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Intimate partner Violence and Its Under-Reporting in Pakistan

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Abstract

Intimate partner violence is not a culturally limited practice, but prevails in every country, irrespective of culture, class, and ethnicity. Violence is one of the mechanisms used by men to control and subjugate women; and is a manifestation of unequal power relationship sustained by patriarchy. Patriarchy makes violence necessary for the sake of its existence. Intimate partner violence encompasses the usage of power over a life partner through intimidating, harassing, or harmful behavior. The spouse endures violence many times and can be inflicted and harmed physically, sexually, and psychologically. Intimate partner violence in Pakistan persists almost in every family because women have subjugated and vulnerable status and are generally treated as second-class citizens. Generally, the occurrence of violence at home is effectively condoned and regarded it as ‘private matter’ which does not require any intervention. It is not generally considered as a criminal offense except in the cases when it takes the form of killing or attempted killing. This study aims to find out the factors which breed Intimate partner violence in Pakistan and what are the factors which preclude the reporting of intimate partner violence and seeking legal redress. This study has found that patriarchal system and cultural values breed intimate partner violence and also preclude victims to report the incidences by not giving them appropriate moral, cultural and legal support. This study considers that violence against women specifically intimate partner violence will not be eliminated unless the system which causes violence changes.

Keywords: Intimate partner violence, Domestic Violence, Patriarchy, Gender-based violence, Pakistan

Introduction

Intimate partner violence is not a culturally limited practice, but prevails in every country, irrespective of culture, class, and ethnicity. Gender-based violence, the most pervasive violation of human rights, denies equality of women and girls, their security, self-esteem and their right to enjoy basic liberty and freedom. It produces far-reaching physical, psychological, and economic impacts. The United Nations Declaration on the Elimination of Violence against Women (1993) 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, 1993). Despite being proscribed in every country, violence against women is perpetrated either in the garb of cultural practice or through their own distorted interpretation of religion. Most often the occurrence of violence at home is effectively condoned and regarded it as ‘private matter’ which does not require any intervention.

Intimate partner violence, the most common forms of gender-based violence, has received the attention of researchers and scholars since the 1970s; however, violence within the four walls of families occurred long before these studies. Intimate partner violence encompasses the usage of power over a spouse through intimidating, harassing, or harmful behavior. The spouse endures violence many times and can be harmed physically, sexually, and psychologically.

Intimate partner violence is a global phenomenon occurring in both developed and developing countries. Despite under-reporting of the incidence of intimate partner violence, existing statistical data, from across the world, reveals that one out of every three women experienced intimate partner abuse (WHO, 1997). In 48 population based studies conducted by Krug, Mercy, Dahlberg, and Zwi, (2002) revealed that 10 to 69 percent of women faced intimate partner violence during their lifetime; Similar result were found in another study carried out in 36 countries by Heise, Ellsberg, & Gottmoeller, 2002). The occurrence of intimate partner violence is much higher in developing countries due to rigid cultural and patriarchal values. In the review of literature Nasir and Hyder (2003) revealed that 18 to 67 percent of women in developing countries are reported to experience intimate partner violence in comparison with 28 percent of those in developed countries. Such as in Canada and US, 29 percent and 28 percent of women respectively experienced Intimate partner violence (UNICEF, 1999 as cited in Khan et al. 2000); whereas, in Bangladesh varies from 35 to 42 percent (Bates, Schuler, Islam, & Islam, 2004) in India and Kenya, this rate is 45 and 52 percent respectively (UNESCO, 2000, as cited in Kocacik, et al.,

2007); Egypt, Palestine, Israel and Tunisia at least one out of three women experience physical violence by their partners (Douki, Nacef, Belhadj, Bouasker, & Ghachem, 2003; Haj-Yahia, 2002).

Intimate partner violence in Pakistan persists almost in every family. The extended family system still prevails in Pakistan where in-laws also perpetrate violence on issues related to dowry and petty family disputes. Human Rights Watch (1999) and Aurat Foundation (2013) estimated that 70 to 90 percent of Pakistani women are subjected to intimate partner violence; however, the incidences of intimate partner violence are grossly under-reported. This study aims to find out the factors which breed intimate partner violence in Pakistan and what are the factors which preclude the reporting of intimate partner violence and seeking legal redress. However, before that this paper presents the available data of the incidences of Intimate partner violence in Pakistan and will put light on intimate partner violence through the feminist perspective.

Intimate partner Violence in Pakistan

The occurrence of Intimate partner violence in Pakistan is generally a common phenomenon prevailing almost in every home. Since extended family is still common in Pakistan, in many instances, in-laws are also the perpetrator of violence. The occurrence of intimate partner violence is the common story of every home, however, people often do not consider other types of violence such as psychological, verbal and the like, in the category of violence except physical violence. However, the incidents of intimate partner violence are grossly under-reported. Below is the table indicates the occurrence of violence against women during 2008-2014.

Table shows the numbers of reported cases of VAW across the country between 2008 and 2014.

Categories of Crime	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012	Year 2013	Grand Total
Abduction/Kidnapping	1,784	1,987	2,236	2,089	1,607	2,026	2,170
Murder	1,422	1,384	1,436	1,575	1,747	1,425	1,610
Domestic violence/ Intimate Partner	281	608	486	610	989	498	494
Suicide	599	683	633	758	575	668	931
Honor Killing ¹	475	604	557	705	432	487	713

¹ The murder of a relative, generally woman considering that she has brought dishonor to the family or community

Rape/gang rape	778	928	928	827	822	956	1,515
Sexual Assault	172	274	74	110	58	38	74
Acid Throwing ¹	29	53	32	44	83	43	65
Burning	61	50	38	29	71	42	55
Miscellaneous	1,970	1,977	1,580	1,792	1,134	1,669	2,443
Total	7,571	8,548	8,000	8,539	7,516	7,852	10,070

Source: Annual Report January-December 2014, Violence Against Women in Pakistan: A Qualitative Review of Reported Incidents. Aurat Foundation.

Statistics for 2008-2014 show that there were only 3966 cases of Intimate partner violence reported across the country; whereas 14,572 incidences of murders and 'honor' killings were reported during the same period. The total murder and 'honor' data is sufficient to know that Intimate partner violence is grossly under-reported. Since the crime of murder being the most serious one under law, it is often too difficult to hide. A total of 14,572 murders and 'honor' killings during 2008- 2014 are giving proof enough that Intimate partner violence is not reported as often as it takes place.

Violence against women including Intimate partner violence remained pervasive and intractable in 2017 also.

Honor Killing	390
Rape	3,238
Gang rape	257
Incest	14
Domestic Violence/ Intimate Partner Violence:	1,266
Murder	694
Beating Other	533
Acid Burning	18
Stove Burning ²	4
Vanni/Swara ³	15

¹ The act of throwing acid or corrosive substance onto the body of woman with the intention to disfigure her body and face.

² This is the practice done to get rid of from spouse. In this practice, sometimes a woman is burnt alive through deliberate tampering with gasoline stove. In other times, husband or in-laws douse his spouse with kerosene oil and set her on fire

³ A Cultural practice in which girl is forced to get married as compensation for killing /murder committed by her male family member

Sexual Harassment at workplace: Physical	37
Sexual Psychological	21
	0
Any other kind of VAW	4,146

Source: HRCP 2018

Technical experts agree that the reported cases in 2017 were yet again simply the tip of a huge iceberg, especially in the rural areas, where violence against women remains largely unreported.

Family disputes- petty quarrels, dowry, property, marriage choice, and the like- are the common reasons for violence against women (HRCP, 2009). Below are the few examples of the situations which incite culprits to exercise violence (in some instances intensity of violence caused to death) to their wives.

Husband killed her wife on a refusal to give him a cup of tea

On bringing less dowry than her in-laws expected, Shumaila Bibi was beaten to unconsciousness by her in-laws Mother burned to death her daughter for 'disgracing' the family by getting married to a man of her own choice

The body of Amber was found inside a vehicle that had been set on fire on the orders of traditional assembly of elders/Jirga. Maheen was burned to death by her husband because she wanted to visit her parents.

A woman was murdered solely for giving birth to girls.

The worst form of intimate partner violence is stove-burning perpetrated by husband and in-laws considering it as an easy and safe way to get rid of wives. Deaths by stove-burning are for the most part ascribed to be accidental bursting of stove and responsibility of the incidence is put on either manufacturer of gasoline-stove or the carelessness of woman who uses the gasoline stove. However, survived victims narrated the story that how their husbands and in-laws set them on fire. Among the stove burning incidents, the doctors at Burn Unit of one hospital in Pakistan estimated, at least sixty percent of women have been burnt by their spouses or in-laws. Aurat foundation has attributed 50 percent of these deaths to murder or suicide. Suicide is also a murder because living conditions for woman are made so hostile and unbearable that she does not have another option except to commit suicide. It is reported that every year not less than 500 women in the country meet such a horrible fate of stove-burning (HRCP, as cited in Bhatti, et al. 2011). In some instances, Women are so much suppressed and depressed that rather than fighting for justice, they commit suicide to end the unbearable torture from husband or in-laws. Suicide rates of women are on the increase.

Feminist Perspective on Intimate partner Violence

Feminist theorists especially being effective in bringing public attention to the violence against women view that intimate partner violence is a reflection of unequal power relationship among genders and should not be seen as isolated cases emanating from psychological or criminal roots. Intimate partner violence reflects the unequal power between genders in society or within their personal relationships. There is a consensus among feminist theorists that intimate partner violence is fundamentally a gender issue and cannot be grasped without taking gender as the central component of analysis (see Anderson, 1997; DeKeseredy & Dragiewicz, 2007; Dobash & Dobash, 1979; Hadi, 2017; Johnson, 1995; Kurz, 1989; Ökten, 2017; Yllo, 1993).

Patriarchal societies and cultures give value and privileges to men over women and permit or encourage their domination, oppression, and exploitation over women. In patriarchal system women are perceived as an 'object' rather than a 'subject' and are given low status in society. The deep rooted ideas about low status of women and male supremacy enable men to exercise unlimited power over women and legitimize that power and domination. Women are kept in control through internalized patriarchal conditioning. With the internalization of patriarchal values both man and woman regards many instances of abusive conduct of man as normal and is part of the life. Due to the effect of patriarchal value, man consider his right to exercise violence whenever he feels necessary; whereas woman often does not perceive herself as abused unless she experienced severe physical violence.

The theme that runs through the literature on violence against women is women's unequal power between genders in patriarchal society. Patriarchy, is both ideological (the beliefs, norms, and values about the status and roles of women in a society) and structural (women's access to and positions within social institutions) (Dobash & Dobash, 1979). Violence is one of the mechanisms used by men to control and subjugate women; and is a manifestation of unequal power relationship sustained by patriarchy. Patriarchy makes violence necessary for the sake of its existence. Dobash and Dobash (1979) asserted that physical violence against wives is used as a mean to control and oppress them and it is the clear and visible manifestation of patriarchal domination. Walby (1990) having been identified violence as a mechanism to keep women subservient to men, stated that some men employ violence to assert their authority and other men exercise violence to reassert or regain their declining authority, power and status (Reiser 1999; Meltzer 2002; Xie et al. 2011).

Causes of Under-reporting of Intimate partner Violence in Pakistan

Traditional values and patriarchal attitudes which make women subservient to men and devalue the role of women still prevail amongst the people across Pakistan due to institutionalized restrictive codes of conduct, rigid gender-segregation, and a

strong ideology linking family honor to female virtue. Women are perceived as the repository of family honor and are often not allowed to take big and important decisions. The underlying cause in restricting women to make decision in big issues is that Pakistani gender-biased society views that women are lacking in reasoning, wisdom, and ability to make correct decisions and giving them liberty on this matter may bring adverse outcomes. Linking honor of the family to woman and depriving her off from making important decisions even related to her own life have transformed woman to an “object” whose life, value and worth are not in her own hands. She is often discriminated, oppressed and subjugated and her basic rights are violated. Global Gender Gap 2014 report put Pakistan in the list of the second lowest performing country with respect to equality of gender.

Pakistani patriarchal society embraces cultural norms that breed discrimination and gender-based violence on a daily basis creating situation that not only violates women’s human rights but also undermine their ability to benefit from their basic freedom. . Gender is one of the important organizing aspects of society and traditional gender roles still predominate. Women are socially conditioned to be subordinate to men. Society views that women are subordinate to men, and honor of man and family rest upon/lie in the actions and conduct of the woman of his family. In general, men is perceived as dominant, powerful and superior beings; whereas women are perceived as inferior, powerless, weak, and the like in the society. In this patriarchal society men regard that to threat of violence or exercise any form of violence on their wives is their right and can be used to ‘correct their behavior’ because men are often brought up to believe that nothing is socially wrong with beating of defiant women. Whereas, women often at the time of their wedding ceremony and departure from family are reminded directly or indirectly that now your husband’s home is your home and will remain your home until death embraces you. This implies that whatever condition and suffering you encounter at your husband’s home, you have to face it anyhow and do not try to consider leaving the home. Since divorce is socially stigmatized in Pakistan. Departing a daughter or sister with this reminding message, instills fear in newly wed women and she feels unprotected and vulnerable. She feels powerless and thinks that her life and destiny is now in the hands of her husband. If husband is kind and good enough, sooner she would feel protected and may spend satisfactory life; if man is fully imbued with prevailing cultural myths which consider women inferior to men, lacks ability of reasoning compared with men, he would treat wife differently. He is likely to put restriction on her mobility and interaction and may exercise violence when he feels necessary since he considers it as his “birth right”. When husband exercises violence, he exercises it with impunity and a woman is left unprotected and often remains silent.

In Pakistan, people usually live in extended families, where in-laws also either cause or perpetrate violence in relation to dowry issues or petty family disputes. In a study conducted by Fikree, and Bhatti (1999) demonstrated that 30 percent of

participants stated that in-laws are the common factor leading to intimate partner violence. Thomson Reuters Foundation Poll, in 2011 categorized Pakistan as the 3rd most dangerous country for women and girls in the world where every year more than thousand women are murdered in the name of cultural practice namely honor killing, and ninety percent women experience intimate partner violence (Jamal, 2012). Even increased access to education and information has often not succeeded in uprooting the deeply ingrained attitudes and concepts resulting in the widespread occurrence of violence against women.

Intimate partner violence is not generally considered as a criminal offense except in the cases when it takes the form of killing or attempted killing (HRCP, 2000). Despite the fact that intimate partner violence occurs in the most families of Pakistan, the response of the state and law enforcement agencies on intimate partner violence is so minimal, Because the law enforcement agencies largely view intra-familial violence against women is a personal and private family matter which would be resolved within family and cannot be and should not be meddled with. The gender-biased law enforcement actors fails to provide legal redress to victims and continuous to leave them with little justice (Bettencourt, 2000).

The most callous attitude of society is that it perceives intimate partner violence as a private household matter and should not meddled with, resulting in the seldom reporting of the intra-familial violence against women. Incidences of intimate partner violence are grossly under-reported. Structural factors including a weak criminal justice system and a dearth of societal support for women make it difficult to seek justice. Women who try to report violence face serious challenges. In Patriarchal society of Pakistan, this study has found following major factors preclude victims to come to the fore and seek help from state apparatus.

Women are socialized to accept intimate partner violence including physical, verbal, and emotional violence, but not limited to, as the matrimonial right of husband. Women grown up in such socialization internalize the patriarchal norms and value and view certain abusive conjugal conduct and behavior as normal.

Instead of seeking justice, women remain silent on the abuse inflicted on them on account of (a) real or imagined fear of harm by their intimate partner or in-laws; or (b) concern for the safety and future of their children; or (c) lack of support from the family and friends; or (d) hope that one day their partners will mend their behaviors.

Issues and problems triggering/precipitating intimate partner violence are tried to resolve amicably within family. Women experiencing intimate partner violence prefer to allow family and intermediaries affect a compromise between them and the offender and settle the matter within family. Getting help from state apparatus may end the marriage. Getting divorce though permitted, yet is generally discouraged due to taboo and stigma attached with it.

Seeking legal redress for intimate partner abuse is socially disapproved on account of bringing private matter into public. The attached social stigma with taking one's case to court generate feelings of guilt, shame, and embarrassment and make women feel uncomfortable to seek justice through legal system.

Women victims are reluctant to bring their cases into court for seeking legal redress because they do not have adequate knowledge and information about the legal process.

Viewing intimate partner abuse as private matter, Police and judges being plagued by gender bias are reluctant to interfere with the issue and dispense justice to the victims. Police being reluctant to file charges against abuser partner, often encourage and convince women victim to make reconciliation with abuser husband. Abused women are often sent back to their abusive husband. In this circumstance, laws enacted to protect women become ineffective.

Women who overcome all internal and external aforementioned hurdles and end up taking their cases to courts have to undergo numerous obstacles and humiliations before a conclusion is reached in their dispute. Ironically, women surmounting all hurdles and reaching to the court for legal redress do not get satisfactory relief at the end of the day. Experiences of women victim of getting unsatisfactory reliefs lead other victim women to avoid seeking justice through legal system.

Those victims, who do not get family and social support, endeavor to seek justice through judicial system, but the lack of protection and safety by law enforcement agencies and punishment by courts exemplifies that women in Pakistani society are often left helpless and live in continual fear and subjugation and find no place to turn.

Conclusion

Traditional values and patriarchal attitudes which make women subservient to men and devalue the role of women still prevail amongst the people across Pakistan due to institutionalized restrictive codes of conduct, gender-segregation, and a strong ideology linking family honor to female virtue. Gender-biased society of Pakistan often views that women lack in reasoning, wisdom, and ability to make correct decisions and giving them liberty on this matter may bring adverse outcomes. Therefore, many important decisions, even related to their own lives, are not allowed to take by them. Linking honor of the family to woman and depriving her off from making important decisions even related to her own life have transformed woman to an "object" whose life, value and worth are not in her own hands. She is discriminated, oppressed and subjugated and her basic rights are violated.

Pakistani patriarchal society embraces cultural and religious norms that breed discrimination and gender-based violence on a daily basis creating situation that not only violates women's human rights but also undermine their ability to benefit from their basic freedom. In this society, men regard that to threat of violence or

exercise any form of violence on their wives is their right and can be used to 'correct their behavior' because men are often brought up to believe that nothing is socially wrong with beating of defiant women; Whereas, women are socially conditioned to be subordinate to men. This sorts of nurturing and internalization of patriarchal norms breeds not only intimate partner violence but also preclude the victims to break the silence and speak out.

Intimate partner violence reflects the unequal power between genders in patriarchal society. Pakistan is the 3rd most dangerous country for women in the world; women are treated as a second-class citizen, and their basic rights are frequently violated with ease. Society often does not consider verbal, sexual, psychological, and emotional violence in the category of violence. For society, violence is synonym with physical violence. Even physical violence is not generally considered as a criminal offense except in the cases when it takes the form of killing or attempted killing.

Gender quality is guaranteed in several articles of Pakistan's constitution. For instance, article 25 says: "All citizens are equal before law and are entitled to equal protection of law" and article 27 states: "There shall be no discrimination on the basis of sex alone". But the elements of practical implementation of rights are missing. Pakistan is also the signatory of several international commitments which make Pakistan oblige to protect basic human rights and ensure gender equality. These commitments include but not limited to, the Universal Declaration of Human Rights (1948); Beijing Platform for Action, Fourth World Conference on Women, Beijing, 1995; and Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1996. Pakistani state and law enforcement agencies do not appear to have seriously taken their own laws and their intimate partner commitments to provide and ensure gender equality. Pakistan is also obliged to international laws which demand the equal rights of women; any violation of rights of women should be prevented, investigated and punished.

In Pakistani patriarchal society where rule of law is not prevalent in entire society so just making laws and signing international laws without proper implementation will not eradicate gender inequality and gender-based violence. This study asserts that intimate partner violence is the violation of human rights; Pakistani state along with its law enforcement actors is held accountable for such a violation of human rights occurring in families (Hadi, 2017). Pakistani state and law enforcement actors should take serious and firm actions to reduce the incidences intra-familial violence against women. This study views that actions of state can reduce the occurrence of gender-based violence but cannot eliminate it because in order to eliminate violence against women, patriarchal system has to be changed which can be achieved by strengthening the social, political and economic position of women.

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