% were Buddhist.

Type of Marriage

Hindu religion is deeply rooted on purity and pollution. Status of bride in the family was determined by types of marriage and arranged marriage was preferable by the family and society. Love marriage and eloped marriage was not considered as good within the family and society. Most of the family members neglected the daughter in-law with eloped and love marriage. In contrast, even the women having arranged marriage were also suffered from domestic violence.

Table 4: Types of Marriage

Type of marriage	No.
Love marriage	13
Arranged Marriage	12
Eloped	5

Source: Findings field visit (2014/2015)

Table 4 summarizes the types of marriage of the respondents. It shows that majority of the respondents had love marriage that is 13. Out of the total sample, 4 respondents had inter-caste marriage. Women married with higher caste husband had higher degree of violence and mostly in-law members were involved to perpetuate violence.

Respondents were asked about the length of their married life. Data from the field revealed that vulnerability of women from domestic violence was increased along with the increment of married years. Majority of women were suffer by domestic violence even after 21 years of marriage and they were also remain silent because of their dependency on their husband. Another reason to stay silently was the uncertainty of children.

Table 5: Respondent's Duration of Marriage

Completed Married Years	No.
< 1	1
1-5	5
6-10	6
11-15	12
16-20	5
21 years and more	1
Total	30

Source: Findings field visit (2014/2015)

Table 6: Distribution of Respondents by Number of Children

Number of Children	Number
0	3
1	8
2	16
3+	3
Total	30

Source: Findings field visit (2014/2015)

Fertility status was analyzed among victim of the domestic violence. Majority of respondents were multifarious. High fertility rate of country is approximately corresponds to this findings.

While asking about the causes of violence, infertile women were victim of violence from their husband as result of infertility. To be infertile, is not only because of the women, there is equal chances of weakness from the part of husband. Due to ignorance of this fact, women were blamed for infertility. Out of three husbands of the infertile women, two had second wife. Infertile women were victimized not only from husband and his family but also from co-wife.

Son preference strongly prevailed among the respondent's family. Two women had only daughters. Sex of the baby is determined by the husband's chromosome. Biologically there is no role of women to determine the sex of baby. However, stereotypical patriarchal traditional society and family was blaming the women for not giving birth of male baby.

Domestic violence was not limited to the infertile women with only daughter. Women having both sex babies were also suffered at large different reasons.

Table 7: Respondents' Family Type

Type of family	No.
Joint	8
Nuclear	16
Staying alone	4
Staying in Mother home	2
Total	30

Source: Findings field visit (2014/2015)

Domestic violence has been found in all types of respondents' family. But the perpetrators were different. In joint family, violence was committed frequently by in-law members as well husband and in nuclear family, violence were perpetuated only by husband.

Due to the intolerable torture, 4 women were staying separately from the husband house where as another 2 women were staying in maternal house.

Table 8: Occupation of the Respondents, Husband and Their Family

Occupation	Respondent	Husband
	No.	No.
Agriculture/Animal Husbandry	6	4
Business	12	8
Labor	3	7
Service	1	-
Home Maker		2
Other	8	9
Total	30	30

Source: Source: Findings field visit (2014/2015)

Occupational status of the respondents and their husband was assessed during field visit. Findings revealed that domestic violence against women was committed in all types of occupational families. From the labor occupational groups to service holder & business class occupational, domestic violence was prevailing. Nature and form of violence was found to be different in different occupational groups.

Physical assault was common among the labor occupational groups and mostly committed by husband. Husband's alcoholic habit was the root cause of dispute and violence. Most of the men of those groups spent their income (approximately 50%) in local bar. When wife asked for the money then they started to do assault in varying degree.

Mental torture and verbal abuse was frequently reported by the service holder and business class occupational group. This type of violence could not be recognized by other people, so perpetrators were always in safe side.

Domestic violence in Nepal has been found to be frequently in homemaker. Due to the low educational level and lack of skill training, most of the women are staying in

home as a housewife. Further, they are dependent on other for a lively hood. This dependency of the victim is reflective of the true nature of Nepali society, where few women have direct access or control over any resources; as a result they are more prone to domestic violence. A finding of this study is consistent with the above statement. The study further revealed that domestic violence cross the boundaries of occupation. Even independent women, who were taking full responsibility to look after the families were also, suffering from domestic violence. It was very much injustice to them. This may be due to patriarchal nature of the society and supremacy of men.

Table 9: Distribution of Respondent According to the Level of Income

Income to manage the House	No.
Sufficient	4
Somehow	19
Very difficult	7
Total	30

Source: Source: Findings field visit (2014/2015)

Domestic violent cross the boundaries of economic status. Even in economically sound family's women were suffering a lot. The types, nature and causes of violence were different than those of poor families. Luxurious life style and affluent society propelled women towards the violence. Husband's alcoholism and suspicious nature of husbands were some of the cause to perpetuate the violence against women. Gambling was another cause to perpetuate violence in the well to do family. Husbands were spending day and night in gambling, if wife made an enquiry to them, then dispute started which in turn affect the health of wife physically as well as mentally.

Women A of 35 years stated (housewife)"My husband has a bad habit of gambling especially during the time of Dashain and Tihar festivals. Last year he did not come home for 6 days, as he was in gambling. In the 6th day of his gambling, I went to the place and asked him to go in the house but he denied. I got angry and had a verbal fight with him before the other people. His friend teased him and telling why are you living with her who has no respect for her own husband. Since that day he behaves me differently.

In contrast, economically poor women mainly violated due to scarce resources to fulfill the basic needs of the family.

4.2 Gender-based Socio-cultural Practices

Several questions were asked to respondents on their views on gender-based socio-cultural practices regarding male and female's roles, patriarchal system and awareness on provision of law and policy.

Majority of the respondents said that women are confined to the household and subordinate to their spouse. Society in general views women as household worker and has to take full responsibility of the household work but no authority to make any decision.

Literate women expressed that women are considered as second class citizen in the society, where as men are as a first class. Role and responsibilities are assigned to people according to their gender. Role of men is considered superior than women. There was a common understanding among all the participants that women are the machine to produce the children and looking after them. Some respondents said that they married with this man just to continue the human race. Similarly, a few respondents from Brahmin and Chhetri groups said that women are like the Earth, whatever the husband and other family members does they have to adjust themselves in any way.

Almost all respondents said that men are considered to perform out side works, inheritors of the family name & property and future pillars of the parents and breadwinner of a family. So they have to obey the husband.

There was common understanding among all respondents that society has given a certain type of freedom to men. They have no restriction to go anywhere. Even they come home late no family members ask them, why they are late? In contrast, women have to take permission from husband and other family members, each time they go outside. There are various type of restrictions made only for women for example, cannot talk to male stranger openly, should not laugh with other men. There is a common practice of seclusion and segregation.

4.2.1 Patriarchal System

Marriage is considered the most important event in a Hindu women's life and girls grow up with a notion of temporary membership in her parent's home. In the process of her socialization there is a considerable emphasis on submissiveness, obedience and as feminine ideals. She learns to accept that preference is always shown to male children and learns to accept her brothers are privileged family members. There was a common understanding among all the respondents that son preference is strongly prevail in their society. Male child has been taught from the early childhood to be strong, and bold. Male child are encouraged to take controlling role in the family from the early childhood.

Almost all respondents said that sons are desired because they represent insurance for old age and patrilineal inheritance ensures that property is passed on through the male line. The necessity for a son is to carryout the death rites for parents. Therefore, there is rejoicing in the birth of a son and unhappiness at the arrival of daughter. To be born a daughter is a misfortune "let it be late, but let it be a son"(One of the respondent).

Most of the respondents from the Brahmin/Chhetri, Newar ethnic groups said that special attention has been given to male baby from early child hood and sons have a special priority over issues such as education and (boarding school for male baby and government school for female baby) nutrition (sons always have a priority to have special and tasty food and daughter have to eat only after him). Similarly, sons can have choice over clothing but daughter is compelled to wear whatever the parents provided to her.

There was a common understanding that rituals surroundings, the birth, naming and introduction of supplementary foods for male babies are more colorful and extravagant occasions than in the case of girls.

Most respondents said that they consider their own nutritional needs secondary to those of male members of the family and they pass on the same attitude to their daughters. Almost all respondents said that women in Nepal are socially conditioned to accept their situation and the ideology of male supremacy, which result in a range of discriminatory practices. This means that not only one girl, women are ill equipped to retaliate against the implicit and explicit injustices to which they are subjected but

in the absence of alternative models of role and conduct, they actually espouse and propagate the dominant social and cultural values that militate against their group.

Victims of domestic Violence stated "One of the issues in our culture is that man is the strongest and has to be, in whatever manner, over women and when something does not suit him. He just beats wife".

4.2.2 Awareness of Law and Policy Regarding Women's Right

Literate women said that equal rights are stated in the constitution of Nepal but in practice there is totally biasness. Women and men are not enjoying equal rights within marriage. Because men have the right to remarry and to divorce their wives at will, whereas women's position is a precarious one. This would make it difficult for women to assert themselves in matters relating to sexual relations and child bearing, even in situations where the woman is educated and economically independent.

It was a common understanding that male polygamy is permitted by law. A man is allowed to divorce his wife or take another wife without divorcing the first one. Almost all respondents said that there is no equal right for son and daughter to inherit their parental property. Daughter only can inherit her parental property only in case, when there are no successors. In case she marriages, expenses are to be deducted from the share obtained by her.

Most of the respondents (65%) said that there is no provision of punishment for the perpetrators of violence. They further expressed that in case of rape and trafficking too, there is no strict legal provision to punish. Almost all respondents said that this may be due to more male involvement in judiciary system.

It was also noted that among Brahmin, Chhetri, and Newar groups, daughter has no right to choose her spouse and decide at what age she should get marriage. Use of contraceptive device, timing of childbirth is decide by the husband. Most participants said that their husband looks them in suspicious manner if they talk them about contraceptive devices. So they have no courage to talk about the use of contraceptives.

Majority of the female key informants said that Community people have no faith in legal provision because there is no strong legal act to punish the perpetrators of trafficking, prostitution. Even the victims reported in court, perpetrators are not getting punishment. Similarly there is no limitation of dowry demand as a result; many women are in problem of dowry related violence. They further explained that legal interventions are too weak and punishment for the perpetrators is very minimum as comparison to her crime. Most of the female key informants said that Nepali law is guided by Hindu religion and shaped by the socio-cultural values, so legally authorized rights are also not exercising by women due to socio-cultural barriers. Patriarchal system and low status of women lags behind to come forward to exercise it.

Almost all respondents said that domestic violence is seen as a family matter. In case of the victim report to the community leader, they also ignore it as a normal phenomenon. There is also no clear cut legal provision for the perpetrators of domestic violence.

Victims of Domestic Violence Stated “My husband always used to beat and use abuse words with me, I have reported to Women Cell. Police prisoned him for 7 days. After that he treats me formally for 3 / 4 months. One night he came with a girl and he make relation with that girl in front of me”.

4.2.3 Household Works

Most of the respondents expressed that all household chores have to perform by themselves. They are not getting support from the husband. Even in case of both husband and wife working in offices, full responsibility of house has to be taken by wife.

One woman expressed that in certain circumstances, if husband is ready to help the wife, family member and neighbour do not resist it. So, even the husband is co-operative and helpful too, society becomes the barrier. Very few respondents expressed that both husband and wife are equally participated in household chores.

4.2.4 Decision Making

Majority of women expressed that major decisions of the family are made by their father in-law. Some of the women from joint family stated that mother-in-law have great role in decision making process. Women staying in nuclear family stated that their husband makes major family decisions. But before deciding, they get approval from their wife. Very few respondents stated that both husband and wife have equal participation in decision making process.

4.3 Respondent's perception and Relation with the Perpetrators Status of the Respondent's Husband in the Family

Majority of the respondents stated that husbands are treated as leader of the family. They are the bread earner, so all family member should give due respect to them. Every member of the family should obey their order.

Very few respondents stated that their husbands are the neglected member of the family due to unemployment and habit of alcohol drinking regularly. Even their parents do not show concern about them, instead of that family neglected them for the clothing and fooding too. This situation is further propelling them for further alcoholism and spending time in restaurant and bars.

4.3.1 Respondent's Perception Towards their Husband.

Most of the respondents see their husband as their guardian. Husbands are fulfilling the family's demands and also solving the problem. They also protect the family from any harmful situations.

Working women expressed that they are treating their husband as a life partner. A long journey of the life has to pass with him, that's why they see as a life partner. Happiness and sorrow of the life has to share with him. In spite of this feelings too, wives were suffering from domestic violence and they were tolerating it for the sake of their children's future.

Very few respondents expressed that their husband are like the friends. Both of them are taking the equal responsibility about the family and other income generating

activities. They used to share every thing with their husband. Even then, their husbands are perpetuating domestic violence.

4.3.2 Relation with In-Law Members

Women residing in joint family said that they have no good relation with their in-law members. All family members exploit them in work. All house hold activities have to be done by themselves. No support from others, instead of helping them, they treat them as a hired labor.

One women residing in maternal home said that none of the family members like her so she could not stay in husband's house. For few days after marriage, while her husband supported her, all family members liked her. But, when misunderstanding started with the husband, she was treated very badly in husband's house. Therefore, she left that house and started to living in her maternal house.

4.4 Respondents' Husband's Habit and Onset of Misunderstanding

Respondents were asked the question regarding the habit of their husband. Majority of the respondents stated that their husband used to drink alcohol heavily in the restaurant (Bhatti) and come to home at late night in peak level of alcoholism. They entered the home in semi-conscious state. Immediately after entering in the home, they started to scold for nothing.

Some of the respondents said that their husband had the habit of gambling. Whole day and some time at night too, they used to spend their time in gambling. They never cared about their children and were never concerned about family.

Women from low socio-economic group (whose husbands are labor) said that their husbands are suspicious towards them. They thought that their wives have extra marital relation. Therefore, misunderstanding was started right after the marriage.

Some women expressed that their misunderstanding started after the birth of the first child. In presence of family member, the husbands do nothing but inside their own room they scold with vulgar words. They tortured mentally rather than physically, so nobody could recognize it. Their husband had an extra marital relation too.

Some women expressed that after the menopause, the misunderstanding was started due to sexual dissatisfaction. Husbands were more interested in sexual activity and wives were not ready every time as per their desire, then misunderstanding was started.

4.5 Domestic Violence Cases Seen by Respondents in the Community

Common form of domestic violence seen by the respondents in their neighboring community was physical assault, mental torture, family boycott and rape. They further said the mental torture could not be seen immediately in the community until it became severe mental illness like suicide. They witnessed the suicidal cases due to domestic violence.

According to the respondents, the root causes of domestic violence were polygamy, excess intake of alcohol by male partner, insufficient dowry etc. They further said that socio-cultural practice and tradition, which is propelling women in the hardship of life and women have to suffer a lot. They again mentioned that due to such practices, even women are violating the rights of the women.

Husbands, mother-in-law, father-in-law and other family members were the perpetrators of violence seen in the community.

4.6 Type of Violence Faced by Respondents, its Root Causes and Perpetrators

Table 10: Type of violence

Type of violence	No.
Psychological abuse (out of total)	28
Physical assault (out of total)	12
Marital rape and sexual harassment (out of total)	2

Total Respondents: 30

Source: Source: Findings field visit (2014/2015)

Multiple Responses

Table 10 shows that Majority of the respondents 28 were suffered from psychological abuse. Psychological abuse is one of the safest methods for the perpetrators. Because

it could not be recognized until and unless victim herself expressed it. Second major type of violence faced by 12 women was physical assault. Six percent women were suffered from Sexual abuse and harassment.

Table 11: The Perpetrators

The Perpetrators	No.
Husband	22
Husband and mother-in-law	9
Mother in-law and Father-in-law	8
Husband and co-wife	7
Sister-in-law	3
Husband, Mother-in-law, Father-in-law, Sister-in-law	6

Total Respondent: 30

Source: Source: Findings field visit (2014/2015)

The study findings further reveal that victims generally do not talk about the incident immediately due to shame and possible social stigma. Many of them do not expose it because of the threat by family member and husband. Some of them do not express it for the sake of the children. They think that if husband departed from them, who will provide the necessary money for the caring and raring of the children. The reluctance of the victim to file the first information report immediately after the incidence means vital evidence is lost.

18 years old girl stated, "When I was just 14 years old, I fell in love with a man from the own village. After 2 years, he proposed me for marriage. We got marriage, after that and we stayed in rented house because his parents did not accept me as a daughter in-law. Slowly he started to ignore me and ran away from me. With the help of paralegal committee members I went to his home and stayed for a week but they started to scold and beat me. So I left the husband house and came back to the maternal house. My father also does not like to me because I went to the man without the consent of my parents. Now my mother

only support to me and I am working as a labour. Now my son is 2 years old".

Result further reveals that it takes a long time for the victims to talk about the incidents with anybody, this means that the chances for the victims receiving justice is very rare and it also means that perpetrators roam freely.

One Victim of domestic Violence, "Opening up discussions regarding violence only seems to weaken the women's position. We feel coerced to accept the impunity of their aggressors and to forgive and forget, and even to respect these men".

In context of Nepal, victim counseling centers does not exist, but women cell works as the counselor and NGOS, which are based in Kathmandu and even when the victim confide family-they do not know how the victim should be treated. Therefore, only a handful of victim who go to the police. These results also point towards the needs for a national network of counseling centers.

Table 12: The Perpetrators

Causes Out of Total Respondent	No.
Use of alcohol by husband	19
Husband's habit of gambling	7
Polygamy	7
Unemployment of husband	4
Extra marital affair of husband	6
Husband listen to other family member	4
Son preference	2
Suspicious attitude of husband	25
Dowry	6
Inter-caste marriage	10

Total Respondents: 30

Source: Source: Findings field visit (2014/2015)

Multiple responses

Findings revealed that root cause of domestic violence against women was use of alcohol by their husbands. 63.33% of the victims expressed that after the excess intake of alcohol, their husband became the mad and started to talk irrelevantly.

45 years old women stated “25 years back I had a marriage with him. He had a habit of regular alcohol drinking we had 4 children too. He always went to the local bar in the evening time. He always comes to the home lately. Whenever I asked him to come home earlier he started to scold me and beats me with fits. If I stay silently too, he himself started the matter for discussion and beats me”.

Mrs. x was married 6 years back. She had 1 child during 6 years of her conjugal life. Her husband is unemployed. He is alcoholic too. Even then, he never spends a day without scolding by vulgar words. She could never tell it to others, otherwise she would be subjected to more torture. From the first day of marriage, she was pressurized to bring the money from her motherhouse. She used to give the money to him for liquor till mother provides her. But ultimately her mother and father came to know that the money given to daughter was used by him for liquor, then they stopped to give money to Ms. X so by not getting money for liquor he started to beat her.

Second major causes as reported by the respondents was the traditional notions of male honor, felling of supremacy and control over family. In every activity they used to show their control. Even in the minor family matter, they used to scold them as if wife is a contracted servant for obeying the order as favor of them. Husbands usually behave them as second class citizen. 25% of the respondents reported that the root cause of violence was the supremacy complex of men.

Third leading cause of domestic violence was inter-caste marriage. In these cases, violence was perpetrated by other family member rather than husband. Mostly, wife from low caste married with upper caster were suffered by domestic violence. Mother

in-laws and sister in-laws used to humiliate them and often give mental torture to prove themselves as superior class.

Husbands listen to the other family member reported as the major cause of domestic violence by 13.33% women. Generally violence perpetrated by husband against wife after listening and trusting to in-laws members of the family. Mostly mother in-laws gossip with their son against them, which caused the misunderstanding between husband and wife then they perpetuated physical assault as well as mental torture.

Among the reason cited for the domestic violence, polygamy is another root cause of domestic violence. The main reason for their spouse marrying another wife was physical attraction, emotional involvement and infertility of the first wife. Once the husband had another wife, previous wife was generally neglected in terms of resources and love & affection. Second wife got better access for resources and husband usually did the ill-treatment to first wife.

32 years Newari women Stated, "We have been married 12 years back, we had two daughters. The elder one is 10 yrs and younger one is 8 years. My husband started to show less concern about daughters and me after the birth of my second daughter. He is withholding the resources than before, insulting me before the people and mentally tortured. Ultimately he did next marriage."

Another reason for the domestic violence was extramarital affairs of husband. In such cases, wives were neglected and mistreated. Even in the minor mistakes of wife, husbands used to threaten to them. They never given love and affection to the wife, instead scold them as worthlessness and uselessness women. Six point Ten percent women reported this type of reason.

38 years Newari women Stated "I have been married for 20 years. My husband was found to be perfect gentleman but since four years back interaction between me and my husband is less and misunderstanding was started due to his extramarital relation. Mostly our conflict arises regarding that lady with whom he had relation".

Suspicious nature of husband was reported another cause of domestic violence. This was found especially in people who have very low economic status and work as a labor. In any dispute between the husband and wife, mostly husbands accused their wife as having extra marital relation with other men. Even at the time of talking to the male member of the neighbour, husbands looked it in suspicious manner. Husband scolded to them with vulgar words even before the children too.

Unemployment status of husband also reported as cause of domestic violence in this study by 13.33% women. They were dependent with other family members for expenses. So, other family members did not respect them in comparison to the employed men as a result, they started to go to the local bar (Bhatti) always in the evening time to drink alcohol for so-called coping mechanism. For any kinds of wrong inside the family, they used to accused to their wife. They used to say that because of excessive pressure of wife for employment, they became tensed and compel to take alcohol. Instead of searching the job, they spend the time in unnecessarily roaming around the tole and threatened to the wife.

24 years women Stated, "My husband is unemployed. We had 2 children. We have to depend on with mother in-law for money. She does not like me because of fewer dowries from my maternal home. For 4 years she gets out me and my 2 children from house and also strictly prohibited to my husband to meet with me. He also could not say any thing to the mother. He neither cares to us nor support. He is staying silently. I live separately from them but in the same house and managing the house by doing labour work, which I never had done before."

Dowry demand was also reported as root causes of domestic violence by one woman. In response to the question about the root cause of domestic violence, participants from victim expressed the same causes of domestic violence as reported by victim of the domestic violence. Apart from those, they further stated some another caused of violence such as the brought up of the male child in violent family. They further expressed those children who witnessed or experienced abuse and suffer long term psychological effects, are themselves more likely to become the perpetrators of violence.

Some participants said that women's economic dependency to men is important factor for domestic violence. Some participant said that it is the fate of women to suffer from domestic violence. Low economic condition of the family is the major cause of domestic violence. In such a condition of family, there is always scarcity of resources for basic need. Therefore, there will be quarrel between husband and wife and other family members. If the quarrel is unsolved then husband and other family member started violate the right of women in the family. Illiteracy, low socioeconomic status of women in society and traditional belief of the senior female member of the family caused the domestic violence.

4.6.1 Respondent's Response Regarding Seriousness of Violence

Majority of the respondents expressed that mental torture is most dangerous type of violence. The other member of the family as well as neighbor does not see it till it become severe problem, most of the women does not share it with other. As a result very fatal consequences may happen.

Respondents expressed the physical assault as second dangerous form that everybody can recognize it even though the victim does not express it by herself. Some time children and other family members can disclose it. Few respondents expressed that both the physical and mental forms of violence are equally dangerous. Both form of violence can take the victim's life.

Some said that sexual exploitation is also the danger form of violence

Table 13: Coping Mechanism Used by Respondents after the Incidence of Domestic Violence

Coping Mechanism	No.
Tolerating as their own fate	15
Seeking help from maternal house	3
Weeping and sharing with friends in village	3
Suicidal attempt	2
Listening to music	2
Staying alone silently for a while and smoking and taking alcohol	5
Total	30

Source: Source: Findings field visit (2014/2015)

Multiple responses

There are various factors, which are keeping women in abusive relationships and tolerating violence as their own fate. These commonly includes; fear of retribution, a lack of alternative means of economic support, concern for children, emotional dependency, a lack of support from family and an abiding hope that man will change. Study finding showed that majority of the victim were tolerating it and staying with abusive environment. Denial and fear of being socially ostracized often prevented women from reaching out for help.

All in all, its very painful experience. Many times the women go to the police in tears and the police tell them not to be irresponsible and waste their time, as if they did not have anything else to do. Then they tell them; tonight your man will be between your legs again. In other words, besides no helping them, they disrespect them. Victim of Violence.

4.7 Consequences of Domestic Violence

Table 14: Consequences of Domestic Violence

Consequences	No.
Physical health problem	12
Mental health problem	4
Chronic conditions	8
Negative health behavior	6
Total	30

Source: Source: Findings field visit (2014/2015)

Multiple Responses

The consequences of abuse and violence are profound, extending beyond the health and happiness of individuals to affect the well being of entire communities. Living in a violent relationship affects a women's sense of self - esteem and her ability to participate in the world. Studies have shown that abused women are routinely restricted in the way they can gain access to information and services, take part in

public life and receive emotional support from the friends and relatives. Not surprisingly, such women are often unable properly to look after themselves and their children or to pursue jobs and careers.

4.7.1 Physical Health Problem

Among the Twelve respondents having physical health problem, one woman had vision problem after severely beaten by her husband one month back. Her vision was good before the incidence but now it is difficult to see well. Because of the coercion of husband, she did not go for check up and she did not disclose this fact even to the maternal house.

There was no problem on my vision before. From one month back it is quiet difficult for me to read and write. My one eye (right eye) is severely affected due to beating. I am also feeling the burning sensation in my eyes.

One woman was severely beaten by her husband two years back. After that incidence, she had severe backache. She only can walk with the help of belt (PATUKA). She cannot bend her back properly. She was managing the home with the help of daughter. Even then her husband was not initiating to take her to the doctor.

4.7.2 Mental Health Problem

Among the women having mental health problem, majority of them had anxiety disorder. Some of them had very low self-esteem. Victims felt that, they are worthless and value less. They can do nothing. One of them was in severe form of depression. Two respondents committee to suicide but their attempt was failed.

Victim of domestic Violence, "I used to think that death was only way out. I wanted to die but I could not kill myself because of my children..... I thought that was my fault so that he hit me."

4.7.3 Chronic Conditions

Among 8 respondents with chronic conditions, most of them complained about irritable bowel syndrome. A few participants complained about chronic pain syndrome.

4.7.4 Negative Health Behavior

Among six women with negative health behavior, three were started to smoke to cope the problem. In response to the question "why you started to smoke?" They stated that it gives relax, so they started to smoke. Remaining three increased the frequency and amount of alcohol intake. When their husband started to scold them, they could not tolerate it and they started to take alcohol.

4.8 Suggestions Provided by the Respondents for Further Prevention and Control of Domestic Violence.

-) It was encouraging to note that there was a unanimous voice from the respondents to make women independent as men by providing equal education. From the maternal house daughter should not be neglected and discriminated for education. Access to the education must be equitable to the daughter in terms of quality and quantity. (Quantity refers to the level of education and quality refers to the facilities needed for pursuing higher education).
-) Some respondents said that Law should be equally implied to both men and women in regards to property right, human right and other decision making process. Main focus should be given to the implementation part rather than in stating in the blue print. Similarly, every member of the society should have the habit of following the law and order.
-) Some said that strict legal provision should be there for the perpetrators of domestic violence. They further stated that there is no law to punish the perpetrators of domestic violence, so that the magnitude of problem is increasing. Unit and unless the perpetrators are penalized this problem could not be control and prevent.

-) There was a unanimous voice from the participants and respondents about the unemployment problem. They said that unemployment problem should be solved by the state. If both the men and women are employed in the community, there will be gradual reduction of violence, which is caused by the economic problem.
-) Majority of the respondents and some of the participants viewed that domestic violence can be control to some extent after banding the alcohol, which is available in the community very easily.
-) Majority of the respondents said that cabin dance restaurant and local bar should be closed immediately. Until an unless those are available in market easily, men never stopped to go there for the entertainment. Men never control themselves to spend money for that purpose once they habituated inspite of the scarcity of money. Rather they take loan from friends and some body else.
-) It was encouraging to note that there was a unanimous voice from all respondents for women empowerment. They further stated that empowerment can be done by providing equal educational opportunities, avoiding gender discrimination practices from the natal family, facilitating for exercise of legal rights and providing equal status in the society.
-) Some of the respondents and participants said that dowry system should be banded in the society. There should be strict legal provision to penalize to the love marriage both husband and wives are familiar to each other before going to the husband's house. There is also sexual contact before marriage. When misunderstandings occur between them, all the time their husband used to scold them by using vulgar words. They said,

I have a doubt about your character, you agreed with me for sex before marriage you might have agreed with another man too. Once you lost your virginity, there will be no bar for another attempt.

This statement was pretty much painful for women who had love marriage with sexual contact before.

-) Very few respondents said that TV should not telecast crime picture. By seeing the crime picture family member attempted for crime and violence in the family.
-) Male should be oriented especially about the consequences of domestic violence. The cost of violence against women has to bear not only by the women but also by the husband, family and society as a whole.
-) Some respondents said that there is an urgent need of structural change of society. The traditional believes and practices, patriarchal system are the factors aggravating for act of violence. So, slowly but steadily societal believes and practices have to change for the favor of women.
-) Very few respondents and participants expressed the need of antiviolence campaign in the society. Media can play significant role for the prevention and control of violence. So mass media should be sensitive for the prevention and control of violence against women.

CHAPTER V

SUMMARY AND CONCLUSION

5.1 Summary

Domestic violence has evolved as a part of a system of gender relations which point out that men are superior to women. This idea of male supremacy and dominance over female is often reflected by the customs of societies and is considered as private matter. Thus, violence, among other things, that result in injury of the victim and also has to bear the cost of seeking the medical treatment. The inability to supplement family income due to loss of productivity or employment as a result of having sick and having to take the sick leave from the work is an unseen cost which is usually born by the victim. Women who are victim of violence are unable to perform well in their jobs, so the investigator tried to identify the root cause of domestic violence and its consequences among married female.

The overall goal of this study is to assess the domestic violence situation, their root cause and its consequence among women victimized by domestic violence. The specific objectives of this study are to identify the socio demographic characteristics of the respondents; to identify the root cause of the domestic violence; and to find out the consequences of domestic violence.

The respondents were married females who were suffering from domestic violence. The total sample was selected 30 among the victims of different areas of Kathmandu District. The study has employed explorative, qualitative and quantitative research design. The sampling technique was purposive as well as snowballs. In-depth interview, observation, case study and focused group discussion technique were adopted to collect information on this study. The questionnaire was directly administered to respondents by employing direct interview methods. To triangulate the findings of the in-depth interview and to get more comprehensive response from key persons, a total of two focused group discussion were conducted with female and male key informants. The questionnaire and interview guide consisted of socio-demographic background of the respondents and their spouse, general perspective about gender socio-cultural practices, root causes of violence, types of domestic

violence and its consequences. Suggestions to reduce domestic violence were also acquired. Data processing was done manually.

5.2 Major Findings

5.2.1 Socio-demographic Characteristics of the Respondents and their Husbands.

-) The educational status of respondents showed that majority were illiterate. As a result, most of the women were dependent with the family member and husband and their status was viewed as low in the family which, ultimately become an entry point for perpetuating the violence.
-) The age distribution of respondents varies from the age 15 to more than 55 yrs. Two women were older than their husband. Four respondent's husbands had more than one wife and yet another four had an extra marital relation with other women.
-) Most of the respondents reside in nuclear family respondents residing in joint family expressed that most of the conflict started due to complains passed by in-laws to the husband.
-) Violence was equally found among the women who had love marriage, eloped marriage and arranged marriage.

Gender - based Socio-cultural Practices, which included Male and Female's Role and Patriarchal System.

-) Almost all respondents stated that men are considered as outdoor workers, inheritors, future pillars and breadwinners of the family. They are not imposed of restrictions of any kind. On the other hand, females are considered to be indoor workers and subordinates to their spouses.
-) Majority of the respondents stressed on patriarchal system, where a male child is taught from early childhood to be strong, bold and given special care. Almost all respondents agreed that Nepali society is male dominated, where family members always prefer sons to daughter.
-) On the contrary, females have been taught from early childhood to keep themselves in low profile, speak a low voice and are kept under strict rules and

regulations. They have prescribed roles dominated by male partners in every sphere of life and never involved in decision making process. Daughters are generally found as the tree planted for others.

5.2.2 Awareness of Law and Policy Regarding Women's Right.

-) Regarding the provision of law and policy regarding women's right, most of the respondents expressed that there is no equal law and policy for males and females, especially in terms when obtaining citizenship, property right, and reproductive right.
-) The respondents stated that males are having polygamous relationships but society is tolerating this as a natural phenomena and do not report to police.
-) Some respondents stated that law and policy is equal for both male and female but in practices it is not so. This may be due to male involvement in justice providing institutions.
-) There was unanimous voice about inefficiency of law for the perpetrator of domestic violence.

5.2.3 Respondent's Perception and Relation with the Perpetrators

-) In most of the family, the husbands are looked upon earning sons, who play a vital role in the family. He earns bread so rest of the family members respects him and he is always given high priority & taken, special care. It was also found that the husbands have been treated as neglected sons due to unemployment.
-) Most of the respondents see their husbands as their life partners and some respondents feel husbands as a friends and supportive partners.
-) Most of the respondents have to perform their house hold chores themselves. Husband and the in-law members do not assist them in house hold chores. They considered it as a feminine work, while some of them had maids to assist them.
-) Majority of the respondents stated that major decisions of the family have been made by the father in law and husband. Mother in-law also made some of the decision. However, unanimously they said male members of the family are powerful for the decision of family.

-) Majority of respondent's husband have the habit of alcohol dinking. Some of them used to do scolding with vulgar words and looked at wife in a suspicious manner. Husbands make new female friends and enjoy themselves.
-) Most of the respondents have seen onset of misunderstanding beginning 2-4 years after the marriage. It has been noted that after the delivery of the first child, conflict started between husband and wife due to more responsibilities towards their child and failure to take care of husband. Some couples experienced conflict 6-7 years after marriage. Some couple found it difficult after 18 years of marriage due to extra marital relation of the husband.

5.2.4 Types and Causes of Violence

-) Verbal abuse was the most common form of violence followed by physical and mental abuse. Marital rape and sexual harassment was also found in some cases.
-) It was also found that mental torture was the most serious form of violence among the women.
-) The perpetrators were husbands followed by in-laws and co-wife.
-) Domestic violence occurred mostly at night because no body could recognize it. Some respondents from low socio-economic group stated that is happening at any time.
-) Use of alcohol, supremacy feeling of men, inter-caste marriage, husbands' habit of listening to other family member, gambling followed by polygamy were the contributors for the domestic violence. Unemployment status of the respondent's husband as well as extramarital affairs and son preference by husband and family respectively were also seen as contributors to domestic violence.
-) The respondents suggested for enactment of strict rule and regulations against domestic violence by state is urgently needed for the further prevention and control of violence. Some respondents suggested that status of women should be enhanced through education.

5.2.5 Consequences of Domestic Violence.

-) Majority of them were suffered from chronic condition problem due to frequent beating and scolding by husband as well as family members.

-) Some of them had reproductive health problem like pelvic inflammatory disease and some of had the unwanted pregnancy as a result they went for abortion.
-) Mental health problem was also highly prevalent among the sufferer of domestic violence.
-) Physical health problem was also found among the survivors of the violence.

5.2.6 Coping Mechanism

-) In order to cope with the situation, most of the respondents used to think this violence as their own fate. Some used to cope it by sharing it with friends, some were committed for suicide and some of them used to cope it by listening music and smoking and drinking alcohol.

5.3 Conclusion

The study was conducted to identify the root cause of domestic violence and its consequences among victims of domestic violence of Kathmandu District.

Based on the study result, it is concluded that violence against women can be defined as violation of women's personhood, mental and physical integrity, or freedom of movement. It is a result of discrimination between men and women. Discrimination begins before the birth of the girl child, patriarchal relation and social structure further enhance for discrimination. The most common form of violence against women is domestic violence. Domestic violence is particularly insidious form of gender-based violence. In the place where they should feel the greatest safety and security- the family women often face terror form of physical, psychological, sexual and economic abuse. No country or society can claim to be free of domestic violence; it cuts across boundaries of culture, class, income, ethnicity, age, religion. There are various factors which are contributing for the domestic violence against women such as excessive intake of alcohol, patriarchal system of the society, polygamy, sexual dissatisfaction and dowry. There are various types of adverse effects of the violence on women health and wellbeing, which further hinder the family development as well as whole nation lags behind.

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Annex 1

Domestic Violence (Crime and Punishment) Act, 2008, Nepal

Respecting the right of every person to live a secure and dignified life; to prevent and control violence occurring within the family and for matters connected therewith and incidental thereto making such violence punishable; and for providing protection to the victims of violence; Be it enacted by the Constituent Assembly in accordance with Article 81(1) of the Interim Constitution of Nepal, 2007 as follows:

1. Domestic Violence shall not be committed, aided or abetted:

- (1) No body shall commit; or aid or abet; or incite the commission of acts of domestic violence.
- (2) Whoever commits an act contrary sub-section (1) shall be deemed to have committed an offence under this Act.

2. File complaint or petition:

- (1) Any person who has reason to believe that an act of domestic violence has been, or is being, or is likely to be committed, may immediately lodge a written or oral complaint with the Police Office, National Women's Commission or Local body.
- (2) In pursuance of sub-section (1), a complaint shall be registered immediately if received in a written manner; and after writing down the factual details with the signature of the complainant, if received in an oral manner.
- (3) If the complaint is lodged in the National Women's Commission, necessary action shall be taken in accordance with the relevant law that governs the National Women's Commission.
- (4) If the complaint is lodged in the Police Office, the perpetrator shall be produced before the Police Office within 24 hours of the lodging of the complaint excluding the time of travel, for the recording of his/her statement. If he/she refuses to appear, force may be applied for his/her arrest.

- (5) If the complaint is lodged with the Local Body, excluding the time of travel, the perpetrator shall be produced in the Local Body within 24 hours of the lodging of the complaint for the recording of his statement. If he/she refuses to appear, force may be applied for his arrest.
- (6) If the aggrieved person has been physically wounded or mentally tortured as a result of the act of domestic violence, he shall be immediately sent to the nearest hospital or health post for necessary check-up and an injury report shall be drawn up. If the medical report is prepared by the Local Body, a copy of it shall be sent to the Police Station.
- (7) While conducting preliminary investigation on the complaint lodged as per sub-section (1) of section 4, if the situation so requires, the aggrieved person and his/her dependants shall be provided with immediate protection with the help of the Police Office.
- (8) Upon statements recorded as per sub-sections (4) or (5) of section 8, if there is reason to believe that an act of domestic violence has been committed, and if the aggrieved person so desires, the police officer or local body officer, may, within 30 days from the date of registration of the complaint, conduct reconciliation between the parties.
- (9) While conducting reconciliation according to sub-section (8), as per necessity and availability, assistance may be taken from a psychologist, sociologist, social activist and a family member trusted by the aggrieved person; or any other witness. The psychological and social effects on the aggrieved person, of such reconciliation as well as his/her right to confidentiality shall be borne in mind.
- (10) The Police Officer or Local Body Officer shall, during the prosecution and/or arriving at a decision upon the receipt of the complaint, ensure presence of the perpetrator on the due date of the Court.
- (11) If the perpetrator fails to present himself/herself in accordance with sub-sections (4) and (5); or he/she cannot be made present; or the parties fail to settle their dispute through reconciliation, the Police Officer and Local body

officer, with the consent of the complainant shall, after the expiry of 15 days as per subsection (8) and within 15 days thereafter, send the complaint mentioning all details, along with evidence and other legal documents incidental thereto, to the Court.

- (12) It shall be the duty of the Police Officer to provide assistance as per subsections (5) and (7).

3. Court shall take action:

- (1) Upon receipt of a complaint as per sub-section (11) of section 4. The Court shall prosecute and decide the case as per this Act, on the basis of (the facts of) such complaint.
- (2) Notwithstanding anything contained in sub-section (1), the aggrieved person may directly file his complaint with the Court. 6. Power to grant interim protection order: (1) If the Court has reason to believe, on the basis of preliminary investigation of the complaint, that the aggrieved person needs to be given immediate protection, it may, till the time the final decision on the complaint is made, pass the following orders against the perpetrator:
- (a) To allow the aggrieved person to continue living in the shared household, to provide him/ her with food, clothes, to not cause physical injury to him/ her and to behave with him/ her in a civilized and dignified manner.
 - (b) To provide necessary treatment or to give money for the treatment of the aggrieved person if he/ she has incurred physical or mental injury.
 - (c) To make necessary arrangements for the separate living of the perpetrator in the event that it's not conducive for them to live together, and in such cases, make necessary arrangements for the maintenance of the aggrieved person.
 - (d) To not insult, threaten or behave in an uncivilized manner; or aid and abet these acts

- (e) To not harass the aggrieved person by entering his/ her place of separate residence; or in public roads; or entering his/ her place of employment; or through the media or in any other manner.
 - (f) To carry out or arrange for getting carried out, necessary and relevant action for the protection and welfare of the aggrieved person.
- (3) On the basis of preliminary investigation upon the complaint, if the Court has reason to believe that as per sub-section (1), the minor children of the aggrieved person or any other person dependant on him, require protection, the Court shall issue, from within sub-section (1), any appropriate order.

4. Proceedings to be held in camera:

- (1) Upon receipt of complaint to which this Act applies, all or any proceedings and hearings shall be held in camera if the aggrieved person so desires.
- (2) In accordance with sub-section (1), during the proceedings and hearings in camera, the claimant, defendants, their respective legal practitioners and only others who have the permission of the Court, shall be allowed to enter the court room.

5. Summary Court procedure to be followed:

While conducting prosecution and deciding the case as per this Act, the procedures prescribed in the Summary (Court) Procedures Act, 2028 (1971) shall be followed.

6. Perpetrator to bear expenses of treatment:

- (1) If a person who has been subject to domestic violence sustains physical or mental injuries so as to require medical help, the total costs of treatment in the hospital shall be borne by the perpetrator.
- (2) Notwithstanding anything contained in sub-section (1), if the Court has reason to believe that the perpetrator is an indigent person, it may order for the sanctioning of treatment expenses for the aggrieved person, from the Service Center.

7. Compensation orders:

The Court may, depending on the nature of the act of domestic violence, its degree, the pain undergone by the aggrieved person, and also taking into account the economic and social status of the perpetrator and aggrieved person, order the perpetrator to pay appropriate compensation to the aggrieved person.

8. Service Centre:

- (1) For the immediate protection of the aggrieved person, and for the separate shelter/ accommodation of the aggrieved person during the course of treatment, the Nepal Government, according to the need, may establish Service Centers.
- (2) For the purpose of sub-section (1), any organization may, on gaining permission as prescribed, establish and operate Service Centers.
- (3) Service centers operating as per sub-section (2) shall be given financial and other aid from the Treasury established under Section 12 of this Act.
- (4) The service centre shall provide, as per necessity, legal aid, psycho-social service and economic aid to the aggrieved person.
- (5) The provisions of management, operation and monitoring of Service Centre shall be as prescribed.

9. Service Treasury:

- (1) Nepal Government shall, for the operation of Service Centers established as per sub-section (1) of section 11, establish a Service Treasury.
- (2) In the Treasury established as per sub-section (1), the following funds shall be kept:
 - (a) Fund received from the Nepal Government.
 - (b) Fund received from any national or foreign organizations, institutions or individuals
 - (c) Fund received from any other source.

- (3) The management and operation of the Service Fund shall be as prescribed.

10. Punishment:

- (1) Whoever commits the act of domestic violence shall be punished with a fine of three thousand rupees which may extend up to twenty-five thousand rupees; or six months of imprisonment; or both.
- (2) Whoever attempts to commit domestic violence or abets the crime or incites others to commit the crime shall be liable to half the punishment of that of the perpetrator.
- (3) Whoever has been punished once for the offence of domestic violence shall be liable to double the punishment upon every repetition of the offence.
- (4) If a public servant commits the offence of domestic violence, he shall be liable to an additional ten percent punishment over and above the prescribed punishment.
- (5) Whoever doesn't obey the Court orders issued according to Section 6 shall be fined Two thousand rupees to Fifteen thousand rupees; or four months of imprisonment; or both.

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Annex 1

Domestic Violence (Crime and Punishment) Act, 2008, Nepal

Respecting the right of every person to live a secure and dignified life; to prevent and control violence occurring within the family and for matters connected therewith and incidental thereto making such violence punishable; and for providing protection to the victims of violence; Be it enacted by the Constituent Assembly in accordance with Article 81(1) of the Interim Constitution of Nepal, 2007 as follows:

1. Domestic Violence shall not be committed, aided or abetted:

- (1) No body shall commit; or aid or abet; or incite the commission of acts of domestic violence.
- (2) Whoever commits an act contrary sub-section (1) shall be deemed to have committed an offence under this Act.

2. File complaint or petition:

- (1) Any person who has reason to believe that an act of domestic violence has been, or is being, or is likely to be committed, may immediately lodge a written or oral complaint with the Police Office, National Women's Commission or Local body.
- (2) In pursuance of sub-section (1), a complaint shall be registered immediately if received in a written manner; and after writing down the factual details with the signature of the complainant, if received in an oral manner.
- (3) If the complaint is lodged in the National Women's Commission, necessary action shall be taken in accordance with the relevant law that governs the National Women's Commission.
- (4) If the complaint is lodged in the Police Office, the perpetrator shall be produced before the Police Office within 24 hours of the lodging of the complaint excluding the time of travel, for the recording of his/her statement. If he/she refuses to appear, force may be applied for his/her arrest.

- (5) If the complaint is lodged with the Local Body, excluding the time of travel, the perpetrator shall be produced in the Local Body within 24 hours of the lodging of the complaint for the recording of his statement. If he/she refuses to appear, force may be applied for his arrest.
- (6) If the aggrieved person has been physically wounded or mentally tortured as a result of the act of domestic violence, he shall be immediately sent to the nearest hospital or health post for necessary check-up and an injury report shall be drawn up. If the medical report is prepared by the Local Body, a copy of it shall be sent to the Police Station.
- (7) While conducting preliminary investigation on the complaint lodged as per sub-section (1) of section 4, if the situation so requires, the aggrieved person and his/her dependants shall be provided with immediate protection with the help of the Police Office.
- (8) Upon statements recorded as per sub-sections (4) or (5) of section 8, if there is reason to believe that an act of domestic violence has been committed, and if the aggrieved person so desires, the police officer or local body officer, may, within 30 days from the date of registration of the complaint, conduct reconciliation between the parties.
- (9) While conducting reconciliation according to sub-section (8), as per necessity and availability, assistance may be taken from a psychologist, sociologist, social activist and a family member trusted by the aggrieved person; or any other witness. The psychological and social effects on the aggrieved person, of such reconciliation as well as his/her right to confidentiality shall be borne in mind.
- (10) The Police Officer or Local Body Officer shall, during the prosecution and/or arriving at a decision upon the receipt of the complaint, ensure presence of the perpetrator on the due date of the Court.
- (11) If the perpetrator fails to present himself/herself in accordance with sub-sections (4) and (5); or he/she cannot be made present; or the parties fail to settle their dispute through reconciliation, the Police Officer and Local body

officer, with the consent of the complainant shall, after the expiry of 15 days as per subsection (8) and within 15 days thereafter, send the complaint mentioning all details, along with evidence and other legal documents incidental thereto, to the Court.

- (12) It shall be the duty of the Police Officer to provide assistance as per subsections (5) and (7).

3. Court shall take action:

- (1) Upon receipt of a complaint as per sub-section (11) of section 4. The Court shall prosecute and decide the case as per this Act, on the basis of (the facts of) such complaint.
- (2) Notwithstanding anything contained in sub-section (1), the aggrieved person may directly file his complaint with the Court. 6. Power to grant interim protection order: (1) If the Court has reason to believe, on the basis of preliminary investigation of the complaint, that the aggrieved person needs to be given immediate protection, it may, till the time the final decision on the complaint is made, pass the following orders against the perpetrator:
- (a) To allow the aggrieved person to continue living in the shared household, to provide him/ her with food, clothes, to not cause physical injury to him/ her and to behave with him/ her in a civilized and dignified manner.
 - (b) To provide necessary treatment or to give money for the treatment of the aggrieved person if he/ she has incurred physical or mental injury.
 - (c) To make necessary arrangements for the separate living of the perpetrator in the event that it's not conducive for them to live together, and in such cases, make necessary arrangements for the maintenance of the aggrieved person.
 - (d) To not insult, threaten or behave in an uncivilized manner; or aid and abet these acts

- (e) To not harass the aggrieved person by entering his/ her place of separate residence; or in public roads; or entering his/ her place of employment; or through the media or in any other manner.
 - (f) To carry out or arrange for getting carried out, necessary and relevant action for the protection and welfare of the aggrieved person.
- (3) On the basis of preliminary investigation upon the complaint, if the Court has reason to believe that as per sub-section (1), the minor children of the aggrieved person or any other person dependant on him, require protection, the Court shall issue, from within sub-section (1), any appropriate order.

4. Proceedings to be held in camera:

- (1) Upon receipt of complaint to which this Act applies, all or any proceedings and hearings shall be held in camera if the aggrieved person so desires.
- (2) In accordance with sub-section (1), during the proceedings and hearings in camera, the claimant, defendants, their respective legal practitioners and only others who have the permission of the Court, shall be allowed to enter the court room.

5. Summary Court procedure to be followed:

While conducting prosecution and deciding the case as per this Act, the procedures prescribed in the Summary (Court) Procedures Act, 2028 (1971) shall be followed.

6. Perpetrator to bear expenses of treatment:

- (1) If a person who has been subject to domestic violence sustains physical or mental injuries so as to require medical help, the total costs of treatment in the hospital shall be borne by the perpetrator.
- (2) Notwithstanding anything contained in sub-section (1), if the Court has reason to believe that the perpetrator is an indigent person, it may order for the sanctioning of treatment expenses for the aggrieved person, from the Service Center.

7. Compensation orders:

The Court may, depending on the nature of the act of domestic violence, its degree, the pain undergone by the aggrieved person, and also taking into account the economic and social status of the perpetrator and aggrieved person, order the perpetrator to pay appropriate compensation to the aggrieved person.

8. Service Centre:

- (1) For the immediate protection of the aggrieved person, and for the separate shelter/ accommodation of the aggrieved person during the course of treatment, the Nepal Government, according to the need, may establish Service Centers.
- (2) For the purpose of sub-section (1), any organization may, on gaining permission as prescribed, establish and operate Service Centers.
- (3) Service centers operating as per sub-section (2) shall be given financial and other aid from the Treasury established under Section 12 of this Act.
- (4) The service centre shall provide, as per necessity, legal aid, psycho-social service and economic aid to the aggrieved person.
- (5) The provisions of management, operation and monitoring of Service Centre shall be as prescribed.

9. Service Treasury:

- (1) Nepal Government shall, for the operation of Service Centers established as per sub-section (1) of section 11, establish a Service Treasury.
- (2) In the Treasury established as per sub-section (1), the following funds shall be kept:
 - (a) Fund received from the Nepal Government.
 - (b) Fund received from any national or foreign organizations, institutions or individuals
 - (c) Fund received from any other source.

- (3) The management and operation of the Service Fund shall be as prescribed.

10. Punishment:

- (1) Whoever commits the act of domestic violence shall be punished with a fine of three thousand rupees which may extend up to twenty-five thousand rupees; or six months of imprisonment; or both.
- (2) Whoever attempts to commit domestic violence or abets the crime or incites others to commit the crime shall be liable to half the punishment of that of the perpetrator.
- (3) Whoever has been punished once for the offence of domestic violence shall be liable to double the punishment upon every repetition of the offence.
- (4) If a public servant commits the offence of domestic violence, he shall be liable to an additional ten percent punishment over and above the prescribed punishment.
- (5) Whoever doesn't obey the Court orders issued according to Section 6 shall be fined Two thousand rupees to Fifteen thousand rupees; or four months of imprisonment; or both.

Annex 2

Questionnaire

Demographic Characteristics of the respondents

Section I

What is your ethnicity?

What is your husband's ethnicity?

What is your husband's religion?

Age of respondents completed year

Age of respondents' husband

Educational Status

What type of marriage did you have?

How long you have been married?

Have you got a child?

Yes ()

No ()

If Yes

Age

Sex

1

2

Type of family:

Family details:

S.N.	Sex	Relation with Respondents	Education	Marital Status	Occupation
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1.

2.

Family occupation:

Primary occupation

Secondary Occupation 1

2

Your Occupation:

What is your husband's occupation?

Is the income enough to meet all basic necessities (for all the family members all over the year)

Annex 3

Check list for in-depth interview & Focused group discussion

Section II

In depth interview

- Gender based socio cultural practice
- Male / Female role in society
- Patriarchal system
- Provision of law policy

Section III

- Domestic violence cases seen in district
- Types of violence
- Root causes of domestic violence
- Perpetrators

Section IV

- Personal background of respondents
- Health status of family members
- Room / Accommodation
- Status of husband
- Performance of household work
- Relation with in-law members
- Eating timetable pattern

Section V

- Spouse's habits and the onset of misunderstanding

Section VI

- Types of violence
- Root cause
- Perpetrators

- Coping mechanism
- Respondents' perception on this type of violence

Section VI

Consequences of violence bearded by respondents

- Physical
- Psychological
- Emotional
- Social
- respondent's suggestion to reduce domestic violence against married woman in Nepal