

Domestic abuse Bill: Men deserve protection too

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• the protection of men's rights organisation says the proposed legislation on domestic violence "targets the male and will destroy the family." • in a recent judgment, the supreme court ruled that an act committed with the intention to cause suffering to the opposite party, including husband, would be grounds for seeking divorce. the proposed legislation against domestic abuse, cleared by the union cabinet but awaiting introduction in parliament, is called protection from domestic violence bill 2001. it is this proposed civil law that pomero finds "draconian." says pomero president arun sethi, "already, we are at the receiving end of section 498a of the ipc and now this proposed legislation insists on ignoring men who face cruelty from their wives." the controversy over 498a began in 1984 when women's organisations succeeded after a long battle in getting it introduced. it allows a man and his family to be jailed on the complaint of a woman subjected to cruelty (physical or mental) and harrasment for dowry. pomero claims that this section is "misused" by 80 per cent of complainants. lawyer-activist flavia agnes argues that barely 100 cases are filed under this section every year and the conviction rate is abysmally low. sethi says he doesn't want 498a to go but wants 498b to be introduced in order to protect the husbands, and 'husband' in 498a should be replaced by 'spouse'. it is, however, an organisation led by men which comes out most strongly in favour of women and the need not only for 498a but also the proposed bill. says secretary of men against violence and abuse (mava) harish sadani, "we found that this so-called misuse constitutes 0.06 per cent of the cases filed in the last 14 years. anyone who knows the social stigma that a woman who goes publicly against her in-laws and husband faces, realises that she has to be goaded beyond endurance to go to the police. the wider social situation is so obviously loaded against the woman that it is ridiculous to talk about misuse. we stand for gender equality and take up cases even of men who are harrassed by their wives" family court lawyer sheela ramnathan concurs: "false complaints can be lodged under any section, not just this one. besides, police check medical records, letters and testimonies of neighbours and relatives." argues a male lawyer, "it is power, authority and economic status which largely determine a person's response to situation, irrespective of the gender."

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