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'fragile' contexts: Pakistani women in Pakistan and the UK**

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# Employment, masculinities and domestic violence in 'fragile' contexts: Pakistani women in Pakistan and the UK

**Punita Chowbey**

*This article investigates women's experiences of domestic violence, in two contexts rated as fragile and stable in global indices: Pakistan, and the UK. The research shows the importance of understanding how intersectional disadvantages, based on gender and ethnic minority status among others, can lead to some groups of women experiencing life as inhabitants of a 'fragile context within a stable state'.*

**Keywords:** Domestic violence, employment, masculinities, Pakistan, United Kingdom, South Asia

## Introduction

This article focuses on two groups of Pakistani women, in Pakistan and in the UK, and explores their experience of domestic violence as a way of exploring the implications of taking a gender perspective on the concept of fragility. Domestic violence is defined as 'all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses of partners, whether or not the perpetrators shares or has shared the same residence with the victim' (Istanbul Convention, Council of Europe 2011, 8).

My research draws parallels between women's experiences in a *fragile* (Pakistan) and in a more *stable* (UK) context. Domestic violence is a feature of life for women in both contexts. I argue that women are made more vulnerable to domestic violence by the states in which they live. Both Pakistan and the UK fail Pakistani women in two key ways: first, by failing to address a range of issues which make women more vulnerable to domestic violence. Factors which make women more vulnerable to violence include ethnic, geographic (rural-urban) and gendered labour market disadvantages over the life course. A further factor which increases tensions within marriages and leads to increased violence is economic change which leads to women taking greater responsibility for breadwinning.

I argue here that both the Pakistan and UK states also fail women by not meeting the needs of victims of domestic violence..Analyses of fragile states focus on the ability of states to meet a range of basic rights, including protection from violence, access to justice for all, and effective, accountable and inclusive institutions (OECD 2015, 20). Pakistan can be considered fragile in relation to its ability to meet all three of these basic rights

The UK is not included in the OECD ranking on fragility, as it does not show fragility in two or more clusters. However, focusing on domestic violence within a migrant community as I do in my research suggests that this characteristic of a fragile state is met by the UK. In addition, the issue of economic inclusion and stability – another of

OECD's fragility criteria- remains a challenge not only for the majority of the population in Pakistan, but is a clear issue for large portions of the Pakistani population of the UK. Taking a gender perspective on fragility might therefore involve recognising that fragile contexts can exist for some people within states which are not seen as fragile by the global community.

### **The context (i): domestic violence and Pakistani migrants in the UK**

What is Pakistani women's experience of domestic violence in Pakistan and the UK, and how does gender intersect with race, class and migration to shape the experiences of women in ethnic minority communities? In Pakistan itself, domestic violence is common (Aurat Foundation 2011; Siddiqui et al. 2008). According to the PDHS (2012-13), the number of ever-married women aged 15-49 years who reported ever having physical and/or emotional violence was 39 per cent.

Domestic violence is experienced by women across all ethnic groups in the UK (Walby and Allen 2004). In 2012/3, according to the Crime Survey for England and Wales (CSEW), based on self-reported data [1], 30 per cent of women and 16.3 per cent of men had experienced domestic abuse since the age of 16, equivalent to an estimated 4.9 million female victims of domestic abuse and 2.7 million male victims. Various intersecting axes of inequalities such as race, class, and migration underpin women's experiences (Burman and Chantler 2005; Hague et al. 2006; Siddiqui et al. 2008). Despite the differences between the experiences of (white) majority and minority ethnic group women, the specific concerns of minority ethnic women regarding domestic violence have not been given sufficient attention by policymakers (Burman and Chantler 2005). It appears that 'the experience of domestic abuse is still by and large regarded as being the same for all those affected, irrespective of cultural context' (Izzidien 2008, 1). Yet minority ethnic women's experiences of domestic violence are often exacerbated due to poverty and social isolation (Burman and Chantler 2005). My own research revealed specific factors in the experience of British and migrant Pakistani women relating to their working lives and gendered patterns of contributing to the household, including challenges to men's ideas of themselves as primary or main breadwinners, which aggravated the rates of violence.

This has real implications for understanding of what makes a context 'fragile', calling current thinking into question. In a review of research on domestic violence, Michael Johnson and Kathleen Ferraro (2000) drew a parallel between domestic violence in countries in times of conflict, and the situation of racial and ethnic minorities living in the United States (characterised as a relatively stable state – ranking 158<sup>th</sup> in the FSI [FFP 2015]). They argued that 'societies under stress' divert community resources to the conflict, place a high emphasis on keeping families together, and point out that

'ingroup solidarity militates against making internal conflicts such as domestic violence public' (954). They further suggested that:

*many of these same processes might be relevant to racial and ethnic minorities in the United States who are under siege, albeit a "siege" that generally falls short of ...open intergroup violence*

(ibid).

Likewise, in a transnational study of the issues which affect UK Pakistani women who might seek protection against domestic violence, Nadia Siddiqui and colleagues (2008, 7) draw parallels between the UK and Pakistan at many levels. They argue that:

*structural, political, cultural, and racial frameworks in Pakistan and the UK were central to the creation of conditions in which women could be subjected to violence. In the UK, for example, this was indicated by fundamental inadequacies and injustices within the immigration and asylum system, whereas in Pakistan, this was demonstrated by the way in which religious and cultural norms were bolstered by a corrupt political system.*

My research took place in four cities in England and one city in Pakistan. It took place during 2014-2016. It aimed to explore experiences of domestic violence in the lives of 53 women professionals, semi-skilled/clerical workers, manual workers, and homemakers. All quotations used in this article come from interviews with them. The women involved in my research were aged between 24 and 46, except for one respondent who was 60. Twenty-seven were first- and second-generation British Pakistani Muslims; the other twenty-six were Pakistani Muslims living in Pakistan. The research used grounded theory methods (Charmaz 2006) 2].

To provide a context for my findings, the next section explores the issues introduced here a little further, in relation to work and employment patterns in the communities I focused on. These affect gender norms, roles and relations, and potentially aggravate and intensify domestic violence.

## **The context (II): employment and changing gender relations in the household**

A link between income generation and women's empowerment is well-recognised (Kabeer 1999;. However, it is also acknowledged that this can carry risk for women, at least in the short-term: shifting responsibility for family income-generation from men to women can threaten marital power structures and make women vulnerable to domestic violence as gender roles shift (Jewkes 2002).

### *Pakistan*

In Pakistan, gender norms are being challenged, as elsewhere, by economic changes which create increasing opportunities for women to work outside, and poverty, which continues to oblige some women to work because their families are struggling to survive (Anwar 2014). Pakistani women's labour force participation varies enormously, which is unsurprising given the huge provincial, class, and rural-urban divides. Nonetheless, women everywhere in the country have a significantly lower labour participation rate than men. According to the Pakistan Bureau of Statistics' Labour Force Survey 2012-13, women form 48.44 per cent of the total population, but their labour force participation rate is only 21.5 per cent of the total – that is, just one in five people recorded in the statistics as employed is female.

However, the true figure is higher. These statistics focus only on formal employment, yet women are predominantly found in low-paid and low-status paid income-generating work, in unorganised sectors, particularly in agriculture (Sadaquat and Sheikh 2011), and as homeworkers (Weiss 1992). These women experience stress due to the precarious nature of their work, and the potential threat to harmony at home – conventionally, men are employed while women care for families (Pal 2000).

Ironically, women's work may challenge norms but does not typically bring in sufficient steady income to alter their dependence on marriage and the family.

### *The UK*

Similar tensions over gendered employment patterns and the division of labour, and responsibility within the household, are found in Pakistani households in the UK, but there are additional factors too. Men's abuse of their wives – which is rooted in gender norms and inequality – can potentially be exacerbated by the experience of disempowerment and marginalisation in Britain. South Asian men's masculinities (that is, their feeling about their identity as men) in contemporary Britain should be understood within the larger context of their experience of migration and settling in the UK; their relationship with the many people in their 'migration network' [3]; legislation, policies and practices relating to immigration; and the treatment of South Asians by the state, including the criminal justice system. Pakistani men face significant labour market disadvantages in Britain, constraining their ability to be family providers (Nazroo and Kapadia 2013). For first-generation migrants who have started their working life in Pakistan, immigration to the UK often involves downward mobility in the labour market, due to racial discrimination as well as practical barriers (for example, qualifications not being recognised, or poor English language skills) (Charsley et al. 2016).

Employment rates of Pakistani women in the UK are relatively low, with 43.29 per cent women in economic activity (Nazroo and Kapadia 2013). Their unemployment rate is more than three times that of white British women (Nazroo and Kapadia 2013). However, Angela Dale and Sameera Ahmed (2011) showed that educational qualifications and the presence of young children have greater impact than migration

status on whether women are employed outside the home. There is often a perception on the part of policymakers that women's adherence to the Islamic faith and being married to a husband who is a first-generation migrant have a negative impact on women's employment, but this is not supported by statistical evidence (Dale et al. 2002).

## **Women's employment and domestic violence in Pakistan and the UK**

### **INSERT TABLE HERE**

At the time of the interviews [4], out of the 53 women, four women (three British and one Pakistani) were divorced, three (one British and two Pakistani) were recently separated and 46 were living with their husbands.

As can be seen from the table, women were in a range of employment categories: professional, skilled/clerical, manual and homemakers. Twenty-one of the 53 women were the main or sole earners in their households; six women contributed as much money as their husband to the household; three women said that their income supplemented their husband's income and paid for non-essential items; and one woman was working unpaid in her family business.

Of the 27 British interviews, six narrated incidents of physical domestic violence. In Pakistan, twelve of the 26 participants reported physical violence. In both country contexts, physical domestic violence ranged from 'mild' (pushing, slapping, throwing things at the face) to 'extreme' cases (that is, life-threatening acts of violence such as attempts at strangulation, knife attacks and hitting on heads with heavy objects).

While this article focuses on physical violence, other forms of domestic violence emerged, in both country contexts. These included verbal, psychological (such as isolating women from their friends and family), sexual, and economic violence (such as preventing acquisition and use of resources, refusing to contribute, and exploiting women's resources including women's customary marriage gifts including dowry, and jeopardising women's long-term finances for example through transnational investments). Around two thirds of those who reported economic violence also reported physical violence.

The research suggested a link between women's earner status and domestic violence. Of the 21 primary earners, ten (three British Pakistani and seven Pakistani) women reported incidents of physical domestic violence. There was far less reported domestic violence among the six who were equal earners, only one of whom reported domestic abuse. There was a similar pattern for homemakers, where six of the 22 reported violence. This means that almost half of those who were main earners, as compared to a quarter of homemakers, reported physical violence. The main earners reported more extreme violence than the homemakers.

Violence did not appear to be linked to women's actual earnings, but rather the relative differences between spousal incomes.

Women main earners appeared simultaneously empowered and disempowered. Their financial independence gave them freedom to organise their daily lives. Paying for things for their children, paying for public or private transport, ordering food if they were unable to cook, and being able to afford a place to live all contributed to a sense of confidence and control of everyday situations. Falak, a British Pakistani skilled worker, spoke of her refusal to be verbally abused by her husband in public when shopping for her daughter's birthday:

*I mean I was bringing in the bread and butter; I was paying for the bills. He never did what I would have expected from a Pakistani husband to do. ... So he kicked off [in the shopping mall], and I was like 'what the hell', and I just thought you know, 'bugger this', kids in tow, double buggy, buggy board, car seat, got the kids in the car [her own car], came home.*

However, women were also under pressure to not appear as the earner, to let men make decisions, and as far as possible to do the household work. Hooria, a second-generation highly educated British Pakistani professional married to a school drop-out, self-employed second-generation British Pakistani man, paid for all their household expenses. She recounts how hard she tried to live up to her husband's expectations of a wife, and how he responded physically violently, throwing food:

*It was maybe after 10 pm, and he demanded that I cook him nuggets immediately, and I remember coming up after about five or 10 minutes and trying to really appease the situation...and he said 'oh for God's sake, isn't it ready yet?'. So I had to take it out maybe less than three minutes early and obviously they weren't cooked through. And then he bit it and said 'you're trying to poison me you bitch', and just threw the whole thing in the bedroom...but I still couldn't challenge him.*

Women in both country contexts often reported prioritising their husband's needs so that they were not accused of neglecting them. Hina, in Pakistan, was the sole household earner:

*If I left him, people would make fun of me that I left my husband because he was jobless. So, however it be, sad or whatever, [I feel] I should just spend my life with him.*

Some homemakers said that their husbands gave them all their earnings to run the household, although they were careful to respect their husbands and their parents' wishes. This reminds us that controlling spending decisions is not always a sign of gender equality in marriage; sometimes it is simply an efficient delegation of everyday responsibilities for provisioning to women, by a male household head. As Julia Brannen and Gail Wilson (1987) point out, men are much more likely to hand their earnings over to women when they earn little and rely on their wives/female

partners to make ends meet. These women often struggled to make ends meet and fulfil the demands of all family members, which caused conflict and stress. However, some women felt out of control of fulfilling their and children's needs, as they had little access to resources, whilst their financial dependence stopped them from raising their voice against violence. For some women mere fear of violence was enough for them to behave in the ways their husbands and family members expected. Bushra, a homemaker living in Pakistan, narrated:

*Once he tried to throw me off the first floor. I held the ladder tightly in my hand, and my brother in laws and their wives came to save me. They all suggested I leave... Even today I never go outside without seeking the permission of my husband.*

If women had secure and stable income and good pay, there were fewer struggles over limited resources. Those primary earners who worked in precarious, low-paid and inflexible work environments were more at risk of violence from their husbands. Men who had high earning potential themselves, with wives who had secure, well paid and professional employments were far more flexible in relation to gender role ideologies than those who did not. This may partly be because these employment positions are associated with higher levels of education.

Kishwar and her husband are both professional first-generation migrants to Britain. Kishwar was the first to get a job which was both prestigious and financially rewarding. She explained:

*My husband has continued to work part time, while he is gaining some experience and earning some ...he is also around for kids , so that has helped. There was a financial need for me to be in the fulltime job and we do eventually, Insha Allah, plan to go back to Pakistan... So both of us are aiming to get some good work experience and then go back.*

Where men were significantly less well-employed than their wives, or unable to find employment, violence was more likely to occur. In my small sample, this was true for both contexts. Men who had high earning potential, even if they were not earning, were less threatened by their wives' primary earning status. Women too often showed a great deal of respect for what they presented as their husband's 'sacrifice' rather than inability.

However, there were more reporting of conflicts where highly educated women were married to less educated men than equal or more educated. Women often reported rigid traditional division of household labour; although there was diversity in management of finances, especially where British Pakistani women were married to migrant men. This was because British women often had better financial and linguistic skills and employment which were more suited to obtain mortgage and other loans, compared to their migrant husbands.



In both contexts, women who were the main earners did not necessarily control their earnings; this was influenced by a variety of factors such as quality of marital relationships, role expectations and financial skills. Some primary earners sought to compensate for their husbands' potential loss of status and challenge to norms of masculinity by, for example, giving control of money to their husbands and/or seeking husband's advice in employment related matters. These women were less likely to report that they had been subjected to violence from their husbands than those women who sought to keep control of their money.

While women who retained control of their earnings were more at risk of violence than those who did not, they indicated that they felt able to make decisions far more easily and independently – something that often challenged their husbands. Here Tahira, a Pakistani professional, describes how her husband's violence was linked to his frustrations about not being able to control the money she earned:

*He used to ask me about my salary because in our community working women should give money to their husbands. He had a few friends whose wives worked. So they talked about wives' salaries.... But I had my own ideas about spending my salary. This really frustrated him, and he started to abuse me.*

Arguments over money which led to domestic violence were common among homemakers too, but in their cases the argument often focused around women making demands on men to fulfil their providers' role. In the UK, women also reported arguments about their husbands' financial commitments to natal families in Pakistan.

### **Women's employment, domestic violence and experience of State institutions**

Domestic violence, like other forms of violence against women and girls, requires challenging at many levels, from within the family to state level. Here, I focus on the state responses of the UK on the one hand, and Pakistan on the other, to domestic violence. The ability of the state to meet women's right to protection against domestic violence needs to be a key factor in defining a context as fragile. It is surely relevant, also, to assess the signs of progress and commitment that a state has made to tackle domestic abuse. More generally, household level analysis is omitted from literature on fragility.

In Pakistan, the state has made 'efforts to articulate a definition of women's rights complicated by the need to balance divergent views on the place of women in Pakistani society' (Weiss 2012, 1). Legal aspects of domestic violence are addressed at provincial level, where some new legislation is currently in development. In 2013, Sindh province was the first to pass a law to prevent and protect women from domestic violence: the Domestic Violence (Prevention and Protection) Act 2013 (<http://www.af.org.pk/>, accessed 31 March 2016). The Punjab government passed a landmark bill as recently as February 2016: the Protection of Women against Violence Bill 2015

(<http://www.punjabcode.punjab.gov.pk/index/showarticle/ref/add60b68-e27d-493d-a8c4-05d22906fd8c>), (last accessed 11 July 2016). However, at the time of writing, the Punjab law is being challenged.

Even when successfully passed, experience in many countries is that domestic violence laws are hard to enact, and need to be accompanied by changes to social norms. Laws themselves may also incorporate elements which are so unfriendly to women that they will not use them, as they act against women's interests as mothers. Women in Pakistan often fear resorting to the law for a divorce due to the fact that Muslim personal law, which was adapted into family law in Pakistan, tends to grant custody and guardianship over all but young children to the father. In Pakistan, divorce often means the loss of children for women (Shirkat Gah 2010). Pakistani family law uses Muslim Personal Law developed under British Indian rule (for detailed discussions see Ahmed, 2014, p.70-86). Access to family law is impeded by problems of governance and law enforcement (Ahmed 2014).

In Pakistan, social acceptance of violence is high, and women lack information about their rights (Weiss 2012). Fear of corruption and ill-treatment at the hands of the police further discourages them from seeking state intervention (Hassan 2015; Siddiqui et. al 2008; Ali et. al 2015). Those who manage to break these barriers and flee violence are faced with over-subscribed women's shelters; lack of rehabilitation and eventually homelessness; forcing many to return to the violent relationships they escaped from (Siddiqui et. al 2008).

In contrast to Pakistan, the UK's domestic violence legislation is progressive (Siddiqui et al. 2008). The UK Domestic Violence, Crime and Victims Act 2004 (implementation date on 21 March 2005) contains several major improvements in the areas of domestic violence, crime and victims (<https://www.gov.uk/government/publications/the-domestic-violence-crime-and-victims-act-2004>). Various government initiatives in Britain to support minority ethnic and migrant women have been recognised, but the impact of these has been limited (Sharma and Gill 2010).

Women from minority ethnic groups experience the protections of the state differently from women of majority ethnic groups. In principle, women who experience domestic violence are able to get support from the state to enable them to meet basic living costs, so they can remove themselves and their children from harm [5]. However, an important issue is the ability of the state to respond in the era of austerity since the economic crisis which began in 2007-8. Austerity cuts to the domestic violence services such as resources for community organisations and more general cuts to welfare benefits can make ethnic minority women living in the UK more vulnerable and isolated (Burman and Chantler 2005; Tower and Walby 2012). This link between economic poverty and violence is reflected in OECD's model of fragility as stated earlier.

There are specific barriers to ethnic minority women's ability to get protection and redress from domestic violence. Many women are not aware of their rights, and the uptake of these services is low (Hague et al. 2006). While each woman's experience differs, barriers to women obtaining protection from domestic violence can include lack of proficiency in English language, fear of racism in mainstream services, or anxieties about confidentiality in culturally-specific services; (ibid).

Immigration status is also a key factor: if they are not citizens, women may not be aware that they have the right to remain in the UK if they report domestic violence. UK immigration law offers women independent leave to remain in the UK under a 'domestic violence exemption' (<http://rightsofwomen.org.uk/wp-content/uploads/2014/10/Domestic-violence-immigration-law-and-no-recourse-to-public-funds-.pdf>, last checked 18 June 2016). Further, beliefs such as all Pakistani women are economic migrants and that 'internal flight' is a viable option impacts the decisions made in Pakistani women's asylum cases (Siddiqui et al. 2008; Sharma and Gill 2010).

'Race anxiety' - misplaced concerns about racism and respect for the rights of ethnic minorities can lead to failure in recognising the intersecting gender, class and racial inequalities (Patel and Siddiqui 2010).

### **Women's strategies on domestic violence: findings from my research**

In this section, I examine women's stories about calling on state institutions to protect them from violence and prevent future violence by strengthening their ability to live a violence-free life.

Strategies were similar in both the UK and Pakistan. Women in both Pakistan and the UK research lacked the social support to enable them to leave violent marriages. Women felt pressurised to keep the violence secret as far as possible, concealed within the home, for the shame and fear of the 'community' finding out. This means they do not call upon the state at this point. Rather, the first strategy of women in my study was always to ask their parents and in-laws to intervene, but they were not often successful in achieving desired changes in their marriages or support for separation. At the same time, women tried other strategies, such as carving out a parallel life financially (via separate accounts and savings) as well as spatially (sleeping and eating in a different places, using separate cars,) and by making themselves invisible (such as talking only when necessary, spending time out of the house) to avoid interactions that can lead to violence.

However, these strategies were not fixed and many times a woman had tried all of these strategies individually or simultaneously. Falak made several attempts to involve her father-in-law in Pakistan in her UK-based abuse over the phone. She pleaded for his intervention to stop his son's violent behaviour, but without success.

Her father-in-law blamed her for spoiling his son ('*tu bigadaya*' - 'you spoilt him'). Disappointed, she continued to live with her husband until a life-threatening knife attack forced her to seek her own father's intervention in the middle of the night:

*And I sort of sat there on the sofa, and he cried. And I said to him why are you crying? And he cried because I was there not a single tear because I'd become immune to it. And I think then it really hit him, God what has he done to my daughter?*

Her father then reluctantly gave his support for her separation with the warning that, 'it's going to be hard without a man.'

In this context of a strongly-felt need to remain within marriage, I heard stories of how women understood economic independence as important, giving them the confidence to challenge the violence. However, some women gave accounts of violence which was sufficiently serious to threaten life. This meant they were forced to engage with institutions outside the private sphere of the home and family. This once again calls into question the adequacy of understandings of fragile contexts which focus only on state capacity to provide; the other important element is people's ability to access those services. Public provisioning cannot reach women and girls whose abuse takes place within the private sphere, unless it is so extreme that the public:private divide is breached.

The examples I explore in the sections below show that the protection afforded by the police in both the 'fragile' context of Pakistan, and the 'stable' context of the UK, is felt by women in both locations to be inadequate to defuse the threat of violence..

### *1. Engagement with police institutions*

In both the UK and Pakistan, the majority of the women were not sure when to call the police, or were reluctant to do so as they feared it would make matters worse. All of the women who engaged the police did so in extreme life-threatening situations and in a couple of cases; the police were called by a neighbour or a relative. In the UK, after a long delay in making initial contact - which is common for women from all ethnic groups - women appeared to be more comfortable in contacting police subsequently. One woman's home address in England was registered for high-alert so that the police could be called with just one ring in case of a threat to her life. She reported that she had used this during knife and hammer attacks by her husband. She felt entitled to police protection because she had worked full time in the UK:

*So for me the police were there to protect me..., - I pay my taxes, they're going to get their backside here. And I think for them, or for me it was just that security that reassured us it was that way to just sort of frighten him off.*

The importance of possessing a sense of entitlement to state-provided services is another key element for those keen to consider the gender dimension of work in fragile contexts. Such sense of entitlement is often contingent upon having a regular

employment, secure migration status and prior positive experiences of state institutions, which the majority of respondents lacked.

In Pakistan too, engaging with the police was a last resort under life-threatening situations. Nafisa, a Pakistani self-employed woman who was the main earner in her marriage, was kidnapped by her husband and in-laws along with her daughters and kept in a secret location. They assaulted her badly and she overheard plans to murder her and spread a rumour that she had run away with a man. She remembers:

*They wanted to attack me with a knife. But I locked myself and the children in the room... I somehow managed to fix my phone and called the rescue police number... Then they started searching for masjids [mosque] under construction [they had heard the call to prayer from a masjid whilst she was on the phone]. They told me 'tell us if you hear door knocks'... The policewoman entered the room, she saw me [totally covered in blood].*

(Interview, Pakistan, July 2014)

On this occasion, Nafisa and her daughters were saved by swift police intervention. After the incident, on her family's insistence, Nafisa continued to live with her husband. When her husband attacked her daughter, Nafisa had to seek the police's help again, but her husband bribed the police and so they took no action. Nafisa finally gave up on police protection and decided to live independently with her daughters, despite severe criticism from her relatives. However, several other women in the study felt unable to engage with the police or to live independently as they felt they did not have support from relatives and money to pay the police.

## *2. Accessing help from legal institutions*

In Pakistan, protection from domestic abuse involves the third sector – NGOs and women's rights organisations - as well as the state, and the third sector is also now increasing in importance in the comparatively wealthy context of the UK in the wake of the recent financial crisis in 2007-8 and cuts to 'legal aid' – that is, state-provided financing for legal help – which is available to individuals meeting particular criteria. In Pakistan, women narrated difficulties in meeting legal expenses that were incurred, especially from *khula* divorce (a woman-initiated divorce). A couple of women in Pakistan narrated their experiences of seeking financial support through court proceedings or from NGOs to pay for legal expenses related to divorce. However, the support was limited and women reported having to abandon their pursuit of a legal outcome after some months.

In contrast Tahira, who had a well-paying job, could afford a good lawyer and pay for her and also her husband's fees in order to speed up the process:

*The advocate had prepared a document for the khula. She charged me handsome money... I paid all expenses, because it was from my side, so I paid twice first for*

*the khula papers. After that I spoke to my husband [to give me divorce]. So I paid from his side as well, but divorce was quick and stress-free.*

Tahira's employment made it possible for her to access a relatively quick divorce. By contrast, Afsana, a British Pakistani main earner, earned just enough to support herself and her children. She described how legal aid in the UK supported her for eight to nine years:

*So maybe nine years later, I had the divorce [since I started the proceedings]. I started it and stopped, and there was a real big fear there of what was going to happen? ...So the divorce proceedings actually went on for a very long time. They started and stopped and started and stopped.*

While the legal aid supported Afsana with her long legal proceedings for divorce, Hoorah felt let down by the legal system due to a pause in her legal aid as her husband had misled the authorities about her finances with the intention of delaying the court proceedings. As a result she ended up with huge loans that she had to take out for legal fees.

The state is also inadequate to guarantee the rights of groups whose lives and outcomes are shaped by minority religious and cultural practices. Plural systems in the UK can make an individual experience a very fragile claim on her rights, even in a state where the civil law might support her in theory.

The state is also inadequate to guarantee the rights of groups whose lives and outcomes are shaped by minority religious and cultural practices. Plural systems in the UK can make an individual experience a very fragile claim on her rights, even in a state where the civil law might support her in theory. Similarly, Pakistani family law based on Muslim law in Pakistan fails to adequately protect those belonging to minority groups. In the UK, Hoorah's case was further complicated by the fact that she had a religious marriage that was not legally registered, and the judge ruled her marriage to have been extra-legal (Akhtar 2015). Hoorah said:

*And he [judge] felt that it was a failure on my part not to have taken enough steps to ensure the validity of this marriage, and I was horrified... The judge was a staunch Christian.*

Hoorah felt that the legal professionals had little understanding of her religion and cultural background and at the same time, did not treat her as a full British citizen. English law does not recognize an Islamic marriage without a civil registration. Hoorah's story raises questions about why she was not informed of this fact by the solicitors preparing her case for a civil divorce. Samia Bano (2012) offers further examples of women seeking Islamic divorces and being misled by solicitors and other practitioners of civil law.

### 3. Negotiating migration laws

The state's ability to protect the rights of individuals is only realised if laws and policies are enforced properly at all levels. Otherwise, access to rights is fragile. In the UK, migrant husbands and wives are given a probationary spousal visa which was of two years' duration until 2012, and is currently five years. Roona, a first-generation migrant wife, sought residency in her own right during her probationary period, when her husband asked her to go back to Pakistan. She remembers immigration officers disbelieving her:

*One of the immigration officers took my passport and he laughed and said 'oh she doesn't want to go back'. ...they were laughing about it.*

Nadia Siddiqui et al (2008) note the systematic nature of this culture of disbelief among immigration officers faced with applications for indefinite leave to remain by Pakistani women divorcees on grounds of domestic violence. Roona was eventually given a visa on the grounds that her daughter's birth certificate did not have a father's name on it and it was considered a risk if she went back to Pakistan as a single mother.

### 4. Safeguarding and custody of children

Concerns for the safety and custody of the children were paramount in women's decisions to flee violence, in both Pakistan and the UK. In the UK, women, especially first-generation migrants, generally feared dealing with government social services officials, because of the possibility of having their children taken away. Roona here describes how she would not have shared her details had she known that the woman who visited her was from social services:

*I didn't know [about social services]... I just thought she's a nurse who came here and asked me questions. If I knew, I wouldn't have told her about that ...[abuse] honest, saying everything she was asking me, and still she didn't follow up.*

However, some British Pakistani women reported working with state institutions, partnering with various agencies including schools to safeguard children from being taken away by their abusive husbands. In Pakistan, fear of children being taken away was one of the major concerns that led women to feel forced to stay within their abusive marriages, connected to the issues of Muslim law mentioned earlier.

### 5. Financial support

Financial independence was key to women considering themselves able to escape violence. Those who had independent income, especially through secure and well-paid employment, felt more able to leave abusive relationships than those who did not, especially given parental and other relatives' disapproval. Here Afsana describes how housing and welfare benefits helped her to carve out an independent life:

*What happened was we were living in a council house...then I started working because we had, because she [her daughter] was poorly we had the disability benefits and carers' benefits and things like that [to help us to financially manage]. And I think we were using a lot of that money...*

However, experience of social services in the UK and the potential of state support to assist women varied; some women who had left abusive husbands managed their financial situations with little support from the state.

In Pakistan, in the absence of social support, finances and housing were big concerns, and one of the major reasons women felt unable to leave abusive husbands. Shakoor separated from her husband, after years of abuse, when her son was old enough to supplement her income through employment. She describes her finances:

*We manage with my and my son's money. My son saves money in a piggybank in such a manner that he saves Rs.6000 every month for the house rent. Though we don't have plenty to eat but we have no fights at home.*

## **Conclusions**

This research offers an interesting insight into the experiences of a small group of Pakistani women in the UK and Pakistan, adding to an existing literature on these issues, much of which draws on larger populations for its insights (for example, Hassan 2015; Siddiqui et al. 2008; Thiara & Gill 2010; Qureshi 2016).

What is striking that there are so many commonalities in women's experiences of domestic violence and their strategies to deal with it, despite the difference in state contexts. In both locations, women's ability to uphold their rights within the domestic sphere depends not only the laws around domestic abuse but on much more than this: not least on women's economic positioning, and therefore also on their education. The article demonstrated parallels between women's experiences of domestic violence, linking this to their economic contribution and its relative importance to men's contributions, in both the UK and Pakistan. It also focused on women's engagement with state institutions as survivors of domestic violence. Although British Pakistani women reported benefitting from strong police institutions and the provision of legal aid and financial support, they also felt discriminated against, judged and isolated, a finding supported by earlier work (Burman and Chantler 2005; Thiara and Gill 2010). In the context of Pakistan, women were vulnerable and often looked for informal support from relatives and NGOs who are subject to funding constraints; a similar situation during recent austere times in the UK. Corruption and a lack of accountability in police institutions was a major impediment in engaging with police in Pakistan, as reported by previous research (Hassan 2015). State institutions in Pakistan were not able to offer women who had been abused basic services they needed to live independently, with regard to legal



expenses and financial provision, which made it difficult or impossible for women to challenge violence in Pakistan (Siddiqui et al. 2008).

The discussion here raises questions about the conceptualisation and measurement of 'fragility' (Nay 2013). Women in marginalised groups in stable states may find they face challenges in accessing state institutional support. This means their experiences are similar to those of women living in states seen as fragile according to indices.

Violence within marriage and the family presents particular challenges to states.

It is important to move beyond a focus on the state fragility, to an understanding of what economic, political and social factors make certain groups of people particularly likely to be unable to access state protection and provision. Adopting a perspective which analyses the gender, race and class aspects of marginalisation is an essential first step in becoming better at responding to the issues faced by women and girls worldwide, regardless of whether they are located in 'fragile' or 'stable' states. It is vital that legal frameworks intended to protect women against violence are inclusive, accessible, empowering and enforceable in both Britain and Pakistan. Finally, it is impossible to address violence within domestic spheres without addressing the challenges of changing gender relations (including working to change ideas about masculine identities and roles), in households and communities where social norms are challenged by relatively rapid economic change.

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## Endnotes

[1] This is a wider term than domestic violence; intimate violence is defined as 'a collective term used ...to refer to a number of different forms of physical and non-physical abuse consisting of partner abuse, family abuse, sexual assault and stalking' (Office for National Statistics 2014, 2).

[2] The key features of this method include flexible guidelines for data collection and analysis, construction of theories 'grounded' in data themselves and open interview tools to allow a range of broad and specific unanticipated material to emerge through the research (Charmaz, 2006). 3] Migration networks is a term used to refer to "sets of interpersonal ties that links migrants, and non-migrants in origin and destination areas through the bonds of kinship, friendship, and shared community origin" (Massey 1988:396).

[4] The respondents were found via word of mouth and snowballing by the author in Britain and with the help of a research assistant in Pakistan. All interviews were conducted by the author in Hindi, Urdu and English except nine, which were conducted by a research assistant in Pakistan, in Urdu and Sindhi.

[5] For information on getting support for domestic violence issues please see a handbook by Women's Aid: <https://www.womensaid.org.uk/the-survivors-handbook/>

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