



Causes of Gender-Based & Religiously Motivated Crimes in Punjab

An Empirical Analysis of Prison-Inmates'
Criminal Behaviour

Authors

Dr. Khurram Abbas, Muhammad Faizan Fakhar, Hamzah
Rifaat Hussain, Umar Farooq Khan, Maheen Ahmad

Causes of Gender-Based & Religiously Motivated Crimes in Punjab

An Empirical Analysis of Prison-Inmates'
Criminal Behaviour

Authors

Dr. Khurram Abbas, Muhammad Faizan Fakhra, Hamzah
Rifaat Hussain, Umar Farooq Khan, Maheen Ahmad

© Islamabad Policy Research Institute
2023

ISBN: 978-969-8721-98-5
E-ISBN: 978-969-8721-97-8

All rights reserved. No part of this Publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without prior permission of the Editor/Publisher.

Opinions expressed are those of the authors and speakers, and do not necessarily reflect the views of the Institute. Complete responsibility for factual accuracy of the data presented and bibliographic citations lie entirely with the author/s and speakers.

Note:

IPRI holds the right to accept or reject any manuscript at any stage from being published.

The Institute has a zero tolerance plagiarism policy.

All correspondence pertaining to subscriptions or comments on published material should be addressed to the Editor, through post or email at the following address:

Islamabad Policy Research Institute (IPRI)
Evacuee Trust Complex, 5th Floor
Sir Aga Khan Road, F-5/1, Islamabad, Pakistan.
Tel: (92 51) 9211346-49
Fax: (92 51) 9211350
Email: editor@ipripak.org

Printed by:

President

Amb. Dr. Raza Muhammad

Director Research

Brig (r) Dr. Raashid Wali Janjua

Authors

Dr. Khurram Abbas, Muhammad Faizan Fakhar,
Hamzah Riffat Hussain, Umar Farooq Khan,
Maheen Ahmad

Editor

Shamsa Nawaz

Deputy Editor

Ishtiaq Ali Mehkri

Graphic Designer/Composer

Saleha Sadaf

Foreword

It gives me immense pleasure to write a foreword about this research report on the topic, “Causes of gender-based and religiously-motivated crimes”. The report was motivated by the urge to ferret out the reasons behind the prevalence of high incidence of gender-based and religious-based crimes of heinous nature in five selected districts of Punjab i.e., Gujranwala, Faisalabad, Multan, Lahore and Rawalpindi. These districts were known for their high crime rate and its repetitive nature. The research study was commissioned through active collaboration with the Punjab Police’s Prison Department because of which a unique access to convicts undergoing their sentences was granted to the research team in different prisons of Punjab. A series of semi-structured interviews were conducted eliciting responses from under-trial prisoners and the jailed convicts involved in violent crimes related to gender and religious extremism. The objective was to identify the main motivations of the criminals for committing the violent crimes without fear of retribution. While interviewing the convicts, the age brackets, marital status, educational attainments, and the previous crime record profile were focused upon to establish a pattern in the crime linking the heinous acts to a phenomenon of viscerality.

The research essentially followed a qualitative approach based on “hermeneutical phenomenology” approach based on personal observations of the interviewees. The outcome is an original research product of immense value, the findings of which would help the law-enforcers and the policy planners to craft a prophylactic response for prevention of such crimes. Some startling revelations were made in the research regarding the crime perception by the convicts who displayed a palpable cognitive dissonance while confronted with their crimes. The factors like education, age and employment emerged as important contributory factors to the crime proclivity. For religious and sectarian

crimes, the element of indoctrination and wrong motivation emerged as important impulses for the crime. The linkage of motivation with the colonial era (1927) blasphemy cases points towards the failure of religious education to define the blasphemy concept in the correct perspective.

Mob lynching and mob justice against those accused of blasphemy is a dangerous trend in which the mob is usually incited to act as judge, jury and the executioner. The framing of religious offences against 1335 individuals since 1987 points towards the prevalence of a trend where personal enmities and other social factors contribute towards accusing individuals of blasphemy. The dissatisfaction of the inmates with the investigation process and their reposing of faith in higher judiciary as opposed to lower judiciary speak of the need to overhaul our justice system. The propensity to involve juveniles in crimes to exact revenge is also an adverse reflection on the justice system and wrong social practices wherein the juveniles are more likely to escape conviction due to age factor. The provision of legal services to perpetrators of religion-based violent crimes, by sectarian-oriented political parties, and celebration of honour killings indicate an insidious linkage between crime and its ideological patrons. The antiquated social mores like honour killing also contribute towards a motivation to commit violent crimes with social acceptability.

The research presents a comprehensive analysis of the crime impulse and its attitudinal underpinnings provided by the extremist groups and the prevalent patriarchal social mores in the society. The biggest contribution of this research study is the quantifiable identification of social and religious attitudes that provide the impulse for the crime. While attitudes form the petri dish of the crimes, the weak investigation and prosecution systems form the nutrients that cultivate the crime culture. It is earnestly hoped that the policymakers at national and provincial level take

cognizance of the research findings in this report to make informed policy decisions to arrest the scourge of violent gender and religion-based crimes.

The research owes its completion to the dedication of the research team that undertook this difficult assignment despite several challenges and risks. Thanks are also due to the Punjab Police and the Prison Department's unstinted cooperation without which the access to the interviewees would not have been possible.

Brigadier (retd) Dr Raashid Wali Janjua

Director Research, IPRI

Acknowledgement

The authors extend their heartfelt appreciation to all those who have contributed to the successful completion of this project. We express our gratitude to Director Research Brig (R) Dr. Raashid Wali Janjua, whose invaluable guidance and supervision have been instrumental in initiating and directing the research.

We also extend our thanks to Mr. Khalid Hussain Chandio, Research Fellow, for his diligent and expert assistance throughout the process. We acknowledge with deep appreciation the support provided by the IPRI Administration, whose logistical and financial assistance facilitated the smooth execution of the project. Furthermore, we are indebted to the Superintendents Jails of Rawalpindi, Gujranwala, Multan, Lahore, and Faisalabad for providing us access to prison inmates convicted in various crimes of Gender Based Violence (GBV) and Religiously Motivated Violence (RMV).

Finally, the authors would like to express their profound gratitude to the editorial team whose extraordinary and arduous efforts have transformed this report into a scholarly document that is both insightful and engaging. Their invaluable contributions have played a pivotal role in making this report worth reading.

Contents

Introduction	1
Literature Review	6
Methodology	9
Hypotheses	13
Findings	14
Analysis	18
Recommendations	24
Action Matrix	29
Annex-A	37
Annex-B	40

List of Illustrations

- Figure 1.* Recorded Crime in Pakistan
- Figure 2.* Reported Cases of Gender Based Violence in Punjab
- Figure 3.* Frequency of GBV Crimes Reported in 2020
- Figure 4.* Breakdown of Respondent's Type of Schooling
- Figure 5.* Breakdown of Respondent's Level of Education Breakdown
- Figure 6.* Breakdown of Respondent's Level of Income
- Table 1.* Demographic Profile of Respondents

Acronyms

ATC	Anti-Terrorist Courts
CII	Council of Islamic Ideology
GBV	Gender based violence
GDP	Gross Domestic Product
IPC:	Indian Penal Code
NGOs	Non-Governmental Organizations
PBS	Pakistan Bureau of Statistics
PCA	Pakistan Citizenship Act
PCTB	Punjab Curriculum and Textbook Board
PDS	Punjab Development Statistics
PPC	Pakistan's Penal Code
PTA	Pakistan Telecommunication Authority
RMV	Religiously motivated Violence
SSDO	Sustainable Social Development Organization
USCIRF	United States Commission on International Religious Freedom

Causes of Gender-Based & Religiously Motivated Crimes in Punjab

An Empirical Analysis of Prison-Inmates’ Criminal Behaviour

Introduction

Pakistan has witnessed a surge in criminal activity across different parts of the country in the years leading up to 2021. Of particular concern are crimes against citizens, in which the use, attempted use, or threat of the use of physical force is involved. Such offences involve but are not limited to, kidnapping, sexual assault, and reckless endangerment. The province of Punjab has been disproportionately affected with a string of incidents of gender-based and religiously motivated violence catching the attention of the media, law enforcement agencies and research community.

A closer examination of the incidents of crime reveals that many cases are more heavily concentrated in the province of the Punjab than other provinces of Pakistan. To ascertain the causal factors of such spikes, an understanding of the latest trends, justifications, rationales, and statistics is essential; which could ultimately lead towards optimal conclusions and remedies. In the year 2021 alone and as per statistics quoted by the Punjab Police, crimes against citizens constituted 10 percent of all reported crimes. While it could be argued that Punjab records the greatest instances of crime as a virtue of its size and population, it would be remiss not to factor in how the frequency of crime in the province is steadily increasing. The total number of reported crimes increased by 67 percent in 2020 as per the statistics quoted by the Punjab Development Statistics (PDS) in 2021.

Comparatively, in other provinces, the rate of increase has been slower, and often marginal. This is graphically represented in Figure 1.

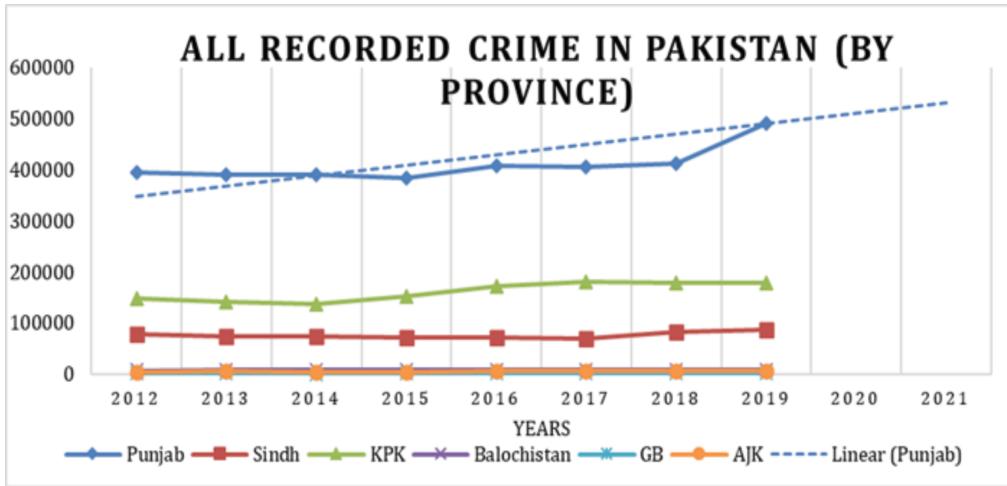


Figure 1. Recorded Crime in Pakistan (Graph by authors, Adapted from Pakistan Bureau of Statistics)

The relatively higher reported crime rate in Punjab makes it a special area of interest for researchers, criminologists, and law enforcement agencies. The high rates of crime and the prevalence thereof in cities, suburbs, villages, and districts across the province has a detrimental impact on societal cohesion, economic development, prosperity, and safety for Pakistani citizens. The province also continues to be a key source of economic growth with its large population contributing significantly to Gross Domestic Product (GDP) growth rates and national industrialization. To ensure that the economic growth, development, and safety of the citizenry continue to materialize, a holistic analysis of the underlying factors and variables defining criminal activity in Punjab is necessary.

To undertake such an analysis, research on the subject is required to determine the extent to which crime is increasing in the metropolitans

and key districts of Punjab. Simultaneously, there is a need to introspect the underlying causes and determinants that are contributing to increased crime in Punjab. To that end, this research study attempts to gather empirical data on registered and tried crimes, specifically in five key districts, including Gujranwala, Faisalabad, Lahore, Multan, and Rawalpindi. Although the rate of crime has increased in Punjab in almost every category, this research focuses specifically on two categories, which include:

1. Gender based violence (GBV): This category includes crimes such as rape, the attempt of rape, gang rape, sodomy, and honor killing. While the majority of the victims of GBV are often women and girls, men and boys have also been victims under this category of crimes.

2. Religiously motivated violence (RMV): This category includes crimes such as hate speech, murder, or attempt to murder over alleged or committed blasphemy against sacred figures in Islam such as God, Prophet Muhammad (PBUH), Holy Quran, and Companions of the Prophet Muhammad (PBUH).

GBV manifests in various forms such as sexual, physical, emotional and psychological violence along with harmful traditional practices and socio-economic aggression. Such acts are punishable under Pakistan's Penal Code, 1980 (PPC). More specifically, the PPC outlaws physical harm, wrongful assault, criminal force, forced abortions, miscarriages, forced marriages, murder, honor killings, acid throwing, gang rape, wrongful confinement, forced marriages, mental harm, and marriage to the Holy Quran. According to the Punjab Gender Parity Report, reported cases of such violence increased by 0.63 percent from 2018 to 2019 and further increased by 0.34 percent in 2020. Furthermore, recent studies have shown that there has been an uptick in cases of GBV during the Covid-19 pandemic. According to a report published by

Aurat Foundation, reported cases of gender-based violence were 2,297 in 2020. These do not include the cases that go unreported due to socio-cultural pressures and taboos. Another bi-annual report published by Sustainable Social Development Organisation (SSDO) divulged that 158 cases of GBV were reported in the initial months of 2020 alone, with Punjab being the worst affected region. Another report of SSDO which covered the January-June 2021 time period reported that 325 cases of gender-based violence were reported in Punjab alone. A graphical representation of the spike in violence is depicted in Figure 2. Similarly, Figure 3 depicts that while various forms of GBV crimes were reported in 2020, rape was the most commonly reported act of violence against women. In addition, the number of cases of honor killing also increased by 20 percent in 2020 as compared to 2019.

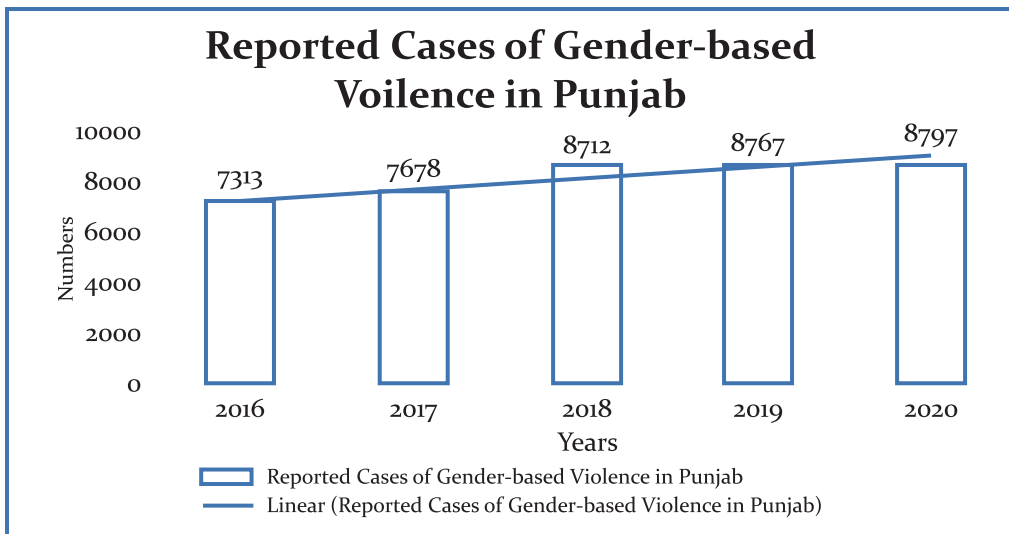


Figure 2. Reported Cases of Gender Based Violence in Punjab (Graph by authors, Adapted from Punjab Commission on the Status of Women, Punjab Gender Parity Report 2019&2020, 2021).

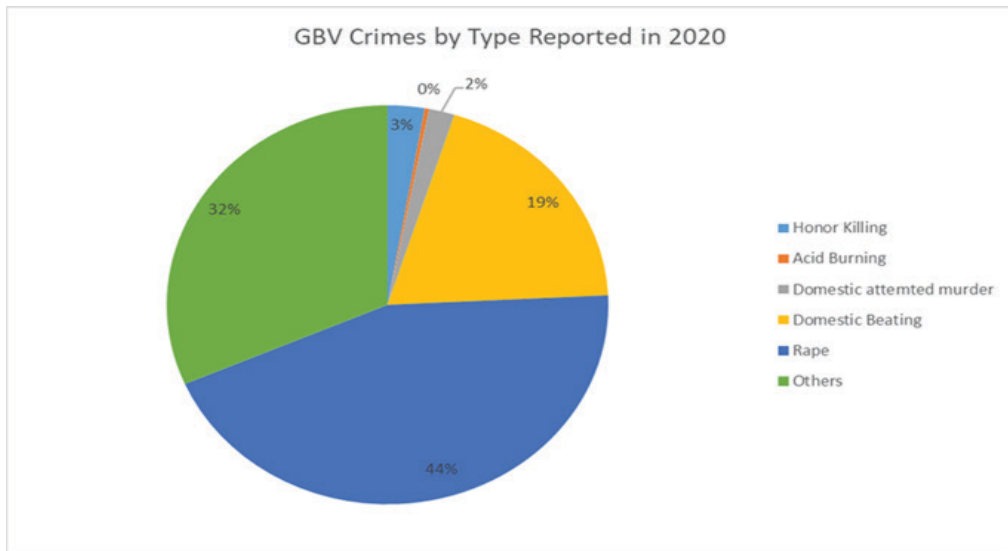


Figure 3. *Frequency of GBV Crimes Reported in 2020 (Graph by authors, Adapted from Punjab Commission on the Status of Women, Punjab Gender Parity Report 2019 & 2020, 2021).*

The second categorization in this research study focuses on is RMV, which deals with violence committed against an individual, group or entity accused of hurting religious sentiments of a community through their speech or act. RMV includes mob lynching, immolation and shootings where individuals were either incarcerated or killed due to violence perpetrated by segments of the Pakistani population. Over 1,335 people have been accused under various provisions on offenses related to religion since 1987.

Given that numerous reports have documented an alarming increase in criminal cases into the year 2021 in Punjab, it is important to ascertain factors which are enabling such activities and the measures that may be undertaken to curb them.

Literature Review

Several studies have been conducted on the incidence of crime in the Punjab province of Pakistan. By adopting an array of different methodological techniques, academics and criminologists made conclusions on why incidents of crime in the province have increased in scope and intensity. Authors consider the high incidence of property crime, youth unemployment and lack of knowledge of the perpetrators as both drivers and enablers of crime in Punjab. These findings are corroborated in other studies highlighting variables such as unemployment and population density as having a direct impact on crime in districts of Punjab.

Another important aspect of criminal activity in Punjab is youth delinquency, which, if left unaddressed, leads to an increase in crime. In one such research study, authors employed a descriptive and comparative research design and concluded by saying that disturbed environments for youth with familial pressure alongside unemployment are main causal factors for crimes in Punjab from a certain segment of the population. Fluctuations in the labor market, as well as property-related issues as enablers of crime, have also been mentioned in studies conducted in 2020.

Studies have also noted that perpetrators of GBV have the tendency of invoking Islamic injunctions to justify violence against women. As per the view of some Harvard studies, religiosity in Pakistan with a predominantly Muslim population necessitates the need to reach out to the clergy to mold public opinion against all forms of GBV with a supportive Islamic narrative. The absence thereof will continue to result in higher incidents of GBV across Pakistan with Punjab being disproportionately affected.

Areas interlinked with GBV are also enabling factors such as the high incidences of human trafficking, femicide, sexual harassment, conflict related violence against women which are government and public policy issues as acknowledged by the Aurat Foundation. A dearth of intervention against GBVs in the development strategies of governments and Non-Governmental Organizations (NGOs) and lack of awareness within the Pakistani society has contributed significantly to the problem. Systematic disadvantages in the societal setup of Pakistani society for women has resulted in brazen violence being committed against them which requires government-initiated action plans at the district, city, and federal level to offset the high crime rate. In Punjab specifically, it is observed that law enforcement agencies continue to be neglectful of tackling GBV due to issues such as understaffing despite legislation in place dating back to 1951 such as the Pakistan Citizenship Act (PCA), which guarantees rights for women. However, economic-related violence against women in Punjab based on empirical assessments in 2022 indicates that the level of education of the perpetrators, agricultural occupation status and violent experiences during childhood also have an impact on GBV.

The roots of religiously motivated violence in Pakistan on the other hand run deeper. According to a journalist, Raza Rumi the heroic stature of figures such as Ghazi Ilam Din Shaheed, who murdered Rajpal (a Hindu) for publishing a pamphlet that disrespected the Prophet Muhammad (PBUH), lives on today in Pakistani society. The modern expression of blasphemy as a justification for violence among segments of society is rooted in Pakistan's colonial experience with the 1927 High Court verdict that failed to punish Rajpal, resulting in the insertion of Section 295 into the Indian Penal Code. The fact that blasphemy laws, dating back to the colonial era, have not been amended while taking into account the sentiments of the minority population. It has resulted in criminals employing violence against

individuals the in Punjab today. However, the notable exception to that rule is the 2011 verdict by the Supreme Court (SC) of Pakistan, giving the death penalty to Mumtaz Qadri for assassinating Governor Punjab Salman Taseer, which demonstrates that the superior judiciary in Pakistan does prosecute RMV cases. However, according to Rumi, beyond the superior judiciary, the justice system has been unable to prosecute cases where blasphemy laws are invoked to settle property disputes.

Given that property-related crimes are a defining feature of the landscape of Punjab it is worthwhile to examine whether perpetrators do justify violence under the garb of blasphemy to secure property. This will be considered an oversimplification as the United States Commission on International Religious Freedom (USCIRF) documents RMV cases in districts such as Rabwah, Kasur and Gujranwala, where variables such as faith and disputes in schools, neighborhoods as well as dissemination of blasphemous messages, have contributed to its high incidence in Punjab. The decision to commit an act of blasphemy also rests with social engineering and mindsets with notions of honor, shame and purity resulting in collective anger and wrath.

Much of the literature surrounding both GBV and RMV in Punjab and Pakistan point at key conclusions. An archaic judicial system, socioeconomic conditions, indoctrination of societies and poor governance has resulted in a spike in crimes in the province. However, one major gap missing from the current discourse is primary data from incarcerated inmates who have been accused of committing both GBV and RMV in Punjab. This study attempts to enrich the present discourse of criminal activity in the province and contribute significantly to the present literature on crime in the province by accommodating interviews with inmates from prison facilities across Punjab.

Methodology

To ascertain the underlying factors contributing to spikes in crime rate across Punjab, the methodology employed in this study is a 'mixed-method' analysis which presents key findings from cities and districts of Punjab. The study involves semi-structured interviews with prison inmates selected randomly, who were either currently under trial or serving term in jails in the important cities of Punjab. By accommodating interviews with inmates from prison facilities in Gujranwala, Rawalpindi, Faisalabad, Multan and Lahore, the study attempts to provide perspectives, insights and backgrounds of criminal activities.

The five districts where interviews were carried out were selected on the basis of which districts recorded the largest number of registered crimes. According to the Punjab Development Statistics (PDS), Lahore, Faisalabad, Gujranwala, Multan, and Rawalpindi reported the highest number of crime from 2002 to 2015. Even beyond 2015, these cities continued to witness upticks in crime. For example, Lahore recorded the highest number of rape and domestic violence cases in 2020, while Faisalabad recorded the highest number of acid-burning cases in 2020. By conducting field research in the respective cities, an overview on the rationales presented by incarcerated individuals who have committed crimes or are accused thereof is presented in this study. Furthermore, employing qualitative and quantitative techniques provides a more holistic understanding of trends for further scholarly inquiry. To provide a contextual framework and place the research, the qualitative aspect deals with exploring established studies on the factors contributing to the spike in crime and identifying literature gaps. The time frame for conducting research is years preceding 2022 given that the subjects of inquiry have been awarded varying jail sentences.

The interview questions for prison inmates were prepared in a questionnaire, attached at [Annex A]. The questionnaire was divided into two sections, whereby the first section focused on the collection of quantifiable data of the convicts, involving questions on the demographic information of the convicts, such as their age, level of education, income at the time of committing the crime, and their marital status. The second section was aimed at the collection of qualitative data which could provide deeper insights into the rationale behind the respondent's crime, and testing the assumptions whether the archaic judicial system, socioeconomic conditions, indoctrination of societies, and poor governance contribute to crime. Qualitative data for the second section was collected through the conduct of free flow discussions with the convicts. All the respondents were male, which can be taken as a limitation of the study as there was no access to female convicts and the study could not consequently afford the perspective of a female convict. However, one can also infer that in the category of the crimes being studied for this research, majority of the criminals are men.

Forty inmates were selected at random. However, basic criterion was set to ensure only those involved in GBV or RMV were interviewed. To that end, those that were convicted or on trial for punishable and chargeable offenses under sections 295, 302, 337, 376, and 377 of the PPC were considered.

• **Section 295-B is a law punishing the defilement of the Quran and reads** “WHOEVER WILLFULLY DEFILES, DAMAGES OR DESECRATES A COPY OF THE HOLY QURAN OR OF AN EXTRACT THEREFROM OR USES IT IN ANY DEROGATORY MANNER OR FOR ANY UNLAWFUL PURPOSE SHALL BE PUNISHABLE WITH IMPRISONMENT FOR LIFE.”

● **Section 295-C is a law to criminalize any ill-speaking against the Prophet and using derogatory remarks in respect of the Holy Prophet. It reads** “WHOEVER BY WORDS, EITHER SPOKEN OR WRITTEN, OR BY VISIBLE REPRESENTATION OR BY ANY IMPUTATION, INNUENDO, OR INSINUATION, DIRECTLY OR INDIRECTLY, DEFILES THE SACRED NAME OF THE HOLY PROPHET MUHAMMAD (PEACE BE UPON HIM) SHALL BE PUNISHED WITH DEATH, OR IMPRISONMENT FOR LIFE, AND SHALL ALSO BE LIABLE TO FINE.”

● **Section 302 is law for punishment of qatl-e-amd. It reads** “WHOEVER COMMITS QATLEAMD SHALL, SUBJECT TO THE PROVISIONS OF THIS CHAPTER BE (A) PUNISHED WITH DEATH AS QISAS; (B) PUNISHED WITH DEATH FOR IMPRISONMENT FOR LIFE AS TA'ZIR HAVING REGARD TO THE FACTS AND CIRCUMSTANCES OF THE CASE, IF THE PROOF IN EITHER OF THE FORMS SPECIFIED IN SECTION 304 IS NOT AVAILABLE; OR (C) PUNISHED WITH IMPRISONMENT OF EITHER DESCRIPTION FOR A TERM WHICH MAY EXTEND TO TWENTYFIVE YEARS, WHERE ACCORDING TO THE INJUNCTIONS OF ISLAM THE PUNISHMENT OF QISAS IS NOT APPLICABLE.”

● **Section 337 is a law for the punishment of shajjah and reads** “WHOEVER CAUSES, ON THE HEAD OR FACE OF ANY PERSON, ANY HURT WHICH DOES NOT AMOUNT TO ITLAFIUDW OR ITLAFISALAHIIYATIUDW, IS SAID TO CAUSE SHAJJAH.”

● **Section 376 is a law for the punishment of rape and reads** “WHOEVER COMMITS RAPE SHALL BE PUNISHED WITH DEATH OR IMPRISONMENT OF EITHER DESCRIPTION FOR A TERM WHICH SHALL NOT BE LESS THAN TEN YEARS OR MORE THAN TWENTY-FIVE YEARS AND SHALL ALSO BE LIABLE TO FINE.”

• **Section 377 is a law for the punishment of unnatural offenses and sexual abuses. It reads** “WHOEVER VOLUNTARILY HAS CARNAL INTERCOURSE AGAINST THE ORDER OF NATURE WITH ANY MAN, WOMAN OR ANIMAL, SHALL BE PUNISHED WITH ¹ [IMPRISONMENT FOR LIFE,] OR WITH IMPRISONMENT OF EITHER DESCRIPTION FOR A TERM WHICH ² [SHALL NOT BE LESS THAN TWO YEARS NOR MORE THAN] TEN YEARS, AND SHALL ALSO BE LIABLE TO FINE.”

Hypotheses

Based on our literature review, the following was hypothesized:

- Individuals that fall in a lower income bracket and live in relatively lower-income group societies are more susceptible to criminal behavior.
- Individuals that are surrounded by negative social influences are more likely to engage in criminal behavior.
- Individuals that assume they have the responsibility and power to maintain social values and order in their households and society are more prone to engage in criminal behavior.
- Juveniles are more susceptible to crime, especially if not having studied until 18 years of age, or unengaged in healthy, and productive activities.
- Committing a crime is a rational decision made by individuals.
- Individuals that are not deterred by the rule of law will engage in criminal behavior.
- Religious-ideological leanings are primary factors in propelling individuals to justify their crime, specifically in cases of RMV.
- Individuals with rigid gender beliefs are more prone to engage in criminal behavior, specifically in cases of GBV.

Findings

Table 1 depicts the demographic profiles of 40 convicts that were interviewed.

Demographics		Frequency	Percentage
Age	Under 18	3	7%
	18-25	12	30%
	25-30	8	20%
	30+	17	43%
Marital Status	Single	20	50%
	Married	16	40%
	Divorced	4	10%
Schooling Type	Madrassa	11	27%
	Formal	13	33%
	No Schooling	16	40%
Education Level	Less than Matriculation	26	65%
	Matriculation/FA	13	33%
	Undergraduate	1	2%
	Postgraduate	0	0
	Mphil/PhD	0	0
Income	Poverty	14	35%
	1 st Quintile	10	25%
	2 nd Quintile	3	7.5%
	3 rd Quintile	2	5%
	4 th Quintile	5	12.5%
	5 th Quintile	5	12.5%

Table 1. Demographic Profile of Respondents (Table Prepared by authors)

It can be deduced from the dataset that the bulk of the respondents were more than 30 years of age. The proposition that involvement in criminal activity diminishes with age is one of the most widely asserted correlations explained in criminology. The premise argued is that a likelihood in criminality is expected when an individual ages and that most crimes peak in adolescence or early adulthood. **Our results suggest otherwise.** The fact that 47 percent of the respondents in our research study were more than 30 years of age, and only 7 percent under the age of 18, challenges the notion that juveniles are more susceptible to crime and violence. However, extant literature and studies have also demonstrated that the youth that is not engaged positively in society, through participation in mainstream social institutions, is more likely to engage in crime. We can see that 57 percent of our respondents were below the age of 30. Of these people, 52 percent did not receive any schooling and 65 percent were working odd jobs with very meagre incomes. This is illustrated in Figure 4. Many had disclosed in interviews that they would loiter in their neighborhood with their equally unproductive, under-achieving social network.

40% of the inmates interviewed had No Schooling

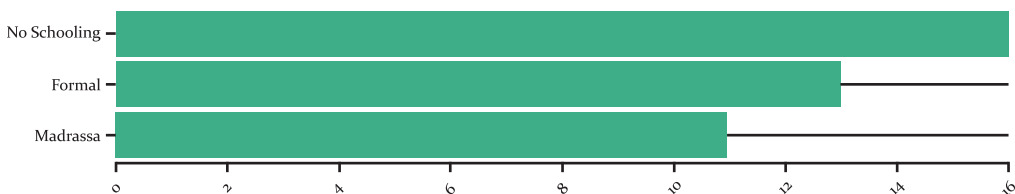


Figure 4. Breakdown of Respondent's Type of Schooling (Graph by authors)

This is an interesting point to build upon because from the data collected, it can also be deduced that almost 40 percent of the total respondents obtained no education. This is in sharp contrast to the 27 percent of respondents that received education from madrassas. **This**

challenges the oft-quoted assertion that madrassas breed violent tendencies in individuals studying in such institutions.

Interestingly, of the 19 respondents that were unmarried, 58 percent had received no formal schooling and had studied less than matriculation. This is an interesting statistic and reaffirms the notion that education is pivotal in helping individuals stay away from criminal activities. As depicted in Figure 5, 65 percent of respondents had studied less than matriculation, and 33 percent had studied up till matriculation or intermediate. The minority of respondents (less than 1 percent) were degree holders. Our findings reaffirm the conclusions of extant literature that suggests that there is an inverse correlation between levels of education and criminal activity. This is mostly to do with the fact that education can enhance future labour prospects and can deter individuals from entering a life of crime.

65% of the inmates interviewed had education less than matriculation

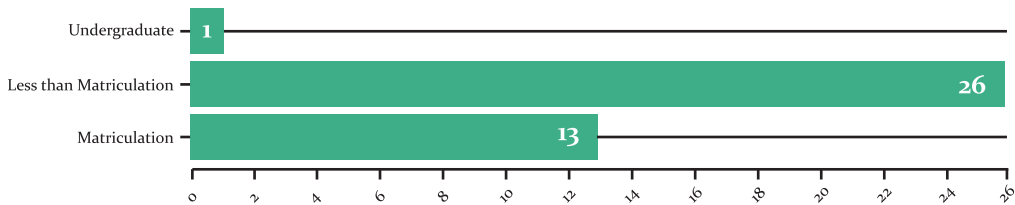


Figure 5. Breakdown of Respondent's Level of Education Breakdown (Graph by authors)

Regarding occupation, 2.5 percent of the respondents were unemployed. Majority were working in areas related to laboring and odd jobs. None of the respondents had desk jobs, meaning that they did not work in any formal organization, which required some sort of technical or formal education. This is also reflected in their income levels. The income levels were divided into classifications defined in quintiles by the Pakistan Bureau of Statistics (PBS) attached as [Annex-

B]. 25 percent of the respondents fell in the 1st Quintile, meaning they earned roughly less than 23,000 PKR. Those that earned less than PKR 10,000 per month (equivalent to USD 1.90) were categorized as living under poverty. Majority of the respondents, amounting to 35 percent, fell below the poverty line. ***What can be deduced is that the greater the income, the less likelihood that an individual engages in criminal activity.***

35% of the inmates interviewed earned less than 10k

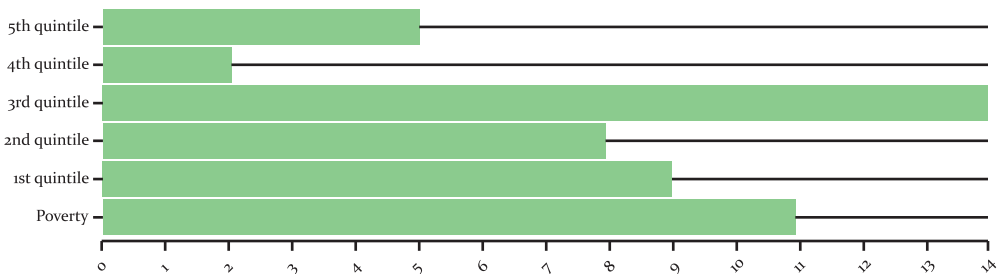


Figure 6. Breakdown of Respondent's Level of Income (Graph by authors)

Concerning the demographic information of marital status, the frequencies for both single and married were far greater than those that were divorced. This is particularly relevant for crime related to GBV, but is not sufficient enough to prove the assumption that sexual frustrations lead to sexual assaults. It is also not sufficient to suggest that those individuals with difficult marriages or social setups are more susceptible to crime. Further research in this area could be beneficial.

Analysis

General:

1. Inmates were not satisfied with the investigation process. They felt that they were unjustly incarcerated with majority of them claiming that they were falsely incriminated under the guise of personal enmity, property disputes, or other issues. There was also a general dissatisfaction amongst the inmates with regards to the investigation process, especially the duration of the investigation and trial. For instance, there was an inmate who had been languishing in the jail for the last six months while his hearing being postponed every week.
2. The convicts had shown a stronger level of trust in High Courts and Supreme Court, while they'd severely lacked trust in session courts. The majority of the convicts had a huge trust deficit in the criminal justice system of Pakistan. There was particular cynicism regarding the lower courts compared to the higher courts of the country. The reason behind this acute lack of trust in the judicial system of Pakistan, especially, the lower courts was because of the use of financial resources and influence used by people from socio-economically strong backgrounds.
3. During the interviews, it was learned that in crimes of GBV and RMV, juveniles are encouraged to commit honor killings and religiously motivated crimes. The reason behind this is to use the age of the juvenile as an excuse to escape capital punishment and get lenient sentences. This ensures that the objectives of such groups are achieved without facing due punishment.
4. It was interesting to note that 60 percent of the convicts that were interviewed belonged to economically impoverished backgrounds,

whereby they belonged to poverty and the 1st Quintile. This brings two important takeaways to the fore; one, people belonging to lower economic backgrounds are more prone to committing such crimes and second, people who are from economically strong backgrounds are able to get away with similar crimes compared to poor people.

5. Research also showed that the majority of the convicts came from socially challenged backgrounds. They belonged to dysfunctional families with a history of witnessing physical abuse at home. The perpetrators also experienced social exclusion with many not having a social circle and the ones who did, indulged in non-productive activities like watching pornography and one-wheeling.
6. Interestingly and contrary to popular belief, perpetrators of crimes related to GBV were not practicing Muslims and were more devoted to and believed in cultural customs and practices such as “peeri/mureedi.” Thus, their rationale for committing the said crimes was more rooted in cultural or societal practices than their religion.
7. Most of the prisons that were visited were understaffed, under-resourced and over-crowded. Consequently, they had to heavily rely on donations by community members. For instance, barracks with the capacity of 250 individuals are currently housing 400 inmates.

Findings for GBV Cases

1. Majority of convicts did not know about the concept of consent. Majority of the convicts who were charged under 376/377 of the PPC, either had no understanding of the concept of consent or had a problematic understanding of it. They did not believe in the idea of asking for consent explicitly. For instance, some claimed that

“Naada khud nai khulta” and “ager ladki hassey tau iska matlab hai ke woh interested hai.”

2. It was also found that the convicts did not understand the idea of legal age and considered minors of ages of 13-14 to be capable of giving consent and actively participating in such sexual acts.
3. It was also noted that the majority of instances in which convicts intended to commit dacoity ended up raping the victims as well. It was found that such acts of rape were less to do with sexual urges but more to do with the convicts taking advantage of the power they hold in the situation and the vulnerability of the victim.
4. The pressure of family and society often leads to honor killing.
5. It has been observed that, unlike rapists, the convicts of honor killing belong to active social backgrounds. Convicts of honor killings openly acknowledged having committed the crime and took pride in their actions as they felt they were able to protect their “ghairat” (honor). On the contrary, convicts who were charged with 376/377 did not accept their crime and instead argued that they were unjustly incarcerated.
6. Convicts of Child rape normally had an upbringing in bad company and disturbed surroundings.
7. Lesser religious tendencies were found in rape-related cases and honor killing cases.
8. The concept of Divorce is a social taboo while honor killing is considered a symbol of bravery.

9. The rapists belong to a devastated socio-economic life due to joblessness and constant rejection of marriage proposals.
10. All honor killers were of the view that vulgarity is the major issue of Pakistan, which is ruining Pakistani society. Social media, TV serials, and cellular phones are major sources of vulgarity.
11. It was also noted that the majority of the convicts held regressive and misogynistic views about the role of women in society. They held very traditional views of gender roles with men providing for the family and women being responsible for the household. However, the ones who had female role models in their families had more progressive views about women's role in society.

Findings for RMV Cases

1. Unlike rapists, the convicts of RMV were publically accepting their crimes. They were considering them heroic acts, which would be remembered in history.
2. All convicts were aged between 16-21, a most vulnerable age for being brainwashed or influenced by religious, political, or other similar groups.
3. Stories of Ghazi Ilam Deen and Mumtaz Qadri have been used as a convincing tool for such acts. These stories are largely different from the textbook material provided in the Punjab Text Books.
4. Though the convicts were mainly associated and inspired by the Tehreek-e-Labaik Pakistan (TLP), publically they do not associate themselves with TLP or any other politico-religious group due to TLP's instructions.

5. TLP is providing finances for the judicial expenses of such convicts. Further, the social respect of their families has been increased amongst their peer groups. Moreover, the families of the individuals that commit such crimes are regularly compensated by the party under the scheme of Ghazi Fund. The financing of Ghazi Fund comprises donations and charity from local traders and wealthy individuals.
6. Judges of session courts feel social pressure and security issues, especially in religiously motivated cases. The lower court judges are afraid of carrying out any strict judgment against TLP or Blasphemy related cases. The lack of security for session court judges is the primary reason for this fear. Therefore, they avoid speedy trials of such cases and prefer to be transferred rather than carrying out judgments.
7. Various online YouTube channels such as Fast Visual Islamic Channel, Fadhi Vlogs, etc are being used as a propaganda tool to spread the narrative of TLP and convincing people to carry out violence.
8. During the protests in October 2021, TLP was equipped with satellite phones and successfully bypassed the Pakistan Telecommunication Authority's (PTA's) actions such as suspension of internet and telecommunication services.
9. The PPC 1860 does not separately address mob violence as a punishable crime.
10. The conviction rate for such crimes is very low.

11. It was noted that the majority of the convicts charged with 295-A or 295-B were suffering from a mental illness. Their mental illness was diagnosed and certified by the Punjab Medical Board (OMC). While the trials of such convicts were put on hold till the defendant's mental health got better, it was interesting to note that no leniency was provided in the eventual verdict.

12. In such cases, the clergy had played a huge role by inciting the crowd against the accused and taking the law in their own hands.

Recommendations

1. The PPC 1860 may be amended through the parliament Act according to the 21st century realities. The Ministry of Law and Justice may introduce punishments for all those who commit mob violence. Also, new set of legislation should be introduced on religiously motivated violence. RMV such as murder, the attempt to murder, and participation in mob for RMV may be trialed in Anti-Terrorist Courts (ATC). No leniency due to age should be granted to the accused.
2. The Federal and Provincial governments need to address the issue of fear and social pressure on session court judges. In this context, the Federal and Provincial Interior Ministries need to provide adequate security to district and session court judges. The social pressure on judges could be addressed by keeping their identities secret during and after the proceedings of RMV cases. This approach could substantially reduce fear of consequences of their judgments and safeguard the protection of judges.
3. It has been observed that the juveniles mostly 16 years and above are being deliberately used for religiously motivated violence and later get relief by the courts due to their young age. Parliament through legislation may reduce the age of adults from 18 to 16 years in RMV and equally treat those youngsters and adults for strict punishment.
4. The PTA needs to make an effective mechanism for shutting down such YouTube channels/social media platforms that propagate on behalf of TLP or other violent religious groups/entities.
5. Ullema should address the issue of honor killing and divorce in society and promote the narrative that divorce is an Islamic practice

and honor killing is an Un-Islamic action used to be practiced in Jahilliya – a term often used for the pre-Islamic era. The Council of Islamic Ideology (CII) may play a proactive role by issuing Fatwas, publishing papers in Urdu language, organizing seminars, and ensuring vast attendance of Ullema of various sects, especially from Central and Southern Punjab in those seminars.

6. Awareness campaigns should be conducted by the prominent Ulema of all sects on the issue of blasphemy and how the public should refrain from taking law into their own hands and instead, pursue legal course of action. CII and Rehmatul-lil-Alameen Authority may play a leading role through awareness campaigns such as arranging seminars, dissemination of fatwas and such papers in Urdu language, and engaging on social media platforms.
7. Steps and procedures should be put in place in order to make lower courts more impartial such as:
 - a) the appointment of non-local judges in the session courts;
 - b) ensuring a policy whereby judges serve a fixed term of 2-3 years, after which they are transferred.
8. Legislative reforms are required to introduce punishment for false blasphemy accusations.
9. In most cases, a person accused of blasphemy suffers from some mental disorder, therefore, awareness campaigns should be conducted on mental issues.
10. The Punjab government should establish a rehabilitation institute that serves the purpose of reforming the character of the offenders of gender-based laws (after the jail-time has been served), as well as easing the resettlement transition into society.

11. In order to fight regressive and misogynistic views in individuals, and inculcate basic civil values of respect and consent, a subject of Civic Studies should be introduced at the primary and secondary level of schooling.■

ACTION MATRIX

Problem	Pathways to Solution	Relevant Stakeholders	Implementation Timelines
<p>The absence of proper legislation on mob violence and religiously motivated crimes</p>	<p>The PPC 1860 may be amended through the parliament act according to the existing 21st century realities. The Ministry of Law and Justice may introduce punishments for all those who commit mob violence. Also, new set of legislation should be introduced on religiously motivated violence. RMV such as murder, the attempt of murder, and participation in mob for RMV may be trialed in Anti-Terrorist Courts (ATC).</p>	<p>Ministry of Law and Justice, Senate Standing Committee of Interior Senate Standing Committee of Law and Justice Parliamentary Committee on National Security</p>	<p>6 to 12 Months</p>

Lower court judges are operating under constant fear and social pressure

The Federal and Provincial Interior Ministries should provide adequate security to district and session court judges. The social pressure on judges could be addressed by keeping their identities secret during and after the proceedings of RMV cases. This approach could substantially reduce fear of consequences of their judgments.

Home Ministry Punjab and Interior Ministry
Ministry of Law and Justice to assist

6 to 12 Months

Misuse of law on juveniles (mostly 16 years and above) who are being deliberately used for religiously motivated violence and later, can get relief by the courts due to their young age.

Parliament through legislation may reduce the age of adults from 18 to 16 years in RMV and equally treat those youngsters and adults for strict punishment. Moreover, their mentors should also be made responsible for polluting young minds.

Parliament through Ministry of Law and Justice

6 to 12 Months

Dissemination of religious propaganda against individuals or the state through social or electronic media

The PTA needs to make an effective mechanism for shutting down such YouTube channels/social media platforms that propagate on behalf of TLP or other violent religious groups/entities. There is a need of strict regulations for private religious channels as well.

PTA

Ministry of Information
Technology and
Telecommunication
Cyber Crime Wing,
Federal Investigation
Agency

3 to 6 Months

Prevalent social taboos on divorce and glorification of honor-killing

Ullema need to address the issue of honor killing and divorce in society and promote the narrative that divorce is an Islamic practice and honor killing is an Un-Islamic or an action used to be practiced in Jahilliya – a pre-Islamic era. The Council of Islamic Ideology (CII) may play a proactive role by issuing

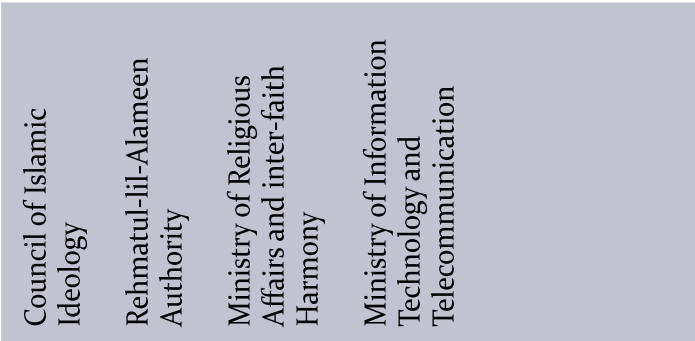
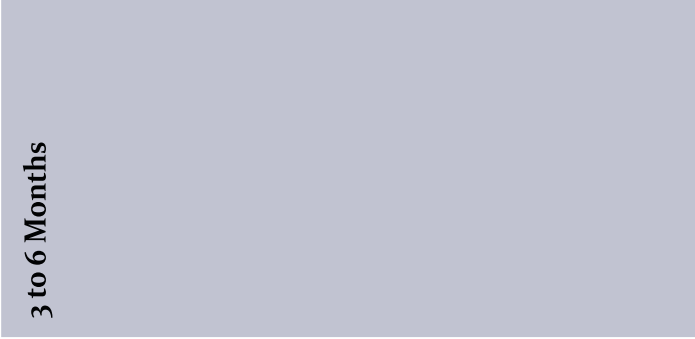
Ministry of Religious
Affairs and inter-faith
Harmony
Council of Islamic
Ideology
Rehmatul-lil-Alameen
Authority

Ministry of Information
Technology and
Telecommunication

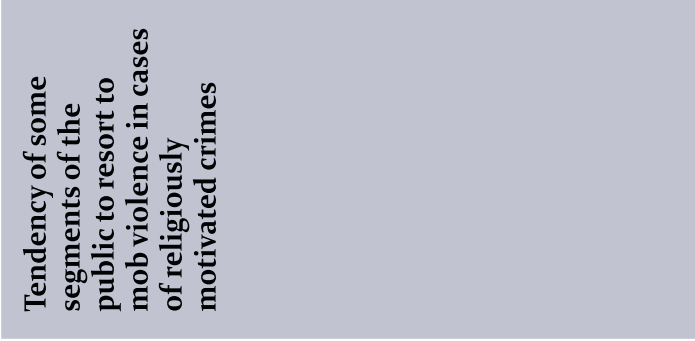
3 to 6 Months



Fatwas, publishing papers in Urdu language, organizing seminars, and ensuring vast attendance of Ulema of various sects, especially from Central and Southern Punjab in those seminars.



Awareness campaigns should be conducted by the prominent Ulema of all sects on the issue of blasphemy and how the public should refrain from taking law into their own hands and instead, pursue legal course of action. The Council of Islamic Ideology CII and Rehmatul-il-Alameen Authority may play a leading role through awareness campaigns such as arranging seminars, dissemination of fatwas and such papers in Urdu language, and engaging on social media platforms.



3 to 6 Months

Council of Islamic Ideology

Rehmatul-il-Alameen Authority

Ministry of Religious Affairs and inter-faith Harmony

Ministry of Information Technology and Telecommunication

Tendency of some segments of the public to resort to mob violence in cases of religiously motivated crimes

Local influence/pressure on lower-court judges

Steps and procedures should be put in place in order to make lower courts more impartial such as
a) the appointment of non-local judges in the session courts;
b) ensuring a policy whereby judges serve a fixed term of 2-3 years, after which they are transferred.

Supreme Judicial Council,
Law and Parliamentary Affairs Department of Punjab
Supreme Court Bar Association
Punjab Bar Council

3 to 6 Months

Lack of repercussions for false blasphemy accusations

Legislative reforms are required to introduce punishment for false blasphemy accusations.

Ministry of Law and Justice,
National Assembly of Pakistan

12 Months

Lack of consideration for the mental disorders in individuals accused of blasphemy

Mental condition of the accused should be factored in during the investigation and trial. Awareness campaigns should be conducted on mental issues

Ministry of Human Rights
Parliamentary Committee on National Commission for Human Rights
Ministry of Information Technology and Telecommunication

6 to 12 Months

Prevalence of regressive and misogynistic views in perpetrators of GBV

In order to fight regressive and misogynistic views in individuals, and inculcate basic civil values of respect and consent, a subject of Civic Studies should be introduced at the primary and secondary level of schooling.

Punjab School Education Department
Punjab Curriculum and Textbook Board (PCTB)
Ministry of Education

6 to 12 Months

Lack of post-jail rehabilitation in society

The Punjab government should establish a rehabilitation institute that serves the purpose of reforming the character of offenders of gender-based issues (after the jail-time has been served), as well as easing the resettlement transition into society.

Office of the Chief Minister of Punjab
Punjab Prisons
Human Rights & Minorities Affairs Department,
Government of Punjab

12 to 18 Months

Most of the prisons that were visited were understaffed, under-resourced and over-crowded. Consequently, they had to heavily rely on donations by community members. For instance, barracks with the capacity of 250 individuals are currently housing 400 inmates.

Increase the number of district jails in Punjab and improve capacity in the existing jails

Punjab Prisons
Punjab Prisons Foundation
Ministry of Human Rights
Human Rights & Minorities Affairs Department,
Government of Punjab

3 to 6 Months

Annex-A

Questionnaire of Convicts

General Questions

1. What do your parents do?
2. How many siblings? What do they do?
3. Is it your first time in jail?
4. How long have you been in jail for?
5. On a scale of 1-5, do you think that you were justly incarcerated or penalized?

Questions related to income

1. Is your neighbourhood high-status, middle-status or low?
2. Have you lived there for a long time?
3. How many people are in your Household?

Questions related to social influences

1. What is your most vivid memory of your parents?
2. What was your childhood like growing up?
3. What relationship did you have with your siblings?
4. How many close friends did you have?
5. What do your friends do?
6. What did you do in your free time?
7. What do you think is the biggest social issue Pakistan is facing?
8. Did you think about any social ramifications of your action?

Questions related to social responsibilities

1. What were your primary responsibilities in your household?
2. Who is the breadwinner in your family?
3. Who is the decision-maker in your family?

Questions related to individual's decision-making and intentions

1. What was your relationship with the victim? Did you know them?
2. What prompted you to take the decision of committing this act?
3. How often did you think about committing this act?

Questions related to trust in rule of law

1. Did you think about the legal ramifications of your actions?
2. Do you think the law-enforcement should be responsible for maintaining the rule of law?
3. Do you think there is rule of law in Pakistan?
4. Do you think if you came from a more affluent background, you would not have faced punishment for your actions?
5. Do you think it is OK to take law into your own hands? (Blasphemy, Revenge Murder)

Questions related to religious and political beliefs

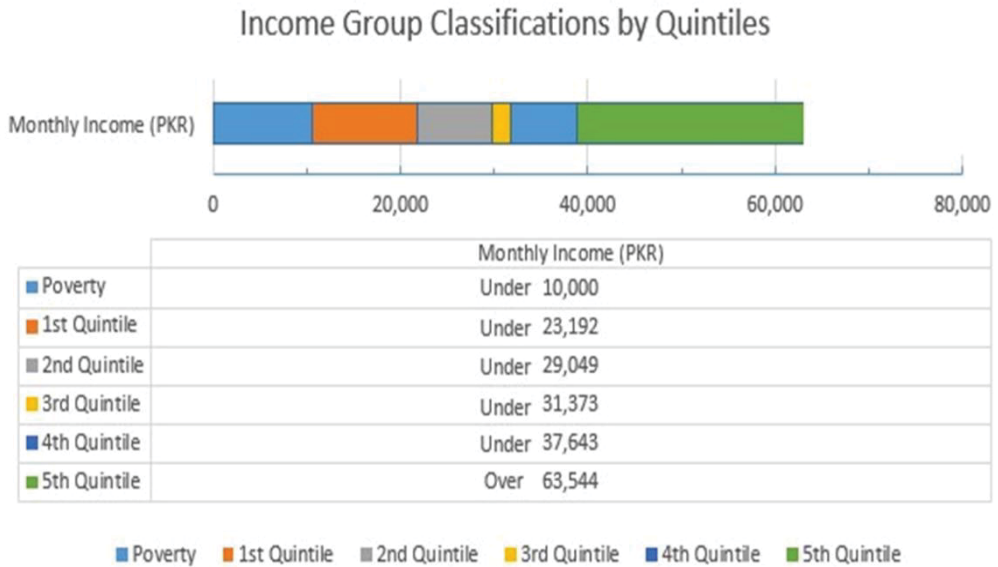
1. To what religious sect do you associate yourself with?
2. Which political-religious party do you follow?
3. Through what channel do you follow the party?
4. How would you define success in life? Reward in this life or hereafter?
5. Who is your inspiration?
6. How and when did you come to know about Ghazi Ilam Din Shaheed?
7. What do you know about Mumtaz Qadri?
8. How did you come to know about the blasphemy incident?
9. Why did you trust that source of information?
10. Would you have acted in the same way if you were alone?
11. Did you encourage others to join?
12. Are you satisfied with the Government's reaction (Imran Khan) towards Islamophobia and Blasphemy?
13. What do you know about the blasphemy laws of Pakistan?
14. Why do you not trust the legal and judicial system of Pakistan?
15. How would you react if there is any amendment in the blasphemy laws?
16. What issue do you have in life?

Questions related to gender beliefs

1. Did you know the victim? If yes, in what capacity?
2. What is the role of women in society? Where have you drawn such conclusions from?

3. What kind of role did women play in your life?
4. Do you think men and women are equal?
5. Do you think taking permission before doing anything is necessary?
6. Do you think attacking women for scant clothing is justified?
7. What are the justified conditions to attack a woman/child?
8. Why did you murder the victim after the assault?
9. What was the major influence for committing this crime?
10. What other issues do you have in life?

Annex-B Income Group Classifications by Quintiles



Biographies

Dr. Khurram Abbas is a Research Fellow at Islamabad Policy Research Institute (IPRI), Pakistan. He earned his PhD in Peace and Conflict Studies (PCS) from the Centre for International Peace and Stability (CIPS), NUST, Islamabad. His area of interest includes international security, Geo-politics of the Gulf and Arab Peninsula, Foreign Policy of Iran, civil resistance, and Foreign Policy of China, India and Pakistan towards GCC and Iran. Dr. Abbas regularly delivers lectures in International and National universities as well as participates in National and International Conferences. In his eight nine years of research experience, he has three book chapters and twelve peer-reviewed research articles to his credit. Dr. Abbas undertakes extensive research and regularly contributes to academic research journals and national/international dailies.

Muhammad Faizan Fakhar is an Assistant Research Associate at IPRI. He has been affiliated with academic and think tank communities in different capacities. He focuses on the issues of Governance and Public Policy, Comparative Politics and Impact of Technology on the Future of Peace and Conflict. He regularly writes for national and international dailies.

Hamzah Rifaat Hussain is an Assistant Research Associate at the Islamabad Policy Research Institute. He specializes in conflict resolution and peace dynamics in South Asia and the Middle East. He was previously a 2016 South Asian Voices Visiting Fellow at the Stimson Center in Washington D.C. and was a television anchor for Indus News, Pakistan's only international English news channel.

Umar Farooq Khan is a Project Coordinator at Projects Directorate, NADRA Headquarters, Islamabad. Previously, he served as a Research Associate at Islamabad Policy Research Institute (IPRI).

Maheen Ahmad currently serves as a Lecturer at the School of Social Sciences & Humanities, National University of Sciences & Technology (NUST). Previously, she was associated with the Islamabad Policy Research Institute as an Assistant Research Associate.

