

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES
[ISSN 2581-5369]

Volume 9 | Issue 3

2026

© 2026 International Journal of Law Management & Humanities

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for free and open access by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of any suggestions or complaints, kindly contact support@vidhiaagaz.com.

To submit your Manuscript for Publication in the International Journal of Law Management & Humanities, kindly email your Manuscript to submission@ijlmh.com.

Gender Segregation, Socialisation, and Violence Against Women: A Doctrinal Analysis of Legal Responses and Preventive Frameworks in India

ANKITA KHAMARI*

ABSTRACT

Violence against women continues to be a serious problem in India despite the presence of various laws aimed at protecting women's rights and ensuring their safety. Most legal measures focus on punishing offenders after an act of violence has occurred, while comparatively little attention is given to the social and cultural factors that contribute to such violence. One of these factors is gender socialisation, the process through which individuals learn the social roles, attitudes, and expectations associated with being male or female. This paper examines the connection between gender socialisation and violence against women from a legal perspective. Using a doctrinal research method, it analyses constitutional provisions, statutes, judicial decisions, and government policies relating to gender equality and the protection of women. It explores how patriarchal values, gender stereotypes, and limited interaction between men and women may contribute to unequal attitudes towards women and increase the risk of gender-based violence, and it evaluates whether the existing legal framework adequately addresses these underlying causes. The paper argues that preventing violence against women requires more than strict punishment: long-term solutions must include gender-sensitive education, the promotion of equality, and sustained efforts to challenge discriminatory social norms. It concludes that legal reforms, combined with positive social and educational measures, can play an important role in reducing violence against women and promoting a more equal and respectful society.

Keywords: Gender socialisation, Violence against women, Gender equality, Patriarchy, Legal framework.

I. INTRODUCTION

"Measuring violence is not just about counting bruises; it is about counting the many ways a woman is told she does not matter." In the spirit of Amartya Sen's observation, this loss of "mattering" is today reflected in the struggle of women to access justice. Violence against

* Author is a Research Scholar at the PG Department of Law, Sambalpur University, Odisha, India.

women is defined as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life." It covers specific acts or behaviours as well as a continuum of deprivations and discrimination rooted in gender inequality. This includes crimes against women and girls, that is, legally recognised acts of violence such as rape, molestation, and physical abuse by a husband, as well as social and economic violations not captured by legal enactments.

Gordon Allport's intergroup contact theory, commonly known as the contact theory, was first introduced in 1954 in his book *The Nature of Prejudice*. The theory suggests that meaningful interaction between different groups reduces prejudice. When the factors causing gender-based violence are examined, the lack of interaction between boys and girls appears to increase stereotyping and objectification.

A. Gender socialisation theory

According to gender socialisation theory, gender socialisation is the lifelong process by which an individual learns and internalises the cultural norms, behaviour, and expectations associated with their perceived gender. It involves learning the socially approved behaviour, gender norms, values, and attitudes associated with a biological sex. The process begins in early childhood and occurs through the educational system, within the family unit, through interaction with peers, as enforced by figures of authority, and as learned from the consumption of mass media.

For example, children observe and imitate what is modelled before them with regard to how the genders are supposed to behave: gendered toys, the conduct of parents, gender roles in films, gendered hobbies, and gender roles in advertising.

B. Research objectives

This paper pursues the following objectives: to examine the role of gender socialisation in shaping attitudes towards women; to analyse the prevalence and causes of violence against women in India; to evaluate the effectiveness of the legal provisions protecting women from violence; and to suggest legal and policy reforms for preventing violence against women.

C. Research questions

The study addresses the following questions: How does gender socialisation contribute to violence against women? What role do patriarchy and gender stereotypes play in perpetuating violence? How effective is the Indian legal framework in addressing violence against women? What reforms are needed to address the root causes of gender-based violence?

D. Research methodology

This study adopts a doctrinal research methodology based on secondary sources such as constitutional provisions, statutes, judicial decisions, books, journal articles, government reports, NCRB data, and NFHS reports. It critically examines the relationship between gender socialisation, patriarchal norms, and violence against women, and evaluates the effectiveness of the existing legal framework in India.

II. VIOLENCE AGAINST WOMEN ACROSS THE LIFE CYCLE

Violence against women is not confined to a particular age, social class, or stage of life. Rather, it manifests in diverse forms throughout a woman's life cycle, beginning even before birth and continuing into old age.¹ This continuum of violence reflects deeply entrenched gender inequalities and discriminatory social norms that undermine the dignity, autonomy, and human rights of women and girls. The nature and severity of the violence may vary across different stages of life, but its underlying cause remains rooted in patriarchal structures and gender-based discrimination.²

A. Pre-birth stage

The cycle of violence often begins before a girl child is even born. One of the most extreme forms of gender discrimination at this stage is sex-selective abortion, in which a female foetus is deliberately terminated owing to a societal preference for male children. Such practices reflect the devaluation of women and girls and contribute significantly to skewed sex ratios in many societies.³

B. Infancy

During infancy, female children may face multiple forms of violence and neglect. These include female infanticide; emotional, physical, and sexual abuse; and discriminatory treatment in access to nutrition, healthcare, education, and parental care. In many communities, the survival and well-being of girl children are compromised owing to entrenched gender bias.⁴

C. Childhood

As girls enter childhood, they become vulnerable to a range of exploitative and abusive practices. Child marriage continues to deprive millions of girls of their childhood, education,

¹ Leela Visaria, *Violence Against Women in India: Evidence from Rural Gujarat*, ECON. & POL. WKLY. (2000).

² Prabha S. Chandra & Veena A. Satyanarayana, *Gender Disadvantage and Common Mental Disorders in Women*, 22(5) INT'L REV. PSYCHIATRY 421 (2010).

³ Sandra L. Martin et al., *Domestic Violence Across Generations: Findings from Northern India*, 31(3) INT'L J. EPIDEMIOLOGY 560 (2002).

⁴ *Id.*

and personal development. Girls are also exposed to sexual and psychological abuse by family members, relatives, and strangers. Other forms of violence include child prostitution, child pornography, and systematic discrimination in access to food, healthcare, and educational opportunities.⁵

D. Adolescence

Adolescence represents a particularly vulnerable period in which gender-based violence often intensifies. Young women may experience sexual harassment, molestation, eve-teasing, rape, kidnapping, and trafficking. Economic coercion may force girls into prostitution and pornography. Violence associated with pre-marital relationships, unintended pregnancies, and unsafe abortions further jeopardises their physical and mental well-being.⁶ Persistent discrimination in access to education, healthcare, and nutrition continues to hinder their development and empowerment.

E. Adulthood

In adulthood, women face some of the most visible and severe forms of gender-based violence. These include domestic violence, marital rape, dowry-related harassment and deaths, coerced pregnancies, abandonment, intimate partner violence, sexual harassment at the workplace, acid attacks, trafficking, forced prostitution, and pornography-related exploitation. Such violence not only affects women's physical and psychological health but also restricts their social, economic, and political participation.⁷

F. Old age

Violence against women does not end with advancing age. Elderly women often face neglect, emotional abuse, financial exploitation, and social isolation. Widows are particularly vulnerable to discrimination, property dispossession, and mistreatment. Many older women continue to live under the threat of sexual violence while experiencing limited access to healthcare, nutrition, social support, and medical facilities. These forms of abuse often remain hidden and underreported, making elderly women one of the most neglected groups in discussions of gender-based violence.

The persistence of violence against women across every stage of life demonstrates that gender-based violence is not merely a series of isolated incidents but a systemic and lifelong violation of human rights. Addressing this issue requires a life-cycle approach that recognises the unique

⁵ *Id.*

⁶ R.P. Dobash & R.E. Dobash, *Women's Violence to Men in Intimate Relationships: Working on a Puzzle*, 44(3) BRIT. J. CRIMINOLOGY 324 (2004).

⁷ Int'l Ctr. for Rsch. on Women, *Domestic Violence in India: Exploring Strategies, Promoting Dialogue* (2000).

vulnerabilities faced by women at different ages. Effective legal frameworks, gender-sensitive policies, education, social awareness, and robust institutional support are essential to eliminate violence and ensure that women can live with dignity, equality, and security throughout their lives.

III. PREVALENCE OF VIOLENCE AGAINST WOMEN ACROSS INDIA

Data published by the National Crime Records Bureau indicate a consistent increase in reported crimes against women in India over recent years. The total number of cases registered rose from 428,278 in 2021 to 445,256 in 2022, reaching 459,657 cases in 2023, the highest figure recorded in the preceding seven years. Compared with 2017, the number of reported crimes against women increased by approximately 27.7 per cent by 2023. This upward trend reflects the continuing prevalence of gender-based violence and discrimination in Indian society. While the rise in reported cases may partly indicate improved reporting and awareness among women, it also underscores the urgent need for stronger preventive measures, effective law enforcement, and comprehensive support systems for victims.⁸

According to the National Family Health Survey (2019–2021), the proportion of women who justified wife-beating for at least one specified reason declined from 52 per cent in NFHS-4 to 45 per cent in NFHS-5, a reduction of seven percentage points. In contrast, acceptance among men increased slightly from 42 per cent to 44 per cent during the same period. The survey also highlights significant socio-economic disparities. Acceptance of wife-beating is higher in rural areas than in urban areas and decreases with improvements in education and wealth. For instance, 53 per cent of women and 51 per cent of men with less than five years of schooling justified wife-beating, compared with 38 per cent of women and 39 per cent of men with twelve or more years of education. These findings suggest that educational attainment and socio-economic advancement are strongly associated with lower acceptance of domestic violence and more gender-equitable attitudes.⁹

Twenty-nine per cent of women aged 18–49 have experienced physical violence since the age of 15, and 6 per cent have ever experienced sexual violence in their lifetime. Three per cent of ever-pregnant women aged 18–49 have experienced physical violence during a pregnancy. Thirty-two per cent of ever-married women aged 18–49 have experienced physical, sexual, or emotional spousal violence. The most common type of spousal violence is physical violence

⁸ Nat'l Crime Records Bureau, *Crime in India 2023*, <https://www.ncrb.gov.in/crime-in-india-year-wise.html> (last visited June 14, 2026).

⁹ Int'l Inst. for Population Sciences & ICF, *National Family Health Survey (NFHS-5), 2019–21: India* 587, <https://dhsprogram.com/pubs/pdf/FR375/FR375.pdf> (last visited June 17, 2026).

(28 per cent), followed by emotional violence (14 per cent). Six per cent of ever-married women aged 18–49 have experienced spousal sexual violence. One-fourth of ever-married women aged 18–49 who have experienced spousal physical or sexual violence report having sustained physical injuries, including 7 per cent who have had eye injuries, sprains, dislocations, or burns, and 6 per cent who have had deep wounds, broken bones, broken teeth, or other serious injury. However, only 14 per cent of women who have experienced physical or sexual violence by anyone have sought help to stop the violence.¹⁰

Data from the National Family Health Survey (2021–2023) indicate that violence against women remains a significant concern in India. Among ever-married women aged 18–49 years, 17.5 per cent reported having experienced spousal violence, while the prevalence was notably higher among women of lower socio-economic status (24.4 per cent). The survey further reveals that 2.7 per cent of women aged 18–49 years experienced physical violence during pregnancy, with the prevalence reaching 3.1 per cent among vulnerable groups. Additionally, 0.4 per cent of young women aged 18–29 years in urban areas and 0.8 per cent overall reported experiencing sexual violence before the age of 18, highlighting the persistence of violence against girls and young women. These statistics demonstrate that domestic and gender-based violence continues to affect women across different stages of life, emphasising the need for stronger preventive, protective, and rehabilitative interventions.¹¹

IV. FACTORS THAT MAKE WOMEN VULNERABLE TO VIOLENCE

Violence against women is not merely the result of individual actions but is deeply rooted in social, cultural, economic, and institutional structures that perpetuate gender inequality. These factors create an environment in which discrimination, abuse, and violence against women are normalised, tolerated, or inadequately addressed.

A. Toxic masculinity and patriarchal norms

One of the most significant factors contributing to violence against women is the persistence of patriarchal social structures and toxic notions of masculinity. Patriarchy places men in positions of power and authority while expecting women to remain submissive and dependent. From an early age, boys and girls are often socialised into rigid gender roles that reinforce male dominance and female subordination.¹²

¹⁰ *Id.* at 639.

¹¹ Ministry of Health & Family Welfare, *National Family Health Survey (NFHS-6), 2021–23* 6, <https://www.mohfw-dohfw.gov.in/static/uploads/2026/05/111ff4a13ca36b5cabb7f94aec5bb0ce.pdf> (last visited June 17, 2026).

¹² Leela Visaria, *Violence Against Women in India: Evidence from Rural Gujarat*, ECON. & POL. WKLY. (2000).

Toxic masculinity promotes the belief that men must demonstrate strength, aggression, control, and emotional dominance to affirm their masculinity. Such attitudes foster a sense of male entitlement, in which men perceive women as subordinate and believe they have the right to control their choices, mobility, sexuality, and behaviour.¹³ This culture of dominance frequently manifests in domestic violence, sexual harassment, coercive control, and other forms of gender-based violence.

Patriarchal norms also perpetuate misogyny, which involves prejudice, hostility, or contempt towards women. Misogynistic beliefs normalise discriminatory practices and create social environments in which violence against women is excused, minimised, or justified. Consequently, violence becomes a tool for maintaining traditional gender hierarchies and enforcing conformity to prescribed gender roles.¹⁴

B. Objectification of women

Another critical factor that increases women's vulnerability to violence is the objectification of women, whereby women are viewed primarily as objects rather than as equal individuals. Objectification occurs when women are regarded primarily in terms of their physical appearance, sexuality, or utility to others, rather than as autonomous individuals possessing equal dignity, rights, and agency. The objectification of women is reinforced through various social institutions, including the media, advertising, entertainment industries, and digital platforms, where women are frequently portrayed as commodities or objects of male desire. Such portrayals contribute to the dehumanisation of women by reducing their identity to their bodies and physical attributes.¹⁵

When women are perceived as objects rather than as equal human beings, acts of harassment, exploitation, and violence become easier to justify. Objectification fosters attitudes that diminish respect for women's consent, bodily autonomy, and personal dignity.¹⁶ It also contributes to the normalisation of sexual harassment, stalking, trafficking, pornography-related exploitation, and other forms of sexual violence.

Moreover, objectification places immense pressure on women to conform to unrealistic beauty standards, often leading to psychological distress, reduced self-worth, and increased vulnerability to manipulation and abuse. By undermining women's individuality and autonomy,

¹³ *Id.*

¹⁴ Vijayendra Rao & Francis Bloch, *Wife Beating, Its Causes and Its Implications for Women's Welfare and Household Decisions* (World Bank Policy Rsch. Working Paper, 2002).

¹⁵ Int'l Ctr. for Rsch. on Women, *Domestic Violence in India: Exploring Strategies, Promoting Dialogue* (2000).

¹⁶ Suneeta Krishnan, *Do Structural Inequalities Contribute to Marital Violence? Ethnographic Evidence from Rural South India*, 11(6) VIOLENCE AGAINST WOMEN 759 (2005).

objectification creates conditions that facilitate gender-based violence and reinforce broader systems of inequality.¹⁷

V. LEGAL FRAMEWORK

India has developed a comprehensive legal and constitutional framework aimed at protecting women from discrimination, violence, and exploitation. Despite this, violence against women remains a persistent social reality. The gap between legal guarantees and actual implementation raises significant concerns regarding the effectiveness of the existing framework.

A. Constitutional safeguards

The Constitution of India lays the foundation for gender justice through Articles 14, 15, and 21. Article 14 guarantees equality before the law and equal protection of the laws, ensuring that women are entitled to the same legal rights and protections as men.¹⁸ Article 15(1) prohibits discrimination on the ground of sex, while Article 15(3) empowers the State to make special provisions for women and children.¹⁹ Article 21, which guarantees the right to life and personal liberty, has been judicially expanded to include the rights to dignity, privacy, bodily autonomy, and reproductive choice.²⁰ While these constitutional provisions provide a robust normative framework, their practical realisation remains uneven. Structural inequalities, patriarchal attitudes, and socio-economic barriers often prevent women from effectively exercising their constitutional rights. The persistence of gender-based violence despite constitutional guarantees demonstrates that legal equality alone cannot eliminate deeply entrenched social discrimination.

B. Protection of Women from Domestic Violence Act, 2005

The Protection of Women from Domestic Violence Act (PWDVA), 2005, marked a significant shift from viewing domestic violence solely as a criminal matter to recognising it as a violation of women's human rights. The Act provides protection against physical, sexual, verbal, emotional, and economic abuse, and offers civil remedies such as protection orders, residence orders, monetary relief, and custody arrangements.

Despite its progressive nature, the implementation of the Act has faced numerous challenges. Protection Officers are often inadequately trained and overburdened, shelters and support services remain insufficient, and delays in judicial proceedings reduce the effectiveness of the remedies provided. Furthermore, many women, particularly those in rural areas, remain

¹⁷ Sunita Kishor & Kiersten Johnson, *Profiling Domestic Violence: A Multi-Country Study* (ORC Macro 2004).

¹⁸ INDIA CONST. art. 14.

¹⁹ INDIA CONST. art. 15.

²⁰ INDIA CONST. art. 21.

unaware of the protections available under the Act. Social stigma and economic dependence also discourage victims from seeking legal assistance.²¹

C. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

The Sexual Harassment of Women at Workplace Act was enacted following the principles established in the landmark case of *Vishaka v. State of Rajasthan*.²² The Act mandates the establishment of Internal Committees and Local Committees to investigate complaints and ensure a safe working environment for women.

The legislation represents a significant step towards workplace gender equality. However, its effectiveness is constrained by poor implementation. Many organisations, especially in the informal sector, fail to establish Internal Committees or conduct awareness programmes. Women often hesitate to report incidents owing to fear of retaliation, victim-blaming, professional repercussions, or damage to their reputation. The Act also inadequately addresses the intersectional discrimination faced by women belonging to marginalised communities, and does not fully account for emerging forms of harassment in virtual and remote work environments.²³

D. Bharatiya Nyaya Sanhita, 2023

The Bharatiya Nyaya Sanhita (BNS), 2023, replaced the Indian Penal Code, 1860, and retains several provisions aimed at protecting women from offences such as rape, sexual assault, stalking, voyeurism, acid attacks, trafficking, and cruelty by husbands or relatives.

The introduction of the BNS was intended to modernise India's criminal justice framework. However, several concerns have emerged. Critics argue that the legislation largely reproduces existing provisions without substantially addressing systemic issues affecting women. One significant limitation is the continued absence of explicit recognition of marital rape as a criminal offence where the wife is above the statutory age threshold. This exception has been widely criticised as inconsistent with the constitutional principles of bodily autonomy, dignity, and equality.

Additionally, criminal law reforms tend to focus on punitive measures rather than preventive strategies. Increased punishments alone may not effectively reduce violence against women

²¹ The Protection of Women from Domestic Violence Act, 2005, No. 43, Acts of Parliament, 2005 (India), § 3.

²² *Vishaka v. State of Rajasthan*, (1997) 6 SCC 241 (India).

²³ The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, No. 14, Acts of Parliament, 2013 (India), § 3.

unless accompanied by improvements in investigation, victim support services, witness protection mechanisms, and gender-sensitive policing.²⁴

E. National Education Policy, 2020

The National Education Policy (NEP) 2020 recognises education as a transformative tool for achieving gender equality. The policy promotes inclusive education, gender sensitisation, increased female enrolment, and the reduction of gender disparities through initiatives such as the Gender Inclusion Fund.

The policy's emphasis on empowerment through education is commendable, as education can challenge patriarchal stereotypes and foster gender-sensitive attitudes. However, the policy remains largely aspirational and lacks specific enforcement mechanisms to ensure effective implementation. Persistent issues such as school dropouts among girls, child marriage, inadequate sanitation facilities, digital exclusion, and regional disparities continue to hinder educational access. Moreover, the policy does not sufficiently integrate the comprehensive gender education and awareness programmes that could directly address the root causes of violence against women.²⁵

F. Other significant laws for the protection of women in India

Dowry Prohibition Act, 1961. The Dowry Prohibition Act criminalises the giving, taking, and demanding of dowry. It was enacted to address the dowry-related harassment, cruelty, and deaths that continue to affect thousands of women annually. Despite its strict provisions, dowry practices remain deeply embedded in social custom. Underreporting, social pressure, and difficulties in proving dowry demands often limit the effectiveness of the Act.²⁶

Prohibition of Child Marriage Act, 2006. This Act seeks to prevent child marriages and provides legal remedies to victims. It declares certain child marriages voidable and prescribes punishment for those facilitating such marriages. Child marriage remains prevalent in several regions owing to poverty, lack of education, and weak enforcement mechanisms. Many marriages go unreported because they are socially accepted within communities.²⁷

Immoral Traffic (Prevention) Act, 1956. The Act aims to combat human trafficking and the commercial sexual exploitation of women and children by criminalising activities such as procuring, detaining, and trafficking persons for prostitution. Critics argue that the law often

²⁴ The Bharatiya Nyaya Sanhita, 2023, No. 45, Acts of Parliament, 2023 (India), §§ 63–79.

²⁵ Ministry of Education, *National Education Policy 2020* § 6.8 (Gov't of India 2020), https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf (last visited June 19, 2026).

²⁶ The Dowry Prohibition Act, 1961, No. 28, Acts of Parliament, 1961 (India), §§ 3–4.

²⁷ The Prohibition of Child Marriage Act, 2006, No. 6, Acts of Parliament, 2007 (India).

focuses on penalising individuals involved in prostitution rather than addressing the socio-economic factors and organised criminal networks responsible for trafficking.²⁸

Indecent Representation of Women (Prohibition) Act, 1986. This legislation prohibits the depiction of women in an indecent or derogatory manner through advertisements, publications, writings, paintings, and other forms of media. The Act struggles to address the modern challenges arising from social media, digital platforms, and online content, making enforcement increasingly difficult.²⁹

Maternity Benefit Act, 1961. The Act safeguards the employment rights of pregnant women and provides maternity leave and related benefits to promote maternal health and workplace equality. The legislation primarily benefits women in the formal sector, while a significant number of women employed in the informal economy remain outside its effective coverage.³⁰

Medical Termination of Pregnancy Act, 1971 (as amended in 2021). The Act allows women access to safe and legal abortion under specified circumstances and recognises reproductive autonomy as an essential component of women's rights. Rural women continue to face barriers in accessing safe abortion services owing to inadequate healthcare infrastructure, stigma, and shortages of trained medical practitioners.³¹

Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994. The PCPNDT Act prohibits sex selection before and after conception and seeks to prevent female foeticide. Despite the legislation, illegal sex determination practices continue in some areas owing to weak monitoring and deeply rooted son preference.³²

Protection of Children from Sexual Offences (POCSO) Act, 2012. The POCSO Act provides comprehensive protection to children from sexual abuse, harassment, and exploitation. Although gender-neutral in design, its implementation challenges include delayed trials, low conviction rates, and concerns regarding the criminalisation of consensual adolescent relationships.³³

National Commission for Women Act, 1990. The Act established the National Commission for Women (NCW) as a statutory body to review constitutional and legal safeguards, address

²⁸ The Immoral Traffic (Prevention) Act, 1956, No. 104, Acts of Parliament, 1956 (India).

²⁹ The Indecent Representation of Women (Prohibition) Act, 1986, No. 60, Acts of Parliament, 1986 (India).

³⁰ The Maternity Benefit Act, 1961, No. 53, Acts of Parliament, 1961 (India).

³¹ The Medical Termination of Pregnancy Act, 1971, No. 34, Acts of Parliament, 1971 (India), as amended by The Medical Termination of Pregnancy (Amendment) Act, 2021, No. 8, Acts of Parliament, 2021 (India).

³² The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, No. 57, Acts of Parliament, 1994 (India).

³³ The Protection of Children from Sexual Offences Act, 2012, No. 32, Acts of Parliament, 2012 (India).

grievances, and recommend reforms concerning women's rights. However, the Commission's recommendations are largely advisory and lack binding enforcement powers, which limits its effectiveness.³⁴

G. State-specific safeguards

Apart from the constitutional safeguards and central legislation, several State Governments have enacted special laws, policies, and welfare schemes to address region-specific forms of violence and discrimination against women. These include laws targeting practices such as witch-hunting, human trafficking, child marriage, honour-based violence, and the exploitation of women in vulnerable communities. For instance, States such as Odisha, Jharkhand, Bihar, Assam, Rajasthan, and Chhattisgarh have introduced specific legal and policy measures to combat witch-branding and related atrocities against women. Additionally, various state-level women's commissions, helplines, shelter homes, victim compensation schemes, and gender-sensitive policing initiatives have been established to strengthen protection mechanisms. While these state-specific interventions reflect a growing recognition of the local challenges faced by women, their effectiveness often remains constrained by inadequate implementation, limited resources, lack of awareness, and persistent socio-cultural barriers. Consequently, despite the existence of numerous central and state laws, ensuring meaningful protection for women continues to require stronger enforcement, institutional accountability, and sustained social reform.³⁵

India has also adopted various legislative and policy measures to address violence against women and to support survivors. Key initiatives include the One Stop Centre (Sakhi) Scheme, which provides integrated services such as legal aid, counselling, medical assistance, and temporary shelter; Mission Shakti, aimed at women's safety and empowerment; the 181 Women Helpline service; and Fast Track Special Courts established to expedite trials involving sexual offences.³⁶

VI. SUGGESTIONS AND WAY FORWARD

Violence against women cannot be effectively addressed through legal sanctions alone. The findings of this study indicate that gender-based violence is deeply rooted in patriarchal socialisation, gender stereotypes, the objectification of women, and unequal power relations. A comprehensive and preventive approach is therefore required.

³⁴ The National Commission for Women Act, 1990, No. 20, Acts of Parliament, 1990 (India).

³⁵ Kersti Yllo, *Through a Feminist Lens: Gender, Power and Violence*, 11(1) VIOLENCE AGAINST WOMEN 15 (2005).

³⁶ Ministry of Women & Child Development, *Mission Shakti: Guidelines for Implementation*.

First, gender-sensitive education should be integrated into school curricula from an early age. Gender equality and respect for women should be taught throughout schooling, and educational institutions should actively challenge harmful stereotypes and promote healthy interactions between boys and girls to reduce prejudice and objectification.

Second, the implementation of existing laws should be strengthened. While India possesses an extensive legal framework for the protection of women, weak implementation remains a major challenge. Regular monitoring, capacity-building of law enforcement agencies, and greater institutional accountability are necessary to ensure effective enforcement of protective laws.

Third, gender sensitisation programmes should be promoted. Mandatory gender-sensitisation programmes should be conducted in schools, colleges, workplaces, police departments, and public institutions to address toxic masculinity, misogyny, and discriminatory attitudes towards women.

Fourth, access to victim support services should be improved. The availability of One Stop Centres, shelter homes, counselling facilities, legal aid, and rehabilitation programmes should be expanded, particularly in rural and underserved areas, with special attention to survivors of domestic violence and sexual offences.

Fifth, the underreporting of violence should be addressed. Since only a small proportion of women seek help after experiencing violence, awareness campaigns must be strengthened to encourage reporting and reduce the social stigma associated with seeking legal remedies.

Sixth, digital and media regulation should be strengthened. Given the growing influence of digital platforms in shaping social attitudes, stricter measures should be adopted to prevent the objectification and indecent representation of women in media, advertising, and online spaces.

Seventh, the focus should shift from mere punishment to prevention. Criminal justice reforms should move beyond punitive approaches and prioritise prevention through community engagement, awareness programmes, gender-equitable socialisation, and behavioural change initiatives.

Achieving substantive gender justice requires a multidimensional approach that combines legal reform, educational intervention, social transformation, and institutional accountability. Future policies should focus on dismantling patriarchal norms, promoting gender-equal socialisation, enhancing women's access to education and economic opportunities, and strengthening support systems for survivors. The State, educational institutions, civil society organisations, families, and communities must work collectively to create an environment in which women can live free from violence, discrimination, and fear. Only through sustained social and legal

transformation can the constitutional promise of equality, dignity, and freedom for women be fully realised.

VII. CONCLUSION

The Indian legal framework demonstrates a strong commitment to protecting women's rights through constitutional guarantees, statutory protections, criminal law reforms, and educational policies. Nevertheless, the persistence of gender-based violence reveals a significant implementation deficit. Laws alone cannot transform social realities unless supported by effective enforcement, institutional accountability, public awareness, economic empowerment, and changes in societal attitudes.³⁷

A major weakness of the current framework is its reactive nature. Most laws focus on responding to violence after it has occurred rather than preventing it through early intervention, gender-sensitive education, community engagement, and social reform. Furthermore, fragmented implementation, judicial delays, underreporting, lack of victim support services, and inadequate gender sensitisation among law enforcement agencies continue to undermine the effectiveness of these legal protections.³⁸

India's legal framework for addressing violence against women is extensive and progressive in principle. However, the persistence of violence across all stages of a woman's life demonstrates that legal provisions alone are insufficient. Strengthening implementation mechanisms, recognising emerging forms of gender-based violence, criminalising existing legal gaps such as marital rape, improving institutional accountability, and fostering societal transformation are essential for achieving substantive gender justice.³⁹ Only through a holistic approach that combines law, policy, education, and social change can the constitutional promise of equality and dignity for women be fully realised.

VIII. BIBLIOGRAPHY

1. T. Abramsky et al., *What Factors Are Associated with Recent Intimate Partner Violence? Findings from the WHO Multi-Country Study on Women's Health and Domestic Violence*, 11 BMC PUB. HEALTH 109 (2011).
2. Gordon W. Allport, *The Nature of Prejudice* (Addison-Wesley 1954).

³⁷ Lori L. Heise, *Violence Against Women: An Integrated, Ecological Framework*, 4(3) VIOLENCE AGAINST WOMEN 262 (1998).

³⁸ Rachel Jewkes, *Intimate Partner Violence: Causes and Prevention*, 359(9315) THE LANCET 1423 (2002).

³⁹ Michael Flood & Bob Pease, *Factors Influencing Attitudes to Violence Against Women*, 10(2) TRAUMA, VIOLENCE, & ABUSE 125 (2009).

3. Simone de Beauvoir, *The Second Sex* (H.M. Parshley trans., Vintage Books 2011).
4. Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (Routledge 1990).
5. Prabha S. Chandra & Veena A. Satyanarayana, *Gender Disadvantage and Common Mental Disorders in Women*, 22(5) INT'L REV. PSYCHIATRY 421 (2010).
6. R.W. Connell, *Masculinities* (2d ed., Polity Press 2005).
7. R.W. Connell, *The Social Organization of Masculinity*, in *Theorizing Masculinities* 67 (Harry Brod & Michael Kaufman eds., SAGE 1994).
8. R.E. Dobash & R.P. Dobash, *Violence Against Wives: A Case Against the Patriarchy* (Free Press 1979).
9. R.P. Dobash & R.E. Dobash, *Women's Violence to Men in Intimate Relationships: Working on a Puzzle*, 44(3) BRIT. J. CRIMINOLOGY 324 (2004).
10. Michael Flood & Bob Pease, *Factors Influencing Attitudes to Violence Against Women*, 10(2) TRAUMA, VIOLENCE, & ABUSE 125 (2009).
11. Claudia Garcia-Moreno et al., *Prevalence of Intimate Partner Violence: Findings from the WHO Multi-Country Study on Women's Health and Domestic Violence*, 368(9543) THE LANCET 1260 (2006).
12. Lori L. Heise, *Violence Against Women: An Integrated, Ecological Framework*, 4(3) VIOLENCE AGAINST WOMEN 262 (1998).
13. bell hooks, *Feminism is for Everybody: Passionate Politics* (South End Press 2000).
14. Int'l Ctr. for Rsch. on Women, *Domestic Violence in India: Exploring Strategies, Promoting Dialogue* (2000).
15. Shireen J. Jejeebhoy, *Associations Between Wife-Beating and Fetal and Infant Death: Impressions from Rural India*, 29(3) STUD. FAM. PLAN. 300 (1998).
16. Rachel Jewkes, *Intimate Partner Violence: Causes and Prevention*, 359(9315) THE LANCET 1423 (2002).
17. Ameeta Kalokhe et al., *Domestic Violence Against Women in India: A Systematic Review of a Decade of Quantitative Studies*, 12(4) GLOBAL PUB. HEALTH 498 (2017).
18. Ravneet Kaur & Suneela Garg, *Addressing Domestic Violence Against Women: An Unfinished Agenda*, 33(2) INDIAN J. CMTY. MED. 73 (2008).

19. Michael S. Kimmel, *The Gendered Society* (Oxford Univ. Press 2017).
20. Michael S. Kimmel, *Masculinity as Homophobia: Fear, Shame and Silence in the Construction of Gender Identity*, in *Theorizing Masculinities* 119 (Harry Brod & Michael Kaufman eds., SAGE 1994).
21. Sunita Kishor & Kiersten Johnson, *Profiling Domestic Violence: A Multi-Country Study* (ORC Macro 2004).
22. Michael A. Koenig et al., *Individual and Contextual Determinants of Domestic Violence in North India*, 96(1) AM. J. PUB. HEALTH 132 (2006).
23. Suneeta Krishnan, *Do Structural Inequalities Contribute to Marital Violence? Ethnographic Evidence from Rural South India*, 11(6) VIOLENCE AGAINST WOMEN 759 (2005).
24. Etienne G. Krug et al., *World Report on Violence and Health* (World Health Org. 2002).
25. Catharine A. MacKinnon, *Toward a Feminist Theory of the State* (Harvard Univ. Press 1989).
26. Sandra L. Martin et al., *Domestic Violence Across Generations: Findings from Northern India*, 31(3) INT'L J. EPIDEMIOLOGY 560 (2002).
27. Ruchira T. Naved & Lars Ake Persson, *Factors Associated with Spousal Physical Violence Against Women in Bangladesh*, 36(3) STUD. FAM. PLAN. 289 (2005).
28. Martha C. Nussbaum, *Sex and Social Justice* (Oxford Univ. Press 1999).
29. Pradeep Panda & Bina Agarwal, *Marital Violence, Human Development and Women's Property Status in India*, 33(5) WORLD DEV. 823 (2005).
30. Vijayendra Rao, *Wife-Beating in Rural South India: A Qualitative and Econometric Analysis*, 44(8) SOC. SCI. & MED. 1169 (1997).
31. Vijayendra Rao & Francis Bloch, *Wife Beating, Its Causes and Its Implications for Women's Welfare and Household Decisions* (World Bank Policy Rsch. Working Paper, 2002).
32. Corinne H. Rocca et al., *Challenging Assumptions About Women's Empowerment: Social and Economic Resources and Domestic Violence Among Young Married Women in Urban South India*, 38(2) INT'L J. EPIDEMIOLOGY 577 (2009).
33. Christine Skelton, Becky Francis & Lisa Smulyan eds., *The SAGE Handbook of Gender and Education* (SAGE 2006).

34. Rebecca Solnit, *Men Explain Things to Me* (Haymarket Books 2014).
35. Evan Stark, *Re-Presenting Battered Women: Coercive Control and the Defense of Liberty* 15(11) VIOLENCE AGAINST WOMEN 1509 (2009).
36. UNESCO, *Global Education Monitoring Report: Gender Report* (UNESCO Publishing).
37. UN Women, *A Framework to Underpin Action to Prevent Violence Against Women* (UN Women 2015).
38. Leela Visaria, *Violence Against Women in India: Evidence from Rural Gujarat*, ECON. & POL. WKLY. (2000).
39. Seema Vyas & Charlotte Watts, *How Does Economic Empowerment Affect Women's Risk of Intimate Partner Violence in Low and Middle-Income Countries?*, 21(5) J. INT'L DEV. 577 (2009).
40. Sylvia Walby, *The Cost of Domestic Violence* (Women & Equality Unit 2004).
41. Kersti Yllo, *Through a Feminist Lens: Gender, Power and Violence*, 11(1) VIOLENCE AGAINST WOMEN 15 (2005).
