

## Magnitudes And Dynamics Of Intimate Partner Violence

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### Abstract

Intimate partner violence is the maltreatment and exploitation of one person by another person in the context of close relationship. It may include the behavior such as intimidation; harassment, and persecution, verbal aggression, denial of access to resources, sexual coercion assault, or physical assault or torture. Researchers have explore that intimate partner violence (IPV) can be described as violence committed by a spouse, ex- spouse, current or former girlfriend or boyfriend. The violence can be physical, sexual, psychological/emotional and financial in nature.

The present study evens a small attempt to explore and study the association amid different individual, familial and societal level risk marker with intimate partner violence. This is an exploratory study in qualitative manners to analyze this millennium old phenomenon. The paper focuses first on the problems in defining what is meant by intimate partner violence. Secondly, it describes the difficulties in assessing the magnitude and risk factors of the problem. Finally, the paper examines the limitation and bias in legislation to end the problem.

### تلخیص مقالہ

اس تحقیق میں intimate Partner سے مراد رشتہ ازدواج میں منسلک افراد سے ہے۔ میاں بیوی کے رشتہ میں کسی ایک فریق کی طرف سے دوسرے فریق کو تشدد کے ذریعے، خوفزدہ کرنا، بدکلامی کرنا، حقوق ملکیت سے محروم کرنا اور جنسی تشدد و جسمانی تشدد شامل ہیں۔ محققین زیر نظر مطالعہ سے اس نتیجے پر پہنچے ہیں کہ اس زمرے میں میاں بیوی، سابقہ میاں بیوی، موجودہ اور سابقہ گرل فرینڈز اور بوائے فرینڈز پر کیا جانے والا تشدد ہے۔ یہ تشدد اپنی نوعیت کے حساب سے جسمانی، جنسی، نفسیاتی، جذباتی اور مالی ہو سکتا ہے۔ موجودہ تحقیق مختلف افراد میں، خاندان میں اور معاشروں میں اس بدسلوکی کا باعث بننے والے عوامل کا جائزہ لینے کی ایک کاوش ہے۔ یہ ایک تفتیشی طریقہ تحقیق ہے جو کہ کیفیتی ماہیت کی حامل ہے تاکہ اس دیرینہ مسئلہ کا حل تجویز کیا جاسکے۔ موجودہ تحقیق کا پہلا نقطہ نظر اس بات کی وضاحت کرنا ہے کہ قریبی ساتھی شریک حیات پر تشدد کی مختلف صورتوں کا جائزہ لیا جائے۔ علاوہ ازیں یہ مسئلہ معاشرے کے لیے کس حد تک خطرناک ہے اور اس کے عوامل کیا ہیں؟ مزید یہ کہ اس مسئلے کے قانونی حل کے لیے کیا کوششیں کی گئی ہیں اور اس میں کیڈ کاوٹس درپیش ہیں؟

## Introduction

Intimate Partner violence is increasing at epidemic rate throughout the globe and is challenging to the existence of human race in general and female population in particular.

Intimate and family relationships provide many individuals with a sense of intimacy and well-being, for others these relationships involve physical violence, verbal and emotional abuse, sexual abuse, and neglect. In deed people are more likely to be physically assaulted, abused and neglected, sexually assaulted and molested or killed in their own homes rather than anywhere else by their spouse or intimate partner rather than by anyone else (Mooney et al; 2008; 175).

Violence by an intimate partner is linked to both immediate and long term health, social, and economic consequences, factors at all levels- individual, relationship, community, and social conditions contribute to intimate partner violence requires reaching a clear understanding of those factors, coordinating resources, fostering and imitating change in individuals, families and society.

Some cultures acknowledge this as a social problem; most of the culture around the world considers this to be a personal problem. Intimate partner violence prevails in all societies around the world. In 48 population based survey from around the world, 10-69% of women reported being physically abused by an intimate male partner at some point in their life. Levels of beatings are highest when the family norms are the most patriarchal and where institutions such as state, religious organizations and legal system refuse to acknowledge domestic (Feldman & Christensen: 2007, p. 381). Over the past three decades researchers across disciplines have studies the etiology of family violence, especially intimate partner violence (Loue, 2001). Most studies have focused on domestic violence in hetero sexual relationships, where it has been found that the vast majority of cases involve perpetration of violence from men to women. Wilson stated in his book that Dobash and Dobash 2000; Mirrlees-Black 1999; Walby and Allen 2004 have analyzed in their researches that the intimate partner violence is becoming a threat for sustainability of family institution and social development (Wilson; 2009). Available statistics worldwide indicates that women are far more likely than men to be victimized by an intimate partner (Kilpatrick et al., 1996), while prevalence studies exist, indicates that between 15% and 52% of ever married women report experiencing some form of spousal physical violence (Moreno et al. 2006). The world health organization (WHO) estimate that worldwide, between 10% and 69% of women are physically assaulted by an intimate partner at some time in their lives and that 40-70% of female is killed by an intimate partner, while there is less information about the frequency of male victims, they are generally considered to be at lesser risk of both victimization. The impact of this violence is broad and substantial, with serious consequences not only for the women, who are

victimized, but also for their children and for society at large. Women who battered suffer physical injuries ranging from bruises, acid throwing, and scratches, permanent bodily damage like nose ear, tongue cutting, and fracture or even death.

### **Significance of the Study**

The present investigation is significant in numerous ways. Intimate partner violence is highly prevalent around the world but the situation is very much vindictive in south Asia and especially in Pakistan. It is the male partner who creates the damage. Although with the extensive efforts of feminist and women activist around the world the problem has been recognized as a serious social problem, drawing the serious attention of human rights commission and criminal justice towards the dilemma. But a lot is needed to do to control such type of human behavior and its causes.

Intimate partner violence is a serious public health problem that affects the health and well-being of millions of women and families throughout the world. Intimate partner violence; affect all aspects of society in staggering dimension. It is the chief cause of injury and death to married women. Despite of its physical outcome, it includes the emotional consequences for individuals like depression, anxiety and low self-esteem, furthermore the volatile parent may create frightening home environments, where no model for conflict resolution is taught and little security is offered for children or others in the family.

In Pakistan the physical abuse of intimate partner has a cover of honor through which many women have been killed, but actually it is a matter of property distribution or vendetta, this includes burning women by using kerosene oil or petrol and acid throwing which is prevalent in rural as well as urban areas. According to Human Rights Commission of Pakistan (HRCPP) report 2007, over 15 acid throwing cases in Bahawalpur, of which two victims died while others suffered acute injuries, including permanent loss of vision. Around 400 women fall victim to acid burns each year, often inflicted by their husbands or in laws, and in the last 10 years 15,000 cases had been reported throughout the country. Domestic violence is at an alarming stage when the data and survey reports are analyzed and many women in Pakistan are facing all forms of abuse, sadly many incidents of domestic or intimate partner violence are unreported, not recorded or not prosecuted.

As it is the universal fact that to solve a problem one such know the root causes and severity of the problem. Therefore this inquiry sought to understand the societal level as well as the individual level factors that contribute to the intimate partner violence, as the greater understanding with these factors may provide better solution to the intimate

partner abuse problem. The finding of the research would be useful for the further researches and for the law and policy makers to make preventive strategies.

### **Methodology**

This is an exploratory research to find out the causes of this brutal behavior of intimate partner towards vulnerable life partner. In this regard different cases and reports had been studied which were presented by the local and international organization. Through the help of secondary data researchers have tried to analyze not only the magnitudes of intimate partner violence in Pakistan but preventive measures and to analyze the legal and government response also.

### **Worldwide Scenario of the Phenomenon**

According to available estimate “around the world one woman in every three are beaten coerced into sex or otherwise abused in her lifetime” (Fisher, & Lab; 2010). Physical violence is estimated to occur in 4 to 6 million intimate relationships each year in the United States.” nearly one in every three adult women experiences at least one physical assault by a partner during adulthood.

Approximately four million American women experience a serious assault by an intimate partner during a twelve months period. “It is estimated that 2 million to 4 million US women are assaulted by a domestic partner every year. Twelve million women (25% of the female population) will be abused in their lifetime. Up to 35% of women and 22% of men presenting to the emergency department have experienced domestic violence” (Brownridge; 2009). National Crime Victimization Survey 2000 produced data with the help of FBI (homicide data) information that in 1998, women experienced at least 900,000 violent offences at the hands of intimate partner.

The “Multi-country study on women’s health and domestic violence against women” is the first of its type carried out by the World Health Organization (WHO) and shows that the most common type of violence against women is that which is carried out by their partner. This type of violence is far more common than attacks or rapes carried out by strangers or other people that the victims may know (World Health Organization; 2006).

In a report issued by the Center for Communications Programs, at Johns Hopkins University, it was shown that 10–69% of women worldwide, and 18–58% of women in Europe, reported having suffered physical abuse by their partners at some point in their life (Heise, L.L., Ellsberg, M., Gottemoeller, M. ;1999). This variability in figures may correspond to the actual difference with regard to the size of the problem in different

countries, but it may also reflect major methodological differences in approaching the problem.

Heise, Jansen, Elisberg, Moreno, and Watts promulgate in their article “Prevalence of Intimate Partner Violence that a study was conducted on behalf of WHO Multi country study on women’s health and domestic violence against women with the team of WHO, Path, Washington DC, and London school of Hygiene and Tropical Medicine. This study aimed to estimate the extent of physical and sexual violence against women by their intimate partner in 15 sites in ten countries: Bangladesh, Brazil, Ethiopia, Japan, Namibia, Peru, Samoa, Serbia and Montenegro, Thailand, and the United Republic of Tanzania. 24097 women completed interviews, with around 1500 interviews per site. The reported lifetime prevalence of physical or sexual intimate partner violence or both, varied from 15% to 71%, with two sites having a prevalence of less than 25%, seven between 25% and 50%, and six between 50% and 75%. Between 4% and 54% of respondents reported physical or sexual violence, or both, in the past year. Men who were more controlling were more likely to be violent against their partner. In all but one setting women were at far greater risk of physical or sexual violence by partner than from violence by other people.

### **Prevalence of Intimate Partner Violence in Pakistan**

Intimate partner violence against women runs rampant in Pakistan but unfortunately it considers as a family issue. The right of men to discipline women of their families, using physical force, is protected by unwritten social and cultural laws of many areas in Pakistan. According to some estimation there are two cases of wife beating in Pakistan every hour this is reported by The New York based Human Rights Watch, in one of the most detailed reports on domestic violence in the country published in 1999, found that up to 90 percent of women in Pakistan were subject to verbal, sexual, emotional or physical abuse, within their own homes.

Although the legal system of Pakistan formally acknowledges the equal rights that women hold under Islam: women can vote, contest elections, own property and make their own choices as citizens. But in reality, the position of many women is deprived. In 2006, Pakistan Medical Association (PMA) conducted a study which showed chilling results: 80% of rural and 50% of all urban married women are regularly abused by their husbands. Back in 1999, Human Rights Watch concluded that 90% of the country’s women were being abused. Another misfortune of Pakistani women is the phenomenon of honor killing, in 2003 non-governmental organizations (NGOs) recorded 1,300 cases of honor killing, and the number of women who experience different forms of domestic violence is many time higher. According to the more recent estimates of international NGOs and the Human Rights Commission of Pakistan domestic violence is one of the

greatest threats to Pakistani women's security, health and well being (Human Rights Watch HRC, 2007). All these estimates are taken from non official sources as there is no official organization presented in the state to address and estimate the incidence and prevalence of domestic violence.

The type and forms of domestic violence experienced by Pakistani women is terrible, this violence can range from beatings, to sexual violence or torture, to broken bones and very serious injuries caused by pouring of acid or burning the victim alive, cutting of nose ear and tongue. One most important point in studying the etiology of partner violence in Pakistani society is that, in Pakistani society only severe physical violence is acknowledge as domestic violence other forms such as emotional, economic, sexual are somehow acceptable by women as well as by the society as whole.

As many other nongovernmental organizations Aurat Foundation is also working continuously for the betterment of women in Pakistan and conducting many surveys and researches about VAW (violence against women) they have reported that the data shows an alarming trend of high increases in cases of VAW. Almost 90% of these cases were reported in the newspapers from where the Aurat Foundation's teams sourced their data. Some 8548 cases of VAW were reported during 2009 showing a 13% increase from a total reported 7,571 cases reported in year 2008. Punjab is the largest province and also top of the list with 5722 cases of violence. Sindh reported the second highest instance of VAW with 1762 cases. In the Khyber Pakhtunkhwa (KP) only 655 cases were reported while only 237 cases surfaced in Balochistan. The Islamabad Capital Territory (ICT) also reported 172 VAW instances during the year under review.

According to the data collected by Aurat Foundation's offices in Islamabad, Lahore, Karachi, Peshawar and Quetta between 1 January to 31 December 2009, cases of VAW have increased in 2009 as compared to the previous year. The 7571 reported cases of VAW in 2008 jumped to 8548 recording an increase of nearly 13 percentage points. This is in spite of the fact that few statistics were available from several districts of KP and Balochistan mainly due to security considerations. Murder of women is also a frequently committed crime in the federal capital. There have been 39 VAW crimes reporting murder from Islamabad during 2009. Most of these cases were reported from sub-urban settlements like Barakau, Tarnol, Shahpur, and Shehzad town. Majority of the female victims were married. The pattern is that of Intimate Partner Violence (IPV) with most of the perpetrators being husbands of the women murdered. The most frequent motivation cited for these VAW crimes of murder is 'suspicious character' of the woman. In one of the incidents, a woman was slaughtered on unfounded allegations of an illicit relationship. A greater part of the cases of VAW happened in the first half or bi-annual of the 2009 when there were 4,514 reported cases in Pakistan. Of these 3,067 took place in Punjab; 835 in Sindh; 327 in KP; 174 in Balochistan and 111 in Islamabad. In the second

bi-annual, another 4034 cases of VAW surfaced. Of these, 2655 were in Punjab, 927 in Sindh, 328 in KP, 63 in Balochistan and 61 in Islamabad.

From January to June 2010, a total of 4069 incidents of violence were registered from out of which 2690 violence cases were reported from Punjab; 940 from Sindh; 342 from Khyber Pakhtunkhwa; 56 from Balochistan and 41 from Islamabad. (Aurat Foundation). In Pakistani society, where traditions still rule and there are social taboos concerning female behavior, women have more obligations particularly as housewives. It has been found that violence against wives is a function of the belief that men are superior to women so they treat them as objects or personal commodities. Therefore addressing issues related to women rights are 'Western' conspiracy to destroy the social fabric of the country. Religion is used to justify acts of injustices against women. In the rural areas, it is the issue of property that is a big hurdle in getting women their rights even right of life. Men have to subjugate women to have control over their property, while Islam has given clear teachings regarding the proportions of property or heir ship in the holy Quran.

### **Historical Background of the Problem**

Although intimate partner violence is a pervasive societal problem that existed throughout history, but when we study history and search for references to intimate partner violence itself, including rules, laws, and stories that show the treatment towards women, it is difficult to find an article, book, or study about this issue that is dated two or three hundred years ago. It doesn't mean that violence against female partner is a new subject. The subject is as old as the existence of human in this world, founding its roots in millennia-old patriarchal society, which views women as inherently inferior to men in the intellectual, spiritual, physical, sexual and emotional realm. In such societies, "a man home is his castle", and wife beating has been prerogative of the "master of the house". Many aspects of many cultures still reflect these values, and intimate partner violence continues to be condoned in most societies.

Cafery expresses according to John Stuart Mills, historically women were regarded as little more than the property of their husbands. Mills was one of the pioneers in voicing the inequality between men and women. It was his voice along with many other like-minded individuals that would come to change the way women were perceived and treated. However, this change has been slow in prevailing, and equality continues to remain elusive. Starting with the earliest known civilization in the near East between 4000 and 3000 BCE in Egypt and Mesopotamia (presently Iraq), there were laws and social expectations regarding women and their role in society. In these civilizations women was not equal to men, they were treated like object. Men of the ancient times expected to control their wives through physical and emotion means. Ancient Egyptian husbands were encouraged to use weapons against their wives if the women spoke out

against them ( Cafery, 2009: 26) For instance: Code of Hammurabi, this was the first known written law, consists of 282 rules for the kingdom, each proficient by the exact punishment; in the family section of the code it defines the legal responsibility of women included; jumping in the river if she was accused of adultery, becoming a slave in her husband's home if she neglected the husband or plunged him into debt, and being cast into water for not being "congenial" to her husband (Heise & et al; 1999).

### **Risk Factors that Contribute to Intimate Partner Violence**

A number of risk factors for intimate partner violence have been identified, these risk factors include, reduce level of education, partner unemployment, living in poverty, a history of experiencing emotional and verbal abuse in childhood, a condition known as intergeneration transmission of violence (Videbeck; 2010). Sussman quotes Gelles (1994) identifying the risk factors associated with domestic violence, being unemployed, abusing illegal drugs, unmarried couple cohabiting, family trend and man not finishing high school (Sussman; 1999).

World Health Organization's report on multi country study on the preventing intimate partner violence and sexual violence against women. In the study ecological model of intimate partner violence was utilized as the framework of the study, and different individual level, relationship level, community level and societal factors were identified as risk marker that increase the women odds of experiencing violence from their close one (WHO; 2006).

Considering the risk factor, Brown (2002) wrote how poverty provides a culture of hopelessness, invisibility, shame, powerlessness that significantly increase the risk of intimate partner violence (Clark; 2009).

Apart from poverty, research studies across cultures have revealed a number of societal and cultural factors that might give rise to higher levels of violence, e.g. Russel pointed out that Levinson (1998) used statistical analysis of coded ethnographic data from 90 societies to examine the cultural patterns of wife beating- exploring the factors that consistently distinguish societies where wife beating is common from those where the practice is rare or absent. This analysis indicated that wife beating occurs more often in societies in which men have easy access to divorce to resolve their conflicts. Some studies and theories found patriarchy as a strong contributing factor of intimate partner violence. Patriarchal and male dominance norms reflect gender inequality and inequities at a social level, and legitimize intimate partner violence and sexual violence perpetrated by men (Russel; 2010). Women's subordination and submission is considered to be normal, expected, accepted and in some cases, attractive to men (Kimuna, Djamba; 2008).



Husband's use of alcohol or any drug is also a well established correlate of intimate partner violence (McKinney et al.2010). In a number of cross – sectional studies a history of heavy alcohol use or alcohol-related problems has been positively associated with intimate partner violence (Kutlar, Erselcan; 2007).

A narrative review also found that the childhood exposure to abuse may contribute to future victimization by changing attitude of women towards violence; decreasing her ability to recognize risk; lowering her self-esteem; increasing her guilt, shame and embarrassment; and reducing her sexual assertiveness (Marcelino; 2009).

In Pakistan risk factors of the phenomenon are being studied extensively, but there is still no definitive explanation of the cause. Socio-economic and cultural factors are strongly contributing in the rampant increase in intimate partner violence for instance Illiteracy, low income per capita, avarice of male family members in distribution of property, for granted status of women, tribal and *jirga*<sup>1</sup> system misinterpretation of Islamic teachings, drug addiction. Patriarchal system and male dominancy, societal norms especially in rural areas related to gender are believed to contribute to violence against women and gender inequality and other inequities by creating power hierarchies where men are viewed by society as economically and religiously superior, and of higher social status compared to women who are sometimes viewed as a liability. As such, men are socialized to believe that they are superior to women, should dominate their partner and endorse traditional gender roles.

### **Legislation Regarding the Issue**

Around 753 BCE, Romulus, the founder of Rome, formulated the first known “Law of marriage”, he stated;

“When you see your wife committed an offense, don’t rush at her with insult and violent blows. Scold her sharply, but bully, and terrify her. If it doesn’t work, take up a stick and beat soundly, for it better to punish the body and correct the soul than to damage the soul and spare the body then readily beat her, not in rang but out of charity and concern of her soul, so than the beating will resound to your merit and her good” (Marcelino, 2009; 28). The worth of women and particularly wives can be substantially illustrated from these prevailed laws.

In the Middle Ages (900-1300) in Europe, squires and noblemen beat their wives as regularly as they beat their serfs. The church sanctions the subjection of women to their husband “in everything”. In 1500, Lord Hale, an English Jurist, sets the tradition of non recognition of marital rape. He states that when women married, the “gave themselves to their husbands” in contract, and could not withdraw that consent until they divorced. The

husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent a contract with wife hath given herself in this kind unto her husband, which she cannot retract.” This is the basis of life the “contractual consent” theory. Lord Hale burned women at the stake as witches and has been characterized as a misogynist (History of Domestic Violence).

In the context of English common law, a woman could not own property without her husband’s authorization or control. A woman’s status excluded her from legal process and placed her within the category reserved for children or servants.

In 1768, English Jurist William Blackstone determined a “rule of thumb” for wife abuse. Under this rule a husband had the right to physically discipline an errant wife as long as the stick used was not thicker than his thumb. In 1824, the Supreme Court of Mississippi in the United States approves the “Rule of Thumb”. (Hagan; 2010; 237). The English colonists came to America and brought these attitudes with them. Domestic violence existed in the New World just as it had in England (Martin; 1987).

In the 1870<sub>s</sub>, 1910<sub>s</sub>, and 1970<sub>s</sub> the problem of wife beating, was very severe in Britain and North America where women were in quest of their marital, economic, political and social status. Over this time period, wider campaigns were started about changes within the family and marriage in 1870 ( such as, the ability of women to own property, or to obtain a divorce for excessive cruelty), about changes in the political status of women (the right to vote with the passing of the 19<sup>th</sup> amendment in 1920), about changes in the economic status of women (equal pay and equal opportunities within the job market in 1970) and changes in social relations between men and women in general each spawned an interest in the specific issue of physical violence against women within the home, usually by intimate, male partner (Russell: 2010).

In Spain, the first law on measures providing comprehensive protection for intimate partner violence (IPV) against women was passed at the end of 2004. This law, in addition to tightening up legal measures for abusers, and developing specific measures to increase victims’ protection, promotes the development of activities, training and awareness programs in all the professional fields that are involved in fighting this problem, ranging from the areas of health, law and education to the media (Encyclopedia of Victimology; 2010).

The women’s rights and feminist movements of the late 1960<sub>s</sub> and early 1970<sub>s</sub> raised public consciousness about societal neglect towards the unique problem experienced by women. Whilst the initial focus of the women’s movement was on rape and strange assault, eventually women’s right activists began to recognize the severity of the problem of domestic violence (Russell; 2010; 31).

In 1978, representatives from battered women's shelter met at the invitation of the U.S. Health and Human Services Agency (USHHS). In 1979, the National Coalition against Domestic Violence was formed. In 1984, the U.S. Domestic Violence Prevention Act was passed. However, in the journey of women struggle 1990s proved to be a watershed decade. In 1994, the U.S. Federal government passed Title IV of the violent Crime Control and Law enforcement Act, commonly known as the "Violence against Women Act (VAWA)". This legislation had four parts; (a) Services, Training, Officers, Prosecutors (STOP). Violence Against Women Grant Programs; (b) Safe Homes for Women (c) Civil rights for Women and Equal Justice in Court; and (d) Protection for Battered Immigrant Women and Children (McClennen & McClennen; 2010; 131). According to Cho and Wilke (2005), "The positive effect of the VAWA should be seen as evidence that efforts to address domestic violence have had some success, through much work remains" (The American Dictionary of Criminal Justice; 2005).

### **Legislation in Pakistan**

As the problem is becoming crucial in Pakistan that was the dire need to address the problem legally to protect our women. After a long time cry of victims and women protection organizations finally a bill has passed by the National Assembly of Pakistan on August 04, 2009 to make provision for protection against domestic violence called "Domestic Violence (Prevention and Protection) Act 2009" with the assumption that it will be passed by Senate to make it law. It extends to the whole of Pakistan and came into force at once. It illustrates that "The constitution recognizes the fundamental rights of women and men to dignity a person where as it is expedient to institutionalize measures which prevent and protect women and children from domestic violence and for matters connected therewith or incidental thereto".

It is a very clear and easily implemented law by the government agencies and contains clear orders for Punishment of accuse.

It promulgates that "Penalty for Breach of protection order by the accused. (1) A breach of protection order, or of the interim protection order, by the accused shall be an offence and shall be punished with imprisonment which may extend to one year but shall not be less than six months and with fine which may not be less than one hundred thousand rupees. The court shall order that the amount of fine shall be given to the aggrieved person.

(2) A person who is guilty of violation of protection order second or third time or more, he shall be punished with imprisonment which may extend to two years but shall not be less than one year and also be liable to fine which may not be less than two hundred

thousand rupees. The court shall order that the amount of fine shall be given to the aggrieved person”.

### **Statement of Objects and Reasons**

Ms. Yasmeen Rehman, Minister In-Charge has given a meticulous statement and reasoning of the act “The issue of domestic violence has been a source of public concern for a number of years. Being in the private domain, the gravity of violence in the domestic sphere is compounded. In cognizance of the stress and unbearable suffering of the aggrieved person, it is necessary to criminalize the act. Through this Bill, domestic violence is brought into the public domain and responds to the National Policy for Development and Empowerment of Women of adopting zero tolerance for violence against women and “introducing positive legislation on domestic violence” (Domestic Violence prevention and protection Act 2009).

### **Islamic Perspective of Legislation**

Islam is the religion where all rights of decision making regarding their life are not reserved for men. Quranic teachings are revealed that:

“If a woman feareth ill-treatment from her husband or desertion, it is no sin for them twain, if they make terms of peace between themselves, peace is better, but greed hath been made present in the mind. If ye do good and keep from evil. Allah is ever informed of what you do (Quran; -Al nisa; 92).”

The religion Islam has given the protection to women and emphasizes on the rights of women, promulgate laws and rules to provide them social and legal status and security. If a women found accused in any case of adultery, theft or in any other offence Islam never put them on punishment directly, it looks toward evidence and witness. On the other hand if the people try to manipulate the vulnerable position of women through the present false evidence or witness then the witness will be punished equally, furthermore Islam has set a certain criteria for the witness which is known as “Tazkia e Shahud”<sup>2</sup> by which everyone can not to be a witness if he is not worthy of criteria.

The Holy Quran containing many verses to maintain justice with the women and peace in society, which are a clear denial of the atrocious practices, male thinking, and brutal behavior against women. The Holy Quran promulgates equal punishment to both male and female if, their wrong deeds proved for example:

“The adulterer and the adulteress scourge each one of them (with) a hundred strips, and let not pity for the twain with hold you from obedience to Allah, if, you believe in Allah and the last Day, and let a party of believers witness their punishment. (Quran; Al Noor; 02).”

Islam has a very much harsh stance regarding to put false blame on women which is a common nuisance in the phenomenon of domestic violence. Allah says in Surah Al Noor;

“And those who accuse honorable women but bring not four witness, scourge them (with) eighty strips and never (afterward) accept their testimony- they indeed are evildoers (Quran; Al Noor; 04).”

Intimate partner attitude is also address In Surah Al Nisa which is a complete rebuff of honor killing or such type of violence and brutality against women which is carrying out by male partner. Allah says;

“As for those of your women who are guilty of lewdness, call to witness four of you against them, and if they testify (to the truth of the allegation) then Allah appoint for them a way through new legislation (Quran; Al Nisa; 15).”

Another aya in surah Al Nisa describes method of punishment and forgiveness if a woman is seems involved in wrong deeds;

“Men are in charge of women, because Allah hath made the one of them to excel the other, and because they spend of their property (for the support of women). So good women are the obedient, guarding in secret that which Allah that guarded. As for those from whom ye fear rebellion, admonish them and banish them to beds apart, and scourge them. Then if they obey you, seek not a way against them” (Surah, Al Nisa, 34).

## Conclusions

Intimate partner violence is one of the most common types of violence against women which has catastrophic consequences not only on victim but on family and on society as a whole. Women endure atrocious horrors perpetrated by men who are the protectors of them from all such brutality. Intimate partner violence contributes to a number of long term consequences, Physical and emotional/psychological. Innumerable chronic physical conditions along with mental health problems such as depression, anxiety, post traumatic stress disorder, alcohol and drug abuse, and suicide may result.

The effects of domestic violence also have a financial impact. A world wide estimation shosws In 1994, \$44 million, 40,000 physician visits and 100,000 hospitalization days were attributed to domestic violence (Fikree, Bhatti; 1999). More recent calculations indicated that the average cost of health care in an emergency room visit for a battered person is \$1,633 or \$857, 3 million per year. Despite of these alarming figures the full

impact of domestic violence by intimate partner yet to be realized since much remains unreported.

Intimate partner violence more brutal in Pakistan ranging from beating, sexual violence or torture, broken bones and very serious injuries caused by pouring acid burning the victim alive, furthermore the widespread norms of the acceptance of violence from male family members (most often by the husband) make the condition worst. The societies like Pakistan where female dependency is common and divorce considered a taboo leave no place for women to escape from the abusive relationship.

Furthermore lack of safe shelter for women victims of domestic violence, limited awareness of the issue and the absence of specific legislation all compound the problem. The result is that thousands of women are victims severe violence within their homes, with most cases going unreported and the culprits consequently escaping any punishment for their crime.

Although societal awareness and condemnation of the issue has increased worldwide Pakistani society still need recognition of the problem. Otherwise the result will not at all in the favor of society.

### **Recommendations**

The problem of intimate partner violence is an overwhelming phenomenon nearly in all societies. Research on the issue is a key component of any program designed to end the problem. Given the nature of the phenomenon, the standardization of concepts related to it becomes necessary, in order not only to reach a consensus on what to consider as violence against women, but also to reduce the heterogeneity in the methods to measure the problem and the associated factors. Although in the past two decades the research literature on violence against women has greatly increased, it shows the existence of relevant research bias that could be determining our knowledge of the problem and, therefore, limiting the development of efficient interventions to end it.

It is strongly recommended that the subject of violence especially intimate partner violence demand a gigantic amount of attention of government and non-government agencies, particularly qualitative nature of studies to explore the root causes of the study which be helpful to get complete and deepen understanding of the complex issue.

Intimate partner violence needs extensive and wide range of consideration as a social problem and health concerns particularly in Pakistani society. Since in the most of the part of the Pakistani society this type of brutal behavior against women is considered as a daily routine generally in rural areas and specifically in urban areas, as a sociologist

Herbert Blumer stated; “A social problem does not exist for society unless it is recognized by the society to exist....social conditions may be ignored at the time yet, without change in their makeup, become a matter of grave concern at another time.”Therefore society attention influences the rise and decline of issue in public eye.

Men and women have certain rights and obligations thus both does not have right to control life of each other. The rights and obligations of men and women are clearly stated in Islam. Indeed Islam has given such privilege and sanctity to the women, that neither any other religion nor any other social system can. Hence, therefore in the light of the present study it may be concluded that one of the sturdy steps in preventing women from being abused by their Intimate partner is the righteous interpretation of Islam.

Asma Jahangir, a leading lawyer and human rights activist, said: “domestic violence is very widespread. It is tied in to the lack of empowerment of women in our society.” Therefore to protect women from such abuse women empowerment is essential in the country. Media government and NGOs should play a vital role in this domain (Asma Jahangir).

At individual level husband should be acknowledge about the importance of their female partner. Abusing female partner does not only harm the partner but also provide impairment to the entire family, even generation to generation this impairment effects. Furthermore such violence even tends to terminate the trust from the marriage.

The way the people are turn out to the society is basically how their family has socialized them. The process of socialization plays a vital role in personality building of an individual but also the ways in which person response to the different aspects and issues of life. Parents in any situation should not expose their child to violence.

At community level male counseling is require to end the problem to respect their mate who is their better half but not their slave or commodity. This grass root change at the family level will stop the continuum of the cycle of violence in the close relationship.

The National Assembly of Pakistan has passed a bill regarding the domestic violence against women successfully in 2009, but first this bill should be a law through the necessary procedure and afterward this law should not be remain a written document, but its strong authorization must be made possible by the implementation agencies and ensure the access to justice.

The role of clergies is also very important, they must be responsible to provide actual Islamic and Quranic teachings regarding the responsibilities of men towards their intimate partner to maintain their honor and sanctity.

## Policy implication

Although we cannot make overnight changes or we cannot change in a day the millenniums old patriarchal society. But still by comply the recommendations suggested will definitely bring a change for female folks and will vanish the cluster of violence from all sphere of life in general and intimate relationship in particular.

This article shows the existence of relevant research bias that could be determining our knowledge of the problem and, therefore, limiting the development of efficient interventions to end it.

## End Notes

### 1. Jirga

Jirga regarded as “grand Assembly” in tribal and rural areas, which is known as mass meeting usually prepared for major events such as choosing a new Sardar, adopting a constitution or discussing important national, political or emergency matters, especially used for resolving disputes. Traditionally tribal elders take decisions regarding the disputes. Originally “Jirga” was attended by the Pushtuns but later included other ethnic groups in Pakistan.

### 2. Tazkia e shahud:

The credibility and the character of the witness can be screened as fairly and as thoroughly as can be consistent with the punishment awarded under the Hudood Ordinance. For Hadd punishment the foundation rests on the credibility of the witness and not so much on the circumstances, evidence existing or appearing for this reason it is the single most important item in hudood trial.

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