
ANTECEDENTS AND IMPACT OF GENDER BASED VIOLENCE AGAINST MAN IN INDIAN SOCIETY: ROLE OF GENDER BIASED LAWS & RECOMMENDATIONS

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Abstract

Gender Based Violence (GBV) either against males or females constitutes a crime and is a violation of human rights. However, in the current times, GBV has become more a violence against girls and women. The world-over perpetuation of gender inequalities has made women more vulnerable to GBV compared to that of men. But what needs to be noted is that this dynamic largely hides the reality and the extent of GBV against men and boys.

The extent and the scale of GBV against men and boys, especially sexual GBV (SGBV) is yet unknown. It has been an issue that has remained hidden and which many organizations are unwilling to talk about. What makes the situation more critical is the opposition to promote awareness regarding GBV against men and boys, because it has been misunderstood that highlighting this issue will promote a misogynist agenda and trivialize the severity of GBV against women and girls. As a result of this, there has been a lack of research in this field and very little empirical evidence exists to advance the strategies, policies and advocacy to help prevent GBV against men and boys.

Keywords: Gender based violence, Domestic Violence, Human rights Violation, Gender biased laws, Gender inequality, Intimate Partner Violence

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Introduction

Gender Based Violence (GBV) either against males or females constitutes a crime and is a violation of human rights. However, in the current times, GBV has become more a violence against girls and women. The world-over perpetuation of gender inequalities has made women more vulnerable to GBV compared to that of men. But what needs to be noted is that this dynamic largely hides the reality and the extent of GBV against men and boys.

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Internationally, the GBV against men and boys was for the first time mentioned explicitly in the UN Security Council Resolution 2106, which was supported by the UK and was adopted in the year 2013. Unfortunately however, it failed to call for any action. Presently, SGBV against both the genders is acknowledged as crimes against humanity and acts of war crimes and genocide within a conflict context. However, the continuance of stereotypes against men and stigmatization has resulted in less acknowledgment and underreporting of cases of GBV against men and boys and SGBV has been relabeled as “torture” within the conflict and imprisonment settings.

The GBV against men are generally underreported because of two reasons:

(a) cultural expectations of masculinity, especially that men are stronger than women; and

(b) the intimate partner violence against men is not recognized, except in cases where there is a weapon/ physical object accompanying the abuse.

In addition to this, reporting of GBV, particularly SGBV often accompanies with it the risk of social stigma, disbelief, isolation, and ridicule. This problem begins with individuals and flows throughout the societal settings and reaches even the judicial and the legal systems. Further, in cases where SGBV is male-on-male, the survivor is at the risk of being labeled as a willing homosexual participant. In almost 70 countries, it is illegal to be a homosexual and the penalty is death in case of 12 out of 70 of those countries.

Therefore, this paper presents a holistic view on the Gender Based Violence (GBV) against men with specific reference to the Indian society. The upcoming sections in the chapter provide an overview of the statistics on domestic violence against men in India and abroad, followed by various facts on male victimization. It also discusses the various types of GBV against males, various reasons why instances of GBV against men go unnoticed, that is antecedents of GBV, long term impact of GBV and the role of gender biased laws. Lastly, this paper ends with some recommendations to promote gender equality through gender-neutral laws.

Background

Globally, the Gender Based Violence (GBV) is one of the most persistent as well as a prevalent issue faced by women and girls². Numerous conflicts and other humanitarian emergencies make women and girls more vulnerable to GBV of many forms³. GBV as defined by the Inter-Agency Standing Committee (IASC) 2015 Guidelines for Integrating GBV Interventions in Humanitarian Action refers to “any harmful act that is perpetuated against a person’s will and that is based on socially ascribed (i.e., gender) differences between females and males”. It can include acts that cause physical, mental and/or sexual harm or suffering; threats of such acts; coercion; and other acts that deprives liberty. These acts can either take place in private or in public. Although there is a limited global information regarding the burden of GBV in humanitarian emergencies, yet one of the systematic reviews revealed that approximately one out of five refugees or displaced women in complex humanitarian settings experienced sexual violence. However, this is most likely an underestimation of the actual picture, due the existence of several barriers faced by the survivors in disclosing GBV⁴.

A recent population-based survey on GBV, conducted across three regions of Somalia to examine the types and scope of GBV victimization, taking into consideration 2376 women of age group 15 years and older, revealed that 35.6% women experienced lifetime physical or sexual non-partner

² Decker, M.R., Latimore, A.D., et al. (eds), “Gender-based violence against adolescent and young adult women in low and middle-income countries”. *56(2) J Adolesc Health*, 188-196 (2015)

³ Sloan, E., Killion, C., et al. (eds) “Barriers and facilitators to engaging communities in gender-based violence prevention following a natural disaster”. *26(4) J Health Care Poor Underserved*, 1377–90 (2015).

⁴ Vu, A., Adam, A., et al. (eds) “The prevalence of sexual violence among female refugees in complex humanitarian emergencies: a systematic review and meta-analysis”. *PLOS Currents: Disasters* (2014).

violence (NPV) since the age of 15 years. Amongst the category of women who were at the greatest risk of GBV (IPV & NPV) included ones who had been exposed to parental violence and violence during childhood; displaced from home due to conflict or natural disaster; ones who are member of a minority clan; and whose husband/partner use khat (like, leaves chewed or drunk as a stimulant). Further, female survivors of GBV report negative impacts on the mental, physical as well as reproductive health. In addition to this, it has been found that the negative health and social consequences are often not addressed because women are reluctant to disclose GBV to the providers; or they do not access health care or other services, like legal protection, due to the prevalence of the social norms that blame women for the assault (as for example, she was not dressed up modestly, she was out late night and the like); institutional acceptance of GBV as normal and expected part of conflict and displacement; and last but not the least the norms that gives priority to protecting the honor of the family over the safety of the survivor⁵.

National & International scenario of domestic violence

Intimate Partner Violence (IPV) can be experienced by both the partners – husband or wife. Some of the prime causes of IPV include one partner earning more than the other, lack of education, middle-class values, etc. An India-based study of 1000 married men of different age groups between 21-49 years of age from the rural villages of Haryana revealed that 52.4% of men experience GBV. It was also revealed that 51.5% and 10.5% of men have experienced some kind of violence or torture from their wives or intimate partners in their lifetime and in the past 12

⁵ McCleary-Sills, J., Namy, S., Nyoni, J., *et.al*, (eds.), “Stigma, shame and women's limited agency in help-seeking for intimate partner violence”. 11(1-2) *Glob Public Health*, 224–35(2016).

months respectively⁶. Further, the most common type of domestic or spousal violence initiated against men is emotional, followed by physical violence⁷.

In India, not just women, even men experience GBV. Since it is the women folk that mostly experience violence, there has been a misconception among the people that domestic violence is gender-specific. Being a patriarchal or male-dominated society, it is generally hard in India to believe that even men can be the victims of domestic violence.

It has been reported that 1 out of 9 men and 1 out of 7 men in United States of America has experienced some kind of domestic violence and physical violence from their wives or intimate partner, respectively⁸.

Similarly, in United Kingdom, 2 out of 5 victims of domestic violence are men. In addition to this, the British Crime Survey in the year between 2004-2005 and 2008-2009 revealed that 40% of the victims of domestic violence are men, which has reduced to 37.7% in the recent years⁹. Thus, these statistics scrap the prevailing belief that only women can be the victims of domestic violence. Further, Men's Rights Campaign Group held that domestic violence against men is generally overlooked and for the most part their attackers are not punished by the police.

⁶ Nadda, A., Malik, J.S., Rohilla, R., Chahal, S., Chayal, V., & Arora, V. "Study of domestic violence among currently married females of Haryana, India" 40 *Indian J Psychol Med*, 534-539 (2018).

⁷ Kumar, A. "Domestic violence against men in India: A perspective" 22(3) *J Hum Behav Soc Environ*,:290-296 (2012).

⁸ Catalano, S.. Intimate partner violence in the United States (2007) [Electronic Version] Retrieved June 29, 2009 from <http://www.ojp.usdoj.gov/bjs/intimate/ipv.html>

⁹ Khan, R.A. & Najuwa, A. "Female perpetrated domestic violence against men and the case for Bangladesh. *Journal of Human Behavior in the Social Environment*" (2021). DOI: [10.1080/10911359.2021.1927281](https://doi.org/10.1080/10911359.2021.1927281)

Studies have highlighted that men are most likely to be the victims of domestic violence in public places and from strangers. 1 out of 16 men in Australia has been the victim of physical or sexual IPV. Further, one man per month died due to experiencing domestic violence from their present or previous partners, from 2012-13 to 2013-14¹⁰.

Thus, these surveys and studies from different countries point out to the fact that domestic violence amongst men from their wives or intimate partner is something that is very common. Therefore, there is a need of some appropriate provisions to tackle with the issue of domestic violence in a more neutral way.

Male victimization: Facts

According to the estimates in the National Intimate Partner and Sexual Violence Survey (NISVS), male victimization is a significant societal as well as public health problem. The survey data reveals that men experience high rates of intimate partner violence, sexual violence and stalking. The survey further highlights that mostly first-time victimization is experienced by men at the age of 25, while many experience violence at the age of 18.

The survey goes on further to highlight that as regards IPV, about 1 out of 3 men have experienced physical violence, stalking, and/or sexual violence by their intimate partner during their lifetime and nearly 56% of these victims first experienced these and other types of violence by the partner before the age of 25¹¹.

¹⁰ Hines, D.A., & Douglas, E.M. "A closer look at men who sustain intimate terrorism by women." 3(1) *Partner Abuse* 286–313 (2010).

¹¹ Maguire, J. "Are Women More Violent Than Men?" *Massachusetts News*. (2010). Retrieved from http://www.fatherhoodcoalition.org/cpf/inthenews/MassNews990802women_violent.htm

As regards sexual violence, the survey puts forth that in U.S., nearly 1 in 4 men has experienced some kind of contact sexual violence and about 1 out of 14 men were made to penetrate someone during their lifetime. Not only this, more than 1 in 38 men have been the victim of complete or attempted rape, in their lifetime and amongst these victims about 71% experienced such victimization for the first time before the age of 25¹².

Similarly, in terms of stalking, about 1 out of 17 men in the U.S. have experienced stalking at some point of their lifetime, out of which nearly 41% experienced it for the first time before the age of 25 years¹³.

Types of GBV against Males

GBV against men and boys can take several forms, such as physical, that includes slapping, hitting, kicking and choking; emotional, that includes humiliation, insults and name calling; sexual, that includes injury in genitals and rape; isolation; false allegations; lack of access to children or fathers; and controlling their interaction with other people¹⁴. Various studies reveal that in cases where woman is the perpetrator, the abuses are mostly not reported.

¹² Catalano, S.. Intimate partner violence in the United States (2007) [Electronic Version] Retrieved June 29, 2009 from <http://www.ojp.usdoj.gov/bjs/intimate/ipv.html>

¹³ Wirtz, A.L., Glass, N., Pham, K., Perrin, N., Rubenstein, L.S., Singh, S., et al. (eds.) "Comprehensive development and testing of the ASIST-GBV, a screening tool for responding to gender-based violence among women in humanitarian settings" 10 *Confl Health*, 7 (2016).

¹⁴ McNamara, J.R., Tamanini, K., & Pelletier-Walker, S. "The impact of short-term counseling at a domestic violence shelter." 18(2) *Research on Social Work Practice* 132–136 (2008).

Institutional

Men and boys in institutions and prisons are at a greater risk of experiencing GBV. Further, physically and mentally disabled men are four times more likely to be the victims of SGBV, as compared to others in an institutional setting¹⁵.

Conflict

Surveys have shown that compared to women and girls, men and boys are more likely to be killed during the time of conflicts. It has been observed that, cases of sexual violence against men and boys are generally reported in conflict-affected countries. In fact the recent findings indicate that the prevalence of sexual violence against men and boys is much higher than it is assumed, with as many as one-third of the male ex-combatants having experienced SGBV¹⁶. Some of the common types of GBV initiated against men and boys during imprisonment, conflict and terrorist tactics include rape, group masturbation, sexual abuse, homosexual acts, forced incest, forced recruitment, and even sterilization through castration.

Antecedents of GBV against man

In India, there are several reasons why men and boys do not expose the violence that they face at the hand of their wives or intimate partners. One prime reason behind this is the general stereotypes

¹⁵ Ahmed, A.M., Aldén, L., & Hammarstedt, M. "Perceptions of gay, lesbian, and heterosexual domestic violence among undergraduates in Sweden." *7 International Journal of Conflict and Violence* 249–260 (2013). <https://doi.org/0070-ijcv-2013216>

¹⁶ Vu, A., Adam, A., et al. (eds) "The prevalence of sexual violence among female refugees in complex humanitarian emergencies: a systematic review and meta-analysis". *PLOS Currents: Disasters* (2014).

that exist against males¹⁷. It has been generally seen that men feel uneasy to speak out about the violence that they face because they feel ashamed that they would be judged and would be regarded as effeminate or wimpy. They often feel that their fight against violence would serve no purpose due to the gender-specific laws and provisions that are enumerated in the Indian Constitution. Further, they feel that they have failed to fulfill their role of protector in nurturing their families.

The next prime reason is the fear of fake cases. Men often feel that voicing against violence would result in unnecessary trouble and they do not want to face any legal consequences due to the gender-biased laws in the Indian Constitution. Moreover, they feel that voicing against violence would make to leave their families and/or loose the custody of their children, which makes the situation even more critical¹⁸.

Societal and family pressure also constitutes a prime reason why the cases of violence against men generally go unreported. In India, it is commonly seen that, men continue to live with their parents post-marriage and this is a crucial reason why they feel ashamed of revealing about their violence¹⁹. Moreover, the society also plays a very important role in fostering the gender-specific laws and stereotypes against a particular gender.

Last but not the least is denial. It is a common perception that domestic violence can take place only against the women and people generally deny when they hear instances of domestic violence

¹⁷ Wirtz, A.L., Glass, N., Pham, K., Perrin, N., Rubenstein, L.S., Singh, S., et al. (eds.) "Comprehensive development and testing of the ASIST-GBV, a screening tool for responding to gender-based violence among women in humanitarian settings" 10 *Confl Health*, 7 (2016).

¹⁸ Alejo, K. "Long-term physical and mental health effects of domestic violence." 2 *Themis: Research Journal of Justice Studies and Forensic Science* 82–98 (2014).

¹⁹ Nadda, A., Malik, J.S., Rohilla, R., Chahal, S., Chahal, V., & Arora, V. "Study of domestic violence among currently married females of Haryana, India" 40 *Indian J Psychol Med*, 534-539 (2018).

against men²⁰. Thus, this is also why men are generally reluctant to speak out about their experience of violence.

Long Term Impact GBV

GBV can have long-lasting impacts on the physical, mental and sexual health of the male victims, as well as on their self-esteem, their ability to work effectively and their decision-making capacity, particularly regarding fertility and issues of reproductive health. Most often the impact is on their social development as they are not able to develop fully and thus, they fail to contribute positively towards the society²¹. As for example, victimized men/boys become desensitized to sufferings and opt violence as a means to achieve some end. This in turn augments inequalities which is a prime factor behind GBV both against males and females²².

The consequences of GBV against males can be classified into two groups:

1. Health

The consequences of GBV on the health of the male victim includes physical damage, like cuts, broken bones, lacerations, etc.; mental illness, like depression; STIs, like HIV/AIDS; suicide; and even sterilization, like via castration.

²⁰ Bacchus, L.J., Buller, A.M.,*et.al.* (eds), “Occurrence and impact of domestic violence and abuse in gay and bisexual men: A cross sectional survey.” *28 International Journal of STD & AIDS* 16–27 (2017). <https://doi.org/10.1177/0956462415622886>

²¹ Wirtz, A.L., Glass, N., Pham, K., Perrin, N., Rubenstein, L.S., Singh, S., et al. (eds.) “Comprehensive development and testing of the ASIST-GBV, a screening tool for responding to gender-based violence among women in humanitarian settings” *10 Confl Health*, 7 (2016).

²² Decker, M.R., Latimore, A.D., Yasutake, S., Haviland, M., Ahmed, S., Blum, R.W., et al. “Gender-based violence against adolescent and young adult women in lowand middle-income countries.” *56(2) J Adolesc Health* 188–96 (2015).

2. *Destructive Social Behaviour*

GBV can also develop destructive social behavior in the male victims like substance abuse, violent behavior, perpetuation of abuse and the like.

Role of Gender-biased laws

Being a social construct, gender is often influenced by several other factors, like caste, class, race, culture, ritual, country, ability, sexual preference, etc. In India and many other South Asian countries, gender roles are very stringent. This stringency results in gender biasness and stereotypes. In India, the perpetrators of violence against men, who are generally women, are immune to the provisions of gender violence that are provided in the Indian Penal Code (IPC)²³.

Section 498A of IPC 1860 holds that only a man can be held liable for cruelty against his wife. What is unfortunate is that there is not even a single sub-section that holds women liable for domestic violence. When male victims gather courage and speak out about their torture and physical violence, they are left unheard even by the police. A man who complains about domestic violence is often labeled a 'feeble' or 'effeminate' in the Indian society²⁴. Further, it has also been seen that many men think that the situation will get better with passage of time and this is also why they are not vocal about the domestic violence that they face.

²³ Dhulia, V.R, "Domestic violence against men: High time government addressed the problem" 2015. Retrieved from <https://www.news18.com/news/india/domestic-violenceagainst-men-high-time-government-addressed-theproblem-1004785.html>

²⁴ Sarkar, S., Dsouza, R., & Dasgupta, "A. *Domestic Violence against Men: A Study Report by Save Family Foundation.*" New Delhi: Save Family Foundation (2007). Retrieved from <https://ipc498a.files.wordpress.com/2007/10/domestic-violence-against-men.pdf>

Any type of violence, whether physical or mental is a gross violation of human rights. Unsaid and unreported cases of domestic violence can result in depression, separations, divorces, bitter fights and even suicides

The female-biased laws in the Indian Penal Statute, has resulted in a great number of false cases of alleged rape and domestic violence against men²⁵. What is more disappointing is that these biased laws presume that a man can never be a victim of domestic violence. Women do not even need to provide any sort of evidence to prove their authenticity. They are presumed to be true by these gender-biased laws.

The report of the World Health Organization, 2002 revealed that women think of committing suicides more often than men, but men commit more suicides compared to women²⁶. It is the continuous exposure to violence that can cause many physical and psychological diseases such as depression and suicidal tendencies; and chronic physical disorders, like HIV/AIDS, cancer, heart attacks, etc.

²⁵ Kumar, A., "Domestic violence against men in India: A perspective." 22(3) *J Hum Behav Soc Environ*, 290-296 (2012).

²⁶ Dhulia, V.R., "Domestic violence against men: High time government addressed the problem" 2015. Retrieved from <https://www.news18.com/news/india/domestic-violenceagainst-men-high-time-government-addressed-theproblem-1004785.html>

Recommendation: Gender Neutral Laws

Both men as well as women are entitled to human rights and gender equality. In the present times, when false cases of rapes, sexual assaults and gender-neutral laws against men are on an increase, gender-neutral laws are the need of the hour²⁷. The term domestic violence nowhere indicates that men can only be the perpetrator of domestic violence and not be the victim. Domestic violence should not be seen merely as violence of men against women; rather it should be considered as spousal violence, where even women can be the perpetrator and the men can be the victim.

Unfortunately, Indian laws on domestic violence protect only the female and not the male population. It falsely presumes that men can only be perpetrator and not the victims of domestic violence. However, statistics and studies have revealed that domestic violence against men is on an increase these days. Therefore, there is an urgent need to make special provisions and amendments to make the Indian laws gender-neutral that can provide remedies to the victims and punish the culprits irrespective of their gender²⁸. Thus, special laws and amendments are required to protect both the partners from domestic violence that is still forms a part of the Indian society.

²⁷ Dhulia, V.R., “Domestic violence against men: High time government addressed the problem” 2015. Retrieved from <https://www.news18.com/news/india/domestic-violenceagainst-men-high-time-government-addressed-theproblem-1004785.html>

²⁸ Malik, J.S., & Nadda, A. “A cross-sectional study of gender-based violence against men in the rural area of Haryana, India.” 44(1) *Indian J Commu Med.*, 35 (2019).

Conclusion

Modernization and westernization has dramatically changed the culture, values and the norms of the society. In the early times, men were considered to be the protectors of their family. But now-a-days, both the genders are equally working, raising and managing their homes. Men have now become vocal about their experience of domestic violence. 'Men are stronger than women' has now become an age-old belief that has no existence today.

Thus, it is high time for the Indian statutes and laws to recognize domestic violence against men and consider it as a social problem or issue. It is only by making effective changes in laws, creating awareness amongst the people and breaking stereotypes and preconceived notions that domestic violence against men can be recognized.

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