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Assault on Women: Right of Private Defense against Domestic Violence in Naypyitaw Union Territory

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Abstract

Due to traditional and cultural conventions, social practises, and a lack of legal awareness in Myanmar, most women do not protect the victims of domestic abuse from the offenders. Domestic violence is defined as the purposeful use of physical, mental, or sexual force in an intimate or domicile relationship, whether actual or threatened. The research seeks to identify ineffective laws and norms for preventing domestic violence, which can lead to physical assault. On July 22, 1997, Myanmar adopted the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). However, Myanmar's existing laws remain incompatible with CEDAW and incompatible with the implementation and protection of women's rights. Furthermore, it fails to meet CEDAW requirements for defining and directing prohibition. Although the Penal Code contains provisions dealing to assault and the increasing realisation of women's rights, Myanmar lacks particular legislation relating to domestic abuse against women. Domestic violence conditions, facts, and case studies will be presented in this research project based on data from the Ministry of Social Welfare Relief and Resettlement, the Ministry of Legal Affairs, the Myanmar Women's Affairs Federation, the Supreme Court of the Union, and other Township Courts in Naypyidaw Union Territory. In addition, private interviews will be done in the relevant department with women over the age of 18 and their relevant environment, as effective survey questions regarding domestic violence. Therefore, particular legislation should be addressed to safeguard the right to live free from domestic abuse and discrimination against women.

Keywords: assault, domestic violence, women's rights, violence against women, Myanmar existing laws

Introduction

Domestic violence is a global issue and is employed to intimidate, humiliate, or scare the victim. Men primarily use it against their intimate partners, such as present or previous wives, girlfriends, or dating partners. Domestic violence can involve either a single violent incident or a series of abusive actions characterized by assaultive and controlling behavior. There are four types of domestic violence; physical, emotional/psychological, sexual and economic/controlling. The main focus of this study is on definitions relating to domestic violence, the causes of domestic violence, and the legal framework for the protection of domestic violence under international and national law. Furthermore, the perpetrators and the victims connect the commission of the crime factor in the situation of domestic violence.

Research Objectives

This study aims to examine the legal framework governing domestic violence in Myanmar and assess its compatibility with international standards, particularly the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). It seeks to identify gaps and inefficiencies in Myanmar's existing laws related to domestic violence and their enforcement mechanisms. Additionally, the research will explore the social, cultural, and legal factors that contribute to the prevalence of domestic violence, with a focus on how traditional norms and a lack of legal awareness impact women's ability to seek justice. By analyzing case studies and statistical data from relevant ministries, courts, and women's organizations, the study will assess the effectiveness of legal protections and support systems available to victims. Furthermore, it will investigate the role of government institutions and non-governmental organizations (NGOs) in addressing domestic violence and assisting survivors. The findings will help evaluate the level of legal awareness among women regarding their rights and the legal remedies available to them. Ultimately, this research aims to propose legal and policy recommendations to strengthen protections against domestic violence, ensuring Myanmar's legal framework aligns with international human rights standards and effectively safeguards women's rights.

Research Method

This study employs a mixed-methods approach, integrating both quantitative and qualitative research through doctrinal analysis and empirical data collection. It draws from primary and secondary sources, including national and international laws, research articles, and journals related to domestic violence against women. Data is gathered from Naypyitaw Union Territory through interviews with 24 legal professionals and 66 clients using unstructured and mail questionnaires. The research examines women's experiences with physical violence, attitudes toward gender roles, offenders' mindsets, cultural causes of domestic violence, and coping mechanisms. A sample of 66 families was randomly selected to analyze the prevalence and impact of domestic violence, focusing on the forms of abuse, victim responses, and perpetrator behavior.

Research Questions

1. Can the legislative system adequately address domestic abuse against women?
2. Should severe punishment be applied to the criminals to stop this domestic violence against women?

3. How does the state prevent individuals from becoming perpetrators and victims of domestic abuse against women?

Definitions Relating to Domestic Violence

Domestic violence can include economic deprivation and isolation and such conduct may cause imminent harm to the safety, health, or well-being of women. (Assembly, 2004)

Violence against women means any act of gender-based violence 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 private life. (Declaration on the Elimination of Violence against Women, Article 1, 1993)

The United Nations General Assembly defines "violence against women" as "any act of gender-based violence that results in, or is likely or result in, physical, sexual or mental harm or suffering or women, including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or in public life. (Prevention of Violence Against Women Draft, Myanmar, 2020) Domestic violence means that intimate or family members do violence to women. There is no direct definition of the term of domestic violence in International Conventions but it is included in the Prevention of Violence Against Women Draft, Myanmar, 2020.

The Causes of the Domestic Violence

Both the root causes and contributing factors of domestic violence are important to address, prevent, and mitigate Gender-Based Violence (GBV) risks. (A Resource Book on Animate Partner Violence for United Nations Staff in Myanmar, 2020) In Myanmar society, boys are taught to be brave, dominant, and aggressive. They regard household chores are concerned with women entirely and not the men's business. Women are taught to be gentle and polite, to do the housework, and to be strictly faithful to their husbands. Until recently, domestic violence was considered largely as a private matter and hidden as a shameful secret. Since there are no official statistics on the problem, it is difficult to estimate any figures. However, in 1996, the Myanmar government created a national committee called the "Myanmar National Committee for Women Affairs" (MNCWA). Findings from the MNCWA survey indicated that the main causes of violence in Myanmar are financial problems, alcohol, disharmony with in-laws, and adultery. Other causes are unemployment, lack of education, early marriage, and large family size. (Lay, 2009)

Domestic Violence under International Law

Domestic violence is recognized in international law as a violation of human rights. Everyone has the right to life, liberty, and security of person (Article 3) and no one shall be subjected to torture or cruel, inhuman, or degrading treatment or punishment. (Article 5) Moreover, the Sustainable Development Goals of Goal 5 recognize that gender equality is not only a fundamental human right but also a necessary foundation for a peaceful, prosperous, and sustainable world. (Meyersfeld, 2010)

At the international level, protection against domestic violence against women involves a combination of legal frameworks, conventions, and initiatives aimed at preventing, addressing, and eradicating violence. (Meyersfeld, Domestic Violence and International Law, 2010) The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is an

international treaty adopted by the United Nations General Assembly in 1979. Myanmar acceded to “the Convention on the Elimination of All Forms of Discrimination against Women” (CEDAW) on July 22, 1997, to promote women’s equality with men and protect them from violence. (<https://asiapacific.unwomen.org>, n.d.)

CEDAW is a landmark treaty that addresses violence against women, including domestic violence. It is a form of discrimination against women and obliges state parties to take measures to eliminate such violence. It defines discrimination against women and sets out an agenda for national action to end such discrimination. (Committee on the Elimination of All Forms of Discrimination against Women General recommendation, 1999)

Article (2) mandates countries to condemn discrimination in all its forms and to ensure a legal framework, including all laws, policies, and practices that provide protection against discrimination and embody the principle of equality. (Article 2, 1979) Thus, women have the right to be treated equally under the law and to be protected by the law without discrimination. Article 4(c) imposes a duty upon states to exercise due diligence to prevent, investigate, and under national legislation, punish acts of violence against women, whether those acts are perpetrated by the state or by private persons. States Parties are required to take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular, shall ensure, on a basis of equality of men and women. (Article 2, 1979)

In 1992, the CEDAW Committee issued General Recommendation No. 19. The general recommendation makes clear that “states may be responsible for private acts if they fail with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation”. In this General Recommendation, gender-based violence is a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms based on equality with men. (Article 1) Regardless of whether those provisions expressly mention violence, gender-based violence may breach specific provisions of the Convention. (Article 6)

In gender-based violence, a woman is “more likely to be assaulted, injured, raped, or killed by a male partner than by any other type of assailant”. (Stanley G. French, 1998) These are found in a family context where a bride or wife and her family are normally abused by violent in-laws. Emotional and physical violence between husbands and wives and their families is socially patterned and strongly backed by cultural norms. General Recommendation No. 19 acknowledges that family violence is a particularly harmful type of violence against women within the context of gender-based violence. It is widespread in all communities. Women of all ages within familial connections experience many forms of violence, such as battering, rape, sexual assault, mental abuse, and other types of violence, which are fueled by conventional beliefs. Many women are compelled to remain in abusive marriages due to their lack of financial autonomy. These forms of violence put women’s health at risk and impair their ability to participate in family life and public life based on equality. (Article 23)

General Recommendation No. 19 focuses on violence against women, particularly domestic violence. It highlights that gender-based violence is a type of discrimination that undermines or eliminates women’s human rights and basic freedoms. To further clarify, the Declaration on the Elimination of Violence Against

Women was issued by the UN General Assembly in 1993. It defines violence against women as “any act of gender-based violence 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.” (United Nations, n.d.) It was the first international instrument explicitly addressing violence against women, providing a framework for national and international action. (UN Women, n.d.) States are required to periodically assess and report on the actions they have taken to put the declaration into effect. The proclamation urges nations to examine and, if needed, modify current laws, rules, and practices to align with international human rights norms when dealing with violence against women. It offers a structure for developing national laws, policies, and initiatives to prevent and combat violence against women.

On 14 July 2017, the CEDAW Committee adopted General Recommendation No. 35 on gender-based violence against women, updating General Recommendation No. 19. (United Nations Human Rights Office of the High Commissioner, n.d.) Accordingly, in the present recommendation, the term “gender-based violence against women” is used as a more precise term that makes explicit the gendered causes and impacts of the violence. The term further strengthens the understanding of violence as a social rather than an individual problem, requiring comprehensive responses, beyond those to specific events, individual perpetrators, and victims/survivors. (Para 9, 2017) This General Recommendation emphasizes some significant conceptual advancement in how it frames gender-based violence and the scope of the issues brought within its ambit.

On December 22, 2003, the United Nations General Assembly adopted Resolution 58/147. This resolution addresses the issue of domestic violence, recognizing it as a serious violation of women’s human rights and a barrier to gender equality. It calls for concerted efforts at the international, regional, and national levels to prevent and eliminate domestic violence.

The resolution acknowledges domestic violence as a pervasive human rights violation that affects women worldwide. It calls on governments, international organizations, and civil society to take effective measures to prevent and eliminate domestic violence. The resolution emphasizes the importance of supporting victims of domestic violence through legal, social, and healthcare services. It encourages states to review and reform their legal frameworks to ensure that they address and penalize domestic violence effectively. The resolution underscores the significance of awareness-raising campaigns and educational programs to challenge societal attitudes that perpetuate domestic violence. It promotes international cooperation to share best practices, information, and resources in the efforts to eliminate domestic violence. The resolution calls on states to implement existing international human rights instruments that address gender-based violence, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). It encourages states to include information on measures taken to address domestic violence in their periodic reports to relevant UN bodies. (General Assembly, 2003)

Domestic violence is also relevant to the Sustainable Development Goals (SDGs) as it intersects with various aspects of development, human rights, and well-being. In the Sustainable Development Goals (SDGs), it is contained to achieve gender equality and

empower all women and girls, including targets related to ending violence against women and girls. Domestic violence is particularly relevant to the goal 5. It specifically targets gender equality, aiming to eliminate all forms of violence and discrimination against women and girls. (Sustainable Development Goals, Goal 5) Thus, SDGs provide a framework for countries to work towards the prevention and elimination of domestic violence. Efforts to eliminate domestic violence contribute not only to individual well-being but also to broader societal and global goals related to sustainable development.

Despite the traction on addressing violence against women and girls, implementation challenges remain. These include inadequate laws, conventional attitudes, institutional capacity deficits in rights-compliant policy-making and implementation, poor accountability and community mobilization, women's inadequate rights-exercising capacities, and poor multi-sector coordination. These challenges often require coordinated efforts among countries, international organizations, and civil society to address them effectively. Efforts are needed to strengthen legal frameworks, improve support services for survivors, and challenge cultural norms that perpetuate violence. To effectively address the challenges, the international community must prioritize cooperation, engage in dialogue, and commit to shared goals.

Domestic Violence under National Laws

Traditionally, and continuing to the present, Myanmar also recognized men's superiority over women. The Dhammathats is known as customary disciplines. (Maung, 1963) As a significant example of men's power over women, the Dhammathats recognized the husband's power of moderate chastisement with a light cane or split bamboo to his wife.

In Myanmar customary law, a divorce is now granted to a wife, on the terms of a divorce by mutual consent, and on proof of a single act of cruelty on the part of the husband.

In the case of *Daw Sandar Swe Vs U Thein Win case, 2016 M.L.R, p-72*, the accused committed the rape of their minor daughter. Serious mental illness is the outcome of this. The offender was punished with cruelty. In the *U Myo Myint vs. . Dr. Khin May Kyi case, HC, 1968*, the gentlewoman was frequently beaten on a chick. It amounted to the commission of cruelty. (Aung, 2019)

Under the Myanmar Customary Law there are mainly three kinds of divorce. They are divorce by mutual consent; divorce by husband's entry into the priesthood; and divorce on account of matrimonial fault. There is no need to emphasize the first two factors of divorce for this paper. Regarding with matrimonial fault to claim for divorce, there are two kinds of matrimonial fault: namely, ordinary matrimonial faults and grievous or serious matrimonial faults. Under ordinary matrimonial fault there are misrepresentations, adultery on the part of the husband, desertion, and ordinary cruelty. Adultery on the part of the wife and grievous cruelty are factors of serious or grievous matrimonial faults. (U Mya Sein)

Concerning about divorce, there are several grounds for divorce in Myanmar Customary Law, but the main features are cruelty, desertion, the husband marrying a second wife without the consent of the first wife, and adultery. It is the evidence of the protection of women from cruelty even in a marriage tie. Therefore, violence against women seems to be protected accordingly to customary law.

Myanmar Buddhist Women's Special Marriage Law, 2015 was enacted on 26th August, 2015. Myanmar Buddhist Women's Special Marriage Law shall be applicable to Myanmar Buddhist Women and non-Buddhist men. The disputes concerning marriage, divorce, Partition succession and guardianship of children of Myanmar Buddhist women and non-Buddhist men shall be decided in accordance with this Law. (Section 2, Myanmar Buddhist Women's Special Marriage Law, 2015)

According to Section 27 of this law, due to any religion, custom or any law that has effect on such religion or custom, and that does not allow the marriage between a non-Buddhist man and a Buddhist woman, if the man divorces the woman, or forsakes, or behaves cruelly and causes mental harm, whether or not it amounts physical violence, notwithstanding the provision of the said custom or law- (a) the man shall waive the portion entitled to him from property owned by both parties, and pay compensation to the Buddhist woman; (b) the guardianship of all children shall be with the Buddhist woman; (c) the man shall pay maintenance for children who are minors. (Section 27, Myanmar Buddhist Women's Special Marriage Law, 2015)

Monogamy Law, 2015 is concerned with all those who are living in Myanmar, Myanmar citizens who live outside of Myanmar and foreigners who marry with Myanmar citizens while living in Myanmar. (Section 2, Monogamy Law, 2015) "The purpose of this is to help legally married couples set up peaceful and pleasant families based on loyalty by practicing monogamy, to protect women from being co-wives and to prevent matrimonial crimes arising from polygamous acts of spouse. After this law comes into effect, any marriage between a man and a woman in accordance with any law or any religion or custom shall be legitimate only if monogamous. (Section 4, Monogamy Law, 2015) Whoever commits Section 10 or Section 11 of this Law shall be punished with imprisonment which may extend to 7 years, and shall also be liable to fine. (Section 13, Monogamy Law, 2015) Despite whatever contradictions with existing law or religion or custom, if any husband or wife, while an original union is still legally recognized, marries another person, he or she is deemed to commit a matrimonial crime, and his or her spouse has the right to seek divorce. (Section 14, Monogamy Law, 2015) In a divorce, according to the section the person who commits a matrimonial crime shall forfeit all his property rights. (Section 15, Monogamy Law, 2015)

Under the Constitution of the Republic of the Union of Myanmar, 2008, the Union shall guarantee any person to enjoy equal rights before the law and shall provide legal protection. (Section 347, Constitution of the Republic of the Union of Myanmar, 2008) It is also stated that the Union shall not discriminate against any citizen of the Republic of the Union of Myanmar, based on race, birth, religion, official position, status, culture, sex, and wealth. (Section 348, Constitution of the Republic of the Union of Myanmar, 2008) Women shall be entitled to the same rights and salaries as that received by men in respect of similar work. (Section 350, Constitution of the Republic of the Union of Myanmar, 2008) Mothers, children and expectant women shall enjoy equal rights as prescribed by law. (Section 351, Constitution of the Republic of the Union of Myanmar, 2008) Moreover, the Union shall, upon specified qualifications being fulfilled, in appointing or assigning duties to civil service personnel, not discriminate against any citizen of the Republic of the Union of Myanmar, based on race, birth, religion and sex. However, nothing in this Section shall

prevent appointment of women to the positions that are suitable for men only. (Section 352, Constitution of the Republic of the Union of Myanmar, 2008) It is stated that, nothing shall, except in accord with existing laws, be detrimental to the life and personal freedom of any person. (Section 353, Constitution of the Republic of the Union of Myanmar, 2008)

Thus, the Constitution shows its equal rights between men and women which used to formally illustrate as other constitutions, but there was no specific definition for discrimination against women in the Constitution. Among of these laws whether criminal- or civil, there is no specific law for domestic violence or there is no particular expression of 'domestic violence' up to now. When the case is related to marriage, divorce, inheritance and succession, Myanmar Customary Law and other civil laws are governed to adjudicate.

The Extent of the right of private defence against Body

"Private defence" (Section 100, the Penal Code, 1861) under the Penal Code, there is no discrimination between man and woman and contains special protection for nature of woman and dignity of woman. Under this provision, the right of private defence of the body extends to the voluntary causing of death or of any other harm to the assailant, of the offence which occasion the exercise of the right be of any of the descriptions hereinafter enumerated.

According to Section 354 of the Penal Code, whoever assaults or uses criminal force against any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both. (Section 354, the Penal Code, 1861)

Concerning the protection of woman in pregnancy is provided by the criminal law. According to Section 312 of the Penal Code, it states as follow;

Whoever voluntarily causes a woman with child to miscarry shall, if such miscarriage be not caused in good faith for the purpose of saving the life of the woman, be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both; and, if the woman be quick with child, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine. (Section 312, the Penal Code, 1861)

Furthermore, although the sections for wrongful restraint (Section 399), wrongful confinement (Section 340), criminal force (Section 350), assault (Section 351), criminal intimidation (Section 503) are stated in the Penal Code. In addition, a man is said to commit "rape (Section 375)" that has sexual intercourse with a woman against her will. If proved, he shall be sentenced to a stiff imprisonment. But there is an exception, it is stated that sexual intercourse by a man with his wife who is not under fifteen years of age, is not rape. So, it may make a conclusion that a husband is allowed sexual intercourse with his wife who has attained the age of fifteen even without her consent or even she is unwilling to do so. In the Penal Code, it is stated that the rape by a husband of his wife may be convicted to the sentence of imprisonment up to two years. (Section 375, the Penal Code, 1861)

In the case of the Republic of the Union of Myanmar Vs Tin Thein and two others, 2002, makes it clear that sexual assault of the

women by her perpetrators carries a strong deterrent penalty, while domestic violence of the women is protected by the law. (Legal Protection on Women, 2014)

Generally, in case of torture and hurt physically, the criminal law or penal code is used. But the exact provisions for domestic violence are not found in the criminal law or Penal Code. Instead, when a husband commits violence to his wife, she has to complain like other people who have been injured in the incident. If she gets hurt due to his violence or if she is criminally intimidated or so on, she has to make a complaint to the police or court. It may be seen that violence against women has negative impacts not only on the victims but also on society as a whole. People shares the view that integrated measures need to be taken at the national and international levels to prevent and reduce violence based on gender. It is imperative to give specific attention to gender equality and the empowerment of women.

The Activities of Governmental Organizations in the Republic of the Union of Myanmar for Domestic Violence

Myanmar National Committee on Women (MNCW) chaired by Union Minister for Ministry of Social Welfare, Relief and Resettlement has been carrying out women's development programs, prevention and protection of violence against women. Laws and action plans are being developed to implement these activities successfully. Moreover, State, Region, District, and Township level women's committees have been formed and women's development activities are carried out in each region and state. (Legal Protection on Women, 2014)

In order to implement women's development activities widely and effectively within guiding in reviewing existing laws and regulations, enacting necessary new laws and legislations to effectively achieve genuine gender equality for women in political, economic and social sectors, preventing all forms of violence against women and providing protection services, raising awareness of women on related protective laws for women and gaining necessary knowledge, implementing Sustainable Development Goals (SDGs) laid down by United Nations, policies and principles described in World Women Conferences and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and other planned activities in accordance with state's policy. (State Administrative Council Order No. 27/2021 on 3 March 2021.)

The National Strategic Plan for the Advancement of Women 2013-2022 (NSPAW), Phase II of this strategic plan, spanning from 2023 to 2032, has been crafted to encompass 12 priority areas aligned with the 1995 Beijing Platform for Action (BPfA). These areas include livelihoods, education, health, violence against women, economics, decision-making, implementation mechanisms, human rights, media, environment, girls' issues, and armed conflict.

Accordingly, the Myanmar National Committee on Women (MNCW) has assumed a leadership role in implementing the National Strategic Plan. Their mission includes elevating the capacity of Myanmar women and safeguarding them against violence. In doing so, these countless women can emerge as a dependable force for the state.

The Activities of Non-Governmental Organizations in the Republic of the Union of Myanmar for Domestic Violence

Women in Myanmar have equal rights to males. Myanmar's ancient law ensures that women have the freedom and equal rights to possess and inherit property. It also guarantees women secure ownership of property. The MNCW conducts efforts to promote women's progress based on the 12 priority areas outlined in the Beijing Platform for Action. The Myanmar Women's Affairs Federation (MWAF) was established on December 20, 2003, to broaden the reach and impact of the Committee's operations to the local level. The MWAF is a non-governmental organization with a voluntary membership of 2.6 million. The members carry out actions to support women's advancement according to the MNCW's guidelines. Other organizations such as the Myanmar Maternal and Child Welfare Association (MMCWA), Myanmar Women Entrepreneurs' Association (MWEA) and Myanmar Women Sport Federation are also active in promoting the all-round development of Myanmar women. (Union of Myanmar to the Questionnaire on Implementation of the Beijing Platform for Action, 2010)

Myanmar Women's Affairs Federation (MWAF) is a non-governmental organization based in Myanmar that promotes the welfare and advancement of Burmese women. This organization is noticed by the UN, WWF, Asia Regional Cooperation to Prevent People Trafficking (ARCPPT), and ASEAN, China Women Affairs Organization. The organization was formed 20 December 2003 to enable them to participate fully in its national development. It is a voluntary non-governmental organization for the advancement of all women, regardless of nationality, race, or religion. (Myanmar Women Affairs Federation, n.d.)

To sum up, Myanmar's culture and tradition play a significant role in the Government's efforts to safeguard women and girls from human rights violations, such as sexual and gender-based violence. Myanmar's Government is strongly focused on social development to eradicate violence against women. The Government, combined with organizations like the Myanmar Women's Affairs Federation (MWAF), the Myanmar Women Entrepreneurs Association (MWEA), and the Myanmar Maternal and Child Welfare Association (MMCWA), work together to implement policies that systematically address the socio-economic needs and priorities of women and girls.

Case Study, Data Collection and Analysis

The data collection is divided into two distinct groups: Legal Professionals and Clients in table 2. The percentage values indicate the proportion of each category within the total. The Legal Professionals focus on lawyers, judges, or other legal workers. Collecting data on legal professionals involved in domestic violence cases allows for the evaluation of their performances such as negotiation, judicial decisions, and deterrent punishment. This includes assessing how effectively they handle cases, follow legal procedures, and advocate for the rights and safety of victims. Data collection helps identify trends and patterns in domestic violence cases. This information can highlight common issues, challenges, or systemic shortcomings within the legal system, enabling authorities to address them more effectively. By analyzing data, legal professionals can also make informed decisions about resource allocation.

Table 2 Interviewee Persons in Research

Legal Professional and Client

	N	%
Legal Professional	24	26.7%
Client	66	73.3%

Pie Chart Count of If you or someone around you has experienced domestic violence, what form of domestic violence have you experienced?

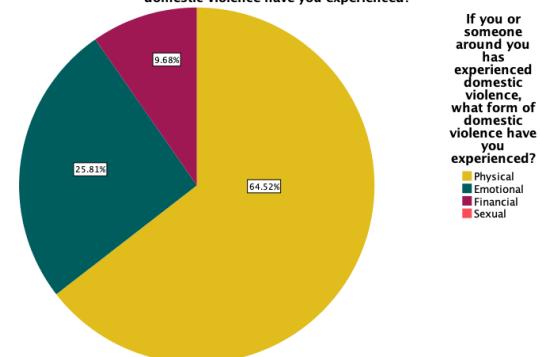


Figure 1 Experience Level of Domestic Violence

The majority of respondents (64.5%) have reported experiencing physical violence. This indicates a significant occurrence of direct harm or threat to the physical well-being of the individuals involved. A considerable portion of respondents (25.8%) reported experiencing emotional violence. Emotional abuse can have lasting effects on mental health and well-being. While less prevalent, a notable proportion of respondents (9.7%) reported experiencing financial violence. This form may involve control over financial resources, which can be a tactic of power and control in abusive relationships.

Table 3 Commission of Frequency and Types of Domestic Violence

	Yes	
	Frequency	%
Receiving medical treatment	4	12.9
Assaulting with weapon	25	80.6
Taking action	29	93.5
Solving this case	25	80.6
Knowing the right to defence	27	87.1

The above table provides information on the responses that 12.9% of the respondents have received medical treatment, suggesting that a subset of individuals has experienced physical harm or injuries requiring medical. A high percentage (80.6%) indicates that a significant number of respondents have reported incidents involving assault with a weapon. This is a serious and concerning aspect of domestic violence. The overwhelming majority (93.5%) of respondents have indicated that they took some form of action in response to the domestic violence they experienced. This could include reporting the incident, seeking help, or taking legal measures. A substantial portion (80.6%) of respondents expressed a desire to solve the domestic violence case. This may involve seeking justice, legal resolution, or intervention to address the issue. A significant majority (87.1%) of respondents reported being aware of their right to defence. This suggests that a majority of

individuals are informed about their legal rights in situations involving domestic violence.

The data suggests a significant frequency of events involving assault with a weapon, pointing to a high level of physical risk in these situations. The high answer rates for acting, resolving the matter, and understanding the right to defense indicate a proactive approach among the participants in handling domestic abuse incidents.

Table 4 The Status of Interviewees of the Data

Is there domestic violence in your marriage?		Yes	No
		Count	Count
Age group of respondents	18-25	9	26
	26-35	19	23
	36-45	3	3
	Above 45	0	7
Marital status of respondent	Yes	10	11
	No	21	48
Education of respondent	Primary Level	0	0
	Middle Level	1	3
	High Level	1	2
	Graduate	25	46
	Post Graduate	4	8
Occupation of respondent	Dependent	0	0
	Daily wages worker	1	0
	Employer	29	54
	Own business	1	0
	Other	0	5
Religion of respondent	Buddhist	29	54
	Christian	2	4
	Islam	0	1
	Hindu	0	0
	Other	0	0
Residence of respondent	Rural	4	5
	Urban	27	54

The highest reported cases occur in the 26-35 age groups, followed by the 18-25 age groups. No cases are reported in the 36-45 age groups, but there are seven cases reported for those above 45 age groups. Domestic violence cases are reported in both marital status groups. The majority of domestic violence cases are reported among respondents with a graduate education level. No cases are reported in the primary level and middle-Level categories. Employers are the most commonly reported respondents in situations of domestic abuse among diverse occupations. Most documented cases of domestic violence involve individuals who identify as Buddhist, with fewer cases among Christians and only

one case among Muslims. Domestic violence reports are present in both rural and urban regions, with a greater prevalence in metropolitan areas.

Research Findings and Discussion

In this research, the survey reveals that a substantial majority of respondents, comprising 64.5%, have encountered physical violence. This indicates a prevalent occurrence of direct harm or threats to the physical well-being of the individuals surveyed. Additionally, 25.8%, reported experiencing emotional violence, and 9.7%, disclosed instances of financial violence. The findings underscore the diverse forms of violence experienced by respondents, with physical harm being the most prevalent. The high percentage of individuals reporting physical violence emphasizes the urgent need for interventions to address and prevent such incidents.

The findings underscore the severity of domestic violence incidents, particularly with the high percentage (80.6%) involving assault with a weapon. This highlights a critical need for targeted interventions and support services to address the physical danger faced by victims. This step to address domestic violence is crucial for effective intervention and prevention strategies. The desire to solve the domestic violence case, expressed by 80.6% of respondents, reflects a collective commitment to addressing the root causes and seeking resolution. The high awareness (87.1%) of the right to defence among respondents is a positive sign, indicating that individuals are informed about their legal rights. This awareness can empower victims to seek legal recourse and contribute to building a more informed and resilient community in combating domestic violence. The data shows a serious and proactive approach among respondents in dealing with domestic violence, emphasizing the need for comprehensive support, legal measures, and community awareness programs.

The highest number of reported domestic violence cases occurs in the 26-35 age groups, followed by the 18-25 age group. No cases are reported in the 36-45 age groups, but seven cases are reported for those above 45 years old. The occurrence of domestic violence in both marital status groups highlights that abuse is not confined to a specific marital status and may occur across various relationship dynamics. The distribution of cases across different religions emphasizes that domestic violence is not exclusive to any particular religious group. This include for culturally sensitive and inclusive interventions that address the unique challenges faced by individuals from diverse religious backgrounds.

The higher number of reported cases in urban areas compared to rural areas highlights the need for tailored interventions based on geographic locations. Urban areas may require specific resources and support systems to address the unique challenges posed by domestic violence in urban settings. In conclusion, the research shows the pervasive nature of domestic violence. The data highlights the urgency for targeted interventions and support services to address the diverse forms of violence, particularly physical harm and assault with weapons.

Conclusion

Domestic violence is a serious issue that often goes ignored, particularly among lower socioeconomic classes. In Myanmar, many victims suffer abuse in silence due to fear, shame, or dependence on the abuser. Economic dependence and lack of resources can make it harder for those in lower socioeconomic

classes to leave abusive relationships. Public awareness about domestic violence and the resources available can be weak.

Educational campaigns and raising public awareness can help identify abuse and empower victims. Making legal resources and information on protection orders more accessible can be crucial. Stronger legal consequences for abusers can act as a deterrent and provide access to justice for victims. Therefore, educational institutions should incorporate curriculum modules addressing healthy relationships, identification of various forms of abuse (physical, emotional, verbal, financial), and awareness of available resources. Concurrently, organized community workshops should be given in villages with knowledgeable facilitators elucidating local laws related to domestic violence, protection orders, and reporting procedures.

Moreover, domestic violence should be emphasized that it can be happen to anyone, regardless of gender. Males are also at risk of domestic violence. Men who are victims should not be ashamed to seek for assistance. Myanmar communities have to create a culture of zero tolerance for domestic violence.

For those facing domestic violence, immediate assistance can be obtained through the National Domestic Violence Hotline, including access to shelters, legal aid, and support groups. Flyers featuring contact details in local languages should be deployed to effectively reach and assist individuals facing domestic violence, ensuring accessibility and understanding for diverse communities such as schools, community centers, and public spaces. A supportive environment that encourages victims to step forward and seek help should be created to emphasize the assurance of confidentiality in reporting abuse.

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