

How the Institutional Inefficiency is Proliferating the Social Evil of Gender Based Violence in Khyber Pakhtunkhwa-Pakistan: A Qualitative Analysis of Institutional Inefficiency in Propagating Gender Based Violence: A Case of Khyber Pakhtunkhwa, Pakistan

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Abstract

Gender based violence is an unrelenting assault on human dignity; Granting equal and free life to all citizens without any discrimination comes under the state's prime role. Therefore, analyzing service delivery by government institutions is necessary because formal and informal institutions are structured in societies to govern such undesirable behavior. By following that perspective in this research, the basic concept of gender and gender-based violence was analyzed. Furthermore, the challenges and gaps in institutional mechanisms that are hindering the dealing with gender-based violence victims. In this regard, qualitative research method was used by interviewing nine government officials from three different departments i.e., judiciary, police, and social welfare along with twenty women survivors from Darul Aman by using stratified purposive sampling. By correlating primary and secondary data, the study reveals that the judiciary, police, social welfare, and Darul Aman have strong coordination. Furthermore, the study indicates that one of the basic reason behind institutional inefficiency is misinterpreted concept of gender and gender-based violence among the responsible stakeholders. Moreover, it is analyzed and concluded that although judiciary has immense power and strength, still, they are prone to socio-cultural manipulation. Likewise, police, social welfare, and Darul Aman are also facing issues of lack of resources, socio-cultural and political pressures which causes inefficiency and ineffectiveness in service delivery of these departments.

Keywords: Gender-based violence, Institutional constraints, Service delivery, GBV Survivors

Introduction

Gender based Violence has many motivations. It can be used as a tool for asserting dominance financial appropriation, or any other objective like personal gratification (Cordero, et. al, 2017; Waters, et. al, 2004). Rather, Gender based violence can never be justified, it is undesirable by oppressed class, and it need to be prevented to promote peace and harmony in society. However, formal institutions are the major actor that can help to prevent such undesirable behavior in any society (North et al., 2009). Formal institutions enforced constraints on social behavior by using its legislature or constitution power (Williamson, 2009)

It has been analyzed that domination of informal institutions on formal institutions are supporting and justifying the process of gender-based violence. Although it has been said that these two institutions are evolving together and they should be at one pace (North, 1991), otherwise, as mentioned in Sherbaz (2021) posits that even democracies fail to root out violence when informal norms contradict formal rules. There are majorly four contexts like Socio-cultural, Economic, Politico-legal, and Psychological are interrelated and can create an unfavorable environment, especially for women in Pakistan (United Nations, 2006). By investigating the relation, it has been analyzed that Patriarchy considered (as informal behavior) is inculcated in the culture of Pakistan and its society; it establishes the position of women in the society which is subordination to men that ultimately leads to gender-based violence acts (Hadi, 2017). Such acts of GBV practiced in personal and public life consequently affect the physical, mental health, basic security of life, and liberty of the female gender. Most of the time these acts especially those of private life (domestic violence, sexual harassment, sexual violence, and rape) are kept hidden and are not dealt with in accordance with the law and go under-reported (Duban, 2017).

The victims of violence are exposed to unjustness and unfairness of decisions made by the local Jirga's and panchayats that are also male dominated, their biased decisions clearly depicts the effect of patriarchy existing in societies and how do these factors (social or cultural) are contributing to GBV (Bhatti et al, 2011). Not only Jirga's and panchayats, but in Pakistani society, the institutions which are of immense importance like the Criminal justice system, health, education, military, and religion have also absorbed patriarchal norms and values. Which are reinforcing it in the society resultantly encouraging the violent behavior towards gender identities, and back the encouragement for stigmatization of those expressions which do not agree with the status quo (Koss et al., 1988).

The pervasiveness of violence in Pakistan is high which needs immediate attention to serve GBV victims and survivors. By following the SDG of gender equality, Pakistan has been a signatory of many international conventions and treaties, which are aimed at ensuring human rights and curbing GBV (OHCHR, 2020). The national and provincial governments of Pakistan also have embedded these commitments into policymaking and legislation, many new laws, policies, and frameworks are made including separate ministries for ensuring human rights and women's rights (HRCO, 2002). As laws are seen as involvement of government institutions in changing the norms and values of the society, Klugman et al (2014) found out that countries with laws against GBV have 7% less chances of experiencing violence in comparison with those countries without such legislation.

At the national level, the constitution of Pakistan 1973 provides all the fundamental legal rights to women, children, men, and third gender which serves their needs and ensures their security. Similarly, the Penal Code of 1860 provides punishment regarding any criminal or violent act such as murder, assault, and rape. Child Marriage Restraint Act, 1929, Muslim Family Law Ordinance, Dowry and Bridal Gifts (Restriction) Act passed in 1976., Anti-Terrorism Act passed in 1997, For protecting women and children from any kind of domestic violence, the "Domestic Violence (Prevention and Protection)" Act passed in 2012.

Likewise, Khyber Pakhtunkhwa (KP) province of Pakistan, was ranked highest in the country in terms of women violence either in the form of emotional or physical violence presented by Pakistan Demographic and Health Survey (PDHS) in 2012. Since this province has a history of tribal

population and the culture is linked with conservative values, therefore people show resistance in adopting pro-women laws, and hence there is a high prevalence of violence and poor mobility for women. Additionally, rural women in KP have been victims of domestic violence, kidnappings, honor killings, and especially “Jirgasto or Swara” where women are handed over for settling disputes between groups. There is a cultural acceptance of sexual violence as it is seen as a private matter, and no one can intervene or prevent it for those who are affected. On other hand, Victims are stigmatized if they speak on this issue, and it directly affects the reporting of the cases.

The province of KP adopted different legislations to mitigate GBV in the province: Child Marriage Restraint Act 1939, Act on Elimination of the custom of GHAG 2013, Act on Deserving widows and special persons welfare foundation 2014, Act for KP promotion, protection, and enforcement of human rights 2014 Act, Commission on the status of women, and Harassment of Women at workplace in 2017. For women, electoral empowerment and improved representation of women in politics KP have increased the percentage by 30% in local government and 17% in the provincial assembly. Additionally, an act in 2015 to support children and women. Similarly, the province has drafted the bills on eliminating Acid and Burn practices, along with Child marriage restraints and domestic violence. The province has adopted technological innovations and used ICT to build a smartphone application for mobile users to help women report cases of GBV, the app can also work offline and has numerous functions like video, audio, and messages. This initiative is taken to improve service delivery via the KPCSW platform. On a practical level, free toll-free helplines are created namely: Bolo aur Badlo, and Zama Awaz to curb GBV along with women desks at the police stations to help women in this regard.

Despite putting a lot of effort, it is difficult to eradicate GBV, from the core due to many inter-related issues. Although the state has created a bulk of laws and separate institutions to serve the GBV victims, the people are still suffering. Lack of service delivery of institutions is due to many economic, political, legal, administrative, and socio-cultural challenges (Shaikh, 2009), and inefficient forensic equipment is a major reason behind delays of evidence for murder and rape cases.

In Pakistan, according to a report of UNODC, (2020) highly under-resourced police and other law enforcement agencies have less time and human resources to respond to incidents of gender-based violence against Women and Girls (GBVAWG) and may lack specific plans on how to respond to such incidents during the emergency. In countries with a weak rule of law and existing economic constraints, the focus may also shift towards responses to public and civil unrest, and other crimes that may increase as a result of economic and social consequences of the responses to COVID-19 as well. At the administrative level, there is no helpline established by the police to facilitate the victims/survivors of violence. There is only one helpline ‘15’ to take all sorts of complaints that are often overburdened due to capacity gaps within the police.

Additionally, lack of women staff in the police stations, lack of sensitization towards women's issues and cases is also one of the major factors behind the non-reporting of women cases. At the societal level, it is mentioned in a study by Farzana (2001), that Jirga and panchayat as informal institutions are hindering the justice of formal institutions. The severe disputes are solved by them with little punishment. Moreover, at the administrative level, it is stated in Imran et al (2010), that lack of coordination among government institutions that are specifically working for curbing GBV is creating delays and undesirable problems. Additionally, the cultural norms

which are very rigid along with lack of awareness due to illiteracy and lack of opportunities due to poverty are also serving as a tool to build frustration and make people go astray from the laws and indulge in GBV activities without any fear.

Similarly, the data quantifying the true scale of domestic violence is neither documented nor presented, and hence, it is clear that the issue of domestic violence, which is generally under-reported and undocumented, is bound to heighten given the rigid social hierarchies present in the society. Other services, such as hotlines, crisis centers, shelters, access to a lawyer including through legal aid support, and victim protection services may also be scaled back or closed, further reducing access to the few sources of help that women in abusive relationships (UNODC, 2020).

To understand the core challenges and gap of selected sample area, this research aims at understanding of existing mechanisms of Government institutions that are dealing with gender-based violence. Additionally, this research explores the perception and constraints faced by government institutions in tackling the issue of gender-based violence cases. Departmental coordination is also analyzed in this research to understand whether departments dealing with gender-based violence are working in a coordinated manner and how their departmental policies are working in favor of women or not.

Research Methodology and the Study area

For the current research design, Qualitative research technique has been used. It is an effective tool as it considers in-depth analysis of the problems at the local level and aims at unfolding contested concepts (Mohajan, 2018). By following this approach district Abbottabad is selected as a sample area of KP, by using purposive sampling technique because of ease of data collection to researcher. Data was collected by both primary and secondary data modules. Furthermore, for getting research results thematic analysis has been used.

The study area for this research is District Abbottabad. Abbottabad was named in 1853 after its founder Major James Abbot, the first Deputy Commissioner. This valley was the official headquarters of the district of Hazara and later became a division. It has three tehsils namely, Tehsil Abbottabad, Tehsil Havelian, and Tehsil Sherwan as well as one urban administration area Nawanshahr. The district consists of fifty-one union councils. Abbottabad is situated at an elevation of 1256 m above sea level in the north of Khyber Pakhtunkhwa (KP) province of Pakistan. Area-wise, it is spread over 1967 square kilometers. It is surrounded by Mansehra District, Muzaffarabad District, Rawalpindi District, and Haripur District from north, east, south, and west, respectively.

The population of Abbottabad is 1.4 million, with 47% females and 53% males (PBS, 2017). Abbottabad is the sixth-largest district of KP by population and it is considered as a highly educated city and known as the “City of Colleges.” Despite it, the number of GBV victims is increasing as per the analysis of the local newspaper reports, which is alarming.

The current research has thus selected three Institutional departments by following stratified purposive sampling techniques that deals with GBV. Firstly, the department of Police namely (Mirpur, Cantonment & Havelian) police stations were selected because these police stations have been reported through newspapers and local media channels to have registered more GBV

cases in the locality of Abbottabad and have acted as first responders. Secondly, GBV court in Abbottabad courts (Kacheriyan) and thirdly, the social welfare department of district Abbottabad, which was made at the district level under the ministry of social welfare. Additionally, the department works for decreasing GBV against women and has made Darul Aman for GBV survivors and Vocational training centers. For this research, GBV survivors who live in Darul Aman were also selected as respondents. The selected government stakeholders of the selected institutions are responsible for dealing with gender-based violence cases at District Abbottabad level.

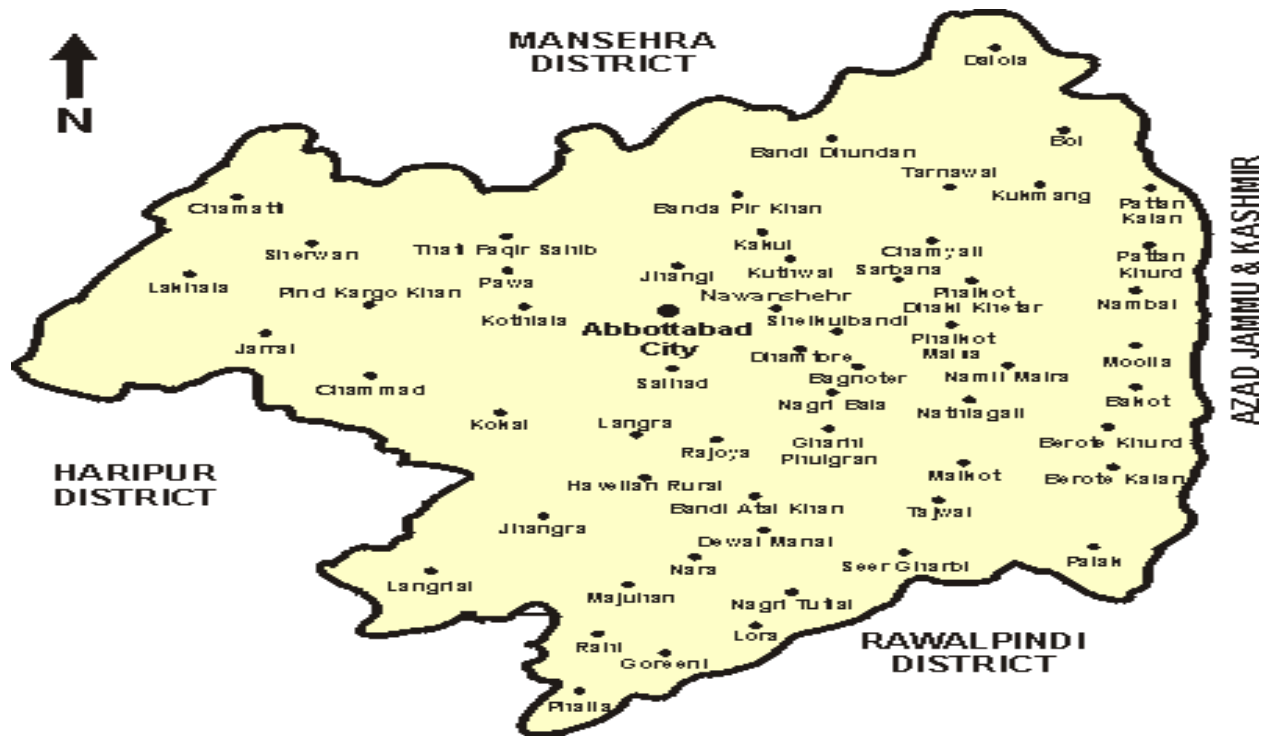


Figure 1.1: Map of District Abbottabad

For data collection, four different question guides in the form of individual interview guides/questions were prepared. Separately for police officers, judicial officers, social welfare officers, and for GBV victims, the guides for interview included structured and semi-structured questions, which were open-ended and closed-ended.

Ethical research methods were followed wherein the respondents were assured that their names will not be mentioned along with asking permission to reuse this data only for research purposes. The respondents were asked beforehand about recording the interview session and the device used was mobile phone recorder. The interviews were conducted between December 2020 and January 2021. The researchers visited the field thirty-six times owing to the availability of respondents and the accessibility to the field area. The researcher spent 45 minutes on average with GBV survivors whereas 1 hour 25 minutes with officers. Researchers tried to dig out the matters both formally and informally so that the true picture is revealed.

The research sample consists of three police officers, two respondents were BPS- 16 (SHOs) while due to the unavailability of one SHO in police station Havelian the data was gathered from ASI (BPS-09), Secondly, from judiciary three respondents: Additional district and session judge

of GBV court (BPS-20) and public prosecutor BPS-17 of the same court along with Lawyer of district courts Abbottabad were selected. Similarly, three respondents of the department of social welfare: District officer social welfare (BPS-18), Social Welfare officer (BPS-16), and Superintendent (BPS-16), of Darul Aman were selected. Twenty GBV survivors living in Darul Aman were selected based on a simple random sampling method out of the population of 275 as of (January-2021). The total number of respondents for this research is twenty-nine, which includes nine official respondents from three different departments: Police, Judiciary, and Social Welfare. Along with 20 GBV survivors from Darul Aman.

Respondent	Department	Designation	BPS	Location/Study Area
J1	Judiciary	Additional District and Session Judge	20	District Courts Abbottabad – GBV court
J2	Judiciary	Prosecutor	17	District Courts Abbottabad –GBV court
J3	Judiciary	lawyer and member of bar council		District Court Abbottabad
P1	Police	SHO	16	Cantonment police station Abbottabad City
P2**	Police	SHO	16	Police station tehsil Havelian District Abbottabad
P3	Police	SHO	16	Mirpur Police station Abbottabad
S1	Social Welfare	Social welfare officer	16	Social welfare office Abbottabad City
S2	Social Welfare	District officer social welfare department Abbottabad	18	Social welfare office Abbottabad City
S3	Darul Aman	Caretaker	16	Darul Aman Mandian Abbottabad
GBVS	Darul Aman	Survivors	Nil	Darul Aman Mandian Abbot- tabad
				20 Respondents

The secondary data was gathered through desk research, to get clarity on the topic many research articles, institutional reports, Newspapers, Magazines, were thoroughly analyzed to gather information, and recent statistics. Furthermore, Criminal procedure code 1898, operational codes of the judiciary, KP Police rules 2014, Criminal justice system, and ESTA code was analyzed to get information about the procedures, and mechanisms followed by the institutions in dealing with GBV.

Primary data and secondary data both contributed to providing the basis for bringing about quality in data and helped the researcher to have the in-depth insight into the results. For analyzing the interviews in the qualitative research thematic analysis is has been used. These interviews are quoted anonymously in the later parts of the paper accordingly with relevance to the subject.

Results and Discussion

This chapter deals with the results that have been analyzed after transcription of the interviews and are discussed using the quotes of the respondents as well as GBV victims. Our results dis-

cussion starts from the lack of understanding of the concept of “Gender” and “Gender based violence” because both of these terms are interrelated and the lack of understanding of the concept of “Gender” impacts the legal initiatives and procedures of Government. Additionally, after understanding the GBV definition by stakeholders it is important to investigate the mechanisms the government has created at the provincial level for GBV victims and addressing the issue of GBV, and how these institutional mechanisms are serving GBV victims and what are the constraints these institutions are facing towards ensuring efficient service delivery. In this research, the constraints are divided into three broader perspectives: economic, administrative, and socio-cultural. because these constraints are hindering the service delivery of institutions and adversely affecting the situation of GBV in KP especially in district Abbottabad.

Misinterpreted concept of the term “GENDER”

Understanding of the GBV is vague in Pakistan, consequently, it impacts the policy, mechanisms, and implementation of laws and regulations. Owing to this, it is important to identify the basic understanding of the phenomenon of GBV and how stakeholders of the government institutions are defining the concept of GBV, because the basic understanding impacts the whole process of service delivery and justice provision.

Firstly, the mechanisms that are set for victims were analyzed by using secondary and primary data modules. The mechanism that is being followed to solve these cases laid down in the criminal procedure code 1898 and KP police rules 2014 for GBV victims; visiting the police station, reporting the crime (Application), medical examination, registration of FIR, and police custody of accused, file making, case sent to the magistrate, medical (optional), and decision for the trial in GBV court, victim’s decision to move to Darul Aman, hearings, and lastly, conviction/acquittal.

Besides mechanism, the GBV concept was investigated. The researcher has identified that the basic understanding of GBV by the departmental stakeholders in district Abbottabad is confined to women and third gender only, out of nine, only one stakeholder included men in his definition and understanding the rest of the stakeholders did not include men, as they were of the view that GBV is only linked to women and third gender.

On one side, it is obvious that the judiciary plays a significant role in dealing and providing justice to GBV victims. They created special courts that are specifically working for GBV victims under the administrative order of the Supreme Court of Pakistan including GBV Court and Child Protection Court (CPC). Despite it, In Pakistan, the GBV court is focusing on female folk only that leaves a question mark. Judiciary being the guardian of the constitution must be fully aware of the understanding of the concept, but reality has shown a different scenario.

As per the Responses from the Judiciary, The Additional District and Session Judge (BPS-20) of Special Court for GBV was of the view that

“GBV includes all genders and identities but mostly against women gender only, GBV is what human beings negatively perform against each other.” Whereas the Prosecutor (BPS-17) defines it by saying that *“It includes any kind of threat or feeling of insecurity from another person to women and children only”*. Third respondent lawyer and member of bar council of district Abbottabad courts explicitly mentioned that *“GBV according to definition*

encompasses male, female and third gender but layman understanding is only confined to Women and Third gender”

All the stakeholder responses were different and incomplete, which shows that the understanding of “gender” as a concept is not clear to them. While, keeping in view the theory of gender, Gender based violence is not focused on female sex only it also encompasses male sex and transgender as well. Similarly, as a subject Gender studies discusses the unequal power relationships, which are based on the stereotypes of the society, it also addresses the similar and different forms of violence against women and men by keeping in view the vulnerabilities, transgressions, and repercussions (BMC, 2015). Whereas, besides that it has been found out that the full and correct understanding at top level of state to local level is important and it will ultimately impact the whole process. The laws of state have immense of importance in allowing or deterring any particular behavior of its citizens. As mentioned, Laws are seen as an involvement of government institutions in changing the norms and values of the society, Klugman et al (2014) found out that countries with laws against GBV has 7% less chances of experiencing violence in comparison with those countries without such legislation.

Judicial response, Mechanisms and Constraints in dealing with GBV cases

Understanding and behavior of judicial stakeholders towards GBV

The researcher has analyzed that the GBV courts are more focusing on women folk due to their vulnerability on the basis of sex in Pakistan. A similar response was given by GBV court Judge (BPS-20) *“Females are more prone to violence based on their sex and power imbalance in the society, the most reported cases in District Abbottabad are of Beating, Sexual harassment, Rape, Honor killing and Forced prostitution”*.

Moreover, a private lawyer opined that, *“The most targeted gender is female and third gender because in Pakistani society they are considered as weak, and they do not have the ability to resist instantaneously or stand for themselves. Whereas the male gender of society is strong, and they confront others without hesitation and react immediately if faced with violence.”*

Additionally. In Pakistan, due to a lack of education and a traditional mindset, a lot of ways of development and growth are being blocked. Kishore and Johnson (2004) found out that intimate partner violence and controlling behaviors are a cross-cultural phenomenon, and these include Jealousy that leads to restrictions, violence, and verbal abuse. Interpreting religion and mores in society, male dominance is given space and acceptance in many aspects of a woman’s life. This can easily provide the basis for blaming any woman and relate it to honor to exercise dominance (Karmaliani et al, 2012). With the help of this research, it has been identified that in district Abbottabad more cases of violence reported were usually of beating and forced marriages. Whereas the Prosecutor (BPS-17) gave the response also ratified the statement by mentioning *“forced prostitution cases in District Abbottabad are less, and more reported cases are of beating and verbal abuse”*.

Mechanisms and their effectiveness

For the analysis and understanding of the mechanism that government has created for GBV victims, the data was collected. It has been analyzed that the mechanism adopted by Judiciary for

District Abbottabad for serving GBV victims is a fast-track trial, Day to day hearing, higher disposal and conviction rate, and Priority-based cases. The mechanisms followed by the Judiciary as elaborated by stakeholders of the Judiciary are seen as positive and satisfactory in district Abbottabad. According to the victims of GBV from Darul Aman Abbottabad, out of twenty respondents, sixteen women respondents rated the mechanisms of the judiciary as satisfactory. One woman was of the view that she still does not know how she would get Khula from her husband. Overall, the mechanisms followed by the Judiciary as elaborated by stakeholders of the Judiciary are seen as positive and satisfactory in district Abbottabad.

Constraints hindering the judicial process

Institutional constraints restrict and hinder the process of service delivery by any institution. It is important for any Government institution to work for public welfare without any social, political or cultural pressure. But it has been seen that many institutions are unable to perform their duties due to many external conflicts. For identifying the situation of given selected area, this research focused on many level of constraints, out of which they have found that, In district Abbottabad, the judiciary does not face any economic challenges at a broader level and there are ample resources available whereas they face plenty of challenges at small scale during their handling of cases, as mentioned by Public Prosecutor,

“Judiciary does face economic challenges like less resources in offices, lack of stationary, and often the important tasks are dealt upon the PR. If I have to make a case file and if the workload is more, I have to use PR to get the copies of the papers, their arrangements and fulfill legal statutes for a certain case.”

Whereas, at the administrative level, the judiciary does not face any challenge in dealing with GBV victims, session judge was of the view that the court orders are always given priority and there is no administrative hurdle in the way of court's orders, but she asserted that there should be more women staff in the court. Whereas, the Prosecutor, however, was of the view *“Judiciary do face some administrative issues, which were more of a management issue as well. They do not have separate desks, especially for women victims, there is a shortage of computers and stationary items, there is a lack of computer operators which impacts their daily performance, and the court needs more women staff which is necessary for better service delivery to women folk and third gender.”* By the data, it is estimated that the judiciary possesses good coordination and administration efficiency but there is a problem with efficient uses of resources.

On the other side, the judiciary faces socio-cultural constraints in tackling GBV, if a woman is a victim of domestic violence and the case is in the court for the hearing, there are chances that the parties involved in the case compromise on the matter.

Most of the time the accused must be set free, because of the compromise made between the victim and accused, through the involvement of family members. Similarly, according to the session judge *“Sometimes in the cases of rape, the parties agree to compromise on the marriage of victim and accused and it is mostly done through informal Jirga's in this regard the judiciary is bound to set free the accused.”* The court itself does not get affected by socio-cultural constraints, but the Police department and investigation of the cases are highly influenced by them.

“Judiciary faces socio-cultural constraints in tackling GBV, because of societal norms and values, the society is male dominant and most of the times compromises made in informal Jirga’s overshadow the decisions of the court, Due to many social evils like patriarchy, poverty, illiteracy, and prevalence of informal Jirga system the judiciary’s efficiency is compromised in tackling GBV.”

Thirdly, the lawyer of district courts Abbottabad was of the view

“Yes, in district Abbottabad the judiciary is facing socio-cultural constraints in tackling GBV, he explicitly mentioned the role of elders in dismissing the GBV cases, the mediation by family members, the compromises made between parties, and social issues like poverty, illiteracy, patriarchy, and normalization of GBV violence in social norms all affect the efficiency of the judiciary in tackling GBV in district Abbottabad.”

As evidence has shown that in developing country like Pakistan, there are four major contexts like Socio-cultural, Economic, Politico-legal, and Psychological and they are interrelated and can create an unfavorable environment especially for women (United Nations, 2006). But it has been analyzed that at judicial level no other than socio-cultural factor is creating problem.

Police department response, mechanisms and constraints in dealing with GBV cases

Understanding and comportment of police department towards GBV

The second most responsible department in justice provision to victims is the police department. Police being at the front end in dealing with GBV should be aware of the proper understanding of GBV but as per the responses of the police stakeholders, it can be concluded that they do not have a full understanding of the concept of GBV as they only include women and the third gender in the concept but no men, which does not fulfil the benchmark of the concept of GBV. Similarly, the data gathered represents that usually Female and Third gender are the victims of GBV based on their sex, the cases reported in District Abbottabad are normally Minor crimes, Sexual Harassment, Domestic Violence, and Verbal Abuse, *“because people of Pakistan do not consider these acts as crimes or violence, and sometimes they encourage it as responsible manhood trait “as mentioned by a female victim.*

Mechanisms and their effectiveness

Additionally, a lot of mechanisms and steps have been taken to improve the service delivery of the police department and to improve the condition of GBV victims. As mentioned by the officer *“Fast FIR, Immediate response, efficient investigation, and awareness campaigns are serving GBV victims positively.”* Moreover, the mechanisms adopted by this police station for serving GBV victims are Women desks, Separate women Moharars, Awareness campaigns, Friday Sermons for awareness of people, and Media campaigns. Officer assured that the *“Mechanism mentioned in criminal procedure code 1898 and KP police rules 2014 are followed in true letter and spirit.”*

As the civil authority of government, Police typically are responsible for maintaining public order and safety, enforcing the law, and preventing, detecting, and investigating criminal activities.

The GBV victims responded to the mechanisms followed by Police in serving GBV. Out of twenty respondents (Sv1 – Sv20), Fifteen respondents rated the mechanisms followed by Police as Satisfactory, additionally they collectively revealed that there is room for betterment. On contrary, five women revealed that they do not find the mechanisms followed by police as positive or satisfactory. Women were asked for increase in women staff inside police stations as they mentioned that when they visited the police station, they had to face embarrassment while revealing their traumatic incidents and it would be more beneficial if women police officers were attending GBV victims during the reporting and Application process. Similarly, victims also revealed that police were overall cooperative and keen to process their complaints efficiently.

Constraints hindering the police department

The ratio of GBV cases is increasing in district Abbottabad, as mentioned by the respondents a lot of institutional reasons are promoting it, sometimes, it is due to cultural or religious manipulation or misinterpretation. Along with it, many institutional constraints are hindering the process that could be social, political, economic, or cultural. It is estimated that the service delivery of the Police department is getting affected mainly due to many social or cultural reasons.

Firstly, at the economic level, there are many economic challenges which Police department is facing in dealing with GBV victims, as explicitly mentioned by an officer:

“We are facing convince shortage we only have two police mobile vans and if there is any delegation meeting or high-profile meeting then we have to send one or both vehicles for security and we are left with nothing but private vehicles which we hire from their own pocket.”

Additionally, rich, and well-off people often help police in overcoming economic challenges in District Abbottabad. Similarly, at the administrative level, this is one of the serious problems that was highlighted by SHO (BPS-16) of the cantonment police station. SHO (BPS-16) of Havelian stated that:

“Police department does not face any administrative hurdle while dealing with GBV cases the only thing is the shortage of human resource especially women staff but the reason for the shortage of women staff is the lack of incentives while on duty.” Additionally, police department face immense workload, lack of coordination, and majorly the most difficult problem while dealing with GBV cases is political pressure and lack of human resource, especially for women folk and third gender. Informal ties and connections create an enormous impact on a particular case. Additionally, the transfers of officers adversely impact the service delivery of police department.”

On the other side, in Pakistan every department comes under the influence of social and cultural manipulation likewise police department is also facing many socio-cultural challenges while dealing with GBV victims, as said by the respondent:

“The socio-cultural constraints highly influence the parties to the crime, Baradari system which is a cultural factor challenges police in high profile cases, similarly, social issues like extreme poverty, illiteracy and patriarchy are some factors which constrain the efficiency of the police in tackling GBV.”

All different constraints are putting negative impact on not only departmental efficacy but also contributing to increase in gender-based violence cases in Pakistan. The delay in justice comes across people effected by gender-based violence is due to lack of institutional efficiency and the constraints that society, lack of money or administration is creating.

Social welfare department response, mechanism and constraints in dealing with GBV cases

Understanding and behavior of Social welfare department towards GBV

The social welfare department of district Abbottabad is also working for providing social services funded by the government like training of women in vocational training centers, Hostels to homeless women, Darul Aman for GBV victims, Child protection programs, and Empowerment of Women and Third gender. This department has been selected due to its importance in process of GBV survivors dealing. After inquiry, it is analyzed that the respondents of the social welfare department which includes District officer social welfare (BPS-18), Social welfare officer (BPS-16), and Superintendent Darul Aman (BPS-16) also mentioned that Women are the most targeted gender in District Abbottabad, Due to their accepted subordinate position in society. According to these respondents it was ratified that, the most observed cases are beatings, verbal abuse, sexual harassment, domestic violence, and forced marriages, and the reason according to them was conservative social norms and values.

It is also noticed that the Social welfare department which is responsible for providing social services to GBV victims as per the data only one respondent has a full understanding of GBV. The District Officer (BPS-18) Social Welfare department Abbottabad was of the view that

“GBV includes Women, Men, Third Gender, and all identities, all physical and psychological violence against any gender is GBV.” He explicitly mentioned GAD approach and United Nations conferences on GBV and mentioned that layperson understanding of GBV is only confined to Women.”

Other than the district officer, the rest of the people were unable to answer this question clearly.

Mechanisms and their effectiveness

Moreover, the mechanisms adopted by the social welfare department for serving GBV victims are providing shelter (Darul Aman), Special education, medical facilities, Counselling, Welfare homes, Awareness campaigns, seminars, and provision of economic benefits through selling embroidered cloths and artwork made by women. *“These initiatives and facilities are tremendously helpful for us; Government helps us in many ways, and we are happy over here”* mentioned by GBV victim while she was describing Darul Aman facilities.

On the other hand, while finding the constraints of Darul Aman and the social welfare department it is identified that this department is facing a number of challenges and the social and cultural challenge is the dominant one.

At the economic level, the department normally does face economic challenge, sometimes there are delays in reimbursement of budget allotted to the department. The Darul-Aman Head sometimes face economic crises when the budget she made is not approved on time. Similarly, it has been analyzed that Darul Aman do not face any administrative challenge in dealing with GBV

cases of victims, *“the coordination between social welfare department, police and judiciary is excellent”* mentioned by superintendent of Darul Aman who was a key stakeholder. According to her, all the new cases which have been reported in Darul Aman get reported in a register and after a month all the data is given to the social welfare department for record-keeping. Additionally, she mentioned that *“there is no such workload on Darul Aman, but all the roles and responsibilities are divided and assigned.”*

Whereas, as per researcher analysis, it was noticed that there was no automatic system of data and record keeping, the compound of Darul-Aman lacked security there was only one old security guard in an overly sensitive place. Similarly, there were no security or CCTV cameras installed. Moreover, the human resource was short there were only three people who were handling all the tasks and it seemed that the workload is more, and Darul-Aman needs more human resource, especially women staff. The representative of Darul-Aman was reluctant to tell the whole story. Additionally, she mentioned between the lines that they face Political pressure while dealing with GBV survivors and from the family of Survivors *“the cases of survivors are dealt under political pressure, and the activities and dealings are not always fair.”*

In the end, it can be inferred that due to compulsion of departmental affairs and secrecy the respondents seemed to have provided all the good image responses and not the true story relating to administrative constraints faced by the social welfare department that also shows lack of awareness related to understanding the importance of issue under research.

At the level of society, it has been identified by literature and field information that this is the highly influencing factor to GBV cases. On one side, this is the reason for many kinds of violent acts, on the other side this is the reason hindering the process of justice and service delivery of departments. There are certain socio-cultural constraints like patriarchy, illiteracy, poverty, and acceptance of GBV in society that hinders the efficiency of the social welfare department. The social welfare officer gave a similar response, where she said, *“Even though our department is giving full attention to decrease GBV in the district Abbottabad but the societal norm, values and inculcated patriarchy in culture have been the main hindrance in affecting the efficiency of the department.”* Besides it, social pressure, Language barriers, and Political pressure are also major socio-cultural constraints as highlighted by the superintendent during her interview, according to her these problems not only should be highlighted but should be discussed openly by all stakeholders and responsible citizens to control the disease of GBV in the society.

Conclusion

According to this research, the concept of gender is not well understood in Pakistan, which is hindering the process of gender equality, due to which GBV is increasing and impacting women folk of Pakistan. The concept of GBV is misunderstood, not only by the masses but government officials as well are unaware of its true meaning. This resultantly is impacting the broader scenario of GBV in Pakistan and especially in district Abbottabad. Due to unawareness of the concept of GBV the third gender and men are also marginalized, having no significant importance in a government institution, only to some extent women folks are getting the benefit.

Moreover, the current study explored the existing institutional mechanisms and procedures which are specifically dealing with GBV victims. It was identified that three main departments' police, judiciary, and social welfare are dealing with GBV cases and victims. These departments

are working as per the policy and laws. Starting from reporting of the GBV crime, the police department is the first responder who deals with FIR, Medical checkup of the victim, making case file and securing the victim. The second in line is the judiciary which takes up the case and provides legal assistance to the victim. The third department is social welfare which provides shelter and socio-economic assistance to victims, especially women.

Additionally, this research clarifies that the judiciary is not facing any economic challenges, rather is being affected by socio-cultural challenges majorly, and administrative to some extent. Whereas the police department is facing economic constraints in form of lack of resources, office equipment's, poor infrastructure, and transportation and administrative constraints in the form of coordination, HR, workload, and transfers.

Whereas the social welfare department has a problem of political pressure only. This study explores those socio-cultural challenges are extremely affecting all the government's institutional mechanisms that are working for GBV victims. Mostly, Jirga, panchayat system, and patriarchal norms and practices. These social constraints are the major reason behind the inefficiency of governments department.

To solve the immense increase in the rate of GBV, awareness should be increased at both the local and official levels. Along with it, constraints faced by government institutions should be highlighted and resolved. All gender identities should get benefit from the government's service delivery for GBV in an appropriate manner so that no community is left marginalized. This will, consequently, ensure peace, and prosperity.

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