

Domestic Violence and Intimate Partner Abuse in South Asian Households

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Abstract: *In South Asian countries, the blending of Buddhist, Confucian, Hindu, Islamic, and Christian traditions has influenced women's personalities and social status. Because of conservative civilizations that devalue women's roles and patriarchal ideas, violence against women is widespread. The family structure, which regards the man as the indisputable head of the household and regards family activities as private, allows violence to occur at home. Apart from the common violent crimes such as sexual assault and wife-battering, women in these countries also suffer dowry crimes such as bride burning, kidnapping connected to prostitution, and "honour killings." Laws permit discrimination against women and prevent reporting violent crimes. Along with better local laws, the United Nations and the international community must support efforts to solve this situation.*

Keywords: Violence against women; domestic violence; honour killings; women's mental health; gender issues; cross-cultural issues

I. INTRODUCTION

Global vision for the next century has focused on women's rights. In 2002, millions of women worldwide lived in stark contrast to the UN Charter, which guarantees equal rights for men and women, and other international treaties and declarations like the Beijing Declaration (1995) and Vienna Declaration (1993). Women's economic, social, and cultural rights are ignored. In Pakistan and other South Asian countries, women face sexual violence from friends, family, or state agents; domestic abuse, including the murder of a spouse; burning, disfiguring acid burns, beatings, and threats; ritual honor killings; and torture and abuse in custody. This article focuses on Pakistani women, although Bangladesh, India, Sri Lanka, Nepal, Thailand, Malaysia, Indonesia, the Philippines, and Japan will also be covered. Most writers and scholars don't know enough about Asian women, therefore they incorrectly link them with Arab or Oriental women. Asian women's image has long been unclear. Thus, to understand violence against them, a brief history of their personality is necessary.

II. HISTORICAL VIEW

Conquerors brought Christianity and Islam together with Buddhism and Hinduism. Due to their extensive practice, these religions would affect women's status and lifestyle. The Women Lawyers Association of the Philippines in Manila organized a June 1980 meeting where 13 South Asian countries presented reports. Each said that society and tradition, not legislation, discriminated against women. Asian customs and practices are so rigid that women cannot seek justice even when they are legally entitled. South Asian women report injustice, discrimination, and impotence due to customary ideas they must overcome to utilize their local law rights. Historically, Asian countries have had an economy built on agriculture. Women are submissive under patriarchal and tribal feudal regimes. Polygamy. Ancient religions like Buddhism and Hinduism condone polygamy, lowering societal status. Famous instances of predicted violence against women in South Asia include Chinese ladies being chained to their feet and Hindu customs burning their wives and husbands alive. Islam allows polygamy yet theoretically gives women equal status in many areas. However, it has adopted many Buddhist and

Hindu cultural practices. Women cannot remarry, even though Islam allows it, whereas men may have four. Industrialization: South Asian countries are driven into post-industrial civilization after missing the industrial revolution. As a consequence, these countries' areas differ greatly in development. Widespread unemployment forced women out of the lucrative job market and back into unpaid work in family enterprises and farms.

Hinduism and Buddhism

Hindu patriarchy degrades women (Segala, 1999). Hindu lawgiver Manu created the “theory of perpetual tutelage for women” in India. He suggested ostracizing women, prohibiting them from public life, and keeping them at home. No matter how bad their spouses were, women were expected to worship them and serve them. These laws oppress women. They became commodities when parents arranged weddings, eliminating their identities and communities. Hinduism and Buddhism allow polygamy and no divorce or remarriage for women. As with Hinduism, Buddhism considered women inferior to men. Buddhism claims women seduce men from NIRWANA or SALVATION. Buddha abandoned his kingdom, wife, and child to become pure. Women were temptresses who got in men's way. Buddhism almost died out in India around Christ's birth. It flourished in modified versions in China, Korea, and Japan about 400 A.D. It toured Thailand, Burma, and Sri Lanka.

Hindu and Buddhist attitudes on women are complex. A Goddess. She is a mother who bore a son and may become LAKSHMI (luck), like SEETA, RAMA's lovely, long-suffering wife. However, women are blamed for all men's moral and spiritual failings.

Islam

Asia just recently accepted Islam. It entered the Khyber Pass on the Pakistan-Afghanistan border into Sindh and other Asian countries via water in the 12th century A.D. Islam exalted women more than Hinduism and Buddhism. Muslims permitted women to marry, divorce, and own property. Like men, her behaviors determined her social status. Early Islamic women excelled in medicine, war, and academics. Due to its tolerance and respect for other religions and exposure to Indian culture, Islam's view of women changed throughout time. The 600-year Mughal Era in India combined Muslim and Hindu traditions. Many women rulers, scholars, poets, philosophers, and writers existed during this time. Education was widespread (Hasan, 1982).

British rule led to the total shutdown of Maktabas, which hurt women's education, especially among the poor. Also gone: skill-training. Most men accepted better-paying jobs while women stayed crafting. The influx of cheap artificial materials destroyed Indian hand-woven cotton textiles, Chinese silks and spices, and rubber. Local unemployment compelled women to remain home or work as unpaid farmhands. Historical estimates put women's literacy at 90% in 1847 and 12% in 1947. Islamic inheritance of Hindu patriarchal traditions that encourage female inferiority led to family violence as a male prerogative to rule dependents. Most countries have uneducated or semi-educated Maulanas who interpret Islam. It featured all the negative impacts of other religions, such as marginalizing women, denying inheritance, divorce, and marriage. South Asian Muslim culture currently defies Islam. Afghan women have no education, work, health care, legal redress, or pleasure under the Taliban.

Confucianism

Confucian Patriarchal Japanese households. Fathers are undisputed leaders. This hierarchical structure may strain family connections. Japanese people eschew war for peace. Japanese ideas on violence were molded by dictatorship. As punishment and discipline, violence was justified. Since rape and sexual assault are sexual behaviors, victims feel humiliated and seldom speak out or punish their abusers. Women make less public and private decisions than other countries. Women make up less than 1% of national administration managers. Gender stereotypes underpin many Japanese social norms. Men and women react differently to gender-neutral products depending on their social status. Female status in Pakistan and other South Asian countries varies by class and geography. Women in Pakistan's sparsely populated border regions must

observe tribal customs and live in harsh conditions. Women who disobey these rules, including seeing a stranger, may be executed. Pardah keeps women inside. Sindh and Punjab, home to half of Pakistan's population, have stronger social mobility for women. They work in fields and communities and have education and healthcare. A small percentage of Pakistani women have greater employment, education, marriage, and divorce options in cities.

Prevalence of various types of violence

Levinson (1989) and Counts, Brown, and Campbell (1992) showed that gender relations and other societal norms encourage violence against women. Counts et al. found that most societies permitted and even demanded wife beating, which ranged from frequent to rare. They discovered that “sanctions” against violent conduct and/or “sanctuary” for women experiencing violence, such as family and community assistance in marital issues and divorce, decreased violence and vice versa. A “macho” concept of masculinity connected with power, toughness, or male honor increased violence against women. The family, community, and media support or not violence, gender, and sexual norms. Dobash et al. (1992) highlighted how society has normalized men's domination over women, including violence. However, globalization and urbanization in developing countries may remove certain protections. They separate women from extended families and diminish community penalties. International studies debate definitions' cross-cultural usefulness. Anthropologists and women's health advocates have underlined the difficulties of international classifications and the variety of violence against women categories. Use universal classification approaches carefully since they cannot fully account for cultural variance (WHO, 1996). Violence is encouraged in all societies. Despite social conventions, these activities and their effects on women's health and life must be reported. Only addressing culturally unacceptable violence doesn't satisfy women. The WHO reported in 1997 that 20% to 50% of women in 40 studies in 24 countries on four continents were physically abused by their male partners. The 1997–1998 worldwide study “Where Women Stand” found that 21% to 60% of women in 140 countries were physically abused by a man between 1986 and 1993.

Domestic violence

Before 1947, India and Pakistan were one. Hinduism offered Indian Muslims several traditions. Thus, India and Pakistan treat women as second-class citizens and beat wives for minor crimes. About 25% of Indian women are physically assaulted. In another poll, 18–45% of married men in five Uttar Pradesh villages acknowledged to physically assaulting their wives. In 1999, Fikree and Bhatti discovered 34% of women were physically attacked, 15% when pregnant, and 72% sad. Domestic violence in India is little documented. The little data suggests 22–60% of Indian women are physically assaulted. Physical abuse is Japan's second highest divorce reason. A third of Japanese women are murdered by partners. In Sri Lanka, 60% of 200 women experienced boyfriend-related physical violence. 51% of these ladies said their boyfriend attacked with a weapon (Sonali, 1990). In Malaysia, 39% of adult women and 68% of pregnant women were physically abused by their husbands (Rashida et al., 1994).

Sexual assault

Madadgaar reported ongoing sexual harassment and gang rape of women. At least 587 rapes, including gang rape and sexual assault, occurred countrywide in 2001 (Khan, 2001). Violence against women increased in “rape cases” data. Punjab had 400, Sindh 163, Balochistan 12, NWFP 12. Karachi has 60 cases and Lahore 23. The HRCP estimated that one woman was raped every two hours in Pakistan during the last decade (HRCP, 2000b). Other reports said the proportion might be considerably higher since society prevents many rapes from being documented. Although most are hidden, abusive incest and marital rape are common. By June 2000, Punjab had over 300 rape cases, according to media (HRCP, 2000b). Recently, gang rape has increased (HRCP, 2000b). Rape by gangs happened 212 times last year. Subjection of women to men and the practice of raping opponents' women, considered family honor, contribute to the high prevalence of sexual assault in the nation. Rapes occur in public and at home in front of male family members. A Punjab

study showed 70 unreported rapes for every reported one. Molestation complaints were unrecorded 375 times. Panchayats, municipalities, mihila mandals, and volunteers reported unregistered cases (Johnson et al., 1996).

Other South Asian countries have high sexual assault rates. Iran has suffered alarming rape increases. It was the second most common crime in the country from 1980 to 1993, rising 15.67% year. 60% of Japanese women are sex-abused by their husbands. The Mumbai and New Delhi sex trade brings 5,000–7,000 Nepali women to India (Subas, 2001). Every year, the Uttar Pradesh (India) Police Report recorded 1,500 rapes and over 2,500 indecent molestation, sexual harassment, and trafficking cases. Pre-Taliban Fundamental Government Afghanistan had several gang rapes and sexual assaults against women.

Kidnapping

In 2001, 934 boys and girls disappeared throughout Pakistan (Khan, 2001). Punjab had 337 female kidnappings by June 2000, according to a media article. Women are trafficked across borders and prostituted. True abduction of women has always been controversial. Some women leave home to marry their own spouses, but many are abducted. Registering a FIR with the police is commonly a social cover-up for family abduction.

Traditional modes of violence

Although the 21st century has started, old forms of violence against women have risen. Tradition strongly affects women. Marriage is forbidden because they are property. Marriage generally gives girls little say, especially among educated individuals. Traditional tribal traditions still unite society, and families prevent women from breaking them. Hundreds of Sindhi women marry Holy Quran each year to avoid property distribution. An Islamabad NGO estimates 5,000 such women in Sindh. All provinces have numerous child marriages. Also prevalent is “watta satta”—brother-sister marriage. The practice ensures a reciprocal property exchange, reduces dowry pressure, and protects the girls from abuse by having her husband's sister reside with her parents as insurance. But the system frequently discourages marriage.

Honour killings

Honour murders are committed by males who believe their wives, daughters, or sisters have broken women's behavioral standards, so tarnishing their honor. Amnesty International reported on June 15, 2000, that several hundred Pakistani women and girls die in “honour killings” each year. In its January 2000 “Dimensions of Violence” study, the HRCP determined that 266 women had been victims of “honour killing” in and around Lahore during 11 months. The 1999 HRCP data showed that Punjab had the greatest rate of women experiencing such violence, with 266 women slain. Only 128 of 672 women slain in Punjab in 2000 were reported by the police, while their family declined to act. “Karo Kari” murdered 93 Sindh women from January to April 2000. Social connivance, frequently including district administration, prevents hundreds of “honour killings” from being reported to the police each year, particularly in tribal regions of the North.

Murders

Other reasons, frequently family disagreements, murder women. Pakistan may have murdered nearly 2,000 women this year. Out of 130 physical abuse instances in January 2001, 68 women were brutally murdered. Husbands murdered 50% of Bangladeshi women (Stewart, 1989). A New Delhi violence investigation found that 94% of victims and offenders were related. Nine out of 10 men killed their wives.

Suicide

Many cultures abuse women so much that suicide may seem the only alternative. Suicides by women are rising. Kumari (1989) found 25% of dowry victims committed suicide. Around 500 Pakistani women committed suicide in 2000 (HRCP, 2000g). Two moms killed themselves and their children after seeing

them struggle economically. Most deaths were from “domestic disputes” due to economic difficulties. After failing their Matric, three girls overdosed on fatal tablets to commit suicide, assuming they would be married instead of studying.

Dowry violence

Stove-burning is bad domestic violence. Spouses and in-laws who dislike the dowry burn many of these. Press reported 201 Pakistani women hurt “while cooking” in 1999. Stove-burning killed 206 women in 2000. Progressive Women Association reported that all cases had more than 30% body burns, with some surpassing 60–90%. The HRCP's "Dimensions of Violence" report found 163 stove-related fatalities in 11 months in Lahore in 1999. The only large-scale indicator of violence against women is published by the National Crimes Record Bureau, Ministry of Home Affairs, India. It reported a shocking 71.5 percent increase in torture and dowry murders from 1991 to 1995, suggesting more violence reporting. Torture made up 29.2% of 1995 offenses against women. Rajasthan Police Annual Report: Dowry deaths surged 24.43% from 1997–1999 (Women Report on Gender-based Violence, UNICEF Report, 2000). Acid is thrown at Bangladeshi brides for low dowries. Heise et al. (1994) estimate 200 acid mutilations yearly.

Violence in custody

Police mistreatment of jailed women and officers raping women are prevalent. Police custody rapes of women are also widespread. Custodial violence affected 41 women from January to November 1999. Six were child, 21 were gang-raped, and 14 were physically tortured. In 2000, three women died from police enforcement mistreatment or severe abuse.

Theories about violence against women

These civilizations have numerous traditional attitudes about women. Education and facts seldom modify gender stereotypes. Some believe a girl-child is a “visitor” in her birth family and must migrate to her “real” or married home. She has no rights and is considered the least important member of the family, rendering schooling and other opportunities pointless for her. Tragedy endures because women cannot leave their parents', guardians', or husbands' houses. She has kids and cleans at her husband's house. Honor killings result from breaking societal norms. In 2002, an 11-year-old strolled with a higher-caste girl in a rural Pakistani village. As retribution, four older village men gang-raped his 18-year-old sister. South Asian conceptions of violence against women are varied. Male machismo precedes. Manliness includes violence. Men boast about their power by assaulting women. Second: male chauvinism. Life without males is crucial in South Asia. Women feel lonely, ineffective, and unproductive without males. This concept holds that men rule and women subordinate. Men exploit women's weaknesses.

Third, control loss. This hypothesis claims that men beat women until they give in when they see them succeed academically or monetarily. This horrible act inhibits women's growth. The final concept is impact displacement. After 20 years of fighting, unemployment, and inflation in Afghanistan, the klashinkoff culture has generated bitterness and aggression that must be released. Men vent by domestically abusing women, which is safer. Thus, violent conduct toward weak and dependent females replaces the dominant and strong male's antagonism without jeopardizing him.

Various theories explain domestic violence, but family structure allows it. Family structure justifies domestic violence. Family structures that reinforce male dominance and keep family concerns secret facilitate domestic violence.

Policies and facilities that perpetuate violence

Pakistan ratifies International Treaties to defend women's human rights and freedom. The Convention on the Elimination of all Forms of Discrimination Against Women requires Pakistan to eliminate sex discrimination “by appropriate means and without delay” to achieve gender equality in human rights and fundamental

freedoms. Gender-based violence hinders women's rights and independence. Prevention and protection outside the criminal justice system are CEDAW requirements.

South Asian governments' inaction perpetuates violence against women. Due to the state's inaction, Pakistani law enforcement and society see domestic violence against women as a private family matter despite its shocking prevalence. Government cannot protect or compensate women who are abused. Current medical evidence acquisition techniques in attack cases, particularly women's sexual assault cases, are inadequate to prosecute or treat survivors. Bias against abused women, bureaucratic incompetence and corruption at all levels, and lack of professionalism and administrative efficiency afflict their circumstances.

Gender bias penetrates criminal justice. From start to finish, women seeking justice for sexual and other offenses typically encounter hostile and inattentive law enforcement. Judges misuse women assault victims under the pretense of legality. Pakistani laws fail to protect domestic violence victims and penalize batterers. The 1990 Qisas and Diyat Ordinance covers most domestic abuse. Commentators say the Qisas and Diyat Laws criminalize murder and serious violence against people, not the state. Domestic violence has not been criminalized, thus police and courts have viewed it as a family or civil concern. The Qisas and Diyat murder regulations encompass honor killings. Many honour killings are acceptable because victims do immoral activities Pakistan would not condone. The Zina Ordinance threatens adultery charges to prevent rape victims from reporting. Failure to sanction marital and statutory rape with or without minor assent makes these laws invalid. Zina Ordinance rape definition is insufficient. In rape and attempted rape trials, the 1984 Qanun-e-Shadat Order allows evidence that "the prosecutrix was of generally immoral character," making justice difficult for victims.

The Indian women's movement has increased awareness of violence against women for two decades. Women campaigners have sought fundamental criminal law and police practice changes to address violence. Indian women's groups fought dowry murders, custodial rape, abductions, sati, amniocentesis for infant sex selection, public sexual harassment of young girls and women, trafficking, and prostitution in the 1980s. Most of these measures target public place violence.

Individual countries:

Although Pakistani, these concepts apply to other South Asian states. Pakistan's Zina Ordinance, which criminalizes rape and fornication, should be repealed since victims have no legal remedy. Marriage rape should be criminalized in the Pakistan Penal Code to reflect the broader definition of rape. Article 17 of the 1984 Qanun-e-Shahdat edict should guarantee women's equal testimony in all cases. The Criminal Law Act of 1997 should treat "honour killings" as deliberate murder and prohibit sentence modification. Stop honoring murderers with the common law argument of grave and sudden provocation. The Criminal Law Act of 1997 should require gender parity and non-discrimination in diyat evaluation and distribution. Training is essential to prevent police gender bias in women's violence responses. Police should learn that domestic abuse is never tolerated. Police should also learn domestic violence investigation. The medicolegal system should be improved and rape victims should have 24/7 access to female doctors, including holidays. Rape victims in Karachi and Lahore need at least two well-staffed hospital facilities. Special prosecutors for rape and other crimes against women should be in every district. Domestic abuse prosecutors should be educated to avoid gender bias and recognize the crime's severity. Government-funded phone hotlines for assaulted women should be in all big cities. Promote and staff these hot lines with licensed counselors who can give basic therapy and refer women to shelters.

The United Nations:

The UN Secretary General and High Commissioner on Human Rights should ensure that all UN agencies in South Asian countries focus on violence against women and develop programs and strategies to reduce it and promote accountability. The WHO should help these countries develop standardized protocols for medicolegal examinations in cases of rape and sexual assault and identify effective methods and equipment

to implement the protocols. WHO should help these countries establish and execute medicolegal doctor training programs for these exams.

The International Community:

Fund crucial services for abused women with non-governmental organizations. Shelters, medical treatment, counseling, and legal aid are required to encourage women to disclose abuse. Encourage South Asian governments to prohibit marital rape and repeal discriminatory laws like Pakistan's Zina Ordinance. Influence South Asian countries to ban domestic abuse. Give to South Asian governments to strengthen medicolegal services. Fund staff training and facility upgrades. Support programs that train police, prosecutors, medicolegal professionals, and judges to address violence against women without bias.

III. CONCLUSION

South Asian governments are unable or unwilling to eliminate all forms of violence against women, despite their prevalence. Domestic abuse is Pakistan's most common human rights violation, according to HRCP and government Commission of Inquiry for Women reports. Similar problems exist in other South Asian nations. State and law enforcement gender prejudices are evident in their dismissal of violence against women. Due to entrenched prejudices against women, the criminal justice system doesn't provide justice for women victims of abuse. A thorough program of real actions and reversal of government attitudes and policies is needed to provide women victims of assault appropriate remedies and equal legal protection. Legislation must specifically criminalize domestic and other family abuse. Support non-governmental groups that give refuge, legal advice, counseling, and medical services to victims of violence.

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