

PREVENTING DOMESTIC VIOLENCE AND PROVIDING SUFFERING WOMEN WITH EQUAL RIGHTS AND FREE LEGAL AID: A PARADIGM FOR PEDAGOGICAL STUDY ACROSS NATIONAL AND INTERNATIONAL BORDERS.

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Abstract: One of the most serious kinds of gender inequality, human rights violations, and a development concern, domestic violence against females and girls endures physical, sexual, emotional, and economic abuse. Gender-based violence against women persists even in states that have declared zero tolerance for violence against women, indicating that it is deeply ingrained in our still mostly patriarchal communities and regarded as "simply the way things are." Violence against women has a significant negative impact on the well-being of both the victims and the communities in which they live. This has a direct impact on the growth and development of any nation hence it has become necessary to provide women an access to justice by providing them free legal aid and services so that justice could not be denied to them just because of their vulnerability.

The objectives of the paper is to evaluate domestic violence perpetration and its predictors, to evaluate upon the National and International Coalition available to protect women from domestic violence, and to discuss upon the Domestic Violence Millennium Development Goals, and Economic Empowerment to safeguard equal rights of women and provide access to justice and free legal aid.

The study was written using a combination of primary and secondary data analysis and qualitative approach techniques. The results withdrawn from the evaluation of the objective and research question highlights that reducing and eliminating violence against women necessitates a shift in the way governments approach the issue, as well as the implementation of policies and legislation that are based on international and regional human rights obligations.

Key words: *Domestic Violence, Women rights, National policy, International regulations, legal aid, equal rights*

1. Introduction

One of the most serious kinds of gender inequality, human rights violations, and a development concern is domestic violence against females and girls that endures, physical, sexual, emotional, and economic abuse. A wide range of domestic abuse are used to harm women and girls. Domestic abuse prevents women and girls from achieving their full potential by removing their agency, voice, and access to legal protections and educational opportunities¹. This, in turn, has an impact on the growth and development of every nation. Preventing domestic abuse and giving suffering women with equal rights and free legal assistance are the focus of the undertaken document. Educators from all across the world may benefit from this paper's interdisciplinary approach.

1.1 Background:

There has been progress in providing nations with the skills and resources they need to eradicate domestic abuse and other kinds of discrimination. The international community sees this as a major development concern. When the United Nations declared 25 years ago that all kinds of violence against women and girls should be prohibited in both public and private domains, it was a call to action for countries to enact laws against domestic abuse². To combat domestic violence, current attempts have emphasised the need of addressing its root causes rather than just addressing the symptoms. In the last four years, seven nations have implemented legislative changes that have boosted the percentage of countries having laws against domestic violence from

¹Tittlová, M., & Papáček, P. (2018). FACTORS CONTRIBUTING TO DOMESTIC VIOLENCE: Tittlova, M., Papáček, P.(2018). Factors Contributing To Domestic Violence. *International Journal of Entrepreneurial Knowledge*, 6 (2), 117-124. *International Journal of Entrepreneurial Knowledge*, 6(2).

²Davidson, N. R. (2022). Everyday Lawmaking in International Human Rights Law: Insights from the Inclusion of Domestic Violence in the Prohibition of Torture. *Law & Social Inquiry*, 47(1), 205-235.

70.9 percent to 75.9 percent. However, there is room for improvement, since 49 countries still lack explicit legislation against domestic violence. In order to eradicate violence against women and girls, governments must and should implement laws.

Data on the frequency and costs of domestic violence in India are few. Studying violence across five nations (India, Chile, Brazil, Egypt, and the Philippines) is an important first step for the International Clinical Epidemiologists Network (INCLEN)³. All nations have adopted a single strategy for assessing behavioural outcomes, using standardised procedures and standardised instruction. The study's emphasis on frequently known behaviours was an effort to address the assessment of physical and psychological violence. At the home level, the research also sought to estimate the socioeconomic consequences of domestic violence.

2. Literature Reviews:

As per author Harpur, & Douglas, 2019, while the word "domestic violence" is often used to describe abuse between spouses, the term also includes abuse of children and the elderly, as well as any other member of the home. Despite the fact that women are not the only victims of domestic violence, the number of incidents involving violence and abuse against women is alarmingly high, especially when attackers are people they know. It is estimated that one in three women throughout the world encounter physical and/or sexual abuse; that at least 30 percent of all women in relationships have experienced physical and/or sexual violence by their partners. The falling sex ratio of 929 women to 1000 boys is evidence of systematic discrimination and mistreatment against female offspring⁴.

According to Akhmedshina, 2020, In spite of geographical inequalities in women's status, domestic violence rates vary substantially less. Domestic abuse is ubiquitous in all situations, geographies, and faiths. The status of women in society serves as a cultural and spiritual barometer for the rest of the population. In rural communities, villages, cities, and metropolitan areas, domestic violence is a problem. In Indian houses, domestic violence affects people of all socioeconomic backgrounds, genders, races, and ages⁵.

Author, Chauhan, 2022, Nearly two-thirds of married Indian women have been the victims of domestic violence assaults, according to the 'United Nations Population Fund Report,' while as many as 70 percent of married women between the ages of 15 and 49 are victims of beating, rape, or forced sex. More than half of Indian women experience some kind of domestic violence, particularly in the northern states of Bihar, U.P., M.P., and others⁶.

Kolbe, & Büttner, 2020, have evaluated that domestic violence against males is on the rise in India, despite the country's long history of violence against women. The patriarchal structure hides men's vulnerability to domestic abuse in order to protect them from it. "Domestic abuse against males is not recognised by the law in India. That males can't be victims of violence is a widely held belief. This aids women in getting away with murder. The other male members of the home have a history of abusing the guys in the house. They have to deal with the psychological damage, yet they are afraid to come out of hiding. 1.8 percent of women, or an estimated 60 million women, had physically abused their spouses without provocation in 2004, according to the National Family Health Survey (NFHS)⁷.

Sinnar, 2018 have stated that Over 275 million children throughout the globe are affected by domestic abuse every year, according to UNICEF. Physical and psychological abuse and damage, neglect or negligent care, exploitation, and sexual abuse are all forms of violence against children. Parents and other members of the immediate family may be the abusers. In India, child abuse is a

³ Kuskoff, E., & Parsell, C. (2021). Striving for gender equality: Representations of gender in "progressive" domestic violence policy. *Violence against women*, 27(3-4), 470-488.

⁴ Harpur, P., & Douglas, H. (2019). Disability, domestic violence, and human rights. *International human rights of women*, 267-282.

⁵ Akhmedshina, F. (2020). Violence against women: a form of discrimination and human rights violations. *Mental Enlightenment Scientific-Methodological Journal*, 2020(1), 13-23.

⁶ Chauhan, S. (2022). Domestic Violence against Women in India. *Issue 1 Int'l JL Mgmt. & Human.*, 5, 205.

⁷ Kolbe, V., & Büttner, A. (2020). Domestic violence against men—prevalence and risk factors. *Deutsches Ärzteblatt International*, 117(31-32), 534.

mostly unreported problem, particularly when perpetrated by family members. Child labour, prostitution, marriage, and other public spheres are given more attention than intra-family or domestic violence⁸.

Domestic abuse against children is illegal in India. Children are victims of domestic violence when an adult member of the family abuses their position of power in order to retain control. Violence may take many forms, including physical abuse, sexual assault, and threats. More subtle forms of abuse include making children feel unimportant, limiting their mobility by locking them in the house, or forcing them to labour for no pay at all.

2.1 Research Gap:

The purpose of this investigation is to fill in the knowledge gap that has previously been identified by other investigations. The focus of this essay is on the perpetration of domestic violence and the factors that contribute to it. Investigating the National and International Coalition available to protect women from domestic violence reduces the restrictions. In addition, the focus is on the Millennium Development Goals on Domestic Violence and Economic Empowerment in order to protect women's equal rights and provide free legal assistance.

2.2 Research Question:

- I. What are the common Domestic Violence Perpetration and Its Predictors.
- II. What are the National and International Coalition available to protect women from Domestic Violence?
- III. What are the available Domestic Violence Millennium Development Goals, and Economic Empowerment to safeguard equal rights of women and provide free legal aid?

2.3 Importance of the Study:

The work is important because it provides a succinct explanation of domestic violence from the standpoint of both men and women, as well as children. Specifically, the study investigates the impact of domestic abuse on women throughout the world in both national and international contexts. It is the goal of this project to inform practitioners about the most important findings from scientific research on violence against women, to identify knowledge gaps that may be filled by unsubstantiated assumptions or beliefs, and to increase practitioners' awareness, access, and ability to use information that cuts across domains of professional expertise.

2.4 Research Objectives:

- I. To evaluate Domestic Violence Perpetration and Its Predictors.
- II. To evaluate upon the National and International Coalition available to protect women from Domestic Violence.
- III. To discuss upon the Domestic Violence Millennium Development Goals, and Economic Empowerment to safeguard equal rights of women and provide free legal aid.

2.5 Hypothesis:

H0: There are no appropriate execution of legal aids nationally and internationally to protect women from domestic violence.

H1: There are appropriate execution of legal aids available nationally and internationally to protect women from domestic violence.

2.6 Scope and Limitation:

The paper is limited to the research of preventing domestic violence and providing suffering women with equal rights and free legal aid across national and international borders.

3. Research Methodology:

Following a strict research methodology, the presented research report examines key concepts related to this project and provides an in-depth analytical framework. When it comes to collecting data, the study recommends a variety of methods, including a variety of approaches, as well as suitable action plans to ensure the research goals are met. It is this project's responsibility to undertake an accurate assessment of its level of expertise⁹. With this method, the researcher is able to find the necessary, accurate information, arrange it according to its intended purpose and

⁸Sinnar, S. (2018). Separate and Unequal: The Law of Domestic and International Terrorism. *Mich. L. Rev.*, 117, 1333.

⁹Pandey, P., & Pandey, M. M. (2021). *Research methodology tools and techniques*. Bridge Center.

predict the goals for preventing domestic violence and ensuring that women in need have access to equal rights and free legal assistance on a national and worldwide scale.

3.1 Research Method & Design:

To accomplish the study's objectives, secondary data will be used. These sources include journal papers as well as books and magazines as well as the general public's capacity to learn about the topic at hand. When performing a qualitative research study, the researcher chose the interpretivism paradigm research design since it is a realistic approach for collecting data¹⁰. Using a specified research plan, the researcher is given a selection of study sites. The researchers employed a qualitative research technique instead of a descriptive strategy to get a better grasp of the data.

3.2 Research Approach:

Various methods are used to gather, analyse, and interpret data in research. For the above-mentioned reasons, as well as for the purpose of finding the most effective way to deal with an issue, several techniques are utilised. Regardless of the subject matter, a conversation is a vital aspect of every research project. It's important to explain the inductive, deductive, and abductive methods used in this paper's methodology. As a result of this paper's statement model, a new theory will be developed by using a combination of generalisation and testing theories. Accordingly, the observational data are examined using the descriptive pattern of analysis¹¹.

4. Analysis of Study:

I. What are the common Domestic Violence Perpetration and Its Predictors.

As a major and multifaceted societal problem, domestic violence (DV) imposes tremendous financial and emotional burdens on those who are directly impacted by it, as well as the larger society.

Woman's race or ethnicity is a predictor of IPV. Latina, African American, and Native American women have been reported to have greater rates of IPV than White or Asian American women. Women's IPV perpetration may grow from youth to early adulthood, age has been proven to be a major predictor¹². Women's propensity to be victims IPV may be influenced by their own experiences of IPV victimisation and abuse as children. Victims who have seen and experienced abuse are more likely to replicate such acts later in life. However, a deeper look reveals that the connections may be more nuanced. For example, only physical IPV, not sexual, psychological, or coercive control, predicted distinctive variation in IPV perpetration.

The use of violence by women against a men, the broad category of psychiatric illnesses is alcohol and other drug use problems. Women who drink excessively, whether on a regular basis or seldom, or who suffer from an alcohol use problem are more likely to engage in IPV than women who do not¹³.

Additionally, mental health issues play a part in IPV perpetration among women. There was a strong correlation between IPV perpetration and the presence of MDD, PTSD, generalised anxiety disorder, social phobia, borderline personality disorder, and antisocial personality disorder.

Risk Factors for Intimate Partner Violence Perpetration¹⁴

- A lack of anxiety, confidence, knowledge or resources
- Adolescents who display aggressive or delinquent behaviour
- The use of excessive amounts of alcohol and illegal drugs
- Attempts to commit suicide and depression

¹⁰Newman, M., & Gough, D. (2020). Systematic reviews in educational research: Methodology, perspectives and application. *Systematic reviews in educational research*, 3-22.

¹¹Rinjit, K. (2020). Research methodology.

¹²Stephens-Lewis, D., Johnson, A., Huntley, A., Gilchrist, E., McMurrin, M., Henderson, J., ...& Gilchrist, G. (2021). Interventions to reduce intimate partner violence perpetration by men who use substances: a systematic review and meta-analysis of efficacy. *Trauma, Violence, & Abuse*, 22(5), 1262-1278.

¹³Robertson, E. L., Walker, T. M., & Frick, P. J. (2020). Intimate partner violence perpetration and psychopathy: A comprehensive review. *European Psychologist*, 25(2), 134.

¹⁴Sijtsema, J. J., Stolz, E. A., & Bogaerts, S. (2020). Unique risk factors of the co-occurrence between child maltreatment and intimate partner violence perpetration. *European Psychologist*, 25(2), 122.

- Violent feelings of hostility
- Social problem-solving abilities are lacking
- Conduct issues and antisocial personality features
- a lack of self-control and a tendency to act on impulse
- Characteristics connected with bipolar disorder
- A history of violence against women
- Isolation and a lack of social connections may lead to depression.
- Worry about the economy (e.g., unemployment)
- A belief in gender roles that are rigid (e.g., male dominance and aggression in relationships)
- The desire to exert dominance and control over others
- Disdain for women
- Attitudes that embrace or justify aggressiveness and violence
- Physical or mental maltreatment as a youngster.

Relationship Factors¹⁵

- Conflicts in relationships, such as jealousy, possessiveness, tension, divorce, or separations.
- One partner's power and influence on the other in the relationship
- Families that are under financial strain
- Inadequate communication amongst family members
- Relationships with neo-Nazi classmates
- A history of being a youngster in a household where the parents were abusive
- Physical punishment as a youngster was part of my childhood.

Community Factors¹⁶

- People who live in poverty-stricken areas with little educational and economic options.
- Unemployment-stricken areas.
- With high rates of crime and violence in the community.
- There are communities where inhabitants do not know one other and where there is a lack of community interaction.
- Communities where drugs and alcohol are readily available
- Weak community measures to combat the spread of IPV (for example, unwillingness of neighbours to intervene in situations where they witness violence)

Societal Factors¹⁷

- It is common knowledge that women should remain at home and be subservient to males in the office due to gender stereotypes and job inequalities.
- Unacceptable norms of conduct that incite violence against others
- Inequality in the distribution of income.
- Weak policies and laws in the areas of health, education, economics, and society.

II. What are the National and International Coalition available to protect women from Domestic Violence?

National Coalition

● Protection of Women against Domestic Violence Act, 2005

In order to safeguard Indian women from domestic violence, the Indian Parliament passed this law. All forms of physical, sexual, emotional and economic violence against women are prohibited under the Act. It serves as a barrier between women in a household and the guys. Aside from married women, the Act protects women who are in a live-in relationship as well as family

¹⁵ Spencer, C., Mallory, A. B., Cafferky, B. M., Kimmes, J. G., Beck, A. R., & Stith, S. M. (2019). Mental health factors and intimate partner violence perpetration and victimization: A meta-analysis. *Psychology of Violence, 9*(1), 1.

¹⁶ Yakubovich, A. R., Stöckl, H., Murray, J., Melendez-Torres, G. J., Steinert, J. I., Glavin, C. E., & Humphreys, D. K. (2018). Risk and protective factors for intimate partner violence against women: Systematic review and meta-analyses of prospective–longitudinal studies. *American journal of public health, 108*(7), e1-e11.

¹⁷ Goodmark, L. (2018). *Decriminalizing domestic violence: A balanced policy approach to intimate partner violence* (Vol. 7). Univ of California Press.

members like Grandmothers, Mothers, and so on¹⁸. Under this Act, a woman has the legal right to be free of all forms of violence. Protective measures against domestic violence, compensation, the right to live in a shared house, and spousal support are among the options available to women under this act.

● **Section 498A of the IPC (Indian Penal Code):**

Any man, even a wife or a family member, who is abusive to a woman is against the law. Under Section 498A of the Indian Penal Code, harassment by the husband's relatives or the husband himself is illegal. Both physical and emotional abuse are possible forms of harassment. If you force your wife to have sex with you, even if it's not illegal in India, you may be guilty of cruelty under this provision. A lot of ground is covered in this part. Any and all deliberate actions against a woman that cause her to attempt suicide or put her health at danger are included in this definition of violence against women. A woman's physical health and psychological well-being are intertwined in this scenario¹⁹.

● **Dowry Prohibition Act, 1961:**

The offering and receiving of Dowry is a crime under this Criminal Code. The practise of giving a woman a dowry is outlawed under the Dowry Prohibition Act, which was passed in 1961. A person who provides, accepts, or even demands dowry may face up to 5,000 Rupees in fines or six months in jail under this rule²⁰.

International Coalition:

Since the mid-1980s, when the international community began to see violence against women as a global socioeconomic problem, efforts have been made to address declarations, resolutions, and regional treaties. Significant progress has been achieved in ensuring the safety and equality of women as a consequence of their efforts.

By asserting that everyone has the same fundamental human rights, including the right to personal protection, the United Nations General Assembly adopted the Universal Declaration of Human Rights in 1948, laying the groundwork for international collaboration in the fight against violence against women²¹.

A landmark treaty addressing gender inequity went into force in 1981. As the first human rights document that directly tackles gender inequality, feminists look to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

In reaction to the omission, a general proposal on violence against women was included to CEDAW in 1992. 19th-century: General Recommendation No. It was brought to the attention of the whole world that violence against women and girls is a systemic and persistent problem caused by societal inequality and occurs often in the home (previously, domestic violence was considered a private matter). In the aftermath of this effort, a new UN Special Rapporteur on Violence Against Women was also established²².

III. What are the available Domestic Violence Millennium Development Goals, and Economic Empowerment to safeguard equal rights of women and provide free legal aid.

● **Domestic Violence Millennium Development Goals**

It is one of the eight MDGs (Millennium Development Goals) to make people's lives better all around the globe. In that they aim to solve problems like extreme poverty and gender inequality, Objectives 1–3 might be regarded a set of equality objectives to which we can all aspire. Mother and child health, child mortality reduction, as well as a wide range of ailments are the three goals

¹⁸ Patra, P., Prakash, J., Patra, B., & Khanna, P. (2018). Intimate partner violence: Wounds are deeper. *Indian journal of psychiatry*, 60(4), 494.

¹⁹ Kumar, G. (2019). A Study on Misuse of Section 498A of Indian Penal Code, 1860. *Int'l JL Mgmt. & Human.*, 2, 145.

²⁰ Shukla, V. (2021). AN ANALYSIS OF THE 'DOWRY PROHIBITION ACT 1961' CONCEPT & EVOLUTION. *EPRA International Journal of Multidisciplinary Research (IJMR)*, 7(9), 1-1.

²¹ Fallon, K. M., Aunio, A. L., & Kim, J. (2018). Decoupling international agreements from domestic policy: The state and soft repression. *Hum. RTs. Q.*, 40, 932.

²² Anitha, S., & Lewis, R. (2018). *Gender based violence in university communities: Policy, prevention and educational initiatives*. Bristol University Press.

of this project. Finally, the eighth and last goal is to foster global cooperation and environmental sustainability²³.

As an example, if the issue can be solved via development partnerships, this might have a positive impact on the overall goal of reducing DV. There may be more direct connections between the MDGs and domestic violence (DV) than just a structural approach to social issues.

Gender equality and domestic violence (DV) may be improved if poverty levels are reduced, which has a substantial impact on women's poverty and the power imbalance between genders²⁴.

MDGs have the potential to lower the occurrence of DV since several of its aims and targets address the causes and consequences of DV, including poverty and gender inequality. Consequently, it is quite probable that the MDGs will focus public attention on domestic violence's root causes or even on the violence itself. Since the MDGs do not address all of the causes of DV, for example, gender inequality has received a very low coverage, it is apparent that the MDGs are not comprehensive²⁵.

- **Economic Empowerment to safeguard equal rights of women:**

International accords promoting women's economic empowerment, such as the International Labour Organization's Gender Equality Treaties and the Beijing Platform for Action, are available to support women's economic advancement. UN Women supports women's economic empowerment in light of these factors, as well as the growing body of evidence indicating that gender equality has a significant impact on economies and long-term development.

The equality of men and women is a foundational tenet of the Indian constitution. Gender equality is guaranteed under the Constitution, which also provides the government power to adopt laws to achieve it. Our democratic politics have made it a top priority to support the advancement of women in all facets of our society²⁶. Since the Fifth Five-Year Plan, the focus on women's issues has shifted from welfare to development (1974-78). The empowerment of women has been the most essential aspect in determining the status of women in recent years. In 1990, the National Commission for Women was founded by an Act of Parliament to safeguard the rights and legal entitlements of women. The 1993 revisions to the Indian Constitution made it feasible for women to hold seats on Panchayats and Municipalities, establishing an essential foundation for female participation in local decision-making.

- **legal aid:**

□ Under Regulation 33 of the Civil Legal Aid (Procedure) Regulations 2012, which was changed by the Civil Legal Aid (Amendment) Regulations 2016, domestic violence or abuse lawsuits are eligible for legal help²⁷.

□ Protecting individuals from domestic abuse is a top priority for the police, who have issued an emergency non-molestation and eviction notice under Section 24 of the Crime and Security Act 2010, and it includes a restriction on any contact between the offender and the victim.

□ Sexual abusers, batterers, and child abusers all fall under the category of gender-based violence victims.

□ Lawyers for victims of abuse should work with law enforcement and the courts in their communities to ensure that laws are maintained and victims are treated properly.

□ information about their legal rights and remedies to communities²⁸

²³ Ararat, M. (2020). The Global Context: Sustainable Development Goals and Gender Equality. In *Business Against Intimate Partner Violence* (pp. 5-17). Springer, Singapore.

²⁴ Action, H. P. (2021). Gender-based violence.

²⁵ Dhar, S. (2019). Gender and sustainable development goals. In *India's Social Sector and SDGs* (pp. 203-227). Routledge India.

²⁶ Leal Filho, W., Tripathi, S. K., Andrade Guerra, J. B. S. O. D., Giné-Garriga, R., Orlovic Lovren, V., & Willats, J. (2019). Using the sustainable development goals towards a better understanding of sustainability challenges. *International Journal of Sustainable Development & World Ecology*, 26(2), 179-190.

²⁷ Lafrenière, J., Sweetman, C., & Thylin, T. (2019). Introduction: gender, humanitarian action and crisis response. *Gender & Development*, 27(2), 187-201.

H0: There are no appropriate execution of legal aids nationally and internationally to protect women from domestic violence.

India's 2005 Domestic Violence Act provides for compensation for domestic violence victims, however it has yet to be fully implemented and there is a great need for education in rural regions. Even in a country where the constitution specifically states that men and women have equal rights, women still have to battle for even the most fundamental of rights. For example, domestic violence against women is a straightforward example of this yet victims are less aware of this Act's legal protection. Victims of domestic violence have the option of immediately contacting the Protection Officer for justice, although it has been found that very few individuals have taken advantage of this. Victims often seek the assistance of law enforcement and a Protection Officer. In their work, Protection Officers are patient and kind. Instead, they consider each case as a job and not one in which they may show off their skills for the benefit of the community²⁹. A judgement is required to be made within 90 days, however officials are tolerant and many cases do not get addressed in this time limit.

H1: There are appropriate execution of legal aids available nationally and internationally to protect women from domestic violence.

There are beneficial features to India's domestic violence laws, notwithstanding their shortcomings. There has been an increase in women and society-wide awareness as a result of the domestic abuse laws. It was created in 2005 as a way to reduce the onerous nature of legislation, whether procedural or substantive, to protect women from domestic abuse. *IndraSarma v. V.K.V. Sarma*,³⁰ held that the DV Act was established to offer a remedy under civil law for the protection of women, from becoming victims of such relationship, and to prevent the incidence of domestic violence in the community³¹. Other legislations, like as the Cr.P.C, IPC, and others, were also examined in relation to women in vulnerable circumstances.

Women's constitutional rights are protected by the Act, which states, "An Act to provide more effective protection for the rights of women guaranteed by the Constitution who are victims of abuse of any sort happening inside the family."

It was noted by the Madras High Court in *Vandhana v. T. Srikanth*,³² that the DV Act was formulated to implement Recommendation No. 12 of United Nations Committee on Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), 1989, which was signed by India in June, 1993.

5. Results:

In India, domestic violence against women is widespread and well ingrained. In addition to their spouses, women face assault from family members in both their birth and marriage homes. In terms of social and economic status, Indian women and girls often have fewer advantages than their male counterparts. Control over women's sexuality and the safe transfer of it to their men, who are thought to "own" their spouses, remains the most important consideration for girls. The lives of women and girls are put at risk, which has a severe impact on their families, communities, and society as a whole. As a result, girls drop out of school and women's capacity to get better occupations is hampered, as is their ability to travel and work from place to place, which reduces productivity and earnings. Physical violence may have a similar effect as might being socially isolated or emotionally abused. Even while domestic violence is often characterised by violence, it is not limited to this. It's a misuse of authority. In order to preserve power, the abuser resorts to bodily and/or mental harm. In most cases, the number of female victims is greater than the number of male victims.

²⁸ Htun, M., Jensenius, F. R., & Nelson-Nuñez, J. (2019). Gender-discriminatory laws and women's economic agency. *Social Politics: International Studies in Gender, State & Society*, 26(2), 193-222.

²⁹ Biden Jr, J. R. (2021). *Interim national security strategic guidance*. Executive Office of the President Washington DC.

³⁰ (2013) 15 SCC 755

³¹ Sharaunga, S., Mudhara, M., & Bogale, A. (2019). Conceptualisation and measurement of women's empowerment revisited. *Journal of Human Development and Capabilities*, 20(1), 1-25.

³² 2007 SCC Online Mad 553

6. Conclusion:

There isn't a single element that leads to domestic violence; rather, there are many. As previously noted, historical and religious factors might contribute to domestic violence. An aggressive attitude toward the other person's beliefs and feelings, as well as a lack of regard for their own well-being, must be taken into account for domestic violence to occur. The women, men and children who have been subjected to domestic abuse have been granted legal protection. Domestic violence against women is addressed under the "Protection of Women from Domestic Violence Act, 2005,"⁵ which provides protection for women from such abuse. The issue must be remedied in order for women to have the option of a relationship without fear of domestic violence. Government assistance isn't enough to ensure that a woman can feel safe wherever she goes—whether she's with her lover or her family.

6.1 Future Scope:

It is recommended that a future study paper concentrate more on the proposals for amending national and international legislation on stringent grounds of criminalization of the act of violence against women and children. Future research should focus on the difficulties that prevent victims of domestic abuse in India from filing a complaint because of the legal system's poor functioning and violations of human rights.

6.2 Suggestions:

- Domestic violence is a serious issue that has to be addressed by the law. Women should not be able to abuse the law if the law provides equal protection to both sexes.
- The government and non-profit organisations must develop widespread knowledge of the Domestic Violence Statute so that rural people are aware of it and women from all walks of life are ready to accept the solution afforded by this act.
- *For the sake of the victims, the court or legal process should be simple and the authorities should give them with enough protection.*
- *Justice must be served within the allotted time frame (60days).*

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- [2] Davidson, N. R. (2022). Everyday Lawmaking in International Human Rights Law: Insights from the Inclusion of Domestic Violence in the Prohibition of Torture. *Law & Social Inquiry*, 47(1), 205-235.
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