

Beyond Assault Trajectory of Rape in Pakistan

Abstract

Rape – article 375 has become a non-compoundable and non-bailable offense in Pakistan under the Criminal Laws (Amendment) Act, 2021. It is a critical and highly sensitive social subject that is inadequately addressed and mishandled by the system. It emerges from the historical subjugation of women and the structural dominance of men – systemic failures and perceptions of society. Another aspect of rape culture is the pathologizing of victims, declaring them mentally unstable – attention seeking in superficial language. The stigma around discussion on sexual violence is perpetuated by how it is viewed. The course of action on rape has faced structural undermining to the extent of penalizing the victims. This paper studies the stigmas as myths and victim-blaming as rape apology – embedded in cultural convictions related to the status of women and can be analyzed in how women were treated as mere objects aimed at sexual and domestic gratification.

Keywords: Pakistan, Rape Culture, Sexual Violence, Victim Blaming, Women,

INTRODUCTION

Rape is a life-changing trauma for a woman, which is an irreversible action (Taylor, 2022). Its effects are neither isolated nor transient (Orwela, 2022). It brings shame, guilt, and self-scrutiny to the victim (Perilloux et al., 2012; Vandermassen, 2011), especially when victim-blaming is the norm (Niemi & Young, 2014). Society is a continuous reminder of it while the victims pay the cost (Gottschall & Gottschall, 2003). It is imperative to measure the impacts of such an offense, where the status of women is primarily perceived through moral institutions. The female body is the target of policing, disgust, and egoistic pursuit, often resulting in violence or using their bodies as a weapon against them (Kazmi, 2023) – constraints on representation and participation. Violence manifesting in rape is a subject of neglect and denial. Cultural ethics, oral anecdotes, and social structures deny it to the extent of dehumanization of women and girls. This research studies the pressing issues of rape trajectory, seeking an integrated insight to unmask the ambiguous questions of cultural, moral, and political factors that shape the lived experiences of survivors.

Rape is defined as an assault on a person's body – typically women and children, forcing victims to give up their personal space, integrity, and bodily autonomy – mainly sexual, with or without their explicit consent (Brownmiller, 1993). In other words, it is a seizure of a human body (Jillani, 2021). The victims below the legal age to grant consent – minors, people incapacitated due to disability, intoxicated or unconscious, or in any circumstance where their ability to consent renders any sexual act non-consensual constitute rape as well. Legal requirements required physical penetration to classify as rape; however, the Criminal

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Laws (Amendment) Act 2021 has eliminated “penetration” as a necessary agent to determine rape.

Research Methodology

This research follows a qualitative approach, aimed to study social and legal aspects of the subject matter being discussed.

Research Design: A descriptive-analytical method is utilized to investigate the context of rape. It has focused on studying legal documents, academic discussions, and reference materials. The objective underscores critical analysis of structural and cultural aspects that enforce certain attitudes within the system and society. The position of this paper is feminist ontology. It is understood through feminist gaze and the interaction of female gender with power dynamics, which produce male violence in order to minimize the agency of women pertaining to their interests (L. Ellis, 2013).

Data Collection: This study is applying primary and secondary data sources such as police records, books, and research articles.

- a. **Primary Data:** The primary data includes First Information Reports (FIRs) and *Challans* from the Punjab & Sindh Police and judicial rulings in rape cases. Such data enables to explore firsthand handling of rape cases in which patterns of language execution and legal framings has been studied.
- b. **Secondary Data:** A wide array of academic discourses, scholarly books, and peer-reviewed journal papers were accessed to support a theoretical conceptualization of the study problem, as well as analyze the available primary data. The scholarly discourse was instrumental in building solid arguments to validate and invalidate existing research questions.

While no victims or survivors were interviewed, ethical considerations were maintained in addressing sensitive topics or legal records. All non-public FIRs were anonymized.

THEORETICAL FRAMEWORK

For theoretical view, this study draws two concepts with respect to understanding the anatomy of rape: ontology and male violence.

I. Ontology of Sexual Violence

Hundreds of pieces of evidence suggest violence existed in human societies before the agricultural or cognitive revolution in human history. The cave paintings depicting fights, ancient artifacts, or burial rituals are quite evident (Harari, 2014). The need to dominate and survive in harsh nature exhibits a human tendency of inclining towards violence while suggesting sexual violence could have been one of the tactics. There are explicit references to rape and other forms of sexual violence in almost all ancient texts, religious documents, mythologies, or early documentation in human history. Rape is considered as old as war in human civilization (Farwell, 2004). Sexual violence can be traced in history by understanding

the responses of the victims today. The debate here is not whether it was criminal, condemned, or punished, but it is to be maintained that it existed. Humans have innate traits as responses towards violence, force, and pain (De Zulueta, 2006), which have been passed on; for example, a common or natural response to rape is disgust towards the perpetrator; however, disgust is not a usual response in many other violent crimes, suggesting extreme psychological effects on the victim (Feldner et al., 2010).

On the other hand, people are often driven by violence as their behavior triggers aggression, leading to sexual violence, and their target is always a vulnerable person (Bourke, 2015). However, temptation or aggression does not drive the perpetrators “crazy” as is usually held, as they can skillfully decide whom and when to violate (Steven, 1994).

The innate responses to rape are similar to the tonic immobility response (Suarez & Gallup, 1979) exhibited by many living creatures to avoid or deceive a predator or a natural expression in a state of stress or fear. Tonic immobility manifests as a countermeasure to a traumatic event or overwhelming anxiety. Such an extreme state of paralysis or the need to avoid a life-threatening situation is usually evident in cases of sexual assault (Galliano et al., 1993) as a means to protect the body from external aggression.

Rape is the ultimate manifestation of the power of perpetrators over their targeted victims, influenced by anger and revenge (Robin, 2000). Dominance theory in ethology discusses the structure of dominant hierarchies which develop functions, norms, and techniques within human societies in terms of operating and maintaining social designs, behavioral patterns, ways of survival, and reproductive methods aiming at achieving preferential accessibility of resources, possessions, and wealth in competitive social climates. People who were in power gained resources, pleasures, and labor from violence, i.e., sexual violence.

II. Male Violence

The criminal justice system or criminal law presents a view in which the perspective of women is obscured. Such an understanding of an issue by the male view, which profoundly affects women, creates further problems instead of solutions. Even in good faith, these standards fail to see the problem from the woman’s gaze – specifically from the victim’s view. There is a reason that a specific set of norms, despite clear, unbiased instructions, still view women from the male standards in cases of gender-based violence (Estrich, 2018).

Dr. Jessica Taylor, in her book “Sexy but Psycho: How the Patriarchy Uses Women’s Trauma against Them” changes the narrative of victim and survivor. She states that a woman who fell prey to gender-based violence must not be labeled a victim or a survivor. The discourse must change from the woman and shift to the offender. It is not the choice of a woman to become a “victim” of male violence; rather, it is a conscious decision made by the man. Women who face male violence should not be defined by the trauma they endure; instead, the abuser has to be identified and stigmatized. Terms like “survivor” are not liberated or progressive but suggest that a woman has moved beyond the trauma, which conflicts with reality. She introduces the expression “male violence,” referring to women or children as individuals “subjected to male violence” instead of phrasing them as victims or survivors. The phrasing of language against sexual violence decides the social and legal attitudes around the subject

(Taylor, 2022). Women have hardly been party to law-making, lacking instrumental representation and participation in legislation in their favor, particularly emphasizing gender-based violence, in which men benefit from the oppression and silence of the victims.

LITERATURE REVIEW

For over thirty years, the evidence rape lied around ‘a sexual activity witnessed by reliable, good men’ (Sarfraz, 2024), which itself is considered unsettling for its depraved context. (Bourke, 2015). On a societal level, sexual violence is perceived as a consequence (M. A. Aziz et al., 2024) of specific actions, which on a moral level is problematic as it produces a justification, then leading to victim blaming but on the other hand, it might suggest that rape as a consequence is used as a tool to inflict violence against a woman or a family to which she belongs to harm their honor – honor and rape are two correlated variables (Mateen, 2019). However, there are victim-centered laws in place, but there is a visible gap between the execution of these laws benefit the victim (Ghosal, 2013). The lower rate of conviction is another direct variable of this gap, which fails to tackle the problem of rape (Jillani, 2021). Whether it was war or freedom, punishing the enemies or celebrating victories, throughout history, across the world, in old traditions or modern values, a man’s anger often finds a woman. (Kazmi, 2023) Women and children have long been sold out as sex slaves under the hierarchy of social structures. These sex slaves were domesticated to be used according to the required needs of the master (Patterson, 2012).

Men asserted their power through rape. Women sought out male figures as protectors of families against other men, whom they viewed as predators. This reliance on safe mating led to the formalization of the role of men as husbands or fathers; later on, it established households or tribes and gave rise to patriarchal structures that subjugated and exploited women (Brownmiller, 1975). However, this theory has been criticized by many. It is theorized that the belief in the physical superiority of one gender over the other has led to both patriarchal influence and violence. Men held their masculinity-centered dominance over women as strong predators. This dominance, shifting from natural to social spheres, continued to gain significance, resulting in the subjugation of women, manifesting in violence. In such a social structure, a woman’s value was decided by the man she belonged to (Brownmiller, 1977; D. Ellis, 1989).

Women’s movements have brought issues of sexual violence into focus. Rape is termed as an extreme act and a severe violation of the law (Russell, 1975). Women’s rights advocacy has reshaped the domains of criminology and sociology, influencing a shift in the production of influencing literature. Such shifts have given rise to the discourses around sexual violence in both inner and outer domains, which have framed rape as an issue of male dominance and how patriarchy enforces it, benefits from it, or hides behind it (Deming & Eppy, 1981). In general, women are criticized and blamed for rape. Some people believe that women enjoy sexual violence. Rape is initiated by the sexual ambitions of the two, or rape takes place within a family and is motivated by the woman herself. These social attitudes only encourage the sexual exploitation of women and children, which protects the offenders (Ariffin, 1997a).

Women are commonly victim-blamed for not taking enough safety measures or avoiding conflict with perpetrators. Their appearance, attitudes, or conduct are often cited as reasons

contributing to rape. They are conditioned to assume responsibility for it (Ahrens, 2006). It has been ingrained in their minds that any misfortune that befalls them directly results from their impulsiveness or actions – how they look, speak, walk, and carry themselves around men or in public (Franiuk et al., 2008). When there are accusations of rape, many institutions, instead of taking action against the perpetrators, conceal their crimes and protect them (Taj, 2021). The tendency of social and legal institutions to victim-blame and investigate the credibility of the complainant more than the perpetrator's action suggests how victims are perceived, which impedes justice. Victims are subjected to it and, if reported, have to prove it. The lack of understanding of consent has yet to be understood and acknowledged at a social level (Robin, 2000). From the perspective of evolutionary psychology theories, when men commit rape, they are “wired” to target a highly fertile woman than a woman who is less fertile; that is why most of the victims are young women. However, researchers find this argument unclear whether it reflects a specialized tactic of evolutionary rape adaptation or a generalized mating strategy to secure sexual pleasure as specialized rapists whose stimuli are coercion other than consensual sex (McKibbin et al., 2008; Thornhill & Palmer, 2001).

RESULTS & DISCUSSION

A report by the Ministry of Human Rights in the national assembly suggested that 14,456 women had been reportedly raped in the last four years. These statistics were collected from the national police bureau. Over 16,152 cases of sexual harassment were reported in Pakistan (Kaleem, 2022). According to the estimates by WAR, 60 to 70 percent of women do not engage with law enforcement agencies (WAR, n.d.). Research by Aurat Foundation proposes that as many as eight females, including four children, are raped daily in Pakistan (Rakhshanda, 2021). In the study of 50 rape cases from Karachi, it took an average of 16.8 months to issue verdicts, while the police reports were submitted after 7.2 months. However, the law clearly states that cases of rape must be concluded within 3 months, suggesting severe (M. A. Aziz et al., 2024) manpower gaps in the system. Of the fewer reported cases entered in the legal system, one-third are not *challaned*. The rest are disposed of by courts or by investigating machinery as non-recognizable. The criminal justice system often reflects social attitudes (Hayes, 2024).

In many cases, rape is handled with leniency because authorities are mindful that a powerful party can influence the system or the families would withdraw. The police sometimes mediate peace between the offender and the victim's families. Courts have also been observed to acquit the accused after a settlement was reached between the two parties without the victim's consent. Verdicts are often influenced by their prior beliefs (Burt, 1980). Often, victims are married off to the offenders as a settlement. Many times, offenders would take bail before the arrest. On June 15, 2021, an orphaned minor girl was gang raped and filmed in Rawalpindi after returning from work (house help) at night. The local magistrate bailed out the perpetrators. It took a month for the media to air the news, and offenders were arrested later (Choudhary, 2020). According to the Criminal Laws (Amendment) Act, 2021, rape has become a non-bailable and warrantless offense; however, there is a gap in resources between the laws and implementation.

Euphemistic Phrasing of Rape

The stigma associated with rape victims has roots in structural and historical oppression of women. These stigmas are endorsed and often celebrated by men. For example, revenge rape or revenge porn is considered a grandiloquent act of virility, as such acts of violence tend to do greater damage. The violent and misogynist symbolism in language and literature defines social responses and normalization of sexual violence. Language becomes the initial perpetrator of violence and discrimination. It enables hate towards women, women's agency, equality, and traditional gender stereotypes, disregarding women and girls. Symbolic violence is traced via literature, media, imagery of vulnerable communities, representation, participation, and portrayal of women in society, all leading to commodification and objectification.

Language is the mirror through which the world is analyzed. It is a powerful source, forging a connection between the people and their environment. It names things, conditions, possessions, emotions, and actions, determining the credibility of situations. The language around them is skillfully fashioned in most social behaviors witnessed, particularly stigmas. People use language patterns differentiated into idioms, proverbs, and phrases that have long been created for them (Hussein & Simorgh Collective, 1990). Most of the time, language falls short of the words to describe experiences and circumstances that have not been fostered before. In different languages spoken in Pakistan, there is no such word for rape. Rape is often defined as Zayadti, which means the excess of something or something unjust. It is a common word used regularly; for example, excess of water is also Zayadti, and excess of words in an essay is also Zayadti. Another word to phrase rape is Zabardasti, which means the use of force or compelling; however, it is another commonly used word for many other things. It cannot be said that excess salt in soup or compelling someone to eat an exotic cuisine is rape.

More terms like Ezzat Lut Jana and Ezzat Kharab Hona denote how a woman's sexuality is linked with her modesty and honor of the family as a woman who has been sexually violated does not possess her Ezzat anymore. It brings this discussion back to the point where women are treated no more than commodities. Their physical labor is utilized as a less expensive utility while their sexuality is valuable. Once their valuable commodity is violated, as in rape, it becomes invaluable. The term "Zina Bil Jabar" shows how rape is viewed in the essence of Zina (adultery) instead of an act of violence, which, in turn, implies the stigma associated with Zina onto the victim. Several contemporary female writers have focused on introducing the terms such as "Jabar Jinsi," "Jinsi Tashadud," and "Jinsi Istehsaal" to phrase rape. Nevertheless, there is a striking absence of a specific term for "rapist" in the local vernacular. The term "Zani" is generally used, which indicates the crime within the context of mutual consent instead of precisely representing the nature of rape. Could it be suggested that the denial of rape is severe to the extent that it is still viewed from the angle of Zina or the one committing it? Rather than using terms like Zani, which refers to adultery – a sin in Islam, the term "Rape Kaar" can be used to indicate the severity of the act. The use of terms like Zani not only diminishes the intensity of rape but also brings innate shame of sin to the victims who are conditioned into believing that rape was their mistake. Contemporary female writers have produced feminist literature towards changing the language of sexual violence by altering the phrasing of the language of sexual violence.

Rape Apology

Women subjected to sexual violence are victim-blamed, not believed, and have to retell the ordeal of their assault to authorities, detectives, counselors, jury, or others, which is called secondary victimization (Campbell, 1998). In oral or written literature, sexual violence is spiritually romanticized as a reward in the afterlife by diverting attention from seeking justice, which sets a dangerous precedent in society. False beliefs, stereotypes, and prejudicial take on rape, victims, and offenders create a more hostile situation. The make-believe ideas of "good girls" and "bad girls" create a social and moral narrative for women that hinders the pursuit of justice and recovery. Rape culture does not only contribute towards harnessing a hostile environment for the victims; instead, it also seeks grounds to protect the rapist as well. One basic argument is that rapists are sex-starved men – disadvantaged male hypothesis (McKibbin et al., 2008), which has been created by either the conservative culture of gender segregation or the feminist culture, in which women do not give enough chances to men due to many reasons – which drives men to rape (Burt, 1980). Such myths and faux morality protect rape. These myths distort the understanding of sexual violence, contributing to larger rape culture, perpetuating victim blaming, and diminishing the severity of the crime. These myths are generally believed falsehoods, which are consciously crafted to denigrate the victims (Hayes, 2024). It is often assumed that the victim may have asked for or deserved it based on prior factors such as dressing a certain way – not necessarily immodest – hanging out with friends, or staying late. Another misconception is that a woman possesses enough power to protect herself from rape simply by screaming aloud.

Rape is often viewed as a crime committed by the victim who failed to protect herself (Ariffin, 1997b). According to research conducted at a local medical college on rape victims, more than 63% of male students and 20% of female students believed that a girl of strong character would never find herself in such a situation (Kamal et al., 2010). Some studies also suggest that women who date or have extensive contact with men are at a greater risk of sexual assault (Abbey et al., 1996). Another myth is that a perpetrator whose wife is beautiful, fair, and young cannot rape any other woman, especially if the victim is married, older or darker. Rape and violent narratives against women are also promoted by publicly forcing women to "cover-up" so that men will respect them. Such arguments are held that it becomes justifiable to disrespect or harm women who do not adhere to a specific dress code that becomes an extension of rape culture. Cultural attitudes may elevate the risk of rape in societies where the blame is placed on women for "seducing" or "provoking" men to justify their aggression (Burt, 1980). Individuals subjected to male violence are met with scrutiny and suspicion more than any other crime (Harsey & Freyd, 2020). They receive indifference manifesting in victim-blaming and disbelief (Ahrens, 2006; Filipas & Ullman, 2001; Harsey & Freyd, 2020). Lack of support often leads the victims to seek a peaceful way out or not interact with the system in the first place (Ahrens, 2006).

One common belief is that strangers commit rape. The idea persists that a family member cannot commit the offense, or the possibility of such an occurrence is never seriously considered, as the family system is perceived as highly ethical regarding the treatment of

women and girls. The data on child sexual abuse (CSA) from 2007 to 2011 highlights that 10,726 children were sexually abused in Pakistan. This data was gathered from more than sixty newspapers across Pakistan. In 2011 alone, there were 2,252 reported cases of child sexual abuse, with 138 cases involving incest or acquaintance rape. Of these 138 cases, 24 were committed by immediate family members (father or brother), while cousins, uncles, or others committed 114 offenses. Another report from 2011 documented 2,303 cases of child abuse, and in 2012, 3,028 cases were reported, with 63% of the perpetrators being relatives and 28% being strangers (SAHIL, 2011).

Following is the case in which a father was sentenced to 25 years for sexually abusing his victim:

State vs. Shahid Maqsood Case of 2002

A 12-year-old girl filed this case while her brother called the police. In her statement, she maintained that her father had been violating her sexually for three years when the family lived in Saudi Arabia. She had previously disclosed the ordeal to her mother, who asked her to stay quiet as the laws regarding adultery were strict in Saudi Arabia. They arrived in Sargodha after returning to Pakistan, but the perpetrator did not stop. She also held that her mother had once seen her husband violating her daughter, where the husband threatened both the mother and daughter with serious consequences. However, the father then arranged for the young girl to marry his nephew. Once he invited the victim for the preparation of her exams, the perpetrator raped her on the same day. This time, her mother and sister had witnessed her abuse. The mother stayed quiet and did not want to risk her daughter's future. The mother told her son a week later, who took them to a local police station. The father got arrested after fleeing from the home. The session court convicted the perpetrator. The defendant stated in the court that his wife and son were planning to gain monetary benefits from him. The medical evidence did not match as she was married, but the court assented and affirmed the girl's testimony. The convicted rapist was jailed for 25 years, while the court also denied his appeal. The First Information Report (FIR) is filed in the name of the State, and hence, it is incumbent upon the State to diligently take every required action on the matter. Parties involved should abstain from seeking compromises in cases of such heinous crimes, as they have far-reaching consequences. Rape myths have long been institutionalized, and the criminal-justice system failed to address it. The Zina Ordinance of 1979 is one of the most criticized laws on sexual violence, disempowering the complainants against perpetrators. Apart from the law of evidence Section 203-A, the Pakistan Penal Code had a section 151(4), which allowed the accused to introduce evidence impugning the woman's character.

The State vs. M. Rehan, S.C, 1286 of 2004

This following incident of sexual violence took place during the absence of the victim's mother, who had left the 7-year-old in the care of her 17-year-old cousin, Rehan, for grocery shopping. Rehan then led the young girl to a vacant plot, where he violated her, leading to immense bleeding. In response, Rehan took a cloth and tried to wipe the blood off her body while changing her clothes. When her mother returned, the victim disclosed the whole ordeal to her. Eventually, an FIR was registered with the help of a local government counselor. A

forensic examination confirmed the victim's account of being abused – sodomized. Legal proceedings against Rehan began under Section 377 of the Pakistan Penal Code – unnatural offenses instead of 375 – rape. During the trial, it was revealed that, after a settlement, the victim's father pardoned the accused. Allegations of promiscuity were leveled against the victim's mother and testified by the father in court, which also made her mother's testimony inadmissible. Despite clear evidence of the crime on the victim's garments, the court dismissed the case based on an out-of-court settlement.

Victim blaming is embedded in rape culture, where the accountability for the crime is shifted onto the victim. It is both historical and structural, which is a direct projection of the commodification of women and the objectification of their bodies. Their unequal status and system of oppression deprive them of their ability to make independent choices but also keep them under continuous surveillance and unjust accountability.

Virgin Syndrome

When something lacks evidence, lies are spread to confirm the viewpoints, which, over time, become the new normal, whether constructive or destructive. History lacked the gaze of women, where patriarchal institutions had unlimited control. They traded women and girls as commodities in sexual and domestic slavery, in wars, disputes, and marriage arrangements. Rape also emerges from the private possession of men historically. The parallel between goods and girls was drawn in which men preferred virgins as they preferred new goods. The causative factor behind it used to be the honor of one man against the other, who could not own a woman touched by another (Caplan, 1987). The construct of virginity was seen as indicative of a woman's purity in the sight of both ideological hierarchies and men. Society is often drawn towards women's sexuality to judge her as an individual. A woman's morals and character values are linked to her sexuality rather than her personality (Valenti, 2010).

Until recently, two fingers test was conducted to investigate whether the complainant was raped. In this test, the examiner inserted two fingers inside the vaginal canal of the victim, only to affirm if the hymen had broken or not. The Lahore High Court outlawed the finger test in January 2021 (S. Aziz et al., 2020). One of the fallacies about rape is that married women are less susceptible to being raped, which brings us back to the point that only "taking" virginity was considered an offense. One of the myths is that only unmarried victims are raped, while a sex worker cannot be because of continuously engaging in sexual activity for a living, which makes her used to it (Farley & Barkan, 1998). Here, it conflicts with the understanding of consent. Similarly, married women are often not considered victims of rape because medical examinations may not reveal evidence of vaginal trauma (*The State vs. M. Akram, S.C 431 of 200*, 2008). However, the laws have tremendously progressed in favor of the victims' testimonies which do not require vaginal trauma as evidence anymore.

State vs. Akram, S.C 431 of 2008

In the case of State vs. Akram, S.C 431 of 2008, a 31-year-old divorced woman and a mother of a child was raped by her brother-in-law, Akram, twice, a well-off and well-connected man within the police department. The incident happened on January 21, 2008, when the victim, H, was alone at her sister's place. Akram forced himself on her, threatening to harm further if

she did not adhere. He offered an illegal marriage, discrediting Islamic law, which forbids simultaneous marriage with two living sisters. H's efforts to seek justice were difficult as she was denied the right to lodge a First Information Report (FIR) at the local police station. She requested a medical examination at a Women's Medical Legal Organization (WMLO), which documented injuries on her lips, breasts, and thighs; however, there were no genital lacerations. Regardless of the evidence, the FIR was registered only after victim H remained undeterred. Akram, who secured a pre-arrest bail, kept intimidating her to recant her case. The trial carried on and resulted in Akram's release due to victim H's inability to produce evidence of vaginal injury because she had been married and had borne a child. Moreover, the court showed suspicion of the delay in lodging the FIR, even though victim H had approached the police a day after the assault. As an aftermath of her trial and the court's verdict, victim H faced complete isolation from her family and relocated to a different place. Her appeal against the session court's verdict was still pending in the Sindh High Court.

Rape is immensely degrading; it is a humiliating incident for any woman who faces it, and its physical and emotional effects are unbearable. It can malign a victim's physical and mental health, body organs, self-esteem, and social interactions. Virginity is tested by the hymen myth, which is a membranous layer located at the vaginal end. Its purpose in mammals is to prevent bacteria from entering. It is assumed that the breaking of the hymen causes bleeding, which ultimately serves as proof of someone's virginity. As to gynecologists, there is no reliable way to determine someone's past in this regard. As commonly believed, a tight vaginal canal or opening or bleeding are signs of virginity. However, experts differ from it. The vaginal opening does not become loose, not even after childbirth, unless a woman has had 12 to 14 deliveries. Only a doctor can comment on the hymen or vaginal opening during a proper examination, as hymens and vaginal openings vary significantly from woman to woman, including the fact that not everyone bleeds (Dr. S. Khan, personal communication, September 9, 2024). The size of the vaginal opening also varies and has nothing to do with "virginity." Virginity is not natural but culturally oriented to keep women in check. (Nina Dolvik & Dahl, 2017).

A woman is judged for her sexual status—whether she is a virgin, married, or divorced. These notions are directly linked to her sexuality. When it comes to sexual assault, specifically rape, what disturbs the most is her sexuality. The only concern is that she is no longer a virgin; her health, injuries, and other aspects are usually ignored. Historically, women were treated as mere subjects and commodities passed from father to husband like property. This is why it is assumed that women should not be "used." Many societies believe in testing a woman's virginity before or after marriage (World Health Organization, 2018). Walking down the aisle is a tradition where the father hands over the daughter to the husband on the wedding day (Poulin, 2003).

CONCLUSION

It is ordinarily understood that social morality forces the victims into silence, encouraging faux morals of shame and honor; however, it does not only safeguard the perpetrators but perpetuates more violence. Legislation on sexual violence does not guarantee the eradication of sexual violence; however, it shifts the responsibility from the victim to the perpetrator(s).

Victims often cannot understand why someone would commit such a course against them. One motive is starkly clear: it exhibits disregard for the victim's feelings and autonomy, leaving survivors to struggle with emotional, physical, and psychological trauma. The question of sexual violence is not an issue of a single or more constituency; instead, it is a national quandary. It is a crime and a concern of law and order, peace, and safety of citizens. Dealing with violence requires an authoritative allocation of values, leading to the required aggregation of interests within a political system. There is an urgent need to educate society about sexual abuse by fostering informed discussions and launching instrumental implementation of retributive measures. It is usually believed in Pakistan that if the defense is progressive or modern, it will favor women; however, any defense which justifies the crime is a rape apology, i.e., transformative justice. This subject can use a critical understanding of justice measures for future research. Considering the attitudes prevalent in society, along with its historical, social, and intellectual trajectory, there is a pressing need for the reconstruction of discourses around sexual violence. Simply deconstructing myths about rape is insufficient; instead, there is a need to address their cultural influence and beliefs, which dehumanize the victims.

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