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Women Abuse and Violence *A Comparative Study of India and Pakistan*

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This paper intends to understand the multiplicity of women abuse and violence by keeping in view the distinctive sociocultural environments of India and Pakistan. It would enable us to understand various developmental aspects of women living in these two societies. Despite comprising half of total population in both these countries, women confront a serious challenge of gender inequality. Abuse and violence are the highlighted crimes against women in domestic and public domains. During our study, the prime focus will be on domestic violence and sexual harassment at workplaces, although we will also take into account various kinds of abuses. It is important to mention that while talking about abuse and violence in the private and public spheres, we will not consider emotional and psychological exploitation, which are more rampant, and at times even acute, when compared with physical violations. The former is difficult to measure and prove because of cultural complexities and absence of sensitivities, and thus remain unreported. Patriarchal mindset supported by peculiar religious interpretations and century-old cultural traits are the basic reasons of undermining the overall status of women in both societies. There are few exceptional instances, where women have achieved prominent positions and status; however, the overall condition of common women remains the same, and they are subjected to oppression. In recent years, despite state efforts in the shape of constitutional guarantees and legislative and executive measures, the ratio and types of abuse and violence against women in both countries have increased, not only in domestic but also in public environments. This increased trend has become one of the major sociocultural concerns for these societies. Consequently, a woman's role is

curtailed in all spheres of life. The most vulnerable are the women of low caste in India and low economic class in Pakistan.

The constitutions of both countries ensure equal status to women. The Constitution of India, enforced from 26 January 1950, ratifies the non-discrimination on the basis of gender through Articles 14, 15, 39, 226, 300 (A), and 325. Similarly, the third and current Constitution of Pakistan, which was implemented from 14 August 1973 through its Articles 25, 32, 34, 35, and 228, ensures gender equality in social, economic, and political spheres of life. Apart from constitutional guarantees, both countries are signatories of *Convention on the Elimination of All Forms of Discrimination against Women, CEDAW* (India and Pakistan ratified it in 1993 and 1996, respectively). Despite these commitments and acknowledgements at the national and international level, both countries face severe forms of violence and abuse against women.

According to the *National Crime Records Bureau (NCRB)* of India, the total crime cases against women for the year 2009 were 2,03,804. Among them, 89,546 cases of cruelty by husband and relatives; 25,741 cases of kidnapping and abduction; 11,009 cases of sexual harassment; and 38,711 cases of molestation were reported (NCRB 2009). In Pakistan, according to a renowned women organisation, *Aurat Foundation*, the registered violence cases against women between 2008 and 2009 were 16,119. In this one year, the cases of abduction/kidnapping, murder, domestic violence, 'honour killing'¹, and rape/gang rape were 1987, 1384, 608, 604, and 928, respectively (Perveen 2010: 5). We presume that unregistered cases must be higher. While analysing the number of registered cases in these two countries, we have to keep in mind the big gap between the population sizes of both – Pakistan is 182.1 million, much less than that of India's 1.252 billion population, as per the estimation of 2013. Thus, just looking at the numbers for the purpose of comparison is inappropriate. Despite a huge difference in the overall population of both countries, the share of female populace remains the same. The aforementioned figures determine the growing trend of violence against women in both societies, with difference in their types, which will be discussed in the following pages. This paper is divided into three parts. The first part will deal with the sociocultural settings of respective societies, with an effort to find similarities as well as differences. The second part of research will exclusively categorise various types of abuses and violence. In the third part, the legislative and executive directives by the governments of both countries, along with its impact on women will be discussed.

Sociocultural Setting of Pakistan/India and Placement of Women

The culture of South Asian countries determines some common patterns, as it is 'largely gender stratified, characterised by patrilineal descent, patrilocal residence, inheritance and succession practices that exclude women, and hierarchical relations in which the patriarch or his relatives

have authority over family members' (Jejeebhoy and Sathar 2001: 687). Being part of this region and by sharing a common history, living together for centuries, the culture of Pakistan and India have common societal characteristics, although with various diversions. Such cultural complexities of these two nations will be dealt in the aforementioned subheadings of this portion.

India

India with the largest population, regularity of elections, and growth of economy has reasonable developed structures. Despite this, being a heterogeneous society, India is a blend of various languages, peculiar caste/class system, and different religions. As far as the caste system is concerned, it represents one of the ancient cultures, which strictly classify various castes with acute discrimination against low caste/ class, especially women. Based on the caste system, the Indian society is divided into four social classes: *Brahmins, Kshatriyas, Vaishyas, and Shudras*². This caste/class division is considered as a main hurdle in the progress of country, as every caste has different sociocultural traditions, exhibited through their living style, and on this basis, they keep social distance from one another. The real victims of this sociocultural diversity are Indian women, as it has a deep impact over various aspects of their lives such as education, marriage, and job. If this composition is defined further, we will find women of *Dalit* (outcaste, known as untouchable) and Muslim communities more vulnerable, not only socially but also financially. In spite of the enactment of the Untouchability (Offences) Act in 1955, the crimes against low classes, including outcasts and minorities still continue, as it has not only become an important feature of the society but, at times, has also been reinforced through political process. Nevertheless, with the passage of time, education and rapid urbanisation has become instrumental in improving the status of low caste/class population, as by acquiring education and living in urban centres, this stratification becomes less visible.

Linked with caste/class structure, another important characteristic of Indian culture is uneven distribution of wealth, which has increased poverty. The report of World Bank for the year 1997 explained, 'Poverty imposes an oppressive weight on India, especially in the rural areas where almost three out of four Indians and 77 per cent of the Indian poor live. Although poverty has been reduced during the past four decades, it remains painfully high' (World Bank 1997). Apart from other factors responsible for poverty, the report consider the gap between male and female literacy rate (adult '15+ years' literacy rate was 76.9% for men and 54.5% for women) a responsible factor for poor economic conditions. This gap in the literacy rate of gender is one of the manifestation of patriarchal culture, 'which is characterized by exclusive male dominance by way of male control of female sexuality, fertility, mobility and productivity. The women faces non acceptance in such a system and is subjected to discrimination, control,

exploitation, oppression and violence within family and outside' (Das 2003: 203). The complex caste/class system with patriarchy further complicates Indian culture by challenging its claim of being the biggest democracy in the world. While supporting this analysis, Richards states that 'the resulting strength of patriarchy in Indian culture was, we argued, very much in tension with its robust democracy, and clarified ongoing problems of continuing violence, between Muslims and Hindus (both within India and between Pakistan and India) and among castes, problems that could not be responsibly addressed until the inconsistency of patriarchy and democracy was responsibly addressed' (Richards 2013: 153).

It is important to mention that Indian society's patriarchy is well-supported by local culture, followed by 80.5 per cent of its population as per the estimation of Census of India for 2011. Although the state declares itself secular, the society strongly exhibits its religious leaning. In Hinduism, various goddesses are worshipped; some goddesses are characterised with humbleness and docility, while the others are portrayed as dominant and belligerent. However, the Indian society always highlights the patriarchal aspect of its religion and interprets it accordingly. While highlighting this contradiction, Arvind Sharma states as follows:

The idea of Indian womanhood has often been conveyed through the highly evocative expression 'Sati and Sāvitri'. The figures of Sati and Sāvitri constitute paradigmatic norms of Hindu womanhood and therefore deserve semiotic analysis ... (However) the normal value pattern in a particular Hindu household is one in which while the birth of a daughter is not unwelcome, that of a son is preferred. It is also a pattern in which the husband for the daughter is selected by the parents, who give her away in marriage. It is also a pattern in which while a woman is not expected to burn herself with the husband who predeceases her, she is glorified if she does so (Sharma 2011: 19–20).

Endorsing this negation, many critics of patriarchy believe that the respect of women in India is limited to the worship of goddesses, as when the question to protect them from violence and abuse comes, the society is prone, instead of being reactive. This contention is supported by Maini Mahanta, the editor of Assamese women's magazine *Nandini* ('Daughter') who states that 'we worship female goddesses and yet fail to protect women from these crimes and then blame them too' (Pidd 2012).

Pakistan

Being a part of the South Asian culture, Pakistan also represents a diverse sociocultural environment, along with old traditions and customs. Major features of this culture are deeply rooted tribal/*baradari* system,³ religious inclination, and social class system. The *baradari* system in Pakistan enforces a male dominance over family decision-making matters, where a female plays a role of a second fiddle. This definition of gender roles poses discrimination against women in their various aspects of lives. Gender

inequality is sharper in rural set-up, where being uneducated, women are unaware of their basic rights and are subject to abuse and violence, despite their strenuous unacknowledged working hours in fields, along with household chores. On the contrary, the urban women after getting education are better aware of their rights and have more opportunities to join formal employment. Even educated urban women find themselves handicapped when it comes to the attainment of a variety of rights such as marriage and divorce. The factors that could alter the conditions of women regardless of their settings are education and employment. However, it has been noticed that while operating in the traditional sociocultural environment, even these factors become irrelevant in most of the cases.

The second feature of the Pakistani society is the orthodox implementations of religious injunctions, which are often subject to cultural practices and norms.⁴ Thus, in Pakistani society, culture and religion are mixed in such a manner that it becomes difficult to make a distinction. The orthodoxy believes in the confined role of women that has nothing to do with the basic tenants of Islam. For example, 4:19 verse of the *Quran* pacifically forbids men to mistreat women and acknowledges all the rights by treating women with 'kindness and equity'. Keeping aside the broader meaning of such verses, the conservative section of society reinforces their own interpretation of Islam, believing in the submissive role of female in every sphere of life.

The third characteristics of the Pakistani society is the presence of different social classes, which can be broadly categorised as upper, middle, and lower⁵. Within each class, there are subclasses. Every class likes to interact within themselves, which complicates the prospect of a girl's marriage, if the potential mate is outside her class. The upper class women have more facilities in monetary terms. Moreover, they are equipped with education, and thus are capable of exercising their rights in various matters of life. In comparison with the upper class, women of the lower class are still struggling to acquire educational facilities, and thus very few have an opportunity to join the job market. The most vulnerable are the women of low class, as they are neither equipped with education nor have a capability to acquire a decent job. Thus, they are involved in some low paid labour assignment or are classical homemakers. Apart from the class division, generally, women are victims of a well-entrenched orthodoxy and patriarchal culture with different magnitudes.

The brief description of both societies determines that the women of India and Pakistan face challenges of different natures. In India, the discrimination against women is derived from its patriarchal culture, supported by the caste system. In case of Pakistan, culture becomes a dominant factor of gender inequality, reinforced by orthodox religious beliefs. Thus, in both societies, there is more than one reason for gender discrimination. Additionally, economic disparities in both the case studies further aggravate the marginalisation of female gender.

Kinds of Women-related Abuse/Violence

Across the world, abuse and violence against women is broadly classified into the following four categories: physical, sexual, emotional/psychological, and economic⁶; however, according to World Health Organization, 'intimate partner violence is one of the most common forms of violence against women and includes physical, sexual, and emotional abuse and controlling behaviours by an intimate partner' (WHO 2012).

India

Keeping in view the kinds of violence against women, when we assess the Indian society, the most pervasive kinds of violence within the domestic environment are beating by husbands, dowry deaths by in-laws and prenatal abortion of a female child. However, in public domain, the most widespread kinds of violence are rape and sexual harassment.

Table 1
Crime Against Women in India (2010–14)

Crimes	2010	2011	2012	2013	2014
Rape	22,172	24,206	24,923	33,707	36,735
Kidnapping and Abduction of Women	29,795	35,565	38,262	51,881	57,311
Dowry Deaths	8,391	8,618	8,233	8,083	8,455
Assault on women with intent to outrage her modesty	40,613	42,968	45,351	70,739	82,235
Insult to the modesty of women	9,961	8,570	9,173	12,589	9,735
Cruelty by husband or his relatives	94,041	99,135	1,06,527	1,18,866	1,22,877
Total	2,04,973	2,19,062	2,32,469	3,29,572	3,17,348

Source: 'Crimes against Women', National Crime Record Bureau, <http://ncrb.nic.in/StatPublications/CII/CII2014/chapters/Chapter%205.pdf>

The growing trend of the different types of violence against women has been observed during the 5-year period, starting from 2010 to 2014. It is relevant to point out that this data does not include other prevailed kinds of abuse in Indian society such as female foeticide (See Table 1). We note that the dowry deaths, rape, and assault have increased during this time. As per the *National Crime Record Bureau (NCRB)* statistics for 2013, Madhya Pradesh has topped in rape cases, followed by Maharashtra, Rajasthan, and Uttar Pradesh (*The Times of India*, 2017).

Apart from this, dowry deaths and female foeticide are also the highlighted crimes in the Indian society. According to *NCRB*, the number of reported dowry deaths for the year 2013 was 8,083 and the state where these cases were registered in higher number was Uttar Pradesh, followed by Bihar, Madhya Pradesh, Andhra Pradesh, West Bengal, Rajasthan, and Jharkhand (*The New Indian Express* 2014). The tradition to give dowry has

become one of the reasons of prenatal abortion of a female child, which has disturbed the gender balance in Indian society. There are many reasons for increased violence and abuse cases in India. The first one is the increasing frustration in society because of financial pressures, accompanied by the patriarchal society. The patriarchy is stronger in the northern part of India, in comparison with the south. While explaining the patriarchy of north, Jejeebhoy and Sathar states:

Women in the north have relatively little autonomy or freedom of movement, limited inheritance rights in practice, and limited opportunities for control over economic resources. After marriage, a young woman is expected to remain largely invisible to outsiders and under the authority of her husband's family. She has little say in domestic decisions and little freedom of movement. About the only means available to enhance her prestige and even security in her husband's home is through her fertility, and particularly the number of sons she bears. (Jejeebhoy and Zeba 2001: 689, 690)

In comparison with north, the southern women are usually married off within their family, and thus anything in the shape of dowry remains within the family. Apart from this, by operating in a same family from childhood, the women of this area are more comfortable in marriage from the first day of their marital relationship. The autonomy of south women is further explained by Kapadia that 'south Indian marriage has kept marriage alliances literally "within the family" and this arrangement has enabled families to keep their land and wealth within the family too. This has had a profound impact on the marital situation of south Indian women' (Kapadia 2002: 159). After marriage, the fertility of a woman and her capability to bear sons is another determining factor to define her status in family and society. The wish to have sons is more serious in those states that are heavily populated such as Uttar Pradesh, Bihar, and Punjab.

According to the 2011 census report, the sex ratio in India is 940 females per 1,000 males, which has improved when compared with 933 females per 1,000 in 2001 (Census of India 2011). Despite an improvement in the overall ratio of female population, the crimes against women exhibited no significant decline. According to NCRB, in 2015, the rate of cognisable crimes against women was 53.9.⁷ In the same year, the total registered cases in which the female victim knew offenders were 33,098. A fact to be noted is that a large segment of such offenders – 3,872 – were family members, including relatives and separated or ex-husbands (NCRB 2015).

Pakistan

In Pakistan, within the domestic environment, the most acute crimes are 'honour killing' (known as '*Karo-kari*' in Sindh, '*Siyahkari*' in Balochistan, '*tor tora*' in Khyber Pakhtunkhwa, and '*Kala Kali*' in Punjab), *vani/sawara*,⁸

and maltreatment by husband, whereas in public domain, the common kinds are sexual harassment and acid throwing. A poll by *Gallup Pakistan* with the sample size of 2,685 from the rural/urban population of four provinces concluded that the most heinous crime against women is acid throwing, followed by domestic violence, *Karokari*, and *vani* (Jang 2012 b). Table 2 depicting figures by Aurat Foundation provided the registered cases of pervasive kinds of violence against women in Pakistan along with its percentages from year 2010 to 2014.

Table 2
Cases of Violence Against Women in Pakistan, 2010–14

<i>Crimes</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Kidnapping/Abduction	2,236	2,089	1,607	2,026	2,170
Murder	1,436	1,575	1,745	1,425	1,610
Rape/Gang rape	928	827	822	956	1,515
Suicide	633	758	575	668	931
'Honour' Killing	557	705	432	487	713
Domestic Violence	486	610	989	498	494
Sexual Assault	74	110	58	38	74
Acid throwing	32	44	83	43	65
Burning	38	29	71	42	55
Miscellaneous	1,580	1,792	1,134	1,669	2,443
Total	8,000	8,539	7,516	7,852	17,697

Source: Violence Against Women Annual Report, January–December 2014, Violence Against Women in Pakistan: A Qualitative Review of Reported Cases, Aurat Foundation, [Online: web], Accessed date 17 August 2016 URL: <http://www.af.org.pk/PDF/VAW%20Reports%20AND%20PR/VAW%202014.pdf>

The figures indicate an overall increasing trend of violence against women, in five years, as in 2010 the number of various types of abuse cases was 8,000, which jumped to an alarming figure of 17,697 in 2014 (See Table 2). In terms of registered cases, the most pervasive types of violence remained rape, followed by suicide, murder, and honour killing. According to a renowned daily newspaper survey, from January 2010 to June 2010, Punjab has a record of highest violence cases with 2,690 incidents in its 36 districts. Within this time, Lahore topped with 458 registered cases, followed by 393 in Faisalabad, 161 in Sargodha, 157 in Shiekhupura, 139 in Rawalpindi, 134 in Okara, 116 in Kasur, 88 in Sahiwal, 87 in Gujranwala, 76 in Jhang, and 71 in Multan (*Dawn*, 2010; Jang 2012c). A fact to be taken into account is that Punjab has around 60 per cent of the total population.

As far as 'honour killing' is concerned, Chesler and Bloom recognised three major causes for this in Pakistan: 'illicit relationships, contamination by association and immoral character' (Chesler and Bloom 2012). Apart from the mentioned reasons, marriage by choice has become the prime cause of 'honour killing'. The patriarchal society associates women's

placement with her choices, particularly her relationship with male, and extramarital relations as well as marriage by choice. Thus, if in any case and shape, she defies the set pattern of the society, it is considered as a crime, which results in her murder under the name of 'honour'. The 'honour' crimes are more common in rural areas as compared with urban areas. One of the major reasons is that in rural setting, *Jirga/Panchayat* system supports such kinds of customary practices. However, these illegal courts have no space in urban culture, where the legal court system is in place, which have termed such practices as crimes. Another form to penalise a woman for her individuality is acid attack, which usually takes place when while exercising her right, she rejects any marriage proposal. Under revenge, an attempt is made to target her identity by throwing an acid, resulting in the disfiguring of her face or body. Apart from these crimes, the domestic abuse is another prevalent crime against women. According to a famous women organisation, Aurat Foundation, the domestic abuse registered an increase of 62 per cent between the year 2008 and 2012 (*Dawn* 2014a). There are many causes of this violence in the domestic environment. An important aspect attached to such matters is the increasing number of divorce cases in Pakistan. According to an estimation provided by Urdu daily newspaper *Jang*, during an 8-month period in 2012, 3,000 women approached courts for filling divorces, citing various reasons, including domestic violence (*Jang* 2012a). Another noted crime in public environment is sexual harassment of women at workplaces. The growing financial needs brought a significant number of female populace in job market, working in various fields. These working women, while interacting and operating in a male-dominated society, face gender biases, which at times, reaches its peak and causes sexual harassment.

Legislation on Abuse and Violence from 1948-2015

Acknowledging the growing abuse and violence cases against women as a threat, both states legislated various laws, dealing with this issue from 1948 to 2015. In India, during this period, 11 noted legislations took place, while, in Pakistan, 7 such laws have been passed. In India, the legislated laws mostly dealt with dowry death, prenatal diagnosis to avoid female foeticide, and issues dealing with domestic violence. Whereas, in Pakistan, during the same period, the enforced legislation targeted family matters (marriage, divorce, guardianship, and inheritance), acid throwing, sexual harassment at workplaces, and anti-women customary practices. A departure from pro-women laws came in the shape of 1980 Hudood Ordinance (especially *Zina* and *Shahdat* law). A military dictator, Zia-ul-Haq, instead of passing laws to protect female population of Pakistan, enacted such legislations which went against the rights of women. The mentioned laws came under the pretext of Islam. Most critics believe that the policies of Islamisation by Zia, including Hudood ordinance, were 'politically-motivated' (Kanwal 2015: 188), which had

nothing to do with the injunctions of Islam. On the other hand, another military dictator, Pervaiz Musharaff enacted a series of pro-women legislation. Table 3 provides a comparative view of the noted legislations by different governments in Pakistan and India, from 1948 to 2015.

In Table 3, note that bills regarding sexual harassment came late in both countries. It is not a mere chance that legislation took place on sexual harassment in 2010. By this time, the reason that can be ascribed for the delay is the large percentage of women, who joined the job market in both countries, where they have to work in a mixed environment. Given the sociocultural mindset of both societies, a common tendency exists among male to belittle their female co-workers, considering them inferior and non-competitors. The situation become more challenging when they have a male supervisor or incharge or vice versa. Coming from a peculiar mindset, men in both countries cannot comprehend that a woman can give them instructions to perform certain duties, if she is a boss. Similarly, it is an inconceivable situation where a woman is employed under a male boss. In both cases, it is demanded that the female should be protected, which led to an appropriate legislation to safeguard the rights of women at workplaces, providing them confidence and protection. The harassment is not limited to only workplaces but female population confronts this issue even when they travel through public transport for various tasks, including study and job. Such harassment at times leads to rape or sexual assault as it happened in the 2012 Delhi rape case, in which a 23-year-old female physiotherapy intern was gang-raped in a private bus, which resulted in her death. This case stirred social media and women organisations, and thus huge protests demanded a legislation against such brutality. Responding to this demand, Criminal Law (Amendment) Bill, which is also known as Anti-Rape Bill, was enacted in 2013 (*The Hindu*, 19 March 2013).

Table 3
*A Comparative Study of Noted Legislative Activities
in Pakistan and India – 1948 to 2015*

<i>Date</i>	<i>Country</i>	<i>Title</i>
1948	Pakistan	Muslim Personal Law of Shariah
1954	India	The Special Marriage Act
1961	India	The Dowry Prohibition Act, 1961 (28 of 1961) (Amended in 1986)
	Pakistan	Muslim Family Law Ordinance (MFLO)
1971	India	The Medical Termination of Pregnancy Act
1980	Pakistan	Hudood Ordinance
1983	India	First Revision in Rape Law since 1860
1984	India	The Family Courts Act
1987	India	The Commission of Sati (Prevention) Act
1994	India	The Prenatal Diagnostic Technique (Regulation and Prevention of Misuse) Act

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<i>Date</i>	<i>Country</i>	<i>Title</i>
2002	Pakistan	Family Court Amendment Ordinance
2004	Pakistan	Criminal Law (Amendment) Act (on Honour Crime) known as <i>Honour Killing Bill</i>
2005	India	Protection of Women from Domestic Violence Act
2006	Pakistan	Protection of Women (Criminal Laws Amendment) known as <i>Women Protection Bill</i>
	India	Sexual Assault Bill
2010	Pakistan	Protection against Harassment for women at Workplace Bill known as <i>Sexual Harassment Bill</i>
2011	Pakistan	Prevention of Anti-Women Practices (Criminal Law Amendment) Bill known as <i>Anti-Women Practices Bill</i>
2012	Pakistan	Acid Control and Acid Crime Prevention Bill Domestic Violence (Prevention and Protection) Bill
2013	India	Sexual Harassment of Women at Workplace (Prevention, prohibition, and Redress) Act, 2013 Criminal Law (Amendment) Bill Known as <i>Anti-Rape Bill</i>

Source: Compiled by the author

The analysis of this legislation further reveals that comprehensive family laws were enacted in both countries. In India, examples of such legislations are Special Marriage Act 1954 and Dowry Prohibition Act 1961 (amended in 1986). Similarly, in Pakistan, glaring examples of pro-women legislation for female safety are 1961 Muslim Family Law Ordinance, Sexual Harassment Bill 2010, Anti-women Practices Bill 2011, and Domestic Violence Bill 2012. If we take Pakistan for example, despite relevant legislation, the cultural norms remain dominant as demonstrated in marriage-related matters. A girl cannot choose her partner independently. Such kind of family's false sensitivities over the decisions of marriage at times ends in 'honour killing'. One such noted incident happened with a 25-years-old woman, who was stoned to death by her family members, under the pretext of 'honour killing', outside Lahore High Court in May 2014 (*Dawn* 2014b). The family control and pressure is not restrained to marriage matters only, but also applies to divorce, as it happened in the case of Samia Sarwar, who was murdered by the family guard, as she wanted to get a divorce from her estranged husband, irrespective of the wishes of her family in 1999. Contrary to these mentioned case studies, the murder of Pakistani model Qandeel Baloch by her brother in 2015, set another unique example, where it has been noticed that the woman was not murdered because of any matrimonial reason, but it was because of her choice of living in a particular style.

Another aspect which deviates India from the Pakistani legislative history is that India has to protect the right of female child before her birth, as prenatal abortion remains a widely practised crime in that society. In Pakistan, although son is preferred over daughter, parents do not go to the

extent of aborting their preborn female child. Apart from this, we recognise that India has passed a legislation dealing with domestic violence in 2005, while, in Pakistan, law against domestic abuse was passed later at the federal level in 2012. Nevertheless, this particular legislation is yet pending in two provinces of Pakistan.

Conclusion

Assessing from the aforementioned comparative study of women abuse and violence in India and Pakistan, we conclude that state machineries of both countries have become sensitised on growing percentage of crimes against women, which led to various women-related laws, bills, and Acts. These laws have a potential to curtail the number of such cases, nevertheless this ability is conditional with the proper implementation of legislation in the respective societies. Our research also concludes that the conservative sociocultural structures of both societies are in a phase of transformation due to various factors, including financial needs, growing trend of education, advancement of media (print, electronic and social), and organised civil society, particularly women rights' groups. However, it has been assessed that these variables are unable to bring any drastic change in the condition of women, except sensitising them regarding their rights. While relating this notion with the status of Indian women, M.N Srinivas writes, 'more recently urban migration, female political participation, education, careers, and the activities of social reformers have all helped the public acceptance of new roles for women. As yet, only a tiny minority of women have benefitted from the change that have occurred' (Srinivas 1977: 221). A near similar analysis is also relevant for Pakistan.

The basic reason of their inability to bring significant change in women status in India is its rigid caste system, whereas in Pakistan, it is the religious/secular orthodoxy, supported by deeply rooted patriarchy in both societies. Another responsible factor is the absence of comprehensive nation-wide women movement in both countries for ensuring female rights, rather the efforts were issue oriented; for example, in India, it was against female foeticide, dowry, and rape, whereas in Pakistan, it was against the state discriminatory measures and anti-women customary practices.

To confront the menace of women violence and abuse, in both societies, first, there is a need to improve overall literacy rate in both countries with a realisation that education of both genders can alter the traditional sociocultural mindset of the respective societies. Moreover, being educated, women are aware of the injustices they confront in their private and public lives. Second, there is a need to bring an adequate number of both countries' women in workforce, which would enable the society to accept and recognise them as an equal member even outside home. Linking these two factors together, Karuna Ahmed writes that in India, 'underlying much of this clamour for better employment opportunities for educated women is the assumption that employment gives a

woman earning capacity which in turn enhances her social status' (Ahmad 1979: 1435). Similarly, in Pakistan, according to Ali and Haq, 'education is a well-established indicator of socio-economic status of women. Education exposes a woman to the outside world which may bring about a change in her attitude, thinking and perception about life' (Ali and Ul Haq 2006: 125). Third, gender biases depicted in the syllabus of schools and colleges need to be replaced with content emphasising the dignity of women and their equal role in socio-economic and political development. Fourth, reasonably balanced representation of women should be ensured in all legislative and executive bodies so that pro-women laws are introduced and strictly enforced.

Notes

1. 'Honour killing' is a murder of male/female by his/her own family members, in a false pretext of preserving respect and honour of their family. It is related to a condition when the victim is in an extramarital relationship (real or perceived) and even raped.
2. The *Brahmins* occupy the highest position in the hierarchy, followed by the *Kshatriyas*, while *Vaishyas* come later and the last in the ladder of social status are the *Shudras*.
3. *Baradari* is derived from 'Baradar', a Persian word – literal meaning is brotherhood. In both the countries, it signifies a division based on lineage among the Muslim communities. However, the *baradaris* are based on equality in its social meaning. In the tribal set-up of Pakistan, the tribal divisions can be equated with *Baradaris* of Punjab.
4. Pakistan is overwhelmingly a Muslim country, with 97 per cent majority. However, the community is divided into different sects, presenting their own interpretations of the Islamic law.
5. The upper class is classified here as according to the social status, which in turn is generally derived from their financial position. Because of their financial 'power' they also acquire political leverage. Next is the middle class, which comes after the upper class and its members include businessmen, government, military (officers) and corporate employees, landlords, etc. The lower class includes lower jobs employees, normally associated with less education.
6. Physical abuse includes manhandling, ranging from beating to murder. Sexual abuse includes coerced sex, through tacit or blatant actions, where physical force as well as psychological pressure is exerted. It also includes unwanted sexual acts. Social and cultural abuse includes such an act as forcing to regulate the movement or humiliation or intimidation, in a direct or indirect manner. Economic abuse is when there is a refusal to provide the basic needs.
7. The crimes against women included rape, attempt to commit rape, kidnapping and abduction of women, dowry deaths, assault on women with intent to outrage her modesty, insult to the modesty of women, cruelty by husband or

his relatives, importation of girls from foreign country, and abetment of suicides of women.

8. In lieu of a murder, the affected family is forced to marry one of their daughters (even minor) in the family of the murdered person. This practise is known as *Vani/Sawara*.

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