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Effectiveness of the law in controlling domestic violence February 27,

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Policy in context

The legal system aims at ensuring law and order and at protecting individuals and their interests from intrusions by other parties. Civil law, for example, protects people from assault and battery and effective legal system would ensure managed reported cases. Violence however remains a significant issue, especially in domestic set up, even though the environment is also under the law. This raises issues over effectiveness of the law in preventing domestic violence cases and literature suggest admission of the weaknesses as legal policies shift to managing consequences instead of ensuring prevention of domestic violence. Many states in the United States, for example, are enacting laws that require corporate organizations to accommodate needs of domestic violence victims through granting leave (Martin, 2013). Understanding the root cause of domestic violence, and other forms of violence, may however inform the legal approach to the problem. Protecting children from witnessing instances of domestic violence, according to O'Brien, Cohen, Pooley, and Taylor, reduces possibility of the children's engagement in domestic violence during their later stages of life (2012). This is consistent with Cycle of Violence theory that explains transfer of domestic violence traits from parents or other people in an environment to children and suggests that laws on domestic violence more stringent may be a long-term solution to the domestic violence problem (Gonzalez and Corbin, 2011).

Context and conceptual issues

Domestic violence is a significant social problem whose implications extend to financial scopes. Its psychological and physical effects on victims reduce their potentials that even force them out of employment to grant them legal leave from duty. While a legal approach has failed to reduce incidences of domestic violence in the society, despite its perceived able framework, protecting new generations from experiencing or witnessing domestic violence may be a long-term solution to the problem because of its hypothesized ability to reduce aggression in the new generation (Martin, 2013; Gonzalez and Corbin, 2011). The study is significant in understanding significance of violence experience during childhood and the long-term cause of domestic violence in the society. Its results will determine the significance and establish a basis for legal policies that can address the problem.

Establishing significance of children's exposure to domestic violence will mean that strict laws, implemented over a generation, are necessary for a long-term solution to domestic and other forms of violence. A phenomenology, qualitative research design, approach will help in answering the research question. The method involves data collection from people's experiences and has the advantage of ability to develop in-depth information on a subject (Hack and Gwyer, 2013). Participants will be sampled at random and their experiences with domestic violence and possibility of engaging in the form of violence, with knowledge of existing laws, sought. Analysis of participants' responses and classification by participants' childhood exposure to domestic violence will then follow.

Aim of the study

The study aims to investigate effectiveness of the cycle of violence theory in

explaining the role of the legal system in controlling domestic violence.

Research question

In order to achieve its objective, the study will investigate the following research question.

What is the role of children's exposure to domestic violence on the children's later involvement in domestic violence despite their knowledge of the legal environment?

Research strategy

Online libraries such as EbscoHost and Emerald will be used to recruit literature into the study. Key terms such as domestic violence and cycle of violence will be used independent and jointly for the literature search.

References

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