

THE SOCIO-ECONOMIC COST OF VIOLENCE AGAINST WOMEN:

A Case Study of Karachi



SPDC

Gender Research Programme
Research Report No.5

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The Team

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FOREWORD

Social Policy and Development Centre (SPDC), realising the importance of integrative research, has initiated a series of Research Reports under its Gender Research Programme (GRP). The areas identified for research are crucial and pertain to wide-ranging developmental issues existing in Pakistan. The overall objective of the research programme identified will help place gender on the map of policy-making in the country by creating awareness of gender implications of social and macroeconomic policies with a particular focus on women, work, and poverty. It will also help develop quantitative and qualitative data, including gender disaggregated statistics and indicators, that will help map changes in gender roles and their access to equal rights and opportunities which consequentially will help bring the paradigm shift in the existing social structures; add to the technical research in Pakistan on the gender aspects of social and macroeconomic policies; factor in gendered perspectives in 'hardcore' economic issues as well as social 'progress-engine' concepts of development, primarily by undertaking pioneering research and policy analyses.

The series of Research Reports produced will help open avenues for further research on issues of development, equal opportunities, equitable policies, and other issues of gender equality and equity.

The Socio-Economic Cost of Violence against Women: A Case Study of Karachi is the fifth in the series. Being a pioneering study, it analyses the nature and intensity of the cost of violence against women incurred by the individual. To build a proper and fuller understanding of the issue, the research comprehensively covers its various forms and manifestations including its effects on society and the economic conditions that require serious efforts both in terms of designing policies and allocation of financial resources.

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Managing Director

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A very special thanks to all those women of courage who shared their sufferings with us. The identities of the victims have been concealed for their privacy and protection.

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ACRONYMS

CCI	Council of Common Interest
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CrPC	Criminal Procedure Code
CSW	Commission on the Status of Women
ECOSOC	United Nations Economic and Social Council
Fata	Federally Administered Tribal Areas
FIR	First Information Report
IDB	Inter-American Development Bank
LFS	Labour Force Survey
MLO	Medico-Legal Officer
MoWD	Ministry of Women Development
MRI	Magnetic Resonance Imaging
NGO	Non-Governmental Organisations
OPD	Outpatient Department
PPC	Pakistan Penal Code 1860
PSLM	Pakistan Social and Living Standards Measurement Survey
SH	Shelter Home
UN	United Nations
US	United States
VAW	Violence against Women
WDD	Women Development Department

CHAPTER 1

INTRODUCTION

CHAPTER 1 INTRODUCTION

Violence against women impoverishes women, their families, and nations. It lowers economic production, drains resources from public services and employers, and reduces human capital formation.¹

The patriarchal system, across the globe, has contributed in sanctioning the socio-cultural control of women – a system that derives its strength from and feeds into perpetual inequality, dominance and submissiveness. The roles assigned to men and women in such a society are embedded in the socio-cultural-economic formations based on the gender division of labour. Whereas the social construct of the society generates the value system that strengthens social hierarchies inherently carrying within the structure of command and obedience – whereby women forcibly conform to the social norms that often justify and strengthen inequality and coercion. The tendencies generated at the societal level often result in the limited, distorted and restrictive understanding towards the (changing) concepts of a safe and healthy social environment, dignity, liberty and self-esteem. The hierarchical characteristics established, thus, minimise the protection of marginalised and vulnerable social groups including women.

Unfortunately, the socio-cultural patterns existing in developing societies in general and muslim societies, in particular, have been internalised by women. Majority restraining themselves from questioning the status quo are often seen caught in a violent environment. It is extremely important to revisit the existing social paradigm and create a social environment that is not only safe for women but allows them to raise their voice against injustice. Currently, with no socio-legal remedy available, the victim often experiences a loss of self-respect and a constant fear of repeated violence. Forced with indifference and lack of understanding, violence including harassment at the workplace often is treated as a natural outcome of human failing rather than a crime. The result being that the offender is not held accountable, whereas the victim is 'assumed' to be a person either of shady character or incompetent – failing to have performed successfully the household responsibilities. The treatment of women on the basis of social formation; therefore, requires a multifaceted and multipronged strategy addressing comprehensively (both) inequities and inequalities.

Globally, the literature produced is based on the theoretical development that has taken place in contemporary times. Theories that have been identified are cross-cultural and definitely help in bringing forward the various types, facets, and stages of violence against women. It is the development of socio-cultural theories that has provided the necessary framework for the development of the theory^a of culture of violence. The theory focuses on the social structures

existing within a society, including the systems and institutions. The former suggest that violence against women is largely a reflection of the attitude and mindset that is shared at the societal level – whereby the act of violence perpetrated against women is condoned. Moreover, the cross-cultural analyses (within a nation-state) indicate the difference that exists in the attitude of both the victim and perpetrator. The social ideology (influenced to a varying degree by historical, social, political, and economic, processes and norms) does influence the societal outlook, understanding, and interpretation of violence against women. The influence(s) that are largely compounded by the imprints of the peculiar tribal and feudal characteristics on the society in Pakistan. The complexities are also found carrying forward the additional burden of unjustified Islamic justifications added as an appendix to other justifications^b. It is, therefore, important to understand and include in this study the impact of multiple factors, such as ethnic community, social group and economic class, on the attitudes of the selected group along with the variations that may exist among different socio-cultural groups/communities.

Theorists largely agree that since violence against women is not a unitary phenomenon, a general theory approach that addresses (both) the predatory^c (provoked) and moralistic violence may not be possible. Neither can its largely prevalent dimensions, existing in Pakistan, be understood by using a single theory approach. It is important to look at the linkages that exist among several theories – an approach that would help in understanding the dynamics and its various facets. Equally important is to look at the 'cause and effect' of violence against women as it occurs in Pakistan. Given below are some of the theories that differ in the nature of events and conditions that provoke violence.

Strain Theory focuses on violence caused by negative conditions. The treatment meted out to an individual may result in a crime/ violence. Provocation being the focal point is considered to be a major causative factor, whereas the generic usage of 'the negative conditions' is presumably inclusive of 'frustration'. The theory is focused on the 'perpetrator'.

Social Geometry or Violent Structures Theory looks into the social construct existing at the community level. The theory looks at the nation-state primarily by exploiting the gendered expression of violence in different social and economic situations. Moreover, it has within its purview the social distances that exist between different social groups.

Social Learning Theory based on the concept of 'Learned this Behaviour', focuses on the 'individual'. It looks at the issues of violence that may be strongly influenced by a number of factors (including) causative as well as augmentative. According to the theory, women (victim) suffer from 'learned helplessness' – a behaviour that prevents them from resisting violence. The theory also looks into the social behaviour of (both) the perpetrator / aggressor and the victim besides looking into the negative consequences of the exposure of the people to violent models. Included are the violent structures that present and justify violence as a form of social contract.

Social-Cultural Theories of Violence are based on the framework provided by the culture of violence theory. According to the theory, the cycle of violence for the aggressor/ perpetrator is followed and not constant (intermittent violence) while the victim, i.e. women, find it to be constant in their lives. The cycle visibly carries the threatening and coercive behaviours which largely aim to exert power over victims. The theories, apparently, drawn from the perpetual subordinate role women have in many societies, address both the individual and community levels and are reflective of the attitude shared by different social groups at different levels of society.

Routine Activities Theory by focusing on the perpetrator/ aggressor looks for the availability of the target (victim). The theory seemingly is an outcome of the 'power and control wheel' which discusses the coercive behaviours and the different tactics employed.

Integration and Control Balance Theory focuses on the imbalances that either strengthen the culture of violence or result in violence. Looking at the motives and processes behind an act of violence, the theory is largely perpetrator/aggressor centred. The theory, looking at the development of events that creates a situation for violence to occur, draws its rationale from strain theory, social geometry or violent structure theory, socio-cultural theories and feminist theory.

General Theory of Collective Violence focusing at the community level is centred at the perpetrator/aggressor. The theory addresses family violence and seemingly draws its strength from theory of power and control wheel, social geometry or violent structures theory and feminist theory.

Feminist Theories of Violent Behaviour discusses and explains the gendered expression of violence in different social and economic situations. Influenced by cultural diversification, the theory brings the victim into focus primarily by disputing the existing paradigm based upon which relationships are governed by dominance and inequality. A normative^d that disables all efforts to establish gender balance through legitimate means whereby violence occurs as a consequence of provocation – which may be unintended. The theory is also crucial for understanding the various dynamics of strain theory, control and balance theory, and social geometry or violent structure theory.

Resource Theory suggested by William Goode (1971) focuses on the cruciating effects of the economic dependency of the 'victim' on their spouse/family members. Moreover, the women (victim) in such cases are caught by the cycle of violence. The social behaviour and conditions prevalent in a society best explain the apathy in which the victim is caught.

The power structures existing at the societal level, thus make the understanding of the 'motivation behind violence' and the processes (used as a tool) important for an effective

response to violence. The theories identified clearly explain the interrelatedness that exists among different forms of violence against women at some level in all societies. Further, they do help in understanding the multifaceted factors that contribute in strengthening the command and control based social paradigm prevalent in Pakistan.

Violence against women is so ubiquitous, almost routine, that it has become a 'normal' state for women in Pakistan. Examine the causes of violence and you can see them present in one form or the other across the country, deeply rooted and firmly secured through years of practice and even more decades of tradition. Pakistan is by no means the only country suffering from this scourge but it is one of those countries where women accept it as fate due to social and cultural factors. According to a report, 80 percent of Pakistani women experience domestic violence, while one in every three experiences some form of violence such as rape, honour killing, immolation, acid attacks and verbal or psychological abuse². Clearly, the scope of the problem is broad and the scourge of violence widespread.

The existing literature on the different aspects of the problem has drawn attention towards the implications of the high economic costs of violence into four broad categories. Direct costs include the value of goods and services for treating and preventing violence. Non-monetary or indirect costs include pain and suffering. Economic multiplier effects capture the impact on labour market participation and productivity of workers, whereas social multiplier effects capture the impact on interpersonal relations and the quality of life. The intergenerational transmission of violence is a stark example of such an effect³. Pakistan is already burdened by traditions of condoning violence against women. Clearly, by failing to deal with these causes, the country is set to produce future generations of citizens culturally predisposed to violence. Research shows that spousal abuse is higher for men who have witnessed such in their childhood compared to those who have not⁴. Moreover, two areas of gender disparity, particularly, having linkages to economic growth are female literacy and workforce participation. With an already low female participation rate, 21.7 percent, and adult female literacy, less than 30 percent, paired with a high incidence of violence against women, the Pakistani economy is silently shouldering the brunt⁵. The two together have not only added complexities to the issue but pose a serious challenge to all the remedial measures.

1.1 FROM EARLY PAPERS TO PRESENT

The pioneering work on the economic costs of violence measured only direct costs using a case study methodology in Queensland, Australia. The study published in 1988 was based on the bottom-up approach, consisting of a small sample size of 20 victims. However, the accounts of 20 victims who traced the incidents of violence in their lives cannot be taken to be representative of the whole population. Further it was limited to domestic violence and calculated only the direct costs. Consequently, top-down approach studies such as Day (1995)⁶ and Greaves et al (1995)⁷ using nationally representative data, estimating both direct and indirect costs were published.

Stanko et al (1998)^e using an earlier study by McGibbon et al (1989)⁸ adopted the bottom-up approach for estimating prevalence rates of service use and costs of violence against women in a Borough of the city of London, England. Although, national crime statistics that measured rates of domestic violence were available, the authors chose not to use the national statistics as they felt that aggregate figures might not accurately reflect the 'diverse nature of life in an Inner City London Borough'. Instead, they surveyed 129 women and 107 service providing agencies in the borough of Hackney. Using the results of his own survey, as well as those of McGibbon et al, he calculated the prevalence rates of service use. Statistics Canada (1993)⁹, on the other hand, conducted the first ever survey on violence against women. The study, using a nationally representative sample^f, opened avenues for further research. For instance, Day (1995) using the data from the Statistics Canada survey calculated the direct costs of violence, whereas Day's framework was used by Greaves et al (1995) to estimate additional costs of violence against women in Canada. Access Economics (2004)¹⁰, the study published in Australia, estimated the economic cost of domestic violence by using the available national data. Thus, each study played an instrumental role in internationalising the issue and also in giving a new direction to the discourse.

The Inter-American Development Bank (IDB) carried out studies in six countries of the region – Brazil, Colombia El Salvador, Mexico, Peru and Venezuela – to measure the costs of social violence¹¹. The studies pointing towards the difficulties in measuring the economic multiplier effects of violence confined themselves to the final cost estimates as a percentage of the GDP¹². The first partial estimates were from Greaves et al (1995) who measured the one-year loss of tax revenues due to death, lost time at work and incarceration in Canada¹³. The framework identified can be replicated for measuring the costs of violence against women.

The literature produced has helped in formulating a sound basis for developing countries to undertake studies measuring the economic impact of violence against women on an individual's life, household, family income and the national exchequer. However, in the absence of reliable data in developing countries, the study on Chile and Nicaragua⁹ provides a good basis by looking at the economic impact largely by focusing on the loss in women earnings.

It can safely be said that calculating the economic costs of violence against women is a complicated process. In developing countries, particularly, it gets even more difficult mainly due to the non-availability of data, socio-cultural impediments, the low priority given by the society and government, and the lack of acknowledgement of the presence of issue in the case of some countries. On the whole, a review of literature revealed that measuring the costs of violence is a complex undertaking -- multiple consequences of violence need to be measured in a systematic way. The effects of violence on the lives of victims also need to be documented and measured. Another example, albeit from the developed world, is the Violence against Women Act (VAWA) 1994^h in the United States. The measuresⁱ taken by the US government have resulted in an estimated net benefit of \$16.4 billion, including \$14.8 billion^j in averted victim's costs¹⁴. This is a

highly cost-effective intervention. In the context of Pakistan, law-enforcement officials resist filing complaints by women, and look the other way while women are abused and killed on the pretext of 'honour' and religion¹⁵. These cultural factors that serve as an aid to perpetrators need to be taken into account while calculating the economic costs of violence in the case of Pakistan.

The research on the 'effectiveness of interventions' on violence against women is 'underdeveloped' even in developed countries. Buvinic and Morrison (1999), the South American example, have identified the need for research on the magnitude, costs and evaluations of pilot interventions^k to help in the designing of anti-violence interventions. A gap that is yet to be given serious consideration. Studies like *Domestic Violence against Women and Girls* (2000) from the Innocenti Digest do not actually calculate economic costs but discuss the overall economic impact of violence against women. The study looks into the socio-economic costs of violence highlighting the need for drawing attention to the high costs of violence¹⁶.

Violence against women is a moral wrong, an illegality and an internationally recognised violation of human rights. However, measuring the costs would definitely enable a wider acceptance of the issue. The literature produced has helped solidify an abstract wrong and gives consequences of violence concrete numbers.

1.2 OBJECTIVE OF THE STUDY

The study is an attempt to establish the linkages that exist between violence, socio-cultural backwardness and economic vulnerability/poverty. Using a multi-theory approach, the study discusses the interdependency of the various types of violence. The study also looks into the direct costs of violence incurred by the victim and her family by focusing on the services availed, e.g. medical treatment, legal assistance sought and the expenditure on police investigations.

1.3 LIMITATIONS OF THE STUDY

Non-availability of the data on the prevalence of violence restricted the comparative analysis of the trends that may have occurred over the years. All efforts were made to approach the relevant provincial ministries. However, there was no response in spite of the repeated requests.

1.4 STRUCTURE OF THE REPORT

The introduction of the report, by examining the various theories, helps in building a proper understanding of the various aspects of violence existing against women in Pakistan.

Chapter 2 discusses domestic laws related to women protection and empowerment. It also discusses the causes and effects of violence both on women and the social environment. The chapter concludes by briefly presenting the current situation and the effect of the state fragility on institutions and laws.

Chapter 3 presents the findings of the survey conducted to estimate the cost of violence. It gives the characteristics of the respondents/victims, nature of violence and unit cost estimates of medical treatment, and police and judicial services availed.

Chapter 4 concludes the report and gives suggestions in order to arrest and eliminate violence against women in Pakistan.

NOTES:

[References indicated by numbers are given at the end of the report.]

- a. Theory forwarded by Wolfgang and Ferrancuti, 1967. The theory states that the use of aggression supports the use of violence in a relationship.
- b. Culture often is defined using beliefs (including religions), values and behaviours of a particular social group. However, globally one can see a rapid cultural diversification due to socio-economic globalisation.
- c. Commonly three things that generate violence are wanting something from someone; wanting to punish someone; and wanting to preserve one's identity. However, all three also apply to the latter category. Moralistic violence, often, is also derived from the (mis) perception that the victim did something inappropriate and unacceptable.
- d. Reference made to social behaviour which works to the detriment of women.
- e. Stanko et al's study, "Counting the Costs: Estimating the Impact of Domestic Violence" in the *London Borough of Hackney* (1997), estimated costs for social services provided to women victims in Hackney at 7.5 million pounds. When extrapolated to London, the total was 278 million pounds in 1996.
- f. 19,000 eligible households were contacted; 12,300 interviews were obtained. The target population was all women 18 years of age and over in Canada with the exception of those from the Yukon and Northwest territories, and full-time residents of institutions.
- g. Morrison and Orlando in "Social and Economic Costs of Domestic Violence: Chile and Nicaragua" (1999) deduced the overall loss of \$1.56 billion in Chile and \$29.5 million in Nicaragua, 1.6 percent and 2 percent of the GDP of the two countries respectively, through a loss in women's earnings.
- h. Violence Against Women Act (VAWA) of 1994, a US federal law, was a wide-ranging law that created funds for domestic violence programmes along with new civil rights remedial measures for victims of gender-based violence.
- i. The VAWA was responsible for the allocation of 4 billion dollars to states and local communities to deal with violence against women by developing specialised law-enforcement units specifically created for victims, providing services to victims, improving prosecution of these crimes, and training professionals about domestic violence.
- j. The study estimated the net benefit, using a societal perspective, of VAWA in reducing violent criminal victimisation of women. Costs include direct property losses, medical and mental health care, police response, victim services, lost productivity, reduced quality of life, and death. Benefits were calculated as averted costs.
- k. According to the authors, there is an urgent need for investigating and document best practices more comprehensively, evaluating pilot projects in operation along with launching new initiatives in numerous

CHAPTER 2

DEVELOPMENT OF INTERNATIONAL AND NATIONAL LEGISLATION

The women of Pakistan continue to be discriminated socially and legally with half a dozen constitutional provisions constantly challenged and violated. Discouraged from filing any litigation for their rights they continue to be exposed to subjugation, derogation and the various forms of violence both at home and at the workplace.

Globally, the United Nations reiterated faith in fundamental human rights, in the dignity of the human person, in the equal rights of men and women, and of nations large and small. The Commission on the Status of Women (CSW), set up a year later, provided the basis for gender-specific policies by drawing attention towards the challenges confronted by women. Resolutions were adopted by the United Nations Economic and Social Council (ECOSOC), in 1952, and the General Assembly in, 1954, urging member states to take measures to abolish traditional harmful practices that violated the physical integrity and human rights of women. The United Nations perseverance in affirming and reaffirming women's rights as human rights encouraged policy-making on the international and domestic level. Considered to be a landmark document, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is one of the most ratified treaties in the world. It is the only international instrument addressing women's rights within political, civil, cultural, economic and social life. The developments, thereafter, laid the foundation for action. However, the degree to which states and non-state actors have been successful in implementing policies and laws has been variegated.

The legislation enacted is inclusive of specific laws against violence drawn both on civil and criminal law. Article 2 of the United Nations Declaration on Violence against Women (1993) clearly states that 'violence against women shall be understood to encompass, but is not limited to physical, sexual and psychological violence ... including ... sexual harassment and intimidation at work'. The Committee on the Elimination of Discrimination Against Women in its General Recommendation No. 12 of 1989 recognised sexual harassment as a form of violence against women, whereas its General Recommendation No. 19 of 1992 characterised it as sex discrimination and hence a breach of CEDAW. Article 4 of the Declaration requires member states to condemn violence against women and not invoke custom, tradition or religion to avoid their obligations to eliminate such violence, besides developing penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to victims. The Recommendation of the Committee was later included in the 1993 UN convention which defined the violation of women's rights and fundamental freedom and was explicit about the sexual harassment and intimidation at work. The convention emphasised upon the states to identify a policy for its elimination. The issue was addressed as a severe violation of human

rights at the 1993 Vienna Conference where it was noted that ‘Gender-based violence and all forms of sexual harassment and exploitation including those resulting from cultural prejudice and international trafficking are incompatible with the dignity and worth of the human person, and must be eliminated. This can be achieved by legal measures and through national actions and international cooperation in such fields as economic and social development, education, safe maternity and health care, and social support’. The Vienna Conference was followed by United Nations General Assembly Resolution(s) 48/ 21 (1994), 50/201 (1996), 51/ 118 (1997), 52/ 148 (1998), 53/166 (1999) and 61/ 143 (2000). The resolutions stressed the importance of publicising the Vienna Declaration and Programme of Action. The resolutions also emphasised on the respective member states to devise a strategy for the removal of the obstacles and challenges impeding the realisation of human rights. The focus expressed the desire reflected in Articles 55 and 56 of the United Nations Charter and the UN Declaration of Human Rights (1948). Whereas the momentum generated was a consequence of the Nairobi Conference (1985), Beijing Declaration (1995), Jakarta Declaration (1994) and the Nairobi Forward-Looking Strategies (1995). Although the Beijing Declaration (1995) brought the focus on women and violence, the Platform for Action adopted included provisions on violence against women. Progress made in the implementation of the Beijing Declaration and Platform for Action was reviewed again at the Beijing plus10 and Beijing plus15, in 2010, when the sharing of experiences, good practices and emerging challenges was emphasised including those related to the Millennium Development Goals¹. Whereas the report published on the Nairobi-Forward Looking Strategies further helped place violence against women under the basic strategies for dealing and ensuring sustainable peace in a comprehensive manner.

The appointment of the Special Rapporteur on Violence Against Women by the United Nations Commission on Human Rights^a followed by the publication of the two reports entitled 15 years of Special Rapporteur on Violence Against Women (1994-2009) and Women 2000: Gender Equality, Development and Peace for 21 Century helped in establishing the centrality of the issue and generated the momentum required to deal with its various facets. The international legal framework, thus provided by international agreements, declarations and reports demanded the intensification of efforts to criminalise and eliminate all forms of violence against women.

Alongside UN conventions are regional policy and legal frameworks that address region-specific women’s issues. The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (1994), Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (2005), Council of Europe Convention on Action against Trafficking in Human Beings (2005) and Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution in South Asia (2002) contributed in further strengthening international law and the monitoring of member states².

Despite global recognition of the problem, rates for violence against women are staggeringly high. In some regions and countries women's rights are considered antithetical to socio-cultural values, South Asia being a prime example. Both Pakistan and India feature prominently as the third and fourth worst countries for women, respectively, on a list compiled by gender experts. In spite of the criminalisation of different forms of violence, the region continues to be confronted with several forms of violence against women – honour killings, foeticide and infanticide, dowry killing, acid throwing, domestic abuse and widow burning (*sati*). The incidence of some forms is higher in certain areas than others – foeticide in India and honour killings in Pakistan. Violence, clearly, is justified on the pretext of religion and tradition and, unfortunately, the endogenous and exogenous tendencies have been allowed to flourish. The problems, in the case of Pakistan and Bangladesh, are also compounded by the inherent dichotomy between Islamic law and general law³.

The tepid implementation of laws in South Asia can largely be attributed to the mindset of those responsible for implementing them, i.e. the intentional neglect on the part of government departments, police, lawyers and the judiciary. Often they are found having the same cultural values as the men committing these crimes. As Coomraswamy⁴ notes, men in South Asia often have the silent collusion of other men, the police and judges, who have the common goal of maintaining a patriarchal system. Government officials are reputed to look the other way when incidents involving interpersonal violence take place. Unfortunately, even today, many civil servants and legislators use these laws as a tool for political mileage – an attitude that generates disregard to any procedural changes and weakens its implementation.

In spite of the consistent efforts made by the South Asian civil society in raising awareness about women's issues, the social taboos and stigmas attached to violence have been slow to change. Legislation making continues to be viewed as the ultimate objective and the behaviour of 'complacency' impedes the 'effectiveness' of the laws enacted.

In muslim countries, women receive mixed, often ambivalent, messages in their lifetime owing to the division between moderate and extreme interpretations of Islam – a division that is often divisive. For instance, pro-women legislation often faces resistance by religious groups vying to maintain the status quo.

Although not monolithic, violence against women in muslim societies is perpetuated in similar cultural contexts and, at times, in the name of religion. Honour killings, and violence against women in general, are a manifestation of a belief system whereby women carry the burden of family honour. However, notwithstanding the double burden of family honour and dual^b legal system many muslim countries have made great advances in legislation as specified in international conventions⁵.

2.1 WOMEN-SPECIFIC LEGISLATION IN PAKISTAN

The 1973 Constitution in its Articles 8 to 27 ensures fundamental rights which can only be curtailed or taken away by the government on the grounds of the sovereignty or integrity of Pakistan, maintenance of public order, and public morality. The executive is bound to implement these rights, while the judiciary is bound to take notice of any violation and provide redress on individual complaints or take suo moto notice on its own, in case of any gross violation of either individual or collective rights.

The Constitution, also guaranteeing the protection of life, liberty, human dignity, body, reputation, property and other basic freedoms, in Article 4 states that it is the inalienable right of individuals to enjoy the protection of the law and to be treated in accordance with the law. Whereas, according to Article 8, laws inconsistent with or in derogation of fundamental rights are void.

In addition to fundamental rights, there are 'principles of policy' in the Constitution which are the guiding principles for all organs of the state; and therefore, constitute the manifesto of the policies and programmes of the state. These run subsidiary to the provisions of fundamental rights and provide for full participation of women in national life, protection of family and minorities, promotion of social and economic well-being of the people, and promotion of social justice and eradication of social evils. According to Article 29 of the Constitution of 1973 ... it is the responsibility of each organ and authority of the State and of each person performing functions on their behalf to act in accordance with these principles.... Violence against women (VAW) is a violation not only of these rights enshrined in the Constitution of Pakistan but also of human rights as recognised by the global community.

Women in Pakistan, often illiterate and economically excluded, lead a marginalised and oppressed life. With their political, economic and social rights being infringed, the cases of domestic violence and discriminatory social practices are on the rise. It is believed that 'women in Pakistan generally remain subject to a broad range of discrimination imposed on them through the collusion of tribal customs, religious interpretations, and an entrenched feudal system'⁶. 'In Islamic societies religion and culture go together'⁷. Although the Constitution prohibits any discrimination on the basis of sex, unfortunately, culture and its distorted form has played a very important role in placing women at a disadvantageous situation. Today crimes are often committed against women in the name of religion, custom, and honour including harmful traditional practices such as honour killings, dowry murder, early marriages, *wanni*^c and *swara*^d.

The increase seen in the process of legislation making along with a comparatively more proactive women's caucus is amply evident by the number of private bills submitted in the National Assembly by the women representatives. Table 2.1 shows that out of a total of 147 private bills tabled between March 2008 and February 2012, 76 were those brought by women

alone. Out of these, 27 were on women-related issues. The number of private bills tabled by women parliamentarians along with their male counterparts during this period was 32, out of which 3 were on women's issues. Thus, we see that 51 percent of the total number of private bills tabled in the parliament were by women legislators, whereas out of the remaining 49 percent almost half were those in which women contributed. Women parliamentarians successfully moved bills on the issues of sexual harassment in the workplace, domestic violence, honour killings, inheritance, customary practices of *wanni* and *swara*, marriage with the Quran, citizenship rights, and the Hudood Laws for the uplift and improvement of the women's status and also to end injustices and discrimination. As a result, seven pro-women laws were passed during this period.

Table 2.1
Number of Private Bills Tabled in the National Assembly by Gender

Total number of Private Bills tabled from March 2008 to February 2012 (existing Parliament)	147
Bills tabled by Women Parliamentarians	
Total number of bills tabled by Women Parliamentarians	76
Out of these, Bills Related to Women's Issues	27
Bills tabled by Women Parliamentarians along with their Male Counterparts	
Total Number of Private Bills tabled by Women Parliamentarians along with their Male Counterparts	32
Out of these, Bills Related to Women's Issues	3
Source: National Assembly of Pakistan (website)	

The enactment of the law on honour killings, in 2004, and the Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011 demonstrate that acts committed against women under the guise of 'customary practices' and accepted as a tradition are criminal offences for which there is no place in a civilised society. In the recent past, some male parliamentarians have justified heinous crimes on the basis of 'customary practices' and 'traditions'.^e

Although many important amendments had been made to family laws at various points in time, the period between 1976 and 2004^f is marked by a lull in terms of women-specific legislation. Predominantly women groups during these years advocated for the repeal of the Hudood Laws both at the national and international fora. While progress has been made in terms of legal provisions for reducing the negative effects of laws brought in through the Hudood Ordinances discriminatory laws such as the Qanun-e-Shahadat and the Qisas and Diyat Ordinances are still in effect.

The first major post-independence legislation dealing with women's issues in Pakistan was the promulgation of **Muslim Family Laws Ordinance (MFLO) in 1961** that made marital practices more transparent and accountable to the law. The primary aim of MFLO was to discourage polygamy, regulate divorce and introduce reforms to the classical law of inheritance. The reforms

legalised the inheritance rights of orphaned children of deceased sons or daughters from their maternal or paternal grandparents and gave the woman the right of *khula* (demand for divorce) for dissolution of marriage. It also reformed the law⁹ relating to dower and maintenance in marriage and divorce; allowed constitution of an arbitration council for reconciliation between parties; made compulsory the registration of marriage with the local union council through a *nikah* (marriage) registrar; and made it necessary that a written notice be provided to the chairman union council by the husband for the pronouncement of *talaq* (divorce) to his wife.

Under this law, another marriage during the continuation of an existing marriage cannot be contracted without the prior permission in writing of the arbitration council nor can such a marriage be registered. However, not attaining the consent of the arbitration council or not obtaining the permission of the existing wife does not make the second marriage illegal.

In rural areas, especially, *nikahs* generally and divorces particularly are not registered with the competent authorities, with the result that vengeful former husbands and others can easily misuse this law in cases of *talaq* where the girl marries again. The ex-husband of the woman can falsely charge her with the offence of 'fornication' (Section 496B-PPC) and her new husband with 'adultery' (Section 497-PPC). Therefore, it is suggested that the Muslim Family Laws Ordinance should prescribe a certain period within which the husband must intimate pronouncement of divorce to the competent authority and any non-compliance must entail severe punishment. Additionally, severe punishments should also be prescribed for non-registration of marriage under this Ordinance. Moreover, it has largely been seen that though women are denied the right of *mehr* (dower), they abstain from demanding it in absence of any restrictions on a man's right to divorce. The mere demand of dower is seen as a risk of being divorced.

The West Pakistan Family Court Act, 1964 resulted in the establishment of family courts for settlement and disposal of disputes related to marriage and family affairs. The 2002 amendment made it easier for women to get a *khula* within a specified time period. These laws are not confined to Muslims alone, they also apply to religious minorities. Although we see a general failure in the implementation of laws, especially those related to women, family laws have seen progression.

As opposed to obvious forms of gender-based violence like rape, gang rape, acid throwing, honour killing, forced prostitution, etc. the demand for dowry is also a form of violence that is accepted by society as a norm. The challenges confronted threaten the safety of the girl and cause delayed marriages, marriages with inept or elderly men and financial crises. Demands for a dowry are often made before the marriage which parents of the girl accept if they want to get her married. Subsequently, the bride is often humiliated or tortured by the in-laws for not bringing the expected amount. At times the bride is subjected to extreme violence which takes many forms like burning, hanging the woman or killing her. Clearly, the **Dowry and Bridal Gifts**

(Restriction) Act, 1976^h continues to be violated. In some cases, accidents are engineered (such as the tampering of a kitchen stove to cause victim's death) or the victims are set ablaze, claimed to be yet another accident or suicide. Due to lack of evidence and reporting, conviction in these cases is very low.

During the Zia-ul-Haq era, political Islam revived with a new vigour in Pakistan. The infamous and controversial Hudood Ordinance, consisting of five laws, was promulgated.ⁱ Zina and Qazf Ordinances were the ones most frequently used against women as under these laws it was easier to register cases against them but extremely difficult to obtain bail, with adultery being a non-bailable offence. The law also set a precondition whereby the rapist himself was to confess to have committed the act or, in the other case, the testimony of four pious adult Muslim men who witnessed the act was required. The precondition attached made justice for the victim an impossibility. The injustices caused by the Hudood Ordinance were evident from the fact that 95 percent of accused women who were found guilty by the trial court were subsequently acquitted by the appellate court⁸. Thus, it carried within a possibility of converting a rape charge into *zina* (adultery). However, the law (The Offence of Zina) was amended with the Protection of Women Act, 2006.

The Law of Evidence, 1872 was also revised with Qanun-e-Shahadat Order, 1984. Under the revised law, a woman's testimony was not weighed equal to that of a man in matters of financial or future obligations. This is despite Pakistan's obligations under international human rights law and, the Constitutional guarantees (Article 25) that there 'shall be no discrimination on the basis of sex' and that 'all citizens are equal before law'.

Sadly, with violence becoming a daily reality for the majority of women of Pakistan belonging to all social strata, honour-related crimes primarily target women. The very nature may range from unlawful confinement, assault, acid burning, rape to the most classic and extreme form, cold-blooded murder on the pretext of 'honour'⁹. In 2004, the government adopted the Criminal Law (Amendment) Act 2004. This Act addresses the issue of 'honour crimes' (*karo kari* or *siyah kari*) and other such customary practices that were of concern to human rights organisations and civil society. The Act amended the PPC by introducing higher punishments for 'crimes of honour' prohibiting the practice of giving of girls in marriage or otherwise in *badal-i-sulh*. It included 'hurt to a victim' under honour crimes with *Tazir*^j in addition to payment of *arsh*^k.

One of the achievements of this Act was that it introduced a proviso to Section 302 (c) of the PPC which ensured that crimes committed on the pretext of honour be liable to maximum punishment under the provisions of *qisas* i.e. death [Section 302 (a) PPC] or death or imprisonment for life as *tazir* [Section 302 (b)], and not be subject to judicial discretion under the same Section (302-C). Previously, the provision of Section 302(c) left it to the discretion of the courts to decide whether according to 'the injunctions of Islam' in certain incidents of murder

the punishment of *qisas* was applicable or not. The determination of whether such circumstances existed in a particular case was subject only to the court's discretion. Therefore, most honour crimes were dealt with under this provision with only light sentences awarded to the offenders. However, this Act does not affect the application of the laws of Qisas and Diyat. The real issue is of waiver or compounding provided by these laws in which the perpetrators are given the advantage of seeking forgiveness from the heirs of the victim. The heirs of the victim can forgive the murderer in the name of God without receiving any compensation or *diyat* (blood money) (Section 309), or compromise after receiving *diyat* (Section 310). Under the current Qisas and Diyat Law, as applied in cases of honour crimes, if and when, the case reaches a court of law, the victim's family may 'pardon' the murderer (who most often is one of them), or be pressurised to accept *diyat* as compensation. The murderer then goes free. Where crimes are committed by or with the consent of family members (at times killers are hired by the family) Qisas and Diyat laws help in protecting the criminals. Impunity has been the single most important factor encouraging honour killings in Pakistan. Hence, the law offers little by way of providing justice to the victims as it is most likely that the perpetrators will continue to be able to escape punishment.

In 2006, the Protection of Women Act^l brought the laws relating to *zina* and *qazf* (false accusation) in conformity with the stated objectives of the Constitution and the injunctions of Islam and provide relief and protection to women against the misuse and abuse of law and to prevent their exploitation. It separated the Hadd and Tazir offences/punishment;^m *zina-bil-jabr* (rape) was separated from fornication/adultery and shifted to the PPC from the Zina Ordinance; and the offence of fornication (all sex outside marriage) was inserted in the PPC as separate sections (496B & 496C).

The Women's Protection Act, 2006 amended the Criminal Procedure Code (Cr. P.C.) to provide that only the court of sessions, on a complaint, may take cognisance of *zina* and *qazf* cases. Section 203-C Criminal Procedure Code brought a procedural change in lodging of a complaint in cases of fornication with the result that it has become increasingly difficult to wrongly accuse people for fornication bringing about a drop in the number of cases reported under this offence. The offence of fornication has been made bailable so that the accused, generally, women do not languish in jail during trial. However, in some cases women due to financial constraints are unable to submit the surety bond for bail. It is also seen that judges of the session and additional session courtsⁿ, who have the authority to release such permissions, do not visit the jails. Additionally, under this law (Women's Protection Act, 2006) women awaiting trial for more than six months are released on bail in non-bailable offences. The Act, by separating the offence of *zina* with *zila-bil-jabr*^o, helped in addressing the conviction of a woman for adultery. Moreover, rape has been made punishable with 10 to 25 years of imprisonment and death or life imprisonment in case of gang rape.

Lian^p is a form of dissolution of marriage. A woman who is accused of adultery by her husband and denies the charge can seek dissolution of her marriage. Section 14 of the Qazf Ordinance refers to *lian* and also provides a procedure for it.

Despite amendments in laws, there is still no separate legislation on incest. Although rape is a non-compoundable offence, courts are generally not vigilant to out-of-court settlements where the rape survivor may be blackmailed or coerced into dropping the charge. In certain cases where bail is granted to the accused, he can threaten and harass survivors and their families. Additionally, the poor quality of investigation, commonly in cases of sexual assault, is another issue. Investigation officials are not properly trained in standard procedures, especially those pertaining to victims of sexual crimes.

There is a heavy reliance on corroborative evidence in the form of medical and forensic reports despite various studies indicating that in many assaults there may be no marks of violence, injuries or resistance by the survivor for fear of, real or perceived, threat to life. This reliance exists despite the provision in the law that the testimony of a survivor is sufficient for conviction if it inspires confidence.

Certain severe forms of domestic abuse, considered a private matter, generally go unreported. In 2009, the **Domestic Violence (Prevention and Protection) Bill** was passed unanimously by the National Assembly on August 4, 2009 but the bill lapsed after the Senate failed to pass it within the three months period as required under the Constitution. However, recently, a private member's bill, **Domestic Violence (Prevention and Protection) Bill, 2012**, extending only to Islamabad territory was passed by the Senate. For this Bill to become an Act, it would have to be passed by the National Assembly and signed by the President. It proposes a protection mechanism for domestic violence against women, children and the vulnerable^q, and comprehensively defines 'domestic violence' covering all aspects of gender-based violence, including assault, criminal force, criminal intimidation, harassment, hurt, stalking, confinement and economic or financial deprivation in its definition. As offences such as assault, criminal force, criminal intimidation, hurt, confinement etc. are already mentioned in the PPC, separate punishments for these do not need to be specified. However, punishments for offences such as economic, emotional, sexual and verbal abuse, stalking and other similar offences mentioned in the Bill, but not mentioned in the PPC, need to be specified. It provides for monetary relief^f, protection^s and residence orders^t for the aggrieved, and proposes a minimum imprisonment of at least six months and a fine of 100,000 rupees for non compliance.

Many women face sexual harassment in public places such as markets, streets and parks, public transport and in private gatherings or homes. In some cases, the authority is abused to gain sexual favours at the workplace. In 2010, two very comprehensive laws, **Criminal Law (Amendment) Act, 2010 (on sexual harassment)**^u and the **Protection Against Harassment**

of Women at the Workplace Act, 2010 were enacted to prevent and criminalise the offence of sexual harassment of women at the workplace – an issue which in the past was met with a dismissive attitude coupled with the culture of blaming the woman. The enactment of this law, it is hoped, will bring an attitudinal change in the Pakistani society.

In 2011, three laws were passed – **Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011**, **The Acid Control and Acid Crime Prevention Act, 2010** and **The Women in Distress and Detention Fund (Amendment) Act, 2011**. The Women in Distress and Detention Fund (Amendment) Act, 2011 amends an earlier piece of legislation, i.e. the Women in Distress and Detention Fund Act, 1996.

Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011 dealing with customary practices recommends punishments for social practices like *wanni*, *swara* or *budla-i-sulh* wherein women are traded to settle personal, family or tribal disputes, forced marriage or marriage with the Holy Quran so that the family wealth is not taken outside the family or in other case prevents women from inheriting property. This law proposes a minimum benchmark for penalising those involved in anti-women practices. A new chapter on ‘Offences against Women’ has also been inserted in the PPC prohibiting forced marriage, marriage with the Quran and prevention of women from inheriting property. The law, however, only prohibits and suggests punishments for practices like *wanni*, *swara* or *budla-i-sulh*, it does not declare marriages so contracted void. Additionally, it only penalises those who give a female in such a marriage or compel her into entering such a marriage, which generally is the woman's family, but is silent on suggesting punishments for the bridegroom and his family, who are equally responsible for such crimes. Additionally, this law does not propose a mechanism to ensure that such cases are reported and reach the court of law, particularly since they largely go unreported.

Acid Control and Acid Crime Prevention Act, 2010 tightens the definition of disfigurement by inserting new sections^v in the PPC. The police may arrest the accused without a warrant of arrest issued by the court. The offence is not bailable and non-compoundable. However, the Act does not provide a mechanism for regulating and monitoring the acid trade, establishing a rehabilitation centre for victims of acid crimes, and providing legal aid to the victims.

The Criminal Procedure Code Amendment Act, 2011 is said to be a reversal of the bail laws. Earlier (by virtue of the Women's Protection Act, 2006) bail was provided to women as a right in non-bailable offences if she was arrested or detained without warrant. Except when there were grounds to believe that she was guilty of an offence punishable with death or imprisonment for life or ten years. The bail is now provided only at the discretion of the court depending on the merit of the case. Apparently women will again be wrongly abused and detained in prisons on account of family disputes. The explanation forwarded for the amendment is that the Women's Protection Act^w was being misused by men who now use women to commit other types of crimes.

Despite the recent efforts to reform the law, empowering women to access these provisions remains a challenge. Due to the absence of a gender-sensitive judiciary, the prevalent patriarchal and feudalistic mindset amongst male legislators, lack of legal aid, procedural delays, grey areas in jurisdictional matters, and weak legal drafting, litigants are left vulnerable to cultural and social biases. Additionally, women's lack of knowledge of legal provisions and court procedures, cost of litigation, lack of family support and threats from perpetrators along with the misogynistic attitudes make it difficult for them to resort to litigation. Therefore, even though the laws have been promulgated, their implementation continues to be weak. The implementing agencies such as the police, union councils, and in some districts even the courts, have little knowledge, training or understanding about the reasoning behind these laws and how they are meant to be applied. Thus, they are rendered almost useless without the required infrastructure and support. The combating strategies must be inclusive of a comprehensive strategy targeting the gaps in the justice system strengthening legislation by repealing harmful and discriminatory laws like Qisas and Diyat and promoting education on human-rights. There is therefore, a need for a comprehensive and human rights-based legislative approach to all forms of violence against women, encompassing not only criminalisation and effective prosecution and punishment of perpetrators but also the prevention of violence, the empowerment, support and protection of survivors, and the creation of mechanisms to ensure women's access to justice and effective implementation of the legislation. A judicial reform package that restores the confidence of the women victims of violence in our police, judiciary, and the justice they dispense should also be introduced making it easier for them to report cases of violence and litigate for their rights.

2.2 SITUATIONAL ANALYSIS

Pakistan is a society anchored by social crises. The power of decision making entrusted to the male members of the families makes women susceptible to the whims of the males in their lives.

The issue of women's status, autonomy and equality has frequently been raised internationally on the premise that a nation cannot progress when a vast segment of society is deprived of its due share and not allowed to play its due role. Inequality between women and men limits productivity and ultimately results in slowing down economic growth. Both theory and empirical evidence point to the importance of human capital in creating the necessary conditions for productivity growth and in reducing aggregate inequality in the future. In addition, women's human capital generates benefits for society in the form of lower child mortality, higher educational attainment, improved nutrition and reduced population growth.¹⁰

A number of countries situated in the Asian region still stand on the crossroads of development with respect to human capital and Pakistan is not an exception. The dilemma associated with Pakistan is that the country suffered from a frequent change of government resulting in instability at the political, economic and social fronts. The instability causing the 'social shift' is not sudden and has been a cause of a gradual yet long-term change in the social, economic, and political

conditions of Pakistan. Moreover, the whole society is circumscribed by patriarchal institutions which further causes gender disparities thereby creating obstacles in the progress of the nation. In short, the prevalence of violence, oppression and stress has increased in an alarming fashion, irrespective of male and female. Unfortunately, women, being the weaker segment, are the worst sufferers.

Violence against women, widely pervasive in Pakistan, exists across all social classes, religions, and ethnicities. Prevalent among (both) the urban and rural population it takes many forms ranging from honour killings to domestic abuse. Seemingly the mindset prevalent behind its manifestations refuses to accept any change despite contemporary women-specific legislation.

The institutionalisation of violence in totality is what compounds the problem further. Whereas its prevalence against women has its own distinctive set of causes that contributes to its perpetuity. Noticeable among them are the existing socio-cultural norms that are heavily influenced by illiteracy, regression seen in education, urban and folk religion, feudal traditions, minimal institutionalisation of human rights and an unfavourable social paradigm for women. As discussed in the earlier section, the existing social paradigm is based on the command and obedience value system which is often found using religion and the existing socio-cultural norms as a pretext to target and subjugate woman. Altogether, the women in Pakistan are taken to be a 'barometer' of honour for their families and communities tied economically to their families. Even those who have been working have largely been unable to convert employment into a means of social and economic development. The bulk of those employed are engaged in residual and low-paid work.

Unfortunately, despite the advancement in legislation, violence against women remains rampant. Major contributing factors are the lack of sensitisation of law-enforcement officials, desensitisation of the lower courts¹¹, absence of the mechanism required for the implementation of laws, unwillingness of victims to report the matter, the low priority given to the issue by relevant public sector departments, and the absence of concerted and coordinated policies among and between relevant government departments. Together they all lead to inefficient implementation and an ineffectual policy approach to combating violence. The state capacity carrying within all three essential attributes of legitimacy, authority and effectiveness needs be ensured. The stability-fragility continuum has allowed socio-economic cleavages to gain grounds – whereby inequality between different segments has increased and resulted in distributional conflicts. For women, co-existence with male counterparts is based on a social contract which increasingly appears to be unfair and allows the sustenance of the status quo – where women suffer.

Moreover, grounds for perpetuity are also provided by the fact that a meagre 23.5 percent of adult women have reached a secondary or higher level of education compared to 46.8 percent of their male counterparts¹². Those with no education or with some basic education are allowed

to work due to intense poverty and inflation in an environment of gender discrimination. The dismal literacy percentage clearly works to the disadvantage of women in every way. The causality factors and the nexus that exists between the various socio-economic realities requires consistent efforts to allow a level playing field for the women of Pakistan. Currently, Pakistan lags behind several muslim and regional countries. Indonesia, Malaysia, Bangladesh, India and Sri Lanka have all shown significant improvement in increasing female participation rates.

The all-too-common preference for males places women at a disadvantage economically and otherwise. Parents view sons as a means of financial support – therefore, beneficial for their future – and as their name-bearers. Women, on the other hand, are considered to be a burden only to be lifted when they are married off. As a result, Pakistani parents invest in their sons. They educate their sons; in the future of their sons lies their security. This power imbalance tends to cause violence in a system which is stacked in favour of perpetrators.

Different Forms of Violence and Crimes against Women

Some of the most gruesome manifestations of violence against women exist in Pakistan. Women are beaten, burnt and tortured by their own families, husbands and in-laws. Domestic violence seemingly is the most accepted form of violence since whatever happens at home is considered to be free of legal ramifications – such acts largely go unpunished for several reasons. Mostly women consider it to be their husband's 'right', a 'normal' part of marriage and a function of their marital 'duties'. The Ansar Burney Trust estimates that around 70 percent of Pakistani women experience some form of domestic violence in their lives¹³. Human Rights Watch, in one of their more detailed reports, found that up to 90 percent of women in Pakistan were subjected to verbal, sexual, emotional or physical abuse within their own homes¹⁴. The silence opted by victims is largely due to unawareness about their rights and laws, lack of financial means to opt for legal recourse, or even a lack of trust in the law-enforcement system of the country. Whereas others see staying married as their only chance of survival in society – an abusive marriage is viewed as a better option than being ostracised by communities they are part of. Honour^x thus weighs in heavily in such decisions.

Women are raised considering themselves guardians of male honour – often found sacrificing for the sake of their families' honour. The high cost of *ghairat* (honour) is amply visible with the increasing incidence of honour killings in the country. According to the Human Rights Commission of Pakistan (2011), 675 women and girls were killed in 2011 from January to September alone. The commission reported 791 honour killings in 2010¹⁵. Women, thus, are routinely killed if they are deemed to have brought shame on their families through an illicit relationship – an allegation is enough to lead to murder; divorcing abusive husbands; and even for being victims of rape¹⁶.

According to a survey, cited by Ali and Gavino (2008), conducted on 1,000 women in Punjab, 35 percent of the women admitted in hospitals reported being beaten by their husbands. The survey reported that at least two women, on average, were burned every day in domestic violence incidents¹⁷. The Ansar Burney Trust estimates that a woman suffers an acid attack, on average, every week in Pakistan¹⁸.

'Victims of acid-related accidents and other forms of domestic violence usually do not report them as much. They describe them as accidents in the kitchen due to family pressures especially spousal. Even if some choose to testify against their perpetrators they may be silenced if the latter is influential. Around 80 to 90 percent of female burn victims, who come to the centre, are victims of domestic abuse. The irony is that in a case of violence, women and mostly adult women from all the classes do not support the victim who is also a woman.'

– Mr. Dabir-ur-Rehman, Executive Director of the Civil Hospital Burns Ward, Karachi

The social and economic cost of domestic violence is enormous. In the case of honour killing (murder case) where a number of women are killed by their own family members; the incidents go unreported. If they are reported, then in many instances the decision of the *panchayat* or the *jirga* plays a major role in court proceedings and murder by their own blood relatives further weakens their cases. According to Table 2.2 the maximum number of cases reported are related to 'murder due to domestic dispute' and 'rape and sexual assault'.

Table 2.2
Reported Cases in Karachi

	(January 2009 to December 2009)		(January 2010 to December 2010)		(January 2011 to December 2011)	
	No.of Incidents	Victims Age (yrs)	No.of Incidents	Victims Age (yrs)	No.of Incidents	Victims Age (yrs)
Honour Killing-Murder cases	12	17-57	3	12-30	4	20 & above
Domestic Dispute-Murder cases	23	9m-60	11	6-50	4	9-37
Personal Enmity-Murder cases	10	18-60	6	5-50	1	30 & above
Attempted Murder / Fear of Honor Killing	3	22-35	3	22-35	3	19 & above
Suicide / Attempted Suicide	5	18-35	3	3-16	2	17-20
Murder / Torture	6	14-30	2	22-35	1	10
Trafficking/Prostitution	1	4	1	25	1	10
Rape/Sexual Assault	13	5-18	5	3-38	3	5-46
Murder	-	-	-	-	1	4
Rape/Murder	4	7-25	8	8-50	1	28
Abduction	7	4-30	3	30-35	-	-
Incest	-	-	-	-	-	-
Assault	-	-	1	25	-	-
Burn-Murder case	1	30 & above	1	30	-	-
Unknown Misc.-Murder cases	13	5-65	19	6m-38	-	-
Burn Acid Victims	2	30	2	25 & above	-	-
Harassment & Threatening	-	-	1	28	-	-
Forced Marriage	2	8	1	5	-	-

Source: Reported in DAWN, The News, Daily Express, Jang & Roznama Express.

Note: 'm' refers to age in months

Analysing the nature of incidents and its frequency reported in the print media of Karachi, during the period from 2008 to 2011, the Table 2.2 indicates that the year 2009 was the worst by virtue of the number of incidents with women in the city. According to newspaper reports, in the year 2009, 23 women were murdered on account of domestic disputes including a nine-month-old girl child, 12 women were murdered in cases of honour killing including a 17 year-old girl; and 10 women, including an 18-year-old, were murdered in cases of personal enmity.

Table 2.2 clearly indicates that women of all ages are subjected to various types of criminal activities whether it is a girl child who is 3 months old or an elderly woman. On the contrary, aggressors are free to do everything as they know that law-enforcement agencies can be manipulated. In spite of the increase in its frequency, the judiciary has adopted a low-profile approach concerning cases of violence against women.

Women also experience violence from their in-laws and often their own families if they choose to speak against abusive husbands. Brothers and fathers may even murder them based on allegations of a violation of honour. In-laws may perpetrate crimes such as acid throwing and stove burning – engineered accidents that women often fall victim to. Acid throwing is often an act of revenge by suitors who get rejected by women¹⁹. Altogether, these are extreme methods of stifling a woman's right to take a stand for herself.

Another very alarming tendency is the increase seen in the rape/sexual assault cases which are also highlighted in the Table 2.2. In Karachi, during the year 2009 the Table 2.2 indicates that 13 such cases were reported in the newspapers. The victims' ages ranged between 5 years to 18 years. The following year 5 women between the ages of 3-38 years were raped/sexually assaulted, whereas 3 more similar cases were reported, with ages ranging between 5 to 46 years, during the year

Case Study 2.1 Mariam's Suffering

Mariam, 18 years of age, belongs to a poor family living in Faisalabad. Mariam's mother married her brother-in-law after getting divorced. The decision infuriated her son who murdered her as a result. Mariam, then 8 years old, was forced to work as a domestic maid on a monthly salary of Rs.4000. When she was 16, her brother was sentenced to death.

As Mariam's sole guardian, her grandfather, a couple of years back, brought her to his foster-son in Karachi. She got a job, in an affluent neighbourhood of the city, with a monthly salary of Rs.3000. Her cousin also worked there. The house was owned by a retired colonel and his wife. Their three sons did not live in Karachi. The colonel often coaxed her to hold hands or sit with him. She resisted his advances. The colonel's wife overlooked her husband's behaviour.

One night the colonel and his wife took off Mariam's clothes while forcing her to stay in the nude, the whole night, in front of them. Desperately trying to cover her body with her hands and legs, the unfortunate girl cried all night. This was turned into a routine act by the couple.

Mariam was told not to talk to or meet anybody. They threatened to send her to prison by fabricating theft charges or burning her to death.

One day when Mariam had fever she was locked in a room. The colonel, assisted by his wife, took off her clothes, tied her hands and feet, and raped her repeatedly. The girl bled and eventually fainted. The wife of the colonel was present in the room throughout.

The next morning her cousin, who worked in the same house, asked her why she had been screaming the night before. She managed to narrate the incident to him in a bathroom as cameras were installed in all the other parts of the house. Her cousin went to the police station to register a First Information Report (FIR). Sensing that Mariam was frightened in the presence of her employer, the police took her to the station and recorded her statement.

Mariam now lives in a shelter home with her case pending in a lower court. The colonel and his wife have moved to Islamabad.

*Name has been changed to protect privacy.

2011. Moreover, rape followed by murder of 4 girls of ages 7 years to 28 years were reported in 2009, whereas 8 such cases were brought forward in 2010, with ages ranging from 8 years to 50 years, while a case of a 25-year-old woman was reported in 2011. Clearly violence against women at home, in the community, and in the custody of law-enforcement officials is on the rise. The change witnessed in the social behavioural patterns has taken society towards a more radicalised social equilibrium – working to the disadvantage of the vulnerable social groups including women. The state fragility^Y has qualitatively changed the future of the Pakistani nation.

Violence is not just physical abuse, emotional distress and tension are also forms of violence which hamper women's functional abilities and social development. Its cost is carried by women and their families, their communities, civil societies, organisations and the state.

Pakistan is committed at the international level to protecting basic human rights and ensuring gender equality. But state institutions lack both the sensitivity and capacity to deal with gender-specific issues. Therefore, women are suffering in the name of modesty and prevention of immoral activities. The lives of millions of women are circumscribed by traditions that enforce extreme seclusion and submission to men. Unfortunately, on paper our laws are explicit on the protection of women but in practice they fail to do so. A study on honour killings^Z launched by the Aurat Foundation also attributes the complicity of the police and judges as one of the major factors for the failure of this law to decrease honour killings.

In a feudal system, parallel legal systems trump the writ of law. If the *jirga* decides that a woman is guilty of violating her family's honour, police officers are reputed to look the other way. Survival in small communities is contingent on following the norms practiced by it. Police officials are part of this very system and actively support such conceptions of honour. According to the Aurat Foundation study, since the perpetrator and victim often belong to the same family, other members are reluctant to take legal action. Complaints are not registered with the police and even when they are police may neglect to classify them as honour crimes. Furthermore, the study points to the fact that the language in FIRs is not gender-sensitive and courts are prone to let the perpetrator go using the provision of grave and sudden provocation²⁰. Around 77 percent honour killing cases end in acquittal of perpetrators²¹.

While violence cuts across class, ethnicity, religion and the urban/rural divide, some women are more vulnerable than others. Given that women in urban areas with a middle- and upper- class background are inherently at an advantage in terms of education, health, financial stability and employment they are less likely to become victims. However, 68 percent of Pakistani women belong to rural areas²².

Pakistan's health and education indicators are poor and rife with male-female, interregional and rural-urban disparities. **Only 22 percent of girls, compared to 47 percent boys, complete**

primary schooling in the country²³. The overall literacy rate being 46 percent only 26 percent of girls are literate²⁴. This confirms that while Pakistani women are generally at a disadvantage, they are likely to be more so in certain areas of the country. The situation is most critical in Khyber Pakhtunkhwa and Balochistan, where the female literacy rate stands between 28 percent and 15 percent, respectively²⁵. **Female literacy in rural Balochistan is only 9 percent compared to high urban male literacy rates (82 percent among urban male in Sindh)**²⁶. In 2009-10 the literacy rate in Pakistan marginally increased to 57.7 percent due to an increase in the literacy ratio of females in rural areas. The ratio improved by over half a percentage point to 49.2 percent by June 30, 2010 due to an increasing number of women and girls who can read and write. The female literacy ratio improved to 34.2 percent, a progress of 0.8 percent in a year. In rural areas, the 63.6 percent male literacy rate improved by only 0.4 percent in comparison²⁷. Whereas in Fata women are worse off than their Pakistani peers. According to official statistics the literacy rate for women is 3 percent²⁸, and as low as 0.5 percent in certain areas²⁹.

In spite of all the negative tendencies, the social stress being faced by the women in Pakistan can be managed by bringing forward and addressing the key factors breeding into this particular social crisis. The preventive strategy needs to transfer the information (which presently is scarce and partial) about the impending catastrophic social crises to effectively address the social tipping points visibly clear on an urgent basis.

The linkages between women and development are too strong to ignore. Low education, health, employment, gender inequality, negative attitudes toward women and witnessing domestic abuse are risk factors for being a perpetrator and a victim. The high prevalence of these indicators means that Pakistani men are very likely to commit violence and Pakistani women are at a high risk for being victims.

Governments and NGOs have over the last decade understood that development is hampered by the presence of these factors. It's a cyclical process: low development increasing the threat of violence to women and the prevalence of violence inhibits development and carries a high economic cost. With a policy agenda on which the essentials, education and health, two percent and 0.5 percent of the GDP, respectively, are given scarce allocation, the state of women is unlikely to improve and development is likely to suffer as a result³⁰.

NOTES:

[References indicated by numbers are given at the end of the report.]

- a. The Human Rights Council replaced UNCHR in 2006 vide UNGA Resolution no. 60/ 251.
- b. In some of the muslim countries general law is juxtaposed with Shariah law.
- c. A child marriage custom in the tribal areas of Pakistan, also widely prevalent in Punjab. This custom is tied to blood feuds among the different tribes and clans where young girls are forcibly married to members of opposing clans in order to resolve feuds or compensate for a crime.
- d. A Pashto word denoting a child marriage custom in the tribal areas of Pakistan and Afghanistan. This custom is used to settle blood feuds between different tribes and clans where young girls are forcibly married to members of the enemy clan in order to compensate for a crime committed against a member of that clan (always by a male), and to end a feud.
- e. In 2008, five women were buried alive in Balochistan for wishing to marry of their own will. Senator Israrullah Zehri openly justified the act by claiming it was a tribal custom.
- f. In 1976 Dowry and Bridal Gifts (Restriction) Act was enacted, while in 2004 came the law on Honour Crimes.
- g. The Dissolution of Muslim Marriage Act, 1939.
- h. Aggregate value of dowry and presents given to the bride by her parents and the aggregate value of the bridal gifts or of the presents given to the bridegroom shall not exceed five thousand rupees.
- i. These were (i) Offence against Property Ordinance 1979 (ii) Offence of Zina Ordinance 1979 (iii) Offence of Qazf (false accusation) (iv) Prohibition Ordinance (1979), and (v) Execution of Punishment of Whipping Ordinance 1979
- j. Any offence for which punishment is not stated in the Qur'an and Sunnah is *Ta'zir* which is a subject of State legislation.
- k. Pre-specified compensation assessed at certain percentage of the value of diyat (blood money).
- l. The Protection of Women Act, 2006 amended the Pakistan Penal Code, the Criminal Procedure Code, Dissolution of Muslim Marriages Act 1939, Offence of Zina Ordinance 1979, and Qazf Ordinance 1979.
- m. The offences listed in Sections 11 to 16 of the Offence of Zina Ordinance, were inserted as sections 365B, 367A, 371A, 371B, 493A and 496A of the Pakistan Penal Code, 1860. Sections 12 and 13 of the Offence of Qazf Ordinance, 1979 were omitted.
- n. They have the authority to release prisoners on their personal surety.
- o. Under the Hudood laws, the two were lumped together. The kind of proof required earlier increased easy victimisation of women.
- p. Lian means where the husband has accused his wife of adultery and she does not accept the accusation as true.
- q. A person vulnerable due to old age, mental illness, handicap, physical disability or other special reasons.
- r. A court order directing the aggressor to pay monetary relief to meet expenses incurred and losses suffered by the aggrieved, such as suffering as a consequence of economic abuse by the aggressor, loss of earning, medical expenses, etc.

- s. A court order prohibiting the aggressor from committing or aiding and abetting in the commission of any form of violence at home or in public against the aggrieved; any form of communication with the aggrieved; violence against dependents or relatives of those helping the aggrieved against domestic violence; and any other act as specified in the protection order.
- t. A court order restraining the aggressor from dispossessing or disturbing possession of the aggrieved from the household; restraining aggressor or his relatives from entering the household; directing aggressor to secure alternative accommodation for the aggrieved; and also to pay rent if so required. Court may impose other conditions and directions necessary for the safety and protection of the aggrieved.
- u. Amending the Pakistan Penal Code and Criminal Procedure Code added a clause to Section 509 of the PPC.
- v. Section 336(A) and 336(B) in Penal Code, wherein the Section 336(A) 'hurt' caused by corrosive substance is explained and under the explanation 'corrosive substance' is defined. In Section 336(B) 'Punishment for hurt by corrosive substance' is imprisonment for life or imprisonment of either description, which shall not be less than 14 years and a minimum fine of Rs1 million. The victim cannot agree for a consideration not to prosecute; and lastly the Court of Session will be the trial court.
- w. The rationale given is that the procedures for women's arrest and detention had become increasingly lenient with the introduction of the Women's Protection Act 2006.
- x. Pakistan is a honour-driven society. Men and women are killed in the name of honour every year; women more so than men.
- y. Fragile states are also classified as failing states in which a state performs its functions partially. They, however, are open to directions of future development of state capacity.
- z. Aurat Foundation's new study, *Honour Killings in Pakistan and Compliance of Law*, was launched in late 2011.

CHAPTER 3

NATURE OF VIOLENCE AGAINST WOMEN AND ITS COST TO INDIVIDUALS

As mentioned in earlier chapters, VAW is recognised internationally as a major violation of human rights. It is a serious crime that has a multifaceted impact not only on women but also on society and the economy. While it is important to eliminate violence against women in Pakistan, highlighting the economic costs associated with this crime can play an instrumental role in addressing the issue at all levels. Measuring the economic costs of violence help policy makers understanding this issue with a broader perspective.

A review of existing research available in the public domain shows that VAW is only being treated as a human rights issue in Pakistan, while its economic significance has so far been ignored. None of the researches undertaken explicitly address the cost incurred as a result of violence. Computation of nationwide estimates of VAW requires unit cost estimates of different services availed by the victims and the national prevalence rate of VAW. No nationwide survey on the incidence or prevalence of VAW is available in Pakistan. Although nationwide surveys are conducted by the Pakistan Bureau of Statistics (formerly known as the Federal Bureau of Statistics), data on violence have never been collected. Even the injuries reported in these surveys are not classified by types of injuries. Therefore, the anecdotal evidence available in Pakistan is based on small-scale surveys including case studies or on cases reported in police stations and the media.

Recently, in a commendable initiative, Qayyum et al (2012)¹ provides prevalence rates of VAW in six districts of Pakistan. Since these selected districts are not representative of the entire country, these results cannot be generalised to produce nationwide prevalence rates. Thus, in the absence of a nationwide survey, accurate prevalence rates of VAW remain unknown. As a result, computation of cost estimates for VAW at the national, provincial or district level is not possible.

Recognising the need, this study attempts to measure the economic costs of VAW. However, it does not aim to determine the costs of VAW in Pakistan or Karachi as a whole, rather it measures only the individual costs incurred as a consequence of violence. Hence, the cost estimates presented in this chapter are limited only to the unit cost of some services that are generally availed by the victims of violence in Pakistan.

The remaining chapter is divided into six sections: section 1 presents the significance of measuring the economic costs of violence; section 2 explains the nature and different types of costs associated with violence; section 3 describes the survey instruments and research methodology; section 4 indicates the characteristics of victims and key findings emerging from the survey; section 5 focuses on the estimates of the economic costs of VAW; and section 6 highlights the attitude of the perpetrator and coping interventions demanded by victims.

3.1 SIGNIFICANCE OF MEASURING THE ECONOMIC COST OF VIOLENCE

Measuring the economic costs of VAW is essential as it demonstrates that its economic consequences significantly justify interventions to be designed in a manner that minimises these costs and consequences. While it is argued that VAW be ended since it is ethically wrong, the cost estimates can help demonstrate the impact of this problem on society and also in shaping the attitudes of people who develop public policy and allocate limited funds. These estimates can also help in assessing the benefits or effectiveness of intervention strategies or programmes intended to eliminate violence that, in turn, may lead to resource allocation to specific programmes. The global discourse has helped in taking the issue from the realm of debate over the correctness of societal roles and responsibilities to the realm of concrete facts which promotes a social policy aiming to arrest the issue by bringing down the rate of violence.

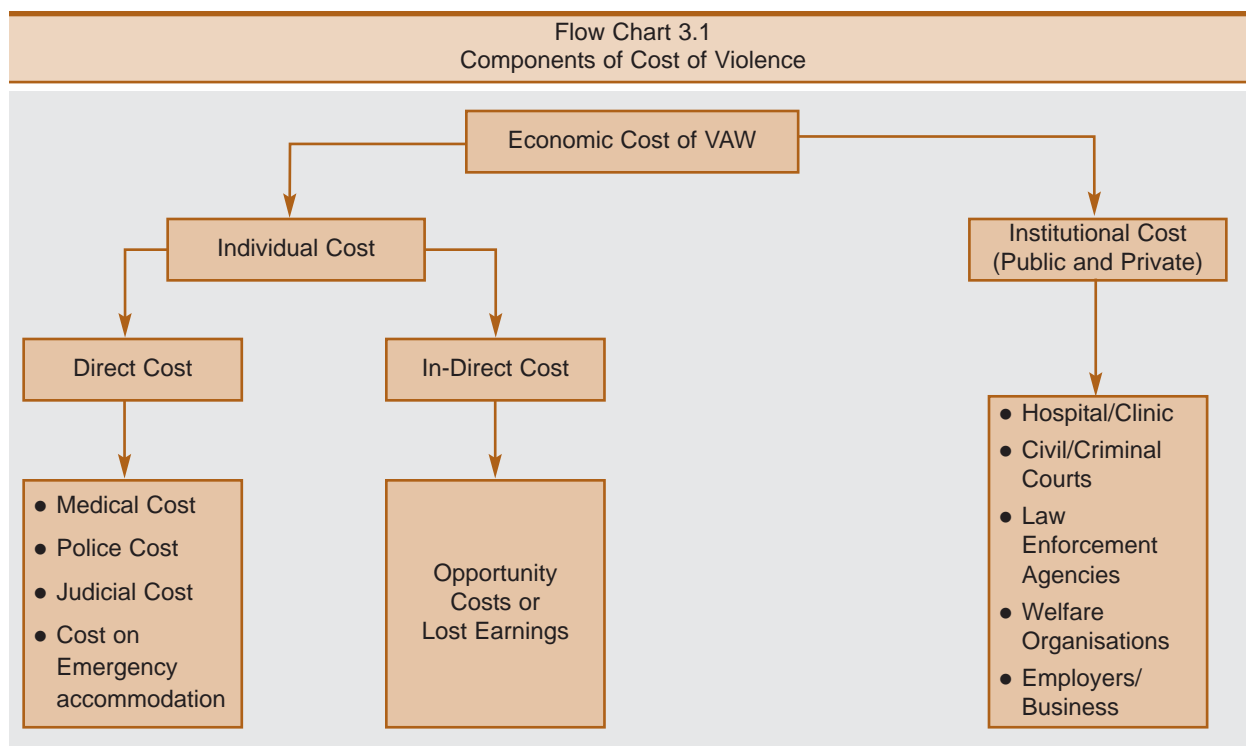
Violence causes a drain on resources from many productive sectors that impede economic and social development. Estimating the economic cost of violence is, therefore, a useful exercise to indicate that the wastage of resources is a double burden as it bears a cost as well. It provides scientific information to the policy makers about the end result of violence that may convince them to change their funding priorities. Studies suggest that early-stage prevention and intervention costs are significantly lower [than the later-stage crisis care and other societal consequences] which ultimately result in huge social savings.

The acts of violence through lost time and productivity of individuals also affect businesses. Measuring costs could demonstrate the 'cost of lost' in production and profit margin that helps in influencing businesses to respond to the issues of abuse at the workplace. This gives an incentive to businesses to lobby governments to work for effective prevention strategies, supporting their (victimised) employees through support services or educating their staff about violence against women and its effects at work.

Awareness of the costs of violence against women to society also strengthens arguments for the intervention of governments, social institutions and businesses into private acts. Since the costs affect everyone, even though the abuse may be private, it brings violence against women into the open as a societal issue. 'Akin to the use of seat belts, road safety, health risk management, or vaccinations, violence is an issue for which it is appropriate for society to intervene in a private affair. Measuring the costs of violence against women establishes clearly that it is a social problem that falls into this category.'²

3.2 NATURE AND TYPES OF COSTS

The overall economic cost of VAW can be categorised into two broad groups, i.e. the cost borne by individuals as well as the cost borne by institutions. This section describes different components of economic cost under each group, as illustrated in Flow Chart 3.1.



3.2.1 Costs to Individuals

The economic costs of VAW borne by individuals can further be divided into direct and indirect cost components. Direct costs are actual expenses paid – representing real money spent in dealing with the consequences of violence. These costs can be computed by measuring the quantity of goods and services consumed and then multiplying them by their price. Indirect costs represent the value of loss in productivity from paid work as a result of violence. It can be computed by measuring the loss in income that results from 'loss in potential' to do a paid job or represents the value of lifetime earnings for victims having fatal incidents.

Direct costs

The various categories of direct cost are as follows.

Medical cost: Violence often results in physical injury, psychological trauma and sometimes death. The victims of violence visit doctors for treatment and prescriptions. These include spending for services such as visits to a general practitioner, the emergency room, hospitalisation, physical therapists, dentists and mental health professionals, ambulance and payment for medicine and test/procedures. Victims seeking medical care often receive more than one service.

Police cost: Victims go to the police station for lodging the first information report (FIR) of the incidents to get their case registered formally. Although this does not require any payment, victims reported that they incur certain 'hidden cost'^a. The victims also incur certain transportation costs to and from the police station.

Legal cost: This particular category includes costs incurred in filing a legal case of violence. It includes the lawyer's fee and required legal documents for filing a case. Victims often have to visit the lawyer's office and court more than once and hence they also incur transportation costs.

Emergency/alternative accommodation cost: Some victims of violence or their families access emergency accommodation in case of severe abuse and hence accrue costs related to house rent or home purchase.

Indirect costs

An indirect cost, termed opportunity cost, can be defined as the cost of opportunities the victim loses as a result of living with or leaving a violent relationship at the workplace. It is the money foregone when the victim's options are limited by the circumstances that are not conducive for her. Victims lose time from their regular paid work activities due to stress, constant fear, injury and mental health issues. They may also be at greater risk for other health problems such as chronic pain and sleep disturbances which can interfere with or limit daily functioning at the workplace.

All of these cause reduction in their productivity as they work fewer hours than before and in case of severe injury take a leave, with or without pay, or sometimes even quit their jobs or get fired. This causes a reduction in their earnings by affecting their promotion opportunities or loss in employment. Estimates of indirect costs of violence include lost earnings for the period away from paid work.

The victims suffer an additional burden in the form of expenses they incur on finding a new job. In some cases, victims are never able to go back to work and resume normal activities and thus, are a lost labour force. In incidents of homicide and suicide, the dependents of victims suffer due to the loss in the lifetime earnings that could have been generated by the victim. In other cases, victims who are compelled to go on 'leave with a pay' due to injury also pay a cost – they could have availed the leave for some other contractual job or purpose.

3.2.2 Costs to Institutions

The literature indicates that costs of violence are not only borne privately by individuals but also by institutions that provide services to the victims and employers. These costs include:

- Public cost of hospitals/clinic
- Public and private cost of welfare organisations
- Public cost of civil and criminal courts
- Public cost of law enforcement agencies
- Employers costs of public and private institutions

3.3 SURVEY AND RESEARCH METHODOLOGY

In order to collect information on costs of violence to individuals, a survey of fifty female victims of violence was administered by designing a questionnaire. This yielded data indicating the nature of violence and its consequential repercussions including the money spent by the victims in case of availing different services and its effects on their jobs.

3.3.1 Ethics

The survey took into consideration the protection of all respondents and researchers. Respondents were advised that their participation was voluntary and were assured of complete anonymity. Furthermore, they were advised that they did not have to answer any question they felt uncomfortable about. In order to encourage the respondents, token money was offered to cover their transportation and opportunity costs.

3.3.2 Questionnaire

The main instrument for the survey was an in-depth structured questionnaire consisting of both closed and open-ended questions. The structured questionnaire being comprehensive was designed in line with the objective of the study. The questionnaire focusing on the various aspects of violence being faced by women helped in gathering information on various cost components related to medical, police and legal services.

In order to test the validity of the questionnaire a pilot survey was conducted prior to the actual survey. This helped in providing valuable feedback following which the questionnaire was further improved. The enumerators were also sensitised to possible obstacles/difficulties.

3.3.3 Respondents

Women approached for the survey have been victims of violence including sexual abuse, physical abuse, threats, verbal abuse and others either by an intimate partner or by family members and acquaintances. The women covered in the survey belonged to different age brackets, educational, economic and ethnic background.

3.3.4 Data Collection

Given that the victims were generally reluctant to share their information, the survey was divided into two groups: (a) women approached through snowball sampling and (b) women approached through shelter homes and non-governmental organisations. The questionnaire was filled by conducting face-to-face interviews with the victims. All the interviews were held in Karachi and all respondents were residents of Karachi.

3.3.5 Research Method

The information obtained from questionnaires was summarised to get a meaningful picture of the responses. Data collected were subjected to a statistical analysis using SPSS (statistical

software) which provided the frequency of responses for each question. A spreadsheet approach was used to estimate the unit costs of violence against women. The steps used to compute this cost are elaborated below.

Estimation of Unit Cost

Step 1: Obtain the number of victims who used the service as a consequence of violence in the sample.

Step 2: Get money paid or cost incurred by each of these victims in the sample on availing that relevant service (borne by anyone).

Step 3: Convert all these individual cost into current year value (e.g. rupee value at 2011 prices) by using the following formula,

$$AE \times \frac{\text{Current CPI}}{\text{Earlier CPI}} = AC$$

Where AE is the amount in the earlier year (when the incident occurred), Current CPI is the consumer price index for the year 2010-11, Earlier CPI is the consumer price index of the year when the incident occurred and AC is the computed cost of service at 2010-11 prices.

Step 4: Aggregate the individual costs of all the victims in the sample for that particular service.

Step 5: Deconstruct the unit cost of that particular service by using this aggregated amount and number of victims obtained in Step 1.

3.3.6 Challenges Faced and Limitations of the Survey

The challenges and limitations were faced while conducting the survey and in computing cost estimates which are imperative to discuss at this point.

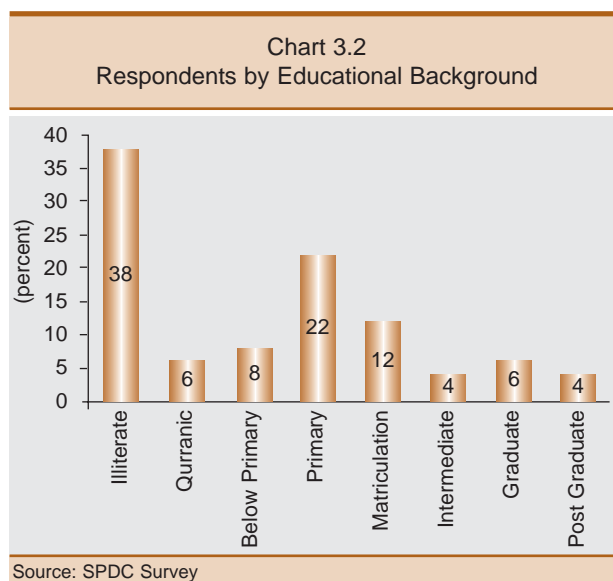
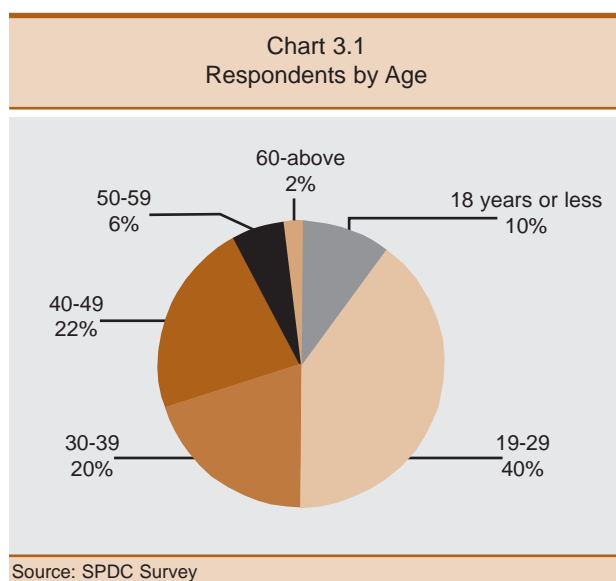
- It was found that generally the costs were not borne by the victims themselves hence they were not fully aware of different cost components. Further, victims covered in the sample were also approached through the help of NGOs and SHs. In that case the entire cost was borne by the institution and victims were not aware of any payment made, particularly for legal services.
- Victims also utilised public services and welfare organisations services for medical treatment. In such cases the cost was borne by the institution or philanthropist and not by the individual.
- The survey was based on the recall method, therefore, if the incident had occurred two years ago or more, it was difficult for the victims to recall the money they spent on treatment. There were no written records or bills available for hospitalisation, different test and procedures, prescriptions and receipts of lawyer's fee and other expenses at the court.
- Majority of the respondents covered in the sample had very low literacy levels due to which they were not able to categorise money spent under different cost components.
- Since the survey was purely on a voluntary basis, there were some respondents, from rich and upper-middle class, who did not have any injuries but suffered from stress and depression. These victims were taking medicines which they did not disclose.

3.4 CHARACTERISTICS OF VICTIMS

This section discusses the characteristics of the respondents/victims including age, educational background, occupation, marital and economic status.

Age group

Of the total victims covered in the sample, 40 percent belonged to the age group of 19-29 years. This was followed by 22 percent in the age group of 40-49 years and 20 percent in 30-39 years. 10 percent of the total victims were either 18 years or less and 8 percent were above 50 years of age (Chart 3.1).



Educational background

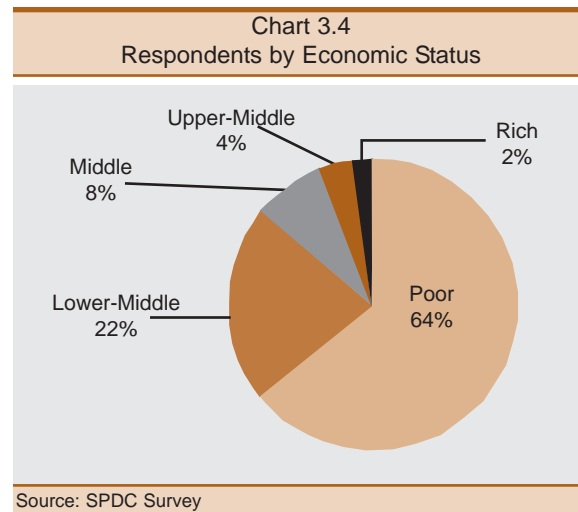
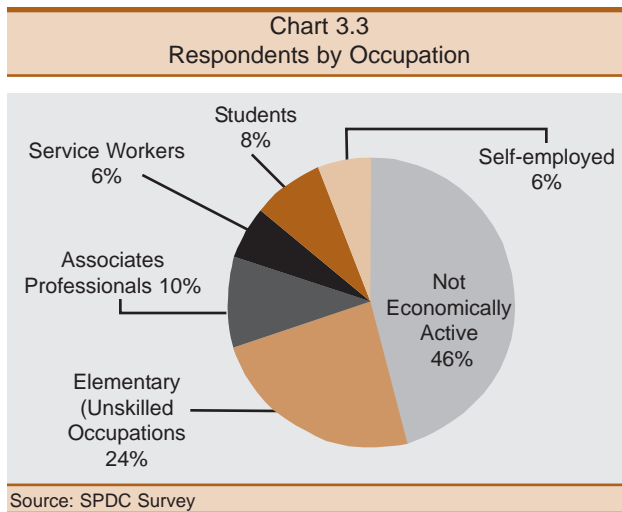
The educational background shows that a large number of victims were either illiterate or had less than primary education. Of the total victims, 38 percent were illiterates, 14 percent had below primary level education including Qurranic education, 22 percent completed primary education, 12 percent have done matriculation and 14 percent were educated up to intermediate level or above (Chart 3.2).

Occupation

Of the total victims in the sample, 46 percent were not economically active and 8 percent were students. Of the remaining, 6 percent were self-employed, 6 percent were service workers and 24 percent were engaged in elementary unskilled occupations. Only 10 percent were associate professionals belonging to the teaching profession.

Economic status

The economic status of victims indicates that 64 percent belonged to the poor class, 22 percent were from lower-middle class, 8 percent were from middle class and 4 percent were from upper-middle class while 2 percent belonged to rich class (Chart 3.4).



Marital status

42 percent of the total victims were married, 30 percent were separated and the other 10 percent were divorced. Of the remaining, 10 percent were single, 4 percent were widow and 4 percent had filed cases for divorce (Table 3.1).

Table 3.1
Marital Status of Respondents

	Number	Percent
Married	21	42
Separated	15	30
Single	5	10
Divorced	5	10
Widower	2	4
Case file for divorce	2	4

Source: SPDC Survey

Table 3.2
Perception of Victims about Violent Activities

	No. of Responses	Percent
Physical abuse	38	29
Verbal abuse	30	23
Economic abuse	23	17
Psychological abuse	12	9
Keeping hungry	7	5
Sexual harassment and Rape	5	4
Not giving respect to wife	4	3
Forced marriage	2	2
Cruelty	2	2
Threatening behaviour	1	1
Did not reply	9	7
Total	133	100

Source: SPDC Survey

3.5 KEY FINDINGS

3.5.1 Perception about Violent Activities against Women

The first question posed to the victims was about their understanding of violent activities. These responses are presented in Table 3.2. Allowing for more than one response per respondent 29 percent termed physical abuse as a violent act followed by 22 percent and 17 percent who mentioned verbal and economic abuse as violent acts. 9 percent of the victims replied that they consider psychological abuse as violent activity. The other 5 percent raised the issue of being kept hungry, while 4 percent mentioned sexual harassment including rape.

3.5.2 Nature of Violence

This section presents survey findings related to the type of violent act faced by the respondents, age of the victim at the time of incident, what caused the incident, and who the perpetrator was.

Types of violent activities

The respondents were encouraged to share information about as many incidents as they had faced where each of the women reported at least one incident. They were also encouraged to share whether more than one perpetrator was involved.

Altogether 50 respondents reported 163 incidents of violence as illustrated in Table 3.3.

The responses shared show physical abuse as the most frequent form of violence (37 percent) followed by verbal abuse (32 percent). Economic or financial abuse appeared as the third common form of violence the victims faced (14 percent), while sexual abuse came out as fourth frequent form of violence (6 percent). This particular category includes rape and sexual harassment particularly with the women outside the relationship. The other form of violence mentioned includes forced marriage, kidnapping, force custody of children, murder of daughter and being deprived of decision making.

Age of victim at the time of incident

Of the women covered in the survey, majority were less than 30 years of age at the time of violence. 57 percent of the women reported that they were in the age group of 19-29 years and 26 percent were either 18 years or less (Chart 3.5).

Causes of violence

Respondents were also inquired about the reason/s they thought had caused the violence. As shown in Chart 3.6, of the 163 responses of incident, 24 percent were attributed to the aggressive nature of the perpetrator, particularly husband. Frustration and poverty were the cause for 12 percent and 16 percent of the incidents, respectively. The reason for frustration was attributed primarily where the perpetrator/aggressor was either a husband or someone from in-laws. The causal link existing between poverty and the frustration was also raised by the respondents.

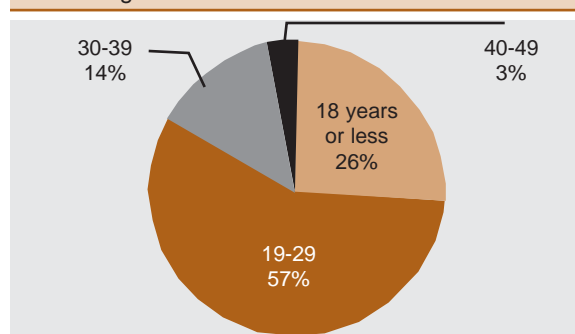
Other main reasons cited were drug addiction of the perpetrator (9 percent), forced marriage (8 percent) and family conflict (5 percent). Suspicion was also cited as a reason by 4 percent of

Table 3.3
Types of Violent Activities

	Number of Responses	Percent
Physical abuse	61	37.4
Verbal abuse	52	31.9
Economic abuse or financial abuse	22	13.5
Sexual abuse	9	5.5
No decision making rights	6	3.7
Forced Marriage	5	3.1
Kidnapping	1	0.6
Force custody of children	1	0.6
Murder of daughter	1	0.6
Others	5	3.1
Total	163	100

Source: SPDC Survey

Chart 3.5
Age of Victim at the Time of Incident



Source: SPDC Survey

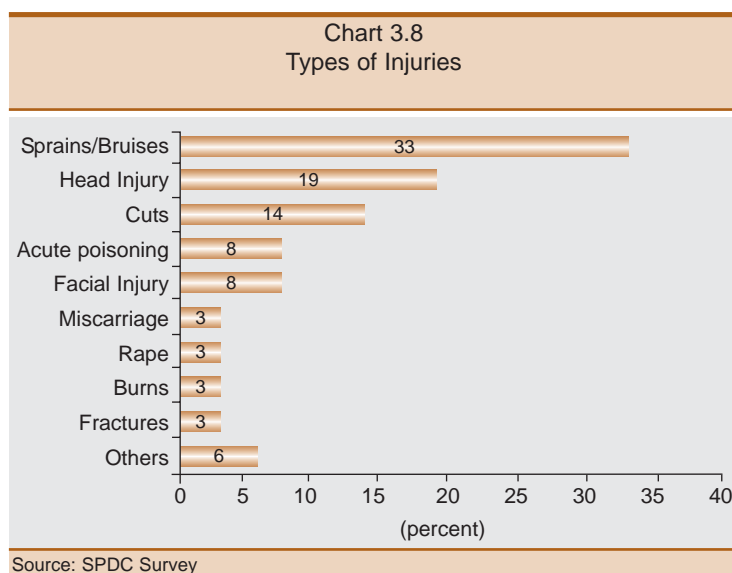
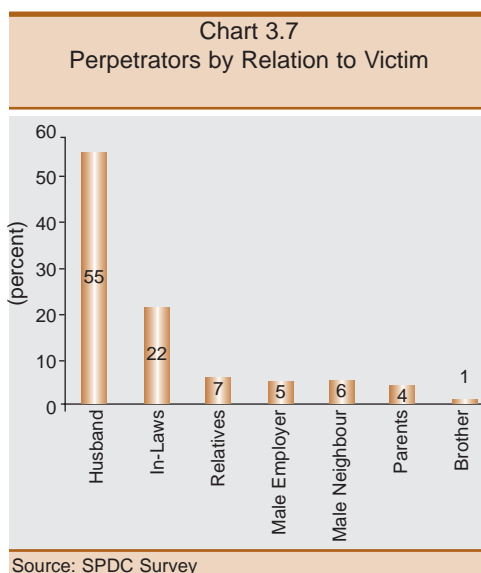
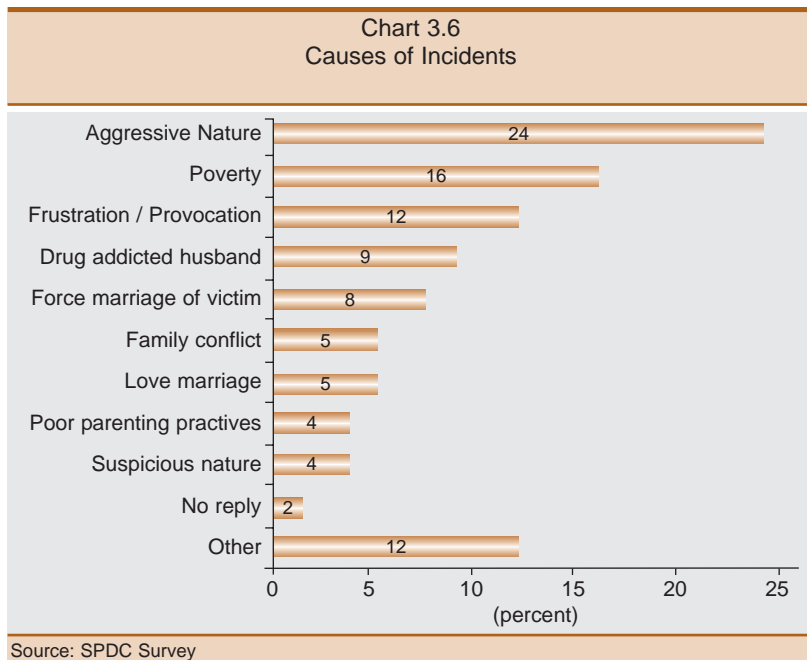
respondents. Even though, 4 percent cited it to be a reason, it is important to understand the very nature of suspicion which is fed by the social value system followed by that particular social class or ethnic community.

Relationship with perpetrator

The survey findings indicate that the majority of the perpetrators were either husbands or in-laws. Chart 3.7 indicates that 55 percent of 163 incidents of violence were carried out by the husband of the victim and 22 percent by her in-laws (including father, mother, brother and sister-in-law/s). The remaining 23 percent incidents of violence were carried out by different perpetrators including relatives, male employer, male neighbour, parents and brother.

3.5.3 Types of Injuries

Out of 50 victims, 44 percent got injuries as a consequence of violence where some suffered with more than one injury. Chart 3.8 indicates that sprains/bruises were the most common type of injury as 33 percent of the victims reported it. Head injury and cuts caused by physical abuse were reported by 19 percent and 14 percent victims, respectively. Acute poisoning occurred in cases when victims underwent stress and trauma as a consequence of violence and attempt



suicide. While miscarriages, rape, burns and fractures were also reported. Temporary disability, such as broken bones, impaired eye vision, depression were also reported by some of the respondents.

3.6 ESTIMATES OF THE ECONOMIC COST OF VAW

Three components of the direct cost included in the questionnaire were cost incurred on medical treatment, accessing police service and legal help sought. This section provides the estimated unit costs of acquiring these services by the victims of violence. These estimates represent the indicative estimates derived from the responses of victims.

3.6.1 Cost Incurred on Acquiring Medical Treatment

The findings show that of the total victims who got injury, 77 percent visited a doctor for medical treatment. Of those who availed medical treatment, 35 percent visited private hospitals/clinics, 59 percent went to public hospitals/clinics, while the remaining approached the welfare organisations. Among the victims who availed medical treatment, 18 percent went for hospitalisation, 6 percent were hospitalised and underwent surgery, 71 percent went to outpatient department (OPD), and 6 percent approached general physicians/consultant.

Table 3.4 shows that the unit cost of medical treatment amounts to Rs9,600. However, it can fluctuate depending on the nature of injury and the time required for its healing. It includes money spent for physician's services, inpatient hospitalisation (if any), outpatient clinic visits, physical check-ups, tests and procedures, and medicine costs. Victim seeking medical care at times received more than one service and went to the doctor several times (1-5 times). In some cases hospitalisation was required.

Cost of service	9,600
Cost of transportation	500
Total Medical cost	10,100

Source: SPDC Survey

Incidents of physical abuse like slapping and hitting result in minor or less severe injuries while physical and sexual abuse like beating with a stick, locking the victim in a fixed position, being kept hungry, acid throwing, rape/attempted rape and kidnapping usually result in severe injuries. The findings indicate that such incidents at times, result in suicide attempts and running away from home. The minor injuries (sprains, bruises and cuts) require less money to be spent on treatment compared to major injuries (head injuries, burns, fractures, internal organ damage, acute poisoning, miscarriages and rape) which may require different test and procedures like MRI, CT Scan, X-Ray, ultrasound, blood and urine test and medicines. The victims of rape in case of pregnancy opt for abortion. Abortion, being illegal in Pakistan, costs more than normal delivery cases.

'The estimated cost of each patient admitted in the centre was Rs.15,000 to Rs. 20,000. In more severe cases an additional Rs. 17,000 is spent.'

– Executive Director, Burns Ward -
Civil Hospital, Karachi

Victims also reported the money they spent for transportation to visit hospitals or clinics. The cost (Rs500 per visit) indicated in Table 3.4 includes transportation by car or ambulance in case of severe injury.

Some of the victims also reported that they did not avail any medical treatment due to financial constraints. They instead opted for home remedies for treating their minor injuries. Whereas in some of the cases the medical cost was incurred by the welfare organizations.

3.6.2. Cost Incurred on Legal Services

This cost can be classified into two components; cost incurred on availing police and judicial services. Being public goods these services are, in fact, free of cost. The former being tedious brings extra financial burden on the victim and her family while the latter is expensive and complex. In addition to the lawyer's fee, money has to be given to get the FIR and medical check-up done by the Medico-Legal Officer (MLO). The respondents reported paying these 'hidden costs' to avail these services and also to get the cooperation of service provider.

Cost for police service

Of the total respondents, 18 percent went to a police station to lodge the FIR and formal registration of their case. This indicates that 82 percent of incidents were not reported to the police.

Cases of injury that result in bleeding and fractures are filed in Criminal Courts and require an FIR to be lodged if the victim wants to pursue a legal action on it. Whereas cases related to *khula* (divorce) and child custody are filed in Civil Court and do not require an FIR.

'Man after the crime is declared an absconder by the police, even though he is usually seen in the same locality, but the police pretend to ignore it. This further weakens the case.'

'Police also delay the assessment time so that evidence of rape coming from the medical report becomes weaker and weaker with the passage of time.'

– Voice of Victims

Table 3.5 shows that unit cost paid by the victim for availing police services is Rs 34,900. The payment made was illegal and hidden. The survey findings indicate that the money charged from the victim depends on the type of case, nature of crime and the strength of the individual involved/affected by the violence. For example, in cases of rape, threat to life (*karo kari*) and kidnapping, the amount of this money is on the higher side, particularly in kidnapping when the victim has to be recovered from kidnappers. The findings also indicate a positive correlation between the money paid and the attitude of police. The victims also reported that they bore transportation cost while going to the police station. The unit cost for transportation in this case came out to be Rs1,500.

Police Cost	
Cost of service	34,900
Cost of transportation	1,500
Total Police Cost	36,400
Judicial Cost	
Cost of service	48,200
Cost of transportation	2,100
Total Judicial Cost	50,300

Source: SPDC Survey

Cost for judicial service

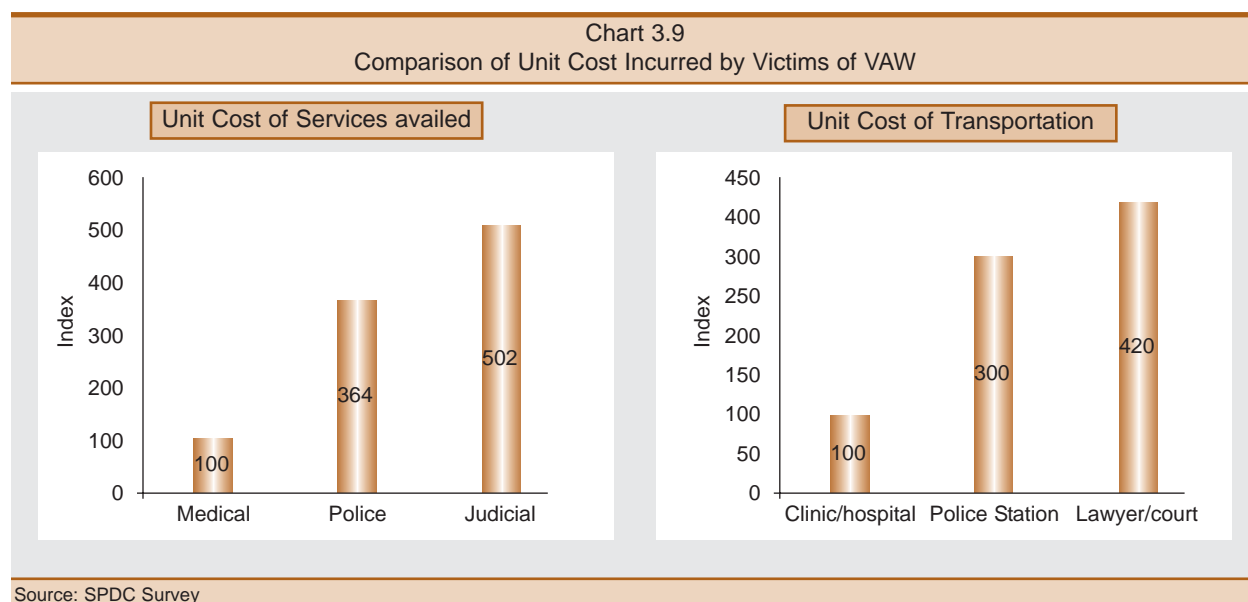
Of the total victims, 42 percent opted for legal action. This particular category largely consists of those who accessed the assistance of NGOs. The victims that do not reach them are less likely to attain any legal help. Sadly, cases that are registered or publicised through the media are usually taken up by NGOs. Hence, many victims who are not aware of the presence of NGOs, opt for silence.

Table 3.5 shows the unit cost incurred by the victim amounting to Rs48,200. This cost includes the money spent on lawyer's fee and certain informal or hidden payments made to get the court documents. It was found that the unit cost incurred in cases of *khula* and child custody is lower compared to that incurred on rape. It was also observed that sometimes victims were misled and deceived due to which they pay unnecessary money for police and judicial services. The victim also reported the transportation cost they bore in making visits to lawyer and court. Since victims have to make several visits to court and lawyer, the average amount paid by the victims appeared to be at Rs2,100.

3.6.3 Comparison of the Unit Cost of Services Availed

Chart 3.9 gives the comparison of the unit cost of services availed by victims. If the cost of availing medical service is 100 units, the costs of availing police and legal service are 364 and 502 units respectively. This indicates that the cost incurred on getting police service and legal help is 3.6 times and 5 times higher than the cost of medical service availed by a victim. Given this high cost, an intimidating environment at police station and an ineffective judicial system, victims hesitate to avail these services.

A similar trend is seen in transportation costs incurred to avail these services. Assuming 100 units are spent on visits to clinics/hospitals, 300 units are spent on visits to police station and 420 units on visits to lawyer/court (Chart 3.9). The victims reported that they often had to make frequent



visits not only to meet lawyers, for filing their case, and courts hearing, but also to the police station to get the FIR lodged.

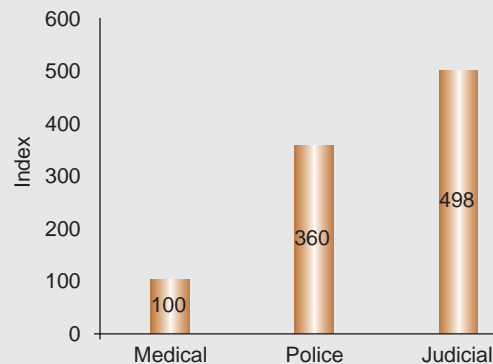
The comparison of total unit cost including the unit cost of services availed and transportation is shown in Chart 3.10. The findings of the survey indicate that the highest cost incurred by the victim was on the legal assistance sought.

3.6.4 Who Picked the Cost?

Victims' inability to meet these costs prevents them from availing the services in all three categories. According to the respondents, the cost was met by selling household items, personal possessions, such as jewellery, or sometimes even by taking loans from family members, relatives and neighbours.

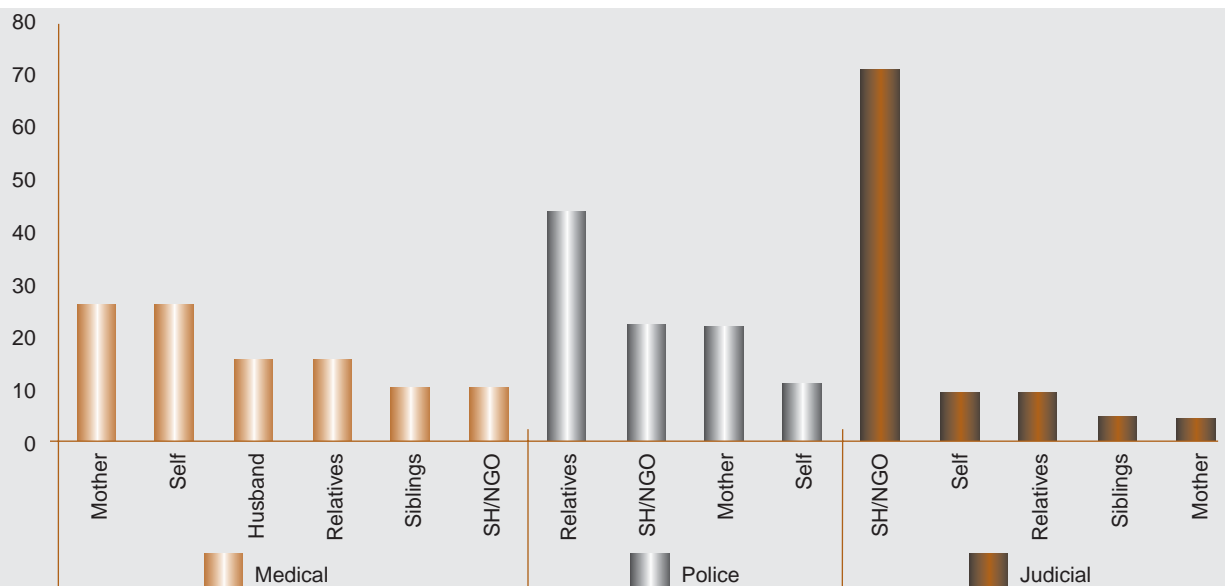
The survey findings, however, indicate that the victims did not always bear the cost themselves. In some of the cases, the expenses were paid by their mother, siblings, husband, and relatives including friends and neighbours, or NGOs. Chart 3.11 indicates that the medical expenses were mostly picked up by the mother of the victim. In case of police reporting, majority of the victims went with their relatives (including friends and neighbours). Those having contacts in the police or SHs or NGO accompanied the victim. However, in cases where victims visited the police station on their own, again the mother of the victim and she herself bore the cost. The legal cost, according to the responses received, was predominantly picked by NGOs and SHs for majority of victims.

Chart 3.10
Comparison of Total Unit Cost Incurred
by Victims of VAW



Source: SPDC Survey

Chart 3.11
Who Picked the Cost?



Source: SPDC Survey

3.6.5 Effects on Employment

The data obtained from the survey indicate that majority of the respondents were not part of workforce or did not have an access to paid job. Table 3.6 provides a comparison of victims working at the time of the incident with those

working soon after the incident and at the time of interview. It indicates that 28.6 percent of those who were working at the time of incident had to quit their job soon after the incident. This trend continued as 42.9 percent of them had left their job till the time of interview. The reasons cited were: injury caused, disability caused and depression. On the contrary, a number of victims were compelled to join the labour force perhaps to cover additional financial burden incurred in case of divorce or separation as a result of violence. Compared to the victims working at the time of incident, the new entrants in the work force were 35.7 percent soon after the incident that increased to 64.3 percent till the time of interview. It is important to note that number of victims who started working after the incident is greater than those who left their jobs. Consequently, net change in employment is positive with an overall increase of 21.4 percent. Besides this, 12 percent reported that they took leave without pay while another 12 percent took leave with pay.

Table 3.7 gives the detail of employed victims in the sample by type of occupation. It shows that at the time of incident 28 percent of the victims were doing a paid job; of which 12 percent were engaged in elementary (unskilled) occupations, 4 percent were self-employed, 8 percent were associate professionals and 4 were service workers. As mentioned above, soon after incident some victims left their job while some entered into work force. The net effect indicates that the proportion of victims doing a paid job

increased to 30 percent. Those who left job were self-employed and associate professionals while those who entered in work force were elementary unskilled and service workers. This trend continued as 34 percent of the victims was working at the time of interview - indicating a net increase in employment level in the sample by 6 percentage points. A comparison of occupation categories at the time of incident and at the time of interview indicates that victims largely entered into elementary (unskilled) occupations and left those related to service work (immunisation programme worker, factory worker, etc). This implies that sufferings of victims heightened after violence incidents as it increased their "time poverty"^b and they are compelled to do low-paid jobs.

Table 3.6
Effects on Employment after Incident

	As % of victims working at the time of incident		
	Left work	Started work	Net Change
Soon after incident	28.6	35.7	7.1
At the time of interview	42.9	64.3	21.4

Source: SPDC Survey

Table 3.7
Employed Victims by Occupation

	Victims Working (%)		
	At the time of incident	Soon after incident	At the time of interview
Elementary (unskilled) occupations	12	16	20
Self-employed	4	2	4
Associate professionals	8	6	8
Service workers	4	6	2
All in the sample	28	30	34

Source: SPDC Survey

3.7. ATTITUDE AND COPING

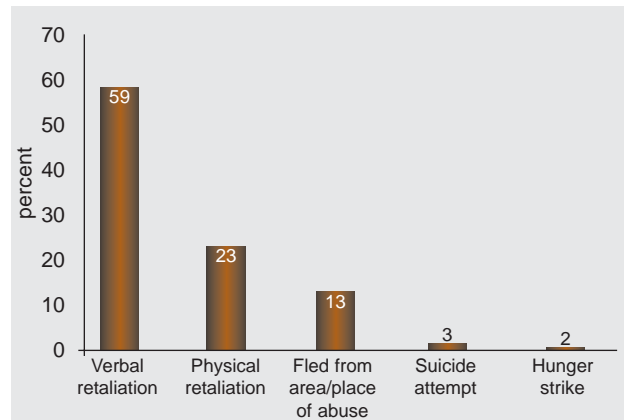
The victims were also asked questions on the attitude of perpetrator(s) and the possible intervention that they thought were necessary to cope with violence (both) at the time of incident and afterwards.

Responding on the question whether, they ever tried to defend themselves from violence, 74 percent responded in affirmative. Chart 3.12 shows that majority of the victims verbally retaliated followed by physical retaliation. However, a few took extreme actions like fleeing from the area of abuse, attempting suicide and also skipping meals.

Replying to a question about the attitude of perpetrator in response to their retaliation, 44 percent said that the perpetrator responded positively after her retaliation. Some said that the husband or brother felt ashamed and apologised for their attitude. However, some indicated that they were further threatened by the perpetrators including fathers-in-law, brothers-in-law and male neighbours when they retaliated. Pertaining to the attitude of their own family, 58 percent of the victims said that they co-operated with them in tackling with the situation while 36 percent said that they were non-cooperative. About the in-laws, 14 percent said that they were co-operative while 66 percent said that they were non-cooperative. The victims were also asked whether they knew about the legal protection of women against violence; surprisingly, 66 percent replied that they knew about it.

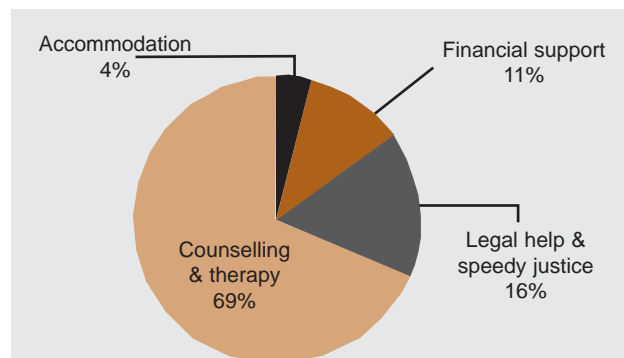
Chart 3.13 shows that 69 percent of the victims said that they wanted counselling, therapy and rehabilitation activities. The findings also reveal that the majority of women do not always get injured every time when they are victimised. However, they always suffered a psychological impact - the respondents particularly mentioned depression, stress and trauma (for which they did not get any treatment). It is now accepted widely that depression and stress are the root causes of many illnesses that affect not only the victim's life but also those living in her surroundings. This affects their daily routine work at

Chart 3.12
Manners Practiced by Victims to Defend Themselves



Source: SPDC Survey

Chart 3.13
Interventions Needed by the Victims during Incident

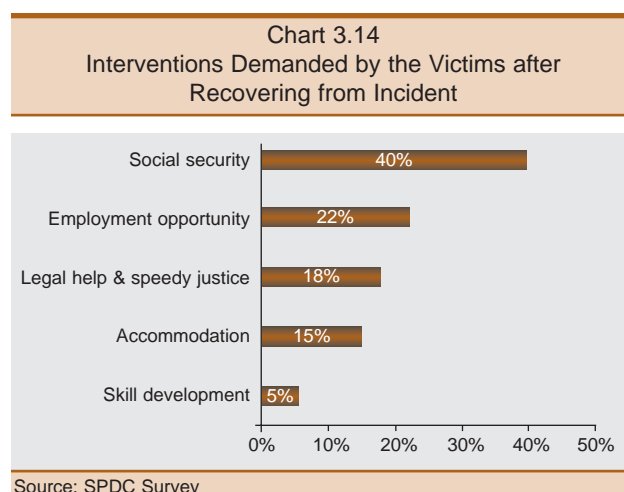


Source: SPDC Survey

home and job as well as caring of children. The importance of having therapy and rehabilitation following the incident of violence was raised by the respondents. Besides this, 16 percent demanded the legal system and its implementation to be strengthened. 11 percent felt the need for financial support while 4 percent considered availability of emergency accommodation important.

The victims were also asked about the type of intervention they considered crucial. These

responses are summarised in Chart 3.14. It shows that 40 percent of the respondent demanded a social security system and 22 percent employment opportunities. Since majority of the victims in the sample came from poor financial background, they felt lack of finances hampered them in coping effectively from the post-violence situation. As we saw in Chart 3.13 the victims themselves were not able to finance the expenditures related to legal help and medicines. Majority of the victims got their expenditures financed by NGOs, relatives and family. This indicates that lack of finances aggravates their sufferings as 62 percent of respondents demanded an income stream. Those who survived the incident and are now divorced wanted to have some employment opportunities to financially support themselves and their children. Those who are already working and engaged in low-paid jobs demand for a social security system in order to supplement their inadequate earnings. Those who cannot do a paid job due to reasons like old age or some disability also demanded a social security system. Victims also felt necessary to have speedy justice, alternate affordable accommodation and skill development programme.



NOTES:

[References indicated by numbers are given at the end of the report.]

- a. Payments made to police officials to get the complaint lodged.
- b. Time and money are two of the main constraints that people generally have in their lives. However, there is a difference among those who have to work long hours to keep their families above the poverty line and those who are classified as time poor but who could reduce their work hours without risking income poverty. 'Time poverty' caters those who are significantly limited by time and income constraints, and could escape income poverty only by incurring time poverty, or vice versa.

CHAPTER 4

CONCLUSIONS

CHAPTER 4 CONCLUSIONS

Violence against women is the most persistent form of violence that has been recognised internationally. It is a major violation of a woman's human rights. Consequences of violation are not only limited to the lives of victims but also their families and society at large. In addition, it carries an economic cost to individuals, families, communities and macro-economy as a whole, doubling its pain.

Given that the modern policy-making is evidence-based, research studies on the costs of violence will help build the empirical base. These studies can also help perform cost-benefit or cost-effectiveness analysis regarding different intervention programmes and suggest implementation of effective programmes for early detection, intervention, treatment and public education. In addition, the result-based measurements will help demonstrate the need for a change in budgetary allocations, improve the domestic legislation, and strengthen programmes to prevent violence against women.

Obtaining the estimates of the cost of violence against women to the national economy is a challenging task. Cultural and social barriers hinder women from freely sharing information and reporting cases related to violence. Moreover, the various forms of violence, having different types of repercussions, are difficult to quantify. For instance, in a case of verbal abuse victim may lose their motivation and productivity in providing paid or unpaid services. However, these are difficult to measure in monetary terms. Physical abuse may result in minor injuries, stress/depression and even major injuries. Individuals usually do not go for any formal medical treatment in case of minor injuries or stress; they rely on informal services instead. Even in the case of major injuries when victims require formal treatment, computing cost estimates is difficult as both public and private hospitals, and other welfare institutions, do not maintain separate data on cases related to violence. Moreover, it is difficult to get accurate cost estimates in the absence of written records or documentation of other services accrued by the victims. These challenges further compound the problems of calculating the overall impact of violence as truly representative prevalence or incidence rates are not available. Data available presently are a compilation of reported cases by civil society organisations.

The study, first of its kind in Pakistan, has helped in bringing forward systematically the computed estimates of the unit cost. This information was collected through a primary survey by questioning victims of violence (residing in Karachi) about the money they spent under three broad categories of services namely medical treatment, police/investigation and judicial services – including transportation costs incurred on each service.

4.1 RESEARCH FINDINGS

The section briefly presents the key findings of the report.

The social behavioural pattern deriving its strength from the command and obedience value system has made women more vulnerable to exploitation and violence. The state fragility and an ‘intentional indifference’ has prevented (both) the government and society from identifying and initiating the much required preventive actions to address violence against women.

The findings related to the individual costs of violence indicate that the unit cost of getting medical treatment is Rs9,600, obtaining police service is Rs34,900 and pursuing legal action is Rs48,200. The unit cost of acquiring police service covers the amount victim pays to lodge an FIR. This computed cost largely reflects the money paid for incidents of rape, threat to life (karo kari) and kidnapping. Victims also paid certain hidden money to obtain relevant court documents. Those who could not afford to pay this money were not able to get police or judicial help notwithstanding the severity of their case – a source of misery to them.

The findings also indicate that physical abuse is the most frequent form of violence followed by verbal and financial abuse. Majority of the victims were less than 30 years of age at the time of incident. In most of the cases a woman was a victim of aggression inflicted by her husband or in-laws – often frustration is caused and fed by multiple factors. In the case of Pakistan, socio-economic failures, abject poverty, and the social tipping are amply visible.

The findings further point out that victims do not feel comfortable visiting police stations due to which most cases remain unreported. Victims mentioned that they availed medical services in cases of severe physical abuse without going to police station and lodging an FIR against the perpetrator.

It was also found that most women who pursued legal action did so with the help of a non-governmental organisation. This was mainly due to financial constraints and a lack of understanding of legal recourse available. Moreover, they are often hoodwinked by lawyers and end up paying more than they should have. Victims, mainly expressed the need for financial support, easy and quick justice, and legal and psychological counselling or consultation.

4.2 THE WAY FORWARD

During the last five years efforts have been made to reduce violence against women in Pakistan. Women-specific legislation formulation, documentaries highlighting various aspects of violence, compilation of reported cases and data collection on violence in selected districts are all commendable efforts. However, much more needs to be done. It is extremely important to create a conducive social environment ensuring equity and equality. Equally important is to take concrete measures for the overall empowerment of women. The present approach of exclusively focusing on the economic empowerment has not helped in ensuring the social empowerment of

women in Pakistan. The socio-political developments seen during the last three decades have also qualitatively altered the lives of women in Pakistan. Clearly, the social equilibrium causing social stress for the society as a whole, particularly are detrimental for the development and empowerment of women. It, however, can be managed over time by initiating a 'preventive strategy'.

Training of professionals

It has been noticed that law enforcers, legal and medical professionals (police, prosecutors, magistrates, judges and doctors) adhering to the traditional values system take male members to be the ultimate decision makers and value setters for the female members to follow. Their dominance well entrenched, they view women as subservient to their authority. It is, therefore, important to provide training on gender-based violence, to professionals who come in contact with victims of violence. Training that sensitises them to the trauma that the victim of violence undergoes; prepares him to gather proper evidence for criminal proceedings, and treat violence as a criminal offence and not just a family dispute. Trainings can be made more effective by involving other professionals, who deal with the victims of violence.

Collection of data associated with VAW

- In order to calculate the true prevalence rate of VAW a National Violence against Women Survey needs to be conducted by the relevant public institutions.
- At present, the Labour Force Survey (LFS) provides data only on occupational injuries/diseases but does not collect data on types of injuries. The data on VAW can also be collected by broadening the scope of the LFS. More categories and questions be added in section 8 of questionnaire that address occupational injuries/diseases. For example, in columns 8.1 to 8.5, codes related to domestic violence or other forms of gender-based violence be added. Also questions related to types of injuries and medical services availed be added to section 8.
- A similar exercise can be undertaken by the Pakistan Social and Living Standards Measurement Survey (PSLM) which already contains questions related to illnesses. A new section on questions related to VAW be added. For example, incidents occurred during the last two weeks (a period easy to remember), its perpetrator, causes, effects, types of injuries and medical services availed in case of injury.
- Hospitals and the non-governmental sector, dealing with health and legal services respectively, can compile a separate record of violence-related cases they come in contact with. This would help calculate the expenditure on health care/treatment and legal assistance by institutions on cases related to VAW.

Improvement in police and the legal system

- Gaps in the justice system needs to be filled by strengthening legislation and repealing harmful and discriminatory laws like Qisas and Diyat and promoting education on human rights.

- A comprehensive and human rights-based legislative approach towards all forms of violence against women needs to be adopted. An approach that not only encompasses criminalisation and effective prosecution and punishment of perpetrators, but also the prevention of violence, the empowerment, support and protection of survivors, and the creation of mechanisms to ensure women's access to justice and effective implementation of the legislation.
- There is a need for a judicial reform package aiming to sensitise the police and judiciary in matters relating to women's issues. Training workshops be conducted on procedures related to the Pakistan Penal Code, and the Criminal and the Civil Procedure Codes. A reform package helps restore the confidence of the women victims of violence in our judiciary and the justice system, and their litigation rights.
- The environment at police stations needs to be cordial and secure where a victim can freely report a case of violence. Induction of female police officers and other female staff can also help a victim register her complaint with ease and without any hesitation.

Counselling

- Even though the Shaheed Benazir Bhutto Crisis Cell, working under the Women Development Department (WDD), Ministry of Women Development (MoWD), is providing legal support to the victims, very few victims are aware of its existence. There is a need to launch a media campaign for dissemination of information. Moreover, a 'Helpline' would make the access easier for a potential victim to seek timely guidance.

Despite the fact that key policy documents are reflective of government desire to address issues related to women development and security, unfortunately, the funds allocated do not support the claim and desire expressed. Moreover, with the devolution of MoWD after the 18th Constitutional Amendment, it is yet to be seen how the implementation issues will be addressed by the provincial governments.

REFERENCES
AND
BIBLIOGRAPHY

REFERENCES

CHAPTER 1: INTRODUCTION

1. AbouZeid , Gihan and Somach, Susan D. "Egypt Violence against Women Study: Literature Review of Violence against Women." USAID, April 2009.
2. "Four in Five Women in Pakistan Face Some Form of Domestic Abuse: Report." The Express Tribune Newspaper, March 2, 2011.
3. Biehl, Loreto and Morrison, Andrew. *Too Close to Home: Violence in the Americas*. Published by the Inter-American Development Bank (IDB) Bank and Johns Hopkins University Press, March 1999.
4. Ibid.
5. "PAKISTAN: HDI Values and Rank Changes in the 2011 Human Development Report". United Nations Development Programme(UNDP), 2011. Retrieved from <http://hdrstats.undp.org/images/explanations/PAK.pdf> on March 1, 2012.
6. Day, Tanis. "The Health Related Costs of Violence against Women: The Tip of the Iceberg." The Centre for Research on Violence against Women and Children, University of Western Ontario, 1995.
7. Greaves, L., Olena Hankivsky and Joanne Kingston-Reichers. "Selected Estimates of the Costs of Violence against Women." London, Ontario: Centre for Research on Violence against Women and Children Publication Series, The University of Western Ontario, 1995.
8. McGibbon, Alison, Cooper, Libby and Kelly, Liz. "What Support?" Hammersmith and Fulham Council Community Police Committee Domestic Violence Project (London: Hammersmith and Fulham Community Safety Unit, 1989.
9. "Statistics Canada." The Daily. Ottawa: Canadian Centre for Justice Statistics, November 16, 1993.
10. Access Economics, Ltd. "The Cost of Domestic Violence to the Australian Economy, Parts I and II." Office of the Status of Women, Government of Australia, 2004.
11. Buvinic M., Morrison A.R. and Shifter M. "Violence in the Americas: A Framework for Action" in *Too Close to Home: Domestic Violence in the Americas*, Morrison A.R. Biehl M.L. (eds.). Inter-American Development Bank, 1999.
12. Biehl, Loreto and Morrison, Andrew. *Too Close to Home: Violence in the Americas*. Published by the Inter-American Development Bank (IDB) Bank and Johns Hopkins University Press, March 1999.
13. Bowlus, Audra, Day, Tanis, McKenna Katherine. "The Economic Costs of Violence against Women: An Evaluation of the Literature." United Nations, 2005.

14. Waters, H, Hyder A, Rajkotia Y, Basu S, Rehwinkel JA, Butchart A. "The Economic Dimensions of Interpersonal Violence." World Health Organisation Report, 2004.
15. "PAKISTAN: Honour Killings of Girls and Women." Amnesty International, September, 1999.
16. "Domestic Violence against Women and Girls." Innocenti Digest. No.6. United Nations Children's Fund (UNICEF) (Innocenti Research Centre), June 2000.

CHAPTER 2: DEVELOPMENT OF INTERNATIONAL AND NATIONAL LEGISLATION

1. "Beijing Platform for Action." n.d. United Nations Women. Retrieved from <http://www.unifem.org.au/Content%20Pages/Resources/beijing-platform-action> on March 3, 2012.
2. "Handbook on Legislation for Violence against Women." United Nations Department of Economic and Social Affairs (Division for the Advancement of Women), 2010.
3. Thomas, Sarasu Esther. "Responses to Human Trafficking in Bangladesh, India, Nepal and Sri Lanka." United Nations Office on Drugs and Crimes Publication, 2011.
4. Coomaraswamy, R. "Report of the Special Rapporteur on Violence against Women, its Causes and Consequences." Presented at the UN Commission on Human Rights, 52nd Session, 1996.
5. Baden, Sally. "The Position of Women in Islamic Countries: Possibilities, Constraints and Strategies for Change." BRIDGE (development - gender), September 1992.
6. Ali, Faiza. "Legislative Framework of Equal Employment Opportunity for Women in Pakistan." 2007.
7. Mullalay, S. "Women Law and Employment in Pakistan: From Protection to Equal Treatment." 1996.
8. "Why the Hudood Ordinances Must be Repealed." Shirkat Gah - Women's Resource Centre, Pakistan, 2004.
9. Irfan, Hannah. n.d. "Honour Related Violence against Women in Pakistan. American Bar Foundation." Retrieved from http://www.americanbarfoundation.org/research/World_Justice_Project0/Papers__Group_on_Access_to_Justice.html on February 22, 2012.
10. "Development in Practice: Toward Gender Equality." The World Bank, 1995.
11. "Violence against Women in South Asia – A Regional Analysis." Asian Forum of Parliamentarians on Population and Development and UNFPA Bangladesh and Country Technical Services Team for South and West Asia, 2003.
12. "PAKISTAN: HDI Values and Rank Changes in the 2011 Human Development Report." United Nations Development Programme (UNDP), 2011.

13. "Women's Rights." n.d. The Ansar Burney Trust, Pakistan. Retrieved from <http://www.ansarburney.org/violence.html> on March 2, 2012.
14. "Crime or Custom? Violence against Women in Pakistan." Human Rights Watch, 1999.
15. Shah, Waseem Ahmed. "Law to Check Honour Killings Yet to take Effect." Dawn Newspaper, January 16, 2012.
16. "Pakistan: Honour Killings of Women and Girls." Amnesty International, 1999.
17. Ali, Parveen Azam and Gavino, Maria Irma Bustamante. "Violence against Women in Pakistan: A Framework for Analysis." Journal of Pakistan Medical Association (JPMA), April, 2008.
18. "Women's Rights." n.d. The Ansar Burney Trust, Pakistan. Retrieved from <http://www.ansarburney.org/violence.html> on March 2, 2012.
19. Ibid.
20. Shah, Waseem Ahmed. "Law to Check Honour Killings Yet to take Effect." Dawn Newspaper, January 16, 2012.
21. Ibid.
22. Population Census Organisation. Government of Pakistan, 1998.
23. "Pakistan Education Statistics." Ministry of Education, Pakistan, 2007-08. Retrieved from <http://www.moe.gov.pk/Pakistan%20Education%20Statistics%202007-08.pdf> on January 6, 2012.
24. Latif, Aamir. n.d. "Alarming Situation of Education in Pakistan." United Nations Educational, Scientific and Cultural Organization (UNESCO). Retrieved from http://www.unesco.org/education/efa/known_sharing/grassroots_stories/pakistan_2.shtml on March 2, 2012.
25. Ibid.
26. "Pakistan Social and Living Standards Measurement Survey (2010-11)." Pakistan Bureau of Statistics.
27. Rana, Shahbaz. Rural Women Uphold Pakistan's Literacy Rate. The Express Tribune Newspaper, February 15, 2011.
28. Socio-economic Indicators. n.d. Federally Administered Tribal Areas (FATA) Official Website. Retrieved from http://fata.gov.pk/index.php?option=com_content&view=article&id=55&Itemid=91 on January 10, 2012.
29. "0.5% Female Literacy Rate in FATA Areas." Daily Times Newspaper, April 22, 2004.
30. "Pakistan Tax Dodgers Put Economy in Peril." Dawn Newspaper, May 1, 2011.

CHAPTER 3:NATURE OF VIOLENCE AGAINST WOMEN AND ITS COST TO INDIVIDUALS

1. Qayyum,Kanwal, Sabbena Gul and Rachel Ploem (2012), "Domestic Violence Against Women: Prevalence and Men's Perception in PGRN Districts of Pakistan," Rutgers WPF (World Population Foundation), Pakistan.
2. Bowlus, Audra, Day, Tanis, McKenna Katherine. "The Economic Costs of Violence against Women: An Evaluation of the Literature." United Nations, 2005.

BIBLIOGRAPHY

- “Assessment of Women Protection Act 2006.” National Commission on the Status of Women, Pakistan. Retrieved from <http://www.ncsw.gov.pk/> on February 5, 2012.
- Balchin, Cassandra. “Family Law in Contemporary Muslim Contexts: Triggers and Strategies for Change in Wanted: Equality and Justice in the Muslim Family.” Anwar, Zainah (ed). Retrieved from <http://www.musawah.org/docs/pubs/wanted/Wanted-CB-EN.pdf> on February 3, 2012.
- Day, Tanis, Katherine McKenna and Audra Bowlus. “The Economic Costs of Violence against Women: An Evaluation of the Literature,” an expert brief compiled in preparation for the Secretary-General, United Nations, The University of Western Ontario, 2005.
- Farani, M. *Criminal Minor Acts*. Nadeem Book House, 2012.
- Gelles RJ. *Intimate Violence in Families*, 3rd ed., Sage Publications, 1997.
- “Good Practices in Legislation on Harmful Practices against Women.” United Nations Division for the Advancement of Women, May 2009.
- Goonesekere, Savitri. “A Rights-Based Approach to Realising Gender Equality.” Retrieved from <http://www.un.org/womenwatch/daw/news/savitri.htm> on February 20, 2012.
- Haddix AC, Teutsch SM, Shaffer PA, Dunet DO. “Prevention Effectiveness: A Guide to Decision Analysis and Economic Evaluation,” Oxford University Press, 1996.
- Hashmi, Syeda Viquar-un-Nisa. “The Concept of Justice in Islam, re. Qisas & Diyat Law as a Part of Pakistan Penal Code, 1860.” National Commission on the Status of Women (NCSW), Pakistan. Retrieved from http://spaces.brad.ac.uk:8080/download/attachments/750/HR_ROWNC12.pdf on February 4, 2012.
- Irfan, Hannah. n.d. “Honour Related Violence against Women in Pakistan.” American Bar Foundation. Retrieved from http://www.americanbarfoundation.org/research/World_Justice_Project0/Papers__Group_on_Access_to_Justice.html on February 22, 2012.
- Jülich, Shirley Jean. “Breaking the Silence: Restorative Justice and Child Sexual Abuse,” Ph.D Thesis in Social Policy, Massey University, Albany, New Zealand, 2001.
- Kernic MA, Wolf ME, Holt VL. “Rates and Relative Risk of Hospital Admission among Women in Violent Intimate Partner Relationships,” *American Journal of Public Health*, 90(9), 2002.
- Khan, Mohammed Yeasin. “Protection and Promotion of Human Rights for Peace and Development.” October 2007. Retrieved from http://humanrights.wikia.com/wiki/Protection_and_Promotion_of_Human_Rights_for_Peace_and_Development on February 19, 2012.
- “Legislative Watch Newsletter Year 2011.” Aurat Foundation, Pakistan. Retrieved from <http://www.af.org.pk/mainpage.htm> on February 4, 2012.
- Mahmood, M. *Criminal Major Acts*. Al-Qanoon Publishers, 2012.

- Mahmood, M. The Constitution of Islamic Republic of Pakistan 1973 (As amended by the 18th amendment). Al-Qanoon Publishers, 2010.
- McCauley J, Kern DK, Kolodner K, Dill L, Schroeder AF, DeChant HK. "The Battering Syndrome, Prevalence and Clinical Characteristics of Domestic Violence in Primary Care Internal Medicine Practices." *Annals of Internal Medicine* vol.123, 1995.
- Mercy JA, O'Carroll P. "New Directions in Violence Prediction: the Public Health Arena." *Violence and Victims*, vol.3, 1988.
- Miller TR, Cohen MA, Wiersema B. "Victim Costs and Consequences: A New Look." Research Report, National Institute of Justice, U.S. Department of Justice, Washington (DC), 1996.
- NCIPC. "Costs of Intimate Partner Violence Against Women in the United States." National Center for Injury Prevention and Control Centers for Disease Control and Prevention; Atlanta (Georgia), 2003.
- NCRV. "The Cost of Violence against Women and their Children." The National Council to Reduce Violence against Women and their Children, Australia, 2009.
- Phillips MA. "Why do Costings?" *Health Policy and Planning*, Vol.2, 1987.
- Private Member's Bills Laid. n.d. National Assembly of Pakistan. Retrieved from <http://www.na.gov.pk/en/index.php> on February 22, 2012.
- Qayyum, Kanwal, Sabbena Gul and Rachel Ploem. "Domestic Violence Against Women: Prevalence and Men's Perception in PGRN Districts of Pakistan." Rutgers WPF (World Population Foundation), Pakistan, 2012.
- Snively, Suzanne. "The New Zealand Economic Cost of Family Violence." Family Violence Unit, Department of Social Welfare, Wellington, New Zealand, 1994.

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