

Psychological Abuse of Women as a Form of Domestic Violence and Human Rights Violation: Breaking the Public-private Barrier

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Abstract

The world is under a “shadow pandemic” which is the violence perpetrated against women and domestic violence is one of the most common forms of violence that women all over the world have to face. Domestic violence does not entail only physical violence but also includes psychological or emotional violence that can be equally traumatic and injurious to a woman’s mental health and may even drive one to suicide. Therefore it is a blatant violation of the right of a woman to live with dignity which is the most fundamental of human rights. It is often believed that with education and empowerment of women it is possible to eradicate domestic violence. This research based on the experiences of educated urban working women with psychological abuse, was undertaken to determine whether education and career make women immune from psychological and emotional violence or make them aware of their rights. Another aspect of the research is that there is a certain hesitation among the victims of psychological violence to seek justice in the Indian society because women are often stigmatized for speaking out. Therefore it is necessary that the State regards the matter of mental and emotional abuse on women as a serious human rights issue and takes such measures that are appropriate in each case of psychological violence in order to ensure justice for the victims and root out this evil from society.

Keywords: Domestic Violence, Human Rights Violation, Psychological Abuse of Women, Mental Harassment or Cruelty of Women

INTRODUCTION

"At a time when the world is facing an unprecedented health, economic and social crisis, we must not forget that the COVID-19 pandemic is superimposed on a “shadow pandemic”, that of violence against girls and women. “Audrey Azoulay, Director-General of UNESCO, on the occasion of the International Day for the Elimination of Violence against Women” [1].

One of the commonest forms of violence against women around the world is domestic violence or “intimate partner violence” [2]. In India, the term domestic violence has been defined for the first time in a statute especially enacted in 2005 for the purpose of protecting women from domestic violence. According to The Protection of Women from Domestic Violence Act, 2005, “domestic violence” means “any act, omission or commission or conduct of a person that harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of a woman or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or harasses, harms, injures or endangers the aggrieved person with a view to

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coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or has the effect of threatening the woman or any person related to her or otherwise injures or causes harm, whether physical or mental, to the aggrieved woman” [3]. Therefore, it is seen that domestic violence does not only entail physical violence but it can take various forms such as mental, sexual and economic. “Mental violence is perpetrated through verbal and emotional abuse such as humiliating or making fun of one in front of their friends or family, putting down one’s accomplishments, using intimidation or threats to gain compliance etc. as has been listed in the United Nations website” [4]. The European Institute of Gender Equality defines “psychological violence as any act or behaviour which causes psychological harm to the partner or former partner” [5]. Section 3 of The Protection of Women from Domestic Violence Act states in its definition of domestic violence that any act or omission that includes insults, humiliation, name calling and insults or ridicule specially with regard to not having a child or a male child and repeated threats to cause physical pain to any person in whom the aggrieved person is interested, are classified as verbal or emotional abuse.

The United Nations Office of the High Commissioner of Human Rights receives “reports of intimate partner violence, including that of psychological abuse every single day” [6] UN Women, that is, “the United Nations body that works for gender equality and empowerment of women” [7] “characterizes violence against women and girls as a human rights violation” [8]. The Declaration on the Elimination of Violence against Women, which was proclaimed by UN General Assembly in 1993, includes “threats or coercion or arbitrary deprivation of liberty of women, whether in public or private as psychological harm in gender-based violence” [9]. It is therefore quite evident that psychological violence is a deep-rooted issue in gender-based violence, especially in intimate partner violence and that such violence on women is thriving globally with no sign of decreasing.

However, psychological violence on women still remains a largely neglected women’s right issue and it begs the question whether psychological or emotional violence on women by their partners or any other person, is considered as grave an issue as other forms of violence or given its due importance for the violation of human rights. Especially in India, which is a signatory of the Convention on Elimination of Discrimination Against Women and ratified it as early as 1993, should take psychological, mental, emotional or verbal violence on women as a part of violation of “women’s rights and engage in advocacy and programmatic works based on human rights norms and standards” [10] as put forth in various instruments for the protection of human rights. The reason for it is that it has been researched and suggested that psychological violence may be just “as detrimental to mental health as other forms of intimate partner violence” [11] and it causes severe indignity to a person’s life as well. “Human Rights are not merely physical rights of a person but the right of equality and dignity too” [12] as has been set forth in the Universal Declaration of Human Rights (UDHR).

A study has been undertaken for the purpose of ascertaining whether in India educated urban women have to face psychological violence from their partners and in-laws and if they do, then what remedies are available to them and what remedies they are aware of. Simply the existence of laws does not mean justice and reparation will be available to the victims. Therefore it is necessary to undertake measures for execution of laws and instruments for the protection of the rights of women.

PSYCHOLOGICAL ABUSE AS DOMESTIC VIOLENCE IN THE INDIAN CONTEXT

Domestic violence or intimate partner violence is a widespread problem in India and the entire world and it is embedded irrevocably in the fabric of Indian society. The patriarchal structure of the prevalent social system can be held responsible for this menace wherein violence on women is a way of an assertion of power or dominance by the husband or other members of one’s family. In the United States the federal domestic violence law known as the Violence against Women Act does not recognize emotional abuse as a form of domestic violence [13]. It is only a crime when there is physical, sexual abuse or stalking. However, in India, according to the Protection of Women against

Domestic Violence Act, 2005 (also known as the Domestic Violence Act), domestic violence is abuse, which may be physical, verbal, emotional, sexual, and economic, within a domestic relationship. According to the Act “domestic relationship” means a relationship between two persons who live or have, at any point of time, lived together in a shared household, when they are related by consanguinity, marriage, or through a relationship in the nature of marriage, adoption or are family members living together as a joint family. In the Indian society, women after marriage have to leave their parent’s house, uproot their lives and settle in another household with their husband and quite often with their in-laws too. Therefore the women in the Indian society are more vulnerable to abuse not just by their intimate partners but by the relatives of their partner, because of the social structure of Indian households and family that form the basis of society.

The Constitution of India guarantees equality under Article 14. Article 15(1) states that “the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.” In addition, Article 15(3) leaves scope for affirmative action for women. However, “the country fares poorly on gender inequality, and was ranked 132 out of 187 countries in the Gender Inequality Index of the UN Development Programme” [14]. It has also has not yet signed “the Optional Protocol to the Convention, despite many recommendations to this effect in its second Universal Periodic Review at the UN Human Rights Council in May-September 2012.”[15] The National Crime Records Bureau reports that, in India, 31.9% of crimes against women were in the form of “Cruelty by Husband or His Relatives” [16]. Cruelty on women related to dowry and dowry deaths are still a common occurrence in today’s society. “National Crime Bureau of India, as recently as 2017, recorded nearly 7000 dowry linked deaths” [17].

The Indian Penal Code includes the provision of “cruelty by husband or relatives of husband” which provides for a punishment of imprisonment up to three years and fine. In this section “cruelty” is defined as “any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand” [18]. In this provision, although the words “domestic violence” have not been used, what it essentially defines is the act of domestic violence on a married woman. However, the Protection of Women against Domestic Violence Act, 2005, also known as the Domestic Violence Act, has broadened the scope of the rights of the victims of domestic violence much further. In the IPC it has not been acknowledged that women are often dependent on the perpetrators of violence for living space and sustenance. Therefore it was required by law to ensure safe living conditions and means to provide for themselves for women facing domestic violence. “A woman has the right to live in their matrimonial homes” [19] as held by the Bombay High Court and it is her home as much as the home of her husband. The Domestic Violence Act allows a woman to stay in the house in which she has an equal right as her husband while raising her voice against the injustice perpetrated against her.

The difference between S.498-A I.P.C. and the Domestic Violence Act are that domestic violence under S.498-A is a criminal offence and the State is involved whereas under the Domestic Violence Act it is a civil wrong and civil remedies apply to it. Usually if an F.I.R. is registered under the I.P.C. and the offence is non-compoundable, then there can be no settlement, mediation or arbitration. However, it has been observed by the Karnataka High Court in “Gurudath K. v. State of Karnataka” [20] that “Even if the offences are non-compoundable [like 498-A], if they relate to matrimonial disputes and the Court is satisfied that the parties have settled the same amicably ... Section 320 Cr.P.C. would not be a bar to the exercise of power of quashing of FIR or criminal complaint in respect of such offences” [21]. So it brings on the public-private discourse as to whether domestic violence is a crime and should be dealt in a public way by meting out appropriate punishment if proved guilty or is a private matter and should be solved through mediation and paying of damages.

CASES

It has been held by the Hon'ble Supreme court of India that the fundamental right of "Right to Life iterated in Article 21 of the Indian Constitution is not just mere animal existence" [22] but "it includes the right to live in peace, to sleep in peace and the right to repose and health" [23] Therefore psychological and emotional violence or abuse perpetrated on women in a domestic relationship strike at the heart of the right to life by causing indignity to their lives. In 2011 "the High Court of Rajasthan held in a case of emotional abuse on a married woman that domestic violence is limited not only to physical and mental cruelty, but can also extend to verbal and emotional abuse and such an abuse would include threat to causing physical abuse to any person in whom the aggrieved person is interested" [24] The High Court of Telengana has held that the expression "verbal and emotional abuse" is sought to be explained in inclusive terms as insult, ridicule, humiliation, name calling etc. Therefore if an act of a particular person is likely to impair the health or development of a particular person or if a person is openly put to humiliation, the expression "verbal and emotional abuse" [25] gets attracted.

PSYCHOLOGICAL ABUSE OF WOMEN DURING THE COVID-19 PANDEMIC

The increase of domestic violence during the COVID 19 pandemic has been termed as the "Shadow pandemic" by the UN Women [26] for women dealing with abuse and violence, home is not a safe place. The national lockdown, which was ordered by the Government of India on March 24, 2020 to fight the COVID-19 pandemic, had proved to be dangerous for many women who were confined in the same space as their abusers. It has been reported in a survey that during the first four phases of the COVID-19-related lockdown, "Indian women filed more domestic violence complaints than recorded in a similar period in the last 10 years" [27]. "It was reported that in 2020, between March 25 and May 31, 1,477 complaints of domestic violence were made by women and that this 68-day period recorded more complaints than those received between March and May in the previous 10 years" [28].

The pandemic and the ensuing lockdown have adversely affected the mental health of a lot of people. It has been found that "longer quarantines have a direct correlation with the mental health outcomes and the duration of the lockdown is a predominant stressor affecting the mental health of individuals" [29]. It can be assumed that it is even more stressful and traumatic for women who were quarantined with their abusers. In fact, "abuse and domestic violence can become less predictable and more severe during times of stress and economic hardship, which the pandemic had brought with it" [30]. In such cases, support structures for victims of violence had limited access [31] and women could not even take shelter elsewhere. "Those who were abused during the lockdown may have felt abandoned, with limited possibilities of assistance" [32]. In a research undertaken to study the possible impact of lockdown on the violence on women in Tunisia it was found out that psychological violence appeared to be the most frequent type of violence (96%) and almost all the abused women experienced it [33].

There has been so much of focus on the physical impact of COVID-19 and violation of human rights related to it that often one tends to forget the psychological impact. "Any harm accorded to one's mental health or psyche is bound to be a violation of their fundamental right to life and just like universal health care is the fundamental right of human beings" [34], so should be mental health care. "Post-traumatic stress disorder or PTSD is a common effect of psychological violence" [35] and the psychological violence that women have had to undergo in the COVID times may lead to even more acute PTSD and stress symptoms since the effects of mental or emotional abuse may be magnified due to quarantine, losing physical interactions with the outside world and pandemic induced anxiety.

SURVEY REPORT

Many studies have been conducted regarding the prevalence of domestic violence. In one study it has been found that education has impact on the prevalence of domestic violence. "The prevalence of violence decreased in Eastern India as educational levels of women increased" [36]. It brings up the

question whether education always mean awareness, especially of the fact that domestic violence does not always involve physical violence but mental or psychological violence too and if education alone can protect one from emotional or verbal abuse.

In this survey the sample was *educated working urban* married women. As a form of protection of identity the names of women who have been interviewed are kept anonymous and no two women from the same household were interviewed. It needs to be noted that all of the women interviewed in this survey are deemed to be in a successful marriages, some with children and are supposedly happy. All of them are living with their husbands and some are living with their in-laws too.

In the survey it was found that many women have faced what can be termed as psychological or emotional abuse from their husband and in-laws despite having strong educational background and careers. The questionnaire was close ended and the summary of the findings of the survey are given below:

- Although the number of women who have not faced verbal abuse crosses majority, the above chart shows that 43% women who were interviewed were insulted or humiliated or called bad names by their husbands or in-laws (Figure 1).
- The women interviewed had not faced any verbal or emotional abuse for not having a child or for having girl child (Figure 2).
- 50% of the women had to either give dowry themselves or know someone who had to give dowry (Figure 3).
- Here also we see that 50% of the women had faced abuse or known someone who has been abused for not giving enough dowry (Figure 4).
- The majority of women had not faced any abuse related to looks or figure but 29% of women still had to undergo such abuse (Figure 5).
- 29% of women had to tolerate the threat of being turned out of their matrimonial home by their husband or in-laws (Figure 6).
- 29% of women interviewed had been shouted at, humiliated, criticized excessively, had to face bad and unpredictable temper tantrums from their partners and had to endure humiliating things said to them about their friends and families (Figure 7).
- Almost 15% of women have felt helpless and misunderstood with their partners and are used to avoiding certain topics out of fear of angering them (Figure 8).
- 20% of the women said that they were asked to adjust and another 20% said that they were told that it was fine if no physical violence was involved (Figure 9).

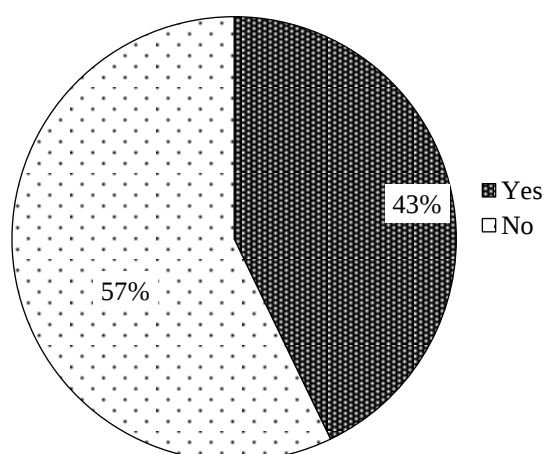


Figure 1. Percentage of women insulted or humiliated or called bad names by husband or in-laws.

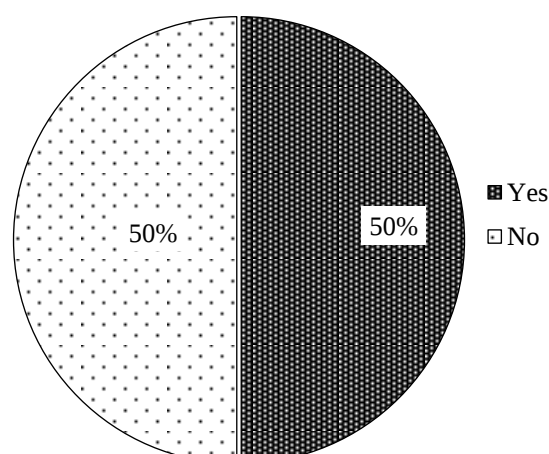


Figure 2. Percentage of women insulted, ridiculed, humiliated or called bad names by husband or in-laws for not having a child or for having a girl child.

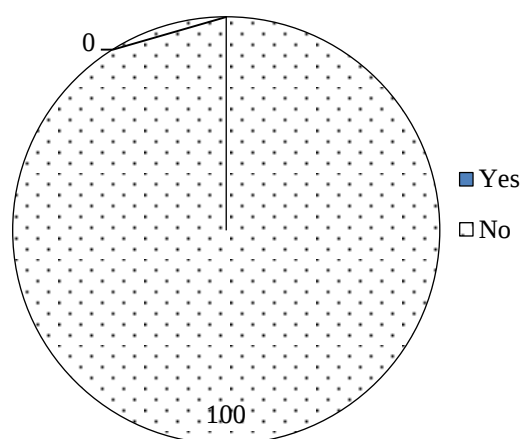


Figure 3. Percentage of women giving dowry in marriage.

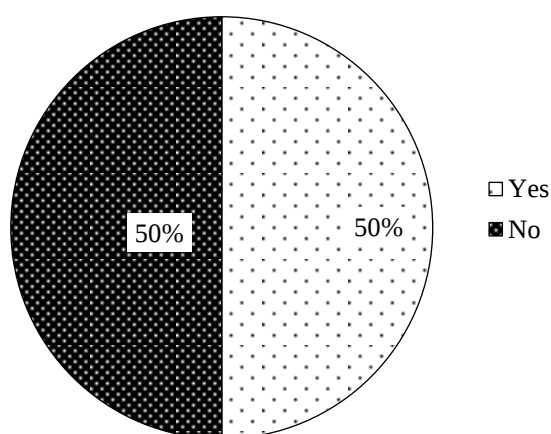


Figure 4. Percentage of women insulted, ridiculed, humiliated or called bad names by husband or any in-laws for not giving enough dowry.

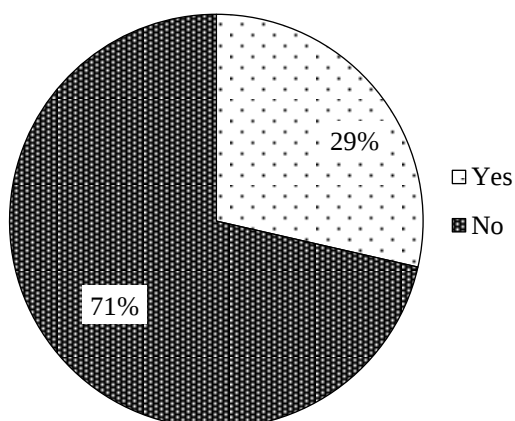


Figure 5. Percentage of women insulted, ridiculed, humiliated or called bad names by husband or in-laws for looks or figure.

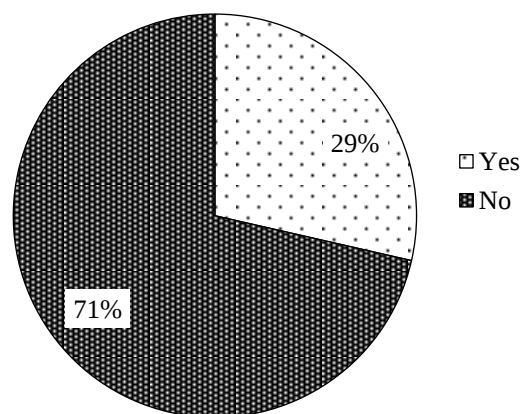


Figure 6. Percentage of women threatened by husband or in-laws to be turned out of their matrimonial house.

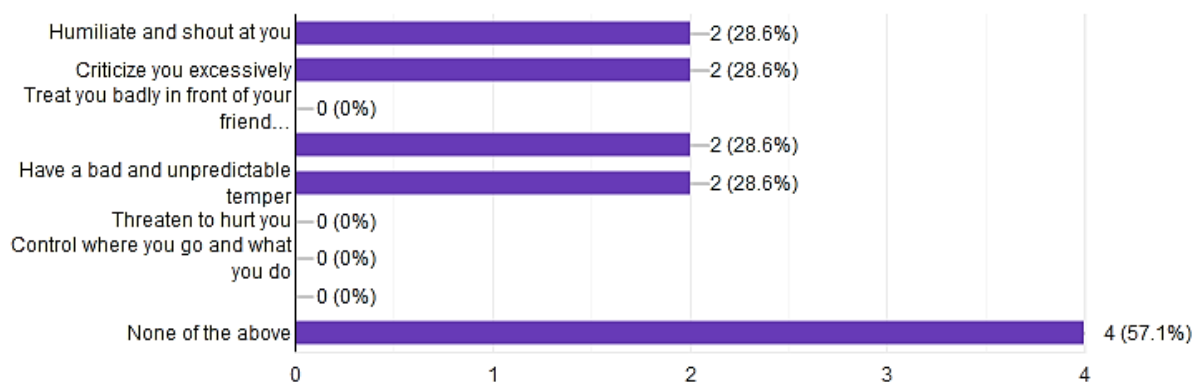


Figure 7. Percentage of women faced the things mentioned below from their husbands.

- 20% of the women responded that they were too ashamed or embarrassed and another 20% said that they felt no one can or will help them (Figure 10).
- 43% of women have answered that they have thought of leaving their husband or in-law's home due to abuse (Figure 11).

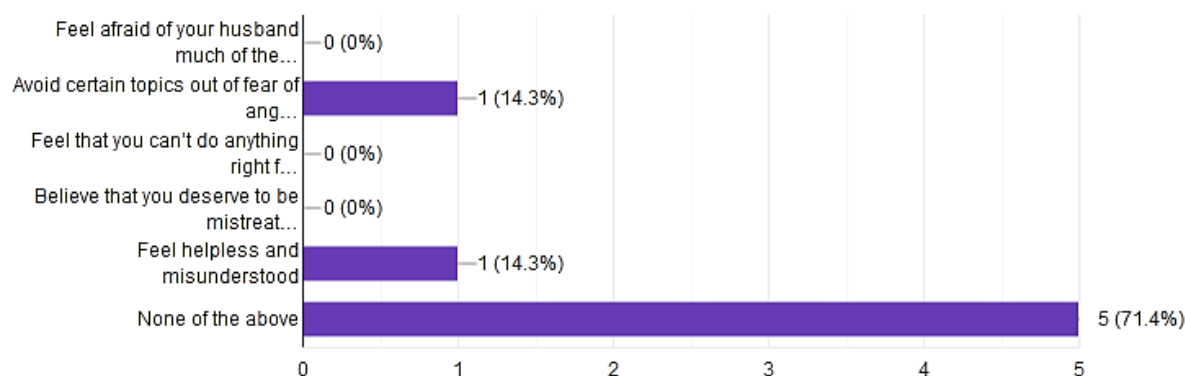


Figure 8. Percentage of women experienced the feelings mentioned below when they are with their husband.

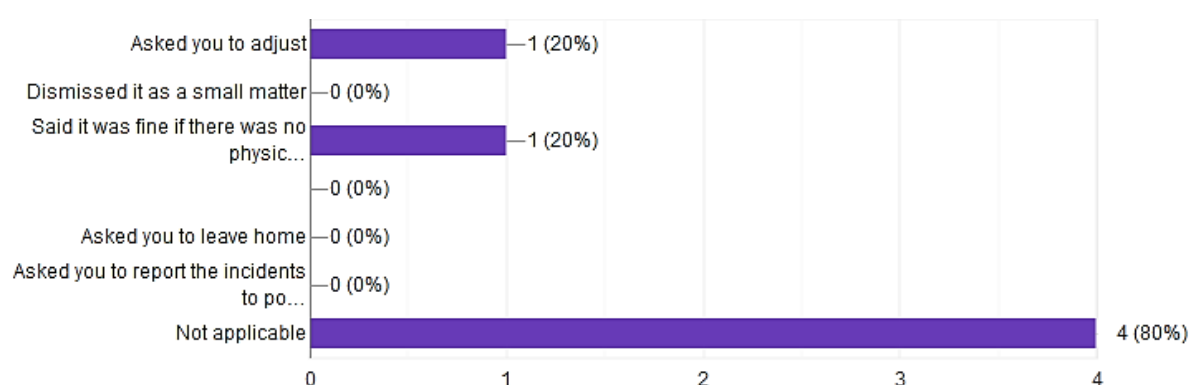


Figure 9. Reactions when the women share their plight with other.

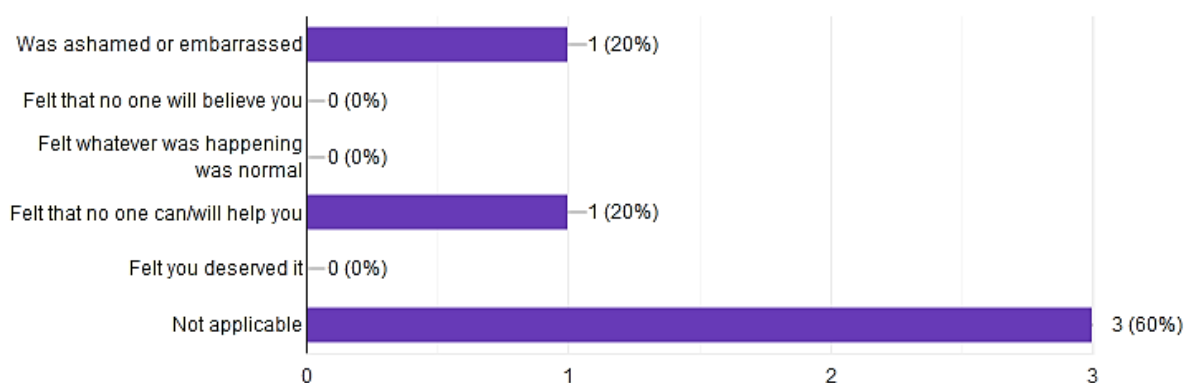


Figure 10. Reasons for women not sharing their plight with anyone.

- It has been observed that 14% of urban educated working women don't even know that there are laws against domestic violence (Figure 12).
- 17% of the women interviewed are not aware that emotional or psychological abuse is also domestic violence and are covered by laws (Figure 13).
- The women interviewed had never approached the police to register F.I.R. against mental or emotional abuse (Figure 14).
- 75% of women had not approached the police because either they did not know that they can take help from the police for being emotionally abused or they were not sure what to tell the police or they believed that it was a family matter and the police should not be involved (Figure 15).

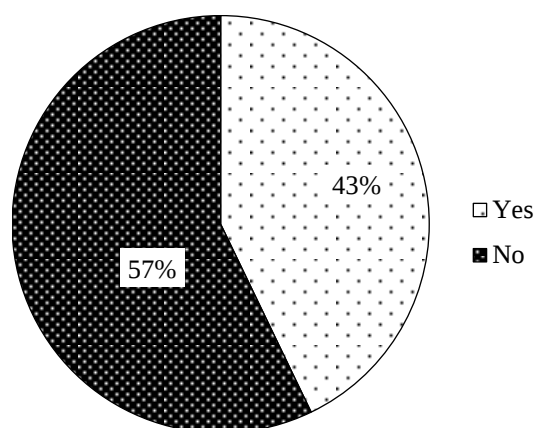


Figure 11. Percentage of women who have thought of leaving their husband or in-laws' home because of their behavior.

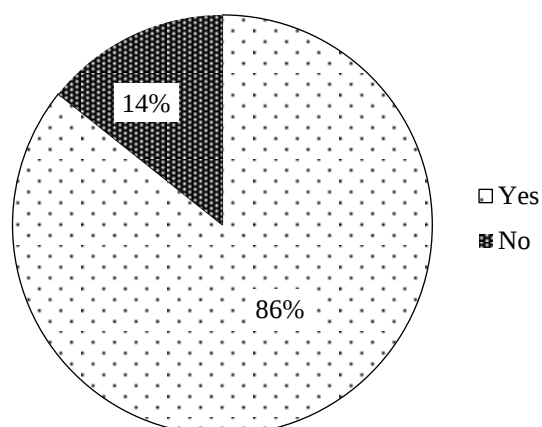


Figure 12. Percentage of women who are not aware that laws against domestic violence on women exist in India.

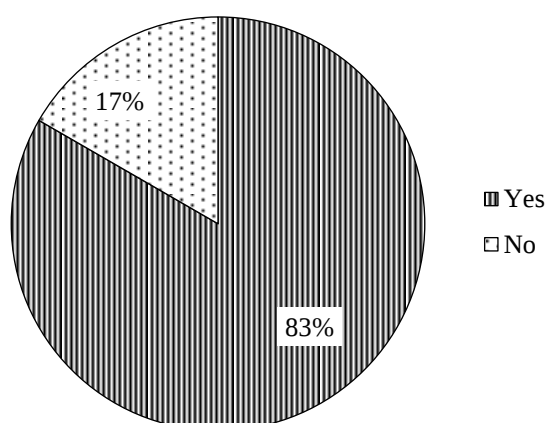


Figure 13. Percentage of women who are not aware that domestic violence laws say that emotional or mental abuse/torture also comes under domestic violence.

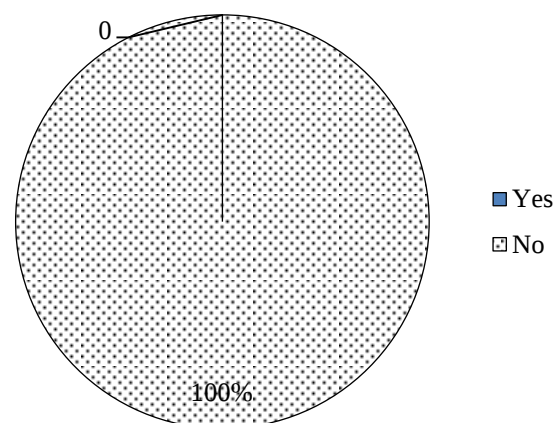


Figure 14. Percentage of women who approached the police with complaint of emotional or mental torture by your husband or in-laws.

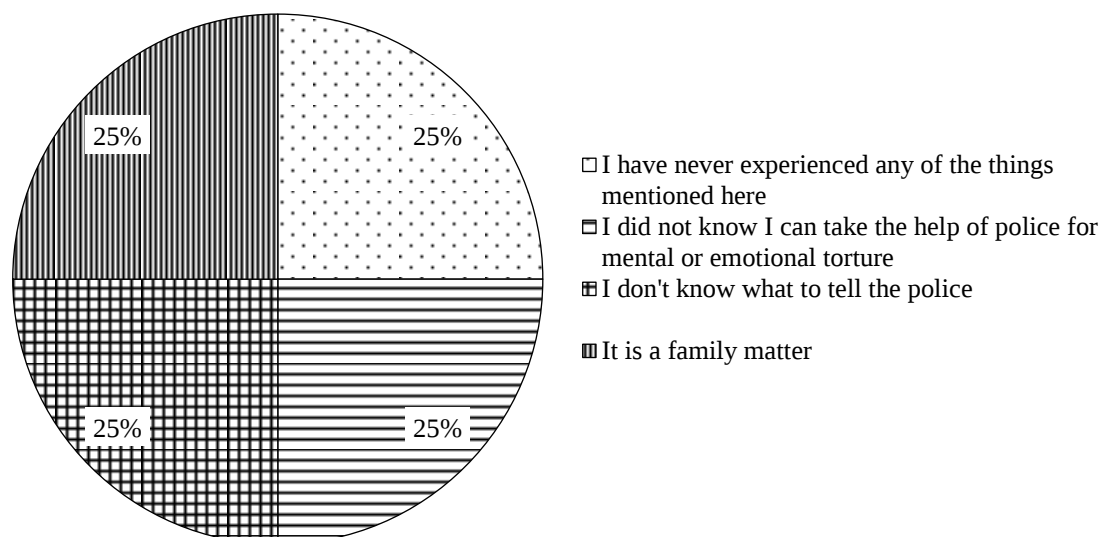


Figure 15. Reasons for not approaching the police.

- 20% of women interviewed had to take help from an NGO to interfere in their matter of mental and emotional abuse (Figure 16).
- The women who had not approached any NGO despite facing mental abuse did not do so with the hope that everything will be fine with time (Figure 17).

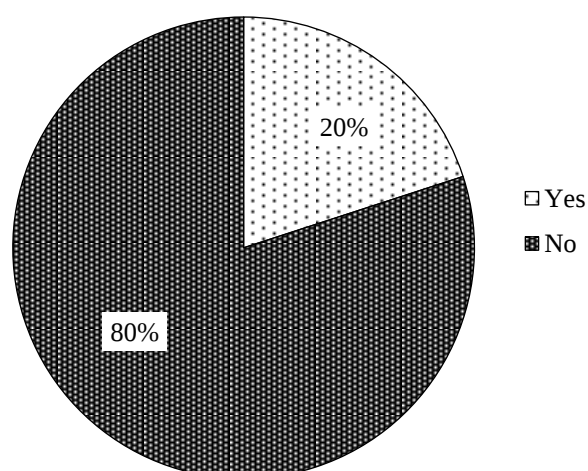


Figure 16. Percentage of women who have taken the help of any NGO for women, either for themselves or anyone they know who is suffering from mental or emotional torture.

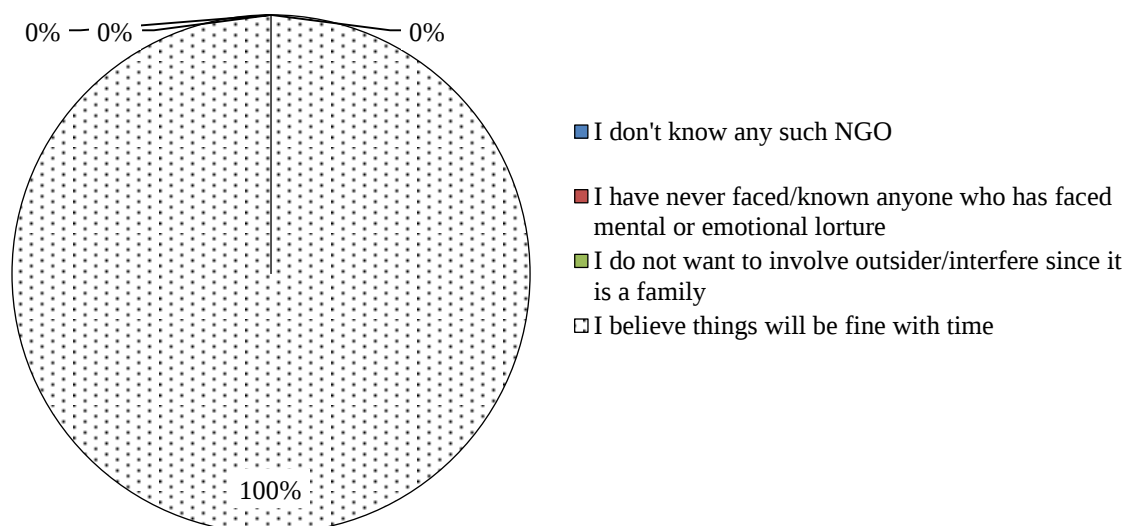


Figure 17. Reasons for not taking the help of any NGO.

ANALYSIS AND DISCUSSION

The women who were interviewed for the survey on psychological and emotional abuse are all educated urban working women. It has been observed that women who are older and have been married for many years have faced psychological, verbal and emotional abuse more than those who are younger and are married for only a few years. Psychological abuse is characterized by insult, humiliation, ridicule, threats, coercion, emotional manipulation, gas lighting, harassment etc. and these can be as harmful and traumatizing to a persons psyche as physical or sexual abuse. 43% of women have been insulted or humiliated by their husbands or in-laws after marriage which shows the commonality of the problem. 50% women have given dowry or someone they know has given dowry in marriage and not only that, these women have faced mental abuse or seen someone being mentally tortured for not giving enough dowry. There are dowry laws in our country which makes giving and

taking of dowry an offence and this survey proves that dowry is still prevalent, not just in backward or rural areas but among educated urban people as well. 29% of the women had faced humiliation related to the way they looked and the same percentage of women had been threatened by their husband or in-laws at some point or the other to turn them out of the house.

Many a time women, who are victims of emotional or psychological abuse, have no idea that it is a form of domestic violence and that their partners are abusive towards them. Therefore the questions were formed keeping that in mind and it was found out that 29% of women are humiliated, shouted at, and criticized excessively by their partners. Their husbands possess bad and unpredictable temper and say humiliating things about their family and friends. Almost 15% of women feel helpless and misunderstood in front of such abuse and they avoid raising topics that anger their partners. Such kinds of behavior from husbands or in-laws are abusive in nature and dehumanize the women married in their family.

The kind of behavior mentioned above, by husbands and in-laws qualifies as abuse and is not excusable under any circumstance as it is a blatant violation of the fundamental right of all women to live with human dignity. In “Maneka Gandhi v. Union of India” [37], the Supreme Court gave a new dimension to Art. 21 and held that the right to live is not merely a physical right but includes within its ambit the right to live with human dignity. Therefore every woman, after their marriage, has the right to live with dignity in their matrimonial homes and without having to undergo any kind of abuse. It is a human rights violation even if a single woman has to face indignity because every single life is precious. In case this right is violated everyone deserves to seek and get appropriate remedy and it is seen to that justice is done with them. Thus the second part of the survey deals with whether the victims of psychological and emotional abuse have been able to seek justice.

Among the women who were interviewed, around 17% had confided in someone about the abuse and mental torture they were undergoing and 20% of them were asked to adjust and 20% were told that it was fine if there was no physical violence involved and none of them were asked to seek help or report the incident. This proves the ignorance of our society and the belief that women are meant to “adjust” to any abuse or indignity. 20% of women shared that they were either too embarrassed to confide in anyone or felt no one can help them. It is a very natural outcome of our patriarchal system in which we are living where a woman is shamed for speaking out against injustice and usually no one is willing to help them. 43% of women had thought of leaving their husband’s home due to abuse but a separated or divorced woman still is shamed for leaving her matrimonial home because society believes that it is the duty of women to serve their husband and in-laws despite getting abused. Even though all the women interviewed have education backgrounds 14% are unaware of the existence of domestic violence laws and 17% do not know that emotional or mental torture is also a form of domestic violence and that there are laws against it. So it is proved that knowledge or awareness of one’s legal rights does not automatically come with education and a lot of women suffer because they are not aware of their rights. None of the women had ever lodged F.I.R. for undergoing mental torture and 25% said they did not do so because they were not aware that police’s help can be taken regarding mental cruelty, another 25% were unsure of what to tell the police and another 25% believed that it was a family matter, so police involvement was not necessary. It is thus evident that women hardly seek justice for the wrongdoings they have to undergo, either because they are not aware of their legal rights or uncertain about it or because the involvement of police in family matters is a stigma.

The women were also asked if they have ever taken help from any non-governmental organization in case of domestic violence and mental torture and if they hadn’t then why not. All women who were interviewed had never approached any NGO for such matters said that they thought that it was not necessary because they believed that things will be fine with time. This shows that in India it is still a taboo to raise voice against domestic violence or involve outsiders and such kind of abuse is usually regarded a private matter and therefore believed that they should be solved privately.

OUTCOME AND REMEDY

Psychological, emotional and verbal abuse of a married woman, though less in number, is still prevalent among the educated urban families. It is a false belief that in modern times such things have been eradicated because women are now working and more empowered than before. The Protection of Women from Domestic Violence Act, 2005, provides that any woman who is a victim of domestic violence, even if it is verbal or emotional abuse are liable to get relief from Court such as issuance of an order for payment of compensation or damages, protection orders or restraining orders. The victims can even lodge complaint with the police and an F.I.R. can be registered under S.498A of the Indian Penal Code because under this section “cruelty” also means any willful conduct by a woman’s husband or in-laws that can cause injury to the physical as well as mental health of the woman or can drive her to commit suicide. Therefore the psychological aspect of abuse is laid down in this section. However, it was witnessed in the survey that none of the women who had undergone psychological and emotional abuse from their husbands or in-laws had received any justice or remedy for what they had to tolerate. Ignorance, fear, shame and the indifference of society towards mental abuse are some of the factors for not seeking help.

“The United Nations Human Rights Council views violence against women as a reaction to the patriarchal structure of the society and the overall subordination of women within a patriarchal system and an outcome of gender discrimination that shapes social, economic, cultural and political structures” [38]. It recommends a shift from a victim-oriented approach to “one of empowerment, including education, health and gender equality requirements to prevent violence against women” [39]. However, even though education and empowerment of women are key goals any society should have, it has been proved in the survey that even education has not been able to completely prevent psychological violence on women. It is therefore recommended that the focus should be on state involvement to regulate such violence and ensure justice by taking appropriate measures and giving the victims all kinds of support permitted by law. The state machineries such as the police and the protection officers not only should be sensitive to the victim’s plight but show prompt action to bring justice to them. Since any kind of violence on women is a human rights violation, it requires appropriate remedy. In cases of cruelty on married women civil remedies are sought more often than punishment of the perpetrator and the Indian courts too, encourage mediation and arbitration in matrimonial matters rather than criminal cases “to safeguard family relationships and provide speedy justice” [40]. But it is also necessary to punish wrongdoers since there is less chance of discouraging domestic violence and psychological violence if the perpetrators can get away by simply paying compensation. Women need to break out of their shell and their sense of shame to seek the justice they deserve and the State must see to it that due diligence is done to provide them justice. The taboo around domestic violence, especially emotional torture that leads to it remaining private, needs to be broken and the onus should be shifted to the state to guide the victims towards their legal rights.

CONCLUSION

Psychological or mental or emotional violence is a very dehumanizing form of violence that women, especially married women have to face from their husbands or relatives of husband a great deal of time. We are living in a society where mental abuse is considered a negligent matter and women who are victims of it do not seek to remedy the situation most of the time out of shame or lack of awareness of their rights. Contrary to popular belief, this situation is not only prevalent among uneducated or backward classes of society but also among the educated urban families where the woman is not a housewife but working. Mentally torturing a woman is a blatant violation of her right to live with dignity. So it is a matter where the state needs to ensure that every single woman is protected from violence, physical or mental, and that if one undergoes such violence, she must receive appropriate remedy and justice is done to her. For that to be a reality, a woman raising her voice against injustice needs to be de-stigmatized and should be held as a norm.

REFERENCES

1. International Day for the Elimination of Violence against Women, UNESCO, <https://en.unesco.org/commemorations/eliminationofviolenceagainstwomenday>.

2. What is Domestic Abuse?, United Nations, <https://www.un.org/en/coronavirus/what-is-domestic-abuse>.
3. The Protection of Women from Domestic Violence Act, 2005, No. 43, Act of Parliament, 2005 (India).
4. What is Domestic Abuse? (supra).
5. Glossary of definitions of rape, femicide, and intimate partner violence, EIGE (2017), <https://eige.europa.eu/publications/glossary-definitions-rape-femicide-and-intimate-partner-violence>.
6. Ibid.
7. About UN Women, UN WOMEN, <https://www.unwomen.org/en/about-us/about-un-women>.
8. The Shadow Pandemic: Violence against women during COVID-19, UN WOMEN, <https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response/violence-against-women-during-covid-19>.
9. Violence against women, United Nations Human Rights Office of the High Commissioner, <https://www.ohchr.org/EN/Issues/Women/Pages/VaW.aspx>. The Declaration on the Elimination of Violence against Women defines gender-based violence, as "any act...that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."
10. Ibid.
11. Susan Langdon, Cherie Armour, and Maurice Stringer, Adult experience of mental health outcomes as a result of intimate partner violence victimisation: a systematic review, *European Journal of Psychotraumatology*, Taylor Francis Online (Sep 12, 2014), <https://www.tandfonline.com/doi/full/10.3402/ejpt.v5.24794>.
12. Universal Declaration of Human Rights, United Nations, <https://www.un.org/en/universal-declaration-human-rights/>.
13. Federal Domestic Violence Laws, United States Department of Justice, <https://www.justice.gov/usao-wdtn/victim-witness-program/federal-domestic-violence-laws>.
14. Submission to the UN Committee on the Elimination of Discrimination against Women, 58th session, Amnesty International (2014), https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/Ind/INT_CEDAW_NGO_Ind_17515_E.pdf.
15. Ibid.
16. Crime in India-2018, National Crime Records Bureau (2018), <https://ncrb.gov.in/sites/default/files/CII%202018%20SNAPSHOT%20STATES.pdf>.
17. Rudrani Gupta, 20 Women Die A Day: Dowry Deaths Still A Threatening Reality In India?, *She The People* (April 21, 2020) <https://www.shethepeople.tv/top-stories/opinion/dowry-deaths-reality-in-india-but-until-when/>.
18. The Criminal Law Amendment Act, 2018, No.22, Act of Parliament (2018).
19. Roma Rajesh Tiwari vs Rajesh Dinanath Tiwari (2018) 1 (2018) DMC 123 (BOM) (India).
20. Gurudath K v. State of Karnataka (2014) Criminal Petition No. 7258/2014 (India).
21. Ibid.
22. Kharak Singh v. State of Uttar Pradesh (1963) AIR 1963 SC 1295 (India)
23. Sunil Batra v. Delhi Administration (1978) AIR 1978 SC 1675 (India)
24. Gajendra Singh v. Mrs. Minakshi Yadav & Another (2011) ILR 3 (RAJ) 582 (India).
25. Bheri Veera Vara Ravindra Prasad & Another v. State of A.P, 2015 (2) ALD CRL 466 (AP) (India).
26. The Shadow Pandemic: Violence against women during COVID-19, UN WOMEN, <https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response/violence-against-women-during-covid-19>.
27. Vignesh Radhakrishnan, Sumant Sen, and Naresh Singaravelu, Data | Domestic violence complaints at a 10-year high during COVID-19 lockdown, *The Hindu* (June 24, 2020)

- <https://www.thehindu.com/data/data-domestic-violence-complaints-at-a-10-year-high-during-covid-19-lockdown/article31885001.ece>.
28. Ibid.
29. Samantha K Brooks, Rebecca K Webster, Louise E Smith, Lisa Woodland, Simon Wessely, Neil Greenberg, and Gideon James Rubin, The psychological impact of quarantine and how to reduce it: rapid review of the evidence. *Lancet*, NCBI (March 14-20, 2020) <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7158942/>.
30. A Guide to Dealing with Abuse: Safety and Coping Strategies for Women during COVID-19, Maharashtra State Commission for Women (May, 2020), [https://mscw.org.in/pdf/Dealing %20with%20Abuse-%20Safety%20and%20Coping%20During%20Lockdown%20FINAL_compressed.pdf](https://mscw.org.in/pdf/Dealing%20with%20Abuse-%20Safety%20and%20Coping%20During%20Lockdown%20FINAL_compressed.pdf).
31. Sabine Sediri, Yosra Zgueb, Sami Ouane, Uta Ouali, Soumaya Bourgo, Rabaa Jomli, and Fethi Nacef, Women's mental health: acute impact of COVID-19 pandemic on domestic violence, *Arch. Women's Mental Health*, NCBI (Oct 17, 2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7568008/>.
32. Ibid.
33. Ibid.
34. Health is a fundamental human right, WHO, <https://www.who.int/news-room/commentaries/detail/health-is-a-fundamental-human-right>.
35. Susan Langdon, Cherie Armour, and Maurice Stringer, Adult experience of mental health outcomes as a result of intimate partner violence victimisation: a systematic review, *European Journal of Psychotraumatology*, Taylor Francis Online (Sep 12, 2014), <https://www.tandfonline.com/doi/full/10.3402/ejpt.v5.24794>.
36. Bontha V Babu and Shantanu K Kar, Domestic violence against women in eastern India: a population-based study on prevalence and related issues, *BMC Public Health* (May 9, 2009) <https://bmcpublichealth.biomedcentral.com/articles/10.1186/1471-2458-9-129>.
37. *Maneka Gandhi v. Union of India* (1978) AIR 1978 SC 597 (India).
38. Violence against women, United Nations Human Rights Office of the High Commissioner, <https://www.ohchr.org/EN/Issues/Women/Pages/VaW.aspx>.
39. Ibid.
40. Aviva Jogani, Mediation of matrimonial disputes in India — Domestic Violence cases: To mediate or not to mediate, *The SCC Online Blog* (May 17, 2018), <https://www.scconline.com/blog/post/2018/05/17/mediation-of-matrimonial-disputes-in-india-domestic-violence-cases-to-mediate-or-not-to-mediate/>