

INTERNATIONAL JOURNAL OF LEGAL STUDIES AND SOCIAL SCIENCES [IJLSSS]

ISSN: 2584-1513 (Online)

Volume 3 | Issue 5 [2025] | Page 341 - 355

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A SYSTEMATIC REVIEW OF DEFINITION, CAUSES AND CONSEQUENCES OF DOMESTIC VIOLENCE

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ABSTRACT

Domestic violence is a deeply complex and pervasive issue that extends far beyond simple acts of physical aggression. This systematic review explores the multifaceted nature of domestic violence by examining its various definitions, root causes, and devastating consequences. The research reveals that there is no single, universally accepted definition, which can create challenges for legal responses and public awareness. The causes are shown to be a complex web of sociocultural factors like gender inequality, individual behaviours, and economic pressures. The consequences are equally profound, inflicting not only immediate physical and psychological harm but also leaving long-term scars on victims and perpetuating a cycle of violence that impacts future generations. By synthesizing this information, this paper highlights the critical need for a more comprehensive understanding to effectively address this enduring challenge.

Keywords: Domestic Violence; Protection of Women from Domestic Violence Act, 2005 (PWDVA); Gender Inequality; Intimate Partner Violence (IPV)

1. INTRODUCTION

The Protection of Women from Domestic Violence Act 2005 (PWDVA) is a landmark legislation enacted by the Government of India in 2005 and came into force on 26th of October 2006 to address and prevent domestic violence against women that provides for a comprehensive legal framework for the protection, relief, and rehabilitation of women who are victims of domestic

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violence.² Prior to the PWDVA, existing personal and secular laws in India were insufficient to empower women in abusive situations.³

The right of a woman to live a life free from domestic violence became a political issue in the 1980s due to a rise in unnatural deaths of women in marital homes.⁴ The first Domestic Violence Bill was introduced in the Indian Parliament in 1994.⁵ The PWDVA is the first law that directly engages with women's rights discourse, offering a woman the right to a violence-free domestic life, a shared household, and legal remedies.⁶ It also aligns with international instruments like the Vienna Accord 1994, the Beijing Declaration and the Platform for Action (1995), the United Nations Committee on Convention on Elimination of all Forms of Discrimination Against Women (CEDAW) and Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (2011), also known as the Istanbul Convention.⁷

The PWDVA was primarily intended to protect wives and female live-in partners from domestic violence at the hands of husbands and male live-in partners or their relatives.⁸ It has been extended to also protect women living in a household, such as sisters, widows, or mothers.⁹ The PWDVA protects all females living in a household irrespective of their marital status.¹⁰ The Act adopts a gendered approach by holding that a victim can only be a woman¹¹ and acknowledges that women are disproportionately the recipients of domestic violence.¹²

² Amrita Mukhopadhyay, *The Social and Legal Regulation of Domestic Violence in The Kesarwani Community: Kolkata, India and Beyond* (2022) 71; Shalu Nigam, *Women and Domestic Violence Law in India: A Quest for Justice* (2019); Shalu Nigam, *Domestic Violence Law in India: Myth and Misogyny* (2021); Meerambika Mahapatro, *Domestic Violence and Health Care in India: Policy and Practice* (2018).

³ Mukhopadhyay (n 1) 71.

⁴ *ibid.*

⁵ *ibid.*

⁶ *ibid.* 73.

⁷ *ibid.*; Laura Lucia Parolin, 'Expert Saying and Doing in Dealing with Domestic Violence: Reflections on a Case of Legal Aid in an Antiviolence Center' (2020) 15 *Qualitative Research in Organizations and Management: An International Journal* 441.

⁸ Punarjit Roychowdhury and Gaurav Dhamija, 'The Causal Impact of Women's Age at Marriage on Domestic Violence in India' (2021) 27 *Feminist Economics* 188 <<https://doi.org/10.1080/13545701.2021.1910721>>.

⁹ Jaleel Ahmad, Nizamuddin Khan and Arupendra Mozumdar, 'Spousal Violence Against Women in India: A Social-Ecological Analysis Using Data From the National Family Health Survey 2015 to 2016' (2021) 36 *Journal of Interpersonal Violence*.

¹⁰ Roychowdhury and Dhamija (n 7).

¹¹ Amrita Mukhopadhyay, 'Found and Lost in Translation: Exploring the Legal Protection of Women from the Domestic Violence Act 2005 Through the Social Public Space of Kolkata' (2019) 28 *Social and Legal Studies*.

¹² Sarasu Esther Thomas and others, *THE GENDERED CONTAGION: PERSPECTIVES ON DOMESTIC VIOLENCE DURING COVID-19* (Centre for Women and the Law National Law School of India University) 204.

The Act was initiated with the stated objective of providing “for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family.”¹³ It has been the primary law through which violations of rights occurring within the household have been tried.¹⁴ It was conceptualized to restrain abusers from committing violence and provide relief to women, with punitive provisions to ensure enforcement of court orders.¹⁵ It recognizes the ‘private’ as one that mirrors ‘closed-off’ social relations, including those of violence and intimidation. The Act acknowledges that families are coercive, inequitable, gendered institutions based on unequal power relations.¹⁶

Despite the legislation, domestic violence continues to be a major challenge and a threat to women’s lives in India.¹⁷ The rate of decline of prevalence of spousal violence against women has remained low in India.¹⁸ Some offences mentioned in the act are difficult to be proved and the act has been criticized for lack of clarity. “Insults” and “jibes” are pointed out in the new act under “emotional violence” without offering any standard definition of these terms. Ambiguity in the law raises the apprehension of its misuse.¹⁹ There are delays in the judicial processes that hinder the aggrieved woman’s quest for justice. The Act does not address the inherently patriarchal familial mindsets that lead to a woman getting violated in the family.²⁰

¹³ Avijit Debnath, Niranjana Roy and Nazira Mazumder, ‘Modern Contraceptive Behaviour of Indian Women: Is Spousal Violence a Constraint?’ (2013) 33 *International Journal of Sociology and Social Policy*.

¹⁴ Jayita Moulick, ‘A Comparative & Critical Analysis of The Implementation of The Protection of Women from Domestic Violence Act, 2005, With Special Reference to the State of West Bengal’ (PhD Thesis, Kalinga Institute of Industrial Technology 2022).

¹⁵ Thomas and others (n 11) 93.

¹⁶ Sumi Madhok, Maya Unnithan and Carolyn Heitmeyer, ‘On Reproductive Justice: “Domestic Violence”, Rights and the Law in India’ (2014) 16 *Culture, Health and Sexuality*.

¹⁷ DC Pathak and Rishi Kumar, ‘Intimate Partner Violence in India: A Study of Associated Factors’ (2023) 25 *Journal of Adult Protection*.

¹⁸ Ahmad, Khan and Mozumdar (n 8).

¹⁹ Debnath, Roy and Mazumder (n 12).

²⁰ Trupti Jhaveri Panchal and others, ‘Domestic Violence and the Law: A Study of Complaints Under the Protection of Women from Domestic Violence Act, 2005 in Maharashtra, India’ (2023) 29 *Violence Against Women*.

1.1 DEFINITION

There is no single agreed-upon definition of domestic violence,²¹ with differences existing between legal, societal, and research definitions.²² It is often difficult to determine exactly what acts constitute domestic violence and what relationships are covered by the term.²³

Domestic violence, as defined in the Protection of Women from Domestic Violence Act, 2005, includes conduct that harms, injures, or endangers the health, safety, or well-being (both mental and physical) of a person, and includes physical, verbal, emotional, or economic abuse.²⁴ A central element of domestic violence is behaviour motivated by gendered drivers of violence, involving control through fear, coercion, and intimidation.²⁵ This often involves a range of tactics to exercise power and control including physical, sexual, and mental and emotional abuse, such as threats, verbal abuse, racial abuse, withholding money, and isolating someone from family or friends.²⁶

The Istanbul Convention defines domestic violence as "all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim".²⁷

The United Nations defines domestic violence as a pattern of behaviour used to gain or maintain power and control over an intimate partner, including behaviours that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure, or wound someone.²⁸

²¹ Christiane Sanderson, *Counselling Survivors of Domestic Abuse* (Jessica Kingsley Publishers 2008) 13; John Devaney and others, *The Routledge International Handbook of Domestic Violence and Abuse* (2021) 80.

²² Mahapatro (n 1); Daniel P Mears, 'Research And Interventions To Reduce Domestic Violence Revictimization' (2003) 4 *Trauma, Violence, & Abuse* 130; Aadil Bashir and Misbah Rafiq, 'Dynamics of Domestic Violence in Kashmir: An Interplay of Multiple Factors' (2023) 17 *Asian Social Work and Policy Review* 218.

²³ Dongling Zhang and Diana Scharff Peterson, *INTERNATIONAL RESPONSES TO GENDERED-BASED DOMESTIC VIOLENCE: Gender-Specific and Socio-Cultural Approaches* (2023) 59; Mahapatro (n 1) 1.

²⁴ Thomas and others (n 11) 60.

²⁵ Heather Douglas, *Women, Intimate Partner Violence, and the Law* (2021) 4.

²⁶ A Gill and others, *Violence Against Women: Current Theory and Practice in Domestic Abuse, Sexual Violence and Exploitation* (Jessica Kingsley Publishers 2012) <<https://books.google.co.in/books?id=pZPRCx9GuVcC>>.

²⁷ Ronagh JA McQuigg, *The Istanbul Convention, Domestic Violence and Human Rights* (2017) 58.

²⁸ Bushra Sabri, Abha Rai and Arthi Rameshkumar, 'Violence against Women in India: An Analysis of Correlates of Domestic Violence and Barriers and Facilitators of Access to Resources for Support' (2022) 19 *Journal of Evidence-Based Social Work* (United States) 700.

WHO defines Intimate partner violence as ‘a physical, sexual, or psychological coercive act by a current or former partner or spouse to a woman.’²⁹

Some common elements found in many definitions of domestic violence include:

1. It involves a pattern of abusive behaviours used by one person to gain power and control over another.³⁰ This can include a single event or a series of actions.³¹
2. It can occur between intimate partners, including current or former spouses, cohabiting partners, and dating partners irrespective of their gender orientation.³² Some definitions also include family members such as parents, children, siblings, and in-laws.³³
3. It encompasses a range of behaviours beyond physical violence, such as:
 - a) Physical violence: Includes acts such as slapping, burning, causing injuries, pulling hair, etc.³⁴
 - b) Sexual abuse: any forced or unwanted sexual activity, including rape and sexual assault.³⁵
 - c) Emotional or psychological abuse: actions that aim to control, manipulate, humiliate, isolate, or frighten the victim, such as threats, verbal abuse, and stalking.³⁶
 - d) Economic or financial abuse: using finances to control the victim, such as limiting their access to money or preventing them from working.³⁷

²⁹ Sucharita Maji, Saurabh Bansod and Tushar Singh, ‘Domestic Violence during COVID-19 Pandemic: The Case for Indian Women’ (2022) 32 *Journal of Community and Applied Social Psychology* 375.

³⁰ Heather Nancarrow, *Unintended Consequences of Domestic Violence Law* (2019); Nigam, *Domestic Violence Law in India: Myth and Misogyny* (n 1).

³¹ Ron Potter-Efron, *Handbook of Anger Management and Domestic Violence Offender Treatment* (2015).

³² Susan Bewley and Jan Welch, *ABC of Domestic and Sexual Violence* (Wiley Blackwell 2014).

³³ Laura L. Finley, *Domestic Violence and Abuse: A Reference Handbook* (Bloomsbury Publishing 2025); Eve S Buzawa and Carl G Buzawa, *Global Responses to Domestic Violence* (2017).

³⁴ Shubhasheesh Bhattacharya and Sonali Bhattacharya, ‘Battered and Shattered: Will They Get Justice? A Study of Domestic Violence against Women in India Based on National Family Health Survey, 2005’ (2014) 16 *The Journal of Adult Protection* 244, 245 <<https://doi.org/10.1108/JAP-07-2013-0032>> accessed 11 February 2025.

³⁵ Roychowdhury and Dhamija (n 7) 195; Thomas and others (n 11).

³⁶ Roychowdhury and Dhamija (n 7) 195; Bhattacharya and Bhattacharya (n 33) 245; Mauro Paulino, *Forensic Psychology of Spousal Violence* (2016) 39.

³⁷ Joanna Mahjebeen, ‘Domestic Violence in Assam: Socio-Structural Dynamics’ (2019) 49 *Social Change* 394; Lee E Ross, *Domestic Violence and Criminal Justice* (2017).

Historically, the focus has been on physical violence, but there is growing recognition that other forms of abuse can be just as damaging.³⁸ Coercive control, which involves a pattern of behaviours designed to make the victim subordinate and dependent, is a key aspect of domestic violence.³⁹

The terminology used to describe domestic violence is also evolving. While terms like “domestic violence”, “intimate partner violence”, and “intimate partner abuse” are often used interchangeably, there are nuances to each term. It is important to note that domestic violence is not a gender-specific offence and can be perpetrated by people of any gender against a partner or family member of any gender.⁴⁰ However, women are more likely to be victims of serious and life-threatening violence, and the power dynamics within intimate relationships are often influenced by societal gender norms.⁴¹

The lack of a clear and consistent definition of domestic violence can have significant implications for:

- a. Legal responses: Legislation and law enforcement responses can vary depending on how domestic violence is defined and what specific acts are criminalised.⁴² This can make it difficult to effectively protect victims and hold perpetrators accountable.
- b. Service provision: Different definitions can impact the availability of support services for victims, such as shelters, counselling, and legal aid.⁴³
- c. Public awareness: A lack of understanding of what constitutes domestic violence can contribute to its normalisation and make it harder for victims to seek help.⁴⁴

³⁸ Mahapatro (n 1); Sarah Hilder and Vanessa Bettinson, *Domestic Violence: Interdisciplinary Perspectives on Protection, Prevention and Intervention* (2016).

³⁹ Nicky Stanley and Cathy Humphreys, *Domestic Violence and Protecting Children: New Thinking and Approaches* (Jessica Kingsley Publishers 2015) <<https://books.google.co.in/books?id=TI4UrgEACAAJ>>.

⁴⁰ Potter-Efron (n 30); John Devaney and Anne Lazenbatt, *Domestic Violence Perpetrators: Evidence-Informed Responses* (2016).

⁴¹ Nigam, *Domestic Violence Law in India: Myth and Misogyny* (n 1); Mahapatro (n 1).

⁴² Jennifer Andrus, *Entextualizing Domestic Violence* (2015); Anne Whitesell, ‘Kaitlin N. Sidorsky and Wendy J. Schiller: Inequality Across State Lines: How Policymakers Have Failed Domestic Violence Victims in the United States’ (2023) 21 *The Forum* 497 <<https://doi.org/10.1515/for-2023-2034>> accessed 23 February 2025.

⁴³ Eve S. Buzawa, Carl G. Buzawa, and Barbara J. Hart, *Responding to Domestic Violence: The Integration of Criminal Justice and Human Services* (6th edn, SAGE Publications 2022).

⁴⁴ Whitesell (n 41).

1.2 CAUSES AND RISK FACTORS

There is no single cause of domestic violence, and the existing research highlights a range of complex and interrelated factors that contribute to it.⁴⁵ These factors can be categorised into several key areas:

A. Sociocultural Factors

- a) Patriarchy and Gender Inequality: Many sources emphasise the role of patriarchy and gender inequality in creating a social context where men are often seen as having power and control over women.⁴⁶ Traditional gender roles and expectations can contribute to this power imbalance, leading to men feeling entitled to control their partners.⁴⁷
- b) Cultural Norms and Beliefs: Certain cultural norms and beliefs can contribute to the acceptance or tolerance of violence against women.⁴⁸ For instance, customs like dowry in India can create a power imbalance and make women more vulnerable to abuse.⁴⁹ Societal attitudes that condone physical punishment of wives or view violence as a private family matter can also perpetuate the problem.⁵⁰
- c) Intergenerational Transmission of Violence: Exposure to violence in childhood, particularly witnessing domestic violence between parents, can increase the risk of becoming a perpetrator or victim of domestic violence later in life.⁵¹ This cycle of violence can be difficult to break without effective interventions.

B. Individual and Relational Factors

- a) Individual Characteristics: Some individual characteristics, such as low self-esteem, poor anger management skills, substance abuse, and mental health issues, have been linked to an increased risk of perpetrating domestic violence.⁵² However, it is crucial

⁴⁵ Buzawa and Buzawa (n 32) 246.

⁴⁶ Mahapatro (n 1); Nigam, *Domestic Violence Law in India: Myth and Misogyny* (n 1).

⁴⁷ Mahapatro (n 1).

⁴⁸ Devaney and others (n 20); Sarah Wendt and Lana Zannettino, *Domestic Violence in Diverse Contexts* (2014).

⁴⁹ Laila Ashrafun, *Women and Domestic Violence in Bangladesh: Seeking a Way out of the Cage* (2018).

⁵⁰ Mukhopadhyay (n 1); Mahapatro (n 1).

⁵¹ Mukhopadhyay (n 1).

⁵² Devaney and others (n 20); Mahapatro (n 1).

to avoid blaming victims or excusing perpetrators' behaviour. These factors should be considered in the context of the broader social and relational dynamics.

- b) Relationship Dynamics: Unhealthy relationship patterns, such as poor communication, jealousy, possessiveness, and conflict resolution difficulties, can escalate into violence.⁵³ Power imbalances within the relationship, including financial dependence, can also make it harder for victims to leave abusive situations.⁵⁴

C. Economic and Institutional Factors

- a) Economic Stress and Poverty: Financial difficulties, unemployment, and poverty have been identified as risk factors for domestic violence.⁵⁵ Economic hardship can create tension and stress within relationships, making violence more likely. Additionally, abusers may use financial control as a means of power and manipulation.⁵⁶
- b) Lack of Support Services: Inadequate access to support services, such as shelters, counselling, legal aid, and law enforcement, can make it harder for victims to escape abusive situations and hold perpetrators accountable.⁵⁷ This lack of support can leave victims feeling isolated and trapped, perpetuating the cycle of violence.

1.3 CONSEQUENCES

A. IMMEDIATE CONSEQUENCES

Physical Harm: Domestic abuse can result in various physical injuries,⁵⁸ ranging from minor cuts, scratches, bruises, and welts⁵⁹ to severe injuries like broken bones, internal bleeding, head trauma,

⁵³ Parveen Ali and Julie McGarry, *Domestic Violence in Health Contexts: A Guide for Healthcare Professions* (2019); Rafael Art Javier and William G. Herron, *Understanding Domestic Violence: Theories, Challenges, and Remedies* (Rowman & Littlefield 2018) <<https://books.google.co.in/books?id=1a2VtQEACAAJ>>.

⁵⁴ Mahapatro (n 1); Leigh Goodmark, *Decriminalizing Domestic Violence: A Balanced Policy Approach to Intimate Partner Violence* (2018).

⁵⁵ Mahapatro (n 1); Lee E Ross, *Continuing the War Against Domestic Violence* (2014).

⁵⁶ Goodmark (n 53); Mahapatro (n 1).

⁵⁷ Ashwini Jadhav Meerambika Mahapatro Poonam Nayar, Sudeshna Roy and Suruchi Panchkaran, 'Domestic Violence during Pregnancy as Risk Factors for Stress and Depression: The Experience of Women Attending ANC at Tertiary Care Hospital in India' (2022) 62 *Women & Health* 124 <<https://doi.org/10.1080/03630242.2022.2029670>>.

⁵⁸ Moulick (n 13) 248.

⁵⁹ Rahat Zamani, 'Domestic Violence Against Women in India: A Case Study' (Aligarh Muslim University 2024) 191.

and even death.⁶⁰ Strangulation is also a potential form of violence.⁶¹ Victims are more likely to sustain injuries to the head, face, neck, thorax, breast, and abdomen.⁶² In extreme cases, physical violence can even result in death.⁶³ Domestic violence is the most common cause of injuries to women, even more so than car accidents, theft, or rape.⁶⁴

Psychological Trauma: Victims may experience immediate psychological consequences such as shock, denial, fear, confusion, anxiety, withdrawal, shame, guilt, nervousness, and distrust of others.⁶⁵ Symptoms of post-traumatic stress disorder (PTSD), emotional detachment, sleep disturbances, and flashbacks can also manifest.⁶⁶ Psychological scars and trauma, if not diagnosed early, can lead to hypertension, hallucinations, hyperlipidemia, chronic musculoskeletal pain, eating disorders, obesity, cardiovascular disease, and other social disorders.⁶⁷ Some victims may experience suicidal thoughts and even attempt suicide.⁶⁸

The psychological impact can include cognitive and memory disorders, depressive indicators, and anxiety.⁶⁹ Victims may also experience eating and sleeping disorders, constant headaches, addictive behaviours, and sexual disorders.⁷⁰ Long-term psychological sequelae can result in permanent disability, impacting behaviour and relationships, and making adaptation, decision-making, and emotional stabilization difficult.⁷¹

⁶⁰ Rajib Lochan Dhar, 'Domestic Violence in Rural India: Phenomenological Study from Cultural Perspective' (2014) 50 *Marriage and Family Review* 549.

⁶¹ Christiane Sanderson (n 20) 50.

⁶² Dhar (n 59) 549.

⁶³ Paulino (n 35) 48; Alok Sharma, 'A Legal and Social Audit of the Protection of Women from Domestic Violence Act 2005 with Special Reference to NCT Delhi' (University of Delhi 2015) 164.

⁶⁴ Paulino (n 35) 48.

⁶⁵ Angela L. Williams, *Domestic Violence Sourcebook* (6th edn, Omnigraphics 2019); Dhar (n 59) 549; Katie MacLure and Ali Jones, 'Domestic Abuse and Intimate Partner Violence: The Role of Digital by Design' 285; Atul Kumar Singh, 'Domestic Violence in India: A Socio-Legal Study' (Banaras Hindu University 2012) 14.

⁶⁶ Angela L. Williams (n 64); Marcio Pereira Basilio and others, 'Knowledge Discovery in Research on Domestic Violence: An Overview of the Last Fifty Years' (2021) 55 *Data Technologies and Applications* 480, 481 <<https://doi.org/10.1108/DTA-08-2020-0179>> accessed 11 February 2025; MacLure and Jones (n 64) 285.

⁶⁷ Priyanka Tripathi, Prabha S Dwivedi and Shreya Sharma, 'Psychological Impact of Domestic Violence on Women in India Due to COVID-19' (2023) 16 *International Journal of Human Rights in Healthcare* 146, 154 <<https://doi.org/10.1108/IJHRH-12-2021-0208>> accessed 11 February 2025.

⁶⁸ *ibid* 156; Bashir and Rafiq (n 21) 224; Reena Gupta, 'Working and Effectiveness of Laws on Domestic Violence in India: A Critical Appraisal With Special Reference To The Position In Delhi' (Guru Gobind Singh Indraprastha University 2019) 62.

⁶⁹ Moulick (n 13) 249; Reena Gupta (n 67) 60.

⁷⁰ Paulino (n 35) 48.

⁷¹ *ibid* 49.

Somatic Symptoms: Women abused physically, psychologically and sexually by their husbands may experience more somatic symptoms such as headaches, back pain, vaginal infections and bleeding, pelvic pain, painful intercourse, urinary tract infections, poor appetite, abdominal pain, digestive problems, difficulty walking, trouble doing everyday tasks, memory loss, vertigo and chronic pain.⁷² Sexual disorders such as hypoactive sexual desire, aversion to sex, orgasmic disorders, dyspareunia or vaginismus may also appear.⁷³

Emotional Distress: Children in homes where domestic violence occurs may feel fearful and anxious, always on guard, which can lead to bedwetting, thumbsucking, increased crying, whining, difficulty sleeping, stuttering, hiding, and separation anxiety, depending on their age.⁷⁴

Socio-Economic Impact: Victims may face limited finances, job loss, and homelessness.⁷⁵ They may also experience social isolation, power and control issues, traumatic bonding to the abuser, cultural acceptance of violence, fear, and shame, all of which can trap them in violent situations.⁷⁶ Victims may experience a loss of financial control, leading to feelings of helplessness and insecurity. They may develop a distorted view of themselves and feel obligated to their abusers.⁷⁷ IPV is often associated with housing instability, employment volatility, and financial devastation.⁷⁸ It leads to homelessness among women.⁷⁹

B. LONG-TERM CONSEQUENCES

Physical Health Problems: Victims may develop chronic pain, gastrointestinal disorders, gynaecological complications, migraines, sexually transmitted infections (STIs), cervical cancer,

⁷² *ibid* 47.

⁷³ *ibid*.

⁷⁴ Angela L. Williams (n 64).

⁷⁵ Basilio and others (n 65) 481; Paulino (n 35) 60.

⁷⁶ Paulino (n 35) 481.

⁷⁷ Elizabeth Midlarsky, Anitha Venkataramani-Kothari and Maura Plante, 'Domestic Violence in the Chinese and South Asian Immigrant Communities', *Annals of the New York Academy of Sciences* (2006) 294.

⁷⁸ Judy L. Postmus and Amanda M. Stylianou, *Building Financial Empowerment for Survivors of Domestic Violence* (Rutgers University Press 2023) 47 <<https://www.rutgersuniversitypress.org/building-financial-empowerment-for-survivors-of-domestic-violence/9781978804890/>> accessed 22 February 2025; Sara Shoener, *The Price of Safety: Hidden Costs and Unintended Consequences for Women in the Domestic Violence Service System* (2017) 17; Nigam, *Women and Domestic Violence Law in India: A Quest for Justice* (n 1) 36.

⁷⁹ Judy L. Postmus and Amanda M. Stylianou (n 77) 47; Nigam, *Domestic Violence Law in India: Myth and Misogyny* (n 1) 39.

and genital injuries.⁸⁰ They are also at higher risk for conditions such as chronic fatigue, back ailments, ulcers, hypertension and skin disorders.⁸¹ Domestic violence can also result in long-term physical health problems, including chronic pain, sexually transmitted diseases, miscarriages, gastrointestinal disorders, genitourinary tract problems, and a variety of other disorders.⁸²

They may also experience disability preventing work, chronic neck or back pain, chronic pelvic pain, arthritis, hearing loss, angina, bladder and kidney infections and stomach ulcers.⁸³

Mental Health Issues: The mental health consequences of domestic violence can be profound and long-lasting. Long-term mental health consequences include increased risk of traumatic stress, depression, anxiety disorder, alcohol and substance abuse, and post-traumatic stress disorder (PTSD).⁸⁴ The severity or duration of violence has been associated with the prevalence or severity of depression.⁸⁵

Women who experience violence are more likely to have overall poor health, depression, and stress or anxiety disorders.⁸⁶ They are also more likely to engage in high-risk behaviours like smoking and substance use.⁸⁷

Shame, fear of exposure, and stigmatisation can lead to withdrawal from family, friends, and social contact.⁸⁸ Over time, social isolation can lead to agoraphobia and social phobia.⁸⁹

Prolonged coercive control can lead to shifts in cognitive schemas, diminished perception of alternatives, and the development of a continuum of tolerance.⁹⁰ Assumptions around the world as a safe, meaningful place are shattered.⁹¹

⁸⁰ Eve S. Buzawa, Carl G. Buzawa, and Barbara J. Hart (n 42) 78.

⁸¹ Laura L. Finley (n 32) 20.

⁸² Eve S. Buzawa, Carl G. Buzawa, and Barbara J. Hart (n 42) 78.

⁸³ Susan Bewley and Jan Welch (n 31).

⁸⁴ Christiane Sanderson (n 20) 53; Devaney and Lazenbatt (n 39); Todd Shackelford, *The SAGE Handbook of Domestic Violence* (2021).

⁸⁵ Dhar (n 59) 549.

⁸⁶ Thomas and others (n 11) 81; Mahapatro (n 1) 119.

⁸⁷ Thomas and others (n 11) 81.

⁸⁸ Christiane Sanderson (n 20) 60; Elicka Sparks and Kit Gruelle, *Intimate Partner Violence: Effective Procedure, Response and Policy* (2016) 26.

⁸⁹ Christiane Sanderson (n 20) 60.

⁹⁰ *ibid* 61.

⁹¹ Christiane Sanderson (n 20).

Intergenerational Impact: Exposure to interpersonal violence during childhood and adolescence increases the risk of negative health outcomes across the lifespan.⁹² Children exposed to domestic violence are more likely to exhibit internalising symptoms (e.g., anxiety, depression), externalising behaviours (e.g., aggression), and trauma symptoms.⁹³ They are also more likely to have clinically significant problems compared to children from nonviolent homes.⁹⁴ Witnessing parental violence was found to be the strongest risk factor for men perpetrating physical violence.⁹⁵ Boys who witnessed their mother being beaten were 2.5 times more likely to abuse their partner.⁹⁶

Children exposed to domestic violence may exhibit personality and behavioural problems.⁹⁷ They are at greater risk for repeating the cycle as adults by entering into abusive relationships or becoming abusers themselves.⁹⁸ They are at heightened risk of developing problems such as post-traumatic stress, anxiety, depression, other emotional or behavioural problems, and difficulties in school or with social relationships.⁹⁹ They are also at increased risk of physical abuse and other forms of maltreatment.¹⁰⁰ Exposure to domestic violence threatens the child's right to development, impacting their physical, emotional, and social development.¹⁰¹ Children who witness domestic violence or are victims of abuse themselves are at serious risk for long-term physical and mental health problems.¹⁰² Witnessing violence can affect children's emotional, social,

⁹² Shyam Krishan Kaushik, 'Protection of Women Under the Domestic Violence Law in India: A Critical Study' (Amity University 2017) 5; Laksh Lata Prajapati, 'Impact Assessment Study Of The Protection Of Women Under Domestic Violence Act 2005: A Socio Legal Study Of Rohilkhand Region' (MJP Rohilkhand University 2023) 247; Anita, 'A Critical Study of the Role of Protection Officer under The Protection of Women from Domestic Violence Act, 2005: A Study with Special Reference to Solan District of Himachal Pradesh' (Alakh Prakash Goyal Shimla University 2024) 12.

⁹³ Susan Bewley and Jan Welch (n 31).

⁹⁴ *ibid.*

⁹⁵ Devaney and others (n 20).

⁹⁶ *ibid.*; Manasi Anil Smita Save, 'Implementation of Protection of Women from Domestic Violence Act 2005 Analysis of Problems and Proposal for Modalities and Best Practices for Effective Implementation' (University of Mumbai 2010) 55; Reena Gupta (n 67) 192.

⁹⁷ Ali and McGarry (n 52).

⁹⁸ Sparks and Gruelle (n 87).

⁹⁹ Devaney and others (n 20) 447; Shackelford (n 83); Arta Dodaj, 'Children Witnessing Domestic Violence' (2020) 15 *Journal of Children's Services* 161, 166 <<https://doi.org/10.1108/JCS-04-2019-0023>> accessed 11 February 2025.

¹⁰⁰ Devaney and others (n 20) 448.

¹⁰¹ Thomas and others (n 11) 139.

¹⁰² *ibid.*; Mahapatro (n 1) 139; Mohiuddin Ahsanul Kabir Chowdhury and others, 'Domestic Violence Against Women in Urban Slums of Bangladesh: A Cross-Sectional Survey' (2021) 36 *Journal of Interpersonal Violence* 4730.

neurobiological, and cognitive development¹⁰³ such as avoidance, hypervigilance to threats, and dysregulated aggression, potentially leading to vicarious traumatization.¹⁰⁴ They may become depressed and insecure, with introversion problems and low social skills.¹⁰⁵

1.4 TRENDS IN REPORTING

Statistics from the National Crime Records Bureau (NCRB) show significant increases in reporting of gender-based violence.¹⁰⁶ NFHS-III report indicated that around 37% of ever-married women reported physical or sexual violence by their husbands.¹⁰⁷

The National Family Health Survey (NFHS-4) from 2015 to 2016 revealed that 31% of ever-married women in India have experienced spousal physical or sexual abuse. The proportion of women facing domestic violence decreased from 37% in 2005-2006 to about 29% in 2019-2021.¹⁰⁸

Spousal violence varies considerably across states in India. For example, in the NFHS-III report, women in Bihar reported the highest rate of violence (59%), while women in Himachal Pradesh experienced the least (6%).¹⁰⁹

Education, awareness, economic status, husband's employment and legislation negatively correlates with the incidence of domestic violence,¹¹⁰ whereas substance abuse, unemployment, poverty, marriage duration and children have shown positive correlation.¹¹¹

¹⁰³ Denise Kindschi Gosselin, *Family and Intimate Partner Violence: Heavy Hands* (6th edn, Pearson Education 2018) 171; Anika Cloutier and Julian Barling, 'Witnessing Interparental Violence and Leader Role Occupancy: The Roles of Insecure Attachment and Gender' (2022) 41 *Equality, Diversity and Inclusion* 867.

¹⁰⁴ Basilio and others (n 65) 481.

¹⁰⁵ Paulino (n 35) 46.

¹⁰⁶ Dhar (n 59); Sidharth Muralidharan, Carrie La Ferle and Sanjukta Pookulangara, 'Studying the Impact of Religious Symbols on Domestic Violence Prevention in India: Applying the Theory of Reasoned Action to Bystanders' Reporting Intentions' (2018) 37 *International Journal of Advertising*.

¹⁰⁷ Debnath, Roy and Mazumder (n 12); 'Tears Behind the Closed Doors: A Logistic Analysis of Domestic Violence Against Women in West Bengal, India - Priyanka Biswas, Nilanjana Das Chatterjee, 2023' <<https://journals.sagepub.com/doi/abs/10.1177/00111287231202784>> accessed 20 February 2025.

¹⁰⁸ Tanusree Paul and Suranjana Karmakar, 'Domestic Violence against Women in India: Does Empowerment Matter?' (2024) 59 *Journal of Asian and African Studies*.

¹⁰⁹ Debnath, Roy and Mazumder (n 12) 428.

¹¹⁰ Ahmad, Khan and Mozumdar (n 8) 12; Debnath, Roy and Mazumder (n 12) 428.

¹¹¹ Meerambika Mahapatro, RN Gupta and Vinay Gupta, 'The Risk Factor of Domestic Violence in India' (2012) 37 *Indian Journal of Community Medicine*; Shama Firdaush and Pinaki Das, 'Intimate Partner Violence and Its Associated Factors: A Multidimensional Analysis in the Context of India' [2023] *Journal of Asian and African Studies*.

2. RESEARCH GAPS

The review of the sources reveals the following recurrent research gaps:

1. The studies are not generalizable and are specific to the research samples
2. The research are usually qualified in nature and focus on Qualitative methods thereby limiting the results from being a decisive causal study
3. Due to social stigma patriarchal control and other limitations the studies are carried out using invalid or incomplete data and inconsistent methods.
4. The study's focus on the specific type of abuse usually the physical violence aspect only and lag in general or multiple types of abuse like psychological or economic.
5. There is a lack of intersectional research involving multiple factors like Race, class, education, etc.

3. FURTHER RESEARCH

- To assess the effectiveness of the Domestic Violence Act, 2005 in reducing incidents of domestic violence and improving the safety and well-being of victims.
- To analyse the implementation challenges and gaps faced by victims and implementers in the enforcement of the Act.
- To evaluate the role of stakeholders (police, judiciary, protection officers, NGOs).
- To study societal perceptions and awareness of the Act among women, law enforcement agencies, and service providers.
- To suggest actionable measures for enhancing the efficacy of the Act.

4. CONCLUSION

The research posits that while the Protection of Women from Domestic Violence Act (PWDVA) 2005 is a critical piece of legislation, its success is not guaranteed and depends heavily on a range of external factors. The effectiveness of the Act is significantly influenced by public awareness, the efficiency of its implementation, prevailing societal attitudes, and the availability of robust support systems for victims.

Achieving the Act's full potential requires a concerted, multi-sector effort to address persistent barriers. Key areas for action include:

- **Enhancing Awareness:** There is a critical need to improve societal understanding of what constitutes domestic violence and to raise awareness of the Act itself among women, law enforcement, and service providers. The ambiguity in defining aspects like "emotional violence" and the lack of a single, agreed-upon definition can make it harder for victims to seek help and contribute to the normalization of abuse.
- **Strengthening Implementation:** The efficacy of the PWDVA is hampered by practical challenges, including delays in judicial processes that obstruct a woman's quest for justice. The conclusion calls for strengthening the implementation structures and evaluating the roles of key stakeholders like the police, judiciary, and protection officers to close these gaps.
- **Addressing Societal Attitudes:** The Act alone does not address the "inherently patriarchal familial mindsets" that are a root cause of domestic violence. Deeply ingrained cultural norms, gender inequality, and patriarchal beliefs create a social context where violence against women is tolerated. Therefore, engaging communities is essential to shift these attitudes and create an environment where women's rights are respected.
- **Improving Support Systems and Economic Empowerment:** Victims are often trapped in abusive situations due to a lack of support services and financial dependence. Abusers frequently use financial control as a tool of manipulation. The conclusion advocates for empowering women economically, which directly counters a key mechanism of abuse and provides victims with the resources to leave violent situations.

Ultimately, creating a society where women can live free from violence requires sustained collaboration among all stakeholders. This united effort is necessary to build an environment where the rights guaranteed by the PWDVA 2005 can be fully realized.