

## **Structural Challenges regarding Violence against Women: A Comparative Analysis of Law Practitioners and Victims of Violence in Southern Punjab**

*Dr. Ayesha Khan<sup>1</sup>*

*Lecturer in Sociology*

*Govt. Graduate College for Women Model Town, Dera Ghazi Khan*

*Maria Khan*

*Assistant Director Shelter Home, Dera Ghazi Khan*

*Social Welfare and Bait-ul-mal Department, Government of the Punjab*

*Ayesha Latif*

*MPhil Scholar in Public Administration*

*School of Humanities and Social Sciences, University of Science and technology Beijing (USTB)*

### **Abstract**

Violence against women (VAW) is a noteworthy social dilemma worldwide. Violence makes no difference in how subtle or gentle it is, but it causes enormous damage to the physical, psychological, and reproductive health of women. The present study was conducted to identify the structural challenges regarding VAW in South Punjab, Pakistan. Using an interpretive research design, Two focus group discussions (FGDs) with advocates, and Ten (10) in-depth interviews with victims, were conducted in Dera Ghazi Khan by using a purposive sampling technique. The findings of the study revealed that attributes like obligatory culture, status symbols, nepotism, and local cultural traditions such as religious rituals, pressure from the offender's personal cultural rigid customs, peer pressure, and political pressure were prevailing in South Punjab, considered as the root source that prevented "the rule of law" in general and also particularly regarding VAW. As far as women are concerned, this study revealed that the majority of the victims were from low socio-economic backgrounds. There were more cultural and economic stances behind women's subordination, dependency, and violence than religious ones. It is suggested that, while using a pro-active approach, all relevant systems such as the criminal prosecutorial or judicial system, social media, the health care system, and academia must prepare their revised standard operating procedure (SOP). The SOP needs to be equipped with necessarily resources, budget, and training with accountability conceptions.

**Key Words:** Violence against Women, Low socio-economic status, Cultural norms and values, Right of inheritance

## **Introduction**

### **Violence against Women as Universal Phenomenon**

Violence against women (VAW) is a universal social phenomenon and one of the most consistently prevalent abuses on this planet under international law (EGM, 2007). A total of 144 out of 154 countries have passed laws addressing domestic violence and sexual harassment (WBG, 2018). The United States Census Bureau estimated that the global population was 7.2 billion in 2015, of which 49.55% of the world's population were female (HRCP, 2018). Globally, 35% of women experienced physical or sexual violence by intimate partner or non-partner (WHO, 2013).

Women's social position in private and public spheres constructed through gender partial hierarchies of society. The gender prejudice paradigm illustrates that women's dependency, matrimonial conflicts, masculinity and femininity-based discrimination had culturally endured or internalized by their intimate partners i.e. husbands (Moazam, 2004) demand women have to tolerate intimidation, physical hostility and reproductive subordination at the hands of their intimates or in-laws (Zare, 2014). Patriarchal social structures provide justification for different segments of society to perpetuate violence against women in South Asian countries. In conclusion, women's subservience in both private and public spheres, is the result of disparity in power allocation between masculinity and femininity relations in the culture (Ahmad, Tehmina, Fauzia & Rubeena, 2018).

A meeting of women Lawyers Association of Philippines was held in Manila in June 1980, thirteen (13) countries of South Asia highlighted no discriminatory laws for women existed there, although agriculture-based economy, patriarchal structure, tribal, feudal systems, Polygamy (in Islam, Hinduism and Buddhism) are the common features accord to lowering the

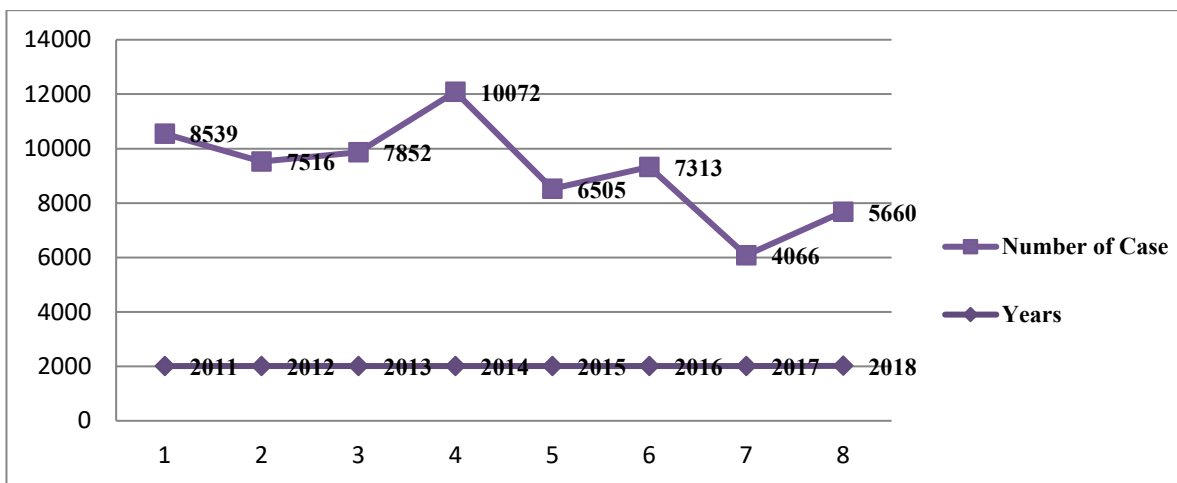
role and status of women (Nachtigall & Puri, 2010). Throughout history, due to these similarities in South Asian countries particularly Pakistan, India, Bangladesh and China, women have suffered with various cruel or unsympathetic traditional practices which are still prevailing in different forms. For instance, wife has to deliberately burnt alive with dead body of her husband in Hindu culture called as “**Satti**”; Binding the feet of young girls to adjust the shape and size of their feet (considered as symbol of status and beauty) in Chinese culture called as “**lotus feet**”, Karo Kari’ is a Sindhi term used for honor killing in Pakistan, Karo refers to black man, and Kari refers to black woman which means they have blackened themselves via committing the offence or sin of adultery against the honor of the family. One more term is used in southern Punjab in Pakistan called as “Siyah Kari” but the norm has the same meaning as Karo Kari (Wasim, 2013) **Swara** or **Vani** (a form of arranged child marriage) is a cultural tradition in some parts of Pakistan and Afghanistan whereby a young girl is forced to marry as punishment for some misdeed or offence committed by her male family members or relatives. Furthermore, domestic violence (being burned, acid attacks, threatened, beaten or spousal murder), sexual violence by intimate partners or non-intimate partners of the state, psychological abuse, economical abuse, custodial torture and abuse also atrocious forms of violence against women in South Asian Countries (Niaz, 2003). Evidences illustrate that women who have experienced physical or sexual violence report higher rates of psychological depression, experience abortion and HIV as compared to those who have not (WHO, 2013). In South Asian States, South Asian Association for Regional Cooperation (SAARC) and Dhaka Declaration, both are functioning for eliminating the women and children trafficking for preventing possible delinquency and prostitution. However, despite of having no discriminatory Laws, VAW is still prevailing in South Asian Countries.

### Violence against Women in Pakistan

Pakistan has population of more than 20 Crore (210-220) million (PSB, 2017; Duniya News, 2017) from which 48.76% are women and 51% men. 93% of Pakistani women experience sexual violence (Tribune, 2017). The preliminary findings of the 2017 census confirmed the inverse gender ratio to be unchanged since the census of 1981. Women and girls at 48.76% still remain less than men and boys at 51.24% (HRCP, 2018).

**Figure 01**

*VAW Annually Distribution in Pakistan 2011-2018*



(HRCP, 2018)

An estimated figure shows that on the average, more than 5000 women killed and buried every year in Pakistan. The reported crimes included domestic violence, honor killing, sexual assaults, burning and harassment at workplace, rape, murder, acid crimes and kidnappings (Mukhtar, 1998; Mai, 2007; Pakistan Today, 2017; HRCP, 2018). In Pakistan, 90% of women are experiencing domestic violence and infrequently it goes unreported (APP & Pakistan Today, 2017; HRCP, 2018). Statistics confirms that only 0.4% women bring their cases ahead to court. Thomson Reuters Foundation conducted a survey and ranked Pakistan as the third hazardous

country subsequently to Afghanistan and Congo for women. One of the main reasons behind this occurrence is the internalization of social norms via society through which the guarantee successful marital life of women centermost on women's subordination in front of the hegemonic masculinity of their husband. A survey conducted by Gallup Pakistan that 65% Pakistanis consider domestic violence as personal issues of family and wants not to be hindered through media and any other social organizations. Lack of consciousness, fiscal dependence on male, psychosomatically stresses due to marriages within extended family and dread of societal retort were the reasons behind VAW (The News, 2017).

Statistical evidences demonstrate that VAW in different outward appearances i.e. domestic violence, physical or psychological violence etc, considered the disobedience of basic Fundamental Human Rights accord to the supreme law of Pakistan, "1973 Constitution of the Islamic Republic of Pakistan" formulated by the government of Zulfikar Ali Bhutto in 1970-1977 (Nisrine & Abiad, 2008). VAW is the violation of Article 25 (1) which states that all citizens are equal before law and are entitled to equal protection of law; is the violation of Article 25 (2) which affirms that there shall be no discrimination on the basis of sex alone; is the violation of Article 3 and Universal Declaration of Human Rights which poses that Everyone has the right to life, liberty and security of person; is the violation of Article 4 which poses that To enjoy the protection of law and to be treated in accordance with law is the inalienable right of every citizen; is the violation of Article 6 which states that "Everyone has the right to recognition everywhere as a person before the law; is the violation of Article 7 which states that "All are equal before the law and are entitled without any discrimination to equal protection of the law; is the violation of Article 24(2) and Universal Declaration of Human Rights which utters that

Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

In recent years, Government of Pakistan has approved a series of different acts for prevention of customary practices such as badla-e sulh, wanni or swara, deprived women from inheriting property, enforced marriages and marriage of females with the Holy Quran and strengthen the social position of women in society. There are many Acts e.g. National Policy for the Development and Empowerment (NPDE) in 2002; organizing of Police stations throughout Punjab (2002); Protection of Women (Criminal Laws Amendment) Act, 2006; The Protection against Harassment of Women at Workplace Act, 2010; The Acid Control and Acid Crime Prevention Act, 2011 (Called Criminal Law (Second) Amendment Act, 2011); Prevention of Anti-Women Practices Act, 2011 (Criminal Law (Third Amendment) Act, 2011); the Office of the Ombudsperson (2013); Punjab Protection of Women against Violence Act (PPWAVA) in 2014; Punjab Women Helpline (1043) to deal with complaint about women at workplace harassment and Punjab Women's Empowerment Packages (PWEP, 2012-2016) for the empowerment of women in Pakistan (The News, 2017). Despite of all these measures, VAWs is sustained on the name of "Honor". In a number of cases, the accused effectively asserted some motive and was conciliated by the victim's family under qisas and diyat laws (under Hadood Ordinance, 1979) which allowed for "blood money" and pardoned instead of penalty (Amnesty International, 2018). Consequently, on the behalf of the number of ample factors; Pakistan is still ranked as the second worst country 143 out of 144 countries (HRCP, 2018). Though in Pakistan, legal protection is available to women against this violation, these laws are not implemented in their true sense because of structural and administrative constraints in the criminal justice system (Critelli, 2010).

VAW is a social Phenomenon which forms a pattern of behavior that violates the rights of women and girls confines them from their participation in society. In the Constitution of the Islamic Republic of Pakistan 1973, Article 37(2) poses that “the state shall ensure inexpensive and expeditious justice” (HRCP, 2018). Through the above scholarly discussion, the researcher concludes that current solutions to VAW are unsatisfactory. Solely setting up the institution or appreciate laws or Acts or policies are not sufficient sources to trickle down this worst situation unless addressing the detrimental factors of VAWs in Pakistan. Based on this consideration, the present study intends to fill the gap by documenting the structural challenges faced by Law practitioners (advocates) and victims of violence regarding VAW in South Punjab, Pakistan; in that area women’s subordination stipulated for smooth social functioning of the society.

### **Objectives of the Study**

1. To find out the structural challenges confronted by victims of violence themselves regarding to VAW in south Punjab, Pakistan.
2. To discover the structural challenges assessed by law practitioners e.g. advocates regarding to VAW in south Punjab, Pakistan.
3. To make a comparative analysis of the gaps highlighted by both victims and law practitioners in south Punjab, Pakistan.
4. To investigate the possible resolutions for eliminating VAW, highlighted by law practitioners and victims of violence.

### **Methodology**

The present study was conducted in Dera Ghazi Khan, Southern Punjab. The specific foci of the research were to describe how and why violence against women takes place in a patriarchal structure; in spite of existing social and political institutions, existing laws and

policies, why violence against women has not been eradicated or why social justice is in position of idealism in Pakistan. Statistical evaluations demonstrate detailed conversation with victims as well as law practitioners to get a more truthful and precise depiction of the structurally positioned phenomenon (Mitra-Kahn & Gill, 2009; HRCP, 2018). Therefore, the researcher conducted a study to explore the existing determinants of violence against women in patriarchal society of Pakistan for exclusion of women's subordination and encouraging the women's social empowerment.

Interpretive research design of Qualitative approach was used in the current study. To ensure integrity of the findings, 10 in-depth interviews from victims approached through Dar-ul-Aman and 2 Focus Group Discussion (FGD) with advocates (one with male advocates and one with female advocates) were conducted by using purposive sampling technique. As in qualitative research, the recruitment of sample and data generating process was evolved in the field work and sustained until saturation achievement. Accordingly, sample size defined or précised during field work of the study unless thick information achieved for thematic analysis.

The researcher as insider of the community got an easy access to gatekeepers and to targeted participants as well as. For this purpose, the services of two gatekeepers were requested. The first gatekeeper assisted the researcher for getting contact towards victims of violence from "District Police Office D.G.Khan" and also provided access towards the victims as well. The second gatekeeper abetted the researcher for getting access toward advocates of the "Session and District Court of D.G.K". Ethical considerations were also practiced by negotiating, rapport building and appropriate discloser with gatekeepers about the current research.

Owing to sensitive and insubstantial nature of the study in Qualitative approach, the researchers had reflected on their subjectivity towards their own personal characteristics, beliefs,

positionality and demeanor (Gough & Finlay, 2008). Personal and interpersonal reflexivity were used as the key ethical consideration during the entire research process. With regard to interview guide, key questions as well as probing questions also used in this process. After having thick and rich information from the participants, again ethical considerations get into practice. The objectives and methodology of this research had reviewed and approved by the Institution Review Board, University of the Punjab.

Thematic analysis was carried out by carefully reading the collected data several times to understand the participants' views. All in-depth interviews by using verbatim transcriptions translated from Urdu and Siraiki into English. Analytic induction and constant comparison methods of qualitative data analysis were carried out by systematic examination of similarities between the advocates and victims' views in order to identify emergent themes. Important statements and repeated ideas were then highlighted and coded. Similar codes were grouped together to form broader themes related to the research objectives. These themes were reviewed, refined, and named according to their meaning. Finally, the findings were interpreted and explained with support from participants' responses to present a clear understanding of the issue.

**Table 01** *Thematic Analysis*

Major Themes	Sub-themes	Types of Codes	Description of Code
Social and cultural norms included power relationships about masculinity	• Low Socio-economic status of Women in Patriarchal structure	• Deductive Code	Successful marriages are demanded women's subordination.
	• The role of Social Media	• Inductive Code	Social Media is becoming a source of Elope marriages which leads to VAW.
	• Women's Inheritance Rights	• Deductive Code	Women lack Inheritance Rights due to lack of awareness and low socio-economic status.

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	<ul style="list-style-type: none"> <li>• Different form of VAW</li> </ul>	<ul style="list-style-type: none"> <li>• Deductive Code</li> </ul>	Watta Satta marriages, honour killing, acid attacks, use of wheat pill poisoning, use of poisonous spray, consumption of Kala Pathar etc.
The Role of Social Institutions	<ul style="list-style-type: none"> <li>• The role of state</li> </ul>	<ul style="list-style-type: none"> <li>• Deductive Code</li> </ul>	Social justice is determined by court of competent jurisdiction on matters submitted to it.
	<ul style="list-style-type: none"> <li>• The role of Police Department</li> </ul>	<ul style="list-style-type: none"> <li>• Deductive Code</li> </ul>	Decline arose about to VAW, due to involvement of Police.
	<ul style="list-style-type: none"> <li>• The role of Religion</li> </ul>	<ul style="list-style-type: none"> <li>• Deductive Code</li> </ul>	Religion Islam is never be a source of VAW.

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VAW= violence against women

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### **Social and Cultural Norms Included Power Relationships about Masculinity**

Th historical traditions and socio-cultural norms were revealed by the study participants under this theme. In 1476, the Baloch tribal chief “Nawab Ghazi Khan Mirani” distributed his property among two sons, Ismail Khan Mirani and Ghazi Khan Mirani. After the Sikh War 1849, this land was possessed by Britain under “British Rule” and also separated into two districts such as Dera Ismail Khan and Dera Ghazi Khan (Nutmami, 2018). The tribal leaders were advised with opportunity about to going with Punjab or Balochistan. Punjab was chosen by Baloch leaders of D.G.Khan and furthermore, they were consented to preserve their “Jirga tradition and retain sovereignty”. A participant states that,

South and West Punjab have different local socio-cultural, geo-political and historical norm, values, traditions and practices. Even, within each part, there are different ethnicities prevailing which have different cultures, ideologies, language and different level independence.

It is concluded that in the regions of Dera Ghazi Khan, Rajanpur and Rohjan, not only Seraiki Balochs but also Mazari, Drishak, Gurchani, Tibbi Lund, Laghari, Khetran, Khosa, Sori Lund, Bozdar, Qasarani and Nutkani all from Rind origin, had sustained divergent clannish customs along with political organization (Miana, 2010).

### **Low Socio-economic Status of Women in Patriarchal structure**

Northern and Southern fractions of the Punjab Province with clear segregations (Tashkeel, 2016), northern Punjab with lowest poverty rate in Pakistan along with some areas of South Punjab amongst the most are considered on the breadline (Arif, 2016). Many substantial factors about poverty were prevailing in Southern Punjab as highlighted by Participants.

One of the female participants acknowledged that,

VAW was popular in underprivileged families living in rural areas due to low rate of education compare to middle class that have to mumped their voices for cultural/societal norms and values and for the Honor of their family as well.

A Male participant (Law Practitioner) stressed out that,

Women had to owe allegiance and service to multiparty family unit in rural areas of Pakistan. She had to prepare intensively exertion like a domestic bovine mammal (ox) in terms of working in the homes, raised their children and took forbs from the paddock. Despite of lacking of resources and laborious effort, they (women) tolerated entire difficulties for the Honor of their family. On the contrary, their males get seating and had conversation in the hotels of their villages early in the morning.

Some of the male and female participants stresses that “*Educated women can defend themselves and people around them accepted their rights but not in the case of illiterate women either they lived in rural areas or in urban areas*”.

Dera Ghazi Khan was considered amongst very backward city in Punjab (Arif, 2016). Almost all of the participants confirmed that,

Majority of the people in that area went abroad especially in Middle East such as Saudi Arabia, Abu Dhabi, Qatar, Oman, Dubai, Muscat, Jeddah and Bahrain etc for earning owing to absence of employment opportunities in Southern Punjab. Non-presence of her husband in some cases, she had sexually harassed by her other male family members (either by Father In-law or brother in-law) and she had to mumped as considered the symbol of her family's honor. At times, she raised her voice against this hostility, more ruthless behavior either in the shape of assassination put to impede for extra marital affairs or in the shape of annulment.

Some of the male law practitioners dictated that,

Pakistani society is "Obligatory Society" where social functioning is based on using status symbols, nepotism and obligations. "Rule of Law" is not practiced countries like Pakistan due to lack of "Ethical Upstanding". State had made laws actively regarding VAW but implementation gaps were founded there due to religious rituals, local cultural traditions, unemployment, illiteracy, poverty and pressure from the offender's personals. Generally, Implementation of law is not founded there just not only in the case of VAW.

The responses of the participants suggested that violence against women was deeply connected with poverty, lack of education, traditional social values, and the idea of preserving family honor. Women living in rural communities, especially in Dera Ghazi Khan, often experienced heavy household responsibilities, harassment, and social restrictions that prevented them from speaking out. Even though laws had been introduced to safeguard women, poor

enforcement, limited legal knowledge, absence of important documents, and pressure from powerful individuals continued to create obstacles in obtaining justice. Hence, promoting education, increasing legal awareness, and ensuring strong implementation of laws were necessary steps for the protection of women's rights.

### **The Social Media**

Social Media spreads information, creates awareness, and keeps people updated about social, political, and economic issues. It helps shape public opinion and gives people a platform to raise their voices. However, media should be used responsibly to avoid misinformation and negative influence.

Majority of the female law practitioners demonstrated in FGDs that,

Social media is now a day's becoming a fourth pillar of the state. Each and every class of the society has access to that especially Cell phone. Majority of the reported cases of VAW, were the elope marriages that caused by using cell phones. Young girls used cell phones, made friendships and then they (especially girls) run away secretly from their homes in order to get married.

They further explained that at the time of court marriages,

We insist them to avow for their "Huq Mehr (is a mandatory payment in Islam, in the form of money or possessions paid by the groom, to the bride at the time of marriage, that legally becomes her property)" but as earlier young girls became more fanaticized by their male partners, they refused to take it. When their expectations were not fulfilled by their partners, absence of capital as maintenance allowance, pessimistic and at the same time, neither they have support by their own parents nor have security in the form of Huq Mehr on Nikah Nama, whenever they demanded for

their rights violence takes place. In some cases, VAW takes place in the form of selling girls who eloped from their houses for marriages or used as prostitution as a source of financial support for their husbands or occurrence of martyrdom.

The participants' views suggested that social media and mobile phone use had influenced some cases of violence against women, particularly in elopement and court marriages. Young women who left their homes for marriage later faced insecurity when they lacked family support, financial protection, or legal safeguards such as Huq Mehr. When their expectations were not met and they demanded their rights, they became vulnerable to abuse, exploitation, or severe violence. Therefore, legal awareness, family support, and proper protection of women's marital rights were essential to reduce such risks.

### **Women's Right of Inheritance**

Women's inheritance rights in Punjab were legally protected under the Punjab Land Revenue Act, 1967, particularly Sections 135-A and 142-A, which made the transfer and distribution of inherited property to women a mandatory legal requirement. Significant majority of the participants highlighted that

In Tribal areas such as Dera Ghazi Khan, fascinatingly, the whole tribe was not conversant and they considered women as domesticated gallinaceous bird that confined into four walls of the house (called as Char Diwari in local language). Women had no idea about the world around them. Paradoxically, they did not know about their basic rights such as right to education, right to marry or right of inheritance etc subsequently how can they acquire their basic rights. Despite of preventive laws due to local cultural rigid customs and lack of education or literacy

(not only experienced by females but also their in-laws including their husbands), still VAW is sustained.

The participants' views showed that women in tribal areas such as Dera Ghazi Khan were often deprived of their inheritance rights due to illiteracy, strict cultural customs, and lack of awareness. According to Section 498-A of the Prevention of Anti-Women Practices (Criminal Law Amendment) Act 2011, denying women's right of inheriting property by fraudulently or prohibited means shall be penalized with detention that can extend to ten years but not be less than five years or with a heavy fine of one million rupees or together (Zermina, 2018). Although Pakistani law clearly protected women's share in property and punished those who denied it. But, again weak social acceptance and traditional practices continued to prevent women from claiming their legal rights. Therefore, education, legal awareness, and effective enforcement of inheritance laws were essential to reduce violence and discrimination against women.

### **Different forms of Violence against Women in Southern Punjab**

The legislation such as The Women Protection Bill, 2006; The Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2008; Protection against Harassment of Women at the Workplace Act, 2010; Acid Control and Acid Crime Prevention Act, 2011; the Prevention of Anti-Women Practices Act, 2011; Domestic Violence (Prevention and Protection) Act, 2012 and Anti-Honour Killing Act, 2016 was an extensive potential by GOP to prohibit certain practices leading to exploitation and discrimination against womenfolk. Majority of the females' participants (law practitioners) assessed that

Pakistan considered a patriarchal society. Instead of substantial legislation, internalized misogyny in different forms of violations was prevailing in Dera Ghazi Khan such as "Watta Satta" (Prohibition of forced marriages), marriage with the

Holy Quran, Dowry/Financial issues, depriving woman from inheriting property, honor killing, sexual harassment, verbal abuse, mutilation of hands in grass cutting machine, acid attacks (by jilted lovers or angry predators whose advances are rejected, continue to permanently disfigure women, often leading to a painful death), use of wheat pill poisoning, use of poisonous spray (which used as pesticides), firing/use of inflammation for suicide and consumption of Kala Pathar (either suicide is attempted forcefully or by on her behalf).

The participants' views indicated that although the Government of Pakistan had introduced several laws to protect women from exploitation and discrimination, violence against women remained widespread in Dera Ghazi Khan. They highlighted that patriarchal values and internalized misogyny had continued to support harmful practices such as forced marriages, dowry disputes, denial of inheritance, honor killings, harassment, acid attacks, and other forms of physical and psychological abuse. Therefore, the existence of laws alone had not been sufficient; effective implementation, social awareness, and change in cultural attitudes were necessary to protect women's rights.

## **The Role of Social Institutions**

### **The Role of state**

The state plays a central role in maintaining peace, justice, and stability in society. It is responsible for making laws, protecting citizens' rights, providing basic services, and ensuring equal treatment for all people. A strong and fair state helps create social order and public trust.

Little fraction of the male participants (law practitioners) highlighted that,

The trends regarding the roles played by state were changed with the passage of time. State became more active than before. Earlier, Pretenders (who commit crime

or act of violence) were from the victim's own family and the substance of violence in terms of assassination could be maintained on the name of "Gharat or Honor". But now-a-days, Police department has been involved instead of victim's family members and they investigated that occurrence and find out evidences from outside of the victim's family.

Under Section 311, Pakistan Penal Code (PPC) awarded Punishment. Death or detention for life or sentence of either depiction for a term which may extend to fourteen years as ta'zir (alludes to sentence for misdemeanor or felony at the consideration of the judge (Qadi) or head of state in Sharia Islamic law), imprisonment for life take place if the offense perpetrate in the masquerade of Honor (PPC, 1898). Penalties can be imposed by Courts by means of Tazir even later than acknowledged conciliation between all descendants of a deceased being and offender.

One of the Participants highlighted that,

Shaheed Benazir Bhutto Human Rights Centers for Women had been functioning under Federal Government to defend women against all forms of violence and for abolishing every type of biases against women. Subsequent to 18th amendment, Social Welfare Department under Women Ministry of Punjab in 2014 had adopted these centers. Twelve (12) centers running in Dera Ghazi Khan, Muzaffargarh, Multan, Bahawalpur, Mianwali, Faisalabad, Khushab, Lahore, Sahiwal, Rawalpindi, Vehari and Sialkot. Legal aid such as impermanent shelter, first aid/ Medical care facilities, aid /free legal assistance, free social, psychosomatic and legal psychotherapies was provided to victims of violence in crisis.

One of the female participants during conducting FGDs stressed that,

They were not rebuffing the noteworthy roles played by State, police, many NGOs and social media towards VAW. Mostly people themselves did not disclose the proper information about the case rather they accredited information which considered appropriate for proving them “unblemished”. In some genuine cases of VAW, educated females from middle class did not take stand due to family’s Honor and fear of societal pressure. Mostly cases are counterfeited. Social justice is determined by court of competent jurisdiction on matters submitted to it but most of the time cases stretched out and it takes time for judicial decisions due to gigantic size of pending cases. Rather, females are persecuting all the initiatives driven by state of Pakistan.

In the cases of fornication and rape, this change in the punishment was a considerable source of controversy. Some of the female respondents argued that *“our society reacts in the case of female’s involvement into extra-marital affairs or in adultery but not in the case of males. Females considered the symbol of Honor of the family in our patriarchal structure, consequently Violence crop up against women not against men”*.

The participants’ views indicated that the role of the state, police, NGOs, and social media in addressing violence against women had improved over time. Legal reforms, women protection centers, and police involvement had provided support to victims and strengthened investigation procedures. However, social pressure, family honor, delayed court decisions, false reporting, and patriarchal attitudes had continued to limit justice for women. Therefore, stronger implementation of laws, faster judicial processes, and social awareness had remained essential for reducing violence against women.

## **The Role of Police Department**

The Police Department plays an important role in maintaining law and order, protecting citizens, and preventing crime in society. It is responsible for registering complaints, investigating cases, arresting offenders, and ensuring that justice is supported through proper legal procedure. A fair and active police system helps create public trust and provides safety to vulnerable groups, including women and children.

Majority of the male practitioners affirmed that,

The police department is responsible for the pervasive form of VAW in southern Punjab. In genuine, police demanded cash from the opposites (both offender and victims) for investigating the case, for composing FIR and for visiting the place where an occurrence takes place. Additionally, cash stipulated by Doctors for postmortem examination or necropsy, for forensic medical examination and Hiring fee for lawyer as well increased the financial burden on the opposites. Alternatively, opposites did not go for reporting the incident of violence to the police as it appears disadvantageous to them due to low socio-economic status (poverty). But, in the case of “Land Lords” cultural customs and lack of education were observed behind VAW rather than economic issues.

Another participant highlighted that *“low income country like Pakistan, lacking medical care facilities such as forensic lab facilities and lacking CCTV cameras etc which also became stumbling block in the process of investigation. Police department is neither proactive nor independent and also have deficient resources.”*

Some of the participants advocated,

Victims and victim's family also considered equally responsible as much as police are responsible. Victim's family forced for reconciliation towards perpetrators with the passage of time due to agnation (Biradari system), peer, neighborhood or political pressure and resultantly, offender escaped from sentence. Inasmuch as the police was the insider of that community, by considering this fact, police did not compose FIR due to this anticipatory reconciliation, which did not referred that the police was not recording the FIR. Rather, due to different Women Protection Acts such as *Anti-Rape Act* of 2016 which provides legal aid to victims and prohibits the disclosure of their identity. Importantly, it also mandates that the police register a First Information Report (FIR) in the presence of a female police officer, as well as conduct a DNA test with the consent of the complainant as a matter of urgency. To record FIR is mandatory not only as declared by law but also for Police Department itself survival (Thana System) for getting appropriate budget from GOP.

The participants' views showed that violence against women in Southern Punjab had been influenced by weak policing, poverty, social pressure, cultural customs, and lack of resources for investigation. Although some participants blamed police corruption and poor facilities for discouraging victims from reporting cases, others believed that families, witnesses, and community pressure had also contributed to reconciliation and denial of justice. The involvement of police had helped reduce some practices such as honor killing, yet patriarchal attitudes, delayed legal processes, and lack of truthfulness from all sides had continued to weaken the justice system. Therefore, independent policing, fair investigation, legal awareness, and strong rule of law had remained essential to reduce violence against women.

## The Role of Religion

Religion plays an important role in guiding people's moral values, behavior, and responsibilities in society. It teaches peace, justice, respect, patience, and care for others. A proper understanding of religion can help reduce social evils and promote harmony among people.

Almost all of the participants either males or females law practitioners affirmed that Religion never remains a source of VAW. One of the participants noted a quote:

*“Economic depression followed by moral depression”*

The reasons behind the VAW more economical as compare to religious. Many decades before preaching the Islam, Saracen conceal their alive daughters inhume. In Hinduism, “Sati or Suttee” custom was practiced in which a widow immolates herself on her husband's funeral pyre. Islam provides protection to women by giving her rights. Some of the female participants describe that:

As women perform her duties such as maintaining household, taking care of children, provides care to husband's family mostly in joint family system, although it is not included into her duties but she did it because her all duties are considered the symbol of “Janti Aurtin” (a woman who belonged to paradise, of superior charms and excellence) accord to Islam.

The participants' views indicated that religion had not been the source of violence against women. Instead, economic hardship, moral decline, cultural practices, and social attitudes had played a greater role in promoting such violence. They believed that Islam had protected women by granting them rights, while many women continued to perform household and family responsibilities beyond their obligations due to religious and cultural expectations. Therefore,

economic stability, moral awareness, and correct understanding of religious teachings had remained important for reducing violence against women.

## **Discussion**

In patriarchal societies like Pakistan, male hegemony constructed in the most part of the socioeconomic realms (Jafar 2005). Traditionally, Patriarchic norms and proclivities of hegemonic masculinity were vigorous in rural areas apart from urban areas and withal, women's body as considered men's personal property. Customarily, rural women treated as second-fiddle to men (Mitha & Mumtaz, 1996) and were propounding to be the defender of family's nobility (Critelli, 2010) due to large gender discrepancies in different domains of health, schooling, economic and political involvement (Raza and Murad 2010). Moreover, the present study suggested that educated women from high socio-economic status are more to be apathetic in the name of honor as compare to uneducated women from low socio-economic status. Women's discrimination was outrageous barring to men's in communities where women possessed less supremacy and stumpy social status (Archer, 2006; Zakar, Zakar and Krämer, 2011). Typically, violence is socially endured, sporadically reported and appraised as desirable for untroubled functioning of wed-lock particularly for women not only in rural belts (Zakar 2012; Riddell et al. 2009) but also in urban patch.

Living under trauma of violence probable exhausted female's familial obligations and disintegrate their working social capital. Accordingly, their aptitude for confronting violence and assemble social resources for their security gets impeded. The Global Gender Gap Report (2017) announced that Pakistan ranked at 135 out of 136 countries suffered with worst gender discrepancies (Hausmann et al. 2013). In acquiescence with previous studies, the present study highlighted different factors behind persistency of violence against women and girls in Pakistan

(VAWG) e.g. absence of inheritance rights, Low socio-economic status (illiteracy and low income), poverty, conservatism, feudalism, tribalism, fears of stigma, shame and dishonor, lack of law implementation, predominantly in rural areas and less tendency of reportage (Mai, 2007; Bukhari, 2010; Peek-Asa et al. 2011). The province of Khyber Pakhtunkhwa demonstrated the lowest number of crimes against women along with Balochistan as compare to Punjab and Sindh in 2017. Experts doubted for number of reasons that in KPK and Balochistan, the tribal and jirga system depressed the women from disclosure to crimes (HRCP, 2018).

Women are stigmatized as short tempered and emotional. Fiske and Glick in 2001 originated the term “Benevolent sexism” to explicate assessment of gender that “condescending stereotypes about women observed as subjectively affirmative by its devotees as it position women to appreciation but albeit restricted the status of women largely” (Levitt and Ware 2006a, 1188). Furthermore, it might be weaken women’s self-confidence and prepared them as permanently reliant on men (Carrillo, 1993). But female advocates’ participants dyed in present study that women used their own emotionality for persuading their desired goals in negative co-notation in the cases of “Professional Rudas”.

The domination and concealment of women’s anatomy was considered as most contestable and tendentious concern in Muslim civilizations (Ayyub, 2000; Ali, 1986). Male’s credence for revitalizing the jurisdiction and submission to their women (Dobash & Dobash, 1979) typically analogous to religious expression (Zakar 2004). Rotunda, Penfold and Williamson (2004) demonstrated that patriarchal persuasion incorporated with the standpoint of religious scholars that escalate the practice of power-based expedients by contemptuous parsonage in some American bunch. Most of the religious scholars give the impression of inadvertently ambivalent doctrine with their confined cultural beliefs and a patriarchal dogma

that historically underpin the supremacy of men and subservience of women. The Finkelhor (1983) assessed that the misuse of power exist in the context of power-based discrimination. Considering the fact that, conventional roles implicated inequality between the masculinity and femininity and the state of affairs opportune for exploitation (Finkelhor, 1983). These perceptions are not peculiar to Pakistan or to Muslims. Particularly, the churches inadvertently posit the staging for abuse by stipulating women into subordinated position in Christianity (Dobash & Dobash, 1979; Katschke-Jennings, 1989; Walker, 1988). Still, Christian and Jewish religious scholars frequently dispense religiously inspired counseling assistance to victims (Zakar, Zakar & Krämer, 2011; Zakar 2004; Hassouneh-Phillips 2001; Giesbrecht & Sevcik 2000; Adelman, 2000). Correspondingly in India, patriarchal system was maintained in the name of the Hinduism (Dhruvarajan, 1990). Contrary to all of the religious perspective explained by religious leaders, in the present study all of the laws practitioners and victims as well confirmed that religion Islam is never be the source of abuse and violence rather it condemns it and endorsed the rights and admiration to the women as mother, as daughter, as sister and as wife.

Social media identified that crimes against women and girls, including dishonor killings, e.g. Sawara and karo kari is under-reportage (HRCP, 2018). Statistics confirmed that out of 48.76% of the women, only 0.4% women bring their cases ahead to court due to lack of awareness, low socio-economic status (poverty), as considered the custodian of the Honor of the family, due to local cultural traditions tinted by current study. In some cases, police demanded cash from the opposites (both offender and victims) for investigating the case, for composing FIR and for visiting the place where an occurrence takes place. Additionally, cash stipulated by doctors for postmortem examination or necropsy, for forensic medical examination and Hiring

fee for lawyer as well increased the financial burden on the opposites. Due to low socio-economic status of the victim's family, they did not consider necessary to report their case to the Police. Furthermore, in most cases of violence, the victim's family was forced into reconciliation with the perpetrators over time due to agnation (Biradari system), peer, neighborhood or political pressure and as a result, the offender escaped punishment. The police were the insider of that community; by considering this fact, police did not compose FIR due to this anticipatory reconciliation. Contrary to this, to record FIR is mandatory not only as declared by law but also for Police Department itself survival (Thana System) for getting appropriate budget from GOP. The police as well as Law Enforcement Agencies (LEAs) manipulate registration of First Information Reports (FIRs) for the reason that government acknowledges those police stations or districts with that of lowest crime rates (Jamil, 2018). The present study concluded that not only on their part police department but also victim's family is becoming the source of VAW.

## **Conclusion**

The present study explored the structural challenges faced by law practitioners and victims as well about why VAW is not completely diminished throughout the society instead of extensive measurements taken by Government of Pakistan (GOP). The findings of the study revealed that low socio-economic status of victims and their family as well, lack of awareness, attributes like obligatory culture, status symbols, nepotism, local cultural traditions such as religious rituals, pressure from the offender's personal cultural rigid customs, peer pressure and political pressure were the significant factors which prevailing in South Punjab and all considered as the root source which prevented "The rule of Law" in general and also particular regarding VAW.

## **Recommendations**

Based on the study findings, a comprehensive legal framework should combine law enforcement, victim protection, legal awareness, social reform, and economic empowerment. Appropriate budgets and resource provision is an extensive requirement to subsidize, prevent and reintegrate both the victim and offender. Standard operating procedure (SOP) desired for Police Department about how to address gender-based hostility. Violence avoidance programs, to raise awareness and to rebuff anti women practices and gender stereotypes, significant roles can be performed through existing platforms such as social media and judicial system. Overall, the legal framework should not depend only on making laws. It should focus on effective implementation, trained police, accessible legal aid, reliable forensic evidence, fast courts, women's economic empowerment, and community-level awareness.

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<sup>i</sup> Corresponding author email: [drayeshakhandgk@gmail.com](mailto:drayeshakhandgk@gmail.com)