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Ignorance and Victim Blaming in the Pakistani Law System: A Case Study

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Abstract

Background: Victim blaming and the ignorance of crimes by the Pakistani law system have been a significant social issue in present times. The victims of rape, murder, domestic violence, or any local crime typically do not get justice and are often blamed by the society.

Aim: The prime aim of the study is to examine and explore the cases of victim blaming and ignorance of crimes by the Pakistani law system.

Methodology: The study comprises a qualitative research approach employing a comprehensive review of the existing cases of victim blaming and ignorance of the crimes by the law system of Pakistan. The data was collected through numerous web pages, news blogs, and articles.

Results: The results revealed numerous cases of victim-blaming and ignored crime cases have been reported in the past few years including theft, rape, and murder in the name of honour killing but have received no consideration and no justice has been served to the victims or the victim's families but in

return the victims receive criticism and victim blaming.

Conclusion: The crime rates have been increased in the past few years in Pakistan. However, the cases reported have been ignored and are given no attention or consideration by the Pakistani law system and the authorities. The victims and their families receive criticism and victim blaming by the majority of the local police and authorities and some minority of people.

Keywords: Victim blaming, Crime, Law system, Assault, Honour killings, Pakistan.

Introduction

The rising crime rate has become a major concern for numerous communities globally. In most cases, victims are held accountable for their own safety regardless of the crime they are into including, robbery, rape, sexual assault, acid attack, and harassment (Weed, 1995). In some extreme cases such as murder or suicide, people blame the victims for not standing up for themselves or not asking for help on time and such cases often go unnoticed (Dekker, 2013; Lamb, 1996). Thousands of people become victims of many types of violence, particularly women who become victims of some kind of assault, violence, harassment and attacks daily (Best, 1999). According to the World Health Organization, in 35 countries about 53-24% of women have been physically abused at some point in their lives (García-Moreno et al., 2005). The majority of the abusers are relatives including their husbands, uncles, brothers, grandfathers or fathers (Russell, 1983). The issue of sexual assault and rape has been and still is a significant problem for both men and women in every region, every part of the world (Dartnall & Jewkes, 2013). Studies show that 1 in 5 women are likely to become victims of any type of assault in their lifetime (Humphrey & White, 2000; Sarkar & Sarkar, 2005; Tjaden & Thoennes, 1998).

The victim-blaming culture has been a common practice in the present society. Blaming the victim for advancing their own abuse has been around for ages in society (Kelly, 2011). The concept of victim blaming is a stereotypical notion according to which victims are responsible for their own victimization (Ståhl et al., 2010). Such claims are helpful towards the perpetrators as they use these claims for their defence and society is also eager to cooperate with this illogical argument and lay blame on the victims (Bergelson, 2005). The premise for victim blaming is usually about how women dress inappropriately or have revealing attire to initiate and convey the message of sexual advancements (Tadros, 2013) which as per the society, makes the offenders capable of attempting any kind of sexual invasion, assault, harassment or rape towards the victim (Johnson et al., 2014). Victims of domestic violence are typically disregarded and overlooked due

to the victim-blaming discourse. The authorities play a key role in addressing and ensuring the safety of the victims of domestic violence. However, the authorities typically dismiss the issue of domestic violence due to the patriarchal law system and victim-blaming culture (Koss, 2000; Tracy, 2007). Numerous studies have investigated the perception of the authorities about domestic violence, attacks, crime, rape and assaults which showed a high level of victim blaming by the authorities (Grubb & Turner, 2012; Sleath & Bull, 2017; Williams, 1984). According to a study by El Sayed et al. (2022), 71% of the officers stated that the victims of domestic abuse could easily leave their partners but they choose not to. While some of the officers believe that the victim must have provoked the offender are have done something deserving of the abuse.

The victim-blaming culture has been normalised in the present society and there is much literature about it. However, there are not many studies about ignorance and victim-blaming culture in the context of the Pakistani law system. The study primarily aims to examine and explore the cases of victim blaming and ignorance of crimes by the Pakistani law system.

Research Aim

The study primarily aims to examine and explore the cases of victim blaming and ignorance of crimes by the law system of Pakistan.

Research Methodology

The study employed a qualitative research design followed by a comprehensive review of existing cases concerning victim blaming and the ignorance of the Pakistani law system towards the crimes. The data used in this study was collected through various online web pages, case reports, news blogs and news articles. Some relevant articles and journals were also extracted for the research including Pro Quest, Pub Med, Science Direct and Google Scholar.

Results and Discussion

Aspects of Ignorance and Victim Blaming in the Pakistani Law System

Honor Killing

Honour killing is not an issue for a single nation, region or state but a global matter. The term honour killing fundamentally means the killing of a person (particularly a family member or woman) due to their immoral behaviour which has brought dishonour to their family (Kulczycki & Windle, 2011; Wikan, 2008). Honour killing is performed to preserve the dignity and reputation of the family of the victim (S. Anwar, 2019; Gill, 2013). The act of honour killing is directed towards both men and women, but the rate of honour killing is higher in women as compared to

men (Grzyb, 2016). Honour killing against women is perceived as killing for their immoral behaviour. Such immoral behaviour is behaviours which are not culturally accepted or deceptively brought dishonour upon the family (Doğan, 2014, 2018) including refusal towards marital adultery, refusal to arranged or forced marriages, inheritance issues, rape victims, divorce, Intimate male partners, rumours or allegations against victim's family member, relationship with individuals of different castes or socializing outside home (Pahor et al., 2016; A. Raza, 2006; Zafar & Ali, 2020). In South Asian countries, there is a concept of women as family's honour and property and this concept through centuries is rooted deep in the economic, social and political fabric of South Asian countries (Bano et al., 2009; Chhachhi, 1989). Honour killing is ingrained in the cultural and social customs not only in urban and rural Pakistan but globally particularly in Muslim countries (Zia, 2019). Pakistan is ranked among the countries with the highest rate of honour killing (Gauhar, 2014; Singh & Bhandari, 2021). Numerous cases of honour killings have been reported in Pakistan over the last five years (D'Lima et al., 2020).

One example of honour killing in Pakistan is the recently reported case of 23-year-old Anisa Abbas and her younger sister, 21-year-old Urooj. The pair of sisters were found dead in the Gujrat district of Punjab province in May of 2021. Six anonymous suspects were investigated for their involvement in the deaths of the two sisters. The two sisters were forcefully married to two of their cousins in 2021. The sisters were killed allegedly for refusing their husbands to move to Spain. According to the reporters, during their visit to Spain, their husbands and families demanded to help their husbands migrate to Spain to which both of the sisters who spent several years of their lives in European countries refused and demanded a divorce (The Express Tribune, 2022).

Another case of honour killing was reported in the G-11/2 sector in Islamabad in 2023, where a man in a blood-soaked sack was found in the greenbelt of the double road. The police identified the man as Qamar Riaz. The reporters informed that the man was brutally tortured and killed by three anonymous suspects. The police spokesman informed that the relatives of the married woman killed Qamar Riaz in the name of "honour" as he developed illicit relationships with that woman (Ahmad, 2023). A similar case of a man who developed intimate relationships with a married woman was reported in 2017. The deceased was found hanging on the outskirts of Rawalpindi district. The police reports showed the man was killed by the husband of the woman in the name of honour (Naseer, 2017).

Rape

The rate of rape, sexual assault or harassment has been a worldwide issue. Although it is a significant issue in every region, state and country, Pakistan has ranked among the countries with the highest rape and sexual assault rate (Choudhry et al., 2019). In 2021, the Huma Rights Commission of Pakistan (HRCP) reported 5,200 rape cases (S. Ali et al., 2023). In Pakistan, the castigation against rape is either imprisonment between 10-25 years or a death penalty under the Pakistani law (M. F. Anwar et al., 2021). In some extreme cases of gang rape, the castigation is either life imprisonment or death penalty (Khaliq & Sultan, 2022). Many scientific evidences and DNA tests are required for the prosecution of rape cases in Pakistan (Rasool & Rasool, 2020). Rape cases in Pakistan gained international attention after the gang rape of Mukhtaran Bibi which took place in Southern Punjab, Pakistan in June 2002. (Mela & Mela, 2022). Mukhtaran Bibi was publicly gang raped by four men. The rape was a result of revenge due to tribal conflict. The elders of the Mastoi tribe ordered the four men to publicly rape Mukhtaran Bibi due to the rape allegations on her 12-year-old brother who was accused of raping a woman of the Mastoi tribe. The family of Mukhtaran Bibi reported that the 12-year-old boy was falsely accused and was silenced by the Matsoi men for not revealing that he had been sodomised by the men of the Matsoi tribe (Hiddleston, 2005). The ignorance of the police and law system and the severity of rape cases in Pakistan was documented by the WAR (War Against Rape) group which reported that more than 82% rapists are the victim's family members including their brothers, uncles, grandfathers and fathers (Sultana et al., 2022; Zaini et al., 2022). Asma Jahangir, a late lawyer reported an estimated 72% of women in custody have been abused both sexually and physically (Durrani & Ahmed, 2022). Over the course of the past few years, numerous rape cases have been reported. A few examples of past rape cases include the case of Zainab Ansari, a 7-year-old girl. The case was reported in 2018, in which the girl was raped and found dead by strangling in Kasur (ul Amin et al., 2020). A nationwide outrage was resulted due to this case. In the same month, a thirteen-yearold boy in Sargodha was intoxicated and sexually assaulted by two men belonging to an influential family (Niazi, 2018).

A case of gang rape was reported in September 2020. A woman was gang raped in front of her two children by two men in her car after she ran out of fuel. According to the reports, the woman was headed towards Gujranwala along with her 4-year-old and a toddler on a secluded section of M-11 Lahore-Sialkot Motorway. However, due to an unfortunate turn of events, her car stalled because of fuel shortage on Lahore's toll plaza. She informed about her misfortune to her

family in Gujranwala and the motorway authorities to which the police responded that the section on which her car was stalled was not yet under their jurisdiction. She also informed the local police and patiently waited for help. However, Abid Ali, one of the rapists who was also a chronic criminal, rapist, fugitive and murderer, taking illegitimate shelter in a nearby village spotted her car before any help could arrive. He, along with his other gangmate hastily converged to her car and terrified and startled the woman and her children by breaking the car windows. They then forcefully escorted the woman and her children on the side slope of the main carriageway in a requisitioned section in the forest area nearby. Both Abid and his gangmate raped the woman in the presence of her children and beat and threatened the children who were too young to understand and react to the situation. The children were present throughout the entire torment. The woman was then robbed of her belongings by Abid and his gangmate who threatened to kill her but did not inflict any further grievance ultimately eloping in the abyss. An exhaustive manhunt was launched to catch the perpetrators after numerous nationwide protests and rallies demanded immediate arrest of the perpetrators. By November 2020, both of the offenders were arrested and underwent trials in terrorism courts. The case received much backlash and uproar of victim blaming from the locals and some high profiles including a lead police officer who commented that she should not have gone out and travelled at such a late hour all alone. He also commented that she should have made sure her fuel tanks were full before leaving for her journey. These comments were alleged for being sexist and remorseful of rape (K. Ali & Khan, 2023; M. R. Raza et al., 2023). Another case of murder and rape of a 5-year-old girl Marwah was reported just a few days before this incident took place. The 5-year-old was raped, hit on the head and was set on fire in Karachi (I. Ali, 2020; Masood & Ives, 2020).

On February 8, 2021, a boy went missing for 5 days. He was later found dead in the Chowk Steel Bagh Area. His postmortem report showed that the boy was sexually assaulted before being murdered. The police reports showed that the fifteen-year-old boy went missing after he left for work in Raukhanwala. The family of the boy was infuriated and demanded justice from the police and to include the charges of sexual abuse in the case (The Express Tribune, 2021).

Local Crime Cases

Local crimes are hastily increasing in Pakistan. A significant amount of street crimes including snatching, robbery, vehicle theft and mobile phone snatching have been reported to the local police in the past few days (Syed et al., 2023). The upswing in crime rates can be largely

attributed to the proliferation of criminal syndicates actively involved in perpetrating robberies. According to media reports, while there were around 25-30 criminal groups engaged in street crimes in Karachi a few years ago, this figure has now swelled to 50-60 (Abbas et al., 2023). Mobile snatching and motorbike thefts have witnessed a relentless uptick, causing a prevailing climate of fear and vulnerability among the populace. Shockingly, data compiled by the Citizens-Police Liaison Cell (CPLC) reveals that there were a staggering 60,000 street crime incidents within the city boundaries during the first nine months of 2023 alone (Asghar & Azeem, 2022). These statistics make it abundantly clear that robust and multifaceted intervention strategies are an absolute imperative. Furthermore, they expose the utter failure of the Safe City Project initiated by the Sindh government, which was launched with much fanfare but has failed to deliver on its promises (Syed et al., 2023). The ignorance of the Pakistani law system towards such crimes immensely contributes to the increase of such crimes (Brown, 2023). Such local crimes have been reported to the police but no action has been taken against the offenders. As per the data compiled by Business Recorder, the city's police stations have registered a staggering number of cases. These include 12 cases of robbery, 45 cases of mobile snatching, 14 cases of car theft, and 64 cases of motorbike theft. The robbers and thieves have audaciously looted cash and valuables from 26 different locations in the capital, as reported by the police on Friday. Meanwhile, in the garrison city, a whopping 50 people have reported mobile phone theft. The suspects robbed a Bykea rider at gunpoint and took away his vehicle along with the cash (Sher, 2023). Another incident involved cash and a mobile phone being snatched at gunpoint at Kattarian Bridge. The burglars have shown no mercy, breaking into several residences and stealing cash, jewellery, mobile phones, and prize bonds. A daring group of thieves disguised as housemaids have brazenly stolen a staggering amount of Rs550,000 in cash from a house (Sher, 2023). The cunning robbers have also snatched cash and mobile phones from several areas, including G-10, I-8/4, G-13/1, and Faizabad. Moreover, a vehicle was stolen from I-11/2, and a dozen motorcycles were taken from various locations such as G-11/1, Bilal Town, H-9, Sabzi Mandi, Jhangi Syedan, Bari Imam, Golra, Korang Road, F-11/2, G-9/2, and G-10. These incidents have been reported to the police (Asghar & Azeem, 2022; Sher, 2023).

All of the reported cases have been given no attention from the local police or authorities and no justice has been served towards the victims or the victim's families.

Conclusion

The results of the study point towards the ignorance of the Pakistani law system against the crimes committed regardless of the nature of the crimes. Several cases of theft, rape, and murder in the name of honour killing have been reported but have received no consideration from the authorities. The cases of honour killings in Pakistan have grown larger in the past few years. These killings include both men and women however, honour killings are mostly aimed towards women who according to the males of their families have brought shame or dishonour to the family. Numerous cases including rape and murder have been reported to the authorities but have received no attention. Moreover, the victims of theft, rape and murder have been victims of victim blaming as well.

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