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Editors' Introduction

This is a general issue of the Pakistan Journal of Criminology. It consists of 17 original research papers that examine such diverse topics as policing, terrorism, research orientations, concepts of crime, juvenile justice, and child protection.

The first article was written by Terri Tobin. She has researched the mandate for police officers in the United States to be armed while not on official duty. Policing is one of the few professions where one can legally take a life. Therefore police officers use their weapons, whether on or off duty has far reaching effects. Her focus is on female police officers possessing of firearms on and off duty. Tobin came up with the findings that males are statistically significantly more likely to “always” carry their weapons while off-duty whereas women were statistically significantly more likely to carry “sometimes” when they are off-duty. Likewise, both men and women are overwhelming unlikely to take police action off-duty displaying their weapons. However, males are twice as likely to take police action off-duty displaying their weapon as females. In conclusion, Tobin still stresses for further research on areas such as the time in which males and females discharge their weapons.

In her paper, Professor Julie Abril explores the concept of community collective efficacy and its meaning for rural and urban populations. The concept of community collective efficacy suggests that people who share the same values will come together to solve community-level problems. This is an important area to examine because residents of rural areas may not share the same value structure as urban dwellers and may not, therefore, respond to policies and practices based upon theoretical constructs derived from research in urban areas. She adds that the principle of community collective efficacy infers that if collective efficacy is low then reports of violent victimization would be high, thus suggesting that low levels of collective efficacy coincide with more community violence. Her study found that there were significant differences between the urban and rural groups. If one were to draw a final conclusion from her study, it would be that the measures that are used in the URBAN area may not be appropriate for use in a RURAL area where there might be significant populations of cultural and ethnic groups who may or may not share a value structure that is characterized by the measures developed for those residing in an URBAN area.

Basharat Hussain traces the “History and Development of Probation System in Pakistan” with a particular focus on probation in Khyber Pakhtunkhwa (KP). He concludes that although about 1,000 to 2,000 convicts are placed on probation every year in Khyber Pakhtunkhwa, probation in its true sense is yet to be recognized as a fundamental institution for crime control and reformation of offenders in Pakistan and in the KP.

Barakat Ullah and Imran Ahmad Sajid researched the legal and constitutional status of *Jirga* system in the light of case laws in Pakistan. The paper finds out that the *Jirga* system is in contradiction with some of the constitutional provisions in Pakistan. However, as it is one of the effective systems of justice provision, therefore it cannot be discarded immediately. There is a room for improvement in the *Jirga* systems.

In his paper, Abdul Shakoor provides insight on an interesting interaction between cultural, historical and academic information. He adds that “although violence may be a part of the Pakhtun culture but it is not causally related to terrorism. In fact the socially controlled and limited-in-scope violence in the Pakhtun society has no causal relationship with the Taliban-form of terrorism whose ideology transcends national boundaries. Recruitment to and activities of the Taliban clearly indicate that neither is culturally driven.” The foundation of this paper is significant. Taken out of the regional content, or out of the larger scale of terrorism, this paper outlines a better understanding of cultural interpretation, avoidance or involvement in criminal activity. This awareness can be used to better understand criminal activity in culturally dominant cities, regions and neighborhoods as well as criminal organizations. The topic is logical and interesting and would be of great interest to individuals both in and out of the criminal justice community.

The authors, Raza Rahman Khan Qazi, Shahid Ali Khattak and Shakeel Ahmad explore the religious motivation of extremism in their paper. Their work traces the origin of motivation for the militant/defunct groups such as Tehreek-e-Nifaze-Shariat-e-Muhammadi (TNSM), the Tehreek-e-Taliban Pakistan (TTP), the Al Qaeda, the Lashkar-e-Jhanghvi (LeJ), the Punjabi Taliban and the Lashkar-e-Islam (LI). The paper concludes that the terrorism in the name of Islam has simply been the culmination of long-drawn religious extremism in Pakistani society. It further provides reader with conclusion that the failure of Islamist religious parties in gaining political power through elections and influencing the public opinion, have been other key causal factor for many of these parties to support terrorism in the name of Islam and its perpetrators and to allow certain of their ranks to get militant training.

In the wave of terrorism in Swat and Dir valleys of Pakistan, various initiatives were introduced to counter terrorism and maintain peace in the region. Local Peace Committees (LPCs) was one of the many initiatives for counter terrorism and peace building. In their paper, the authors Nizar Ahmad, Farhat Ullah and Shagufta Shah evaluate the key contributing factors of Local Peace Committees in peace-building efforts at conflict-affected areas of Khyber Pakhtoonkhwa, Pakistan. The paper concludes that the LPCs are acting as a link between state actors and the community as well as support the law enforcement agencies in the identification of miscreants.

Rohan Gunaratna explores the emerging trends in terrorism in South Asia. He maintains that governments of South Asia must understand that a cleric that preaches moderate views is as important as a law enforcement or intelligence counter-terrorism officer in combating religious terrorism. Unless governments in Asia build platforms to counter ideological extremism — the precursor to terrorism — the region is likely to face a long-term threat. He provides four emerging trends in terrorism and suggests that the governments throughout Asia should develop a multi-dimensional, multi-national and multi-jurisdictional approach. They should work together to build common data-bases, exchange personnel and conduct joint training and joint operations to defeat the common threat of terrorism.

While interdisciplinary research has emerged as the methodology of choice, Gabriele Bammer explores two particular problems with this orientation. First, that it is treated as a single entity, even though it comes in many different forms, and secondly, that there are no standard procedures for reporting such research. Bammer developed a new approach to research termed Integration and Implementation Sciences (I2S). Bammer claims that I2S could overcome these problems by developing an agreed systematic way to both conduct and report on one type of interdisciplinary research, namely team based investigations on complex real world problems, such as many of those which bedevil policing and security. The paper argues that there are many different kinds of inter-disciplinary research that could be undertaken in the field of policing and security, as well as for clearly describing the type of interdisciplinary research which is being conducted.

In his paper, Kamran Adil evaluates the amendments made to the present anti-terrorism legislation in Pakistan. He concludes that in the legislative domain in the anti-terrorism regime, the law of Pakistan is based on ad-hocism and temporal basis.

The concept of crime is usually explained in a culture-specific perspective, yet authors Syed Raza Shah Gilani, Hidayat-Ur-Rehman and Arshad Iqbal seek to provide an international view. Are all crimes local epistemologically, or do have some international manifestations? After giving arguments in favor and against the international concept of crime, the paper concludes that the concept of “crime” in an international context is a most robust perspective.

Child Protection has gained much attention since 1990s after the introduction of CRC (**spell CRC out**). Tahira Jabeen identifies the state response to child protection in Pakistan in the form of legislation, policy and intervention. The paper argues that the state response to child protection is sketchy. The paper identifies at least three of the gaps in existing laws and policies, and points out the negative impacts that these gaps have on children's safety and well being. After providing an extensive discussion on various international and national tools and legislations for child protection, the author identifies efforts underway to develop a legal and institutional base for child protection, and notes that they seem to be issue-based and lack direction and consistency.

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Imran Ahmad Sajid
Assistant Editor

Female Police Officers and Use of Firearms in the New York City Police Department

Terri Tobin

Abstract

The mandate for police officers in the United States to be armed while not on official duty is an area that has not been thoroughly researched. In 1981, the New York City Police Department's (NYPD) "Carry Policy" went from mandating officers to carry their firearms at all times (both on and off duty) to one in which officers could use discretion as to when to carry their weapons when not working. As part of a research study regarding the carrying of weapons by off duty police personnel of the NYPD, a questionnaire was designed and administered to members of the NYPD. This research has revealed that there are clear differences between males and females as it relates to assignment, the carrying of weapons, the taking of police action, and the display and use of the firearm while on and off-duty, and the amount of stress experienced while taking enforcement action while not working.

Key Words

Women in Policing, Police Firearms, Police use of Force, NYPD

Introduction and Literature Review

It is apparent that when police officers use their weapons, whether on or off duty, the effects can be far reaching. Policing is one of the few professions where one can legally take a life. As Fyfe has stated, "...no other government service has been granted as much latitude in the use of force as have the police." (Fyfe, 1978:1) To date, a great deal of time and effort has been put into studying police use of force by police officers when they are on duty, however, a neglected area of study is police officers' use of deadly physical force when off duty. Several researchers, Sherman (1980a), Fyfe (1980) and Blumberg (1991) agree that this is a fertile area for research. Fyfe (1980:80) stated, "...it is genuinely appropriate to conclude by recommending a test of the assumption that armed off-duty police contribute to the public good."

When one considers the number of times off-duty officers discharge their weapon, the need for research becomes obvious. In New York State according to the Report to the Governor by the New York State Commissioner on Criminal Justice and the Use of Force Volume 1 (1987:163), 26% of all deaths attributed to the police during the years 1981 through 1985 occurred while the officer was off-duty. In New York City from 1975 through 2009, over 20% of all firearm discharges occurred while the officer was off-duty (Firearms Discharge Assault Report, 1975-2009).

Off-duty shootings, according to the nationwide statistics from 1975 to 2009, range from 15.2% to 27% of all firearm discharges (Knoohuizen, Fahey, and Palmer, 1972; Public Interest Law Center of Philadelphia, 1975; Milton, Halleck, Lardner, and Albrecht, 1977; Nowicki and Stahl, 1978; Fyfe, 1978; Geller and Karales, 1981; Donahue, 1983; Geller and Scott, 1992; White, 1999; New York City Police Department Firearms Discharge Assault Report, 1975-2009). Even though close to one fourth of all shootings by police officers occurred while the officer was not officially working, the circumstances, justification and necessity for such action remain unknown.

Methodology

In evaluating the NYPD's directives to possess firearms while on and off duty (i.e. the "carry" policy), there were several items of information that could not be found in any existing data. Several key questions needed to be answered by the officers themselves. The focus of the survey was to gather data regarding four areas of interest related to the Carry Policy. There were: 1) to ascertain how often uniformed members of the NYPD carry their weapon off-duty, as the current "carry" policy is discretionary; 2) to determine how often off-duty members take action of a law enforcement nature with and without their weapon and how often they report such action; 3) to identify how stressful members would find having a policy prohibiting them from carrying their weapon off duty; and, lastly, 4) to ascertain the numbers of felonies, misdemeanors, violations and offenses in which off-duty members intervened.

Therefore, a ten item survey was distributed to members of the Department requesting information regarding the officer's demographics, weapon information, and stress. Within the demographics was the data concerning gender, rank, time with the Department, assignment, residence. Included in the weapon information data was when the weapon was carried and why, action taken with and without the weapon when off duty, types of crimes prevented/terminated with and without the weapon, reports filed when action was taken with and without the weapon. The data concerning stress focused on how stressful it would be if they were prohibited from carrying their weapons when off duty. A pre-test of the survey was done using officers in a variety of assignments. One minor revision was made.

A convenience sample of 3,236 subjects was collected at the NYPD shooting ranges. The NYPD has a policy requiring that uniformed members "qualify" (demonstrate competency in the use of their weapons) twice each year at agency firearm ranges throughout the City. Ten indoor ranges are used for testing those using a .38 caliber service revolver, and the outdoor range on City Island (Bronx, New York) qualifies those with a 9mm service weapon. The range used by those

with .38 caliber weapons is determined by the officer's place of assignment. The surveys were distributed during July 1, 1994 to September 30, 1994 qualifying cycle. At the time of the survey there were 30,496 uniformed members of the NYPD; of the 5,000 (16% of the total number of NYPD uniformed members) questionnaires distributed, a total of 3,538 members completed the survey, a 70.8% response rate. The estimated error, using the standard sampling error formula, is within 1.5%.

The survey was anonymous, confidential and optional. Each of the range officers, both on the day and evening tours, was contacted and the purpose of the study was explained. Their assistance was requested in distributing the survey with a cover letter, to each member attending their range. The surveys and a sealed box with an opening in the top marked "Completed Surveys," were delivered to each of the ranges. The survey was distributed to members attending the cycle. An additional 301 surveys were completed when former NYPD Chief of Department John Timoney distributed the survey to the regional police commanders for dissemination to the NYPD's executive ranks, i.e. captains and above. This was done because uniformed members in the rank of captain and above do not attend the regular qualifying firearms cycle. However, some police regional command headquarters distributed the survey to other ranks, adding to the number of questionnaires completed by all (n=3538). On October 1, 1994, all questionnaires were picked up from the eleven firearms ranges and the data was entered into the Statistical Program for the Social Sciences (SPSS) for Windows.

Frequencies for each of the twenty-three variables contained in the code book were produced. The demographic variables for each of the following tables are self-explanatory. Gender was coded into male and female. Rank was coded into Police Officer, Detective, Sergeant, Lieutenant, Captain, and above Captain. Residence was coded into those who live within the five boroughs of New York City (NYC) and those who live outside the city limits. It should be noted for the rank variable that the designated ranks are listed in ascending order. For example, a Sergeant is above the rank of Detective and Police Officer. Other variables that were recoded will be explained with reference to the particular table in which they are reported.

Two demographic variables which were recoded so that the information would yield more interpretable results were the variables capturing tenure within the NYPD and the type of assignment of the officer. Respondents entered the actual time working for the department, which ranged from one year to 40 years. The variable was recoded into five year increments, until 26 years with the department and then respondents with more than 26 years to 40 years were collapsed into one category.

Assignments were categorized into patrol, administrative, detective bureau, organized crime control bureau, “detail” (i.e. specialized assignment), and the internal affairs bureau. Patrol has traditionally been referred to as the “backbone of the department,” and the majority of personnel and resources are assigned to patrol. Members in the patrol services bureau respond to emergencies, either assigned by a 911 dispatcher or observed while safeguarding the streets. The “administrative” assignment refers to those job functions that sustain patrol operations. This would include the property officer, highway safety officer and latent print officer. Members assigned to the detective bureau conduct investigations of all complaints referred to investigative units by the patrol force, identify and apprehend suspects associated with these investigations, provide witness protection, and extradite wanted persons. The organized crime control bureau's members concentrate their law enforcement efforts against traditional and non-traditional organized crime, narcotics sales at all levels, public moral related violations and organized auto larceny. “Detail” assignments refer to those members assigned to ancillary functions within the department including the recruitment section, communications and pension section. Members assigned to the internal affairs bureau are responsible for the efficient and complete investigation of all allegations of corruption/serious misconduct and to establish and promote the highest integrity standards among members of the NYPD.

Characteristics of the Survey Respondents

Table I. Five Demographic Characteristics of Survey Respondents by Total Uniformed NYPD Personnel

Demographic	Total NYPD Personnel		Survey Respondents	
	%	N	%	N
Gender				
Male	85.5	(26074)	82.7	(2863)
Female	14.5	(4422)	17.3	(599)
Rank				
Police Officer	71.2	(21728)	76.9	(2713)
Detective	12.2	(3727)	10.3	(362)
Sergeant	11.1	(3399)	8.2	(288)
Lieutenant	3.6	(1126)	2.2	(79)
Captain	1.1	(344)	1.8	(64)
Above Captain	0.5	(172)	0.6	(21)
Years with Department				
1 – 5	36.7	(11209)	34.6	(1225)
6 – 10	32.3	(9836)	35.6	(1260)
11 – 15	19.3	(5868)	19.2	(678)
16 – 20	1.3	(394)	1.8	(62)
21 – 25	5.5	(1680)	3.6	(127)
26 – 40	4.8	(1479)	3.8	(131)
Assignment				
Patrol	73.0	(22262)	71.6	(2506)
Administrative	8.2	(2501)	10.3	(362)
Detective Bureau	10.0	(3050)	9.8	(344)
O.C.C.B.	5.1	(1555)	4.3	(151)
Detail	2.1	(640)	2.8	(99)
I.A.D.	1.6	(488)	1.1	(37)
Residence				
NYC	55.7	(16999)	59.4	(2087)
Outside NYC	44.3	(13497)	40.6	(1429)

As can be seen from Table 1, the survey respondents were representative of the uniformed members of the NYPD.

Findings

Tables II, III, IV and V describe the relationship between gender and carrying of a weapon off-duty, assignment, taking police action with and without a weapon off-duty, and how stressful it would be if the respondent was prohibited from carrying a weapon off-duty.

Table II. Relationship between Gender and Frequency of Carrying Weapon while Off Duty

GENDER							
	Male	%	Female	%	Total	%	X2
How Often Weapon Carried Off-duty							14.34*
Always	1384	48.3%	240	40.1%	1624	46.9%	
Never	163	5.7%	45	7.5%	208	6.0%	
Sometimes	1316	46.0%	314	52.4%	1630	47.1%	
Total	2863	82.7%	599	17.3%	3462	100.0%	

* p < .005. ** p < .0005. ***p < .00005.

Males are statistically significantly more likely to “always” carry their weapon while off-duty (48.3% in comparison to only 40.1% of the women) whereas women are statistically significantly more likely to carry “sometimes” (52.4% of the females in comparison to 46% of the males) when they are off-duty. Is it easier for men to carry a concealed weapon than it is for women? If a woman is wearing a dress, for example, concealing a weapon may be difficult and the NYPD does not sanction officers carrying weapons other than on their person. The style of men's civilian clothing may make it easier to conceal a weapon.

Table III continues to examine the role gender plays in understanding off duty attitudes and behaviors regarding carrying a weapon.

Table III. Relationship between Gender and Type of Work Assignment

	GENDER			X2
	Male	Female	Total	
Assignment				88.93***
Patrol	2113	347	2460	
Percentage	74.5	58.9	71.8	
Administrative	237	117	354	
Percentage	8.4	19.9	10.3	
Detective Bureau	267	65	332	
Percentage	9.4	11.0	9.7	
OCCB	123	25	148	
Percentage	4.3	4.2	4.3	
Detail	69	27	96	
Percentage	2.4	4.6	2.8	
IAD	29	8	37	
Percentage	1.0	1.4	1.1	
Total	2838	589	3427	
Percentage	82.8	17.2	100.0	

* $p < .005$. ** $p < .0005$. *** $p < .00005$.

The type of assignment varied statistically significantly by gender in several areas. Specifically, males were statistically significantly more likely to be assigned to patrol (74.5%) and conversely, females were statistically significantly more likely to be assigned to administrative duties (19.9%). Oftentimes, females seek assignments that offer steady hours because they are the primary caregivers at home. Additionally, females tend to enter the department with previous administrative experience. For example, females will have secretarial experience and therefore be more likely to be assigned to a position where their knowledge of word processing will be utilized (i.e. typing complaint reports in the crime reporting room or working the switchboard, if she had previous receptionist experience).

Females (4.6%) were also more likely to be in details as compared to males (2.4%). This may partially be explained in that details such as Vice Enforcement, which targets prostitution, require a female presence to be effective (i.e. women pose as prostitutes and soliciting "johns" are arrested). There are an equal number of males and females assigned to both the organized crime control bureau and the internal affairs division.

Table IV Relationship Between Gender and Taking Police Action Off-Duty With and Without Weapon Displayed

GENDER				
	Male	Female	Total	X2
Took Police Action Off-duty and Displayed Gun				39.49***
Yes	691	74	765	
Percentage	24.3	12.4	22.2	
No	2154	522	2676	
Percentage	75.7	87.6	77.8	
Total	2845	596	3441	
Percentage	82.7	17.3	100.0	
Took Police Action Off-duty Without Displaying Gun 3.68				3.68***
Yes	33.4	29.2	32.7	
Percentage	1846	410	2256	
No	66.6	70.8	67.3	
Percentage	2772	579	3351	
Total	82.7	17.3	100.0	

* $p < .005$. ** $p < .0005$. *** $p < .00005$.

Table IV examines the relationship between gender and taking police action off duty with and without ones' weapon. Both men and women are overwhelming (75.7% and 87.6% respectively) unlikely to take police action off-duty displaying their weapons. However, males (24.3%) are twice as likely to take police action off-duty displaying their weapon as females (12.4%). A chi-square for significance indicates that men are statistically significantly more likely to take action off duty while displaying their weapon as their female counterparts ($p < 0.00005$). There was no statistical significant difference between men and women in taking police action without displaying their weapons off-duty.

As can be seen in Table V, males were statistically significantly more likely than females to feel "very" stressed if they were not able to carry their weapons off-duty, whereas females were statistically significantly more likely than males to feel "somewhat" stressful if they were not able to carry their weapon off-duty.

Table V Relationship between Gender and Stress

GENDER				
	Male	Female	Total	X2
How Stressful if Not Able to Carry Off-duty				37.96***
Not at All	285	76	361	
Percentage	10.1	12.9	10.6	
Slightly	140	42	182	
Percentage	5.0	7.1	5.3	
Somewhat	648	181	829	
Percentage	22.9	30.7	24.3	
Moderately	328	71	399	
Percentage	11.6	12.1	11.7	
Very	1424	219	1643	
Percentage	50.4	37.2	48.1	
Total	2825	589	3414	
Percentage	82.7	17.3	100.0	

* $p < .005$. ** $p < .0005$. *** $p < .00005$.

Since women (40.1%) are less likely than men (48.3%) to “always” carry their weapon (Table 53), it is logical that they would not feel as highly stressed as their male counterparts if carrying a weapon off-duty were prohibited.

Conclusion

Although the NYPD had revised their “carry” policy in 1981, there has been no comprehensive research or agency analysis conducted regarding the carrying of weapons by off duty police personnel. In this article, the focus was to examine the results of a survey completed by 3538 uniformed members of the NYPD. The survey respondents were found to be representative of the agency and the estimated error, using the standard sampling error formula, was within 1.5%.

In terms of gender, males were statistically significantly more likely to always carry their weapon and be assigned to patrol than females. Males were found to have been twice as likely to have taken enforcement action while off-duty and while displaying their weapon, while there was no significant difference between men and women regarding taking police action off-duty without drawing their weapon. However, males were statistically significantly more likely to feel “very stressed” if they were prohibited from carrying their weapon while not working. This may be correlated to the males' predominant response that noted that most “always” carried their weapon while off-duty.

The findings of this study open the door to further research concerning the difference between male and female behavior regarding not only the carrying of a weapon while off duty, but the difference in taking enforcement action while not working. It would be interesting to conduct a follow up study which would focus on these differences. Although not discussed in this article, the broader research study included the times in which males and females discharge their weapon. A further in-depth examination of both of these areas may provide a wealth of information about law enforcement personnel working in American metropolitan areas.

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Urban V. Rural: Measuring Collective Efficacy in Two Different Populations

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Abstract

The concept of community collective efficacy suggests that people who share the same values will come together to solve community-level problems. In this paper, I explore the possibility that residents of a rural area may differently perceive accepted social values than people who reside in an urban area. This idea is further explored when I examine the common measures of community collective efficacy and how they are related to reporting violent victimization between different ethnic groups located in a rural area.

Key Words

Urban, Rural, Community Collective Efficacy, Native American Indians

Introduction

The ideas about collective efficacy in neighborhoods center on the notion that people will take action to reduce crime and violence occurring in their own neighborhoods. Much criminological analysis in this area rests on the foundational work of Robert J. Sampson, Stephen Raudenbush and Felton Earls' 1997 findings reported in *Science*. Other interested parties have expanded upon this work to explore more deeply the role of collective efficacy in reducing community-level violence in cities (Pratt & Cullen 2005; Hipp & Yates, 2009; Bridenball, 2005). What urban community researchers appear to fail to consider is that the ideas about community collective efficacy and its role in mitigating community-level violence may only be applicable to residents in urban population centers. This current situation may simply be an artifact of the limited availability of high quality social scientific data from rural populations; a situation that is currently being remediated (see, e.g., Bursik, 2000; Yagnik & Teraiya, 1999). This is an important area to examine because residents of rural areas may not share the same value structure as urban dwellers and may not, therefore, respond to policies and practices based upon theoretical constructs derived from research in urban areas. The present research

examines the measures of collective efficacy as used by Sampson and his colleagues in the community survey section of the Project on Human Development in Chicago Neighborhoods (PHDCN, 1997) and Abril's Southern Ute Indian Community Safety Survey (SUICSS) in which identical measures of community collective efficacy were used to test social cohesion and informal social control as they relate to violent victimization.

The principle of community collective efficacy infers that if collective efficacy is low then reports of violent victimization would be high, thus suggesting that low levels of collective efficacy coincide with more community violence. Certainly, this was demonstrated in a densely-populated urban area of Chicago. But, one might wonder if the measures of community collective efficacy are still associated with reports of violent victimization in other types of population centers such as in a rural area? The present paper discusses each measure of the community collective efficacy construct and compares such between the urban and rural areas to understand if responses to a collective efficacy survey from urban residents are similar to those from rural residents. Next, this paper examines if the measures of collective efficacy are associated with reporting violent victimization between two different ethnic and cultural groups found in a rural area. Finally, the relationship between each of the community collective efficacy measures are examined together with an interest in determining if race and ethnic identity has a significant effect on reporting violent victimization. This concept is important to understand because public crime control policies based upon theoretical constructs derived in urban areas where less homogeneity of races and ethnic groups exist may not accurately reflect the value structure of rural residents and, therefore, any subsequent crime control policies may be ineffective.

Previous Work

PHDCN

The Project on Human Development in Chicago Neighborhoods (PHDCN) was a survey of 8,782 residents of 343 “neighborhood clusters” located in the densely-populated urban area of Chicago, Illinois, USA. The PHDCN sought to understand the reasons why geographic concentration of violence and its connection to neighborhood composition are related, as well as to understand which social processes help to mediate or explain this relationship. The basic premise of the researchers was that social and organizational characteristics of the neighborhoods explain the differing crime rates between neighborhoods. They proposed that the differential ability of neighborhoods to realize the common values of residents and maintain effective social controls is a major source of neighborhood variation in violence. From this significant finding, one may hypothesize that reporting violent

victimization to the police or other authority may be associated with varied levels of commonality of cultural values. Others have expanded upon this notion (e.g., Abril, 2008; Bridenball & Jesilow, 2009). For the present research, however, I focus on the reliability of the ten measures of social cohesion and informal social control, as used by Sampson and his colleagues (1997) in urban Chicago, to capture the essence of the global construct of community collective efficacy in a rural research setting in southwest Colorado.

The issue of validity and reliability of the measures of community collective efficacy was partially acknowledged in a 2005 report when Sampson, Morenoff and Raudenbush wrote that they used “validated measures of collective efficacy” in their examination of the PHDCN data while exploring racial and ethnic disparities in violence (2005). To support their assertion of construct validity in an ethnically and racially diverse context,¹ the social scientists demonstrate “high between-neighborhood reliability” of the measures using the then newly-created hierarchical linear modeling (HLM) techniques (1997). HLM analyses allowed them to empirically test individual- and community-level reports of violence and perceptions of community disorder and social control between “neighborhood clusters” that they delineated in their earlier work.

Contextual effects (i.e., neighborhood effects), including such concepts as perceived disorder and public safety, can “occur when the aggregate of a person-level characteristic is related to the outcome, even after controlling for the effect of the individual characteristic” (Raudenbush & Bryk, 2002, pp. 139). Properties of HLM techniques allowed Sampson and colleagues to disentangle these individual- and community-level effects in a hierarchical modeling analysis (1997). However, because their research site was a densely-populated metropolitan area with its own algorithms of superimposed urban behavioral norms, these researchers may not have considered the reality that while individuals and groups may share common values related to urban survival, individuals and their social groups may differ in their beliefs regarding broad behavioral norms; norms that are deeply rooted in cultural and social ideologies. These realities may vary between localities. Thus, it is important to clearly understand the connections between and associations with cultural values and human behavior in a variety of settings. It was within this context that the Southern Ute Indian Community Safety Survey was situated.

SUICCS

The Southern Ute Indian Community Safety Survey (SUICSS) was a study of crime and violence occurring on and around the Southern Ute Indian reservation, located in rural southwest Colorado, USA. The nearest municipality to the reservation is Durango, Co. The SUICSS consisted of a 72-item questionnaire

survey completed by 667 residents of rural Colorado and 85 structured personal interviews conducted with American Indian tribal members. The survey instrument was mailed to adult tribal members (those over the age of 18) whose addresses were obtained from the Southern Ute Tribal Council. A control sample of non-Indians was derived from the La Plata county voter registration list that contained only those adults over the age of 18. The sample contained 312 tribal members and other people who self-identified as Native American Indian as well as 355 non-tribal members who reported membership in varying ethnic groups, with the dominate group being Euro-American based.^{2,3} In this study of racial and ethnic differences in reports of individual violent victimization, it was found that the specific values of an ethnically and culturally unified group, i.e. American Indians who live on a reservation, is significantly associated with reporting violent victimization (Abril, 2007). It thus became clear to then ask the question, are the measures used to ascertain the various levels of collective efficacy between the Indian and non-Indian groups actually reflective of the values of persons residing in this rural area; whether they be Indian or non-Indian? I explore this concept further in the Discussion section of this paper.

Measuring Values

The conundrum experienced by social scientists related to measuring cultural or social values of a foreign group, i.e. one in which the researcher is not a direct member, situates on the premise that the investigator has a clear grasp of the values of the research population. Often investigators of criminological phenomenon generally do not 'come from' the cultural group(s) of interest to the field. Clearly, if one does not understand their population well, so well that membership may be necessary, then it is quite possible that any investigator-constructed measures of cultural values may not accurately reflect that which he/she is trying to understand.

Many social investigators have examined the complexity of constructing measures of values and have generally agreed that 'one size fits all' measures are of limited use and difficult to generalize across populations. This does not necessarily mean that the constructs that form collective efficacy are not amenable to use in a variety of research settings, including neighborhoods. Indeed they are reformulated concepts from the earlier work of Albert Bandura (1982) who developed the concept of self-efficacy. Simply, the constructs of collective efficacy should be reflective of the realities of the circumstances onto which they will be applied. It is therefore acceptable in this study to assume that these same measures will accurately capture the values of community members. But, this may not be so. It is thus hypothesized here that because these constructs are reflective of the realities of urban dwellers, they may not be reflective of rural citizens.

Methodologies

Both the Project on Human Development in Chicago Neighborhoods and the Southern Ute Indian Community Safety Survey used identical measures of collective efficacy. Doing so allowed for the comparison of between group differences. The two area groups in the first analysis for comparison are RURAL and URBAN. In order to understand the differences between the two groups in the present analysis, each are defined next.

An Urban Area

An urban area is defined by multiple spatial characteristics including close physical proximity of residential housing units, a variety of types of housing units such as houses, apartments and condominiums, and commercial zoning specifications enunciated by the municipal zoning authority. The close proximity of schools, parks, businesses and other types of dwellings found in urban centers are also indicative of an urban area. For this study, an urban area is defined as one zoned for both commercial and residential development within a small geographic region. The Chicago neighborhoods studied during the Project on Human Development in Chicago Neighborhoods are globally defined as an urban area.

A Rural Area

A rural area is defined by the local land use commission. The area is often characterized by farms, ranches, housing units dispersed over a large geographic region, and one zoned for agricultural development. The reservation area and its surroundings studied during the Southern Ute Indian Community Safety Survey are globally defined as a rural area.

Measures of Collective Efficacy

Sampson and his colleagues (1997) measured collective efficacy using a ten item Likert-style scale. The ten items are bifurcated into two groups; one measuring community cohesion and the other measuring informal social control. Community cohesion was measured by these five items: People around here are willing to help their neighbors; This is a 'close knit' community; People in this neighborhood can be trusted; People in this neighborhood generally do not get along with each other; People in this neighborhood do not share the same values. Informal social control was measured by these five items: How likely is it that your neighbors could be counted on to do something if children were skipping school and 'hanging out?'; How likely is it that your neighbors could be counted on to do something if children were spray painting graffiti on a local building?; How likely is it that your neighbors would do something if children were showing disrespect to an adult?; How likely is it that your neighbors could be counted on to do something if a fight broke out in front of their house?; How likely is it that your neighbors could be counted on to do something if the fire station closest to your home was threatened with budget cuts?

Measures of Personal Violent Victimization

PHDCN

The PHDCN measured personal victimization by asking the survey respondents the following question, “While you have lived in this neighborhood, has anyone ever used violence, such as in a mugging, fight, or sexual assault, against you or any member of your household anywhere in your neighborhood?” For the analysis in this paper, measures of personal violent victimization from the PHDCN were not included in the analysis because the first research question is simply asking if there is a difference in the mean scores between the URBAN and RURAL populations on the community collective efficacy measures.

SUICSS

The SUICSS measured personal violence by asking survey respondents about their own experiences with violent victimization. The survey participants were asked to mark a box if they had ever experienced a specific type of physical violence. The following were the types of victimization about which survey participants responded: someone threatened you with a knife, gun or other weapon; someone slapped or hit you; someone beat you up; someone kicked or bit you; someone pushed, grabbed or shoved you; and, someone raped you (I was forced to have sexual intercourse against my will). As there were possible telescoping issues with how the victimization data were gathered using the survey instrument, for one analysis reported here the victimization categories were collapsed and reconstituted as one dichotomous variable (0, 1 with “0” indicating no reports of violent victimization and “1” indicating at least one or more reports of violent victimization) and labeled as violent victimization. A second variable for number of reported incidents of violent victimization was also created. A scale based on the number of reports of violent victimization measuring between “0” and “6” reports of violent victimization was also created with “0” being no reports of violent victimization and “6” being six reports of violent victimization.

Ethnic Identity

There were two distinct ethnic groups in the present analysis; INDIANS and NON-INDIANS. INDIANS were members of a federally-recognized American Indian tribe, band or clan. The identities of the INDIANS were confirmed by their inclusion on the enrollment roster for the targeted American Indian tribe and others in the survey that self-identified as INDIAN. NON-INDIANS were all other ethnic group members except those identified as American Indian.

Data Analysis

t-tests

It was hypothesized that there would be significant differences between urban and rural residents on each of the community collective efficacy measures. To understand these differences and any possible significance, *t*-tests for independent samples were conducted on each measure of collective efficacy by area type; urban and rural. Tables Ia and Ib display the results of the *t*-tests for comparison of the mean scores between the urban and rural groups.

Table Ia. *t*-test results for Collective Efficacy by Area Type Urban and Rural.

	URBAN			RURAL			
	Mean	SD	<i>n</i>	Mean	SD	<i>n</i>	Sig.
Informal Social Control							
Kids Skipping School	2.74	1.36	7962	3.07	1.21	665	.0001
Graffiti on bldg	2.23	1.26	7705	2.48	1.22	664	.0001
Kids Disrespecting Adults	2.86	1.16	7261	3.10	1.25	664	.0001
Fight IFO House	2.61	1.30	7450	2.53	1.18	665	.1257
Fire Station w/budget	2.02	1.13	7193	2.68	1.15	665	.0001
Community Cohesion							
Willingness to Help	2.34	0.94	7565	2.48	1.17	664	.0003
Close Knit Community	2.74	1.11	7579	2.92	1.12	664	.0001
People can be Trusted	2.62	1.00	6310	2.94	1.21	661	.0001
People don't get Along	3.61	0.94	7466	3.41	1.07	664	.0001
People don't Share Values	3.07	1.07	6981	2.94	1.21	663	.0031

$\alpha = .05$

As indicated in table 1a, there were significant differences between the urban and rural groups on nine out of the ten measures of community collective efficacy. This is interesting because there should not be any differences between the two groups as Sampson and his colleagues suggested that these measures are reflective of commonly held social values. With the exception of the measure that asked a respondent if their neighbor would report a fight that broke out in front of their home, the rural residents differed significantly from their urban counterparts on their views of their community.

Table Ib. *t*-test results for Collective Efficacy by Area Type Urban and Rural.

	URBAN		RURAL		
	CI	95% CI	<i>t</i>	<i>df</i>	SE
Informal Social Control					
Kids Skipping School	-0.3300	-0.4370 to -0.2230	06.0601	8625	0.054
Graffiti on bldg	-0.2500	-0.3499 to -0.1501	04.9179	8367	0.051
Kids Disrespecting Adults	-0.2400	-0.3330 to -0.1470	05.0690	7923	0.047
Fight IFO House	-0.0800	-0.0226 to -0.1826	01.5316	8113	0.052
Fire Station w/budget	-0.6600	-0.7501 to -0.5699	14.3887	7856	0.046
Community Cohesion					
Willingness to Help	-0.1400	-0.2164 to -0.0636	3.6009	8227	0.039
Close Knit Community	-0.1800	-0.2683 to -0.0917	4.0039	8241	0.045
People can be Trusted	-0.3200	-0.4021 to -0.2379	7.6609	6969	0.042
People don't get Along	-0.2000	-0.1243 to -0.2757	5.1917	8128	0.039
People don't Share Values	-0.1300	-0.0435 to -0.2165	2.9542	7642	0.044

$\alpha = .05$

Pearson's Chi-Square Tests

Next, it was hypothesized that there would be differences between the Indians and Non-Indians related to reporting violent victimization. Pearson's chi-square analyses were conducted to determine the association between each measure of community collective efficacy and reports of violent victimization for each ethnic group in the SUCSS. Table II presents the results of the Pearson's chi-square analyses for each ethnic group.

Table II. Pearson's Chi-Square Measures of Collective Efficacy to Reporting Violent Victimization Between Indian and Non-Indian Groups

	INDIAN				NON-INDIAN			
	df	n	χ^2	p	df	n	χ^2	p
Community Cohesion								
Willing to help	4	309	04.631	0.327	4	355	38.159	0.000
'Close knit' community	4	309	02.922	0.571	4	355	33.221	0.000
People can be trusted	4	309	18.358	0.001	4	353	40.388	0.000
Do not get along	4	309	04.243	0.374	4	355	25.111	0.000
Do not share values	4	309	01.443	0.837	4	354	26.337	0.000
Informal Social Control								
Kids skipping school	4	310	3.636	0.457	4	355	27.881	0.000
Spray painting graffiti	4	309	9.870	0.043	4	355	31.268	0.000
Disrespecting an adult	4	310	1.385	0.847	4	354	15.054	0.005
Report fight IFO home	4	310	7.730	0.102	4	355	10.126	0.038
Fire station closing	4	310	5.064	0.281	4	355	10.416	0.034

Chi-square contingency tables were analyzed to determine the association between the ten measures of collective efficacy and reports of violent victimization for each ethnic group. Table II presents the results of the Pearson's chi-square tests of association. It was found that the individual measures of collective efficacy were significantly associated with reports of violent victimization among the NON-INDIANS but eight of these ten measures were not associated with reporting violent victimization among the INDIANS. This suggests that standardized measures of collective efficacy developed for social groups who share modern Euro-American, middle-class values may not be appropriate for various ethnic groups in general and Native American Indians, in particular.

Logistic Regression Analysis

Based upon an initial review of the Pearson's Chi-Square results, it was further hypothesized that when the INDIAN and NON-INDIAN groups are examined separately in a logistic regression analysis each would present varying degrees of power to forecast whether the collective efficacy measures could predict reporting violent victimization. Table 3 presents the results of the logistic regression analysis for the INDIANS in the study. Table 4 presents the results of the logistic regression analysis for the NON-INDIANS in the study.

Table III. Logistic Regression:
Collective Efficacy and Reports of Violent Victimization by Race INDIAN only

	β	SE	Wald	df	Sig.	r
Community Cohesion						
Willing to help	-.1088	0.1644	0.4380	1	.5081	.0000
'Close knit' community	-.0528	0.1641	0.1034	1	.7478	.0000
People can be trusted	.5540	0.1783	9.6598	1	.0019	.1429
Do not get along	.2160	0.1716	1.5837	1	.2082	.0000
Do not share values	-.1942	0.1464	1.7585	1	.1848	.0000
Informal Social Control						
Kids skipping school	.3276	.1687	3.7714	1	.0521	.0687
Spray painting graffiti	-.5307	.1621	10.7232	1	.0011	-.1525
Disrespecting an adult	-.0670	.1573	.1815	1	.6701	.0000
Report fight IFO home	-.4002	.1359	8.6677	1	.0032	-.1333
Fire station closing	.3611	.1435	6.3296	1	.0119	.1074
Constant	-1.6789	.5866	8.1903	1	.0042	

Table IV. Logistic Regression:
Collective Efficacy and Reports of Violent Victimization by Race NON-INDIAN only

	β	SE	Wald	df	Sig.	r
Community Cohesion						
Willing to help	.2121	.2442	.7542	1	.3852	.0000
'Close knit' community	.3998	.2551	2.4552	1	.1171	.0414
People can be trusted	.2300	.2714	.7181	1	.3968	.0000
Do not get along	.1405	.2602	.2916	1	.5892	.0000
Do not share values	.2710	.2071	1.7132	1	.1906	.0000
Informal Social Control						
Kids skipping school	0.0799	0.2433	0.1078	1	0.7426	0.0687
Spray painting graffiti	0.2736	0.2291	1.4263	1	0.2324	-.1525
Disrespecting an adult	-.1137	0.2338	0.2365	1	0.6267	0.0000
Report fight IFO home	-.1307	0.2227	0.3442	1	0.5574	-.1333
Fire station closing	.0239	0.2070	0.0133	1	0.9082	0.1074
Constant	-5.8060	0.7876	54.3362	1	0.0000	

In table III, we can see the value of the community collective efficacy measures to predict reports of violent victimization among INDIANS is made clearer when the NON-INDIANS are taken away from the analysis. Conversely, the regression values for the NON-INDIANS become much clearer to interpret when the INDIANS are removed from the equation.

Data presented in table IV indicates that the community collective efficacy measures are somewhat more indicative of predicting reports of violent victimization among NON-INDIANS than from INDIANS.

Discussion

There are significant differences on all variables that compose the collective efficacy concept, except the variable that measures a potential response to violence, "How likely is it that your neighbors could be counted on to do something if a fight broke out in front of their house?" The results of this measure of response to violence indicate that both populations will likely respond, i.e., report to authorities, violence occurring in front of their homes. There are other possible explanations for the differences between the urban and rural populations.

Cultural Values

The SUICSS found significant differences in cultural values among the INDIANS and NON-INDIANS who participated in the study. Abril discusses these differences in previous work (2008). The population in the PHDCN was more ethnically and culturally mixed than the one in the SUICSS. This may imply that the values of the urban population might experience a common merging of social values because of the structure of social interdependence necessary for survival in an urban area. The rural residents, therefore, may not experience the same social phenomena and may have developed more independence to develop socially acceptable behavioral standards that are parallel with the values and beliefs of their specific cultural group.

Racial and Ethnic Group Compositions

The SUICSS consisted primarily of two distinct ethnic groups, Indians and non-Indians. The non-Indian group was primarily composed on Euro-Americans while the Indian group was composed predominately of members of a federally-recognized American Indian tribe. This may be significant to understanding the differences found in the separate ethnic groups because the concentration of a single, dominant cultural and ethnic identity, i.e., one that is Native American Indian, may contribute to the development of a uniquely applicable set of social standards by which to measure the community collective efficacy construct. The Non - Indians, however, do not enjoy the same unified cultural and ethnic identity as the Indians and may, therefore, possibly by default, have adopted the social

standards accepted by other non-Indians living in other areas. Intra-group relations among the Non-Indians may explain why the prevailing social standards are as strongly held as they were shown to be in this study. These imported social standards may be the explanatory factor for the differences in responses to the community collective efficacy measures between the Indians and the non-Indians in the present study. There may be other reasons for the differences found herein.

Stratification of Racial Groups

The two groups in the analysis are stratified by race. This means that the Indians and non-Indians are separated into two distinct groups that likely have embedded within them two different modalities of perceived ethical behavior. This means that the Indian group might have developed a system of ethical behavior that is based upon strongly held cultural norms of good conduct that may be unlike those expressed by the non-Indians.

Residential Compositions

The residential composition of the neighborhoods for the participants in the SUICSS is unique to this rural area. Many of the Indian study participants reside within the confines of an Indian reservation while members of the non-Indian control group reside outside the confines of an Indian reservation but within close proximity to one. This means that the Indian participants live within close proximity to each other thus allowing for unique social processes to occur such as the reiteration of culturally infused standards of behavior to develop. This same process, while likely unbeknownst to the members of the non-Indian group, may be perceived pejoratively by the non-Indians when behavioral patterns are revealed as culturally informed. Thus, scientific measures of social standards developed in areas other than rural surroundings may not accurately reflect the values related to socially acceptable behaviors. There may be other reasons for the differences found between Indians and non-Indians such as those related to living conditions.

Differing Living Conditions

Living conditions, such as having more physical space between oneself and one's neighbors may contribute to differences in perceived standards of behavior that may or may not be reflected in or adequately captured by standardized scientific measures developed for use in other types of populations. It is unclear at this time by which mechanism and just how having more physical space may contribute to developing more perceived freedoms related to acceptable behavioral standards. In the Indian group, though, the relative lack of physical confinement by structural barriers such as well-defined neighborhoods and social centers, for example, provides the reservation residents some freedom to develop an organic set of behavioral standards that is both conducive to social cohesiveness within the group

and may, at the same time, contribute to misunderstandings about it by outsiders and those who reside near the reservation. Ideological differences may also play a role in explaining why the opinions of the community among rural Indians differ so dramatically between the non-Indians.

Differing Ideologies

Differences in ideologies between urban dwellers and rural residents must contribute to the varying degree of responses found in this study. A rural environment naturally lends itself to a culture of independence because to survive in this environment, individuals must develop social skills that lend to their ability to fend for themselves in times of isolation. This might mean that standards of behavior that aid one to survive in an isolated rural environment such as the ability to quickly assess the dangerousness of others' actions may lead to individual beliefs about behaviors that in other contexts may be perceived as dangerous. Under this assumption, then, similar behaviors in an urban setting may elicit somewhat stronger reactions by community members and thus be reflected in measures developed to assess these values because the behaviors threaten the social order, and possibly the survival of individuals and groups. For example, someone firing a rifle in a rural area may be understood to simply be target shooting or hunting. While this same behavior in an urban area will likely be perceived as a threat to all who are nearby and thus, elicit a more aggressive response.

Differing Economic Structures

Differences in economic structures between the Indians and non-Indians may also be pivotal to understanding the differences in responses to the community collective efficacy measures by the Indians and non-Indians. Misconceptions about economic resources distributed to the Indians by both tribal and federal governments may contribute to further misunderstandings of behavioral norms that have likely developed as a result of the local tribal economic structure. Different behavioral patterns among members of the Indian group may have developed over time that are conducive to economic prosperity but may be counter to the accepted principles of positive behavioral standards mimicked by members of the non-Indian group.

Differing Governmental Structures

Differences in governmental structures and the types and effects of power yielded by the local tribal and non-tribal governments may also likely contribute to different views and opinions about one's rural neighborhood. Certainly, when one sees behaviors that appear counterintuitive to a positive, productive society, i.e., those behaviors that would indicate agreement with the standardized measures of community collective efficacy, individuals and, possibly even the entire group, may

be influenced to reject behavioral norms developed organically that may be more conducive to group survival than those perceived to be necessary by outsiders to the culture.

Differing Life Experiences

Differences in life experiences between the Indians and non-Indians must also be considered in the analysis of differing responses to the community collective efficacy measures. Historically, Indians have experienced a unique power differential, often one that has effectively subjugated them to a lower level of society. This long-term process may have effectively forced the group to develop behavioral standards and norms that are purposefully counter to those established by dominant non-Indian, Euro-American groups.

Conclusion

Based upon results of the analyses conducted above, some conclusions may now be formulated. First, because there were significant differences in views of one's community based upon the *t*-tests between the URBAN and RURAL communities, it might be concluded that the measures of community collective efficacy that were used in the URBAN area may not be appropriate for use in a RURAL area where there might be significant populations of cultural and ethnic groups who may or may not share a value structure that is characterized by the measures developed for those residing in an URBAN area. Next, it may be concluded that because there are significant differences between the INDIANS and NON-INDIANS in reporting violent victimization and its association with the various measures of community collective efficacy that alternative measures of community cohesion and informal social control be developed for use in a RURAL reservation area. Finally, it may be concluded that the measures of community collective efficacy developed for a broadly-defined yet Euro-American ideologically-based ethnic group such as the NON-INDIANS may not be appropriate for a broader range of ethnic groups in general and American Indians in particular.

It may be concluded that the ideas about community-level collective efficacy and its relationship to reducing neighborhood violence may not necessarily be applicable to residents of rural areas in general and American Indian reservation areas in particular. Residents of American Indian reservations contend with a myriad of social and cultural differences that are not often factored into the equations of community level responses to social deviance. Therefore, it may be ill-advised to develop public crime control policy responses for rural areas based on data generated from research conducted in urban areas. Perhaps a new community-level research paradigm should be constructed to better respond to community-level deviance in rural areas.

End Notes

¹In later reports, Sampson et al. (2005) acknowledge that they focus primarily on the “three major race/ethnic groups” found in their urban population center; those being African American, Mexican American (Hispanic) and white.

²In this report, Euro-American is denoted generally as being non-Indian.

³For a complete discussion of the methodology used to gather the original data, see Abril, J.C. (2009). *Crime and Violence In a Native American Indian Reservation: A Criminological Study of the Southern Ute Indians*. Forward by Gilbert Geis, Past President American Society of Criminology. VDM Publishing House: Mauritius.

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The History and Development of Probation Service in Pakistan and in Khyber Pakhtunkhwa

Dr. Basharat Hussain

Abstract

Probation is the punishment most widely associated with rehabilitation and helping offenders to lead law-abiding lives. The probation system in Pakistan has a colonial origin. The Probation of Offenders Ordinance 1960 has its origin in the Criminal Procedure Code 1898 (Amended 1923) passed into law by the British Colonial government. The passing of the probation law in 1960 was part of the General Ayub Khan's attempt to modernise Pakistan. This article describes the historical origins of probation in Pakistan in general and explores the development of the probation service in the Khyber Pakhtunkhwa in particular. The main objectives, responsibilities, staffing, organizational structure and working pattern of the RPD in KP are also included. This article is based on the review of primary and secondary data. The secondary data mainly reflects upon the pre-independence era of probation services whereas the primary data has been included to trace the post-independence period of probation service in Pakistan mainly due to the non-availability of reliable resources on the topic. The primary data was collected from the ex-officials of the Reclamation and Probation Department, Khyber Pakhtunkhwa in 2005 as part of my PhD field work.

Key Words

Probation, Punishment, Colonial Legacy, Rehabilitation, Supervision

The Background of Probation in Pakistan

The probation system in Pakistan started in the 1960s, at a time when probation was known and practised in most developed countries of the world. For example, the statutory probation was already introduced in most states in the USA and in Britain at that time. However, in Pakistan probation as a form of punishment did not evolve in the way it did in the USA and Britain (see Leeson, 1914; King, 1964; Crow, 2001; Chui & Nellis, 2003). It was one of the many colonial legacies adopted by the Government of Pakistan (then part of colonial India).

In 1923, the British colonial government in India upgraded the Criminal Procedure Code of 1898 and three new sections which dealt with 'First Offenders' were inserted in it. These sections include:

- Section 562 (*Power of Court to release certain convicted offenders on probation of good conduct instead of sentencing to punishment*),
- Section 563 (*Provision in case of offender failing to observe conditions of his recognizance*); and

- Section 564 (*Conditions as to abode of offender*) (see Ranchhoddas and Thakore, 1946)

These sections, according to Ranchhoddas and Thakore (1946:418), 'enable the court, under certain circumstances, to release the accused, who has been convicted, on probation of good conduct'. The aim of these sections was to benefit first offenders involved in minor offences. Any person having no previous conviction was eligible for probation; however, the final decision rested on the discretion of the judicial magistrate. The provision for release on probation was based on the British *Probation of Offenders Act* of 1907, which gave statutory status to the voluntary work of the police court missionaries (see King, 1964; Bochel, 1976). Thus, probation was one of the many criminal justice ideas that were framed in Britain and then exported to its colonies including British India.

The colonial government of British India tried to pass a separate legislation on probation; they however did not succeed. In 1931, the *All India Probation Bill* was drafted and was circulated to all the provincial governments for their comments (Hamid-uz-Zafar, 1961; Jillani, 1999). The Bill was not passed into law mainly due to the political crisis in the country associated with the ongoing independence movement. After gaining political independence from Britain in 1947, the Government of Pakistan introduced a legislation on probation, namely, the *Probation of Offenders Ordinance 1960/Rules 1961* which was enacted in both wings of Pakistan, i.e. East Pakistan (now known as Bangladesh) and West Pakistan (the present Pakistan) in 1961. The Probation of Offenders Ordinance 1960 is largely an amended version of the Probation Bill 1931.

It is important to mention that the release of prisoners on parole was already in practice during colonial times even before the introduction of provisions for probation. The Criminal Procedure Code of 1898 contained some sections under which provincial governments were empowered to release prisoners from jails for their good conduct and for such prisoners to remain in the community for the remaining period of their imprisonment. This provision was made under section 401, chapter XXIX (*Suspension, Remissions and Commutations of Sentences*) of the Criminal Procedure Code 1898. Specifically, the section states that:

When any person has been sentenced to punishment for an offence, the Provincial Government may at any time without conditions or upon any conditions, which the person sentenced accepts, suspend the execution of his sentence or remit the whole or any part of the punishment to which he has been sentenced. (See Ranchhoddas and Thakore, 1946:289)

At that time, there was no provision for the supervision of those released under this law. In 1927, the British colonial government passed separate legislation for release of offenders on parole namely, the *Good Conduct Prisoners Probationary*

Release Act 1926/Rules 1927. Under this law, parole officers were appointed and made responsible for identifying eligible cases for parole. Supervision was to be made compulsory for those released on parole for the remaining period of their licence. Those released were expected to live freely within the state laws and under the supervision and friendly guidance of parole officers. The law was to have effect in the various provincial governments of British India including the province of Punjab. In addition, Reclamation and Probation Department (hereafter RPD) was established in all provincial governments in 1927, to deal with the release of prisoners on parole. After independence, Punjab was the only province in Pakistan that had the RPD in place. The rest of East and West Pakistan had their respective RPDs in 1957 (Hamid-uz-Zafar, 1961).

Until the Probation of Offenders Ordinance was passed in 1960, the RPD dealt only with parole cases. The Probation of Offenders Ordinance of 1960 established the probation arm of the RPD and enabled probation officers to be appointed for offenders on trial before the courts.

Initially the administrative setup of the RPD was small and simple. Under the 'One Unit' scheme, the RPD worked as a federal department headed by the Secretary to the Government of West Pakistan (Home Department). Probation was initially started in only two divisions of West Pakistan, namely Lahore and Rawalpindi, with the Director based at the provincial capital in Lahore. For administrative purposes in 1962 all the probation and parole officers were placed under the control of commissioners of the divisions. Four years later, the RPD was extended to other divisions of both East and West Pakistan. In West Pakistan, the RPD was extended to twelve divisions, the details of which are as follows:

Province	Divisions with Reclamation and Probation Department
Punjab	Lahore, Multan, Bahawalpur, Sargodha, Khairpur and Rawalpindi
Sindh	Hyderabad, Karachi
Khyber Pakhtunkhwa ²	Peshawar, Dera Ismail Khan
Baluchistan	Quetta and Kalat

The second martial law regime of General Yahya Khan Khan (1969-1971) undid the 'One Unit' scheme in 1969 and the status of the provinces was restored (Hussain and Hussain, 1993:25). The change in the administrative setup of the country affected the working of the RPD too. Previously, the RPD worked under the federal government of West Pakistan. Now it was placed under the provincial government in each province.

After the dismemberment of 'One Unit', the provincial government of Punjab established an independent Directorate of RPD with a full time Director, a Deputy Director, and nine Assistant Directors in all divisions of Punjab province. The province of Sindh also established its independent directorate with a full time Director and three Assistant Directors. The government of Baluchistan along the same lines set up an independent directorate by creating the post of Deputy Director under the Home Department. Like other provinces, the RPD in the Khyber Pakhtunkhwa (hereafter KP) remained with the Home Department after the restoration of the status of provinces in 1969.

Extending Probation Service to Khyber Pakhtunkhwa (KP)

With regard to the KP, as mentioned earlier, the RPD was established in Peshawar and Dera Ismail Khan Divisions in 1957 to carry out parole work. In 1965, the probation law was extended to Peshawar division in the KP. In order to work with offenders on probation and parole in the province, eight probation officer posts and two parole officer posts were appointed during that year (1965). Four probation officers were based in Peshawar district and two in the Mardan and Kohat districts of Peshawar division. No restriction was made on the qualification for the post of probation officer. However, preference was given to law graduates. Later on, in 1971, probation was also extended to Dera Ismail Khan Division. The newly appointed probation and parole officers received in-service training at the Central Jail Staff Training Institute, Lahore (now known as the National Academy of Prison Administration, NAPA).

The journey of the probation service in the KP was not easy and simple. For the new department of probation, it was not easy to find a place in the existing justice system of the country. There was opposition from some criminal justice agencies, for example, the police. In an interview with Rehman Gul,³ Ex-Deputy Director, RPD, KP, he stated:

Initially, we faced numerous problems especially opposition from police department. They did not believe that how can a person be released after the commission of an offence. The police department strongly believed that with the introduction of probation services, the crime rate would go high. However, time has proved that they were wrong. We made significant progress in rehabilitation of first offenders (Rehman Gul, Personal Communication, February 22, 2005).

He added that all the probation officers worked hard to find their place in the existing penal system. They had to meet regularly with the judicial magistrates in order to convince them to grant a probation order in cases of petty nature. He admitted that:

The judicial magistrates, deputy commissioners and commissioners were cooperative and it was because of their cooperation that we made progress in our work (Rehman Gul, Personal Communication, February 22, 2005).

Similarly, in an interview, Mohammad Shafiq, Ex-Deputy Director RPD, KP stated:

Those were very tough days. On many occasions, I became hopeless and believed that this department might not function any more. Probation was a new experiment for all those associated with the justice system in the country. For magistrates, the concept of conviction was limited to paying back for what the offender has committed (Mohammad Shafiq, Personal Communication, January 20, 2005).

More importantly, there were ideological differences between the new probation department and the existing criminal justice agencies resulting from the fact that probation officers not only dealt with cases before the courts but sometimes handled parole cases, which meant that they still had to work with the police, magistrates and the prison department. As Mohammad Shafiq puts it:

The educational level of those working in police and prison department was very low. They did not know about human psychology and the concept of rehabilitation of offenders. For them, the only answer to the crime was severe punishment (Mohammad Shafiq, Personal Communication, January 20, 2005).

He added:

The judicial magistrates being educated people soon understood our motive. They realized the importance of rehabilitation of offender and cooperated with us to place offender on probation (Mohammad Shafiq, Personal Communication, January 20, 2005).

Attallah⁵ Ex-Assistant Director RPD, KP stated:

We soon developed our personal links with the magistrates. The probation officers worked hard which improved the strength of probationers in the province. We did work as parole officers too. The basic purpose was to help the offenders to keep them away from the bad influence of the prisons. It in turn improved the progress of the RPD in the KP as well (Attallah, Personal Communication, January 24, 2005).

With the creation of new districts, more probation officers were appointed to work with offenders on probation in the new districts.

However, a very significant change took place in the KP in 1976 when the RPD was placed under the administrative control of the Inspector General of Prisons as its Director. In 1992, the post of Deputy Director for the probation arm of the RPD was established. In addition, the posts of Assistant Directors were created for each of the seven divisions in the KP. The main job of Assistant Directors was to facilitate the work of probation officers and parole officers. In case of any problems, probation and parole officers would report to their local Assistant Directors based in their respective divisions.

Furthermore, in 2001, another significant administrative change took place under the government's downsizing policy. All the seven posts of Assistant Directors working with RPD in the KP were abolished. This was a serious blow in the sense that the Assistant Directors had played a key role as a 'bridge' between probation officers and magistrates. In case of any problems, probation officers reported to their immediate bosses, the Assistant Directors, who were more or less local (See rule 24 of 'Probation of Offender Rules, 1961'). The removal of the Assistant Directors meant that all the probation officers in the Province now report to a single Deputy Director based in the head office in Peshawar, miles away from many of the probation officers, especially those who reside in the far away districts. This has created many practical problems; for example, in breach cases where probation officers would have reported cases to their local Assistant Directors but now have to report to the Deputy Director in the capital (Peshawar). The process of dealing with breach cases has taken a triangular shape whereby the probation officer and the concerned court are physically close to each other but cannot communicate about breach cases. The Deputy Director is now the only person legally empowered to communicate on breach cases with the courts in the whole Province. The result of this 'centralisation' is that a simple process is made very complicated and breach cases are either lost in the system or not pursued. It was found during the course of this research that some probation officers no longer bother to report breach cases. In some places where cases were reported and passed on to the Deputy Director, probation officers were not made aware of the final decisions of the courts.

What is interesting is the fact that the RPD in the KP was administratively attached to the Prison Department with the Inspector General of Prisons (IG) as head of both departments. The tension between these two departments was an ongoing issue. Rehman Gul, ex-Deputy Director of RPD, KP stated that at one of the meetings with the provincial finance minister, the Inspector General of Prisons KP questioned the work of the probation department and remarked that the RPD is useless and that probation officers are doing nothing. According to Rehman Gul, his reply to the Inspector-General's comments was:

RPD is not a dumping place for offenders as your prisons are. If you are going to question our work, could you please tell me what the prison staffs are doing? Look at our approaches. Our treatment of offenders is friendly whereas your treatment is forced. We help offenders to rehabilitate and not to commit other offence. You teach first offenders criminal lessons. So who is useful for the offenders and for the society as a whole? (Rehman Gul, Personal Communication, February 22, 2005).

The RPD resents being placed under the directorship of the Inspector-General of Prisons (I.G.). Since the joint department was created, the RDP struggled to detach itself from the Prison Department and to establish an independent RDP directorate in the KP. In the other three provinces of Pakistan, the RPDs are separate independent departments. The staff of the RPD in the KP believed that an independent status will improve their work and that the department will flourish as an independent establishment. They believed that the IG was responsible for the lack of progress of the RPD. Not only did the IG did nothing to save the seven posts of the Assistant Directors (interestingly, all the Assistant Directors in the other provinces were retained), but also, numerous requests made in the past to appoint more office staff and probation officers in order to improve the quality of work of the RPD were not granted. For example requests were made to appoint at least six male probation officers and four female probation officers for Peshawar, Abbottabad, Swat and Dera Ismail Khan districts (Daily Express, 22/3/2005). In an interview to the Daily Express, dated March 22, 2005, Inspector General of Prisons KP argued:

The independent directorate of RPD will increase the financial burden of the government. It will not improve the quality of probation work. Furthermore, there is no justification to establish a separate directorate for only 44 employees (Daily Express, March 22, 2005).

It was not clear if an independent directorate will improve the quality of work of the RPD in the KP. However, the staff of the RPD strongly believed that it would improve their quality of work. The staff of the RPD in the KP always looked with admiration at their counterparts working in other provinces, who enjoy independent status. In 2005, the RPD in the KP finally succeeded in establishing its independent directorate of probation under the supervision of Home Department in the province.

The Objectives of the Reclamation and Probation Department KP

Since its creation in 1957, the RPD in the KP has gradually become an integral part of the criminal justice system in Pakistan. The probation work of the department, as already indicated, includes working with offenders sentenced to probation by the courts and the supervision of prisoners released on parole. Probation officers initially supervised only adult offenders but since the passing of the *Juvenile Justice System Ordinance 2000/Rules 2001*, they now also supervise juvenile offenders on probation.

RPD operational documents state the following as the four main objectives of probation in the KP:

To Kill the Crime, not the Criminal

The purpose of probation is to assist in reducing the incidence and impact of crimes without committing further harm to the offender. Research studies have shown that prisons are the breeding places for professional criminals. It is believed that 'every habitual offender had been a first time offender' (Gillani, 1999:175). Therefore, the purpose of probation service is to stop first offenders from becoming professional criminals and help them to become useful and productive citizens of society.

To Reduce Overcrowding in Jails

Overcrowding in prisons is an international phenomenon and Pakistan is not an exception. The prison population in Pakistan is rising gradually. Prisons in Pakistan are keeping more prisoners than their official capacity (Rizvi and Jillani, 2003). In 2012, there were approximately 74,944 prisoners in 97 prison establishments in Pakistan. The official prison capacity target for Pakistan for 2012 was 42617 (International Centre for Prison Studies, 2012). According to Penal Reform International, prisons in all the South Asian countries including Pakistan are overcrowded and are below the international standard (Penal Reform International, 2003). As in most countries, the use of probation is expected to help in reducing the prison population in Pakistan.

To Cut Down Government Expenditure on Prisons

The government of Pakistan, like most modern governments, is keen to reduce public expenditure incurred from keeping offenders in prisons. It would be extremely difficult to calculate how much a person in prison costs to the taxpayer as the number of prisoners fluctuates. However, researches have shown that imprisonment is far more expensive compared with non-custodial or community penalties. Thus, placing more offenders on probation and the use of parole are penal measures that are believed to be capable of reducing the financial costs of keeping offenders in prison.

To Rehabilitate and Re-integrate Offenders as Law Abiding Citizens

Placing offenders on probation is not only an economical way of dealing with offenders; it is a useful means of controlling crime and reducing re-offending. The appeal of probation lies in the claim to rehabilitation and prevention of future offending or re-offending. The probation system in Pakistan is founded upon the rehabilitation idea. The need to keep petty, habitual and first offenders and parolees

away from re-offending by providing them with help, advice and support that would enable them to lead law-abiding lives in their communities is at the core of the probation service in Pakistan, as elsewhere.

Responsibilities of the Reclamation and Probation Department, KP

The RPD's work is governed by three criminal justice laws. First, the *Good Conduct Prisoners Probation Release Act 1926/Rule 1927* which allows prisoners to be released on parole. All probation officers are also empowered to do parole work. However, in addition, there are parole officers who specialise in parole work only. The workload of parole officers is very less compared to that of the probation officers because of the rather lengthy procedure of getting an offender released on licence.

Second, the *Probation of Offenders Ordinance 1960/Rules 1961* is the main probation law in Pakistan. The law allows offenders released by the courts to be supervised by probation officers in the community. The main duties of probation officers are to 'advise, assist and befriend' offenders placed under their supervision as well as help them to be reintegrated into their respective communities.

Third, the *Juvenile Justice System Ordinance 2000/Rules 2001* introduced by the military government of General Pervez Mushraf, in 2001. This law simply extended the duties of probation officers to juvenile offenders. This is a radical departure from the inherited British system. In Britain, probation officers do not deal with juvenile cases. There is a separate youth justice system and young offenders are dealt with by specially trained youth offending team officers. In the KP, probation officers do not receive special training on how to deal with young offenders. There is no additional financial or administrative setup to support work with young offenders. No additional staff has been provided to deal with juvenile offenders. The probation officers who deal with adult cases also deal with the juveniles (SPARC, 2010)

The Structure of the Reclamation and Probation Department, KP

The *Probation of Offender Ordinance 1960/Rules 1961* authorized provincial governments to appoint the following staff to carry out probation work within the RPD in their respective provinces. These posts include:

- The Officer-in-Charge (The Director) RPD, (section 2.c)
- The Assistant Director (rule 2.a)
- The Chief Probation Officer (rule 5.1)
- The Probation Officer (section 2.d)

Officer-in-Charge (The Director)

The Director or 'officer-in-charge' is the head of the RPD in the province (see Rule 2(c) of *Good Conduct Prisoners Probational Release Act 1927* and rule 3(1) of *Probation of Offenders Rules 1961*). The main responsibilities of the Director include overall control, supervision, and direction of all activities of the RPD that are related to probation, parole and juvenile justice.

The Assistant Director

According to rule 4.1 of the Probation Rules 1961, the Director shall appoint the Assistant Directors who shall be responsible for managing the activities of a particular 'probation area' under his control (rule 2.f). Furthermore, as defined under rule 2(a) of Probation Rules 1961 the Assistant Director is to assist the Director in the general administration of the RPD. Specifically, the Assistant Director is responsible for supervising, inspecting, and monitoring the work of the probation officers working in his probation area. He is expected to work in close liaison with the case committee (see rule 16 for details) on matters related to probation (see rule 3) and to authorise the release of offenders on parole. In the practical sense, the Assistant Director is expected to be the immediate line manager to probation officers in the districts under his control. However, as has been explained earlier, the posts of RPD Assistant Directors (seven in number) were abolished in the KP in 2001 as a result of the government's downsizing policy. Instead, the post of a single Deputy Director was created to take over the responsibility of Assistant Directors.

Chief Probation Officers

Rule 5.2 allowed for the appointment of a Chief Probation Officer who should be responsible for looking after the probation work in a particular district or any such area entrusted to him by the Director of the RPD in the province (see rule 5.2). The Director RPD is empowered to appoint as many Chief Probation Officers as are sanctioned by the provincial government. The Chief Probation Officer should be responsible for supervising and distributing probation work among probation officers working under his control (see rule 5.3). At the time of this research, there were no Chief Probation officers in the RPD, KP. With the abolition of the post of Assistant Director and the non-existence of Chief Probation Officers, the immediate line manager of probation officers, as discussed above, is the Deputy Director stationed in the provincial capital, Peshawar.

Probation Officers

Probation officers are appointed by the RPD Director (see section 12.1 and rule 6 of the probation ordinance). Probation officers are expected to perform their duties as directed by the Director to whom they are also accountable. There are

certain limitations on the person eligible to be appointed as a probation officer. The age limit for a first appointment as a probation officer is fixed at a minimum of 23 years and a maximum of 45 years. The qualification required for the post of a probation officer is a minimum of a university undergraduate degree. The applicant is expected to have a sound personality and be of good character. In addition, the applicant should have a 'working knowledge or practical experience of social work' (see rule 7).

Number of Adult Offenders (Male & Female) and Juvenile Offenders (Boys & Girls) on Probation in KP, 2012

S.No	District	Adult Offenders on Probation		Juvenile Offenders on Probation		Total
		Male	Female	Boys	Girls	
1	Peshawar	242	09	14	01	266
2	Nowshera	55	-	03	-	58
3	Charsadda	97	02	-	-	99
4	Dera Ismail Khan	98	-	01	-	99
5	Tank	68	-	08	-	76
6	Swat	57	-	03	01	61
7	Shangla	08	-	-	-	08
8	Buner	07	-	-	-	07
9	Dir (Lower)	12	02	-	-	14
10	Chitral	03	-	-	-	03
11	Dir (upper)	05	01	01	-	07
12	Malakand	25	-	05	-	30
13	Mardan	78	-	-	-	78
14	Swabi	15	-	02	-	17
15	Abbottabad	105	-	06	01	112
16	Haripur	07	-	02	-	09
17	Mansehra	40	-	06	-	46
18	Kohistan	-	-	-	-	-
19	Batagram	-	-	-	-	-
20	Kohat	134	08	03	01	146

S.No	District	Adult Offenders on Probation		Juvenile Offenders on Probation		Total
		Male	Female	Boys	Girls	
21	Hangu	05	-	-	-	05
22	Karak	11	-	-	-	11
23	Bannu	45	-	-	-	45
24	Lakki Marwat	19	-	01	-	20
25	Tur Ghar	-	-	-	-	-
Total		1136	22	55	04	1217

Problems Confronting Probation Service in Pakistan and in Khyber Pakhtunkhwa

The Reclamation and Probation Department in Pakistan in general and in Khyber Pakhtunkhwa in particular has made considerable contribution in the rehabilitation and reintegration of offenders to their communities, however, a number of problems is restricting the growth and development of the probation service. First, the laws for release on parole and on probation are outdated. Since the introduction of the Good Conduct Prisoners Probation Release Act 1926/Rules 1927 and the Probation of Offenders Ordinance 1960/Rules 1961, no significant improvements have been made in both laws. It is suggested that the law on probation and parole needs to be revised and changes should be brought according to the need of the time.

Second, the law concerning release of juveniles on probation also has serious problems. It asks for more proactive role of the probation officer in dealing with juveniles without offering them the resources to fulfill their duties as has been given under the Juvenile Justice System Ordinance 2000/Rules 2001. It is suggested that probation officers may be given the needful resources so that they can work with juvenile offenders more effectively.

Third, there is scarcity of resources with the RPDs in Pakistan. With respect to the KP, all regional offices of RPD are operating in one room only. The basic office equipments such as telephone, fax, computer, printer, photocopier, internet facility, filing system, papers, vehicle etc are missing. It is suggested that adequate facilities should be provided to all the regional offices of RPD including the head office based in Peshawar.

Forth, the hierarchal structure of the department needs reformation. The basic pay scale for probation and parole officers is BPS-16 while the Deputy Director is working in BPS-17. The grades of the officials should be upgraded. It should be BPS-17 for probation/parole officers and BPS-18 for the Deputy Director and BPS-19 for the full Director.

Fifth, the number of female probation officers with RPD in the KP is very less. There are only seven female probation officers working with RPD in the KP. It is recommended that at least one female probation officer should be appointed at each district of the KP.

Sixth, non Governmental Organizations are working in almost all sectors of human affairs. Their attention towards the rehabilitation of offenders is minimal. It is, therefore, suggested that the NGOs should also come forward and help the RPD in their work of rehabilitation of offenders.

Seven, public awareness about the benefits of the probation, parole and juvenile justice system for offenders is negligible. There is need of introducing the true spirit of these correctional services among the general masses. It is suggested that seminars and workshops be arranged in which lawyers, judges, police and social workers should be invited to discuss the present correctional system for offenders and make necessary changes to bring them at par with the international standards.

Eighth, those juveniles / juvenile crime offenders who are in conflict with law require more care and attention in their reformation and reintegration into their community. The under trial juveniles must be kept separate from the adult offenders. For this purpose, at least one Remand Home may be opened under the supervision of RPD at divisional level.

Ninth, working with offenders is a technical job which requires special training of the probation and parole officers along with their academic qualification. It is sad to mention that none of the RPDs in Pakistan is offering in-service training to their probation and parole officers. It is suggested that in-service training may be arranged for probation and parole officers both inside Pakistan and abroad.

Conclusion

The probation service in Pakistan is in its sixth decade. Since its establishment, the RPD has made significant progress in its work in Pakistan and in the KP. Every year, on average, 1000 – 2000 offenders are placed under the supervision of probation or parole officers working with the RPD, KP. The probation service in Pakistan is a professional service. Probation officers are paid public servants working in established probation departments, with a philosophy of punishment that is centred on helping offenders to address their offending behaviour and rehabilitation. The probation system in Pakistan has remained a social work activity based on the principles of 'advice, assist, and befriend'.

Probation in its true sense is yet to be recognized as a fundamental institution for crime control and for reformation of offenders in Pakistan and in the KP. So far, no major step has been taken by any government in Pakistan to improve the outdated colonial legislation and to improve the quality of work of the RPD. This clearly shows the lack of interest on the part of government towards probation and the RPD. Political instability, frequent takeover of government by the army and appointment of serving army generals in civil departments has badly affected the institutional development in the country and RPD is one of them.

End Notes

¹After gaining political independence from Britain in 1947, independent Pakistan started as a federation of five provinces namely, Punjab, Sindh, Baluchistan, North West Frontier Province (KP), and Bengal. In 1955, 'one Unit' scheme was introduced under which the country was divided into two wings. The provinces of Punjab, Sindh, Khyber Pakhtunkhwa and Baluchistan were amalgamated and were called 'West Pakistan' with Lahore as its provincial capital. For administrative purposes, the provinces were divided into divisions. The other wing, the province of Bengal, was known as 'East Pakistan'. This wing was later separated from the rest of Pakistan in 1971 and it became the independent country of Bangladesh.

²Formerly known as the North West Frontier Province (KP).

³Rehman Gul is among the pioneers of the RPD in the KP and was among the first eight probation officers appointed in 1965. He retired as Deputy Director in 1996.

⁴Mohammad Shafiq was also among the pioneers of the RPD in the KP and was among the first eight probation officers appointed in 1965. He retired as Deputy Director in 1999.

⁵ Attaullah was also among the pioneers of the RPD in the KP and was among the first eight probation officers appointed in 1965. He retired as Assistant Director in 1999.

⁶ Where there is a breach case, probation officers cannot inform the courts directly. All cases must be reported to the Deputy Director based in the head office in Peshawar.

⁷ Reclamation & Probation Department Khyber Pakhtunkhwa (2012) *Month Wise Statistics / Progress of Adult Probationers (Male and Female) and Juvenile Probationers (Boys and Girls for the Month of 1-1-2012 to 31-12-2012)*.

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Jirga System in Pakhtun Society: An Informal Mechanism for Dispute Resolution

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Abstract

Jirga is an informal mechanism in Pakhtun society for the resolution of civil and criminal disputes. This article analysis the legal and constitutional status of *jirga* system in the light of case laws in Pakistan. For the said purpose, Pakistan Criminal Law Journal, Supreme Court Monthly Review, Pakistan Legal Decisions and other sources were consulted. The findings show that *jirga* system is in contradiction with some of the constitutional provisions in Pakistan. However, it cannot be discarded immediately. There is a room for improvement in the *jirga* system.

Keywords

Jirga, Pakhtun Society, Pakhtun, FATA, PATA, Pakhtunkhwa.

Introduction

Jirga means 'an assembly, meeting of a party for consultation, and a sort of democratic council.' According to the Pashto Descriptive Dictionary *jirga* is an original Pashto word, which in its common usage refers to the gathering of a few, or a large number of people; it also means consultation according to this source. The word *jirga* is also used in Persian, Turkish and Mongolian languages that appears to be related to the word 'circle', but is commonly used to refer to the gathering of people. But regardless of the origin of the word, *jirga* refers to "Pashtun traditional tribal *jirga*, local/tribal institution of decision-making and dispute settlement that incorporates the prevalent local customary law, institutionalized rituals, and a body of village elders whose collective decision about the resolution of a dispute (or a local problem) is binding on the parties involved.

Jirga, in Persian is called *Majlis* and in Punjabi and Hindi *Panchayat*. The *Jirga* exercises both judicial and executive roles to settle all disputes pertaining to the distribution of land, properties, blood feuds, blood money and other important inter-tribal affairs on the basis of tribal conventions, traditions and principles of justice. There are no hard and fast rules for the selection of *Jirga* members. All reputable elders - Speen Geeri (white-beards) - are considered eligible for its membership. However, for effective enforcement of the decision taken by the *Jirga*, the *Jirga* members should have social status with sound economic position and sufficient manpower at home. The *Jirga* assemblies are normally held in a hujra or a village mosque or in an open field outside the village. The *Jirga* members usually sit in a circle without any presiding figure. This meeting, like the round-table conference, without a chairman, reflects their love of democracy and principle of equality.

In Pakhtun culture, most criminal cases are handled by a tribal *Jirga* rather than by laws or police. The *jirga* comprises of two or more persons, who are normally family elders or their representatives. Authority and competence of a *jirga* member depends upon the nature of the problems the *jirga* has to tackle.

If there is any dispute between two families, two individuals, two villages, or two tribes, such disputes are often resolved peacefully through a *Jirga*.

A *Jirga* consists of the most respected members of both parties and a third man (or party) as an arbitrator is selected by both the parties. The job of the arbitrator is to listen to the grievances of both the parties, and then provide a peaceful solution. Both the parties must agree on the solution in order for the *Jirga* to be completed. If any of the party is not agreeing, the *Jirga* has to look for other alternative solutions. However, once both the parties agree on the decision of the *Jirga*, none of them can deviate from the decision in the future. If they do, they lose their *Nung* (respect) in the society.

The *Jirga* System is not a new Phenomenon but Obscured by the Constitutional Way of Life.

In the present circumstances, the *jirga* system caught attention of the international community through media. Particularly in post 9/11 scenario when the US gave ultimatum to the then Taliban government on Thursday September 20, 2001, to handover Osama to the US government, the Taliban called upon a *Loya Jirga* (Grand *Jirga*). However, in the most recent scenario, a few decisions of violence against woman were recorded through *jirga* that caught media's attention. As a result some doubts were created about this institution.

Tribal societies are normally reluctant to accept ordinary laws and formal judicial systems. The reasons are manifold. In Pakistan, the Pakhtun and Baloch tribes had resisted the British colonial rule for almost a century, and with their continued struggle compelled the then mighty power to surrender to their demands of making the rules of Shariah and their local customs as part of their laws. As a result, Frontier Crime Regulations were introduced in 1901 in Pakhtun Tribal Area known as FATA. From then onward, the tribal territories in Pakistan are still administered under a complex political and legal system.

The main purpose of this article is to discuss the legal status of *Jirga*. Despite some positive aspects of the institution, courts of normal jurisdiction are generally reluctant to accept the verdicts of *Jirga*.

The *Jirga* system is based on custom. It is not the only instance where the legal mechanism established for the resolution of disputes has its roots in customary law. It is worth mentioning that custom and usage is one of the primary sources of the law

of England. *Jirga* is a product of custom, which has been practiced since time immemorial, when there were no codified laws. Quddus refers that “*The Jirga.....is probably the closest approach to Athenian democracy that has existed since the original.*”

Structure of a *Jirga*

For a *jirga* to constitute, there must be

1. At least two parties (p)
2. An unresolved dispute between the parties (d)
3. The parties agree that the dispute needs a solution (r)
4. An arbitrator (selected through consensus of both the parties) (a)

If any of the above variables is absent, a *jirga* cannot be constituted. For example, if variable 'p', 'd', and 'a' are present but the parties don't want an agreement, then the *jirga* would not be constituted. Likewise, in the absence of 'a' no *jirga* can be constituted.

Functions of *Jirga*

The function of *jirga* is resolution of the dispute through consensus. Both the parties must accept the decision being taken by the *jirga*. As mention earlier, after the acceptance of a decision of the *jirga*, if any party breaches that decision, they lose their *Nung* (respect) in the society. For a Pakhtun, *Nung* is everything. If an individual or a family loses *Nung*, their survival becomes extremely difficult. Usually, they lose all their social ties in the community. In most cases, such parties migrate to other communities.

While resolving disputes between individuals or tribes through *Jirga*, usually an elder of the tribe will preside over the proceedings and pronounce his verdict, which has a binding effect and normally not open to review. According to Scottish philosopher David Hume “Custom.... is the great guide of human life.” The fact cannot be denied that *Jirga* provides an expeditious, rapid and inexpensive justice to the litigants, when compared with contemporary formal litigation.

Criticism on *Jirga*

There have been negative aspects of dispute resolution through *jirga* as well. One of the main complaints about *jirgas* is the unequal treatment of disputing parties. It is normally complained that the mighty and influential figures and government officials making part of the local administration exploit and abuse this tradition.

Kinds of *Jirga*

There are various types of *Jirgas* that exist in the contemporary tribes. Most notable among these are:

1. Tribal *Jirga*

Tribal *Jirgas* are those which are held in tribal area i.e. non settled area where custom prevails.

2. *Majlis* or *Shura*

Majlis is a Persian and *Shura* is an Arabic word, both with meanings similar to that of the *Jirga*. In order to give anti-communist struggles an Islamic touch, the term *Shura* was applied exclusively to councils at various levels among the mujahideen and muhajireen in Pakistan since 1978.

3. Local *Jirga*

The local *Jirga* / *shura* in a tribal setup is called by an elder of a tribe for settling local affairs within the family, clan, sub-tribe, and tribe. This term was used in special and local laws of different tribal areas.

4. Sarkari *Jirga*

This type of *jirga* is established under the Frontier Crimes Regulation (FCR) 1901. A political agent, his assistant or another official of the political administration exercising the powers of a magistrate can designate a group of elders to try a criminal or a civil case.

The FCR authorizes settlement of civil and criminal disputes by this *Jirga* that arise out of blood-feuds, relating to *zan*, *zar*, *zamin* (women, wealth and land) and all other questions affecting the Pakhtoon honor and way of life. This *Jirga* can inflict a maximum penalty of up to fourteen-year imprisonment.

5. Qaumi or *Ulusi Jirga*

Ulasi Jirga is an assembly of the elders comprising each household of a certain village or community. It is convened to discuss matters such as collective property, rights and distribution of irrigation water, or common concerns, like selection of a site for a school, etc.

6. *Shakhsi Jirga*

This *Jirga* is formulated in disputes between two individuals or families. The *Jirga* members are chosen from both the parties to arrive at a just settlement acceptable to both sides.

7. *Loya Jirga* (Grand Assembly)

A *loya jirga* is a type of *jirga* regarded as "grand assembly." A *loya jirga* is a mass meeting usually prepared for major events such as choosing a new king, adopting a constitution, or discussing important national political or emergency matters. It is also used for resolving disputes amongst Pakhtuns in Afghanistan, Balochistan, Khyber Pakhtunkhwa and FATA. In Afghanistan, the *loya jirga* was originally attended by the Pashtuns, but later included other ethnic groups. It is a forum unique among the Pashtun tribes in which, traditionally, tribal elders meet together.

Methodology

This research paper is based on archival research. The researchers collected various case laws regarding *jirga* in Pakistan and even before partition of British India in 1947. The cases were recorded from Pakistan Criminal Law Journal (PCrLJ), Pakistan Law Digest (PLD), Pakistan Law Journal (PLJ), Supreme Court Monthly Review (SCMR), Monthly Law Digest (MLD), All Pakistan Law Decisions (APLD), and others.

Status of *Jirga* in Pakistan

The National Commission on the Status of Women (NCSW) filed a petition in the Supreme Court thereby seeking a declaration that the *jirga* system in the country being inhuman and against the fundamental rights of citizens be declared unlawful. In that case, the Supreme Court has already issued notices to the Secretaries of law of all the four provinces and Gilgit Baltistan. Similarly, another petition has been filed by Samar Minallah against *Swara*, a custom in which girls and women are exchanged to settle disputes through *jirga*. These two petitions have been clubbed together for hearing by the Supreme Court. Some of the darkest decisions by the *jirga* were referred to in this petition, such as decision to parade naked, decision to kill a wife by her own husband on suspension of illicit relations with his brother.

In the Haripur *Jirga* Trial of June 7, 2011, the NCSW petition has cited an inhuman and immoral decision by the *jirga*. In this decision, the *jirga* orders were against a middle-aged woman, Shehnaz Bibi, who was ruthlessly dragged out of her home and forced to parade naked on the street as punishment for an alleged crime of her sons.

Similarly, on an ex-parte *jirga* decision at Bari Kot village in Swat, Ms. Shazia was murdered by her husband Muhammad Saeed and others on the suspicion of his wife's alleged illicit relationship with his brother.

In the above two petitions, the petitioners have requested the court to declare the *jirga* system unconstitutional for being a parallel judicial system having assumed the powers of civil and criminal courts. It has also been prayed through the said petitions that actions taken, proceedings conducted and orders passed by any *jirga*, *panchayat* or similar bodies be declared *void ab initio*, and appropriate action be taken against those who participated, aided or abetted these illegal activities.

Now the question arises that whether the institution of *Jirga* is in conflict with the fundamental rights guaranteed by the Constitution of Pakistan?

Article 4 of the constitution of Pakistan guarantees the *right of equality before law* and *to be dealt with according to law*. The newly inserted Article in the Constitution in the shape of 10-A guarantees the *right to fair trial*. In the course of proceedings before a *jirga*, the above mentioned two rights are violated in a way that normally no defence opportunity is given to a party before it. Likewise, some members of a tribe may get preferential treatment, which militate against the principle of equality before law and equal protection of law. However, the same may happen in our formal judicial system.

Jirgas are usually convened when things become too violent between two families or tribes and nobody agrees to any documentation. It is the code of honour that everyone abides by the verdict of *jirga*. Ironically, in tribal areas there is no civil or criminal court to resolve a dispute between the parties and the affairs of the area are directly governed by the Political Agent, Assistant Political Agent and Tehsildar etc., who are the government employees. In *Jirga* laws there are provisions to the effect that a dispute may be resolved through the *jirga* for that, they are seeking permission from the concerned authority on the ground, because the people still believe that the tribal justice system is better and there dispute can be resolved through *jirga* expeditiously.

Some people have different views about the *jirga* system that it creates an imbalance. It is a parallel judicial system with no legality or constitutionality. There is no standard of evidence to be recorded, no right of appeal is given to aggrieved person, some time no opportunity is given to the person who committed wrong, not asked for the doing of his act, on many occasions some are punished for the wrongs of others e.g. in a murder case *swara* (given female to the choice of aggrieved person by the aggressor party to prevent both the parties from future enmity) and in the case of Shazia Bibi of Haripure (who was punished to parade naked for the crimes of her son). Zaheer Abbas considers *Jirga* as gender-biased because women are given no representation in *jirgas*, even as witnesses. Likewise, there is no system of appeal in *jirga* system. There are still some other disadvantages of *jirga*; in many cases, for instance, the *jirga* members favor one party either due to their relation, bribes by

the party, or even political influence. In any case the weaker party suffers. Of course, formal courts do these things as well and we have no evidence about which institution does them more frequently, or do we?

Case Law Studies of *Jirga* in Pakistan and Views of High Courts and Supreme Court of Pakistan.

It will not be out of place to mention that all those *jirgas*, which are conducted with the permission of the court are acceptable to the courts and have binding effect in PATA and FATA i.e. Provincially Administered Tribal Area and Federally Administered Tribal Area. All matters are resolved through *jirga* with the consent of parties and both parties assign *jirga* members. After *jirga* decision, the same is placed before the Political Agent (PA) and it is his discretion to confirm the same or constitute a second *jirga*. The whole process is regulated under the Frontier Crimes Regulation 1901. Similarly, in another law, the Arbitration Act 1940, the parties seek permission from the court to settle their dispute outside of the court. For that purpose an arbitrator is appointed, who thereafter gives his report. His report is subject to confirmation by the court, and when the court confirms the same it becomes an award. The litigants are bound to follow the same, it is pertinent to mention that section 89-A of the Code of civil Procedure 1908 also provides Alternate Dispute Resolution in which the parties decide matters outside the court for speedy justice.

1. Punishment by *Jirga* is Not an Award

On the other side the *jirga* has its own procedure and decisions which cannot be called an award e.g. in a case cited 1994 SCMR 38 titled “Maj, (Retd.) Mian BADSHAH-versus Major (Retd.) BAHADUR SHAH, in Supreme Court of Pakistan.” It was held by justice Nasim Hasan Shah, Actg. CJ., Muhammad Afzal Lone and Sajjad Ali Shah, JJ that

“---S.2 (b)---Award---Parties referring their dispute for decision to *Jirga* in accordance with custom prevailing in the society---Decision of *Jirga* did not qualify to be an award within meaning of S. 2 (b), Arbitration Act, 1940”.

2. *Jirga* as Against the Provisions of the Constitution

Similarly it was declared in the landmark judgment by the Sindh High Court which declared the *jirga* system in Sindh unlawful, illegal, and against the provisions of the Constitution and law of the land in a cited case 2004 P Cr. L J 1523 [Karachi] in a title case Mst. SHAZIA Versus STATION HOUSE OFFICER and others. Moreover, it was also held by Justice Rahmat Hussain Jaffer, J

“---*Jirga* system is not a creation of the Constitution or law ---*Jirga*, therefore, is not a Parliament and they cannot declare a valid marriage contracted under the provisions of the relevant law as invalid or unlawful”. Whereas it was further held that *jirga* is “not protected by any law---functions, which are exclusively to be performed by the Courts of law are being performed by the *Jirgas* thereby usurping the power of the Courts ---*Jirgas* as such are a parallel judicial system which by themselves are unlawful and illegal and are not protected by any law---Decision of *Jirgas* being final, no appeal is filed against them which is also against the principle of natural justice”.

3. *Jirga* and Protection of the Law

It is the function of the *jirga* by seeking permission from both the parties in dispute to settle the matter whereas for such it is necessary that if the matter is before the court then the permission of the court is necessary e.g. justice Rahmat Hussain Jaffer held that

“ ---Compromise effected by *Jirga* has no protection of law---Matters referred to a *Jirga* to settle the dispute or effect a compromise between the parties without the permission of the Court will not be protected by the law as such *Jirga* will not be having blessing or backing of the Court. ”

It was further held that *Jirgas* are against the tracheotomy powers of the Constitution and are exercising the power of Legislature, Judiciary and executive enshrined therein and in this way are undermining or attempting to undermine the provisions of the Constitution.

Here a question rises regarding constitution itself. Does this decision of Justice Jafferri mean that any practice, which does not fall within the ambit of the constitution, should be eradicated?

4. **Jirga Decisions under FCR and Revision by the High Court**

It was held in the other cited case P. L. D. 1950 Lahore 126 by Justice Muhammad Jan in the case titled “Langar Khan versus the Crown” in the Criminal Miscellaneous petition No. 1287 of 1946, decided on 1st May, 1947, under sections 491, 498 and 561-A., Criminal Procedure Code, praying that the petitioner may be set at liberty and the judicial proceedings may be quashed. It was held by him that Order of reference to *Jirga* by Deputy Commissioner-Order is an executive act that is not open to revision by High Court. The order of reference to a *Jirga* by the Deputy Commissioner, in places where the Frontier Crimes Regulation applies, is an executive act and such an order is not open to revision by the High Court. It was further observed that person detained under - Criminal Procedure Code (V of 1898), S. 491-whether can be invoked. Under S. 491, cl. (b), Criminal Procedure Code, the High Court can set a person at liberty only if the person is illegally or improperly detained. Since an order of reference to a *Jirga* under the Frontier Crimes Regulation is not open to revision by the High Court, the High Court is not in a position to determine whether the reference to *Jirga* was illegal or not and consequently it could not be held that the detention as a result of the decision by the *Jirga* was illegal or improper.

It was unanimous held by Justice Muhammad Ishaq Khan and Nazir Ahmad Bhatti, in the cited case P L D 1989 Peshawar 211 titled “MOAMBAR--PetitionerVersus Additional Secretary Home for Government of the N.-W.F.P.,” that the Deputy Commissioner is bound to accept the unanimous or majority findings of the *Jirga*. Similarly the Commissioner would not have the power to discard the unanimous or majority findings of the *Jirga* when deciding an appeal unless he was of the opinion that there was any defect in the proceedings. This shows the binding effects of *jirga* and its importance.

5. **Jirga in PATA Acts Like a Court**

It was held by Justices Basal Ilahi Rhan and Muhammad Azam Khan, in cited case PLD 1989 Peshawar 86 titled “Taj Malook Versus E. A. C. I, SWAT” that Circumstantial evidence can support a case as much as direct evidence if it is

is substantial evidence and on this analogy setting aside previous award of *jirga* and directing fresh trial, it was observed that new *Jirga* would not be bound to record fresh evidence--Such observation was wrongly construed to have created a bar to recording fresh evidence as it had been left to discretion of new *Jirga* whether or not to take fresh evidence--*Jirga* was free to record fresh evidence if it wanted and could also rely on previous evidence if it found it adequate and acceptable for reliance--Circumstantial evidence on basis of which accused was originally convicted by previous *Jirga* admittedly not being substantial and no attempt having been made during fresh trial to collect fresh material, without recording fresh evidence, it was meaningless to hold fresh trial and *Jirga* in relying on already rejected evidence had acted unfairly--High Court remanded case for re-hearing by another *Jirga* to decide afresh after collecting fresh material. All of this shows that the *jirga* has powers even to convict or acquit the accused from the charges and through this was acting like court.

6. *Jirga* and Grant of Bail

Sher Ali Khan, whose case was referred to council of elders and in meanwhile he applied for bail but Justice Jamil Hussain Rizvi held in a cited case P L D 1963 (W. P.) Lahore 281 that when the case is referred to the council of elders then even the High court has got no jurisdiction to grant thus bail and the aggrieved person cannot apply for bail before the district magistrate while observing the case he also referred:

"Although it is the Deputy Commissioner who refers the case to a Council-of-Elders, he does not, while doing so, take off his magisterial functions as if these were pair of trousers. He does not strip himself of all other powers. He can exercise them when necessary. He even passes orders of bail while the case is pending with the Jirga . He does not say to the prisoner when referring his case. Because I am referring the case as a Deputy Commissioner, I am also detaining you as a Deputy Commissioner."

It is contended by the learned counsel for the petitioners that the ratio of the authority is that the Magistrate continues to exercise his magisterial functions and is, therefore, competent to pass an order of bail subject to the Superintendent of the High Court. This contention of the learned counsel has no force, as section 20 of the FCR gives the powers, to the Deputy Commissioner to pass orders of bail or otherwise of the accused. Though, the Deputy Commissioner may exercise his magisterial powers but he does not do so under the Criminal Procedure Code. He exercises those powers under the

authority of section 20 of the, F. C. R. The learned counsel for the State has cited Noor Muhammad and others v. Emperor (A I R 1944 Lah. 896) in which the High Court, while considering the forfeiture of the bonds taken by the Deputy Commissioner from the accused in a trial before his case was referred to a *Jirga*, held that “*the High Court had no power to interfere in the order as the bails were confiscated by the Deputy Commissioner under section 20 of the F. C. R.*” I am in respectful agreement with the remarks in this authority. It has been remarked in this authority :-

“The Deputy Commissioner is competent to grant or refuse bail to the petitioners in exercise of the powers under section 20 of the F. C. R. His order is revisable by the Commissioner. In those circumstances, I consider that the High Court will have no powers to grant bail to an accused person if the case has been referred to the Council-of-Elders by the District Magistrate.”

Sind Crimes Regulation has similar provisions and in the case of Imperator v. Ghulam Kadir Walad Faiz Mahomed (12 Cr. L J 568) the Chief Court held that

“there was no power of bail under section 498, Cr. P. C. to Chief Court in a case which had been referred to the Council-of-Elders. I would, therefore, pass no orders of bail in these petitions. The petitioners may apply for bail in these petitions. The petitioners may apply for bail to the District Magistrate.”

Here is the situation that once the matter is referred to the *Jirga* under the FCR then the High Court is reluctant to exercise its powers.

Feudal lords, politicians, police, bureaucracy and parliamentarians, all seem to join hands to keep the *jirga* system alive and flourish, because there is no law regarding the non holding of *jirga* nor condemn the same. Likewise, the reason d'être may be that the informal system is speedy and does not cost any fee to the disputant parties. Some argue that this parallel judicial system has strengthened feudalism, as the elders of the *jirga* are usually the feudal (politicians or other influential figures) of their respected area.

Despite severe criticism and identified shortcomings, people in Pakhtun society trust the *jirga* more than any other system. In a survey finding, Naveed Shiwari found out that more than 70% respondents preferred *Ulas Jirga* or the informal *jirga* (non-FCR or Taliban) for their dispute resolution. It is a further astonishing finding that more than 70% of the respondent who choose *Ulas Jirga* over FCR *jirga* were educated respondents.

Conclusion

To sum up, constitutional status of *jirga* is not clear. Or we would rather say that the *jirga* is unconstitutional because in *jirga* the right of hearing and the right of appeal is not available to the parties (constitutional rights). Moreover, it is also against Article 4 and 10 A of the constitution of Pakistan, 1973. The other flaws in the *jirgas* are that in majority cases the decision of *jirga* does not reflect justice, as in the case of Shazia Bibi of Haripure who was punished to parade naked in front of the crowd.

It is parallel to the judiciary where the judges are well equipped with the legal theories and jurisprudential matters etc and they, after recording pro and contra evidence, provide proper opportunity to both the parties to decide the case on a matter, which is subject to appeal, review, revision etc. meaning thereby due to this check and balance the judges mostly administer proper justice. However, the question arises, are they always more competent than those sitting in the *jirga*? Are some judges worse than incompetent, even systematically corrupt? It needs further research.

On the other side where there is no check and balance on the decision of the *jirga*. Courts should be a check and balance on their decisions. Law reforms could easily give the courts that function in a clearly defined way. The fact that the law has failed to do so is not an argument for abolishing *jirga*.

The other aspect that in *jirga* especially when they decide *swara* is against the constitution of Pakistan. Again, when this happens it is the job of the police, prosecutors and courts to ensure that *jirga* comply with the law. When this does not happen it is as much a failure of the courts as it is a failure of the *jirga*. And the failure of both to ensure compliance with the law at times is not an argument for abolishing either courts or *jirga*.

End Notes

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Pakhtun Cultural Values, Terrorism and the Contextual Meaning of Violence

Abdul Shakoor

Abstract

Although violence may be a part of the Pakhtun culture but it is not causally related to terrorism. In fact the socially controlled and limited-in-scope violence in the Pakhtun society has no causal relationship with the Taliban-form of terrorism whose ideology transcends national boundaries. Recruitment to and activities of the Taliban clearly indicate that neither is culturally driven.

Key words

Violence, Terrorism, Pakhtun Cultural Values

Introduction

The issue of exploring the causal relationship between terrorism and the Pakhtun cultural values is a complex phenomenon. Two things are important to understand the question in hand: First, to locate the violence, if any, in the cultural values of the Pakhtuns and, second, to carefully analyze the prevailing terrorism in the Pakhtun society. By highlighting the direct and symbolic violence in the Pakhtun culture and by clearly delineating the distinguishing features of the current terrorism in the Pakhtun society it will be possible to see whether there is any relationship between the two. It is important first, however, to generally distinguish terrorism from other forms of violence and to see whether there is any relationship between violence and terrorism. This is both simple and difficult. It is simple because in majority of the situations people know whether an event is an act of terrorism or not. Although, the means employed may be the same but it is the ends which distinguishes terrorism from other forms of violence (Schinkel, 2010).

Terrorism is inherently motivated by political objectives (Abrahms, 2008). Other forms of violence may or may not involve political motives (Schinkel, 2010). On the other hand the often differing and competing definitions of terrorism makes the task of distinguishing terrorism from the ordinary forms of violence all the more difficult. Terms like “narco-terrorism” (illegal production, movement, and use of narcotics which badly affects humans), “environmental terrorism”, and “cyber-terrorism” indicates how loosely the word is applied to different situations (Guelke, 2010). Further, the fact that more civilians have been killed in political violence as against terrorism, especially in Central American countries over the last few decades, indicates that the line between terrorism and other forms of violence is delicate, and often even blurred (Guelke, 2010). More importantly, it is not the question only of distinguishing terrorism from other forms of violence but it is the

fact to know whether violence prevailing in a particular culture, society or a group of people can be related to terrorism in the same society, culture or group of people. Theories of terrorism, especially psychoanalytic and psychocultural hypotheses indicate that it can be (Ross, 1986). For example harsh socialization, especially the rearing of a child in a violent and unfriendly environment warrants deviant behavior in adulthood (Crenshaw, 2000). As grown up in a harsh environment and prone to violence such individuals provide easy recruits to the terrorists, as against other normal human beings. A related theory which identifies somewhat the same causes of terrorism is the frustration-aggression hypotheses (Ferracuti, 1982). While coupled with psychoanalytic theory the frustration-aggression hypotheses connects early child physical punishment with displacement of personality and aggressive behavior in adulthood, another paradigm, the social learning theory, explain the connection in terms of modeling, imitation, and reinforcement (Guelke, 2010). Although, these theories explain a general violent disposition, not terrorism specifically, however, it can be indirectly related to terrorism. For example there is no denying the fact that terrorism involves an extra normal use of violence, albeit for different objectives.

The above mentioned theories are vital as causal factors for a comprehensive study of terrorism; however, the psychological theories can not be accepted as explanation of terrorism. Terrorists are normal human beings. The questions of a pathological mind or early socialization as causal factor play little, if any, role in explaining terrorism and terrorists. Terrorists come from all backgrounds (Borun, 2004; Wienburg, 2006). The bulk of the modern day terrorists come from middle and upper middle class with a sound economic background and often even having a university degree (Turk, 2004). Moreover, early socialization of some of the modern day terrorists, indulging in acts of terror against the industrialized western states, has taken place in the same societies.

However, the case of terrorists in the Pakhtun society is different from the ones discussed in the above paragraph. As apart from the leadership, the rank and file of the terrorists in the Pakhtun society come from modest economic background, often having little or no education (Gul, 2009). The fact which is being stressed here is that early child rearing conditions or culture for that matter have no direct connection with the process of becoming a terrorist. Taliban or terrorists in the Pakhtun society may be using some of the Pakhtun cultural values to further their objectives, but at the same time they are targeting other elements of *Pakhtunwali* which questions their Pakhtunness. Therefore, Taliban can not be considered as a product of the Pakhtun culture but a counter-culture force.

This paper explores Pakhtun cultural values, their national character, and the phenomenon of violence in the Pakhtun society. The study also analyzes the

current terrorism in the Pakhtun society to know whether there is any relationship between terrorism and the Pakhtun cultural values. The second section analyzes violence and terrorism in general. In particular, it distinguishes terrorism from other forms of violence. The third section delineates Pakhtun cultural values. It especially evaluates those elements of the Pakhtun culture which are directly or indirectly related to violence. The fourth section explores the relationship, if any, between the contemporary terrorism in the Pakhtun society and some of the elements of Pakhtun culture that are related to violence. The last section draws some conclusions from the study.

1. Violence and Terrorism

Both violence and terrorism lack clear definitions because of various reasons. First of all, the problem common to all social science concepts is that researchers have a tendency to take things for granted. Owing to the popular nature of many terms, scholars leave much for the readers and assume that they know what is being explained (Schinkel, 2010). Both violence and terrorism suffer from this problem. Furthermore, in violence other than terrorism social scientists usually focus too little on the event itself. Opposite is the case with terrorism, however, where the actual event of terrorism, in what is actually a political process, receives much more attention (Schinkel, 2010). Then there are some other difficulties peculiar to each. For example, violence bears non-recognizable character. It is hard to recognize whether a particular situation or event is violent or not. For example, it is very difficult to know whether only physical assault is to be considered violence or whether abusive language and the threat of violence also contain violence (Schinkel, 2010). Another difficulty in explaining violence is that because of culture relativism an act considered violent in a particular society may be accepted quite a normal behavior in another society (Ember, Ember & Peregrine, 2006). Terrorism also suffers from such difficulties. One of the glaring difficulties in the definition of terrorism is the loose nature of the term. It is ironical that on the one hand because of the lack of agreement on a common definition, it is difficult to know what actually constitutes terrorism. On the other hand the term is used to cover a diverse range of events. As discussed in the introduction of this chapter, terms like narco-terrorism, environmental terrorism, cyber-terrorism, and economic terrorism indicate how carelessly the word is applied to different situations (Guelke, 2010). However, the lack of agreement on a common definition in case of violence and terrorism does not mean there are no definitions. In fact

there are numerous definitions for both. For the purpose of this study it is important to define these terms so that a background can be set for a distinction between the two.

The word violence is derived from the Latin noun *violentia* which means vehemence. The verb to which *violentia* relates is *violare*, meaning to dishonor, to outrage or to treat with violence. It has become an independent word in Anglo-French somewhere around fourteenth century (Schinkel, 2010). Violence is defined by Spierenburg as “.....all forms of intentional encroachment upon the physical integrity of the body” (2005: p. 1). Spierenburg does not include in this definition encroachment on the body for medical reasons or unintentional harm to the body, for example that caused by a traffic accident. He also rightly rejects notions like psychological or structural violence which according to him is an excuse for ideological purposes. Although, it is a restricted definition but it is not narrowed. As according to the author it includes such minor encroachment upon the physical integrity of the body which may appear too trivial for a court to prosecute. On the other hand Riches define violence as, “Contestably rendering physical hurt” (1986: 11-12). The word “contestably” indicates that the writer does not consider only the shedding of blood as violence. Rather it is an expansive definition which may include not only psychological and structural aspects of violence but also cover contestable events on which there is a dispute between the victims and the perpetrators about the legality of violence. The notions of legality and illegality comes into play because although violence is a condemnatory word, which itself indicates that the action is illegal, nevertheless, there are situations in which people agree that violent action is justified. For example tyrannicide has long been legitimized in many parts of the world. It has been recognized by many political philosophies that in extraordinary circumstances the violent overthrow of the existing political system is justified (Guelke, 2010). This study prefers the latter definition over the former. Pakhtun culture is portrayed in the literature as having a violent disposition and this study is concerned mainly with violence structured in culture, therefore, this definition best fits in the scheme of the study. Since the notion of violence in the Pakhtun culture is contestable, as discussed earlier, therefore, this definition is preferred.

One of the important things while discussing violence is that it should be distinguished from force. This is another factor where the questions of legitimacy and illegitimacy have a role to play. In fact violence is usually attributed to the society or to the individual in the private capacity, while force

is ascribed to the agent of state. Since state is considered as the only repository of the legitimate use of violence, therefore, the use of force by its agents is accepted as legal (Guelke, 2010). Since the development of the modern nation state and the criminalization of various acts by the state, the use of force in the private capacity has largely been declared as illegitimate and therefore, considered as violent (Spierenburg, 2005). However, transgression or the excessive use of force by state institutions may also be considered as violence.

Terrorism on the other hand can not only be used against the state but for the service of state as well (Crenshaw, 1981). For the purpose of this study, it is suffice here to outline some of the themes common to its different definitions. This will indicate that politics is involved not only in the objectives of terrorism but also in its definition (Schinkel, 2010). As a result there has been no agreement on a common definition of terrorism even after numerous international efforts to do so (Bjorgo, 2005). It can also be gauged from the fact that more civilians have been killed in political violence in Central America over the last few decades than in terrorism in the same period (Guelke, 2010).

There are some elements which are common to most, if not all, definitions of terrorism. They include, for example the use of violence, civilians or non-combatants as targets, political objectives of the perpetrators, clandestine nature of the act, and the element of fear involved (Hoffman, 2006). However, some of the controversial elements found in most definitions make the process of defining terrorism all the more difficult. They include, among others, for example, that the nature of terrorism is international and that it is mainly directed against the liberal democracies of the west. This element is wholly responsible why thousands of civilians killed in other forms of political violence in countries other than the west have not been included in the victims of terrorism (Guelke, 2010). Another element common to most definitions is that terrorism is the killing of few to influence many. If we accept the indirect nature of terrorism, the purpose of which is to influence the larger population through targeting a few, then what to do with the thousands killed in direct forms of violence? Furthermore, some of the other issues including the ideological usage of the term, rooted in a specific liberal western concept, and the problem of making no distinction between a terrorist and a freedom-fighter also dilute the effort for reaching a conclusion (Wienburg, 2006). These and some other issues prove that it is not an easy task to differentiate terrorism from other forms of violence since the boundaries between the two may look delicate on closer analyses. Nevertheless, an effort is made below to distinguish terrorism from ordinary forms of violence.

1.1 Distinguishing Terrorism from other Forms of Violence

A good approach to differentiate terrorism from other forms of violence is to delineate salient features of the two. Although, both involve an element of harm to the person or the property of human being, it is generally easy to distinguish terrorism from other forms of violence. Probably the most important feature of terrorism is its relations to politics. Terrorism is always motivated by political objectives (Abrahms, 2008). Even the religiously or ideologically motivated terrorists want to bring political changes in the target society. The element of harm, which is shared by other forms of violence as well, is another feature of terrorism.

Whatever its ultimate objective, the immediate effect of terrorism can be seen in the shape of harm inflicted on the individual, property, or institutions of the state. Another important feature of terrorism is the indirect nature of the act. As Schinkel has rightly said that “terrorism is inextricably bound to the reaction to terrorism that makes it a political process instead of a singular event” (2010: p. 136). In fact the element of indirectness is doubly present in the process of terrorism. The immediate targets of the attack are either target of opportunity (unarmed civilians) or randomly selected (such as high profile political assassinations). The terrorist randomly kill few to influence the larger population who, in the terrorists' scheme of things may in turn influence the state to take the desired action (Schinkel, 2010). This leads one to another feature of terrorism, the element of fear. Almost all acts of terrorism aim at generating fear in the larger population. By selecting a random target, for example, the terrorists aim at intimidating the people psychologically and want to generate an expected but unpredictable fear in their mind. This is an effective tool of coercion as fear and panic among the general population can easily destabilize the existing political system which is the ultimate goal of almost all terrorist campaigns. Still another distinguishing feature of terrorism is the covert or clandestine nature of the terrorist activity. Terrorists do not act in the open. In majority of the situations it is difficult to establish the charges against any one unless the terrorist group or individual himself claims the responsibility for an act of terrorism. An act of terrorism may be expected but it is always unpredictable. Last but not the least, its reliance on excessive use of violence and its disregard for any norms and values, make terrorism the most condemned activity.

Apart from the element of harm, present both in violence and terrorism, the former bears entirely different features. First of all, although violence

itself is a value-loaded word, indicating illegitimate or unwanted use of force, however, as discussed earlier, there are situations where people agree that the use of violence is not only legitimate but also desirable. This is usually not the case with terrorism. A minor act of terrorism, even one involving no human loss is condemned in the strongest of words. In other words ordinary form of violence may sometimes escape public indignation, but terrorism is entirely unacceptable. Secondly, violence may or may not involve political objectives. Even in politically motivated acts of violence the process does not exceed beyond the actual target. For example in the process of political assassinations or tyrannicides the immediate target is usually the actual target. Terrorism on the other hand “is a political process that is always a part of a larger political process” (Schinkel, 2010: p. 136). Thirdly, violence is directly communicated between the victim and the perpetrator, there is no carrier in between the two like that in terrorism. One of the hallmarks of almost all terrorist campaigns is its indirect nature, as previously discussed. This is done for the obvious reason that terrorists can not face the superior force of the state head on, therefore, they coerce the latter indirectly. On the other hand the discrepancy in the potential force of the contending parties in ordinary form of violence is normally lesser than in the case of terrorism as it usually takes place between individuals or groups of individuals. Although, there are situations where individuals and state are involved in violence other than terrorism but that are exceptions. Some writers even question why these are not included in the general category of terrorism (Guelke, 2010). Fourthly, in the process of violence the gap between the ends sought and the means adopted to pursue the desired ends is always minimum. Violence is usually directed to achieve certain specific goals. On the other hand the gap between the goals sought and the means adopted in the process of terrorism is so huge that the event fails to achieve the desired objectives. This is because the actual event receive such condemnation that people ignore to think about the terrorists' cause (Schinkel, 2010).

After differentiating terrorism from violence and after establishing that there is no causal relationship between violence and terrorism it is now relatively easy to discuss the Pakhtun cultural values and the contextual meaning of violence in the Pakhtun society.

2. Violence in the Pakhtun Culture

A comprehensive understanding of violence in the Pakhtun culture should take into consideration three different but not necessarily mutually exclusive

factors: first, the nature of the frontier itself. This is important because *Pakhtunwali* (the Pakhtun code of life) evolved in the frontier over a period of thousands of years as a result of the contacts of different civilizations (Banergee, 2000). Second, the nature of the Pakhtun society, which is based upon a segmentary lineage system (Barth, 1959), is also important. The third factor which should be taken into consideration is the British mechanism for dealing with the frontier and the Pakhtuns. They will be discussed later, here it is important to discuss some of the features of *Pakhtunwali*, especially to find out their possible relationship with violence.

2.1 Honor

Honor (*Nang* or *Namus* in Pakhto) is one of the most important elements of *Pakhtunwali*. In fact it is such a vital component of the Pakhtun culture that some writers have called *Pakhtunwali* as the Pakhtun code of honor (Barth, 1969). This is a restricted definition of *Pakhtunwali*, which imply that all the other elements of *Pakhtunwali* revolve around the concept of honor. Although, *Pakhtunwali* should be called the Pakhtun code of life, which covers everything from the cradle to the grave, and not the code of honor which limits its scope, it is true, however, that honor occupies a central place in the Pakhtuns' life (Guest, 2010). It stands for bravery, courage, and valor of the Pakhtun. The concept of honor is closely related to women and land in the Pakhtun society (Banergee, 2000), therefore, honor, as in other societies, is responsible for much of the violence in the Pakhtun society. To be a true Pakhtun, one must protect one's women, land and property. Those who can not protect their women, including children, and property from others, are subject to *Paighor* (Taunting) and are, therefore, not worthy of calling Pakhtuns in the eyes of others. Hence this extended definition of honor, one not limited to the physical body, is mainly responsible for much of the bloodshed in the Pakhtun society.

The opposite of honor is *Tore* (Disgrace), which is an element in the extended definition of *Pakhtunwali*. *Tore* occurs when a man or woman is found guilty of extra-marital sex or elopement. This brings *Tore* not only to the concerned persons but to the whole family, therefore, the accused are liable to be killed. The matter often does not end here. Honor-killing sometimes leads to prolonged and violent enmities between the two families (Barth, 1969). Second to woman in importance is land. The holding of land makes one Pakhtun. In fact, those who do not have land are not called Pakhtuns (Ahmed, 1976). They are called *Kasabgar* (Artisan), since they do not have land they rely on different professions such as,

carpenter, cobbler, and blacksmith, for subsistence. Therefore, the holding of land and the protection of one's property is closely related to the concept of honor (Dupree, 1973). Most of the feuds and vendettas in the Pakhtun society, including those spreading over many generations, result mainly from the dispute over land. Honor, in turn, is closely related to the concept of *Badal*.

2.2 *Badal* (Revenge)

Honor may indirectly spur violence, *Badal*, on the other hand is directly responsible for violence. In most of the popular literature about the Pakhtuns, *Badal* takes precedent over all other elements of *Pakhtunwali* (Dupree, 1973). The purpose of listing honor before *Badal* in this discussion is to emphasize the point that it is honor, in most cases, which compels a Pakhtun to take revenge. Thus *Badal* follows from honor. Honor demands, for example, that an injury caused or an insult meted out to a person, or his kin for that matter, must be paid in the same coin (Dupree, 1973). Just like in the case of honor, those who can not fulfill the obligation of *Pakhtunwali* by taking revenge, lose their prestige in the eyes of fellow Pakhtuns and render themselves liable to *Paighor* (Taunting) (Spain, 1962). Since a Pakhtun will prefer to desert his home and his village rather than tolerate *Paighore*, therefore, he prefers to fix the issue as soon as possible. But this does not mean that time will heal the wound caused by an insult or an injury. According to a famous Pakhto quote *Badal*, even if it is taken after a 100 years, is not delayed. This ensures the resurrection of hostilities even after long periods of peace. *Badal* is also responsible for the prolonged vendettas in the Pakhtun society, because often an unending vicious cycle of taking revenge starts between the two opposing parties. An extended concept of *Badal* is followed in the Pakhtun society, just like the concept of honor. Thus, not only conflict is often carried to the succeeding generations but it is also considered appropriate to take revenge from the perpetrator's sons, brothers, or nephews. This leads one to another feature of *Pakhtunwali*, vendetta.

2.3 Vendetta (*Fatna*)

Vendetta or *Fatna* (Fitna in Arabic, meaning unrest or violence) or *Gundi* (Enmity or factionalism) refers to the prolonged and violent hostilities between the two families, clans, or tribes. The use of violence in vendetta is as much symbolic as it is direct. Since vendettas continue for a long period of time, therefore, it has its rules, according to which, women and

children are exempted, crops and cattle are to be protected, and shooting is to be carried out in the night (Razi Rahman, personal communication, April 22, 2012). There may be different causes of *Gundi*. It may be caused by an obligation of *Badal*, a dispute over land, or a question of woman (*Tore*). Although, *Badal* may be a cause of *Gundi*, as discussed earlier, it is not necessarily the only cause. More importantly, *Gundi* when started has its own dynamics, irrespective of means and ends. Honor would demand, for example, to carry the *Fatna* to its logical ends. It does not necessarily mean to settle the dispute, the mere sustenance of the hostilities through a show of force and non acceptance of the defeat may do the job. Since it requires a great deal of patience, perseverance and, above all, money and resources (weapons and ammunition) to continue the vendetta, therefore, it would bring disgrace or *Paighor* to a person unable to carry on the *Fatna*. A young tribal from Mohmand Agency was referring to this fact when he told a story to this scholar about a vendetta.

He said the family of his maternal uncle had a prolong enmity with another family in the village. He also participated on the side of his uncle, under the obligation of *Parajamba* (Taking sides), he said. Although, his uncle had exhausted the ammunition but he did not want to accept defeat by ending the fire on his part. Therefore, he planted two poles of wood vertically in the ground and tied a strip of thick rubber to it. Young boys of the family would collect stones in the day to be thrown at the enemy's house with the help of this manual device (Razi Rehman, personal communication, April 22, 2012). Although, killing and wounding is not always the aim of vendetta, it does not mean, however, that it always causes no harm to human life. *Fatna* may degenerate into such violent conflict which may kill dozens of people on both sides. *Fatna* may also occur between close cousins sometimes.

2.4. *Tarburwali* (Agnatic Rivalry) or *Syali* (Competition)

Tarburwali is a state of mind in which each person in the Pakhtun society considers his first cousin as his competitor in all walks of life (Spain, 1962; Barth, 1969; Ahmed, 1976). *Tarbur* literally refers to cousin while *Syal*, from which *Syali* is derived, means competitor. Thus, a person may be one's *Tarbur* but not *Syal*, because *Syali* is done with one who is equal in status. It is considered inappropriate to do *Syali* with those cousins who are weaker either in terms of man-power or in terms of financial reasons.

One of the dangerous things about *Tarburwali* is that it is not always a healthy competition. Dispute may arise often on trivial matter, as one does not allow even a small benefit to his opponent. Majority of the feuds in the Pakhtun society occur between close or distant cousins (Dupree, 1973). In some cases feuds may lead to vendetta or *Fatna* between the cousins. Moreover, *Paighor* or taunting is mainly associated with cousins. It is the taunting of the cousin that the Pakhtun can not tolerate and compels him to take action as demanded by *Pakhtunwali*. A person may leave his home and village and migrate to some other locality if he can not fulfill the demands of *Pakhtunwali*, for example taking revenge, but he will not tolerate taunting and accusations of his close, as well as, distant cousins.

Apart from the above features of *Pakhtunwali* which are closely related to violence, another factor which has been responsible for much of the blood shed in the Pakhtun society is the easy availability of some of the modern weapons in the region. Weapons of all kinds like, AK-47, M16, RPG (Rocket Propelled Grande), and even small canons are easy available in the Pakhtun region, especially in FATA. Apart from the imported weapons, locally produced weapons are in abundance. One can not deny the fact that all this could not have been possible without the Pakhtun's love of firearms (Khan, 1947). Ghani Khan has rightly observed that "Pakhtun loves his old wife and his new rifle" (1948: p. 1), meaning that both women and weapons, closely related to the concept of honor, have a central role in the Pakhtun's life. Historically in most of the FATA region, people would consider gun as an ornament for men. Hence, it was rare to find a man without hanging a gun to his shoulder, before the emergence of Taliban in the region, who gave themselves the exclusive right to carry and use weapons. Still one can not find a home without a Kalashnikov even in the urban areas of the Pakhtun society (Khan, 2007). So whatever be the cause of the conflict between the two individuals or families, the large numbers and easy availability of weapons is always the immediate cause (Johansen, 1997).

Much of the above mentioned features originate from the segmentary structure of the Pakhtun society. The latter, as identified by Barth, (1959) is based upon the segmentary lineage system. According to this system the population is divided into families, sections, lineages, sub-clans, clans, and tribes. Membership in the group is defined by descent from a common male ancestor. Thus a section or clan will trace common ancestry back

through a dozen generations. The system is strengthened by patrilineal parallel-cousin marriages. In case of a conflict, therefore, first cousins or descendants of the same grandfather will fight each other. But they would join together in a conflict with distant cousins. However, both will unite to fight members of another lineage, and this is how it goes on up to the level of tribe. From this, stems the theory of segmentary opposition (Barth, 1959), or *Parajamba* (taking sides in a conflict), as it is called in Pakhto. The concept of *Tarburwali*, which is considered as the cause of most of the strife in the Pakhtun society, is also a product of the segmentary structure of the Pakhtun society. Moreover, honor is also defined against a background of a competitive relationship with close or distant cousins, as it is an escape from the *Paighor* of a cousin which compels a person to uphold a strong concept of honor.

It is important to emphasize here that, *Pakhtunwali* provides a complete code of life, and not only a code of honor. Some writers are so obsessed with the idea of *Nang* or honor who limit *Pakhtunwali* to the concept of honor only. Akbar S. Ahmed (1976), for example, limits Pakhtun society to two categories, one characterized by *Nang* (honor), and the other by *Qalang* (tax). *Nang* category referred to the hill tribes where the concept of honor was strong. The latter referred to the people living in the settled areas where a government taxation system was in vogue. Barth (1981) also stresses the concept of honor when he observes that 'doing Pakhto' is more important for a Pakhtun than 'speaking Pakhto'. However, *Pakhtunwali* is more than that. Its ability to remain intact over the years is because of its flexibility and dynamism. Had it been limited to a handful of negative features, like the above mentioned ones, it would not have been possible for *Pakhtunwali* to absorb the vicissitudes of time.

Pakhtun culture has evolved over thousands of years and as a result of the contacts of diverse civilizations in the great Gandhara valley. Therefore, it should be contextualized in the phenomenal developments that have taken place in this region. Any approach ignoring these facts would tantamount to grossly misunderstanding the concept of *Pakhtunwali*. It is important, therefore, to conceptualize *Pakhtunwali* in the nature and context of the frontier which served as a cradle of different civilizations. Toynbee identified two kinds of frontiers. "*Culs-de-sac* are regions on the fringe....that have received successive influences from the centre but have not been able to pass them further afield" (cited in Banerjee,

2000:24). On the other hand, Toynbee continued, “roundabouts are the regions on which routes converge from all quarters of the compass and from which routes radiate to all quarters of the compass again” (cited in Banerjee, 2000:24). Certainly, the Pakhtun region best fits in the latter category, as it connects, South, Central, and West Asia with the West. As region of roundabout, it received more than its share of the foreign invasions, including those of, the Persians, Greeks, Kushans, Huns, and Mughals (Banerjee, 2000). Thus *Pakhtunwali* emerged, transformed and was perfected in the frontier region, as a result of the contact of diverse civilizations, to serve as the national character of a people who themselves bear the imprints of the extraordinary developments that have taken place in the region.

It is unfortunate, however, that the contemporary understanding of the Pakhtun culture is largely influenced by outside interference. Much of the violence that has become part of the Pakhtun culture for the last three centuries has largely due to the machination of the imperial powers. Johansen, for example argues,

One should not forget that the violence expressed by people in this society, against both foreign invaders and others within their tribal system, was at least in part a product of being victimized by the violence of external invaders over many years. (1997: p. 57)

Such were the designs of the out side powers, especially the British, that the ideal Pakhtun culture has been transformed over the centuries. This started with their understanding and handling of the frontier itself. Their strategy of dealing with the frontier vacillated between a closed border and an open border policy. They certainly considered the frontier as '*Culs-de-sac*' or the fringe. The name given to the area (North West Frontier Province or NWFP) was indicative of the fact that they treated the area as geographical marginality, as identified by Banerjee, (2000). Their main imperial concern in the frontier region was how to maintain a minimum calm in the region, and that too by avoiding direct contact with the people, and to stop any Soviet southward expansion. Therefore, for this policy to succeed, they devised their own mechanism.

The most important step in this direction was the process of permanent land holdings. Historically, and as a principle of egalitarianism, there was no concept of permanent land holding in the Pakhtun society. Instead,

tribal land would be redistributed under a mechanism called *wesh* (Distribution). Land holding period ranged from five to thirty years, after which it would be reapportioned according to the needs of the lineage or section (Ahmed, 1976). The frequent exchanges of land ensured equal access to the best land. Further, due to the absence of permanent land holding class there were no relations of superior and subordination.

However, this situation was gradually disturbed by the out side powers. From the eighteenth century, first the Mughals and then the Afghan state increasingly extended the writ of the central government by introducing a system of land revenues. This disrupted the traditional social and economic system of the Pakhtun society, because under the system those who were responsible for revenue collection were favored by giving them special rights in land holding (Banerjee, 2000). The British, however, completely altered the system by giving legal rights of permanent land holding to the favored class. Thus they created a class of big *Khans*. This strategy was in line with the principle of indirect rule through which they wanted to control the independent minded people using the local influential *Khans*. Thus, two classes emerged: those few who held substantial amount of land and, that landless class who worked as peasants on the property of the *Khans*. This transformed the principles of *Pakhtunwali*, for example the concept of honor, *Tarburwali*, and *Parajamba*, as well. For example, peasants from the same lineage or sub-clan would often fight each other for their own respective *Khans* (Banerjee, 2000).

Another important factor which changed the traditional mechanism of dispute resolution was the treatment of *jirgah* system by the British. Traditional *jirgah* system was mainly geared towards limiting conflicts rather than locating blame. Its members were elected and decisions were consensual. The British, however, wanted to use the *jirgah* as a means of indirect rule, therefore, they entrusted it with additional powers. *Jirgah*, under the new system was to be appointed by the official of the government, its decisions were binding, there was to be no right of appeal, and fines were to be paid to the government and not to the victim. Transparency of the system was lost and government often appointed its own favored *Khans* as members of the official *jirgah*. This gave an opportunity to the big *Khans* to use *jirgahs* against their enemies which increased the nature and intensity of the hostilities as more and more

peasants would be dragged to the conflicts on the side of *Khans*. By the start of the twentieth century, therefore, the two changes brought about by the British, the replacement of *wesh* or land distribution system with permanent land holding and the new role given to *jirgah*, were mainly responsible for the increasing levels of violence in the Pakhtun society (Banerjee, 2000).

Be it the role of the central state, the influence of the out side powers, or the effects of the natural environment, there is no denying the fact that inter-personal, inter-family, and inter-tribal violence has been a feature of the Pakhtun society. Now that this fact has been established, it is imperative to explore the causal relationship between violence and terrorism in the Pakhtun society.

3. Causal Relationship Between Violence and Terrorism in the Pakhtun Society?

It has already been proved in the second section of this study that violence and terrorism are different phenomena. By distinguishing ordinary form of violence from terrorism, it has been proved that there are little, if any, commonalities between the two. However, the question which is being explored is to know whether the prevalent violence in the Pakhtun society may have provided a breeding ground for the contemporary terrorism in the Pakhtun region or not. Is Talibanization a product of the Pakhtun culture? Therefore, this section not only highlights the rationale behind violence in the Pakhtun society but it also discusses the recruitment and activities of the terrorists in the Pakhtun region to know whether the Pakhtun cultural values are responsible for terrorism or not.

3.1 Taliban Recruitment: The Role of Culture

It is a common wisdom that initial induction to the Taliban is largely motivated by religious aspirations, it has nothing to do with culture or Pakhtun nationalism. This has been especially the case with Afghan Taliban. The latter were largely students of the religious seminaries in Pakistan. They were mainly motivated by the young charismatic religious leader, Mullah Muhammad Umer from Qandahar, who wanted to bring an end to the factional fighting between different warlords, transform the existing political and social system and impose *Shariah* throughout the country (Rashid, 2000). Initially a small number of Pakhtun nationalists joined the Taliban, to fulfill their own agenda, but they quickly abandoned them by realizing that the Taliban were a dangerous upcoming force. The nationalists soon realized that although, majority of the Taliban were

Pakhtuns, they were a threat to the cause of Pakhtun nationalism as they relied heavily on transnational religious forces. This was proved in the later years by the Taliban's close intimacy with Al Qaeda (Gul, 2009). Same is the case with the Pakistani Taliban. The emergence of Taliban in the Pakhtun region, although a different phenomenon, has largely been inspired by the Taliban rule in Afghanistan (Rashid, 2008). By and large, the leadership of the Taliban in the Pakhtun region is motivated by religious aspirations. With a few exceptions, leaders of the Taliban in the Pakhtun region have either *madrassa* background or were already involved in jihadist activities before initiating their campaign in the Pakhtun region (Abbas, 2005). Both Abdullah and Baitullah Mahsud, for example, were fighting alongside the Afghan Taliban in Afghanistan before they were captured in 2001 and sent to Guantanamo jail by the American forces. On their subsequent release from the jail in 2004 they started a campaign of terror in the Tribal areas of Pakistan, starting from South Waziristan Agency (Gul, 2009).

Abdul Wali, head of the *Tehrik-e-Taliban* in Mohmand Agency, has a jihadist background. He had fought not only in the Indian-held Kashmir but also in Afghanistan against the US-NATO forces before becoming a part of the *Tehrik-e-Taliban* Pakistan. (Yousufzai, 2009). Likewise, Molvi Faqir Muhammad, head of the *Tehrik-e-Taliban* Pakistan in Bajaur Agency, has a similar background. He is a former *mujahideen* leader who had fought against the Soviet forces in Afghanistan in the 1980s (Cookman, 2009 & Wadhams). On the other hand Sufi Muhammad, head of the *Tehrik-e-Nifaz-e-Shariat-e-Muhammadi* (TNSM) and Maulvi Fazlullah, head of the Swat chapter of the *Tehrik-e-Taliban Pakistan*, were product of *madrassas*. Thus, the socialization of the bulk of the leadership of Taliban in the Pakhtun region has not taken place in the ideal Pakhtun cultural values; rather they reflect a militant jihadist outlook.

Apart from the leadership, the rank and file of the Taliban may join the terrorist organizations for various reasons. One of the obvious reasons advanced by various scholars, including Ahmed Rashid, (2008) and Imtiaz Gul, (2009), is the financial benefit that affiliation with group may accrue. It is believed that handsome amount of money is paid to the Taliban foot-soldiers. It is not surprising in an area characterized by abject poverty, limited and mostly illicit economic activities- the production and trafficking of drugs and the manufacturing and free movement of weapons- and huge unemployment, as compared to the rest of the country. Another reason for joining the Taliban may be the search for identity. As identified by research on terrorism, socially isolated or marginalized

people may join the terrorist organization in search of identity (Crenshaw, 1981). This holds true for the tribal areas of Pakistan where, limited or no state facilities, meager economic opportunities, and death and destruction in the neighboring Afghanistan for the last three decades and in FATA after 9/11, have disrupted the social fabric of the society and made the people, especially the youngsters marginalized. Hence, in such environment of hopelessness, the terrorist organizations provide ample opportunities to the youth to prove their worth. However, one of the most important reasons for joining the terrorist organizations, and one which is closely related to the theme of this section, is vengeance. The restoration of honor or the desire for revenge may compel those who were initially not sympathetic towards the cause of Taliban to join them. This may happen when one's loved ones are killed by the security forces without any reason or when someone's sense of honor has been badly damaged, e.g. the maltreatment of women who are closely related to the concept of honor. The killing of innocent people as a result of intentional or indiscriminate firing or shelling and drone attacks may leave no other option with the surviving members of the victim family to resort to revenge in the shape of joining the Taliban, especially for carrying a suicide attack. Analysts agree that there are numerous cases in the Pakhtun society where the surviving member or members of the victim family have indulged in terrorist activities for the ultimate aim of taking revenge. For example, there was a drone attack in 2006 on a *madrassa* in the Chengai area of Bajaur Agency, killing 80 persons. The Pakistan military took the responsibility of the attack. Therefore, the subsequent Dargai attack on the Pakistan military's recruitment centre, the Punjab regiment centre, was carried out by a person whose brother was killed in the *madrassa* attack said, Mushtaq Yousufzai. In another instance, he continued, "a person's parents were killed in a drone attack in North Waziristan, he went to the militants, received training and subsequently became a suicide bomber, attacking a military check post 3 km east of Miranshah" (personal communication, February 2, 2012).

Thus, honor and revenge, two of the important elements of the Pakhtuns' social life, provided ground for joining the militants. However, it should be noted that honor and *Badal* in these cases are not the causes of joining the militants rather they are the effects of the counter-insurgency campaign. Therefore, the campaign against terrorism, instead of stemming the rot, has further radicalized the Pakhtun society.

Another element of the Pakhtun culture, *Melmastya* (Hospitality) or *Panah* (Assylum) is also said to be causally related to terrorism in the Pakhtun region, although, not in the process of recruitment to the Taliban but in giving them safe havens. One of the hallmarks of the people of the Pakhtun region, and this include non-Pakhtuns as well, is the tradition of hospitality (Guest, 2010). Pakhtuns take pride in feeding, protecting, and giving abode to the guests, without any charges, so long as they wish to remain. The related tradition of *Panah* (Giving asylum) is also strictly followed in the Pakhtun society. *Panah* is not denied even to the enemy when he is in need (Gauhar, 2010). In line with this tradition the Taliban government in Afghanistan gave *Panah* to Osama bin Laden and refused to handover him, even under immense pressure from the United States of America. There is no denying the fact that Pakhtuns in the tribal areas of Pakistan, too, have given sanctuaries to hundreds of international jihadists after the US and coalition forces launched 'Operation Enduring Freedom' against the Taliban regime in Afghanistan in 2001. Foreign jihadists may have capitalized to a certain extent on the tradition of *Melmastya* to acquire a safe haven among the Pakhtuns. However, analysts believe that most of the foreign militants in the Pakhtun region are paying guests. Tribals who have given shelter to Uzbek, Al Qaeda, or other foreign militants receive handsome amount of money from them (Gul, 2009). Therefore, this means that they have not been given shelter under the obligation of *Pakhtunwali*; rather they are receiving financial benefits from them. Receiving money from guests is not only against the tradition of *Melmastya* but it is in violation of all the norms of *Pakhtunwali*. Nevertheless, Mushtaq Yousufzai rightly observes that,

Pakhtuns' love of weapons, their inclination towards religion, their poverty, lack of education, nature of the people and of the area, some of the cultural values, and the political and administrative system in region, all provided an opportunity to the militants on which they fully capitalized. However, it was actually the absence of the state institutions which was mainly responsible for the emergence of Taliban. The state's failure to provide social and other facilities to the people provided an opportunity to the Taliban to appeal to the sentiments of the people. (personal communication, February 2, 2012).

3.2 Taliban Activities: The Role of Culture

Since the emergence of Taliban in the region 2004 a campaign of terror of unprecedented nature has done irreparable damage to the Pakhtun society. Apart from loss to human life and property, which has been discussed

earlier, the activities of the Taliban have disrupted the social fabric of the society (Gul, 2009). This is because they have consciously targeted some of the strong pillars of the Pakhtun culture. Bomb blasts in *jirgahs* and in mosques, the slaughter of human beings, and punishing women in the public are all activities which distinguish Taliban from all other fighters in the Pakhtun history (Taj, 2009). For example, 40 tribesmen, including prominent tribal elders, were killed and 50 other wounded in a suicide attack in a *jirgah* in the semi-tribal area of Darra Adam khel, on March 2, 2008 (Khattak, 2008). In another act of inhuman behavior, the Taliban publicly flogged a teenage girl in April 2009, in Swat. They alleged that she came out of her home with a man who was not her husband (Walsh, 2009). Moreover, the Taliban during their parallel administration in the tribal areas and Swat, have transformed some of the strongly held traditions of the people. In their quest for providing swift justice the Taliban overlooked the traditional mechanisms of dispute resolution, such as *jirgah*, *nanwaty*, and *lashkar*. Moreover, the presence of Taliban has transformed the notions of honor, *Badal*, *Tarburwali*, and *Parajamba*. This has been done by applying the Taliban form of *Shariah* rules and by ignoring the dispute resolution mechanism contained in *Pakhtunwali*. It has already brought chaos to the region, however, this will have far reaching implications for the region in the long run, especially when the Taliban are no more there. This may resurrect the old enmities because people may want to settle the issues according to the demands of *Pakhtunwali*.

All the above mentioned activities of Taliban strongly contradict the Pakhtun cultural values. For example the sanctity of *jirgah* is taken for granted in the Pakhtun society. *Jirgah* is normally composed of the grey-beard men who are well respected in the community (Gauhar, 2010). Therefore, it is considered against the precepts of *Pakhtunwali* not to respect the *jirgah*. Such is the sanctity of *jirgah* that even the strongest of enemies sit face to face in *jirgah*, in otherwise continuous fighting, and do not say a word to each other. Most importantly, *jirgah* is respected because in the absence of state institutions and a system of self-help it is the only mechanism for dispute resolution. Therefore, the Taliban's bomb blasts and attacks on *jirgah* strongly question their credential of being Pakhtuns.

Another issue which distinguishes Taliban from other Pakhtuns in the region is the way they kill humans. Pakhtuns have their own way of fighting, including the killing of a person when it is required. Their conduct of war has even compelled their enemies to call the Pakhtuns a worthy enemy (Guest, 2010). Taliban, on the other hand, have crossed

every limit in their treatment of the so called criminals. They have slaughtered people on numerous occasions, and that too in front of large numbers of people. Thus, they have violated not only the basic human rights but their treatment of the criminals strongly contradicts the Pakhtuns cultural values. Pakhtuns never slaughter human beings. Dr. Razia Sultana, Chairperson Department of History at the Qaed-e-Azam University, who herself is an ethnic Pakhtun, rightly observes: "Pakhtuns do not slaughter, we just use bullet to kill. We do not use knife", (personal communication, December 8, 2011). People in FATA, in particular, observe the rules of conduct, especially in dealing with enemies. Treachery, deceit, or any other immoral act in dealing with one's enemy is considered against the concept of honor, and a person who commits such acts is considered coward. Haider Mohmand, a tribal from Mohmand Agency clarified this,

The slaughtering of people is a Central Asian tradition. Nowhere in the Pakhtun history can one find precedent of such acts of inhuman conduct. In our area, if you have killed a person of my family and I have to take revenge, I will wait for the appropriate occasion. I will follow all the rules of *Pakhtunwali* in pursuit of taking my *Badal*. For example, I will not kill you on my own soil. Further, I will not attack you if you are accompanied by a woman or children. When I find an occasion where all the above conditions are fulfilled, I will kill you. I will make sure then that your body does not lie on the road or other inappropriate place. In the end, I will inform your family that I have taken my revenge. (personal communication, April 10, 2011).

Women and children are especially exempted from all sorts of hostilities in the Pakhtun culture. Even in prolonged vendettas in which men are targeted if found outside, women and children are free to move. The Taliban, however, spare none. They have not only punished women publicly but have also used children as suicide bombers. Therefore, there can be no comparison between the violence in the Pakhtun culture and that committed by the Taliban. The following points will further clarify the issue.

- I Violence may be a part of the Pakhtun culture but it is important to understand that there is no 'culture of violence'. Violence does not exist ritualistically and in organized form. In fact violence is as condemned in the Pakhtun society as it is in other societies. Those who transgress the limits, for example by killing a person, are dealt with severely. They are quickly brought to justice by a *jirgah*. If

do not abide by the *jirgah* decision, they will be expelled from the area and their property will be confiscated. In some areas, for example, in Utmankhel area of Mohmand Agency, three generations of the accused are not allowed to return to their area. Further, if honor demands on the one hand to take revenge, on the other, it requires of a Pakhtun to abide by the other rules of *Pakhtunwali*. Those who do not respect the traditions of *jirgah*, *teega*, and *nanawaty* (all the three help in ending hostilities), for example, are not considered honorable and, therefore, not worthy of calling themselves Pakhtuns. On the other hand, it seems, violence for the militants is an end in itself. For example, it is not clear what do they want but they have killed hundreds of people, both security forces personnel and civilians, particularly in Mohmand Agency. For example in pursuit of their objectives, the Taliban have killed more than 600 tribal *maliks* in FATA since 2004 (Mushtaq Yousufzai, personal communication, February 2, 2012). In other areas where their demands are somewhat clear, for example in North Waziristan Agency where they want an end to the security forces operation against the militants, there is a huge gap between the means and the ends.

- ii) Another important point is that since the socialization of the leadership of the terrorists has not taken place in the ideal Pakhtun culture, therefore, they can not be considered as a product of the latter. In fact majority of the people in FATA do not equate themselves with the militants, rather, they are considered as potential 'Other'. In reality, Taliban are considered as counter-culture force, who may be using some of the features of *Pakhtunwali*, but who, in actual sense are destroying the ideal Pakhtun culture by targeting its other values.
- iii) A related point to the socialization of the terrorists is that the latter is not comprised of only the Pakhtuns. The Taliban are joined by other militants with diverse ethnic backgrounds and different objectives. The Taliban are, for example, joined by militants from the Punjab and Kashmir. Then there are other non-Taliban foreign jihadist elements like Al Qaeda and Uzbek militants operating in the Pakhtun region. Therefore, there is no question of searching a causal relationship between them and the Pakhtun cultural values.

Conclusion

The discussion in this study demonstrates that, although, violence may be a part of the Pakhtun culture, it is never causally related to terrorism in the Pakhtun society. Rather, one can safely say that the Taliban form of terrorism has badly affected the ideal Pakhtun culture. Negative social change in the shape of Talibanization has transformed some of the glorious traditions of Pakhtun culture to such an extent that it has caused further radicalization of the already radicalized Pakhtun society. This is evident in the shape of people joining the terrorist organizations for the sole purpose of retribution from the security forces. The parallel administration established by the Taliban has almost paralyzed the official dispute mechanism system which was centered on *maliks*. The latter have been replaced by the Taliban and people are compelled, though reluctantly, in FATA, especially in North Waziristan Agency to take their disputes to the Taliban (Gul, 2009). It is true that the concepts of honor and *Badal* may have helped the cause of terrorists, but that too is part of the process of militancy. Because it is indiscriminate firing and shelling by the security forces which results into the killings of innocent people, called collateral damage. Members of the victims' families may see no other option but to join the terrorists.

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Motivations for Pakistani Religious Extremists to Become Terrorists

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Abstract

Terrorism cannot and must not be considered as a phenomenon that unfolds in isolation. In most instances terrorism is the outcome of protracted process of radicalization of some political or religious movement. Political or religious movements splinter when they lose public support and influence. At times the relatively more extremists among the fundamentalist groups resort to terrorism in order to revive the group's social influence and political clout. Moreover, terrorism is not possible sans an extremist ideology that guides and justifies the actions and plans of the perpetrators of terrorism. On the other hand one of the dominant paradigms in terrorism studies, the Strategic Model, contends that perpetrators of terrorism are fundamentally rational actors and their actions politically motivated. Furthermore, the terrorists are political 'utility maximizers' as they employ violence because from their standpoint the cost-benefit analysis reveals to them that the expected benefits of using violence would be far more than other forms of agitation and pressure. This had typically been the situation which Pakistani state and society experienced between 1980 to 2010 with one important exception, that the goals of Pakistani terrorist outfit operating in the name of Islam had not been political per se. These groups have the only common objective of capturing the state power through sheer violence. In the later decade of that period, specifically in its second half, Pakistan faced its worst ever terrorist attacks. The perpetrators of these attacks, in most of the cases, were various so-called Islamist groups or Mujahideen. These groups included the Tehreek-e-Nifaze-Shariat-e-Muhammadi (TNSM), the Tehreek-e-Taliban Pakistan (TTP), the Al Qaeda, the Lashkar-e-Jhanghvi (LeJ), the Punjabi Taliban and the Lashkar-e-Islam (LI). In this period not only certain entirely new terrorist groups, for instance the TTP, emerged but several of the formerly Islamist extremist groups adopted terrorism to carry forward their respective agendas. Earlier during that period the mother of most Pakistani Sunni sectarian, militant organization, Sipah-e-Sahaba Pakistan (SSP), grew out of the Jamiat-e-Ulema-e-Islam (JUI), one of the oldest fundamentalist political party and groups of Pakistan. This paper deals with motivations and conditions that have been responsible for the surfacing of totally new terrorist groups operating in the name of Islam in the country and transmutation of the formerly extremist (and in some instances militant) Islamist outfits into terrorist groups. Seemingly various factors interacted to produce the effect that is terrorism. The paper also explains the objectives which the terrorist groups operating in the name of Islam want to attain through unleashing a reign of terror across the country in particular the FATA and parts of the Khyber Pakhtunkhwa (KP) like Swat. These motivations have been explained in detail below.

1. Motives of Individuals and Groups to Employ Terrorism

Terrorism may be a rational choice from the standpoint of the terrorists but the strategy is not rational as such. Here rational means that terrorism is employed by individuals and groups after threadbare analysis of the prevailing conditions, individual/group aims, objectives, advantages and disadvantages as well as practicability of various courses of action to attain these objectives. But the terrorists' rationality is relative and subjective and not absolute or objective. In other words terrorists may believe that no other way but terrorism could achieve for them which is otherwise unachievable by adopting other ways. However, there is substantial evidence that terrorism as a strategy has failed to achieve its aims. The Rand Corporation in the 1980s concluded that "terrorists have been unable to translate the consequences of terrorism into concrete political gains." Around the same time on the other hand Crenshaw was of the view that terrorist organizations were unsuccessful to get "the long-term ideological objectives they claim to seek, and therefore one must conclude that terrorism is objectively a failure." (Crenshaw, 2001: 15, as cited by Abrahms, 2008: 49) In the 1990s Thomas Schelling arrived at the same conclusion observing terrorism "never appear to accomplish anything politically significant." (Schelling, 1991) Due to the ineffectiveness of terrorism as a political strategy scholars have questioned the so-called rationality of its employment. For instance, Crenshaw questioned the purpose of terrorism when it cannot be justified. In response most terrorism experts argue that terrorist outfits have a compulsive proclivity to employ terrorism. This assertion contradicts the validity of the assumptions of the *Strategic Model* that terrorism is the weapon of last choice when all other non-violent ways lead to nowhere.

Regarding the motivations of terrorists a world-renowned terrorism expert Alex Schmidt stated:

Those who are willing to sacrifice their lives for class, race or religion are promised certain rewards. In the case of religious terrorism these rewards are supposedly delivered in another world which makes it special. The objectives of terrorism are the same for secular and religious groups-gain or maintain power here on earth-but the rewards promised to the foot-soldiers who do the killing and dying are different in the case of religious terrorism.⁴

These findings and observations are very important from understanding the objectives of perpetrators of terrorism in Pakistan and the formulation of a counterterrorism strategy. At the same time it must be remembered that each

country and society has its own peculiar political environment and socio-cultural dynamics as well as the nature of terrorist outfits, which provide either permissive conditions for or inhibitive atmosphere to terrorism and therefore, the findings of one country cannot be generalized across several states or societies. Therefore, in order to understand the phenomenon of terrorism and to devise effective counterterrorism policy, the phenomenon should be studied within the cultural and political context of each country. In Pakistan the terrorist groups have justified the adoption of terrorism in the name of Islam, therefore, unlike the Western countries, where all the above findings were documented, at least Pakistani terrorist groups have a very strong engineered justification for violence. Although it is equally true that overall terrorism cannot achieve for its perpetrators what they desire—to compel the state to replace the existing political and governance systems with such political and social structures as desired by the terrorists.

In the context of Pakistan, the leaders of the terrorist outfits operating in the name of Islam seem to have an innate compulsion to use violence. As most of the commanders of Pakistani terrorist outfits have come from extremely tribal and rural background particularly from the FATA, the KP and the Punjab, so feeling powerless to carve a niche for themselves in the urban power centres of the country as well as are unable to understand how modern world, systems and institutions operate and how one can move forward in these systems and structures, they resorted to violence. For other terrorists like Omar Saeed Sheikh, who got education at the London School of Economics, the psychopathological reason seems to have compelled them to resort to terrorism. Nevertheless, to fully comprehend why groups and individuals have been resorting to terrorism in Pakistan a comprehensive analysis is required which is as follows.

2. Motivations for Extremists to Become Terrorists & New Terrorist Groups

There have been a number of general motivations cited by experts, scholars and researchers in the terrorism studies literature for the transformation of radical outfits into terrorist groups and the emergence of purely new terrorist outfits. These motivations crosscut national boundaries. The following sections of this paper would analyze most important of the general motivations and their relevance in the context of Pakistan

2.1 Culmination of Radicalization & Islamists Failure to get State Power

Like the rest of the world particularly Muslim countries terrorism in Pakistan in the name of Islam has been the climax for about 30 years of

the process of radicalization due to the resurging clerical forces heretic or neo-interpretation and exegesis of Islamic scripture. "It (9/11) was the culmination of a rising tide of radicalization which has been sweeping the Muslim world over the last couple of decades from Palestine to Iran, from Pakistan to Sudan, from Afghanistan to Somalia, from Egypt to Algeria, and elsewhere". (Ferrero, 2005) However, the case of religious terrorism in Pakistan at the same time has also been quite different from other Muslim countries. Terrorism in the name of Islam in Pakistan is partially the outcome of the decades-long radical Islamic narrative at the state or official as well as the societal level. The Islamist movement in Pakistan historically has had disparate elements including the Majlis-e-Ahrar-ul-Islam (Association for the Knights of Islam, the Khaksar Tehreek, the Jamaat-e-Islami (Party of the Islam), the Tableeghi Jamaat (Party of the Propagators) and the Jamiat-e-Ulema-e-Islam (Party of the Scholars of Islam). An array of religious groups, the Jamat-e-Islami, the Ahrars and the Khaksars for instance, opposed the demand for Pakistan on account of its being insufficiently imbued with the tenets of religion. After partition, these same groups became the loudest proponents of an 'Islamic state'. (Jalal, 1999: 278) Although having different agendas and modus operandi these groups and parties in Pakistan have somewhat common aim of establishing a fundamentalist Muslim state in Pakistan, albeit in their own peculiar manner. However, all of these groups have utterly failed to attain the aim through political and social struggle spanning several decades.

Two important factors played instrumental role in their failure. The first has been the inability of these outfits to win majority in elections and get political power. The collective voting strength of religious parties, which was 21.5 percent in 1970, reduced to mere 6.7 percent in 1993. These religious parties lost so much of their political clout that they could win only a couple of National Assembly seats in 1997. (Waseem, 2002: 23)

The second and more important factor behind failure of religious parties of Pakistan in getting political power has been their inability to rally mass public support behind them and to effect change through it. This inability disenchanted most of the leaders, members and followers of the religious parties of Pakistan, who increasingly lost faith in the capacity of their organizations to bring about an *Islamic* revolution in the country created in the name of Islam. On the one hand the failure of different components of the Pakistani Islamist movement to grab political power and on the other hand disillusionment within and without these parties, in turn, curtailed these parties social influence they once had. In the meanwhile

seeing this situation with utter dejection, the radical among those parties started resorting to terrorism as the preferred way to regain social influence and ultimately political power. This change of *modus operandi* is not something unique to Pakistani ideological Islamist parties and movements as historically many fundamentalist religious parties across the world adopted terrorism eventually. "But what happens if the ideological movement or organization has not yet been able to grasp secular power, or if it has lost it, for instance by war like the Taliban in Afghanistan, the Khmer Rouge in Cambodia and a branch of the Anabaptists after their Muenster kingdom had been routed. (Stayer, 1976: chapters 12 and 13: as quoted by Bernholz, 2006) Then probability is great that the movement turns to guerrilla warfare and terrorism to finally gain or regain secular power against the forces of evil depicted as such by its ideology." (Bernholz, 2006)

There are some very important examples that could be cited as ready reference regarding concocted grievances of Pakistani religious groups. The TNSM founder Maulana Sufi Muhammad was a the JI renegade (Rana, 2002: 184) who left the JI after disagreeing with its *modus operandi* of struggling for Islamic system in the country through the constitutional means and participation in mainstream politics resting on electoral system. Consequently, Sufi formed the TNSM to enforce *Shariah* in Malakand region by the force of arms, mass agitation and sit-ins through crippling state machinery and building pressure on the state to give in to its unconstitutional demands.

The Sipa-e-Sahaba Pakistan (SSP), the mother of Pakistani militant and terrorist organizations, as mentioned earlier, was the outgrowth of the JUI (Abbas, 2005: 204) because the former concluded that the latter failed to implement the Deobandi brand of doctrinaire Islam in Pakistan, a regime in which Shiites, the *bête noire* of the group, would be declared non-Muslim. The SSP although has been a radical and militant organization but it has taken part in democratically-held elections (Grare, 2009); thus it at least did not have disagreements with the JUI on the methodology of attaining power and enforcement of *Shariah*. The SSP by resorting to militancy and vitriolic anti-Shiite rhetoric radicalized its ranks and files until some of the extremist within the group detached from the mother party, considering it *pacifist* and *soft* on its enemies and incapable to bring about an *Islamic* revolution in the country. Consequently, the radical factions of the SSP formed Lashkar-e-Jhanghvi (LeJ), a purely terrorist organization. (Rana, 2002: 204)

Many of the TTP top brass like its first and long-serving deputy commanders Maulvi Faqir Muhammad and Maulvi Wali ur Rahman and many other had formerly been the JUI office-bearers. Others TTP commanders like Qari Hussain, the master-trainer of suicide bombers; its second head Hakimullah Mehsud, had been associated with the LeJ while another commander Maulana Fazlullah was a member of the TNSM. On this basis it can be argued that “. . . the JUI has long been a political patron of the Taliban and other Deobandi militant groups . . .” (Fair & Jones, 2009-2010: 10) This shows that radicalization of the fundamentalist groups went on but their concomitant failure resulted in relatively more extremist groups resorting to terrorism.

3 Factors in Gradual Process of Resort Terrorism

Insofar the abrupt emergence of entirely new terrorist organizations like the TTP is concerned, although many of its leading commanders may have been part of extremist parties like the JUI-F and the LeJ but a sizable part of these organization ranks and files comprise of those who chose terrorism as a first option to press for their objective(s) and their ultimate attainment.

3.1 Minority's Grievances: As First Condition of Terrorism

The first condition that can be considered as a direct cause of terrorism is the existence of concrete grievances among an identifiable subgroup of a larger population, such as an ethnic minority discriminated against by the majority. (Crenshaw, 1981: 383) The extremist groups of Pakistan can be termed as identifiable subgroups because they have their brand names and signature tactics like suicide bombings. In the context of Pakistan, one of the direct causes of terrorism and the transformation of Islamic radicalism into terrorism in the name of Islam is the grievance of the religious parties and groups, backed by a sizable part of population, is the non-enforcement of *Shariah* in the country. This has provided a pretext for groups like the TNSM, TTP, SSP, and LI among others to resort to terrorism to achieve the same goal through violence. Pakistani Muslim ideologues categorize Jihad into two main types—external and internal. The former is to wage a holy struggle against those non-Muslim forces and countries which oppress Muslims, the latter is to create a true Islamic society in Muslim states. (Boivin, 2007: 112)

Many minority groups conduct terrorist activities as a way to bring about social change (Kruglanski, 2003). Usually, these groups represent beliefs and positions on political and religious issues which are not readily accepted by the majority. These terrorists are what some social

psychologists define as “active minorities.” (Moscovici, Mugny Perlez, 1991; Moscovici, 1996). The TTP objective of overthrowing the existing state dispensation and imposition of its brand of Islam or *Shariah* in Pakistan is tantamount to bringing about a social change. The TTP, the TNSM, the Punjabi Taliban or generally all shades of Pakistani Taliban beliefs of imposing their doctrinal brand of *Shariah*, formulation of their own ultra-radical domestic and foreign policy for the state, has been unacceptable to the majority Pakistani population but more importantly to the existing power centres and cannot be enforced through the extant power structures. Therefore, for these 'active minorities' the most desirable way to achieve their aims is terrorism.

The desired social change of this active minority of Pakistani religious terrorists can be attained by destroying the existing governance and state structures through large-scale terrorism. This requires terrorizing the population of which most are unsupportive of the cause of the extremists. As mentioned earlier in this chapter, the so-called religious parties failed to win popular public support as is evident from the negligible percentage of votes they got in different elections. Thus these groups could not mould the public opinion in their favour. Therefore, the dominant Islamic religious parties started supporting the agenda and tactics of religious terrorist groups. The motive of religious parties for extending this support is that if people cannot be won over through political means they at least could be silenced through terrorism by making opposition to the violence and radicalization extremely costly. The religious parties believe *terrorizing into silence* would create a situation as is explained by the theory of Spiral of Silence in which the religious parties would dominate the public discourse as well as the public sphere by taking advantage of the terrorizing of the people. In this process the religious parties would become a *Loud Minority* and making the people a *Silent Majority*.

The social change which Pakistani terrorist groups have perceived as 'Islamic Revolution' in essence is the replacement of the existing Pakistani constitution and political and administrative structures with the dictatorship of the former in which state policies are determine by the illiterate or partially-literate clerics.

3.2 Conservative Religious Elite Equating “Own-Craving” For Power With Popular Sentiment

The contextual factors behind terrorism have their specific dynamics which are aptly explained by Crenshaw:

Context is especially significant as a direct cause of terrorism when it affects an elite, not the mass population. Terrorism is essentially the result of elite disaffection; it represents the strategy of a minority, who may act on behalf of a wider popular constituency who have not been consulted about, and do not necessarily approve of, the terrorists' aims or methods. (Crenshaw, 1981: 383)

This is typically true of Pakistani dominant religious or conservative elite, which believes it represents the popular sentiment while demanding *Islamic* government and social structures in the country. The ultimate aim of the religious elite in Pakistan is to replace the traditional social-political elite. However, this craving of the clergy for state power could not be satiated in the context of Pakistan having western political system and state institutions as well as the traditional ruling elite, which only wanted to use the clergy for strengthening its own power base without sharing state power with the latter. “In Pakistan's formative years, the political elites and the civil-military bureaucracy wrestled for power but held the clergy at bay. Some leading *Ulema* were co-opted to give the new state a symbolic Islamic identity, but by and large the clergy were excluded from the power game.” (ICG, 2002) This has been the main cause of the frustration of members of the clergy with the state. The JI founder Maulana Maududi once said: “The ultimate aim of all the Prophets' missions in the world has been to establish the kingdom of God on earth and to enforce the system of life received from Him”. (Zainuddin, 2000: 4) Thus having state and the governmental powers are essential to implement the teachings of Islam. So out of frustration and in a hope that the terrorist groups operating in the name of Islam would destroy the existing state structure and institutions and thus would create for the clerical groups the rare opportunity to rule the religious elite, sans the Barelvi sect parties, started supporting religious terrorist groups. Rather, as partially explained above, the religious elite on many instances played an instrumental role in creating terrorist groups. For instance, the JUI affiliation with and support to Harkat-ul-Ansar, the TTP, various other Pakistani Taliban groups and above all the Afghan Taliban are cases in point which are not without any objectives.

The JUI links with the Taliban are admitted by a top leader and parliamentarian, Maulana Gul Naseeb but with certain reservations.

No, we have acquaintances, relationship with Taliban; many of them remained our disciples. It is wrong that we don't have any

links with them. In Pakistan the same objectives religious forces are trying to get through political means but in Afghanistan Taliban have adopted a militant way to stop Allied forces and US aggression, because the latter has usurped their independence. We disagree with the imitation of modus operandi of Taliban in Afghanistan in our country; they have their own country and they should do what suit them.

On the other hand the JI has supported Al Qaeda; Hizb-ul-Mujahideen and other terrorist outfits; whereas TNSM founder Sufi Muhammad was one of Jamaat's renegades and mentored the TTP head in Swat, Maulana Fazlullah, who also was his son-in-law. The JI relationship with Al Qaeda and other terrorist groups has been explained in these words by Ahmed Rashid.

On behalf of the ISI, it (the JI) had spawned numerous extremist groups to fight in Kashmir and had twice helped the military, undermine the government of Benazir Bhutto in the 1990s. Opposition politicians alleged that the Jamiat was protecting al Qaeda militants. Several alleged militants had been arrested from Jamiat members' homes in Karachi and Lahore, while the Jamiat leader, Qazi Hussain Ahmed, denied that al Qaeda even existed. (Rashid, 2008: 226)

The majority of Pakistanis have little interest, whatsoever, whether the religious elite is able to grab political or for that matter state power. However, to satisfy their personal craving for power, pelf and perks the members of the religious elite of Pakistan have portrayed their demands as the cherished goal of the entire population but did not receive any mandate from the latter. Had the majority of Pakistanis been approved of the aims and methods of the dominant religious community, it should have voted for the religious parties candidates in elections? But hardly the religious parties got a fraction of votes of the people. For the religious elite, without state and political power, neither its members can implement their radical agenda nor could satisfy the personal or group craving for power so as to become the new ruling elite. Therefore, it is also necessary for the members of the religious elite to use the pretext of working for the enforcement of *Islamic* system in Pakistan to masquerade their personal urge for power. Pakistani religious elite instrumental support to terrorism in the name of Islam is motivated basically by this drive. This is also a significant factor behind the transformation of religious extremist groups increasing use of terrorism in the name of Islam. Here it may again be recalled that the religious elite got its present privileged status within the

Pakistani society and state structure because of the ruling-elite-dominated state consistent patronage to use the social influence rather nuisance value of the clerics for the purposes of nation-building and perpetuation of its (traditional ruling-elite-dominated) control over the state and its polices. (Behuria, 2007: 10).

Still there is a significant difference between the two elites. Despite of possessing the privileged status, the traditional Pakistani ruling elite has never given the religious elite or clerics a decisive say in the country's policy making institutions and processes. Therefore, to reach the echelons of power, the religious elite has seemingly thought it expedient to support terrorist outfits operating in the name of Islam. In other words, the religious elite wants to reach the power corridors riding the tidal wave created by terrorist groups.

3.3 Mass Passivity and Elite Disatisfaction

Terrorism is most likely to occur precisely where mass passivity and elite dissatisfaction coincide. Discontent is not generalized or severe enough to provoke the majority of the populace to action against the regime, yet a small minority, without access to the bases of power that would permit overthrow of the government through coup d'état or subversion, seeks radical change (Crenshaw, 1981: 379). In other words "terrorism is the resort of an elite when conditions are not revolutionary." (Crenshaw, 1981) As explained earlier majority of Pakistanis has been indifferent to religious parties and never supported them to get state power by voting in their favour. The history of Pakistani elections is testimony to the fact. Therefore, enforcement of Islamic *Shariah* has never been an 'obtrusive' issue for the mass of Pakistanis. As mentioned earlier this situation also left the religious elite disaffected and somewhat frustrated because its members cannot expect attaining state power through the political process. Therefore, they started supporting terrorists because the members of the dominant religious elite think that in the event Islamic terrorist groups would overthrow the existing political system and the power configuration the opportunity of would arise for them to get hold of the state itself as the terrorist, in such an event or eventuality, would not have the capacity to run the *state* affairs. Therefore, the religious elite members have expectation that terrorists eventually would hand over the state to them to run it. This hypothetical scenario seems unrealistic to come to fruition as the terrorists might not be able to run over the Pakistani state. Given the low educational levels and non-cosmopolitan personality - type of members of dominant religious elite of the country, such

farfetched expectations are understandable. For the sake of argument if philosophers and social thinkers like Karl Marx and Frederick Engels could foresee the evolution a classless and stateless communist societies, the revolution that has never happened after the passage of almost 120 years of the death of both, then wishing of ultimate control of the state power by Pakistani mullahs should not seem strange.

Conclusion

The transformation of Islamist extremist crosscurrents in Pakistan into a terrorist wave in the name of Islam, is a relatively new phenomenon. Likewise, the emergence of entirely new and out-and-out terrorist groups hitherto (when such groups surfaced) had been an unfounded trend. There are various reasons for both this transformation of religious extremist crosscurrents into terrorism and the surfacing of terrorist groups. The foremost reason is that terrorism in the name of Islam has simply been the culmination of long-drawn religious extremism in Pakistani society. Additionally the failure of Islamist religious parties in gaining political power through elections and influencing the public opinion, has been other key causal factor for many of these parties to support terrorism in the name of Islam and its perpetrators and to allow certain of their ranks to get militant training. These parties have supported terrorism both out of frustration and in hope. In the latter case, they had anticipated that once the terrorist were able to overthrow the existing state dispensation, they would have their biggest opportunity to get hold of the state as the terrorist would lack the wherewithal necessary to run the state affairs. The utter lack of faith of the new generation of Pakistani Islamist extremists in the existing state structure and political system and their belief in the necessity of overthrowing them has also contributed to the rise of religious terrorism in Pakistan. The urge among the extremists, terrorists and certain sections of the population to bring about a desirable social change has also been an underlying factor in the transformation of religious extremism into terrorism and the rise of purely terrorist organizations. Seeking economic fortune, localized power and status by leaders of terrorist outfits have also been responsible for the emergence of terrorist groups in the name of Islam in Pakistan. Communication also has played its part in the employment of terrorism by certain groups. By supporting terrorism the religious extremist wanted to display the prowess of their community and also to intimidate their rivals and the state about what could happen if power is not ceded to the radicals. Thus the rise of terrorist tide since the 1990s apart from other factors could also be understood from the standpoint of the motives of extremist outfits and only then a viable counter strategy could be devised by the state.

End Note

Raza interview with Alex Schmidt, a former head of UN anti-terrorism unit (by email, April 2010). Schmidt held chair of International Relations at the University of St. Andrews, where he was Director of the Centre for the Study of Terrorism and Political Violence CSTPV. At the time of the interview he was the Director of the Terrorism Research Initiative.

A question may arise in some people's minds that if it is innate and compulsive than it is a predetermined behaviour thus it contradicts the argument, as explained above, that terrorism is a rational choice for many of its perpetrators. However, having natural proclivity to use violence among individuals drive them to rationalize the employing of terrorism.

Sheikh was convicted by a Pakistani court of beheading US journalist Daniel Pearl in 2002 alleging him to be a spy in the garb of journalist.

Allama Inayatullah Mashriqi was the founder of Khaksar Tehreek which basically was a social movement later developed militaristic leanings but did not become a militant outfit. The movement established in 1931 was mainly based in Lahore, however, had millions of followers in the entire British India. The initial aim was to free India from the rule of the British Empire and to establish a Hindu-Muslim government in India. (Amalendu, 2009: 71-72) On March 14, 1937, Allama Mashriqi delivered his 14 points, which became the guiding principles of the movement. (Amalendu, 2009:128). These points suggested that the group had both dictatorial and militaristic objectives. At this point Khaksar Tehreek aims were to establish its rule over India and then perhaps over the entire world. The reflections of these objectives could be found in the arguments of TTP and the LeT commanders. However, unlike the TTP and the LeT, which believe in enforcing their version of *Shariah* rule through naked use of violence, *Khaksars* believed in success of Muslim rule in India dependent on certain conditions, such as: "(a) regard for the religious and social sentiments of the various communities that live in this country; (b) maintenance of their particular culture and customs, and (c) general tolerance." (Amalendu, 2009: 130-131). Khaksar Tehreek was disbanded by Mashriqi in October 1947 and then founded Islam League. After the death of Mashriqi his followers revived Khaksar Tehreek which operates in pockets in different parts of Pakistan.

Majlis-e-Ahrar-ul-Islam also known in short as *Ahrar*, was a conservative Sunni Muslim political party in the Indian subcontinent during the British rule. Syed Ata Ullah Shah Bukhari created All India Majlis-e-Ahrar-e-Islam with Maulana Mazhar Ali Azhar, Chaudhry Afzal Haq, Maulana Habib-ur-Rehman Ludhianvi, Sheikh Hissam - ud - Din, Master Taj - uj - Din Ansari and Maulana

Zafar Ali Khan on December 29, 1929 before the partition of India. The party opposed founder of Pakistan, Muhammad Ali Jinnah and the establishment of an independent Pakistan.

See Chapter 3 for the origin, complexion and tactics of TNSM.

However, there is a radical difference in the conception of extremist parties and groups and general masses regarding *Shariah* and so-called Islamic system. While the former consider enforcement of *Shariah* as virtual dictatorship of a specific brand of clerics or sort of Muslims, people generally think *Shariah* as good governance as explained above.

The spiral of silence is a political science and mass communication theory propounded by the German Political Scientist, Elisabeth Noelle-Neumann. Spiral of silence theory describes the process by which one opinion becomes dominant as those who perceive their opinion to be in the minority do not speak up because they fear isolation from society. For details see (Neumann, 1974)

The detailed relevance and application of the theory of the Spiral of Silence in Pakistan has been discussed in Chapter 1.

Social change according to sociologist Wilbert Moore (1967: 3) is a process of significant alteration over time in behaviour patterns and culture, including norms and values. (Schaefer & Lamm: 1992: 603)

Raza interview with Senator Maulana Gul Naseeb, who remained the JUI-F parliamentary leader in the Senate of Pakistan and president of the party in the KP province (Peshawar, December 2007)

The ruling elite here means feudal and industrialist so-called politicians as well as the military and civilian establishment.

Obtrusive issues are those issues which gives us some kind of personal experience, (e.g., city-wide crime or inflation at the gas pump). Unobtrusive issues are issues which cannot be directly observed (e.g., national unity). To learn about unobtrusive issues, we must turn to news media. As such, there tends to be a higher correlation between the salience of unobtrusive issues presented in the news media and audience's perceptions of these issues as important problems. Research performed by Zucker in 1978 suggested that an issue is obtrusive if most members of the public have had direct contact with it, and less obtrusive if members have not had direct experience. (Zucker 1978: 225–246)

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**Local Peace Committees:
Potentials Contributing Factors in the Peace-building
Process in Conflict-Affected Areas of Pakistan**
**{A Case Study of Maidan, (Lower Dir) in the Province
Khyber Pakhtunkhwa}**

Nizar Ahmad, Farhat Ullah, Amir Zada Asad & Shagufta Shah

Abstract

This study aims to evaluate the key contributing factors of Local Peace Committees in peace-building efforts at conflict-affected areas of Khyber Pakhtunkhwa Pakistan. Data were collected from a sample of 56 respondents through a structured interview schedule using the Likert Scale, and the sample size was calculated through online survey system software. The majority of the LPC members were found to be local elders of advanced age, who belonged to various political parties in the area. Many aspects of the LPCs, such as provision of necessary information and support in identification of militants to state actors, showed a significant relationship with peace-building in the area. The role of LPCs is very vital for peace-building in the area and further research needs to be carried out regarding the issues and problems faced by LPCs in the area.

Keywords

LPCs, Peace Building, Non-State Actors, Traditional Methods

1. Introduction

Today, conflict destroys societies and peace is the dire need of the Globe. Peoge (2007) notes that today's many conflicts are of a hybrid nature so peace-building and conflict transformation also need to be of a hybrid nature, both the state and non state local actors coalescing with a special focus on non state traditional actors, institutions and methods. The mutual cooperation of both state and traditional local actors can make a way to answer hybridity of conflict. An approach including combining Local Peace Committees (LPCs), traditional institutions and customary practices, and state agencies should be adopted in conflict of a hybrid nature. Adan & Pkalya (2006) in an analysis of Kenian Peace building process, indicated that efforts are being made not only on a national and international level but also at a local level by local communities and peace builders by utilizing their local capacities. Local Peace Committees (LPCs) are one of the key peace-building actors, playing an important role in promoting peaceful coexistence, crime prevention, and conflict management in the rural communities of developing countries. The Carter Center (2011) indicates that LPCs functioning in their districts have improved through the hard work of the LPC staff, coordinators and members.

1.1 Local Peace Committee

The Nanyunki workshop (2005) defined Local Peace Committees as; “*A group of people whose broad job is to define parameters for peace.*” According to Oxfam GB (2005); “*Peace committees is a community based structure and initiative to prevent, manage and transform intra and inter community conflicts.*” A Local Peace Committee Training guide, published by USAID (2005) defined LPC as;

“It is a group representing different sectors and interests of the community on issues of reconciliation, peace building and conflict resolution. The committee is the basic unit in the community that addresses day to day conflicts. The formation and composition of a peace committee is voluntary and varies from one region to another.”

In an orientation session, The United Nations (UN Peace building: 2010) emphasized on LPCs as a quality option in the promotion of peaceful coexistence, justice and development. LPCs have two important functions: to avoid relapse into violence or conflict, and to make sustainable peace. (Miall, Ramsbotham et al. 1999: 188-194; Bush 2004). In their book “Towards Understanding Pukhtoon *Jirga*,” Yousufzai and Gohar (2005) stated that the local practitioners and peace builders have made significant contributions to peace building and conflict resolution in their communities through traditional approaches and indigenous institutions. Likewise, Tsali (2009) reported that in areas where state control is weak, indigenous societal structures are reliable and powerful paths to peace. In such cases Scheye and McLean (2006) suggested that the international community should avoid the westernized concept of state authority and persuade both state and non-state actors' partnerships for the provision of justice and security.

1.2 LPCs in Conflict Affected Areas of Lower Dir

Maidan, a beautiful valley of Lower Dir is one of the affected areas of recent conflict where the army started operation against militants in 2009. Local people had made continuous efforts before, during, and afterwards to trade conflict for peace and harmony in the area through Local *Jirgas*, Peace Committees, Political Influences and the media, to pressure both the state and non-state parties to avoid conflict. Asad (2008) reported that a *Jirga* comprised of local elders of Dir Lower opposed the military operation, assured the authorities of cooperation in containing terrorist activities, and condemned the attack on a security check post by militants.

They activated the peace committees to keep an eye on the subversive activities in the area. The recent study specifically evaluates such efforts of LPCs for peace building in the area.

2. Literature Review

According to Bush (2004) "Peace-building is not about the imposition of solutions, it is about the creation of opportunities." The involvement of Local People is important, as local citizens have a much better understanding and higher level of experience in understanding of conflict because of proximity and familiarity with the situation. Because of this, people are more psychologically engaged in the conflict, which needs to be recognized in order to have a successful intervention. LPCs know how to classify, increase, and utilize the essential means to construct a nonviolent, flourishing, and fair social order. In other words LPCs will succeed if people of the affected area take the responsibility for implementation of peace (Project Saamsan 1998, Lederach 2001). The mandate of LPCs may be different from area to area, such as "prevention of violence" or "promoting reconciliation," or more pointed aims such as prevention of violence during an election (Neyroud and bakley, 2001). LPCs are noteworthy due to the 'soft approaches' to peacemaking (Ball, 1998). Scheye and McLean (2006) and Poege (2007) both criticized the only westernized concept of peace building and emphasized the adoption of context-specific approaches, as weak governments often lack the capability, regulatory and legal framework, and spirit to carry basic state duties. Non-state actors can support state actors in justice and security systems to ensure peace.

The selection of LPC members is based on consensus. The chairperson of an LPC has shown a significant contribution in the peace-building process (Odendaal and Spies, 1996; 1997). The organization and structure of LPCs vary from society to society, mostly based on selection by local communities. Mostly LPCs are formed by military, religious entities, and Civil Society Organizations (Adan and Pkalya, 2006). LPCs are often dependent on outside sources such as NGOs and government organizations because they lack capacity and resources and in some cases lack a legal framework as well (Gunja and Korir, 2005).

LPCs have the ability to decrease different types of aggression and to build secure communities. LPCs have a variety of functions and solve many burning issues through dialogue. UNDESA (2007) contends that "the significance of discussion and dialogue as a fundamental instrument in the societal assimilation procedure". Lund and Myers (2007) concludes that: "in reality, LPCs construct a secure place to assent on procedures intended for ending indigenous variations." LPCs use traditional approaches for strengthening civil society, raise awareness in the community as to their role in conflict management, and also establish a mechanism to protect and monitor human conflicts. Ball (1998) argues that LPCs

are able to arbitrate differences even in extremely violence-prone societies and that having reconciliation as its major objective. Lederach (2005) argued that reconciliation is necessary to deal with the most terrible of human situations, and is an attempt to restore the unevenness of rapport and existence itself. Dressel and Neumann (2001) stated that LPCs support of government and NGOs is also positively involved in capacity building, problem solving workshops, and even personal emotional growth. LPCs also strengthen civil society and work for elimination of discrimination. Adan and Pkalya (2004) argue that LPCs facilitate peace dialogues, reconciliation forums, work towards strengthening civil society, and also coordinate peace initiatives.

Scheye and McLean (2006) focus on locally responsive solutions which are a more legitimate, accessible, and acceptable way to link communities with the state through an information exchange and citizen participation in the shape of LPCs from local religious and political figures. Indigenous actors are nearby, reachable, and quickly able to be involved, as well as inexpensive. They are seen as considerably less inclined to bribery than the state actors as they are working in their own community. There are few linguistic or intellectual obstacles and the conventional methods as well as its consequences generally contain legitimacy in the eyes of all parties concerned (Post-Conflict Peace-building in Liberia, 2007). Chris Spies reports regarding South African National Peace Accord, that under the accord there exist more than 260 LPCs and 150000 skilled peace monitors serving all over the South African Society. In order to obtain the facilitation and negotiation skills needed to engage in dispute resolution, the volunteer LPC members were trained, and were remunerated for out-of-pocket operating costs. Asad (2008) reported an initiative of local elders against terrorism in Lower Dir, the local elder in a *Jirga* promised to contain the violent element in the area, condemned the presence of militants in the area, and also opposed the use of violence from the government side against the anti-state elements. They decided to form Local Peace Committees to keep an eye on the subversive activities in the area.

3. Method of Research

The study was conducted in the conflict affected area of Maidan, Lower Dir of Khyber Pakhtoonkhwa. A structured interview schedule was constructed using a Likert scale to weigh the views of respondents. Respondents were the members of Union Council level LPCs formed by law enforcement agencies, with coordination of local community in the area after conflict. There are a total of 7 Union Councils in Maidan area, among which 3 Union Councils were randomly selected. The total number of target respondents was 65 among which a sample of 56 were drawn using an online Survey System Software from Creative Research Systems (Best Survey

Software, 2013). Uma Sikaran's table for determining a sample size also gave a similar result. Data was analyzed using SPSS 16 version and a chi square test was applied to determine the association of different factors of LPCs with peace-building in the conflict affected area.

4. Results of the Study

4.1 Demographic Information

The study aimed to evaluate the contribution of LPCs in peace-building in the conflict affected area, Maidan of Lower Dir. Fifty-six Local Peace Committees members from the target area participated in the study. The study showed that half (50%) of the members of LPCs were of the age group 40-50 and above while among the rest, 26% and 23% were of the age group 30-40 and 20-30 respectively. The majority (91%) of the respondents were married, while a small portion (9%) consisted of unmarried individuals. Most (73%) of the respondents were members of the political parties in which the majority (28% and 25%) were affiliated with Jumat-e-Islami and Pakistan People Party respectively.

4.2 Findings of the Study

This study of LPCs role in peace-building shows that a majority of the respondents (92.9) agreed that the LPCs made a significant contribution to the peace-building process in the area and most of the respondents (69.6%) were of the view that LPCs should be part of peace-building activities in the future. Similarly, a large portion of the study population (83.9%) opined that LPCs work in close coordination with law enforcement agencies (i.e. army and police) and about half (46.4%) of the subjects said that militants left the area due to the pressure of LPCs. The majority of the respondents (78.6 %) agreed that LPCs could help prevent militancy in the area, (69.6%) indicated that LPCs helped law enforcement agencies in the identification of militants in the area, (78.6 %) viewed LPCs as providing necessary information to the state actors and half (51.8%) of the respondents pointed that LPCs helped in the expelling of militancy from the area. Regarding violence and subversive activities in the area a major portion (71.4 %) of the target group agreed that LPCs keep an eye on the subversive activities in the area. Most of the respondents (82.1%) viewed LPCs as a link between community and state actors to bridge the gap between the two, a vast majority (89.3%) believed that the existence of LPCs is vital for peace-building in the area. Likewise, most (80.4%) of the respondents favored LPCs, as they had the support of local people, and the people believed that LPCs were promoting peaceful

coexistence in the area. The majority of respondents (75%) acknowledged that LPCs promote justice, (73.2%) viewed that LPCs prevent violence and violent activities, and (82.1%) viewed that LPCs believes in dialogue, arbitration and reconciliation. A small number (37.5%) of respondents stated that LPCs members had training of conflict management skills and most (85.7%) of them expressed the needs for training and skills in conflict management. The respondents (91.1%) supported the statement that LCPs had contributed to the rehabilitation of IDPs, (96.4%) supported the assertion that LPCs help NGOs in resource transfers, (85.7%) said that LPCs work for the development of the area, (73.8%) highlighted that LPCs members are also members of development committees, and (73.2%) showed satisfaction with the work of LPCs.

5. Discussions

In this study of evaluating effort of Local Peace Committees role in the peace - building in conflict affected areas of Pakistan; Mostly (92.9%) participants of the study acknowledged that LPCs have a key contribution towards peace-building in the area. Boege (2007) reported empirical evidence from both state-based and civil-society-based successful conflict transformation cases where local actors and approaches were part of the peace-building process. This study identifies many key factors in the way LPCs are involved in contributing to peace-building and are considered important by the local peace builders. The, Majority (78.6 %) reported that provision of necessary information by LPCs to the state actors and law enforcement agencies facilitated peace operations and elimination of militancy from the area. This factor showed a significant association ($p = .025$) with peace-building. Chris Spies (n.d) observed that LPC members and volunteers regularly reported the alleged offenders to police in South Africa. Because of the successful operation of state-based peace-building efforts, the participation of local peace builders and indigenous knowledge is crucial. The support of LPCs in the identification of militants to law enforcement agencies are also vital and highly significant ($P = .000$) for peace-building. Similar focus has been drawn by Boege (2007) on inclusion of Local actors in conflicts of a hybrid nature by highlighting its legitimacy and acceptance by local communities, timely actions, and process orientations. Chris Spies (n.d) in a discussion of South Africa in his report stated that in April 1993 when Chris Hani was assassinated, the LPCs formed joint venture of communication with police and deployed peace observer in order to mitigate potential violence and monitor the situation. Another key element, the coordination of LPCs with the state actors such as army and police also has a highly significant ($p = .000$) connection with peace-building because most of the peace operation personnel in the area are non-local and not familiar with the local context. A similar

focus has been made in the report of the Center for Peace-building and Reconciliation Promotion (CPRP, 2010) on the intensification of coordination and structuring relationships among different peace actors including state intuitions, non-governmental organizations, LPCs and/ or other local peace builders in the peace-building process. In order to create an atmosphere of trust between community and state actors, LPCs work as a link between community and state actors ($p = .05$). The belief of LPCs members in peaceful co-existence showed a strong association ($p = .000$) with peace-building in the area. Neyroud and Bakley, (2001) also declared the prevention of violence and peaceful co-existence as one of the factors of LPCs mandate in election time. The importance of LPCs in both conflict and peace time cannot be ignored because it works for the creation of a violence-free, peaceful society that is based on social justice. The support of LPCs member in expelling the militants from a given area is also vital for peace-building as the results showed ($p = .05$). The role of LPCs in the prevention of violence or violent activities is also highly associated ($p = .001$) with peace-building in the area. Although LPCs cannot assume the role of local government agencies or police by taking any political and financial responsibilities, it supports and facilitates the state agencies in mediation of local disputes and consensus building (International alert, 1993; Adan and Pkayla, 2006). The other strongly associated factors with peace-building (having p values = .000) in the area are: LPCs work for the development of the area, satisfaction of the LPCs members from its work and perception of people regarding the support of LPCs in peace building in the future.

There are LPC-related factors that were not significantly associated ($p > .05$) with peacebuilding in the area, such as the belief of LPC members on negotiation, arbitration and reconciliation are not significantly ($p = .160$) related to peace-building in the conflict area. Our findings here contradict the statement of UNDESA (2007), as they reported that LPCs have a variety of functions, solved many burning issues through dialogue, and contended that the significance of dialogue as “a central mechanism within the social integration process” Should not me overlooked. Ball (1998) noted reconciliation as the core purpose of LPCs in worse conditions of violence, while Lederach (2005) and Adan and Pkalya (2004) outlined reconciliatory efforts to restore broken relations, life style, and coordinating peace initiatives.

Although negotiation and arbitration is the essence of the peace process, in our situation it could be because of the non-participation of one party (i.e. the militants, who cannot come to the forefront for negotiation with the state actors). The LPC members had not had any opportunity for interaction or negotiation during and after the peace operation in the area with the miscreants. Neyroud and Bakley, (2001) also reported that the mandate of LPCs may differ from area to area and is context-

specific. A non significant relationship was found between LPCs role as a watchdog on the violent and subversives activities in the area and peace-building. It may be due to the fact that they don't have any authority and official capacity, and those who are speaking openly against militants may put their lives in danger, as most of the respondents reported a lack of skills and a need for training of interested in becoming LPCs members. The members of LPCs to be members of Local Development Committees is not related with peace-building ($p=.606$), the Carter Center (2011) outlined that members of the LPCs work in other committees for development of the area. We also found in our study that (76.8%) respondents agreed on LPC members being members of development committees but chi square results showed a non-significant association. As such, we can say that it is not necessary for LPCs to be members of local development committees, and it could be because of most are elderly as well as experienced political figures having little time and interest in such activities. However, their presence in peace committees is very much necessary.

6. Conclusions

Our study expands the conclusion of earlier studies conducted abroad, the involvement of local people through LPCs is important in peace-building. LPCs have a significant contribution towards peace-building, combining an indigenous approach with state efforts. The vast majority of respondents acknowledged its role by highlighting the key factors associated with LPCs, such as provision of necessary information to state actors by LPCs, LPCs acting as a link between state actors and the community, LPCs support of law enforcement agencies in the identification of miscreants and keeping an eye on subversive activities in the area. The existence of LPCs is vital in the areas of armed conflict. It answers to the hybridity of conflict, working with state actors in coordination and providing necessary information and support to state actors. It contributes to the elimination and prevention of militancy, encourages peaceful coexistence, social justice and work for development of the area. Further research is needed to elaborate the structure and problems faced by LPCs in their operations.

Table I. Different Dimensions of LPCs in Peace Building in Conflict Ridden Areas

Dimension of LPC	Response	LPC Contribution in Peace Building			Chi Square	P Value
		Yes	No	Total		
LPCs provided necessary information to state actors / law enforcement agencies	Agree	43 (40.9)	1 (3.1)	44 (44.0)	7.343 ^a	.025
	Disagree	3 (3.7)	1 (.3)	4 (4.0)		
	Undecided	6 (7.4)	2 (.6)	8 (8.0)		
LPCs helped in identification of militants in the area	Agree	39 (36.2)	0 (2.8)	39 (39.0)	22.496 ^a	.000
	Disagree	5 (8.4)	4 (.6)	9 (9.0)		
	Undecided	8 (7.4)	0 (.6)	8 (8.0)		
Did LPCs work in close coordination with law enforcement agencies	Agree	47 (43.6)	0 (3.4)	47 (47.0)	32.631 ^a	.000
	Disagree	4 (4.6)	1 (.4)	5 (5.0)		
	Undecided	1 (3.7)	3 (.3)	4 (4.0)		
LPCs act as a link between local community and state actors	Agree	43 (42.7)	3 (3.3)	46 (46.0)	6.002 ^a	.050
	Disagree	1 (1.9)	1 (.1)	2 (2.0)		
	Undecided	7 (6.5)	0 (.5)	7 (7.0)		
LPCs promoting peaceful co-existence.	Agree	45 (41.8)	0 (3.2)	45 (45.0)	17.805 ^a	.000
	Disagree	3 (4.6)	2 (.4)	5 (5.0)		
	Undecided	4 (5.6)	2 (.4)	6 (6.0)		
LPCs helped in the expelling of militants in the area	Agree	29 (26.9)	0 (2.1)	29 (29.0)	5.995 ^a	.050
	Disagree	12 (13.9)	3 (1.1)	15 (15.0)		
	Undecided	11 (11.1)	1 (.9)	12 (12.0)		
LPCs prevent violence / violent activities	Agree	40 (38.1)	1 (2.9)	41 (41.0)	13.022 ^a	.001
	Disagree	7 (6.5)	0 (.5)	7 (7.0)		
	Undecided	5 (7.4)	3 (.6)	8 (8.0)		
LPCs believe in dialogue, reconciliation and arbitration	Agree	43 (42.7)	3 (3.3)	46 (46.0)	3.668 ^a	.160
	Disagree	7 (6.5)	0 (.5)	7 (7.0)		
	Undecided	2 (2.8)	1 (.2)	3 (3.0)		
LPCs keep an eye on the subversive activities in the area	Agree	38 (37.1)	2 (2.9)	40 (40.0)	2.340 ^a	.505
	Disagree	3 (3.7)	1 (.3)	4 (4.0)		
	Undecided	10 (10.2)	1 (.8)	11 (11.0)		

Dimension of LPC	Response	LPC Contribution in Peace-Building			Chi Square	P Value
		Yes	No	Total		
Militants left the area due to the pressure of LPCs / Local elders	Agree	26 (24.1)	0 (1.9)	26 (26.0)	3.985 ^a	.136
	Disagree	17 (18.6)	3 (1.4)	20 (20.0)		
	Undecided	9 (9.3)	1 (.7)	10 (10.0)		
LPCs also work for the development of the areas		47 (44.6)	1 (3.4)	48 (48.0)	23.145 ^a	.000
		2 (4.6)	3 (.4)	5 (5.0)		
		3 (2.8)	0 (.2)	3 (3.0)		
LPC members are also members of local development committees		40 (39.9)	3 (3.1)	43 (43.0)	1.002 ^a	.606
		6 (6.5)	1 (.5)	7 (7.0)		
		6 (5.6)	0 (.4)	6 (6.0)		
Are you satisfied with the functions/role of LPCs for peace-building in the area		41 (38.0)	0 (3.0)	41 (41.0)	15.458 ^a	.000
		8 (11.1)	4 (.9)	12 (12.0)		
		2 (1.9)	0 (.1)	2 (2.0)		
Do you think LPCs could help the prevention of militancy in the area?		43 (40.9)	1 (3.1)	44 (44.0)	15.420 ^a	.000
		4 (6.5)	3 (.5)	7 (7.0)		
		5 (4.6)	0 (.4)	5 (5.0)		

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Current and Emerging Threat of Terrorism in South Asia

Rohan Gunaratna

Abstract

South Asia is the emerging epicentre of global terrorism, replacing the Middle East as the key breeding ground for terrorist operatives and supporters. Since the US-led intervention in Afghanistan nearly a decade ago, Al-Qaeda and its associated groups—notably the Taliban—have survived and revived. The Pakistani Federally Administered Tribal Area (FATA), separating the rest of Pakistan from Afghanistan, has become the central theater of operations and unless governments sincerely and seriously work together and share expertise and resources, the spectre of terrorism is likely to grow in South Asia and could even spill over in the coming decade. After Afghanistan, Pakistan faces the biggest threat in the region. While tribal Pakistan faces the most severe and sustained challenges, the Pakistani mainland is also threatened. Al-Qaeda and the Taliban operating out of FATA have reached out, percolating their ideologies to other groups, including attacking Western targets in Mumbai in November 2008. While Asian threat groups are increasingly looking towards Pakistan, especially where Al-Qaeda and the Taliban are located. In addition to seeking the blessing of Al-Qaeda; their perceived vanguard, they also receive training and operational guidance there. Since 9/11, governments throughout South Asia have increased efforts to track, catch or kill active terrorists. However, they lack both knowledge and leadership to counter extremist ideologies. Governments must understand that a cleric that preaches moderate views is as important as a law enforcement or intelligence counter-terrorism officer in combating religious terrorism. Unless governments in Asia build platforms to counter ideological extremism — the precursor to terrorism — the region is likely to face a long-term threat. If the current pace of radicalization and operational action continues in the coming decade, we are likely to witness four trends.

- First, the spread and dominance of Al-Qaeda's global jihad ideology across Asia.
- Second, groups are likely to collaborate more by sharing expertise and resources.
- Third, the greater threat is not from operational contact but from ideological radicalisation, especially of Muslim communities throughout Asia.
- Fourth, more groups will conduct suicide attacks. And instead of conducting a large number of small scale attacks, these groups are likely to mount fewer medium to large scale attacks.

To reverse this course, governments throughout Asia should develop a multidimensional, multinational and multi jurisdictional approach. They should work together to build common databases, exchange personnel and conduct joint training and joint operations to defeat the common threat of terrorism.

Keywords

Terrorism, South Asia, Muslims

I would like to give this message to all oppressed Muslims living in all of South Asia, including Burma, Sri Lanka and India, that news of your condition makes our hearts bleed. But at the same time, our Jihad against America and its proxies for freeing you from the clutches of oppression gives some solace to our hearts.

Ustadh Ahmed Farooq, Al-Qaeda spokesperson in Pakistan, “On the Genocide of Muslim Minorities in South Asia: Rise from your slumber and shake the world!” al Sahab, September 30, 2012.¹

Introduction

The global threat landscape will continue to pose significant challenges. A range of national security threats - missile and fissile proliferation, organized crime, especially narcotics, maritime piracy, and, insurgency and terrorism - will confront the world. The Weapons of Mass Destruction Programs of Iran and North Korea, two defiant states, will challenge the West to act. Nonetheless, posing a very real threat to most governments and societies, existing and emerging insurgency and terrorist campaigns will dominate media headlines. Such conflict zones generate virulent ideologies, cause internal displacement and refugee flows, and contribute to terrorism.

All South Asian countries face threats from ideological extremism, terrorism and insurgency driven by left wing, ethno-political and politico-religious groups and movements. Traditionally, such ideologies and tactics have been confined to the Middle East, but with the proliferation of ideas, international media reporting, and frequent travel, these threats affected Asia. Although there are both secular and politico-religious threat groups, the most significant threat of political extremism and violence to the world including to South Asia stems from groups that seek to misinterpret and misrepresent Islam. Except for formidable left wing insurgencies in India and Bangladesh, support for Marxist, Leninist and Maoist insurgencies is on the decline. Nonetheless, the potential for violence in Nepal by left wing groups remain significant. The most active ethno-political insurgency is in Baluchistan, Pakistan. The multiple ethno-nationalist groups are coming under the greater influence of other Muslim groups. With the military defeat of the Liberation Tigers of Tamil Eelam (LTTE), peace and prosperity returned to Sri Lanka.

In the foreseeable future, ideological extremism, terrorism and insurgency will remain the tier-one threat in Asia. Located on the Afghanistan-Pakistan border, al Qaeda seeks to influence threat groups in Central Asia, South Asia, Southeast Asia and Northeast Asia. While South Asia will appreciably suffer from terrorism, economic prosperity in Southeast and Northeast Asia will both pre-empt and counter the threat of ideological extremism and its vicious by product terrorism.

The threat in South Asia is followed by Central Asia, Southeast Asia, and Northeast Asia. With the exception of threats from non-state armed groups to South Asia, rising Asia is one of the most stable and secure regions of the world.

The Context

Globally, the threat of ideological extremism, insurgency and terrorism will stem from four regions of concern. In order of threat, (1) Afghanistan-Pakistan, (2) the Levant-Arabian Peninsula, (3) the Horn of Africa, and (4) the Maghreb-Sahel.² After the anti-Soviet multinational Afghan campaign (1979-1989), Asia hosts more radical and violent Muslim groups than the Middle East. Since the global epicentre of terrorism shifted from the Middle East to Asia in the 1980s, the Afghanistan-Pakistan region remains an unstable area. Despite US drone strikes and Pakistani military successes in tribal Pakistan, two dozen threat groups present an operational threat. Although the capability of Al-Qaeda has dramatically shrunk, Al-Qaeda inspired and instigated groups such as the Islamic Jihad Union and the Islamic Movement of Uzbekistan in Central Asia, Pakistani Taliban, Lashkar-e-Jhangvi, Turkistani Islamic Party in China, pose an enduring threat. Other than mounting attacks in Afghanistan, these groups attack their own countries of origin and encourage, build capacity and assist like-minded groups to attack.

To mitigate threats and to immunize the vulnerable communities to ideological extremism governments should work in partnership with a range of actors. The mass media, along with educational institutions and religious organizations, should build enduring partnerships with governments and community organizations to engage the communities. Like developmental journalism of the 1980s, the media industry should take a hard look at how it can help create a more stable and a harmonious world. As media shapes public opinion, their reporting can either polarize or bring together diverse communities. More than ever before, the attitudes and opinions of both the societal elite and the ordinary masses are profoundly influenced by reporting in the mainstream and social media.

Policy and decision-makers worldwide are grappled with managing ethnic and religious tensions that breakout into conflicts. South Asia is no exception. Today, ethnic and religious violence constitute the predominant form of global conflict. About 70-80% of conflicts are driven by destructive ideologies that seek to divide and legitimize violence against ethnic and religious communities. Long after armed conflicts end, the virulent ideologies endure.

In countries where conflicts have ended, there is a persistent risk that the very same ideologies that seeded and drove the conflict will return with a vengeance. It is like a cancer. To prevent resurgence, governments and their partners must invest in reducing the potential for conflict. The strategy is to win the hearts and the minds of

the combatants and build bridges of friendship between the affected communities. Without reaching out to the combatants, the most affected of the community, the potential for conflict will loom. Media can play a role beyond just reporting sensational news to reconciling the hearts and minds of the affected.

Trends and Patterns

Contemporary Asia - Northeast Asia, Southeast Asia, Central Asia and South Asia - faces threats from polarization of ethnic and religious communities. With the U.S.-led coalition intervention in Afghanistan in October 2001, Al Qaeda, Taliban and associated groups moved to tribal Pakistan. With the impending withdrawal of Western forces from Afghanistan at the end of 2014, the epicenter of international terrorism is likely to shift from Pakistan to Afghanistan. The stability of Pakistan and Afghanistan is likely to deteriorate. Although the Taliban itself is poised to return to Afghanistan, the international community is opposed to the re-establishment of the type of pre-2001 October regime. The global threat landscape is likely to change after the withdrawal of US led western forces from Afghanistan in 2014 and the likely return of the Taliban. With Pakistan, Iran, China, India and the US trying to influence future Afghanistan, the closest to what Afghanistan will look in 2014 will be like Syria today. The blowback will have security implications for the rest of South Asia, Central Asia, Southeast Asia and Northeast Asia.

In Central Asia, Uzbekistan and Tajikistan faces threats from groups based on the Pakistan and Afghanistan border. Effective border control coupled with intelligence operations has reduced the threat of terrorism in Central Asia. With the exception of Xinjiang in China that borders Pakistan, Northeast Asia is the most secure sub-region from terrorism in Asia. Compared to South Asia, the sub-regions of Central Asia, Southeast Asia and Northeast Asia face a very low terrorist threat. Nonetheless, these regions of rapid economic growth are affected by both serious organized and low level crime. Increasingly, Asian transnational terrorists and criminal networks operate both in the cyber and the real worlds. The support networks in cyber space engaged in extremist propaganda and terrorist and insurgent fundraising are growing.

Traditionally, the Muslim threat groups in Asia were influenced by the threat groups in Afghanistan, most notably Al-Qaeda and the Taliban. For example, the Turkistan Islamic Party and its armed wing the Eastern Turkistan Islamic Movement (ETIM) is operating in Xinjiang, Western China, threatening China. Similarly, most South, Central and other East Asian Muslims groups are instigated and inspired by terrorism and insurgency in Pakistan and Afghanistan. In a scale of threat in Asia, the threat is highest in South Asia. While Afghanistan and tribal Pakistan faces insurgencies, mainland Pakistan suffers from extraordinary high levels of terrorism

and other forms of political violence. The Pakistani military has cleared Swat and South Waziristan but al Qaeda and its associated groups, notably the Pakistani Taliban operating out of North Waziristan infiltrate and strike those cleared areas. India suffers from multiple insurgencies both in the north and the northeast.

Ten years after 9-11, a conglomerate of like-minded groups has surpassed the singular threat posed by Al Qaeda at 9-11. These were the groups that received weapons, finance, training, and ideology, mostly from Al Qaeda, Taliban and their entities in Afghanistan. Al Qaeda, created in 1988, maintained a steadfast presence in Afghanistan from the time the Soviets left Afghanistan in February 1989 until the time the US-led coalition intervened in Afghanistan in October 2001. This included threat groups from Asia – Central, South Asian, Southeast Asian and Northeast Asian groups. Like in other parts of the world, the Al Qaeda agenda found resonance among regional and local groups. Exposed to the ideology of global jihad, a few groups in East Asia are driven by Al Qaeda's ideology.

New Type of Threat

The threat that traditionally fought the U.S., its allies and its friends is reorienting to fight Asia. With the US led coalition withdrawal, the extremist, terrorist and insurgent threat to Central Asia, South Asia and East Asia is likely to grow. In the next two decades, India and China, the rising superpowers of the 21st century, is likely to face the same challenges the Soviets and Americans faced during the last three decades. The reorientation of the threat was most recently manifested when the Al Qaeda spokesperson in Pakistan Ustadh Ahmed Farooq said:³ “I will like to give this message to the Buddhist populations of Assam, Burma and Sri Lanka that we have still not turned our guns against the followers of Buddhism. And I don't think you have the strength to bear even a few blows of Allah's Mujahid slaves. Therefore, by transgressing against our Muslim brothers don't push yourselves in a war which you lack the guts to fight till the end!”

Ustadh Ahmed Farooq, added, “I would like to remind the Burmese government that your country has barely started to come out of international sanctions and you face a long journey ahead before your economy even begins to stand on its own feet. Therefore, don't act in a way that jeopardizes your peace, economy and national security. Don't think that the blood of Muslims will continue to flow like this and you will not face any hindrance in your journey to progress. I also warn the Indian government that after Kashmir, Gujrat and Ahmadabad, if you wish you may add to the long list of your evil deeds Assam as well, but don't forget that taking revenge for every single oppressed Muslim living under your subjugation is a trust on our shoulders. These arrogant actions of yours only provide impetus for us to hasten our advance towards Delhi. They only serve to assure the

millions of honourable Muslim youth living in India that succeed in this world and the hereafter is impossible without adopting the path of Jihad and Fighting. I would like to request the scholars and people of Bangladesh to step forward and help the oppressed Muslims living in their neighborhood and increase pressure on their heedless government to open its borders for Burmese Muslims and stop its oppressive actions that only make life more difficult for the oppressed Muslims of Burma and Assam.”⁴

Ustadh Ahmed Farooq, concluded, “In the end I would like to give this message to all oppressed Muslims living in all of South Asia, including Burma, Sri Lanka and India, that news of your condition makes our hearts bleed. But at the same time, our Jihad against America and its proxies for freeing you from the clutches of oppression gives some solace to our hearts. Inshallah we will continue to fight with patience and resolve against this global Crusader-Zionist-Polytheist alliance that has oppressed the entire Ummah including you. We will continue to fight until this Satanic alliance is destroyed, mankind is delivered from its evil and the reins of power are snatched from the hands of stupid and corrupt people and given to the believing slaves of Allah.”⁵

In addition to continuous low intensity fighting, clashes and riots, the region is likely to witness intermittent high profile attacks such as Mumbai 2008. Although the November 26-28, 2008 attacks in Mumbai, was not by Al Qaeda, the Lashkar-e-Toiba (LeT) attack mirrored a classic Al Qaeda attack. The coordinated simultaneous suicide attack was a wake-up call to India. Referred to as India's 9/11, the 60 hour attack killed 166 people and injured over 300⁶. In addition to Indians, the choice of deliberate targeting included, Americans, Britons and Jews. The attack demonstrated the influence of Al Qaeda on local groups such as LeT and the reorientation of the threat to strike Indians. Pakistan faced many challenges of dismantling LeT. Although LeT activities has been curbed, the political wing and an Islamic charity, Jamaat-ud-Dawa (JuD), continues to operate in Pakistan. A blueprint for other threat groups to follow, the attack demonstrated that small team of highly motivated and well-trained “no surrender” terrorists could inflict massive fatalities and casualties as well as economic and psychological damage. Like Munich, a 23 hour drama, the media coverage of Mumbai, favored the terrorists.⁷ The reporting was unrestrained.⁸ Despite significant investment to secure Indian cities, Mumbai, New Delhi, and other urban centres face an enduring terrorist threat.

Power of the Media

Extremist, insurgent and terrorist groups, from the Taliban to the LTTE, harness both mainstream and social media to influence public domestic and international opinion. To create an environment conducive for sustaining political violence

especially terrorism, threat groups invest in building and maintaining the media infrastructures both at home and overseas. The LTTE case study is instructive to understand how a government can win in the battlefield but lose internationally. Until the very end, the LTTE media galvanized supporters and sympathizers overseas to agitate generating support worldwide to preserve the LTTE. The key driver that generated support to motivate the LTTE rank and file was sustained propaganda, the charismatic leadership of Prabhakaran and the uncertain environment. Manipulative and deceptive, LTTE propagandists designed messages to influence both the attitudes and opinions of masses both at home and overseas. By operating directly as the LTTE and through its front, cover and sympathetic organizations, the LTTE was able to influence Tamils and the international community - their target audiences. The hallmark of LTTE barrage of propaganda is its aggressiveness – the message is consistent, repetitive and coming from different sources. The most commonly used messages are “genocide,” “human rights violations” and “war crimes,” the very same activities the LTTE engaged in during its life cycle. By expelling Muslims from the north and the east in the 1990s, tightly controlling the Tamil population in the 2000s, killing captives – Sri Lankan soldiers and civilians – and, entering government designated third No-Fire Zone (NFZ) and holding nearly 300,000 civilians hostage.

The LTTE communications strategy was three pronged. First, convince the Sri Lankan Tamil community at home and abroad that with their support the dream of Tamil Eelam would be a reality. Second, convince host countries with significant diaspora communities, foreign missions in Sri Lanka and advocacy NGOs at home and abroad that the Sri Lankan government was violating Tamil rights. Third, convince International Organization especially the UN directly and through advocacy NGOs and western politicians susceptible to electoral pressure to assist in LTTE's avowed goal of separation. Commencing with traditional media - underground publications and newspapers, clandestine telecasting and broadcasting in the 1970s and 1980s, the LTTE expanded into new media – websites, blogsites, forums, CD-ROMS, DVDs in the 1990s and 2000s. To recruit, network, coordinate and motivate, the LTTE also harnesses Facebook, twitter and You-tube and other forms of new media for social interaction. To build support for its lobbying and campaigning worldwide, the LTTE continues to exploit its own media capabilities. To overcome the challenges of penetrating mainstream media, the LTTE and its franchises has also enlisted human rights advocates, media and PR personalities, politicians, lawyers, academics, retired diplomats and other personalities that have name recognition. Through such access in London and New York, the LTTE was able to survive and revive after its defeat in May 2009. While the Sri Lankan government invested its time rehabilitating LTTE cadres, reconciling between communities and redeveloping the north and the east, the surviving LTTE

leaders overseas and its proxies in Sri Lanka want to see the international system punish the Sri Lankan political and military leaders that ended 30 years of political violence especially terrorism. Through the manipulation of a combination of information and the use of bloc votes and electoral pressure, LTTE overseas had cultivated a certain constituency. They sought revenge. Using black, grey and white propaganda and incessant lobbying, the second and third tier leaders were able to exercise significant pressure on the Sri Lankan state. In this endeavor, the LTTE remnants benefitted from the resources, infrastructure and trained manpower carefully built overseas by the Veerakulasingham Manivannan alias Castro, the last Head of LTTE's International Secretariat (also known as the International Communication Office) located in the Wannu.⁹ Under Castro, the LTTE had invested building its global media capabilities to engage the Tamil population both at home and overseas as well as select human rights groups and key politicians in the West. Having engineered a humanitarian catastrophe in its terminal phase, the LTTE nearly succeeded in convincing the international community that Sri Lanka committed war crimes in the final phase of the war.¹⁰ The high point of the defeated LTTE was a Report of the UN Secretary-General's Panel of Experts on Accountability in Sri Lanka dated March 31, 2011 citing LTTE content of 40,000 civilian deaths.

After its defeat at home, the LTTE has re-emerged globally. Although the core leadership of the LTTE has been neutralized and organization dismantled in Sri Lanka, the LTTE has evolved into a propaganda organization. As an ideological, informational, political and a diplomatic force, the LTTE has made a comeback. Within two years of its defeat, the new LTTE crafted an agenda that resonates with the West. Spearheaded by those who fled or lived overseas, the new leadership of the LTTE is factionalized. They chose a theme that was the religion of the west – human rights. Although terrorists are among the worst violators of human rights worldwide, the LTTE remnants emerged as the champions of human rights in Sri Lanka. An effective tool for campaigning and lobbying in the West, LTTE created new and strengthened existing affiliates to hurt and harm Sri Lanka. The new leadership of the LTTE re-crafted its messages to website content to meet the new socio-political reality. The very same group that supported, promoted, and glorified terror especially the use of suicide attacks enlisted help of public relations firms and high flying lawyers to prepare for a new type of warfare. To revive, the remnants of the LTTE identified vulnerable elite and institutions and started to work with them. The LTTE developed an agenda to exercise constituency and electoral pressure on Western politicians susceptible to diaspora and migrant votes and funds. Continuing to exploit the very same segments of the diaspora and migrants that once funded the insurgency including terrorism, the surviving LTTE leaders met with (1) governments, (2) political parties and (3) politicians as well as (4) international organizations and (5) human rights bodies. Using personal contacts, contributors to

post - War message impeding reconciliation at home and overseas. The LTTE's political parties and individual politicians, and constituents of politicians they were able to gain access. Appearing respectable and wearing three piece suites, they presented a distorted image of the reality in Sri Lanka. These LTTE fronted human rights bodies and campaigners avoided discussing the LTTE killings, maiming and injuries as well as LTTE's mass hostage taking in the NFZ. While Sri Lanka is continuing to make political and economic strides, the principal thrust of the second and third tier leadership of the LTTE that survived the fight continues to lobby and campaign against Sri Lanka.

As ironic as it may sound, the LTTE alleged that the Government of Sri Lanka committed war crimes in the final phase of the war. International organizations including the UN, advocacy NGOs including the human rights groups and some western governments relied on reporting by LTTE media organs that provided inflated figures of deaths and injuries. In the absence of a proper government media strategy, the LTTE media would influence some key western policy and decision makers. As the LTTE cannot operate effectively as LTTE in the West, the new LTTE operates through a set of innocuous sounding organizations that take the face of human rights, humanitarian, social, cultural, political, educational, and media organizations. Through such LTTE front, cover and sympathetic organizations, Father S.J. Emmanuel, V. Rudrakumaran and Nediyan continues to advance LTTE's defeated agenda. Adept at harnessing both the traditional media and the new social media, their main target audience is the west. In parallel, to maintain interest in their homeland, the LTTE factions promote emotive icons, symbols and events among the Tamil diaspora and migrant communities. Away from the glare of the corridors of power in Washington D.C., New York, Geneva, Brussels and in London, they still promote Prabhakaran, the Tiger flag, Tamil Eelam, and "armed struggle" Armed struggle is an euphemism for violence including terrorism. Within a million diaspora and migrants of Sri Lankan origin, a minority segment keep the legacy of Prabhakaran alive, the Tiger flag flying, the dream of their homeland, and the future prospect of a resurgence of the fight. To maintain its presence and interests among the diaspora Tamils and other actors in the international system, the LTTE factions exploit the existing and built new media and information structures overseas. Today, the new LTTE seeks to influence the international community, international organizations, Non-Governmental Organizations and other players of significance. Adept and skillful at exploiting the global information and communication systems, the LTTE continues to politicize, radicalize and militarize another generation of Tamils both at home and overseas. As its access to mainstream international media remained limited, the LTTE would compensate by lobbying and campaigning human rights groups and like-minded bodies to make its point. Individually and institutionally, Amnesty International, Human Rights Watch and International

Crisis Group many have begun to question if they have become carriers of LTTE's.

With an increasing fatalities and injuries of Western forces in Afghanistan as well as a growing threat of terrorism to the US and to Europe, there will be an increase in Western public pressure on the US and its allies to withdraw from Afghanistan. Statements from political leaders including from Obama on timelines for withdrawal is likely to embolden the insurgent threat to Afghanistan and the terrorist threat to the world, including to Asia. At a more strategic level, Asian governments should continue to work closely with the West to stabilize Afghanistan and Pakistan. Without diverting the bulk of the resources to Afghanistan, it is essential to increase the capacity of the Pakistani government to respond to both the many economic and security challenges it faces. The threat of insurgency and terrorism in Asia can only be reduced by Asian governments working closely with the US and the European military, law enforcement and national security agencies.

End Notes

- ¹Ustadh Ahmed Farooq said: “On the Genocide of Muslim Minorities in South Asia: Rise from your slumber and shake the world!” al Sahab, September 30, 2012 <http://azelin.files.wordpress.com/2012/09/ustc481e1ba93-ae1b8a5mad-fc481rc5abq-22rise-from-your-slumber-and-shake-the-world-on-the-genocide-of-muslim-minorities-in-south-asia22-en.pdf><accessed on November 1, 2012>
- ²Henry A. Crumpton. (2012). *The Art of Intelligence: Lessons from a Life in CIA's Clandestine Service*. New York: The Penguin Press. p. 311
- ³Ustadh Ahmed Farooq said: “On the Genocide of Muslim Minorities in South Asia: Rise from your slumber and shake the world!” al Sahab, September 30, 2012 <http://azelin.files.wordpress.com/2012/09/ustc481e1ba93-ae1b8a5mad-fc481rc5abq-22rise-from-your-slumber-and-shake-the-world-on-the-genocide-of-muslim-minorities-in-south-asia22-en.pdf><accessed on November 1, 2012>
- ⁴Ibid
- ⁵Ibid
- ⁶The attack involved extensive planning. In addition to Ajmal Kasab, the only gunman of the attack team to be arrested, two Indian-born LeT operative Faheem Ansari and Sabauddin Ahmed were also arrested. While Ansari mounted reconnaissance of Mumbai targets, with safe houses in Nepal Ahmed smuggled the gunmen across the Pakistan-India's porous borders.
- ⁷Black September. (2002). In *On The Media*. Retrieved July 16, 2013 from <http://www.onthedia.org/2002/aug/30/black-september/transcript/>
- ⁸M. Neelamalar. (2010). *Media Coverage of 26/11 Mumbai Terror Attacks: A Study on the Print Media Coverage and Its Impact on the People*. New Delhi: LAP Lambert Academic Publishing
- ⁹ICPVTR Database, Global Pathfinder II, Translations of Castro diaries recovered from Viswamadu, 2008,
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Invited to testify before the 9-11 Commission on the structure of Al-Qaeda, Gunarattna led the specialist team that built the UN Database on Al-Qaeda, Taliban and their Entities. He conducted field research in conflict zones including in Algeria, Egypt, Yemen, Iraq, Israel, Indonesia, Thailand, Philippines, Sri Lanka, Bangladesh, Kashmir, Pakistan, Afghanistan, Uzbekistan, Somaliland, and Colombia.

Author of "Inside Al-Qaeda: Global Network of Terror" (Columbia University Press), an international bestseller, Gunarattna is also the lead author of Jane's Counter Terrorism, a handbook for counter terrorism practitioners. With Michael Chandler, former Chairman of the UN Monitoring Group into the Mobility, Weapons and Finance, he wrote "Countering Terrorism: Can We Meet the Threat of Global Violence?" A litigation consultant to the U.S. Department of Justice, Gunarattna was United States expert in the Jose Padilla trial.

Improving Interdisciplinary Research on Policing and Security

Gabriele Bammer

Abstract

There are two problems with interdisciplinary research: that it is treated as a single entity, even though it comes in many different forms, and that there are no standard procedures for reporting such research. A new discipline of Integration and Implementation Sciences (I2S) could overcome these problems by developing an agreed systematic way to both conduct and report on one type of interdisciplinary research, namely team based investigations on complex real world problems, such as many of those which bedevil policing and security. I2S has three domains: 1) Synthesising disciplinary and stakeholder knowledge, 2) Understanding and managing diverse unknowns and 3) Providing integrated research support for policy and practice change. In addition, a five question framework provides a systematic way to bring into play various key concepts and methods, such as systems thinking, scoping and boundary setting, dialogue and modelling methods, context, authorisation and evaluation of success.

Keywords

Interdisciplinary Research, Integration and Implementation Sciences (I2S), Knowledge Synthesis, Unknowns, Knowledge Translation

Introduction

I want to draw together two recent publications to reflect on their implications for research on policing and security. The publications are a report written for the Australian Council of Learned Academies entitled *Strengthening Interdisciplinary Research: What it is, what it does, how it does it and how it is supported* (Bammer, 2012) and a book *Disciplining Interdisciplinarity: Integration and Implementation Sciences for Researching Complex Real-World Problems* published in January 2013 (Bammer, 2013).

The *Strengthening Interdisciplinary Research* report discusses two major problems with interdisciplinary research. These are important generally, as well as in policing and security research more specifically. The first problem is that interdisciplinary research is treated as a single entity, even though it comes in many different forms. Let us look at three examples. One is a single researcher using ideas and methods from two or more disciplines to address a specific policing problem, such as bringing together insights from sociology, anthropology and psychology to study victimisation. Second is a researcher and end-user partnering to invent a new commercial product, like a new security screening device, or to design a new form of

practice, such as how to handle perpetrators of domestic violence. Third is a major team project bringing together experts from multiple disciplines, policing practitioners and other stakeholders (such as victim representatives, relevant non-government organisations and policy makers) to investigate a major issue like organised crime.

The second problem with interdisciplinarity is that the research methodology is poorly documented. In contrast to the disciplines, there are no standard procedures for reporting interdisciplinary research. Published accounts are invariably incomplete, making it impossible to fully understand and assess what occurred or to draw lessons for improving future investigations. This is partly a result of the failure to differentiate various kinds of interdisciplinary research.

How Do we Move Forward?

In the book *Disciplining Interdisciplinarity* I argue that a possible way to resolve this challenge is to differentiate various kinds of interdisciplinary research and to develop agreed ways to report each of them. I concentrate on the third kind of interdisciplinary research described above—namely team research on a complex real-world problem that brings together discipline experts and stakeholders—and argue that an underpinning discipline could provide a systematic way to both conduct and report such investigations.

I propose that the discipline is called Integration and Implementation Sciences (I2S) and that it has three domains, each of which is structured around five questions. Let us deal with the domains first.

Domain 1 is the one most commonly associated with interdisciplinarity, namely bringing together knowledge from different disciplines and stakeholders.

While few would argue with the necessity of bringing together what is known about a problem, the need to understand and manage what we don't know is less well recognised. This second domain of I2S is the most challenging, because thinking about unknowns is not well developed. But unintended consequences and unpleasant surprises result from unknowns that have been ignored rather than dealt with.

The third I2S domain is to support policy and practice change with a combination of the best available knowledge plus the most advanced ways of understanding and managing the remaining unknowns.

In summary, therefore, I2S comprises three domains:

1. Synthesising disciplinary and stakeholder knowledge
2. Understanding and managing diverse unknowns

3. Providing integrated research support (i.e., combining synthesized knowledge with a solid appreciation of remaining unknowns) for policy and practice change

As outlined earlier, there is currently no agreed, systematic way to capture the wealth of experience gained in interdisciplinary research so that it can be transmitted and built on. I propose that five questions provide a useful framework for this purpose, and describe them here as applied to the first domain—namely, synthesising disciplinary and stakeholder knowledge. (The five-question framework can also be adapted to the other two domains of I2S, allowing them to be covered systematically.) The questions are as follows:

1. What is the synthesis of disciplinary and stakeholder knowledge aiming to achieve, and who is intended to benefit?
2. Which disciplinary and stakeholder knowledge is synthesized?
3. How is the disciplinary and stakeholder knowledge synthesized, by whom, and when?
4. What circumstances might influence the synthesis of disciplinary and stakeholder knowledge?
5. What is the result of the synthesis of disciplinary and stakeholder knowledge?

While these questions look simple, they encompass considerable methodological depth, which is fleshed out below. As a set, the questions can be used to plan new research or to describe ongoing or completed research. The order of the questions is not fixed. Sometimes it may be useful, for example, to describe the context first or to consider Questions 2 and 3 together. Let us now deal with each question in turn.

Question 1.

What is the Synthesis of Disciplinary and Stakeholder Knowledge Aiming to Achieve, and Who is Intended to Benefit?

From the perspective of research teams, the purpose of this question is to help them think specifically about their objectives and beneficiaries so they can target their efforts most effectively. This is important for two reasons. First, teams have often not thought clearly about what they are trying to achieve and find it very helpful to be pushed to do so. Second, for teams to choose the most appropriate options in terms of concepts, methods, and case examples, they need to have well-formulated goals.

Question 2

Which Disciplinary and Stakeholder Knowledge is Synthesized?

For this question, I suggest that there are six key, interrelated categories of concepts and methods: taking a systems view, scoping, boundary setting, framing, dealing with values, and harnessing or managing differences. Again, these can help the research team think systematically about its investigations, as well as providing the categories under which to collect concepts, methods, and case studies. Let us deal with each in turn.

Taking a Systems View

Systems thinking allows the real-world problem to be placed centre stage and makes it feasible to examine a range of discipline-based and stakeholder perspectives in a coherent and systematic way. It involves looking at the interrelationships between various aspects of the problem, as well as the broader issues the problem relates to and those interconnections. A systems view about heroin use, for example, involves examining the interactions between users, their families, treatment providers, police, and the community at large, with different foci on crime, social functioning, health, and so on. It also means examining the broader context of the heroin supply system—the drug cartels, supply lines, and international law enforcement. It is important to note, however, that it is impossible to focus on the *whole* problem at once. Instead, different systems approaches emphasise different aspects of the whole.

Scoping

From the perspective of researchers looking to better understand a problem, scoping is a process to determine the full range of those who have something relevant to contribute. It is a critical step in deciding which systems approach to take, as well as which disciplines and stakeholders to involve. Scoping moves those planning the investigation beyond focusing only on what they know (based on their own interests and expertise) to considering the problem more broadly. If scoping does not occur, critical issues may be ignored. If we consider the 1940s project of building the atomic bomb, for example, the domination of physical scientists, engineers, and the military meant that significant environmental, social, and health aspects were not considered, leading to ongoing difficulties in those areas.

Boundary Setting

The point of scoping is to illuminate a range of options for developing a better understanding of a problem. Practicalities, however, dictate that everything cannot be included in the investigation, so boundaries must be set. This requires systematic thinking about what can best be done with the available time, money, and person

power. Boundaries define not only what is included and excluded but also which issues are more central and which are marginal (Midgley, 2000). Both inclusion/exclusion and centrality are relevant to which disciplines and stakeholders are involved in the knowledge synthesis, what they are invited to contribute, and how. This translates into allocation of resources, with the lion's share going to the disciplines and stakeholders deemed to be most central. The point of linking scoping and boundary setting is that it allows the most critical issues to be identified and addressed.

To illustrate this, let us imagine a research project about the factors leading to heroin use. Scoping involves considering all the different ways of tackling this problem, such as looking at genetic predispositions, individual character traits, family influences, peer-group pressure, drug availability, and societal norms. It is immediately apparent that covering all these would be a massive undertaking. Decisions will have to be made about what can be done with the available funding, time, and personnel. The needs of the problem, not just the available resources, should drive what is undertaken.

Framing

The frame is the way the problem is presented. The language used to describe the problem is powerful. For example, people who inject illicit drugs can be referred to as “dirty junkies,” “cool nonconformists,” or “sons and daughters who have lost their way.” Critically, the problem will be framed by the way it is described, regardless of whether conscious attention is paid to this process. The idea here is to raise awareness of the importance of framing so the research team can accurately convey what it is setting out to do.

Dealing With Values

The values brought to the research will both determine and reflect the systems approach used, the way the problem is scoped, and the boundaries set, as well as how the problem is framed. In addition, there are likely to be several sets of values in play at the same time: values about the problem, about research, and even about the approach that should be taken to values. The task here is to examine interactions between values and knowledge synthesis. For example, are the team's values generating important blind spots about incorporating some kinds of knowledge, or leading to disproportionate emphasis on the perspectives of some stakeholders at the expense of others?

Harnessing and Managing Differences

Bringing together different disciplinary and stakeholder perspectives is about more than combining different relevant “facts.” Among those involved, there will

also be differences in, for example, visions for addressing the problem, worldviews about the problem, epistemological approaches to research, working habits, career goals, and so on. The challenge is to identify and deal separately with two types of differences:

1. Those relevant to developing a rich appreciation of the problem, which need to be harnessed as part of the knowledge synthesis
2. Those that may get in the way, which need to be managed so that they do not negatively impact the knowledge synthesis (Bammer, 2008)

For example, bringing together two dissimilar worldviews is often a difference to be harnessed, whereas personality clashes involve differences to be managed.

Before moving on to the next question, it is important to note that in practice the implementation of the six categories of concepts and methods is not linear. Instead, the categories must be considered together and iteratively, as each influences the others. Research is messy, and it is difficult to have clear definitions, aims, and processes up front. The reality of iteration and messiness does not, however, contradict the need for a systematic approach. Indeed, the framework provides a way through.

Question 3.

How is Disciplinary and Stakeholder Knowledge Synthesized, by Whom, and When?

There have been surprisingly few attempts to identify, let alone classify, methods for addressing this question. I propose three classes:

- Dialogue based
- Model, product, or vision based
- Common metric based

Dialogue-based methods use conversation to “jointly create meaning and shared understanding” (Franco, 2006, p. 814). Formal methods are not required in every interdisciplinary situation. For example, they are unlikely to be required for a small group with similar perspectives. Structured methods come into their own, however, when the research team is large and/or has diverse outlooks, as they help ensure that all perspectives are appropriately heard and included.

Model-, product-, and vision-based methods are related, as they use a specific goal as the focus for synthesis. Model-based methods use the development of a

conceptual or mathematical representation of a problem as the “device” for bringing together disciplinary and stakeholder knowledge. In other words, building the model is used to stimulate communication and capture the shared understandings. Building a product and implementing a vision both rely on the same principle in that the focused task brings different understandings together. The development of the atomic bomb is an exemplar of product-based synthesis. This effort combined knowledge from physical scientists, engineers, the military, and private industry (Rhodes, 1986). The World Commission on Dams (2000) framework for decision making about future dams is an example of vision-based synthesis. A guiding ideal was proposed for bringing together different perspectives and for deciding on action—namely, a globally accepted framework of norms about human rights and economic cooperation, as well as social development and environment. These were derived from U.N. declarations and principles (World Commission on Dams, 2000).

Common metric-based methods rely on single measures that can be employed to encapsulate the range of relevant disciplinary and stakeholder knowledge about the problem. The best-known and most widely used common metric is monetary value. Synthesis can then be based on simple arithmetic or more complex manipulations, such as cost-benefit analysis. Other common metrics that have been developed and used for environmental problems include the area of land necessary to sustain a given level of resource consumption and waste assimilation (i.e., ecological footprint; Wackernagel & Rees, 1996) and measures of carbon dioxide equivalent (Michaelowa & Koch, 2001). For health problems, common metrics include disability-adjusted life-years and quality-adjusted life-years (Murray, Salomon, & Mathers, 2000). An example of the use of the ecological footprint for knowledge synthesis is a collaboration between university-based researchers and the Cardiff Council in the United Kingdom to develop local government policies and practice on sustainability (Cardiff Council, 2005; Collins, Flynn, Wiedmann, & Barrett, 2006).

Let us move on now to the question of who undertakes the synthesis. It is often assumed that the synthesis should be a group process. However, even though perspectives are drawn from researchers representing a number of different disciplines and from various stakeholder groups, each contributor does not necessarily have to be involved in bringing the knowledge together. The options for undertaking the synthesis are to involve the whole group or a subgroup or for it to be the task of an individual. In the last case, the synthesizer is often the research leader. Each of these options has advantages and disadvantages. For example, a disadvantage of involving the whole team is that the time it takes can be very demanding. A disadvantage of the synthesis being undertaken by the team leader is that one person is likely to have only a limited grasp of some aspects of the project.

An additional consideration for undertaking knowledge synthesis is when it will be carried out. Just as there is often an assumption that synthesis will be a whole group process, some people presume that it will occur at the end of the research, while others suppose that it must be established right from the beginning. But again there is a range of options, each with advantages and disadvantages.

Question 4.

What Circumstances Might Influence the Synthesis of Disciplinary and Stakeholder Knowledge?

There are at least three areas to be considered here:

1. The overall context of the problem, which comprises the circumstances that led to the research and that may be influential during its conduct, such as the problem's history, the geographical locations in which it occurs, and cultural differences between those affected and those charged with responding to the problem
2. The sources of authorization or legitimacy for the knowledge synthesis and how they affect what is investigated
3. The organizational facilitators of, and barriers to, undertaking the synthesis of disciplinary and stakeholder knowledge

Let us begin with overall context and return to the building of the atomic bomb. The important contextual factor was World War II (1939–1945), which explains why, in scoping the problem, there was minimal attention to social, environmental, and health impacts. In the circumstances of a major war, including these aspects in the synthesis was not a high priority. The general challenge is to find useful starting points for taking context into account in planning knowledge synthesis—in other words, figuring out which circumstances are likely to be most pertinent and how to address them.

Moving on to authorization, the sources of legitimacy are usually closely tied to the finances. For most research, receiving support from a recognised funding source is all that is needed for an investigation to be seen as legitimate and to go ahead. However, in certain cases, such as when projects are large scale or politically sensitive, authorization may be more complex. In particular, obtaining backing from influential organizations or individuals may be critical for the research to proceed. However, as well as providing legitimacy, both funding and backing can also impose limitations. Funding success may be patchy, so that only some aspects of a research program may eventuate. Organizations that auspice research or boards that oversee it can impose constraints on what is undertaken or how it is pursued.

The third contextual issue is organizational facilitators and barriers that can impact synthesis of disciplinary and stakeholder knowledge. Here the focus is on the research organizations. It may be useful to think about structure and culture separately. For example, structural issues can include the disciplinary mix in an organization, the availability of seed funding to encourage cross-disciplinary collaboration, and organizational financial mechanisms. If an organisation established to examine global climate change does not include any social scientists, for instance, it is probably less likely that good social science research will be part of the knowledge synthesis. In contrast, seed funding to encourage collaborations between researchers who have not worked together before may increase the numbers of disciplines included in the knowledge synthesis. Similarly, barriers to sharing money across different parts of an organization may work against joint funding applications and reduce disciplinary scope. Cultural factors can include organizational attitudes toward stakeholders and norms regarding idea exchange. If the organization's leaders are antagonistic toward particular stakeholders, such as big business or particular nongovernment organizations, it is less likely that their perspectives will be included in the knowledge synthesis. If it is “the done thing” that everyone attends morning or afternoon tea breaks or annual retreats, this may facilitate cross-fertilisation of ideas between disciplines.

Question 5.

What is the Result of the Synthesis of Disciplinary and Stakeholder Knowledge?

One advantage of the structured approach resulting from the five-question framework is that it also provides a systematic process for evaluation, ensuring that each of the issues raised above is covered. Some of the relevant questions include the following:

- Was the systems view taken suitable? Would a different systems view have been more useful?
- Within the necessary limitations of the research, were the most worthwhile disciplines and stakeholders included? Was the balance between different disciplines and stakeholders fitting? Did any of those excluded turn out to be critical?
- Was the problem framed accurately?
- Was sufficient flexibility and iteration built into the processes of deciding on a systems view, scoping, boundary setting, framing, considering values, and harnessing and managing differences?

- Were applicable synthesis methods used? Would other methods have made better contributions? Were justifiable decisions made in choosing by whom and when the synthesis was undertaken?
- Did the host organizational structure or culture provide barriers to the knowledge synthesis? If so, were these effectually recognized and managed? Were facilitators beneficially mobilized?

Conclusion

This paper argues that there are many different kinds of interdisciplinary research that could be undertaken in the policing and security field, as well as for clearly describing the type of interdisciplinary research which is being conducted. It also describes a framework for capturing the research process, so that concepts, methods and techniques can be more easily shared between different policing and security research teams, as well as with research teams studying other kinds of complex real-world problems (such as environmental sustainability and obesity).

The next task is to compile all the different concepts, methods and techniques that have been developed and to make them easily accessible. An example is a book of dialogue methods (see McDonald et al, 2009). To follow the development of this work see: i2s.anu.edu.au.

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Amendments to Anti-Terrorism Law of Pakistan: An Overview

Kamran Adil

Abstract

This article discusses the anti-terrorism legislation and later amendments to the laws in Pakistan. This is an interpretive research. The researcher used content analysis to discuss and analyze the amendments and their potential impacts in Pakistan. It is concluded that most of the amendments were motivated by extraneous factors than by indigenous factors. These amendments could not succeed in achieving the desired ends.

Keywords

Terrorism, Anti-Terrorism, Legislation, Pakistan, Amendments

Introduction

The basic legislation on terrorism in Pakistan is Anti-Terrorism Act, 1997 (ATA). It is a special legislation with both substantive as well as procedural provisions of law. In 2013, two amendment packages were introduced to ATA namely the Anti-Terrorism (Amendment) Act, 2013 and the Anti-Terrorism (Second Amendment) Act, 2013. The amendments are not the first ones to be introduced to ATA; a series of amendments in different time frames and with different motivations have been introduced to ATA. The instant article proposes to explore, after brief literature review, the narrative of amendments made to ATA since 1997, which will be followed by analysis of the content of the amendments and the factors prompting amendments in ATA in Pakistan.

Literature Review

A glance at the literature on anti-terrorism law in Pakistan shows some very important writings with the focus on development and application of the law. Kennedy (2004) has, after outlining in detail the development of the anti-terrorism regime, concluded that Pakistan's anti-terrorism regime has been a 'complete failure'. He has outlined in detail the context of some of the waves of amendments and how the anti-terrorism law regime has evolved. Fayyaz (2008) has held that anti-terrorism law's application has been an 'unfulfilled objective'. She also has taken an overview of the contexts of the amendments introduced in the law. Hameed (2012) has tried in his article to look into the weak areas of ATA and has tried to contribute towards improvement in the legal regime. His article intends to provide the solution and has made little effort to explore the development of ATA in Pakistan. Kennedy (2004) and Fayyaz (2008) have tangentially examined the development of ATA, but have not tried to systematically appraise the process of amendments in ATA and the effect of such changes.

An Overview of the Amendments

An overview of the amendments as per available record since 1997 is reflected through the following table:

S. No.	Short Title	PLD Reference
1.	Anti-Terrorism (Amendment) Ordinance, 1998 (Ordinance IX of 1998)	PLD 1999 Cent. St. 143
2.	Anti-Terrorism (Third Amendment) Ordinance, 1999 (Ordinance XX of 1999)	PLD 2000 Cent. St. 78
3.	Anti-Terrorism (Amendment) Ordinance, 2000 (Ordinance XXIX of 2000)	PLD 2001 Cent. St. 1
4.	Anti-Terrorism (Amendment) Ordinance, 2001 (Ordinance XXXIX of 2001)	PLD 2002 Cent. St. 107
5.	Anti-Terrorism (Amendment) Act, 2004 (Act X of 2004)	PLD 2005 Cent. St. 63
6.	Anti-Terrorism (Second Amendment) Act, 2004 (Act II of 2005)	PLD 2005 Cent. St. 82
7.	Anti-Terrorism (Amendment) Ordinance, 2009	Published in Special Supplement of PLD
8.	Anti-Terrorism (Amendment) Ordinance, 2010	Published in Special Supplement of PLD
9.	Anti-Terrorism (Amendment) Act, 2013	
10.	Anti-Terrorism (Second Amendment) Act, 2013	

The narrative of amendments to ATA starts with two judgements of the Supreme Court of Pakistan (SCP) that necessitated amendments to the law. These two judgements are *Mehram Ali versus Federation of Pakistan* and *Liaquat Hussain versus Federation of Pakistan*. The former examined the constitutionality of ATA while the latter appraised the vires of the Pakistan Armed Forces (Acting in Aid of Civil Power) Ordinance, 1998, which provided judicial powers to military officers and was introduced to expedite the adjudication of heinous cases and was linked to ATA. In *Mehram Ali Case*, the SCP found that many parts of the ATA were unconstitutional and ordered the government to weed the legislation of unconstitutional legal provisions. The *Liaquat Hussain Case* met the same fate with the added punch that the whole legislation of aid of civil power was struck down. The government of the day (i.e., Nawaz Sharif's second government) had then to comply with the judgements and had to amend the ATA accordingly through amendments. The second big set of amendments came after 1999 coup d'état when General Pervez Musharraf overthrew the government of Nawaz Sharif and prosecuted him for terrorism. In order to try Nawaz Sharif for hijacking, the offence was included in ATA and this was done by another set of amendments in 2000. The third wave of changes in ATA came after the 9/11. The UN Security Council passed 1373(2001), which obligated all states to amend their anti-terrorism legal regimes to

include measures prohibiting and punishing financing to terrorists. Accordingly, Pakistan complied through another set of amendments. Due to urgency of war on terror and due to special procedures and dedicated anti-terrorism courts, the definition of terrorism expanded phenomenally. The murder of Benazir Bhutto brought the fourth set of amendments. The federal government (Pakistan Peoples Party was leading the coalition government) got transferred the investigation and prosecution of the murder case of Benazir Bhutto, which was being heard by an Anti-Terrorism Court in Rawalpindi. The latest set of amendments was introduced through the Anti-Terrorism (Amendment) Act, 2013 and the Anti-Terrorism (Second Amendment) Act, 2013. The Anti-Terrorism (Amendment) Act, 2013 is a fruition of the earlier commitments of Pakistan at international level with respect to the Financial Action Task Force (FATF), an inter-governmental organization established in 1989 and tasked, *inter alia*, to develop international standards (in form of its recommendations) to safeguard international financial system. FATF had consistently urged Pakistan to amend its anti-terrorism law to tighten the asset seizure and counter-terrorism financing regimes. The main characteristic points of the 2013 amendments are that broad categories of amendments were introduced, which warrant some elucidation:

A. Definitional Amendments

In Common Law countries, legislations are drafted to express the will of the legislature. The will is expressed in legal jargon and with the help of drafting techniques. One such technique is to come up with a definitional clause in a piece of legislation. The definitional clause generally addresses the issues of capturing the abstract ideas of parliamentarians in black letter law form. In ATA 1997, Section 2 deals with general definitions, while Section 6 deals with the definition of offence of terrorism. The ATA (Amendment) Act 2013 amends both Sections 2 and 6. It amends Section 2 to redefine the concepts of 'money' and 'property' with the effect of widening the connotations and resulting in international applicability of the ATA. It also amends Section 6 to include application of all the offences defined in eight international conventions (outlined in Fifth Schedule to ATA 1997 read with its Section 34) relating to Unlawful Seizure of Aircraft, International Persons, Diplomatic Agents, Taking of Hostages, Violence at Airports, Safety of Maritime Navigation, Safety of Fined Platforms on Continental Shelf and Terrorist Bombings. The importation and nationalization of international law into ATA is a characteristic of this set of amendments. An important point worth noting is that the newly added Fifth Schedule has a clause which enables the Federal Government to specify through 'notification' any other convention or

international treaty to be included for application in Pakistan through ATA law. The delegation of power of incorporating of international law to the executive must be minutely examined as the domain is predominantly reserved for the legislature.

B. Counter Terrorism Financing Amendments

Counter Terrorism Financing (CTF) Regime of Pakistan's terrorism law is embedded in Section 11 and twenty four of its sister clauses (from Section 11A to 11X). While the new amendments introduce minor changes in Sections 11A, E, F, H, P, R, S, T, Section 11O attempts to simplify and empower both provincial and federal governments to affect seizure, freezing and detention of person and property involved in terrorism. In the previous form, only the provincial government had the power to affect seizure of property. The seizure and freezing of accounts is a tricky subject in Pakistan. Interestingly, the new amendments make no reference towards Anti Money Laundering Act, 2010 and by not addressing the extant legislation on the point, two regimes have become operational. One is under the AML Act, 2010 and the other under the new amendments. The primary law enforcement agency (i.e. Police), as usual, has been kept out of business and no trust is reposed in it. The exclusionary approach towards police and a multiagency environment for CTF is counterproductive: as in every case, the fragmentation of powers of counter terrorism agencies translates into benefiting criminals who exploit the legal and administrative lacunae in courts.

The second legislation of 2013 in the form of Anti-Terrorism (Second Amendment) Act, 2013 has introduced legal provisions that further expand the definition of 'terrorism' as contained in Section 6. The legislation has made minor amendments and has added Section 21EE which has, in theory, conferred power on the Superintendent of Police to call for information and for obtaining record from service provider companies.

Analysis

Based on the above narrative, it will be appropriate to now offer analysis on the amendments introduced so far. The following are noted in this regard:

1. Most of the amendments have been introduced through Ordinances (temporary legislation). The introduction of amendments through Ordinances shows that in the legislative domain in the anti-terrorism regime, the law of Pakistan is based on ad-hocism and temporal basis. It also reflects that most of amendments are made without much debate in the parliament.

2. The amendments have been motivated more by extraneous factors than by indigenous factors contributing to the improvement of law for the sake of dispensing criminal justice. The event-related narrative of amendments is but one example. Likewise, the first set of amendments of 2013 shows that the amendments were made to fulfill the international obligations.
3. The definition of the offence of 'terrorism' is in continuous expansive form at the moment. The accommodation of external factors and absence of input from the internal mechanisms affection criminal justice system has ended up in unnecessary broadening of the definition of the offence of terrorism. Instead of including to the point and precise definition, the inclusive nature of definition especially by way of cross-referencing it to the international instruments has blurred the legal definitional elements. For example, kidnapping for ransom *per se* (i.e., if not connected to terrorism) is treated as an act of terrorism. Likewise, extortion of money (if not connected to terrorism) and firing incidents in court premises are now treated as acts of terrorism.
4. The ATA, in theory, criminalizes the actual hard core terrorist acts as well as forward and backward linkages in the form of proscribing the terrorist organizations and by introducing a counter-terrorism financing and anti-money laundering regimes. In practice, however, it is a complete hotchpotch. The lines of responsibilities are blurred and overlapping: the local police is responsible for registering criminal cases that primarily address hard core terrorist acts; the proscription of the terrorist organizations is notified by federal and provincial governments through Ministry of Interior and the Home Department; the implementation of enforcing the notification is on the local police; the counter-terrorism financing and money laundering are lumped together and various organizations including local police, National Accountability Bureau, Federal Investigation Agency, Financial Monitoring Unit of Ministry of Finance are responsible to enforce the legal provisions. The hotchpotch has ruined the very architecture of the law and has also resulted in little or no prosecutions of counter-terrorism financing and money laundering. The criminals indulge in forum shopping vis-à-vis offences and investigation agencies.
5. In practice, the intelligence agencies investigate the cases of terrorism and 'handover' the terrorists to local police; the result is obvious as almost all the prosecutions fail. The intelligence agencies, which operate at federal level and have access to all the electronic databases of public record, the mobile phone companies and service provider companies in the country and have no training or legal obligation to collect admissible evidence take charge of the terrorism cases resulting in big information gap, which is ultimately reflected in the trial. Disconnect between theory and practice has to be addressed if any meaningful progress is desired.

End Notes:

¹PLD 1997 Cent. St. 535

²The copies of the Anti-Terrorism (Amendment) Act, 2013 and the Anti-Terrorism (Second Amendment) Act, 2013 are available on official website of National Assembly of Pakistan on: http://www.na.gov.pk/en/acts-tenure.php?tenure_id=1 [Accessed on 20 July 2013]

³Some of the important ones are: Kennedy, Charles (2004). *The Creation and Development of Pakistan's Anti-Terrorism Regime, 1997 to 2002, Religious Radicalism and Security in South Asia*, ed. Satu Limaye et al. (Honolulu: Asia Pacific Center for Security Studies, 2004), 387–412 available on: <http://www.apcss.org/Publications/Edited%20Volumes/ReligiousRadicalism/PagesfromReligiousRadicalismandSecurityinSouthAsiach16.pdf> [Accessed on 20 July 2013]; Fayyaz, Shabana (2008). *Responding to Terrorism: Pakistan's Anti-Terrorism Laws* available on:

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⁴The problem with legal documentation in Pakistan is that all legislations are published through official gazettes, which are not compiled religiously by any one publisher. The government has a reference section in Ministry of Law, Government of Pakistan, which keeps a manual track. The licensed publishers like Pakistan Legal Decisions (PLD) and Pakistan Legal Journal (PLJ), through their editorial boards publish what they get. References available to the author regarding amendments are: PLD 1999 Cent. St. 143, PLD 2000 Cent. St. 78, PLD 2001 Cent. St. 1, PLD 2002 Cent. St. 107, PLD 2005 Cent. St. 63, PLD 2005 Cent. St. 82, two amendments published in Special Supplements of PLD in the years 2009 and 2010. Finally, two latest amendments of 2013 have been introduced through the Anti-Terrorism (Amendment) Act 2013 and the Anti-Terrorism (Second Amendment) Act 2013.

⁵PLD 1998 SC 1445

⁶PLD 1999 SC 504

⁷PLD 1999 Cent. St. 156. The Ordinance empowered military officers with judicial powers and allowed them to try criminal cases.

⁸Section 6 of Anti-Terrorism Act, 1997 defines terrorism as:

1. In this Act. “terrorism” means the use or threat of action where:

- b. The use or threat is designed to coerce and intimidate or overawe the Government or the public or a section of the public or community or sect or create a sense of fear or insecurity in society; or
 - c. The use or threat is made for the purpose of advancing a religious, sectarian or ethnic cause.
2. An “action” shall fall within the meaning of sub-section(1), if it:
- a. Involves the doing or anything that causes death;
 - b. Involves grievous violence against a person or grievous body injury or harm to person;
 - c. Involves grievous damage to property:
 - d. Involves the doing of anything that is likely to cause death or endangers a person's life;
 - e. Involves kidnapping for ransom, hostage-taking or hijacking;
 - f. Incites hatred and contempt on religious, sectarian or ethnic basis to stir up violence or cause internal disturbance;
 - g. Involve stoning, brick-batting or any other form of mischief to spread panic:
 - h. Involves firing on religious congregations, mosques, imambargahs, churches, temples and all other places of worship, or random firing to spread panic, or involves any forcible takeover of mosques or other places of worship;
 - i. Creates a serious risk to safety of public or a section of the public, or is designed to frighten the general public and thereby prevent them from coming out and carrying on their lawful trade and daily business, and disrupts civil (civic) life;
 - j. Involves the burning of vehicles or another serious form of arson;
 - k. Involves extortion of money (bhatta) or property;
 - l. Is designed to seriously interfere with or seriously disrupt a communications system or public utility service;
 - m. Involves serious coercion or intimidation of a public servant in order to force him to discharge or to refrain from discharging his lawful duties; or
 - n. Involves serious violence against a member of the police force, armed forces, civil armed forces, or a public servant.

3. The use or threat or use of any action falling within sub-section (2) which involves the use of fire-arms, explosives or any other weapon, is terrorism, whether or not subsection 1 (c) is satisfied.
4. In this section “action” includes an act or a series of acts.
5. In this Act, terrorism includes any act done for the benefit of a prescribed organization.
6. A person who commits an offence under this section or any other provision of this Act, shall be guilty of an act of terrorism.
7. In this Act, a “terrorist” means:
 - a. A person who has committed an offence or terrorism under this Act, and is or has been concerned in the commission, preparation or instigation of acts of terrorism;
 - b. A person who is or has been, whether before or after the coming into force of this Act, concerned in the commission, preparation or instigation of acts of terrorism, shall also be included in the meaning given in Clause (a) above.

⁹According to Article 89 of the Constitution of Pakistan 1973, an Ordinance is promulgated by the President when the parliament is not in session. It is a temporary legislation and the latest Eighteenth Amendment to the Constitution of Pakistan has introduced some limitation on it as now it cannot be extended more than twice at a time.

¹⁰Money laundering is defined at two places: one, in Section 3 of the Anti-Money Laundering Act, 2010 and two, in Section 11K of Anti-Terrorism Act, 1997.

¹¹Financial Monitoring Unit is established under Section 6 of the Anti-Money Laundering Act, 2010 and is tasked with dealing with money laundering.

¹²Section 23 of the newly introduced Investigation for Fair Trial Act, 2012 formally refers to this approach of handing over the evidence to local police after obtaining it through surveillance warrants.

The author Kamran Adil is a Police Officer and is a graduate of the University of Oxford. The author wishes to record his acknowledgments to Dr. Azhar Hassan Nadeem, former Inspector General of Police, Punjab who not only motivated him, but also took the pain of going through the first draft and made valuable comments, which shaped the final outcome of the article.

International Crime and its Subsequent Development

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Abstract

'Does International Criminal Law exist?' is the most debatable question in the modern day legal literature. Some scholars are of the opinion that it exists arguing that it derives its source from the International Law which is accepted and recognised by all civilized nations. Many other scholars showed their reservations on the concept of universal jurisdiction of a crime. They argue that the diversification of culture, norms and traditions are the biggest hurdle in the way to declare any crime International, for example killing is not universally condemned, and is acceptable in many countries if performed in self defence.

Key words

International Crime, Civil Liberty, International Criminal Court

What is an International Crime?

A "Crime" is an act that violates a political or moral law while an "International Crime" means an act which is recognised by the International community as a crime. It is essential for the International Crime that a criminal act must not only be recognised by the state's criminal law but is so heinous that it takes the attention of International community and their concern becomes necessary.

There are several reasons; that few crimes cannot be left only to the discretion of the state, which would normally have jurisdiction over it to adjudicate upon the said crime. Almost all International Crimes qualify not only as serious human rights violations but they also violate International Humanitarian Law. These crimes should be categorized according to their severity and impact on people worldwide. Many legal scholars are of the opinion that the concept of International Crime can be recognised universally with an apprehension that its structure and operational mechanism is still not clear. The diversification in our world and rapid complex development of a global society has made it very difficult to clearly urge the concept of universality of a crime. However, International crime can derive its source from International Law. International law is recognised and accepted by most of the civilized nations of the world and therefore, can be founded in the customary laws of the state. To sum up, we can define "International Crime" as a crime that crosses International borders and is usually committed by International criminal groups.

The treaties and conventions which govern the particular conduct of a crime can be recognised universally. A heinous crime which has adverse effects on the International Community can be added to the list of

International crime. Moreover, if a crime is very brutal, affecting the interest of more than one state and also threatens world order and security, can also be recognised as an International crime. According to the Rome's statutes 2002, International criminal court can take cognizance of four International crimes. 1. Mass murder. 2. Crimes against humanity. 3. War crimes and 4. Genocide.

History of an International Crime

Human history is the witness of mass killing and brutality which can be traced back from time immemorial, e.g. the huge massacres that occurred during the First World War where hundreds of thousands of Armenians were killed. Incidents of similar intensity happened during the second world war when Hitler killed millions of Jews, and called it a “final solution” reminding his Generals “nobody remembers the Armenians.”

Concept of International Crime

The concept of International Crime is that every individual is held responsible for the wrong actions; whether he is a civilian or a soldier. During war every officer is responsible not only for his own actions but also of his subordinates.

International Crimes always depend on treaties, conventions, agreements and customary laws. The rules, values and norms, which International community considers most important and wishes to protect, are safe guarded through them. Thus, we can say that those rules intending to protect values considered important by the International community and consequently binding all states and individuals, are safe guarded by international instruments such as United Nation Charter, African Charter on Human and People's Right, European Convention on Human Rights etc.

The most significant aspect of these conventions are that it protects those values which are common to all states and if member states consider a particular crime to be suppressed, it can be taken into consideration as a part of International Criminal Law. Mostly, these crimes are very dangerous for humanity regardless of state boundaries, colour, race and religion. International Law treaties can only be applicable on those states that are signatory, and are bound to follow them; any other state which is not a part of the treaty is exempted, and does not come under the provisions of the customary law.

Crimes were committed in the past too and they, too were of a dreadful nature like these days. But there were no such treaties as mentioned above. There arises a question: what is the need of these treaties? The answer is that the treaties can make states to respect the rules and at the time of violation punish the wrong doers. International Crime has its source in an International treaty or convention.¹

What 'Crimes' can be Considered as 'International Crime'?

Crimes of universal jurisdiction are generally those which are so abhorrent that they are viewed not only as criminal behaviour in the domestic law sense, but as an attack upon international safety or order. In order to declare a “Crime” as an “International Crime” it must cover the following.²

- There should be a treaty or some customary rules among the states to declare an act as a crime.
- All member States legislate and try to protect those values, which they consider to be common among them.
- Those Crimes can be known as International Crimes, which are suppressed by states in universal interest.

What Makes it International?

- The crime is not against one community or group but it has a tendency to damage a large area.
- The intensity of the crime is so heinous that it shocks the whole international community.
- The act of that crime is against the common moral standards and should be condemned internationally.

Salient Features of an International Crime

International Crimes cover the following acts. These acts are heinous and violent that's way they have been declared as an International Crimes. International Criminal Court enjoys subject matter jurisdiction over four core offences; genocide, crime against humanity, war crimes and aggression or mass murder.

1. Genocide

The word genocide means killing of a tribe or group. This word has many folds, Raphael Lemkin a famous jurist,³ coined the term genocide in his book.⁴ He defined genocide as “a coordination plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves.” The word genocide has a vast meaning, it includes the objective of a plan to disintegrate the political and social institutions of culture, language, national feelings, religion and the economic existence of national groups, it also covers the destruction of personal security, liberty, health, dignity and even the lives of individuals belonging to such groups. Genocide is the deliberate extermination of a racial, religious or ethnic group.⁶

2. Crime Against Humanity

A crime which is committed in armed conflicts, is widespread or systematic attack on any civilian population is said to be a Crime Against Humanity'. Mainly, because it also attacks those who are not part of this barbaric game. Thus it is an attack on human dignity. We can see glimpses of such crime in 1915 when the Turkish Government had used their power against the Armenians and by committing the great massacres of Armenians in the Ottoman Empire.

3. Acts of Aggression

The word "Aggression" can be defined as "the object of establishing a military occupation of, or annexing, the territory". Thus, it is crime against peace, aggression also include preparation, planning, initiation or waging war of aggression. Aggression is also very dangerous because it usually results in violation of international treaties, agreements or assurance.

4. War Crimes

War crimes have been defined as "Grave" or "serious" violation of the rules or customs of war. War crimes include arbitrary killing, torture, inhuman or degrading treatment, rape, unfair trials, wanton destruction of property etc. War crimes can also be committed by the military personals against the enemy servicemen or civilians. These crimes can be considered as the serious violation of international humanitarian laws of armed conflict.

5. Terrorism

Nowadays terrorism is becoming a threat to many nations. It means the use of violence against the non-war targets to achieve some gains; it can be political or economical. Terrorist attacks have become a threat to many as they aim to target the innocent people and not a particular group or state. After the 09/11 attack on the United States of America, Terrorism is considered to be an 'International Crime'.

6. Torture

Torture can be defined as the most offensive act. Torture has now been universally accepted as repugnant and is prohibited under customary international law and is generally recognized as "*jus cogens*". Article 5 of *Universal* declaration of human rights protects from torture, cruel, inhuman, degrading treatment or punishment universally.

"Torture is not only one of the vilest acts that one human being can inflict on another, it is also the worse kind of crime in which victims are often too shamed

or traumatised to speak out, or face further peril if they do; often, they die from their wounds. Perpetrators, most of the times are shielded by conspiracies of silence and by the legal and political machinery of that resort to torture".⁷

What is the Need to Recognise Some Crimes at an International Level?

It is an established principle of criminal law that the punishment of a criminal act must be publically known. After the Second World War there was a desperate need to recognise some crimes internationally. Almost all the states have a mechanism to prosecute a criminal in peace time while during hostility between the two states a mechanism was needed in order to take the cognizance of the criminal act during the war.

Adolph Eichmann,⁸ a German national and the head of the Jewish office of the Gestapo, had been primarily responsible for administering Hitler's "Final Solution". Israeli secret agents found him in Argentina in 1960 and abducted him, taking him to Israel to the charges of crimes against humanity and war crimes against Jewish people. It was argued by his legal representatives that Israel did not have jurisdiction, at the time of these offences. Further, the crimes had occurred outside Israel and the victims were not Israeli nationals. Thus, none of the specific heads upon which jurisdiction could be claimed existed. Moreover, Israel did not exist as a State at the time of the offences, so was claiming jurisdiction over events before its "birth".

The unanimous decision was made, Eichmann was convicted and sentence to death. The Jerusalem District Court found that it had a jurisdiction since charges were brought against him further more these crimes were most serious crimes not only in Israeli law alone. These crimes, which struck at the whole of mankind and shocked the consciences of nations, were grave offences against the law of nation itself. Therefore, so far from International law negating or limiting the jurisdiction of countries with respect to such crimes. State with custody of the suspect may use the universal jurisdiction as the basis of his trial; it must have an acceptance of such jurisdiction within its own national law.

Jurisdiction Matter

The relevance of jurisdiction to International Criminal law may not be immediately obvious, but it is something of a hot topic at present. First of all we have to see that in what circumstances do International Criminal Law has a jurisdiction over a criminal dispute? According to Tadic⁹ appeals jurisdiction, the Appeals chamber affirmed that the temporal and geographical scope of an armed conflict extends beyond the exact time and place of hostilities.¹⁰ It means that actual fighting may not be taken place in certain parts of a territory plagued by war; any breaches committed in these locations against protected persons may warrant the application of humanitarian law if the breaches are connected in some way to be armed conflict.

International Criminal Court

On 17th of July 1998 in Rome the permanent International Criminal Court statute was signed and it was established in 2002 as a permanent tribunal to prosecute International crimes. Unlike the two ad hoc tribunals for Yugoslavia and Rwanda, the International Criminal Court is a permanent Court established by its founding treaty.¹¹ International Criminal Court enjoys subject matter jurisdiction over four core offences; genocide, crime against humanity, war crimes and aggression.

Different Perspective about a “Crime” to be an International

The universal jurisdiction of a crime, many philosophers disagree on the ground that this concept cannot be practically implemented. They fear that it would remove diplomatic protection from their citizens. Many states have opposed the concept of International Crime (America is one of them) by arguing that it is just an idea far away from reality. They further argued that it is not possible to give a common moral standard to the world. Our world has diversity, in culture in traditions and in moral norms and there is an apprehension that the idea of universal jurisdiction of a crime may offend some cultural norms because different acts acquire or lose their criminal nature depending on the culture and context.

Declaring any crime as an International Crime is difficult for many reasons. Two of them are very important. Firstly, how to set a global moral norms for everyone and, secondly, to formulate the mechanism for the country courts to establish their jurisdictions. Most states rejected any super national levels as the appropriate forum of the decision making. Hence global solution to this problem is inherently flawed. United States of America voted against on 17th July 1998 to give universal status to International criminal court at United Nations' diplomatic conference of plenipotentiaries. That's the reason many International organisations are effectively no more than powerless talking shops. In International law and for International Crime bilateral treaties are essential for the universal jurisdiction it cannot be imposed at will.

Though the Idea is Difficult but not Impossible

In order to put these International Criminal Law obligations into practice, states must usually enact implementing legislation which will provide a basis in their legal system for bringing prosecutions for International Crimes committed abroad or bring trial against the suspect in International Criminal Court.

Example

In many states like in UK the ratification process is not automatic. In order to incorporate a treaty into a domestic law a proper legislation is needed in order to ratify the treaty through parliament. The universal declaration of human rights 1948

was signed the then prime minister and it took fifty years to the UK to pass an act of human rights in 1998. The International Criminal Treaties (ICT) can play a significant role in order to achieve the main goal to stop International Crimes but alone it is not possible for ICT, the need is its implementation. Now it is a duty of the contracting parties to give priority to ICT and try to safe guard its main aims from undue influences. The implementation of ICT is a kind of implementations of International law.

Some Possible Reforms

1. Crimes of Universal Jurisdiction

States should ensure that status of International Criminal Law can be safe guarded at all cost.

2. No Immunity for Persons in Official Capacity

National legislatures should ensure that the treaties and conventions must be observe and no one should be immune from the prosecution of criminal trials, whatever the official capacity of the suspect or accused at the time of the alleged crime or any time thereafter is. He must be brought before International Criminal court.

3. No Political Interference

It is suggested that the prosecutor should be given enough power to take a decision to start or stop an investigation or which suitable method should be adopted to prosecute the grave crimes under the International criminal law. The whole process of the prosecution should be crystal clear and should be free from internal and external interference.

4. Grave Crimes under International Criminal Law must be Investigated and Prosecuted without Waiting for Complaints of Victims or others with a Sufficient Interest

Grave crimes under International Criminal Law, where there is sufficient admissible evidence, to prosecute, without waiting for a complaint by a victim or any other person with a sufficient interest in the case.

Conclusion

In the light of above mentioned arguments we can conclude that the concept of a “Crime” to be an “International” is true, vital and essential. It is the need of the time to recognise the grave crimes at an International level, and then punish the criminals, so that the people are aware of it. The current situation regarding the implementation of International Criminal law is not satisfactory. However, there is a positive sign

that at least we have recognized some crimes in an International level; the need is implementation and continuity. These cruel crimes were committed in the past but not internationally recognized because of the absence of treaties.

Now is a time to recognise and enforce such treaties, which condemn these ruthless crimes, no derogation should be allowed at any cost by any member state even at the time of emergency. The International Criminal Court, with no independent enforcement powers is dependent upon the good will of nations to see that Court decisions are accepted. Respect for the court and its effectiveness can only be maintained if the judges perform their duties faithfully and well on behalf of world peace. Nations must decide now to contemplate the significance of International Criminal Law because it will help to curb terrible crimes. No one expects perfection but the enforcement of International Criminal Law is still regarded as a useful tool for the benefit of humankind.

The concept of a crime as International in nature is very significant; this is the time we have to decide where our morals are. As this world has changed in to a global village and most of our norms and values are the same, we have to choose that either we have to live under the barbarous environment with no rule of law, or we need some standards, in order to live prosperous life in this world.

International Criminal court can play a significant role in this regard. I think we have to emphasis more on our moral standard values, which are basic, and recognized as fundamental throughout the world, regardless of any boundaries and political barriers. One way or another it all depends on treaties. Hence, there is a need to give priority to them. As sensible human beings, we must contribute in order to find solutions and resolving these questions. We must build a strong sense in the International community so that the Universal jurisdiction of International Criminal Law become more effective, clear, and should be enforce with full strength so that it could tackle the International crimes efficiently and successfully.

End Notes

¹In 1927, the Kellogg-Briand Pact, has once said:

“The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it, as an instrument of national policy in their relations with one another”. known as the *General Treaty for the Renunciation of War*,

²Cassese A *International criminal Law* (Oxford 2003)

³A Jewish refugee from Poland teach in United States (1944)

⁴L Raphael *Axis Rule in Occupied Europe*. 1944: 82-9

⁵<http://www.usip.org/pubs/specialreports/sr990107.html>

⁶Chambers dictionary.

⁷Statement made by Secretary-General Kofi Annan on the International Day in Support of Victims of Torture, June 26, 2000.

⁸In the district court of Jerusalem criminal case no. 40/61. Before his honour judge Moshe Landau (presiding)

⁹Prosecutor v. Dusko Tadic International Criminal Court. Case No. IT-94-1-R

¹⁰Tadic appeals jurisdiction decision (2 October 1995), para 70.

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Pakistan's Child Protection Legislative and Policy Frameworks: A Critical Review¹

Tahira Jabeen

Abstract

Pakistani children experience a wide range of protection issues including physical, sexual, emotional abuse, neglect, harmful traditional practices and the economic exploitation and abuse due to broader socio-economic and structural factors. However, the state response in the form of legislation, policy and intervention relating to child protection is sketchy. This article provides a critical review of the child protection legislative and policy framework in Pakistan. In doing so, it identifies the gaps in existing laws and policies, points out the negative impacts that these gaps have on children's safety and well being, and highlights the need for a legislative and policy framework, which corresponds with the existing reality of the issue and ensure Pakistani children's basic right to protection.

Keywords

Child Protection, Legislation, Policy, Gaps, Pakistan

Introduction

In Pakistan, children experience a variety of potential and actual risks to their safety and well-being in a wide range of situations. These situations may include, but are not limited to, physical abuse of a child at the hand of an adult care-giver, sexual abuse, emotional abuse, neglect, harmful traditional practices injurious to children, and economic exploitation and abuse of children due to broader socioeconomic and structural factors (Child Protection and Welfare Bureau, 2008; Ministry of Social Welfare and Special Education 2005; Save the Children, Sweden, 2010). However, the recognition of child protection problems, as a specific area of state policy and legislation, is a recent phenomenon. In fact, neither the constitution nor any single law directly covers child protection issue. Pakistan's first ever child protection policy was formulated in 2009, however, it is yet to be adopted. Considering the magnitude and the intensity of child protection issues, the existing legislative and policy response can, at best, be described as sketchy. Such a response has serious implications for children as well as the way any new laws and policies are formulated.

This article attempts to, first, provide a summary of the existing children-related laws and policies in Pakistan. Then, critically examines these legislative and policy provisions, the article identifies the gaps in these laws and policies. Finally, it shows how these gaps negatively impact children's safety and well being, both in the

short and the long run. In the short run, existing provisions deal partly with some of the child protection issues and completely disregard the others. In the long run, such legislative and policy responses, are only expected to accumulate and perpetuate the child protection deficit, thus, depriving Pakistani children from one of their basic rights, that is, right to protection. The article is divided into two sections, each further divided into sub-sections. The first section provides a review of Pakistan's international commitments and the existing national legislative and policy frameworks in two sub-sections. Section two comprises identification, analysis and implications of the gaps in the existing children-related laws and policies in Pakistan, followed by conclusion, highlighting the need for legislation and policy at the federal level to reduce the current level of children's vulnerability.

Section I

Pakistan's Existing Legislative and Policy Framework for Child Protection

Pakistan's existing legislative and policy framework for child protection comprises of the country's commitments as signatory to various international treaties and conventions, provisions of the national constitution, federal and provincial laws including criminal law and *shari'a* law, children-related national policies and action plans.

International Commitments

Pakistan has ratified a number of international treaties which provide children with special protections. These include the Universal Declaration of Human Rights 1948 (ratified 10 December 1948), the United Nations Convention on the Rights of the Child (UNCRC) 1989 (ratified 12 November 1990), the Convention on the Elimination of all Forms of Discrimination Against Women, 1979 (ratified 12 March 1996), the International Labour Organization's Convention 182 on the Worst Forms of Child Labour 1999 (ratified 11 October 2001), the Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography, 2000 & on the Involvement of Children in Armed Conflict, 2000 (ratified 26 September 2001), the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, 2002 (ratified 5 January 2002), the SAARC Convention on Promotion of Child Welfare, 2002 (ratified 5 January 2002), the ILO Convention 138 on Minimum Age (ratified 6 July 2006), the International Covenant on Civil and Political Rights & the International Covenant on Economic, Social and Cultural Rights, 1966 (ratified 17 April 2008) and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 (ratified 17 April 2008).

Amongst these international commitments, the UNCRC stands out as it also serves as the national policy guideline on children's issues. The UNCRC gives special emphasis to protection rights. Articles on protection against discrimination (Article. 2), registration after birth (Article. 7), protection against abuse, neglect and exploitation within the family or in care (Article.19), adoption (Article. 21), disability (Article. 23), protection from economic exploitation, from the illicit use of drugs, from sexual exploitation and abuse, from abduction, sale and trafficking and all other forms of exploitation, from torture and other cruel, inhuman and degrading treatment and protection in armed conflicts (Articles. 32-38), and children in conflict with law (Article. 40). All the above mentioned issues concern a child's right to protection in all kinds of difficult circumstances. The UNCRC and other commitments - being state obligations under the international law - make national governments the primary parties responsible for the protection of children through legislation and services (Bissell et al., 2007). These commitments, as pointed out by the Society for Protection of All Rights of Children (SPARC), not only bring international moral pressure, but also the financial support or lack of it in case of non-compliance (2002). However, these conventions are not enforceable in Pakistan until enabling legislation is enacted and Pakistan has yet to introduce any such legislation in regard to the UNCRC (Fayyazuddin, Jillani & Jillani, 1998; SPARC, 2009). This situation leads to concerns about the extent of influence that the international policy frameworks may have on national legislation and policy, which are examined next.

National Legislative & Policy Frameworks

Pakistan's children-related national legislative framework is comparatively new. It was instituted in 1989 when the United Nations Children's Fund (UNICEF) commissioned a study on the laws of Pakistan with reference to the UNCRC, just before the draft Convention was due to be presented to the United Nations General Assembly for discussion and adoption (Jillani, 1989). While the UNICEF initiated the study, it was also motivated by the concern of internal actors that 'no provisions of the Convention come in conflict with the constitution of the Islamic republic' (Jillani, 1989, p. 2). The study highlighted a number of flaws, including those relating to: constitutional provisions and laws that protect basic human rights and which are applicable generally to all citizens but not specifically to children; laws comparable with the provisions of the Convention but with some structural changes; laws not directly comparable with the provisions of the Convention or are silent on the subjects covered in the Convention (Jillani, 1989). This review suggested, among other things, a compilation and revision of existing children-related laws in Pakistan.

Three years later, the National Commission for Child Welfare and Development (NCCWD), in collaboration with the UNICEF, started a compilation of existing legislation related to children. An eminent Pakistani legal scholar, Sardar Mohammad Iqbal Mokal, undertook a review of 31 pieces of legislation including acts, ordinances and prescribed rules enacted between 1860-1991 both at the federal and provincial levels (Mokal, 1992). This compilation was completed in 2003 and included 78 pieces of legislation categorised into those relating to the criminal justice system, cultural issues, economic matters, education, family protection, health affairs, immigration, general welfare, registration and social welfare (Ministry of Social Welfare and Special Education 2005). This review did not include *shari'a* law in its own right; however, it did cover laws relating maintenance, guardianship, custody of children, inheritance and Islamic punishments, all of which are formulated and implemented according to the provisions of Islamic *shari'a*.²

The most striking feature of these legislative reviews and compilations, which is important with regard to child protection conceptualisation, enactment and practice in Pakistan, is that neither the constitution nor any single law directly covers child protection issue. This is a fact acknowledged time and again by various stakeholders including the United Nations Committee on the Rights of the Child (in its concluding observations on Pakistan's second and combined third and fourth periodic report), by the Pakistani civil society (SPARC, 2009) and by the Government of Pakistan itself (for example, in preamble to the draft Child Protection Bill 2005-06, revised 2009, and the draft National Child Protection Policy 2009).

The Constitution of Pakistan guarantees 'every citizen, wherever he may be' (children are not mentioned separately) fundamental rights. For example, Article nine provides for the security of person has, Article 11 prohibits slavery and forced labour, article 14 ensures the dignity of man, Article 22 covers the rights of minorities and Article 25 promises equality for citizens (although, section 25(3) further provides that this equal protection clause shall not prevent the state from making special provisions for the protection of women and children). In addition, the constitution obliges the state to protect the institution of marriage, the family, the mother and the child (Article 35). However, most of these principles of policy are mere aspirations and intentions of the state (Jillani, 1989). Only a few are covered by other laws, for example, protection from exploitative labour. In addition, the use of engendered language deprives vulnerable populations, such as women and children, from having a voice and from demanding their constitutional rights. Nevertheless, commentators of Pakistan's constitution and legal system note a tendency towards legal pluralism including the international human rights, the provisions of *Qur'an*

and *sunnah* and the civil law in interpreting the constitutional commitments to equality, justice and welfare (Lau, 2006; Yilmaz, 2011). This tendency has favored underprivileged groups such as women and minorities (Yilmaz, 2011). With regard to approach to the constitutional status of children, in Alston and Tobin's (2005) categorisation of the constitutions of the countries of the world,³ the Pakistani constitution falls into the 'special protection' category with a limited range of children-related provisions.

Further, none of the 78 children-related laws defines or is directly aimed at child protection. One reason for this can be explicated in the particular background of Pakistan's legislative and justice system. Most of Pakistan's basic criminal law (as laid down in the Pakistan Penal Code 1860 (PPC), the Criminal Procedures Code 1898 (CrPC) and the Evidence Act) was framed in the late nineteenth century under British colonial rule. The main objective of these laws was the maintenance of law and order in the colony and not the provision of justice to the common people.⁴ Therefore, the first striking feature of the offences listed in the Pakistan Penal Code is their categorisation into cognizable and non-cognizable offences⁵ -- a unique incorporation by the colonial British law makers in the Indian Criminal Justice System. This incorporation reflects the colonizers' concern primarily with those offences that could upset the balance of power in society with regard to state rule. Thus, the state did not intend to get involved in disputes among citizens in order to protect the weak (Federal Investigation Agency, 2006). So, for example, a petty theft was made cognizable while hurt, wrongful confinement, forcing an abortion on a woman against her will or a child gone missing⁶ were all classified as non-cognizable.

After independence, some amendments regarding offences against women and some special laws for the protection of children in specific situations were introduced. However, their effective use is still under question (Waheed, 2010). In fact, one Pakistani feminist described the country's criminal justice system as a 'patriarchal system in a patriarchal society' in which 'the state's accommodation of the orthodoxy has resulted in its continuous resistance to challenging personal laws'-- an arena that most affects women and children (Bokhari, 2009, p.3). Laws having implications for the safety and protection of a child in specific situations include certain provisions of the Pakistan Penal Code such as Section 82, 83 (which sets a minimum age for criminal responsibility), section 89, 90 (which allow care-givers to employ mild to moderate punishment, which may cause harm to a child but is not considered as an offence for the act is done in good faith), section 361-369 (which makes punishable abduction of a child) and section 370-374 (which prevents slavery and selling or buying persons for prostitution, compulsory labour). It also

includes provisions under the Criminal Procedure Code such as section 29 (which provides special trial for an offense committed by a child under 15 years of age), section 382 (which postpones the execution of a pregnant woman), section 399 (which requires child offenders under 15 to be sent to Reformatory school), section 491 (habeas corpus, custody of children), section 497 (which provides bail of a child under 16 in a non-bailable offence) and section 552 (which prevents abduction or unlawful detention of a female child below 16). In order to bring these laws in line with the provisions of the UNCRC, some have been replaced by new laws, for example, the Criminal Procedure Code provisions related to juvenile offenders have been replaced with the Juvenile Justice System Ordinance 2000. Others are under consideration for amendment, for example PPC section 82 which seeks to raise the minimum age for criminal responsibility from 7 to 10 or 12 years.

In addition to the provisions of the Pakistan Penal Code and the Criminal Procedure Code, some legislation has been enacted specifically in regard to children's issues both at the federal and provincial levels.⁷ Such legislation falls in three categories. First are those laws retained as such from the colonial period, including the Majority Act 1875 (fixing age of majority at 18 years), the Guardianship and Wards Act 1890 (which provides for appointment of legal guardians for children under 18 years of age) and the Child Marriage Restraint Act 1929 (banning marriage between children and with children where a child is defined as male person under 18 and female under 16 years). The second type includes the legislation enacted in the colonial period but amended after independence, especially as part of the process of review to bring Pakistani laws in line with the provisions of the UNCRC. Most notable in this category is the Employment of Children Act 1938 (amended as the Employment of Children Act 1991), which prohibits the employment of children below 14 years of age in certain occupations,⁸ which is partly in line with the provisions of the ILO Convention 138.

In the third category come those laws enacted after the independence according to emerging needs of children. Most of these laws are based on a traditional social welfare focus on one hand, that is, on delinquents or those in need of supervision and, on the other on dependent or neglected. Examples of laws in this category include the Punjab Children Act 1952 (which deals with state custody of destitute children, and offences against children under 14 years of age), the Sindh Borstal Schools Act 1955 (which provides for detaining offenders aged 16-21 years in borstals), the Sindh Children Act 1955 (which provides for custody, protection, treatment and rehabilitation of children and youthful offenders), the West Pakistan Control of Orphanages Act 1958, the Juvenile Smoking Ordinance 1959 (which bans public smoking by children

under 16 years of age), the Pakistan Suppression of Prostitution Ordinance 1961 (which prohibits the attraction, attention by words, gestures, wilful and indecent exposure of the body for the purpose of prostitution of a girl under 16 years of age and criminalise the person buying sex), the Punjab Supervision and Control of Children Homes Act 1976 and the Punjab Children Ordinance 1983 (which provides for looking after the children under 15 in need of control, care, protection and rehabilitation). Some comparatively recent laws including the Juvenile Justice System Ordinance 2000 (JJSO) and the Prevention and Control of Human Trafficking Ordinance 2002 continued the earlier welfare focus on the most vulnerable children. However, some other laws such as those codified for provision of compulsory primary education in Punjab (1994), the Khyber Pakhtunkhwa (1996), Sindh (2001) and Islamabad Capital Territory (2002) are aimed at the overall welfare of the general child population.

Pakistan's first ever specific child protection law has only been comparatively recently developed. The Punjab Destitute and Neglected Children Act 2004, commonly known as the Child Protection Act, aims at 'consolidating the law for the rescue, protective custody, care and rehabilitation of destitute and neglected children in the province of Punjab, other than those involved in criminal litigation' (Government of Punjab, 2004, preamble of the Act). The Act provided for the establishment of the Punjab Child Protection and Welfare Bureau-- the 'first ever child protection system in Pakistan' (Ministry of Social Welfare and Special Education, 2005, p. 37). The Act and the resulting child protection system have instigated a number of protection-related initiatives that have been taken up since its enactment. Amongst these initiatives, most prominent are the efforts underway in Khyber Pakhtun Khwa and Sindh provinces to replicate the Punjab model of child protection including the legislation and the establishment of child protection services, though in modified forms.

At about the same time, both the Government of Pakistan and the UNICEF agreed to make child protection one of the areas on which to collaborate in the 2004-2008 UNICEF program cycle. UNICEF then established child protection as a separate program in Pakistan and allocated resources to it (UNICEF, 2004), which created a momentum in the country with regard to child protection legislation and policy. The Government of Pakistan included child protection along with education, health, HIV/AIDS and the commercial and sexual exploitation of children as priority areas for state action in the second National Plan of Action for children, 2005. The first child protection specific federal law, the Protection of Children Act, was also drafted in 2005. The draft bill identified protection violations, prohibited child sexual abuse and exploitation, proscribed traditional harmful practices and harmful vocations

for children, described measures to prosecute perpetrators and chalked out the types of child protection services to be provided (Ministry of Social Welfare and Special Education & National Commission for Child Welfare and Development, 2006). The bill was revised three times following wider consultation with a range of stakeholders including the relevant government departments, non-governmental organizations working on children's issues, the law enforcement agencies and parents and advocacy campaigners who lobbied parliamentarians. However, finally, when the bill was submitted by the Ministry of Social Welfare in 2007 for cabinet review and approval, it was sent back to the ministry with the advice to first develop a national child protection policy (Sardar, 2008). It was also noted by the cabinet that some provisions of the bill fell under the purview of provincial governments, while others related to criminal law and procedures that came under the federal government responsibility (SPARC, 2009).

Responding to the above objections, the Ministry of Social Welfare, with the support of non-governmental organisations, decided to review the Protection of Children Bill (2005/2007) yet again. Considering the objections to the draft bill, three separate bills covering the issues given in the original bill were drafted. The first, the Protection of Children (Amendment) Bill 2009 proposed amendments to the Pakistan Penal Code on issues of minimum age for criminal responsibility, corporal punishment and criminalizing cruelty to children, child pornography and internal child trafficking. The other two included the National Commission on the Rights of Children Bill 2009 (which propose the establishment of an independent child rights commission with full authority, replacing with the NCCWD) and the Child Marriage Restraint (Amendment) Bill 2009 (which seeks to raise the minimum marriageable age for females from 16 to 18 years).

In between the second (2002) and combine third and fourth periodic report (2009) to the United Nations Committee on the Rights of the Child, the Government of Pakistan put a lot of emphasis on legislative measures that will create a protective environment for children (SPARC, 2009). However, all these efforts remained a work in progress until the 18th constitutional amendment was made in 2010, according to which social welfare including the children's issues became a provincial jurisdiction. Even before the 18th amendment was enacted, the United Nations Committee in its concluding observations on Pakistan's 2009 report raised concerns about the delays in the adoption of these laws (CRC/C/PAK/CO/3-4, para. 8,9), placing a particular emphasis on protection measures (CRC/C/PAK/CO/3-4, para. 82-101). The Committee also noted some existing legislation such as the *Shariah Nizam-e-Adl* Regulation 2009, ⁹the *Zina* (Enforcement of *Hudood*) Ordinance 1979¹⁰

and the Frontier Crimes Regulation 1901¹¹ (FCR) remain in conflict with the principles and the provisions of the Convention (CRC/C/PAK/CO/3-4, para. 10,11) and, as such, is detrimental to the protection of Pakistani children.

Alongside the revision of the draft Child Protection Bill, the Ministry of Social Welfare also started drafting the national child policy. In fact, such a policy was long since due as the Ministry of Finance refused to fund the National Plan of Action (NPA) for children 2005-06 with the observation that, in the absence of a national child policy, no financial allocation could be made to the plan. The draft National Child Protection Policy was first released in March 2009. The draft policy focused on the legislative environment which included laws on banning corporal punishment, raising the minimum age for criminal responsibility, prohibiting domestic child labour, defining a child as person under 18 for all purposes, criminalizing child sexual abuse, exploitation, pornography and child trafficking, institutional care standards and rules for the Child Protection Courts. The draft policy also provided for children-related institutional structures, child protection at community level, child participation, elimination of child labour, protection of children in emergencies, birth registration, child protection services, juvenile justice and budgeting for child protection (Ministry of Social Welfare and Special Education, 2009). The policy is yet to be adopted.

In the meantime, Pakistan has been implementing a National Plan of Action for the Elimination of Child Labour 2000 and a National Policy and Plan of Action for the Elimination of Bonded Labour 2001, which both provide for protection of labour children in hazardous situations. The National Plan of Action for Women (1998) and the National Policy for the Development and Empowerment of Women (2002) promise special protections for girl children. The country has also adopted a National Policy and Plan of Action against Commercial, Sexual Exploitation of Children in 2006, which provides for the prevention, protection and recovery and rehabilitation of victims of child sexual abuse, a critical protection issue. While legislative and policy measures are important in protecting children from violence, abuse and exploitation, it is even more important that such measures respond to the specific context of child protection issues.

So far, the existing evidence suggests that Pakistani children experience a wide range of protection issues including individual incidents of violence, abuse and exploitation, and abuse and exploitation due to broader structural and institutional factors. Analysis in this article revealed that the existing legislative and policy frameworks do not deal with child protection as an issue in its own right, but, rather, tend to respond to various child protection issues on

an issue-to-issue basis, which leaves significant gaps between the existing legislative and policy frameworks in Pakistan, as examined above, correspond with the specific child protection issues that children face in Pakistan.

Section II

Gaps in Current Children-related Legislative and Policy Frameworks and their Implications for Child Protection in Pakistan

The above discussion of existing laws, policies and plans indicates that there are certain gaps in Pakistan's child protection legislative and policy frameworks. The efforts to develop a legal and institutional base for child protection seem to be issue-based and lack direction and consistency (Save the Children, Sweden, 2010). Further, these efforts are affected by popular beliefs, attitudes and practices about who is to be considered a child and how children should be treated (NCCWD & UNICEF, 2008). The following are some of the legislative and policy loopholes.

Definition of the Child

As noted earlier, Pakistan inherited some children-related laws from the colonial times. Since Independence, some new laws have been enacted and others amended. However, these laws were never synchronized with regard to a definition of the child. As a result, there is a complex range of definitions across legislation for who is to be considered a child. For example, according to the Majority Act 1875, a “minor” is a person who has not attained the age of 18 years. However, under the *Zina* (Enforcement of *Hudood*) Ordinance 1979, adult or “major” means a male person who has attained the age of 18 years and a female person who has attained the age of 16 years or who has attained puberty. Similarly, the age of consent for sexual activity and for marriage is 18 years for males and 16 years for females.

While the Pakistan Penal Code fixes the minimum age for criminal responsibility at seven years, the Criminal Procedure Code (section 497) provides special concessions such as the granting of bail in non-bailable offences when the offender is less than 16 years of age. In a further example, the Juvenile Justice System Ordinance 2000, which overrides all existing laws relating to juveniles, defines the child as a person below 18 years of age. However, in 2004 the Lahore High Court revoked the JJSO¹² with effect for the whole country on the grounds that this law unduly privileges juveniles but ignores the fact that the Constitution of Pakistan allows special provisions for the protection of women and children without diminishing the rights of others. The court also held that people have made false statements regarding the age of an accused person in order to gain the benefits of protection under the JJSO;

therefore, it was found not to be worthwhile retaining a law which is inconsistent with the Constitution and which was also impractical (Amnesty International, 2005). Since this, the appeal against the Lahore High Court judgement is pending in the Supreme Court of Pakistan (SPARC, 2009).

The issue of the definition of the child is further complicated by the fact that the Constitution of Pakistan does not directly define a child in terms of age¹³ except for Article 11 (3), which lays down that no child below 14 years shall be engaged in any factory or mine or any other hazardous employment. Arguably, it is reasonable to specify different ages for different activities and responsibilities reflecting the 'evolving capacity of the child' as per the Article 5 of the UNCRC. Therefore, the question seems to be whether the specified ages are reasonable. In answering this question, it must be noted that there are three dimensions to the concept of evolving capacity: 1) a developmental dimension, 2) a participatory or emancipatory dimension and 3) a protective dimension (Lansdown, 2005, p.15). This protective concept entitles children to certain levels of protection in recognition of their childhood status. Also, it requires determining a child's capacity for an activity or liability on certain well-defined principles such as intellect. Pakistani laws not only determine different ages for different activities and liabilities without identifying well-defined guiding principles (NCCWD & UNICEF, 2008), but they also discriminate children for the same purpose, for example, the minimum age for marriage. In fact, fixing 16 years as the minimum marriageable age for females, instead poses known maternal and child health risks due to early marriage and pregnancy, shows that this age limit is neither reasonable nor well thought at.

To further add to the complexity of the issue of the definition of the child, laws based on religious, tribal and/or traditional interpretations of justice such as the *Shariah Nizam-e-Adl* Regulation 2009 and the *Zina* (Enforcement of *Hudood*) Ordinance 1979 make no special provisions for children. Rather, these laws treat children on a par with adults. In short, the complex issue of the definition of the child in terms of age which has been raised in Pakistan due to the arbitrary fixation of age for different purposes (e.g., marriage) and to inconsistencies within and between international, national and customary laws has serious consequences for child protection policies and programs in Pakistan. Such arbitrary definitions of the child fundamentally hamper any attempt to legislate and implement a comprehensive child-related law that takes into account the level of protection that children are entitled to in recognition of their childhood.

The concept of child protection

While the Constitution of Pakistan promises special provisions for the protection of women and children, and the country's legal system anchors the protection of children in both the Constitution and in family codes, it does not explicitly define 'child protection'. As is clear from the above discussion of Pakistan's legislative frameworks, the country has a number of federal as well as provincial laws related to children. With the exception of the Punjab Destitute and Neglected Children Act 2004, which is considered to be the first child protection legislation introduced in Pakistan, no laws apply either the language or express the intent of protection. The Act provided for the establishment of the Child Protection and Welfare Bureau (Government of Punjab 2004). The Bureau's stated mission is 'to work towards an environment, in which families, communities, organizations and governments ensure that children's physical, social and psychological *needs are fulfilled*, so that they grow into healthy, *contributing members of society*' (Child Protection and Welfare Bureau, 2008, p.17 emphasis mine). Clearly, according to this statement, the mission is the 'fulfillment of needs' to ensure children's potential 'contribution in society' rather than either ensuring child protection in its own right or the protection of the rights of children.

Further, the institutional mechanisms of the Bureau reflect a narrow curative and interventionist concept of child protection. For example, a core function of the Bureau's Child Protection Unit is to rescue neglected and destitute children – who are living on the streets who are involved in begging, hard manual labour and other exploitations -- and then re-unify them with their families. The Child Protection Institute of the Bureau provides the residential care arrangement for those children whose families could not be traced (Child Protection and Welfare Bureau, 2008, pp.20-51). Child victims of abuse are thus removed from the abusive situation and are either re-unified with their poor families (most likely to return to the streets and/or exploitative work) or are placed in the institutional care (Enterprise for Business Development & Management, 2009). The causes of abuse, especially the structural causes, remain and continue to manifest themselves.

It is these manifestations, rather than root causes of abuse, that have been the focus of policy, planning and intervention in Pakistan. For example, in its 2004 'Strategy and Major Lines of Action' for creating a protective environment for children in Pakistan, UNICEF noted certain manifestations of child protection issues such as child labour, children without primary caregivers, minors in conflict with the law, sexual exploitation and abuse, harmful traditional practices and discrimination (UNICEF, 2004, pp. 4-7). Based on these

manifestations, UNICEF provided a conceptual and strategic framework for the attainment of a protective environment. The conceptual framework identifies underlying and structural factors that allow a 'child's unobstructed development' as 'a protected child'. The underlying factors¹⁴ are identified as government will and capacity; legislation and enforcement of protective laws in line with international treaties and standards; capacity of social service providers; services for recovery and integration following child protection abuses; awareness, attitudes and behaviour within families and communities; children's life skills; open discussion of child protection issues and monitoring and reporting of rights violations. The structural factors include poverty, democracy and respect for human rights, rule of law and culture (UNICEF, 2004, p. 3). While the framework acknowledges that the structural factors increase children's vulnerability to different types of abuse and exploitation, the main focus is on the underlying factors as reflected in the proposed child protection program strategies.

The first strategy aims at addressing the gaps in existing child protection legislation and ensuring its implementation through policy development, legal frameworks and law enforcement. The second strategy is the provision of recovery and reintegration services for child victims of abuse and exploitation. The third includes awareness raising and community mobilization around traditional practices and social norms that lead to violations of child rights. The fourth is to empower children with life skills, such as decision making and problem solving, coping with stress and pressure, interpersonal communication, self-awareness and empathy. The fifth and final strategy aims to open public dialogue and discussion of child protection issues (UNICEF, 2004, pp. 15-19). The Government of Pakistan adopted this strategic framework in its 2005 National Plan of Action (NPA) for children and in its 2009 draft National Child Protection Policy (Ministry of Social Welfare and Special Education, 2005, 2009).

This framework suffers from a number of conceptual and practical flaws. First of all, it tends to conceptualise child protection as a set of manifestations seemingly self-contained and independent of each other. Secondly, it fails to explicitly establish a generic causality between manifestations and their root causes and to relate them to sources of response and prevention, that is, to the factors that underlie protective environments. Take for example, child labour. In Pakistan, existing research studies of child labour suggest that the labour children are vulnerable to all kinds of exploitation and abuse including economic exploitation, physical punishment, emotional and sexual abuse and trafficking for labour (Kamal, 1999; Working Group Against Child Sexual Abuse and Exploitation & Save the Children, Sweden, 2009). Further,

empirical research in Pakistan and elsewhere identifies broader structural elements such as poverty, lower budget allocations for the social sector, intensive urbanization and social beliefs and attitudes towards children and child work as the chief causes of child labour (Burra, 1998; Khan, 2007; Myers, 1991; Weiner, 1991; Weiner & Noman, 1995). According to this evidence, child labour emerges as a multidimensional phenomenon that is caused by a complex set of individual and structural factors and that generates even more complex and interdependent effects. Such a complex issue cannot be addressed by strategies such as those described above which focus on legislation relating the manifestations of protection issues in specific situations and on the recovery and reintegration services, without taking into account the root causes.

Some of these flaws have been addressed in the evolving conceptions of child protection. While a 1990s study by the then Secretary of the Pakistan Law Commission conceptualised child protection in terms of provisions made under the Pakistan Penal Code and the Criminal Procedure Code (Hussain, n.d.), a 2005 study commissioned by the UNICEF conceptualised child protection in five thematic areas: children without primary care-givers; child labour; child trafficking; child sexual exploitation; and violence against children outside armed conflicts (Raasta Development Consultants, 2005). In 2006, Pakistan's Federal Investigation Agency (FIA) within the Ministry of the Interior commissioned an *Analysis of Enforcement Gaps in Child Related Protection Laws*, from an independent organisation, the Community Uplift Program. Unlike earlier research, which focused on particular child protection issues, this study acknowledged that 'child protection is a vast subject that encompasses various aspects that we need to take at the societal level as well as at the law enforcement level as part of the larger strategies for prevention of crimes against children' (Federal Investigation Agency, 2006, p. 6).

In 2008, the National Commission for Child Welfare and Development (NCCWD) and UNICEF commissioned a *Knowledge, Attitudes, Practices Study on Child Protection Rights and Responsibilities*. This study was also conducted by an independent organisation. The study identified 18 manifestations of violations of the protection rights, ranging across children without primary care-givers, children who are trafficked, children who are sexually exploited to children subjected to violence ranging from corporal punishment to sexual abuse and various forms of child labour. Although the study examined the societal and structural causes of violations of children's protection rights, it did not recommend any broad structural changes such as the provision of free education or poverty reduction. Instead, the study proposed a 'seamless' service for children in need of protection, emphasizing

the need for sensitization and orientation of all those concerned including children, parents, school staff and law enforcement agencies and the establishment of child protection services (NCCWD & UNICEF, 2008, p. 10). Nevertheless, these studies show a gradual broadening of the concept of child protection in Pakistan.

UNICEF as a lead agency in all activities relating to children, too, has made considerable progress in its child protection programming and strategy. In 2007, the UNICEF's East Asia and Pacific office provided a comprehensive conceptual framework for child protection, which addressed some of the flaws of the 2004 framework, especially those relating to the relationship between problems, causes and sources of responses in a given socioeconomic, political and cultural context, a child's immediate environment and the prevention and response system (Hong & Birdle, 2007). In 2008, the UNICEF executive board adopted a child protection strategy to 'create a protective environment, where girls and boys are free from violence, exploitation, and unnecessary separation from family; and where laws, services, behaviours and practices minimize children's vulnerability, address known risk factors, and strengthen children's own resilience' (United Nations Economic and Social Council, 2008, p.1).

However, child protection policy and practice in Pakistan is still largely informed by the 2004 framework, as reflected in the 2005 National Plan of Action for children and the 2009 draft National Child Protection Policy, both of which tend to address specific manifestations of child protection problems. While child protection conceptualised in terms of the manifestation of an issue may provide immediate scope and justification for practical intervention to address that particular manifestation, it does not create protective environment. Rather, as the existing literature suggest, it leads to a narrow curative (*versus* preventive) approach, which aims at any intervention to protect children only when an incident of maltreatment has occurred, that is, when a protection issue is manifested (Calvert, 1993; Helfer, 1982). Secondly and consequently, child protection systems based on a curative approach have failed in many countries around the world in terms of cost, coverage and prevention of future abuse and exploitation, among other things (Dingwall et al., 1983; Lonne et al., 2009; Melton, 2005; Parton, 1985; Scott, 2006). In a country such as Pakistan, where protection issues are pervasive, widespread and deeply rooted in the social structures, and resources are very few, a policy aimed at curing manifestations of child protection issues may not be effective, sustainable or, indeed, able to meet the needs of all children.

Conclusion

To sum up, the above analysis reveals a situation where a plethora of laws and policies relating to children does exist, however, not a single law directly addresses the child protection issue in its own right. These legislative and policy provisions do not appropriately address some child protection issues and completely disregard others. By way of reiteration, apparently, the issue of child labour -- not only in its own right, but also as a protection issue -- has received a good deal of attention in terms of legislation and policy. However, on a deeper analysis, it is not hard to discern that legislating a minimum age for work is no solution to the problem unless poor children and their parents are offered alternatives to child work such as some social protection allowance, financial assistance and education facilities. In fact, removing children from streets or from hazardous work may push them to even more risky situations, for example, domestic work, which is beyond state intervention, thus, adding to the complexity of the problem of child labour. Such a situation implies that the sketchy legislative and policy provisions, as above, neither correspond with the existing reality of child protection issues nor are they effective in the long run. Rather, such frameworks may actually increase and perpetuate child protection problems, thus, depriving Pakistani children from one of their basic rights, that is, right to protection. Therefore, this article emphasises the need for wholesale legislation and policy at federal level to reduce the current level of vulnerability of children in Pakistan.

End Notes

- ¹These include the Majority Act 1875, the Guardians and Wards Act 1890, the Child Marriage Restraint Act 1929, the Claims for Maintenance Ordinance 1959, the Muslim Family Laws Ordinance 1961, the West Pakistan Family Court Ordinance 1964 and the Hudood Ordinance 1979. Some of the Shari'a laws that form the basis and offer interpretation of these laws are non-codified and vary from sect to sect (Jillani, 1989; Fayyazuddin, Jillani & Jillani, 1998).
- ²These include the Majority Act 1875, the Guardians and Wards Act 1890, the Child Marriage Restraint Act 1929, the Claims for Maintenance Ordinance 1959, the Muslim Family Laws Ordinance 1961, the West Pakistan Family Court Ordinance 1964 and the *Hudood* Ordinance 1979. Some of the *Shari'a* laws that form the basis and offer interpretation of these laws are non-codified and vary from sect to sect (Jillani, 1989; Fayyazuddin, Jillani & Jillani, 1998).
- ³With regard to the constitutional status of children, Philip Alston and John Tobin (2005) in their study of some key legal and constitutional aspects of the impact of the UNCRC on children's well-being categorise world constitutions into three: the 'invisible child' constitution; the 'special protection' constitution and; the 'children's rights' constitution (Alston & Tobin, 2005, p. 21).
- ⁴The criminal justice system in colonial India has long been a subject of research and debate among historians, orientalists and law experts (Benton, 2002; Chatterjee, 1996; Kolsky, 2005, 2010; Singha, 1999). Almost all these experts noted the particular focus on law and order *versus*. provision of justice to citizens.
- ⁵According to the Pakistan Criminal Procedure Code, a cognizable offence is one in which the police are empowered to take immediate action on a complaint by visiting the scene of a crime, conducting an investigation and arresting an accused involved in a cognizable crime without a court warrant. A non-cognizable offence is one in which police can neither register a First Information Report (FIR) nor investigate nor effect an arrest without express permission or directions from the court. These are mostly left to the effected parties to pursue in courts.
- ⁶Following the 1999 serial killings of 100 children in Lahore, it was found that police did not register a complaint when parents of some of the victims contacted police when the child first had gone missing (Rehman et al., 2000). The police justified themselves by saying that the CrPC authorized them to register a complaint only upon the commission of a cognizable offence, which, 'missing' per se is not.

- ⁷The Criminal Law (Amendment) Act 2004 deals with exchange marriage, child marriage and traditional practices of *vani/swara* (exchange of females for settlement of disputes) and the Protection of Women (criminal laws amendment) Act 2006 deals with rape, kidnapping, inducing a woman to compel her for marriage, selling/buying a person for prostitution, deceitful cohabitation and detaining a woman with criminal intent.
- ⁸As a general rule, federal laws override provincial laws pertaining to the same issue.
- ⁹The Act is under review after Pakistan ratified the ILO Convention 138 in 2006. The convention sets the minimum age for admission to all work at 14 years.
- ¹⁰This regulation overrides all other laws, including JJSO in Malakand division (an administrative unit in Khyber Pakthunkhwa province) where children are treated on par with adults.
- ¹¹This ordinance overrides all other laws including JJSO, punishes *zina* (unlawful sexual intercourse) with whipping or stoning to death for males over 18 and females over 16 years of age or who reached puberty. Also, it does not deal with the sexual abuse of a child.
- ¹²FCR is the sole law for the Federally Administered Tribal Areas where Pakistani laws are not applicable. It was enacted in colonial times, comprising substantive and procedural law relating to criminal and civil matters while retaining elements of traditional justice. In FCR, there were no special provisions for children and children were treated on par with adults until an amendment was enacted in 2011, which provides for protection of children under 16 from collective responsibility and detention.
- ¹³Farooq Ahmed vs. Federation of Pakistan, PLD 2005, Lahore 15 (6 December 2004)
- ¹⁴A child is considered a citizen by birth and the constitution promises 'equality of citizens' (article 25). However, both the issuance of the national identity card and suffrage occur at 18 years of age.
- ¹⁵These underlying factors were identified in the Protective Environment Framework (PEF), set out in the 2002 UNICEF Operational Guidance Note, as broad elements that are critical to good protection.

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Application of Demographic Variables in Measuring the Perception of Child Trafficking in Khyber Pakhtunkhwa, Pakistan

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Abstract

Across the globe, although tremendous efforts have been carried out for controlling crimes and violation of human rights but it is also a fact that the intensity and magnitude of crimes are increasing with the passage of time. Child trafficking is also one of those social problems and inhuman acts strengthening its roots all over the world particularly in developing countries, like Pakistan with alarming consequences for the society in general and for children in particular. The vulnerability of children to trafficking is due to wide range of factors associated to it, like false promises and hopes of children employment to the poor parents (Aronowitz, 2001), high financial benefits for traffickers (Keefer, 2006), poor law enforcement, and cooperation of law enforcement and politicians with traffickers (Sen, 2003). This study was conducted in district Peshawar, Khyber Pakhtunkhwa, Pakistan with sample size of 392 respondents (i.e. 116 university teachers, 173 advocates and 104 journalists) to probe out that how demographic variables such as profession, location, gender and marital status manipulate their perception of child trafficking. Results of the data analyses, using independent t-test, showed a statistically significant positive relationship. It is recommended to devise a thorough and careful awareness raising strategy, provide more educational facilities and job openings to the masses and laws implementation in the region.

Key words

Perception, Child trafficking, Profession, Residential location, Gender, Marital Status

Introduction

Children, from futuristic perspective, are the endowment of a nation. However, being weak, they are dependent on society for their growth and grooming. The fragile and careless society put them in such a situation that distorts their psychological being, morality and personality. Family and state failure are the main players responsible for making children vulnerable to trafficking.

The UN Convention Against Transnational Organized Crime (2000) defined child trafficking as

“the recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, abduction, fraud, deception, of abuse of power, giving or receiving of payments or benefits to achieve the consent of a person having control

over another person for the purpose of exploitation; exploitation shall include, at a minimum, prostitutions, other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”

(UNICEF, 2000: and Azam, 2009)

Trafficking is a set of interrelated activities that encompass migration, prostitution as well as acts that violate human and children's rights. The term signifies the illicit trade in human beings across international borders or within the same country (ILO, 2002). Trafficking can be seen in different forms including the selling of children by parents for small financial return. This process usually emanates through placing the child with creditor's family as reimbursement or with a job promise/provision of quality education and training to the trafficked kids where they are kept in discharging their activities revolving around prostitution, domestic helpers and camel jockeys (Aronowitz, 2001).

Families with features of low profile, abusive environment, broken, with less economic resources and more population put children into a vulnerable position to be easily targeted by traffickers (Bales, 2001; Clawson, 2009). Improvement in legal framework, strong accountability in the law enforcement and judiciary, training of the concerned officials, inter agencies, regional and international cooperation will increase the risk of execution and punishment and resultantly the motivation of the traffickers will lower down and hence, the objective of controlling the crime of child trafficking will be achieved (Klueber, 2003; Carr, 2012). Deepening poverty, deteriorating living conditions, persistent unemployment, population explosion and hopelessness cultivate the environment for child trafficking (Salah, 2004). The literature so far concludes that the poverty stricken families whose population is larger in size and the resources are scarce in addition to the rise in unemployment and lack of alternative economic opportunities turn the children of such families to be the most vulnerable and could be easily targeted by the traffickers as the economically sound people do not support this vulnerable chunk of population. Further, traffickers enjoy the profitable business, being mostly supported by the corrupt officials throughout the world (Brodrick, 2005). Political instability, weaker writ of law, militancy, and forced displacement are associated with child trafficking (Tumlin, 2000; Kapstein, 2006). Gender inequality, customary practices of purchased marriages (bride price), exchange of girls for dispute settlement (*swara*), non-reporting of the trafficking cases due to the fear of shame and insult and fear of honor killing are the causes of trafficking (Klueber, 2003; Chung, 2006). Lack of educational opportunities, ignorance of parents and community, dropped out children due to harsh attitude of teachers turn children

suitable targets for trafficking. This situation also encourages and motivates the traffickers and the incidence increases. The capability of guardians to protect and care their wards is impotent due to ignorance and lack of wisdom (Mirza, 2010; Hughes, 2000).

Henry (2003) and Purzak (2006) studied demographic variables with references to its influence upon the perception of teachers in case of bullying behavior in elementary and high school students. A statistically significant result was obtained while using t-test for analyzing the difference between perception of bullying behavior of elementary school teachers and high school teachers. It shows that teaching in different schools resulted in different levels of perception of bullying. It is a clear indication of the influence of demographic variable on perception of the respondents.

Similarly, gender has a statistically significant influence on views pertaining to different issues in the world. Female, as contrary to the views of male counterpart, perceives human trafficking as a money making machine. However, male considers it a tool of exploitation (Osakue & Okoojion, 2002; Madunagu, 2002; and Ngban et al., 2009). Henry (2003) and Purzak (2006) found that gender as a demographic variable had no significant influence upon the perception of teachers regarding bullying behavior. In other words, these studies found through comparative statistical t-test that there was no difference in the perception and views of elementary school male and female teachers as well as in high school male and female teachers.

Residential location, the area where people belong to, is reported to have a significant effect on the understanding, cognition and overall personality of the person (Fontana, 1981; Ngban et al., 2009). The culture of rural, urban and even suburban areas is obviously different and distinct from one another. Hence, its effects on the dwellers could easily be detected from their views regarding world (Fontana, 1981; and Griffiths, 1990). People of the rural locality consider child trafficking as a source of mitigating the trouble rather than exploitation (Ezewu, 1983). Contrary to the findings of Fontana (1981); Griffiths (1990); and Ngban et al., (2009) regarding the nature of the residential location of people on their social structure, Purzak (2006) pointed out that residential location, that is brought up in either rural, urban, or suburban areas, had no statistically significant effect on the perception of high school teachers of bullying behavior.

This research work tries to find out some demographic variables such as profession, location, gender and marital status that are likely to influence respondents' perception of child trafficking in Peshawar.

1. Materials and Methods

This study highlighted the perception of respondents on the issue of child trafficking, where logical and statistical inferences were drawn while keeping in view the research methodology given below.

This study was conducted in district Peshawar (capital of the province of Khyber Pakhtunkhwa, Pakistan). Survey method was used by using questionnaire as instrument for data collection. Questionnaire covered different demographic variables and questions about respondents' perception on child trafficking.

A sample size of 392 was selected from the total population (i.e. 453) through random sampling and was distributed among all three strata proportionately by applying formula of $NI = Ni/N*n$ (i.e. 116 university teachers, 173 advocates and 104 journalists). For statistical inferences and for reaching into a logical end, Independent t-test was carried out. For pilot test of the instrument sixty (60) respondents from three strata were approached. For ensuring the variables' internal consistency, the result of Cronbach alpha was .71 which is often considered appropriate for research in social sciences (Haller & Klein, 2001; Witte & Witte, 2004; and Khan, 2012).

2. Results

T-test was used as the appropriate statistical test for analyzing the data. Null hypotheses were tested for reaching to the decision of being rejected or accepted. The null hypotheses framed for the study were i) $H_0 =$ There is no significant difference with reference to profession and perception of child trafficking, ii) $H_0 =$ There is no significant difference with reference to residential location and perception of child trafficking, iii) $H_0 =$ There is no significant difference with reference to gender and perception of child trafficking, and iv) $H_0 =$ There is no significant difference with reference to marital status and perception of child trafficking.

In other words profession, residential location, gender and marital status do not significantly influence respondent's perception of child trafficking.

Results of the present study was significant ($p < 0.05$) with references to profession and perception of child trafficking. Further, the calculated t-value, i.e., 2.07 is higher than the critical t-value, i.e., 1.97. On the basis of these results the null hypothesis is rejected. It depicts that professions significantly influence peoples' perception of child trafficking (See Table No 1).

Table No.1: Independent T-Test Analysis of the Influence of a Profession on Respondents' Perception of Child Trafficking

Group NT	N	T	P < 0.05
Advocates	173	2.07 (1.97)	
Journalists	103		

Results of the present study was significant ($p < 0.05$) with references to residential location and perception of child trafficking (See Table No II). Here, the calculated t-value 2.97 is higher than the critical t-value, i.e., 1.98. Hence, the null hypothesis, i.e., there is no significant difference with references to residential location and perception of child trafficking, is rejected. It means that there was significant difference among rural and urban people regarding perception of child trafficking (See Table II).

Table No II: Independent t-test analysis of the influence of residential location on respondents' perception of child trafficking

Group	N	T	P < 0.05
Urban	220	2.97 (1.98)	
Rural	172		

The result of the analysis furnished a t-value of 6.17, whereas the critical t-value is 1.95 at ($p < 0.05$) level of significance (See Table No. III). Based on the findings, the H_0 hypothesis was rejected. It means that there was a significant difference with reference to gender and perception of child trafficking.

Table No III: Independent t-test analysis of the influence of gender on respondents' perception of child trafficking

Group	N	T	P < 0.05
Male	331	6.17(1.95)	
Female	61		

Results of the study (see Table No. IV) gave the calculated t-value 3.87 which is higher than the critical t-value 1.95 at ($p < 0.05$) significant level. Therefore, null hypothesis, i.e., there is no significant difference with reference to marital status and perception of child trafficking, was rejected (See Table No. IV). It implies that there was a significant difference on the basis of marital status upon perception of child trafficking.

Table No. IV: Independent T-Test Analysis of the Influence of Marital Status on Respondents' Perception of Child Trafficking

Group	N	T	P < 0.05
Married	283	3.87 (1.95)	
Unmarried	109		

1. Discussion

The result of the analysis revealed that background variables are rooted in the personality of people and it has wide impacts on the world view of the respondents. Human beings are the product of society and its culture which exposes itself in their perceptions. Profession significantly influences respondents' perception of child trafficking. The findings of the present study are in agreement with Henry (2003) and Purzak (2006) who reported that teachers from different schools have different perceptions of bullying behavior.

Similarly, with references to residential location and perception of child trafficking, the result was significant. It means that there was significant difference among rural and urban people regarding perception of child trafficking (see Table 2). The findings are in line with the findings of Fontana (1981) and Ngban et al., (2009) who maintained that people from rural area are different in their perception of child trafficking than that of urban dwellers. Urban dwellers are more exposed to media and they get experienced more than rural people.

Also, the findings of the present study showed that gender as a demographic variable had significant influence on respondents' perception of child trafficking. This finding is in line with Osakue and Okoojion (2002) and Ngban et al., (2009) who concluded that, due to gender, perception of human trafficking was distinct between male and female. Female could easily be deceived as compared to male counterpart by traffickers. The present study also supported Madunagu (2002) who found that female perceive trafficking as an enterprise whereas male take it as exploitation. Contrary to the findings of the present study, Purzak (2006) and Henry (2003) found that gender as a demographic variable had no significant influence upon the perception of teachers regarding bullying behavior. It is inferred to be due to the lack of training of both the gender with respect to recognition and understanding of bullying behavior in the same school.

In addition, marital status was detected to be one of the influencing factors on the perception of respondents regarding world affairs. Married people are more understandable of the issue than single people.

2. Conclusion and Recommendations

The study focused on analyzing the influence of demographic variables, i.e., profession, residential location, gender and marital status on respondents' perception of child trafficking in Peshawar, Khyber Pakhtunkhwa. The study found that all these demographic variables are highly dominant with respect to perception of child trafficking. In order to prevent the escalating problem of child trafficking and harmonize the perception of society thereof, it is recommended to devise a thorough and careful awareness raising strategy, provide more educational facilities, job openings, and ensuring law implementation in the region.

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Gender Role Perception and Exposure to Violence at Schools: A Study of Selected Schools in District Mardan & Peshawar, Khyber Pakhtunkhwa*

Jamil Ahmad Chitrali & Prof. Dr. Anwar Alam

Abstract

Gender role perceptions shapes behaviors of students and therefore plays a major role in their exposure to violence at and around schools. The study was conducted in the district of Peshawar and Mardan, Khyber Pakhtunkhwa, Pakistan. A sample size of 522 respondents (54.6% boys and 45.4% girls) was randomly selected on proportional allocation basis from Grade 10 students. One school each of male and female and from the both districts having public and private schools were taken for this study. The uni-variate gender based analysis was analyzed through chi-square, percentages and other simple statistical measurements. The study examined shows that perceiving a task related to education or family for any specific gender was positively related to students' exposure to various forms of violence at school. Gender was also significantly associated to perception regarding gender based preferences for admission in science subjects ($p=0.000$). The level of significance was also high of gender with the issue 'whom not to return to school if get marries and child born' ($p=0.000$). Moreover, male had a key role as perpetrator of violence in all modes and manifestations, whereas, sexual assaults were kept confidential in fear of social stigmatization. A vibrant policy encompassing with respect to male role containment as perpetrator of violence at school and family under a strong policy of check and balance along with special focus on students living in hostels, egalitarian approach to both genders as potential threat of sexual violence and strong liaison of the family and school on the basis of sharing the issues pertaining to child well-being were forwarded some policy recommendations in light of the study.

Keywords

Gender Role Perceptions, Gender Based Violence, Punishment, Khyber Pakhtunkhwa

Introduction

Social role perceptions occupy strategic position in the development effects on children. A child is generally presumed to be guided by his/her socialization and indoctrination in peer group, including his/her response to violence. Even school education has greater effect on child's perception of violence.

*The Results drawn are based on Principal author's PhD dissertation in progress at Institute of Social Work, Sociology and Gender Studies University of Peshawar, titled "Dynamics of Gender Based Violence in Pakistani Schools: A Study of Selected Districts in Khyber Pakhtunkhwa" (unpublished)

Social role perceptions occupy strategic position in the development effects on children. A child is generally presumed to be guided by his/her socialization and indoctrination in peer group, including his/her response to violence. Even school education has greater effect on child's perception of violence.

School is the second most important institution that follows in its importance of child socialization after family, and meant for imparting formal education with several latent and manifest functions. The motive of learning is managed in a diversity of ways ranging from multidimensional participatory approaches to a strict administrative uni-directional approach. In its primitive forms of educational culture learning is associated with violent behavior through punishment especially in its internalization. However, the scenario got changed in the aftermath of different psychological tests and theories from the experts of the field highlighting the negative effects of societal perceptions on students' response to various forms of exposure to violence at school. The concept of gender is distinct from the traditional concept of sex, where sex distinction is based on biological differences of male and female while gender is based on sociological concept of social role. The social constructs of gender roles are most culturally based and mostly biased in favor of males awarding benefits and favors. This paper examines these gender role perceptions, as how they are sharing their contribution in learning of violence at schools besides other contributing factors.

Literature Review

Violence is structured in the institution of schools too like any other institution. Our schools produce violence as well as consume violence (Clive Harber, 2002, pp. 7-8). Considerable amount of literature has questioned the assumedly positive role and functioning of educational institution in today's societies (Dubet, 2003; C. Harber & Mncube, 2003; Clive Harber & Mncube, 2012). The discourse on school violence might be seen relatively as latest phenomenon but concerns resonated in earlier times as well. For example, in English history, concern about children's schooling, especially for boys was started back in 1693, when researchers questioned deficiencies of education system in inculcating writing and speaking skills among youngsters (Cohen, 1998). In the context of developed countries, the existence of school violence is attributed to phenomenon of mass education that started with the advent of industrialization.

This is because, being subject to controlled environment from early childhood to the age of sixteen or eighteen develops considerable amount of frustration (Eacute&Esteve, 2000), which cannot be undone without being externalized by the students in the form of violent reactions in children (Adams, 1991; Clive Harber, 1996), loss of creativity (Harber, 2002: 11), and increased drop out and repetition

rates (Tigges, Browne, & Green, 1998). This might occur because an individual's sense of coherence is composed of three elements, viz. comprehensibility, manageability and meaningfulness (Antonovsky, 1987). In line with this Bowen *et al.* (1998) explained with respect to school children these elements to be (a) learner's self-perception of feelings, (b) meeting the demands and challenges of education and (c) being engaged in school (Bowen, Richman, Brewster, & Bowen, 1998). This is the argument that is addressed in this paper. Bowen (1998) considers that these three components shape violence at school and this research finds that gender based violence is based on the first principle of Bowen (1998), that is Gender role perception and self-position of a student at school, especially at tender age like grade 8-10. Students highly remained dependent for their response mechanism to difference of opinion that they may experience in school sittings. The other two components discussed above are highly dependent on this first principle.

Alongside the institutions of hospital, prison, and factories, industrialization gave birth to the institution of school as means for creating order and docility in society (Foucault, 1977). These institutions operate as spaces of confinement, wherein the socially integrative duties of family – rear and care of children and dependents – have been taken away by *professionals* such as social workers, psychiatrists, police, teachers and prison guards who dictate manners to youngsters (Dubet, 2003). But is this mean of socialization safe and sound for children? We might be right in our belief that school is a powerful mean for value transmission, reformation and change (Griffin, 1978; Jones, 1975) through its role in raising critical thinking abilities and innovation in children (Omaji, 1992; Stromquist, 2007) but they also operate as a mirror of society ((Ngakane, Muthukrishna, & Ngcobo, 2012). Therefore, we must clearly understand as Tunley (1962) warns, that school is agency for violent behavior and attitudes (Tunley, 1962). It might be true that in the 20th century, family and religion have lost their ground to schools as primary means for socialization of children (Omaji, 1992). But some writers, for example Meighan (1997), argue that the idea of sending children to schools without their consent is a form of violence itself and an abuse of human rights: "... based on current model of the compulsory day-detention centre, is itself a bully institution" (Meighan, Barton, Walker, & Siraj-Blatchford, 1997).

Research Question

The question is why some students turn to be tolerant and others get out of schools as violent if the standards and philosophy of schooling is uniform?

Objectives

1. To find gender role perception among adolescent students of high schools
2. To see the dependency of gender role perceptions on gender of Respondents

Hypothesis

- H1:** There is a strong association between gender role perception and exposure to violence at schools
- H2:** Gender of students determines the perception that he or she might have for stereotype gender roles

Monitoring Variable Through Statements

The perception of students about gender roles was monitored in a separate section given in questionnaire asking various questions giving them options to choose if these characteristics belong to a specific gender i.e. boys or girls or applied to both. They were also given the option to abstain from choosing any of the option given if they do not understand, don't want to comment or to avoid the question by saying 'Don't Know'. The section basically asked about the understanding of students both male and female as respondents, what they believe in about intellectual superiority of any gender, fixation of certain jobs for gender specific roles and priority in better or prolonged schooling for boys and girls. Questions asked included Intellectual superiority of any gender, perception of students about Preference in Education given to any specific gender, Aggression as gender based feature, and preferences in nature of education to be given on gender basis rather than qualification or merit.

The section also enquired about gender based biases that exist among teachers towards students as students have developed perceptions about them. Students were also asked about their perception regarding problems related to sexual relations amongst themselves and with teachers. Whom they blame for these relations and whom they consider to be more cooperative with administration.

Conceptual Framework

Students' Perception of Gender Roles

The gender regime of school environment is partly based on the assumptions of boys and girls about are another and about themselves. That is they usually think in terms of their sex-role stereotyped. In addition to this teachers' authority give legitimacy to certain ways of conceptualizing one's gender identity. For

example, through the commonly observed maxim of 'boys will always be boys' and 'girls will always be girls', boys and girls conceive their intellectual abilities differently and sometimes in unequal terms.

Intellectual Superiority

The gender regime gets established and signified, for example, by ignoring or praising certain behavior traits and by punishing other acts (Jackson & Moore Iii, 2006). Moreover, adolescents view about intellectual superiority is the indicator as to how they associate certain forms of violence as *natural* for a specific gender group.

Level of Tolerance

The feminine and masculine identities also get entrenched through the hidden curricula and students' informal learning. For example, girls in many Asian schools are required to do cleaning while boys are required to do digging. Similarly, toleration and undermining of boys' violence as *slight offence* means that they are inculcating the idea that 'boys will always be boys' and that it is their *right* to be sometimes mischievous (Milligan *et al.*, 1992: 11).

Gender Based Choices in Selection of Subjects at Schools

Moreover, in relation to the previous indicator, girls and boys also develop different conceptions about their *aptitudes*. For instance, girls are often observed to pursue subjects and show interest in subjects which would prepare them for jobs such as nursing, teaching etc. but boys would choose subjects preparing them for engineering and other highly-paid vocational jobs. Therefore, determining as to how students perceive their educational environment, what do they prefer in terms of educational objectives are good signposts as to on what is their gender-identity based and how do they view members from opposite gender group.

Gender Based Punishments

Teachers usually adopt 'corrective' mechanisms such as corporal punishment, beating, bullying, harassment etc. (Rousmaniere, 1997, 2013). Moreover, teachers usually also ignore, praise or punish certain behaviors (Jackson,

2003). Conceived this way, teachers could be taken as agents of perpetuating or initiating a certain type of gender regime, for example, by ridiculing, punishing or ostracizing a girl for behaving 'like boys' or a boy for behaving 'like girls'.

Age as Determining Factor in Nature of Punishments

Existing research demonstrates that sexual assault and sexual violence especially of boys against girls and teachers against girls is the commonly documented form of violence. It has also been documented

that older students usually sexually oblige the younger ones. Hence, this indicator has been developed in order to identify the trajectories of sexual relationships among students and between students and teachers.

Participation in School Administration

Both in terms of age and gender, students usually differ in their approach to administrative set up of schools. A commonly observable phenomenon is that violent students are least likely to engage in cooperative behavior. They are also least likely to see cooperation with administration as worth-practicing behavior. Moreover, students' perception also vary in terms of which type of students are cooperative with school administration and which type are either not liking it or are not liked by the administration. This indicator has been developed to document these various aspects from the standpoint of students' perception.

Methods and Materials

Determinants for selection of schools and respondents were the first prerequisite here like for any social science research. The sample may contain very different schools, the challenge of defining schools and students according to similarity/difference categories and to look at the same sample of schools in both selected districts was a challenge. The study area comprised of eight high schools from the universe with four schools each from District Mardan and Peshawar respectively. The eight schools were chosen purposively. Both public and private sector schools were taken with each category being representing a male and a female school. Thus Mardan and Peshawar districts were represented by four schools each. The schools selected were chosen on the principle that only that school is to be picked which the maximum number of students has appeared in its grade 09 examinations most recently (June 2012 results). This was based on the assumption that the students of who appeared in grade 09 exams in the year 2012 are to be sitting in grade 10 at the time of field work for data collection. Data was collected through fieldwork for a period of

two month from December 28, 2012 to January 29, 2013. Peshawar is represented by schools namely Government Higher Secondary School No. 01, Peshawar Cantt.; Begum Shahabuddin Girls Higher Secondary School, Peshawar city; Islamia Collegiate High School, Peshawar and Peshawar Model Girls High School, Peshawar. Similarly District Mardan is represented in the study through Government High School for Boys Lundkhwar, Mardan; Government High School for Girls Katlang, Mardan; Mardan Model School for Boys Mardan; and Mardan Model School for Girls Mardan.

Sample Size

A sample of 522 was decided keeping into consideration the number of schools in the study area. The total population size stood at 1832 respondents as students of grade 10 in these selected Eight Schools of both District Peshawar and Mardan with their division shown below in the Table I.

Table I Gender based Population distribution in Government and Private High Schools in Selected Districts

Gender	DISTRICT					
	Peshawar*			Mardan**		
	Government	Private	Total	Government	Private	Total
Boys	7711	12551	20262	10297	3528	13825
Girls	4898	4180	9078	5250	931	6181
Total	12609	16731	29340	15547	4459	20006

Sources: * Result Gazette: Secondary School Certificate 9th, 2012 Annual, Board of Intermediate and Secondary Education, Peshawar. Khyber Pakhtunkhwa (14th June 2012). **Result Gazette: Secondary School Certificate 9th, 2012 Annual, Board of Intermediate and Secondary Education, Mardan. Khyber Pakhtunkhwa (12th June 2012)

The diversity of schools with respect to gender (male, female) and nature (Public, Private) provided a solid ground for the study, which could later on be used as models for replication of the study in other parts of Khyber Pakhtunkhwa Province.

Sampling Procedure

The sampling was done using two-stage group sampling method (Fowler, 1985, pp. 26-35; Levy & Lemeshow, 1991, pp. 265-267), the first group was the schools and the second group was the individual students which is a the unit

of analysis in this research. The basic idea in taking these two stages was to have random sampling because it was believed that each school had some similarity (homogeneous between groups). The methodology decided for the purpose of data collection chosen is to consider two schools one each male and female from public and private sector. Therefore, this study will be conducted in 08 schools. Sample students from schools of district Mardan interviewed were 196 out of total 1074. For district Peshawar the Sample number of students interviewed were 326 out of total 1320.

Table II. Sample Distribution of Grade 10th Students taken from Government and Private High Schools in Selected Districts

Gender	DISTRICT					
	Peshawar*			Mardan**		
	Government Total / Sample	Private Total / Sample	Total Total / Sample	Government Total / Sample	Private Total / Sample	Total Total / Sample
Boys	55/276	120/441	175/717	86/602	26/96	112/698
Girls	51/241	100/362	151/603	63/296	21/80	84/376
Total	105/517	20/803	326/1320	149/898	47/176	196/1074

$N=2394 (1074+1320) n= 522$

The researcher used proportion allocation method of sampling developed and considered classic for this type of studies (Bowley, 1920). The formula for sample selection given below:

$$n_1 = N1/Ni * ni$$

The research under discussion, decided to the technique of self-administered questionnaire with a unique technique applied keeping in view the local circumstances. In each school students were brought to a the central Examination hall available in all sample schools for the purpose of data collection on given date and time of visit to the schools. The researcher would explain the questions and all students fill their respective questionnaires themselves. This technique had benefits in that it improved the reliance of the respondents that “data provided would be held in the highest confidentiality” (Bartlett, 2009). The personal names of respondents were not included in the research tool to reduce the worries of respondents regarding response leakage to school authorities, peers and in some case parents too, more effectively than face-to-face interviews, especially for sensitive cases like sexuality (Baumeister& Campbell, 1999).

For the creation of attitudinal inquiries in the Questionnaire, the ideas or concepts were usually gaged through different statements on a scale ranging from positive to negative. This process of data structuring is called scaling. In the present study Likert scale was used. It is a measurement norm in social science research, particularly when dealing with attitudinal statement, to use at least two items for measuring a single concept or variable. This act of combining two or more items has been referred as index construction (Smith, 1981 and Nachmias and Nachmias, 1987). Both the dependent and Independent variables were indexed to get the desired degree of the responses. For the statistical analysis of data, variables were indexed for certain obvious reasons. The nature of research was cultural sensitive asking questions on violence and particularly sexual and socio-psychological violence. Therefore, a single variable was explored through asking multiple questions thus cross-validating data as well as providing space to the respondents to make them understand what is desired of them as significant information. There are two key methods available for working out reliability namely, split-half reliability and Cronbach's alpha test. The Cronbach's alpha test was used for working out reliability in the present investigation. The alpha test was used to indicate the underlying dimensions of the items consisting of an index. As the coefficient value moves from lower towards the higher end, the internal consistency begins to become more reliable. However, the general rule is that if the value is more than 0.8, then the index is considered to be highly reliable (Bryman & Cramer, 1990; George & Mallery, 2000). In social sciences the value up to 0.6 is acceptable (Frankfort-Nachmias & Nachmias, 1992). For this study both of the coefficient values were lying in range of 0.8 to 0.9 as it was 0.870 for perception of gender role (independent variable) and 0.812 for perception of violence as 'School Culture'(dependent Variable), therefore the data were found to be internally consistent.

A self-administered questionnaire was designed after detailed literature review on the subject and going through various such tools developed by others on related issues (Barker et al., 2011; Olweus, 1996) incorporating the established objectives for the study and to achieve conformity with the theoretical background. The content of the questionnaires were translated into Urdu language for understanding of the students and to re-affirm that no concept or data is lost in process of translation, it was re-translated through a professor of English from Urdu into English to compare the two versions of English (the original and re-translated version). It was found that both the questionnaires matched significantly and the errors were removed from the Urdu version where it was found necessary after this comparison. The Questionnaire was tried to confirm that it had an adequate consistency, language and the format of questionnaire anticipated clear and easy understanding for self- administration. Questionnaires were tested through students having closest resemblances in terms of respondent characteristics with those

selected as sample for the study. High school students were chosen for pre-testing. The total number of sample was 522 and among them 235 was male. Pre-testing and incorporation of the suggestion or/and correction proposed was done in August 2012.

Results and Discussions

The concept of gender is distinct from the traditional concept of sex, where sex distinction is based on biological differences of male and female while gender is based on sociological concept of social role. The social constructs of gender roles are culturally based and mostly biased in favor of males. The study found responses mostly girls going neutral for various gender roles through 'in favor of girls' to 'describing boys as major beneficiary'. On the other hand boys were reverse to this scheme of response going in favor of boys through neutral to describing girls the major beneficiary. The detailed description of the response given is explained below.

Perception of Gender Role in Intelligence

Perception of respondents with respect to gender roles, in the current study was limited to few relevant statements. Most of the respondents (38.7%) claimed that both boys and girls were equally intelligent, 31.2% thought that boys were more intelligent than girls, 27.8% believed girls as more intelligent than boys and 1.9% respondents were unclear about the gender based superiority in intelligence. The significance level between gender based responses regarding their perception of gender wise intelligence was very high ($p=0.000$).

Table III. Perception of Gender Role in Intelligence

Statement	Responses	Statistics	Gender of Respondents			
			Male	Female	Total	
Who is Intelligent	Girls	Cases	69	76	145	
		Percent	13.22	14.56	27.78	
	Boys	Cases	135	28	163	
		Percent	25.86	5.36	31.23	
	Boys & Girls	Cases	75	127	202	
		Percent	14.37	24.33	38.7	
	Don't Know	Cases	6	6	12	
		Percent	1.15	1.15	2.3	
	Chi - Square		80.228 (0.000)			

Perception of Gender Roles in Domestic Chores

Respondents perception of gender based house hold responsibilities made it clear that 43% respondents thought that it was the girl who is more responsible for helping family in housework, 30.8% declared both boys and girls had their responsibility in this respect, 8.2% considered boys more responsible for housework and 0.4% did not know that house work is who's responsibility. It is also attributed to the outcome of the social process dictated under the umbrella of rules, culture, penalties and regulations (Georg, 2003). The relation of gender role perception regarding participation in domestic chores was highly significant with gender of respondents ($p=0.000$)

Table IV. Perception of Gender Roles in Domestic Chores

Statement	Responses	Statistics	Gender of Respondents			
			Male	Female	Total	
Who Should Help Family in Housework	Girls	Cases	124	192	316	
		Percent	23.75	36.78	60.53	
	Boys	Cases	34	9	43	
		Percent	6.51	1.72	8.23	
	Boys & Girls	Cases	125	36	161	
		Percent	23.95	6.9	30.85	
	Don't Know	Cases	2	0	2	
		Percent	0.38	0	0.38	
	Chi - Square	76.600 (0.000)				

Gender Role Perception in Access to Education

Respondents perception about right to education shows highly significant relationship with gender ($p=0.000$). Table 05 shows that majority of respondents (73.94%) thought that both genders were righteous to get education, 19.7% thought that boys are preferred to attend school over girls, 5.7% favored girls in getting education at school and 0.6% remained indecisive. It indicates a level of awareness at family level about the provision of education to either gender as indicated by Unterhalter, (2003) that in equality of gender ethnicity, class, and language, were identified having no or little effects upon the turnover at school.

Table V. Gender Role Perception in Access to Education

Statement	Responses	Statistics	Gender of Respondents			
			Male	Female	Total	
Who Should Help Family in Housework	Girls	Cases	11	19	30	
		Percent	2.11	3.64	5.75	
	Boys	Cases	90	13	103	
		Percent	17.24	2.49	19.73	
	Boys & Girls	Cases	181	205	386	
		Percent	34.67	39.27	73.94	
	Don't Know	Cases	3	0	3	
		Percent	0.57	0	0.57	
	Chi - Square		62.285 (0.000)			

Gender Role Perception of Aggression

A majority of 55% respondents professed boys more aggressive than girls, 26.2% though equality in aggressiveness in both genders, 9.6% were unclear for the situation and 9.2% perceived girls as more aggressive than boys. The relation between gender and perception of Students about gender based aggression found highly significant too ($p=0.000$). This aggressive behavior mostly leads to Sexual violence, though difficult in its definition but its existence is undeniable as reported by WHO (2000) and Kilpatrick et al. (1992). Moreover, economic profile and cultural beliefs are also discovered meaningful in assessing the violence against students (Muehlenhard et al., 1992).

Table VI. Gender Role Perception of Aggression

Statement	Responses	Statistics	Gender of Respondents			
			Male	Female	Total	
Whom to be Aggressive	Girls	Cases	29	19	48	
		Percent	5.56	3.64	9.2	
	Boys	Cases	178	109	287	
		Percent	34.1	20.88	54.98	
	Boys & Girls	Cases	39	98	137	
		Percent	7.47	18.77	26.24	
	Don't Know	Cases	39	11	50	
		Percent	7.47	2.11	9.58	
	Chi - Square	55.819 (0.000)				

Gender Role Perception in Admission to Science Subjects

A highly significant association was established between gender of respondents and their perception regarding gender based preferences for admission in science subjects ($p=0.000$). Table 5.21 further explores that a majority of 61.5% respondents thought that both genders had equal rights in getting admission in science subject, 21.6% thought boys more entitled to science subject than girls, 12.5% saw girls more righteous for science subject than boys and 4.4% were uncertain in response. Harber (2002) believes mass education is primarily motivated by controlling minds and bodies. Its primary aim was related to creating order and docility in the society. Moreover, the school position is strategic in development effects on children. Result based achievement is always associated to authoritarian environment where teacher to people violence has been witnessed for the sake of controlling the children for maximum achievement (Esteve, 2003; and Sullivan and Bash, 1967).

Table VII. Gender Role Perception in Admission to Science Subjects

Statement	Responses	Statistics	Gender of Respondents			
			Male	Female	Total	
Whom to be Admitted in Science Subjects	Girls	Cases	27	38	65	
		Percent	5.17	7.28	12.45	
	Boys	Cases	103	10	113	
		Percent	19.73	1.91	21.64	
	Boys & Girls	Cases	136	185	321	
		Percent	26.05	35.44	61.49	
	Don't Know	Cases	19	4	23	
		Percent	3.64	0.77	4.41	
	Chi - Square	92.028 (0.000)				

Gender Role Perception on Post-Marriage Education

While responding to the question of priority of post marriage education, majority of 71.8% respondents thought that girls shall not return to school after marriage, 11.5% replied that both boys and girls should stop education after marriage, 9.8% did not know the answer to this question and 6.9% suggested that boys should not return to school after marriage. The level of significance here was high in terms of gender based distribution of the data on the issue ($p=0.000$).

Table VIII. Gender Role Perception on Post-Marriage Education

Statement	Responses	Statistics	Gender of Respondents			
			Male	Female	Total	
Whom not to return if get married and child born	Girls	Cases	190	185	375	
		Percent	36.4	35.44	71.84	
	Boys	Cases	31	5	36	
		Percent	5.94	0.96	6.9	
	Boys & Girls	Cases	37	23	60	
		Percent	7.09	4.41	11.5	
	Don't Know	Cases	27	24	51	
		Percent	5.17	4.6	9.77	
	Chi - Square		18.026 (0.000)			

Perception of Gender Role in Love Affairs (considered deviancy in Pakistan)

In response to the question whom to blame for love affair, 28.5% respondents perceived girls responsible for such affairs, 26.2% thought both boys and girls guilty in such acts, 24.3% were uncertain about response and 20.9% held boys responsible for such acts. Cultural norms and values are primarily responsible for the development of regimes based on gender inequalities and usually being found to be the major perpetrators of gender based violence. The data also gives highly significant indication of the variable in relation to gender of respondents ($p=0.000$). Furthermore, denial to the existence of sexual harassment by boys and teachers signifies the social and structural cohesion of schools where genders are markedly defined (Milligan et al., 1992).

Table IX. Perception of Gender Role in Love Affairs
(considered deviancy in Pakistan)

Statement	Responses	Statistics	Gender of Respondents			
			Male	Female	Total	
Whom to be Blamed for Love Offer if Received	Girls	Cases	66	83	149	
		Percent	12.64	15.9	28.54	
	Boys	Cases	84	25	109	
		Percent	16.09	4.79	20.88	
	Boys & Girls	Cases	75	62	137	
		Percent	14.37	11.88	26.25	
	Don't Know	Cases	60	67	127	
		Percent	11.49	12.83	24.32	
	Chi - Square	31.346 (0.000)				

Perception of Gender Role in Response to Participation in School Administration

A larger proportion of 39.5% respondents saw both boys and girls cooperative to school administration, 29.9% regarded girls more responsive to cooperate with administration, and 25.3% thought boys more responsive to administration and only 5.4% respondents were uncertain in the issue. This show a high level of significance ($p=0.000$). School environment is usually legitimized through teacher's authority based on regulation and control of student behavior by determining appropriate behavior for the students. This usually contributes towards normalizing certain behavioral traits of the students with little room being demarcated to the students in administration (Jackson, 2003).

Table X. Perception of Gender Role in Response to Participation in School Administration

Statement	Responses	Statistics	Gender of Respondents		
			Male	Female	Total
Whom to be Blamed for Love Offer if Received	Girls	Cases	49	107	156
		Percent	9.39	20.5	29.89
	Boys	Cases	110	22	132
		Percent	21.07	4.21	25.28
	Boys & Girls	Cases	103	103	206
		Percent	19.73	19.73	39.46
	Don't Know	Cases	23	5	28
		Percent	4.41	0.96	5.37
Chi - Square		88.134 (0.000)			

Table XI Gender Role Perception in Exposure to Punishment

Statement	Responses	Statistics	Gender of Respondents		
			Male	Female	Total
Who Gets More Punishment from Teachers	Girls	Cases	28	21	49
		Percent	5.36	4.02	9.38
	Boys	Cases	211	156	367
		Percent	40.42	29.89	70.31
	Boys & Girls	Cases	21	51	72
		Percent	4.02	9.77	13.79
	Don't Know	Cases	25	9	34
		Percent	4.79	1.72	6.51
Chi - Square		25.070 (0.000)			

Major Findings

Most of the respondents (38.7%) claimed that both boys and girls are equally intelligent, 31.2% thought that boys are more intelligent than boys, 27.8% believed girls as more intelligent than boys and 1.9% respondents were unclear about the gender based superiority in intelligence. The significance level between gender based responses regarding their perception of gender based intelligence was very high ($p=0.000$), 43% respondents thought that it was the girl who is more responsible for helping family in housework, 30.8% thought that both boys and girls have their responsibility in this respect, 8.2% considered boys more responsible for housework and 0.4% did not know that house work is who's responsibility and was highly significant in relation to gender of respondents ($p=0.000$), 73.94% thought that it's mandatory for both boys and girls to attend school, likewise 19.73% thought boys are preferred to attend school over girls, 5.7% favored girls in getting education at school and 0.6% remained indecisive highly significant relationship with gender ($p=0.000$).

A majority of 55% respondents professed boys more aggressive than girls, 26.2% thought equality in aggressiveness in both genders, 9.6% were unclear for the situation and 9.2% perceived girls as more aggressive than boys. The relation between gender and perception of Students about gender based aggression found highly significant too ($p=0.000$). Having highly significant association between gender of respondents and their perception regarding gender based preferences for admission in science subjects ($p=0.000$), majority of 61.5% respondents thought that both genders have equal rights in getting admission in science subject, 21.6% thought boys more entitled to science subject than girls, 12.5% saw girls more righteous for science subject than boys and 4.4% were uncertain in response. Majority of 71.8% respondents thought that girls shall not return to school after marriage, 11.5% replied that both boys and girls should stop education after marriage, 9.8% did not know the answer to this question and 6.9% suggested that boys should not return to school after marriage. The level of significance here was high in terms of gender based distribution of the data on the issue ($p=0.000$), similarly 28.5% respondents perceived girls responsible for love affairs, 26.2% thought both boys and girls guilty in such acts, 24.3% were uncertain about response and 20.9% held boys responsible for such acts having highly significant indication of the variable in relation to gender of respondents ($p=0.000$).

A larger proportion of 39.5% respondents saw both boys and girls cooperative to school administration, 29.9% regarded girls more responsive to cooperate with administration, 25.3% thought boys more responsive to administration and only 5.4% respondents were uncertain in the issue and this shows a high level of

significance ($p=0.000$), 70.3% perceived boys as major recipients of punishment from teachers, 13.8% thought that both boys and girls receive similar punishment, 9.4% saw girls more punished by teachers and 6.5% were indecisive in this matter and was found highly significant ($p=0.000$).

Conclusions

It was concluded that study area was highly cultured under the strong dominant role of religion. Social values were markedly designed and found in practice having high degree of respect to elders and particularly the teachers. Schooling system, was contributing with larger effect in the areas of academic excellence, co-curricular activities and imposition of disciplined environment to the students. However, it was also found that sexual assaults were one of the common phenomenon exercised in the study area with main reason of keeping it confidential for the sake of avoiding family enmities, social stigma and achievement of high grads studies. Peer group involvement was smooth, stable and positively contributing to role transmission with no sign of deviations amongst the students. However, it seldom occurrence in sexual and physical assaults were also obvious from the study. Male had a leading role as perpetrator of violence both as a student and teacher. Sexual offences to both genders were found at random but with equal probability to both genders. Media and local administration were non active in getting involved and portraying violence in the schooling system. Student's behavior was mostly molded towards any kind of violence under the influence of schooling and family. Punishment was responsible for high dropout and with all modes and manifestations of violence.

Recommendations

1. Schooling system on one hand is playing a leading role in imparting formal education with all necessary skills required for making pupil custodian of tomorrow. However, this role could only be attained with proper functioning of the various major attributors in the study area.
2. Religion had a dominant role with strong cultural support and likewise. However, the occurrence of violence with special reference to sexual aspect was one of the alarming inferences of the study. Appropriate cultural checks in the light of prevalent values and norms with strong endorsement of religion are needed to be designed while taking into all the stake holders as actors.
3. Peer group activities have so far been attributed to be working as a transitional space in regard to the role assignment and performance. However, the existence of physical and sexual violence in association to peer group activities needs major focus on behalf of the policy makers to design a workable strategy applicable to this particular age group with ramification as model in other parts of the country.

4. Male dominance is one of the social and cultural prerogatives due to patriarchy. However, the extreme sense of uncontrolled power has shown a manifestation of in-appropriate and aggressive behaviors which was emanated in the shape of physical, psychological and sexual mode of violence from the male students and the teachers as well. Appropriate policy pertaining to role performance at the school is essential; in addition, trend of getting nuclear and division of labor on gender basis could also help mitigate the distress of this very reality.
5. Media and government involvement at the gross root level is always essential in containing the behavioral tendencies in a prescribed way of behaving. However, the negligence of media role and government involvement in the affairs of school matters have led to the existence and perpetuation of the proscribed activities including all mode of violence. Active role of media with vibrant performance at the local administrative level has been recommended as a crying need of the day.
6. School management under a stricter policy can also lead to the peaceful environment for the pupil with little chances of exposure to any violence, particularly physical. Moreover, school management could also play a leading role in the containment of sexual violence mostly inflicted by the male students and teachers.
7. Punishment at school has always been considered as reformatory and goal oriented. However, its relation to high dropout is also undeniable. Mode of punishment needs to be replaced through affection and love. Moreover, an environment of love and competition could also work as a catalyst in achieving high grades in academics.

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Correlates of Resilience in Police Officers from England and Pakistan: A Cross National Study

Dr. Sajida Naz & Dr. Helen Gavin

Abstract

A substantial amount of literature suggests profound psychological implications as a result of constant exposure to trauma in police work. The literature in the west argues on the use of therapeutic interventions at appropriate stages after the diagnosis or assessment, however there is little or no insight about type of challenges faced by the Pakistani police. Considering this gap, this study attempts to compare the nature of traumatic experiences, implications on mental health and psychological resilience and lastly coping techniques as used by police officers in Pakistan and England. Almost 613 police personnel from various ranks responded to the survey conducted in the two countries' police force (300 from Pakistan and 313 from the UK). Correlation and multiple regression analysis suggested strong association between psychological resilience on mental health. Thematic analysis identified number of organizational and personal strategies that can aid those who work in this field to cope more effectively. These include family, friends, peer and organizational support, improved psychological services, flexible work routine and indulging into healthy positive self-help skills. The study also demonstrates that the religious beliefs and customs and local cultural perceptions affect the tendency to seek psychological support. Some of the other culturally woven practices include family cohesiveness, stereotyping beliefs regarding psychological problems; collectivism etc. Need for further research into indigenous knowledge of police trauma has been emphasized.

Keywords

Resilience, Police Officers, Coping, Trauma, Mental Health

Introduction

Trauma is an unpredictable emotional response to an unpleasant event (Vincent, 2004). It is likely to experience shock or denial immediately after the incident/experience. Other emotional experiences include flashback memories, vulnerability to stress and psychical discomfort (nausea or headaches). Policing is one of the professions which are highly vulnerable towards psychological trauma. This is due to the fact that the very nature of police work includes exposure to unpleasant stimuli such as dead bodies and investigating crime sites. A substantial amount of literature has investigated several indicators to police stress. Most of these studies have identified Nature of trauma experiences and their management may vary across cultures and individuals (Brown, 1994, Peterson, 2006). Culture

shapes the way people use their resources for optimal health and benefits. Although an increasing number of researchers are looking at the coping strategies appropriate with the nature of psychological outcomes in the police work, there is a gap in understanding about how indigenous experiences and situational contexts shape the coping processes in a particular police force. It is also important to investigate what factors promote healthy and adaptive coping under a particular scale of threat and how scant resources can be utilized properly. This type of exploration may be useful to those police organizations that have strong multicultural and ethnic diversity. It may also be helpful for policy makers to recognise the role of understanding cultural practices which appear to influence trauma reactions, responses and coping. This study, therefore, embarks upon to understand how meanings of trauma and support are guided culturally and what factors govern the trauma reaction and coping. The analysis is extended to evaluate the mental health state and resilience in two nation's specific police departments.

Pakistani Context

There has been a general increase in psychological issues among police personnel since 9/11 attacks because of change in work role (Schuster al., 2001). Most affected population has been police. Police in the developing countries especially Pakistan is most affected because of its acute association with terror attacks and fight (Abbas , 2005). This reflects growing need for conducting routine psychological assessment for those personnel who work under excessive safety and security threat. Thus it will be first of its kind in Pakistan and would help to provide baseline information for intervention planners to assess need and plan for improvement.

The psychological consequences of dealing with threatening situations are well established (Gabriel et al., 2007). An investigation on south Korean police identified up heaving sources and consequences of stress in personnel (Moon & Maxwell, 2004;) including burnout, physical illnesses, family problems and inability to perform duties effectively. Studies also reveal that these stressful experiences may result into family life conflicts and professional difficulties (Maugen et al., 2001; Vincent, 2004). There can be many precursors to it. Studies show that organizational factors such as work environment, night shifts, frequency of exposures and severity of event may be some of the causes (Andrewetal., 2008; Bilal, Rana, Rehim, & Ali, 2007; Morash, etal., 2011). In another investigation with Brazilian police personnel, researchers identified several indicators associated with malfunctioning such as negative effect, frequency of exposure to critical incidents (Carvalho, Cury, & Garcia, 2008;).

These police personnel develop flexible coping strategies (self-help or external) over a period of time and experience and exposures which eventually helps them in mitigating the psychological consequences emerging from work (Anshel, 2000; Evans, Coman, Stanley, & Burrows, 1993). The coping strategy operates at two levels. One is conscious, intentional effort to engage in activities which can be productive or prolific (active coping). Such as joining sports club, socializing and travelling. The other type of coping is running away or suppressing these on-going issues (avoidance coping). Present research argues that most of these coping strategies (those adopted by police personnel) are not consciously made i.e., intentionally decided. For example, praying five times a day may relieve the stress (Tolson & Koenig, 2003) but subconsciously it might not aid in solving problem in long run unless identified. It happens probably because of time constraints and availability of resources. It is common practice in police culture that these transient psychological reactions are taken for granted and personnel run away from acknowledging or addressing small scale problems such as anxiety or stress is widely practised because of busy routine and pressures (Henry, 2004). This type of passive coping may suppress the actual issues for time being but problem remains unresolved.

The long term effects of adaptive coping can be achieved by following targeted and aimed efforts. Research suggests that quality of life can improve by engaging in action oriented activities and they can make work life more rewarding, pleasant, peaceful and exciting (Sears, Shea, & Conti, 2005). Police personnel tend to engage in “habits” which provide ready escape from stress. For example, very famous, “black humour” (Sewell, 1994) prevails as part of police culture might have nothing to do with conscious coping activity but an escape or outlet form stress. Some other escape strategies include smoking and drinking (Gershon, Barocas, Canton, Li & Vlahov, 2009).

Looking at the research evidence indicated above, it can be concluded that a growing number of trauma related research suggesting that persistent and unaddressed stress related concerns in police personnel may exert negative influence on mental health depending upon scale of psychological damage and consequently psychosocial or professional life. Despite this, there is little research done to suggest the role of cultural differences on shaping coping strategies in limited resources or peculiar belief systems. Thus the rationale of the study is to fill in this gap by incorporating the cross national variations in trauma correlates and examine the differences in terms of psychological health, resilience and coping.

This study emphasizes that by involving into “conscious” habits or activities such as sports, socialization, spending time with family, doing charity/volunteer work are healthy ways of positive growth. The conscious and intentional effort

comes after acknowledgement and realization of issues and their need for resolution for long term benefits. One of such healthy approach is building up resilience skills. Recent research into Positive Psychology domain has appraised the benefits of resiliency in vulnerable occupations such as police work (Arnetz, Navedal, Lumley, Backman, & Lublin, 2009). Resilience reflects the ability to bounce back in time of adversity and stress (Smith et al ., 2008). Resilience is a growing concern for police organizations today. Research has shown that involving into self-development skills may help to boost resilience and therefore enable these personnel to monitor their emotional health while at work.

Police is the most effected institution since officers are involved in controlling and managing the security and safety related concerns. The role of a police officer has transformed and diversified since 9/11. The present day police institution requires a large number of police officers to guard public places and politicians for security reasons. Besides performing the routine duty of attending public calls for disorder, managing and monitoring security, a large number of police officers are assigned duties related to protecting VIPS, high profile places. Given the limited number of personnel already, this issue is a growing concern in police departments because additional duties interfere with the existing demands of the duty. The scientific literature has identified several stressors which can be considered as traumatic in police context. The training is an essential component of police institutions. These training modules are carefully drafted considering the needs required in terms of the professional development of these officers. Currently, a wide range of training programs are offered to the police in the Britain, which focuses on raising stress awareness and how to cope with exhausting emotional reactions. This paper argues that if the police officers are unfit or experiencing problems, they might not be able to deliver duties properly and the neglect in mental health check can result in a saddening picturwe. In most developed countries (such as Britain and United States of America), the police force is well equipped with facilities that can enhance their psychological resilience. These include critical incident debriefings, counselling, supportive work place environment, mental health consultation facilities and other logistic facilities (Police Gyms and Sport competitions). All these measures are taken to ensure personnel's resilience capabilities.

Another aspect of policing in the developed countries is that the law and order situation is not as extreme as it is in some countries such as Pakistan. Although violence and crime has increased all over the world, the increased terror attacks have worsened the law and order situation in Pakistan who has been a prime target of terrorism. Most importantly, factors such as lack of proper logistics and safety for the police personnel are becoming an increased concern to the police officers

performing field duties. As a result, there is decrease in police numbers and the existing police officers are fighting with the morality and guilt of being part of a crime war. In order to fight with these terror attempts, the police is the prime force engaged to guard places and persons. For this reason, a large number of personnel have lost their lives. The police organization although commits to protect its employees by introducing packages such as “shudua allowance” (Martyr fund), it is still struggling to devise plans for ensuring effective police force. It is argued that the objective of Punjab police (or any other for that matter) is not to ensure the mental health state resulting from work experiences. The think tank is oriented towards having an efficient police team that is robust in performing duties meeting pressures imposed by crime rates and war on terror. The compensation plans, therefore reflect this ideology i.e., compensation with money prizes or rewarding with medals etc. There is a big loop hole towards understanding how personnel are affected psychologically though. Without attending the mental health of these personnel, it is ironical to place the efforts in subdue environment. Most of the Pakistani government plans are oriented towards money compensation, or boosting salaries. It is essential to understand that without acknowledging significance of mental health fitness, the effective performance is a child's play.

In Pakistan, the law and order situation prevailing in the country is extremely atrocious. Large number of police personnel have sacrificed their lives resulting from suicidal attacks (Khan & Manarvi, 2011). Many personnel are posted to protect highly sensitive areas (Abbas, 2009). Hassan Abbas reports that a wide majority of personnel are deputed to safeguard VIPs.

Alongside this situation, there are several other mental health challenges for Pakistani police personnel. These include typical “thana”¹ culture (a set of customs prevailing in police work), poor facilities (e.g, shortage of rifles and vehicles), poverty, less education. The Punjab police, for example has limited vehicles to operate against chasing criminals. Such lack of facilities may contribute to low self-esteem, morale and confidence in these personnel. In addition to these challenges, there is extreme negative image of police; they are seen frequently as culprits, who cannot execute the laws rightfully.

On one side, there is growing pressure (and accountability) towards performance of these personnel. The dangers to wellbeing of these personnel are seldom recognized. The understanding of the psychological consequences seems to be providing money rewards (cash prizes) or increasing salaries, however the psychological issues and help/ support is never ascertained. This could possibly be

¹Thana is a term locally used synonymous to police

because of lack of Mental Health support in the country. Moreover, the consultation for professional help is often tabooed and stigmatized as a symbol of weakness. There is no research evidence to speculate mental health condition of Pakistani police personnel. A research assigned to identify suitability of these personnel for deputation on sensitive posts exposed severe mental health related problems when some psychological tests such as thematic apperception test (TAT), House Tree Person test (HTP), and other projective tests were used in the inventory (Najam, Gul, & Mansoor, 2006). From the stories of these projective tests, several personnel officers expressed their worries and problems which otherwise cannot be said or articulated. This is a major concern for developing countries like Pakistan, where human rights are seldom practiced.

The British police system is adequately equipped with resources and awareness about mental health of its personnel. One of the evidence is the presence of occupational health support groups with each police force. Each police force in the country has an affiliated mental health professional who keeps check over mental health issues.

Despite these measures, the police in Britain still have an increasing rate of depression and sick leaves/absentees. A recent cut in police has placed work pressure – another stressor. Resilience to deal with psychological pressure has become a challenging issue with the increase in crime rate and international pressure caused by terrorism. Research into resilience of police personnel is still emerging in Britain. One of the research project investigated the relationship between the demand for policing services in the UK, the risk that the demand will not be met, and the resources required to ensure that the demand is met (NPIA, 2011). This study identified challenges related to work demand and comparison with the resources available. This study identified seven per cent reduction in police officer numbers and a 9 per cent rise in crime levels and rated this as an escalating danger for British Police Forces.

Police in Britain has encountered several occasions where they had profound influence on their resilience and mental integrity. For example the famous Bradford Fire, caused psychological distress resulting in problems such as performance guilt, reconstruction anxiety, generalized irritability, focused resentment and motivational changes (Duckworth, 1986).

Rationale for the Present Study

Experiencing atrocities has negative consequence; however it can help the individual to improve their skills of adaptability. As a result, not only their role as police officers is at stake, but also their personal social life is affected. They no

longer are able to cater public safety. Pakistan, as a developing country, has been subject to terrorist and violent attacks (recent Lahore incident, killing almost 9 policemen), racism, religious extremism, political instability, civil unrest and many more. Thus the role of security agencies such as police is very crucial in determining public safety in general. If the police force is mentally unfit to perform, the overall security of the nation and public is in danger. The recruitment procedures for their selection, is therefore an extensive procedure carefully drafted to produce docile and responsible police officers who are capable of tolerating “stress prone police environment”. It is therefore important to have routine psychological evaluation/assessment not only at recruitment but also during the course of their work and training. Identified cases need to be provided psychotherapy as needed so that they can have better quality of life.

This study has been embarked upon to understand trauma exposure related consequences in police force addressing what approaches might help these personnel to cope and remain resilient. To reach these objectives, a semi structured questionnaire was developed, besides using a standardized scale to assess resilience and mental health. The questionnaire was constructed in order to obtain the subjective understanding about real life experiences / stories of police work.

In the light of above mentioned arguments, this study attempts to understand how police personnel achieve and sustain their health and well being in face of adverse situations. The primary aim is to examine correlates of improved resilience in police officers.

Goals and Research Questions

This study had following research questions:

What are the coping strategies that might help these personnel to deal with upsetting experiences at workplace?

What is the resilience and mental health status of these personnel?

What factors affect the resilience?

What factors enhance resilience?

These research aims will help to identify positive coping and self-help strategies in these personnel. International and cross national researches are required to understand diversity of coping strategies since British police along has diverse range of ethnic representation, so is it true for Pakistan.

Method

This study was carried out to explore level of resilience in police of the two countries. It also aimed for looking at psychological correlates to resilience.

Participant Selection and Characteristics

The data were obtained from online and manual survey conducted in police force based in West Yorkshire England, and Punjab Pakistan (Lahore and Rawalpindi cities). The access to police personnel was granted by local authorities. The email explaining research aims, objectivity and relevancy to the personnel was sent to central email system in UK, while the information sheet was manually passed on to the participants in Pakistan. An independent, trained research assistant was employed for survey administration in Pakistan. The survey was open to all ranks and ages of police personnel who agreed to share their trauma related incidents and experiences. These protocols included concise information about research and researcher's contact details if needed. 613 police officers (300 from Pakistan and 313 from UK police department) responded to the survey. These personnel ranged in rank from constable to superintendents. Few personnel contacted researchers later to elaborate on their stories and how it had impacted them. This data was also included in qualitative analysis (?).

Study Protocols

In order to explore trauma events, their impact on mental health and resilience, a self-report inventory comprising of various subscales related to different aspects of trauma experience and coping, was developed and translated to be used in both countries. Besides this, standardized tests assessing resilience and mental health were adapted and used. Following protocols were used:

Trauma Experience Questionnaire

CDSR-10

GHQ-12

Trauma Experience Questionnaire

A semi structured questionnaire was developed about various aspects of trauma such as trauma experiences, perceived psychological impact, and coping. The content validity of the scale was established by judge's evaluation whereas reliability was assessed by piloting the questionnaire and inter-rater judgments. The average judge evaluation rate was 4 out of 5 which suggested that the items in the questionnaire were relevant to the subject and considered gender bias.

Connor Davidson Resilience Scale (10 items)

Short version of Connor Davidson Resilience Scale (10 items) was used to assess resilience in police personnel. CDRS has been widely used with individuals experiencing trauma exposure such as earthquake survivors

(Chang, Connor, Lai, Lee, & Davidson, 2005) and police personnel (Marmar et al., 2006) etc. For the present study, the CDRS was translated into Urdu to be used in Pakistani Sample. The English version was retained for the British force.

General Health Questionnaire (GHQ 12)

Brief version of General Health Questionnaire (GHQ 12) was used as an index of mental health. The higher the scores the better mental health will be. GHQ has been used cross culturally and its validity was maintained in this study

Coping From Stressful Work Experiences

In order to gain insight into how police officers managed to cope from the strain resulting from unpleasant experiences at work, two items were added to the existing trauma experience questionnaire. These questions asked the respondents to indicate which support groups do they contact (this included counsellor, doctor, family, friends, parents). In another question, they were asked to narrate how they manage from work related stressful experiences.

Procedure

This study was carried out in two phases. The first phase (conceptualization phase) was conducted to provide guideline information about significant areas and needs for exploration. This was followed by construction of protocols. In the second and main phase, the survey method was used to get statistical information about participant's mental health and resilience. The qualitative questions were also included. After seeking ethical approval, the email requesting participation was sent through main portal of the WYP. The information contained in emails or sheets detailed the study proposal, its relevance to the individual and organization in general. The ethics regarding anonymous participation, confidentiality were elaborated and ensured. Considering the sensitive element attached with recalling traumatic experiences, the researcher's contact and counseling details were also provided, in case needed. In Pakistan, as mentioned above, the manual distribution was the only convenient option. The data was gathered over a period of six months. A trained research assistant was employed for data collection in Pakistan. All data was computed in software called PASW.

Methodological Challenges

Methodological challenges involved in this cross cultural research included defining the concepts considering how they are perceived and culturally practiced, cultural adaptation and suitability of instruments, gender biasness, social biasness etc. all these considerations were taken into account prior to protocol construction.

This is to reiterate that although the variables have been assessed at cross national level, there is no comparison made per se. The purpose of carrying out a cross cultural examination is to look at the spectrum of traumatic experiences involved in police working in two different geographic locations and understand diversity in phenomenon of coping.

Data Analysis

There were two types of data. Qualitative data was analysed manually using guidelines of grounded theory approach. The quantitative data was computed on PASW for further correlation and regression analysis.

Results

Aim of this investigation was to examine correlates of resilience in police officers from Pakistan and England. A mixed methodology research design was used for data gathering. Survey was main study tool which included qualitative and quantitative parts. The open ended questions were used to allow respondents to elaborate on their trauma stories, challenges and strengths. The rest of the sections were quantitative (as detailed in methods section). Following are the main study findings according to research questions indicated earlier.

Trauma Experiences Stories, Psychological Impact and Coping

The trauma experiences shared in the survey reflected strong positive affirmations and skills developed by these personnel over the period of time and experience, thereby providing learning skills towards resilience. The themes under this category can be further divided into following sections:

Relationship Between Trauma Exposure, Psychological Impact, Mental Health, Coping and resilience

Table 1. Pearson product moment correlation between predictor variables and resilience (n = 613) **p<.01, *p<.05

	Resilience (CDRS)
Mental Health (GHQ - 12)	0.238**
Internal Coping Resources	0.567**
External Coping Resources	0.291**
Age (years)	0.107**
Length of Service (years)	0.102*
Exposure	0.194**
Impact	0.482**

**p<.01, *p<.05

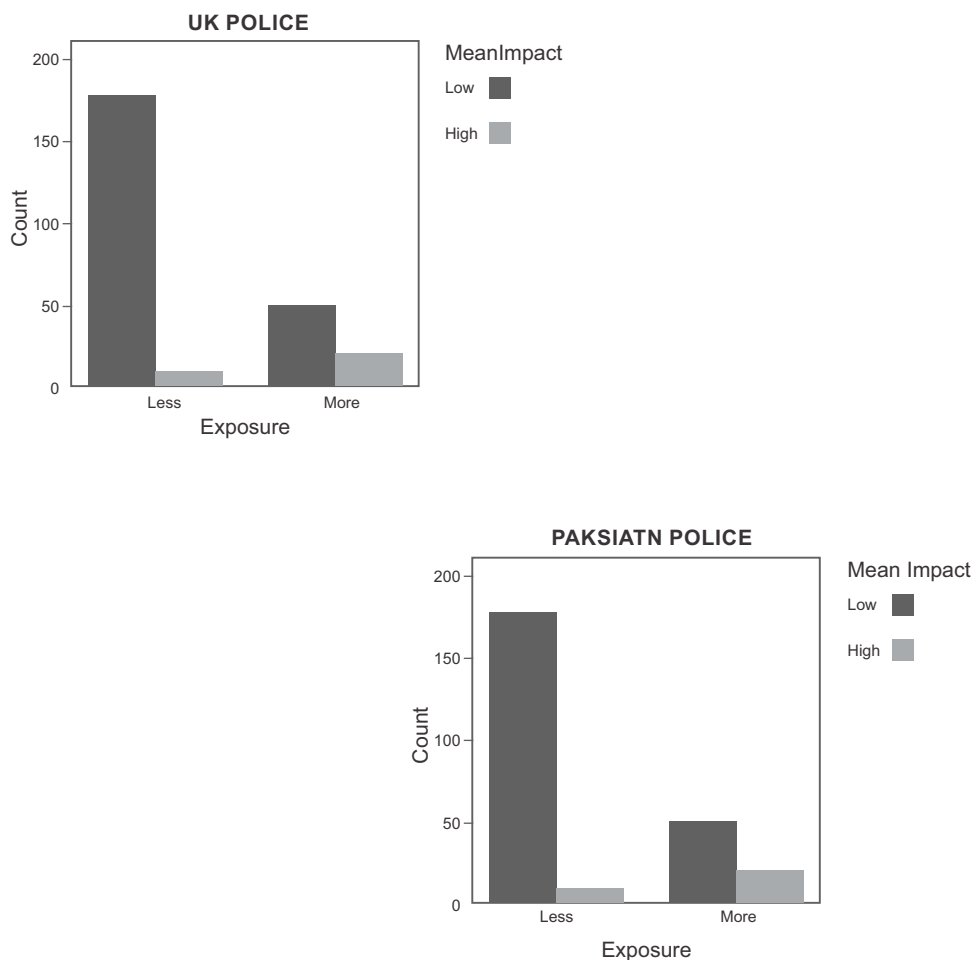
The correlation between significant study variables (predictors of resilience) is presented in the table above. As it can be seen, there was a significant inverse relationship between Mental Health and Resilience scores ($r = -.238^{**}$) suggesting that better mental health is associated with better resiliency.

A positive and significant relationship was observed between both internal and external coping approaches with resilience ($r = .567^{**}$ and $.291^{**}$ respectively) suggesting that police personnel who use both coping resources have better resilience. The results of correlation between age, length of service, trauma exposure and event's impact was inverse suggesting inverse relationship across these variables with resilience. Therefore, younger age, less years of experience, less exposure and less impact were associated with better resilience. It is to be noticed that the influence of age on resilience was significant at .05 alpha levels.

Trauma Exposure and Impact: Cross National Findings

Exposure frequency was strongly related to the trauma impact. This was deduced from the correlation analysis of scores obtained on trauma event exposure checklist and event exposure scale. These findings suggest that few events, though rare, but may cause immense psychological disturbance.

Fig. 1: Exposure and Impact of Trauma Events



This figure illustrates that the majority of Pakistani police officers who had been exposed to traumatic situations (such as witnessing suicide /mass killings), murders, rape) had high levels of perceived psychological impact. Similarly, the police officers in the UK had experienced witnessing incidents such as cot death, traffic accidents and death of colleagues, their level of psychological impact was relatively less, however considerable.

Predictors of Resilience in Police Work

In order to investigate predictors of resilience, the following steps were followed:

Step 1

A simple regression analysis enter method: To identify predictors

Step 2

A multiple regression analysis stepwise method: To identify predictors which strongly influence resiliency

Step 3

Hierarchical Regression: To testify the model after controlling for demographics and trauma correlates

The above mentioned regression analysis identified following variables strongly associated with resilience and predicted to influence it in positive way:

After controlling for demographic variables, and trauma related variables, the third model was statistically significant ($F_{18, 594} = 32.959$, $p < 0.001$) with an adjusted R square = .49. R value was .02. This shows that both internal and external coping contributed to a 0.2% variance in resilience. The beta values,** however revealed that only internal coping [$F(1, 564) = 3.959$, $p = .02$, $\eta^2 = .01$] was strong predictor towards resilience.

**The Standardized Beta Coefficients give a measure of the contribution of each variable to the model. A large value indicates that a unit change in this predictor variable has a large effect on the criterion variable. The t and Sig (p) values give a rough indication of the impact of each predictor variable – a big absolute t value and small p value suggests that a predictor variable is having a large impact on the criterion variable.

Discussion

Trauma experience is highly relative due to personal association, interpretation and cultural factors besides demographic variation. The findings corresponding to the first research question showed that trauma is a subjective experience resulting mainly from the way individuals interpret according to their cultural beliefs. In Pakistan, for example, the spiritual beliefs provided insight (and strength) about dealing with such experiences, while the police in the UK had other similar life beliefs and resources which were helpful in being realistic and professional. The anecdotal evidences not only reflected the variety of trauma experiences transformed them as an individual, but also describe how scarce recourses can be used for coping or adaptation. In Pakistan, where basic logistic facilities are lacking, the only resource available for psychological comfort was parents or family/friends. This group of supporters provided moral encouragement and instilled the will/motivation to keep struggling for a transformed better individual. For the police in UK, there was variety of resources compatible with modernized crime and challenges. They have facilities to consult their occupational health provider besides engaging in self-help healthy strategies such as socialization or other hobbies.

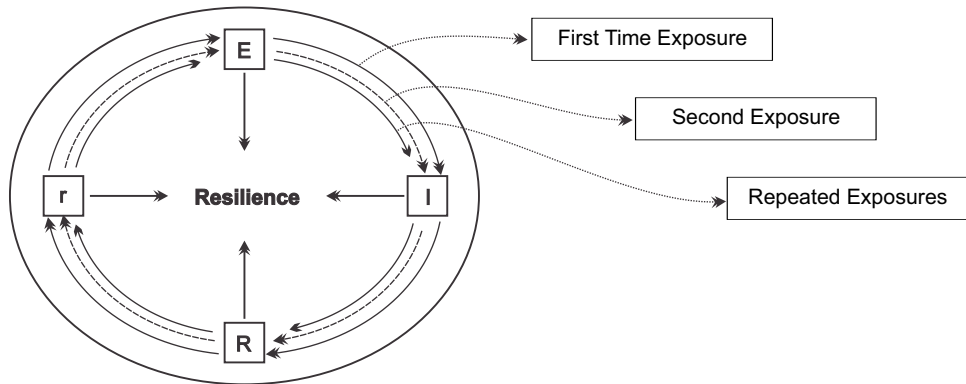
The predictors identified in this study include trauma exposure frequency and its impact (these results need to be dealt with caution), mental health, and psychological consultation. Some of these predictors corroborate with earlier studies that showed the link between having adequate coping strategy, and mental fitness with resilience (Vincent, 2004). A contradictory finding, however is that the younger age group personnel were comparatively more resilient than the older age personnel. This could possibly be explained by lack of motivation, or resources or co morbid illness as age progresses etc. for the younger recruits, their motivation and awareness could be a factor explaining their high resilience. Another striking finding is that the police personnel in the UK reported having experienced more number of physical injuries as compared to those by Pakistanis whilst physical injuries predicted influence on resilience to some extent.

These results signify that the trauma can better understood if cultural factors are taken into account. As the findings clearly revealed, the culturally defined practices of dealing with adversities (such as spiritual healing, hobbies, family cohesions, religion etc) explain how personnel beat their psychological problems in midst of other unresolved issues. There is immense need to extend such basic psychological evaluation particularly in Pakistan, where the mental health related risks are exceeding with each arising dispute in the country. The situation in Pakistan demands a more resilient police force which is psychological fit to be able to execute its duties for public safety and protection.

Proposed Trauma Resilience Framework (TRF)

This study presents a framework to understand trauma related resilience in police work. It postulates that a trauma response is complex array of factors which influence to determine how a reaction would be like.

Figure : Trauma Resilience Framework (TRF)



This study extends Harvey trauma response model (Harvey, 1996) explaining how an event results into a response by describing the filtration or refining of the trauma reaction – response process. The present study findings suggest that the reaction and response are determined by the subjective interpretation (I) of the individual gained from various cultural, societal or organizational resources. It takes into account the experience factor and also examines how they multiplex factors contribute to the resilience. This interpretation of an event precipitates the reactionary symptoms (R) and eventual response (r). This cycle improves with each experience i.e., every time a similar event takes place, the interpretation of the event modifies (due to resilience) and as the learning process goes, the reactionary response improves.

Four factors such as those described in the figure, affect the persistence of resiliency. An event, with first time exposure can be a real test for determining resiliency. Similar, an event which is not the first time exposure would be dealt with differently.

Compared to other explanatory models such as Harvey, risk management framework (Paton, 2006) or Stephens (Stephens & Miller, 1998), this model elaborates the cyclic nature of trauma experience and presents how such cyclic process influences resilience and determines coping. It extends the understanding of how each exposure adds to the forthcoming ones and prepares the individual for the rest of his life.

What Factors May Influence Resilience?

Resilience is a relative term and its understanding requires bringing into question the nature of circumstances and goals in a particular situation. As in policing, the difficult experiences induce vulnerability, the resilience can provide protective shield against such unpleasant outcomes, which are unlikely to be avoided, and can therefore help these personnel to maintain better mental health. For organizations, the resilience is a key requirement under the circumstances where they are required to confront danger and exert force where necessary. In terms of policing, a psychologically resilient person is the one who is able to perform well under stress, is resistant to the pressures originating from the work and is able to adjust to future challenges (NPIA, 2011).

Another research question explored in the present study was regarding those factors that appear to influence resilience. By testing a model containing demographic variables (i.e., age, gender and service duration), trauma exposure frequency, trauma impact, mental health status and coping approaches, the findings affirmed the prediction that all these variables will be associated with resilience (see table 1). Contrary to the findings from literature, however, the gender did not contribute significantly to the scores on resilience in the present sample. Older age was related to decrease in scores of resilience. This could be because of change in police role. There is less involvement with exposures and different nature of work may modify the morale. Violent has discussed that with decline of age, the coping capabilities may reduce due to lack of motivation, pressures etc.

Findings showed a resilient police force can be the one with better mental health, emotional control, management and display, adequate psychological support and persistence. A combination of personality factors, balance between work and family life, self-development skills and support determines the resilience of police officer.

Conclusion

This study has indicated important findings in terms of police trauma related challenges and skills. It has identified the mental health status of Pakistani police, a never studied/explored area. Identifying what factors contribute to resilience in positive way may help the professionals who plan for their wellbeing, to improve the intervention plans. The emphasis of training and raising awareness has been emphasized. There are few limitations of this study. The sample representation is limited (i.e., the ranks were not further segregated according to nature of duties), and in term of geographic location. It would be helpful if the future studies may include

more diversity in sample representation. This study has identified challenges which the policy makers can use to revise their intervention plans. Most of the resilience related programs need to consider human need and perspective in relation to work expectations.

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Perceptions of Middle Aged Men and Women about Women Killers

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Abstract

The present study was conducted to investigate the indigenous perspective of Pakistani women killers. Survey research design was used to explore the possible perceptions for the murders committed by Pakistani women. The data was drawn from middle aged male and females (n=200) with an equal distribution of gender. Purposive convenient sampling was used. The participants were asked to write their perceptions regarding killings by women. The responses were analyzed using descriptive statistics. The exploratory study indicated that 23% middle aged women perceived that women commit murders in self defense, 19% perceived it to be an attempt to protect their children, 18% perceived that murder is usually the last limit to compromise while 14% perceived that it's a reaction against situation. On the other hand, 20% of middle aged men perceived that murder can be the result of self defense, 20% perceived that it is due to extramarital affairs, 14% perceived that women kill for economic reasons or poverty while 14% perceived that either it is not possible for women or they don't know about the possible reasons behind killings by women. This study has wider implications for the forensic psychologists and women killers significant others to develop an insight that how a victim becomes a killer.

Key words

Perceptions, Killings by Women, Indigenous Perspective, Self-defense

Introduction

Crimes, especially violent crimes seemed to be termed as men's business throughout the human history, for women are perceived in a stereotypical way of being kind, polite, humble, dependent and passive. Violence in women involves multiple factors, as it can be proved through literature review. Patricia Pearson, a crime researcher (1997) stated that throughout the history, violence is considered to be the male phenomena. Men attempted the violence and their possible victims are always women and children; If women commit violence then it is considered to be an involuntary action (Person, 1997).

Earlier in 1950's, explanations of female (and male) crime tended to reflect prevailing views regarding human behavior more generally (Pollock-byrne 1990; Steffensmeier & Clark 1980); social scientists principally emphasized the role of psychological and biological factors in defining female crime. During the 1930's, dominance of the psychological theories were maintained, after that major sociological explanations of crime (differential association, anomie and social disorganization) emerged and stressed the significance of cultural and social factors accountable for criminal behavior.

Existing explanations in the history on female crime recognize a strong biological along with the psychological bias in dealings of female criminality. On the other hand, biological as well as psychological interpretations were also given for male criminal behavior. For example, Lombroso associated both male and female crime with the biological predisposition. However, Lombroso (Lombroso & Ferraro 1895) also perceived female criminals have many male characteristics. He emphasized that biologically, criminal females were highly similar to normal or criminal males as compared to normal females. Some psychologists attribute female offending to “maleness” and “anomaly”.

Prior sociological interpretations which are provided in text books published during 1920's and 1960's, usually rejected this deterministic biological explanation and provided socio-cultural explanations (social disorganization, differential associations and anomie) for both female and male crime along with the gender differences in crime. Steffensmeier and Clark's (1980) review of early criminological texts shows a strong tendency to avoid biological explanations of sex differences in crime, stressing instead structural and cultural variables.

Otto Pollak (1950) in “the criminality of women”, manifests a most significant work on female crime earlier to the modern period.

A basic theme of Pollak's work is the acknowledgment of a psychological and biological basis to female criminality. His ideology is consisted of two central elements of his ideology. First, Pollak emphasized an intrinsically deceiving nature in the female sex. He viewed this deceitfulness to some extent as socially induced because physical weakness can force women to go for deception and because of other primary facts in women's life-including societal demands to conceal her menstruation period and expectations that women attract a husband in some way through wily charm.

Secondly, Pollak suggested the important idea that the biological factors and individual pathology is more crucial as a causative influence in defining female than male criminal behavior. According to him, the influence of generative and hormonal phases (e.g, menstruation, menopause, and pregnancy) was mainly important for female criminal behavior because of the psychological disturbances produced as a result of them. These disturbances might generate “needs” drive crime, or the moral inhibitions of women can be weakened which work to avoid criminal behavior (p.157)

Pollak also observed significant overlap in causative features for criminal behavior among girls and boys, women and men:

“It is either the criminal association in the home or that resulting from the attempts of girls to compensate for the failure of their home or school, which seems

to have a decisive influence upon the causation of juvenile delinquency and professional crime. This picture is basically the same for girls and boys. The differential lies only in the role which illicit sex conduct for monetary gain plays in the shaping of the female criminal career, and in the observation that female professional criminals do not specialize in one line as do men”(p.139)

Pollak also observed that some of the other social factors-the disadvantaged occupational and economic position of women, the double standard of sexual morality, and the dominance of modern advertising – can take women to crime.

We note that gender differences in the quality and quantity of crime persist with the expectations of gender-role, behaviors and opportunities. In fact, considerable changes in the unlawful actions of women would be shocking .There has been a change in attitudes toward greater approval of women in the workplace, including family and career, and more individual latitude has been favored by gender role system. Along with it, many aspects of gender role are more or less similar. As an example, relationships with man is still a defining factor for female status and the traditional gender roles still revolve around the central concerns of beauty issues (e.g. sexual attractiveness ,morality), relational issues (e.g. mother -wife) and virtue which are astonishingly stable. Also, there has been a little change reported in male roles, and so it is stated that the overall gender organization has underwent little transformation (Steffenismeier & Streifel 1992; Tannen, 1991).

Perhaps, most importantly, in relation to women in the past, women in the present are also both limited in legal and illegal worlds due to male leadership and due to constructions of their roles by men. Case histories and autobiographical studies of street criminals and professionals show that women still have limited way to criminal underworld and criminal subcultures. Indeed, attitudes of the traditional gender-role and the sexism structure emerge to be more persistent within the arena of crime than “aboveground” (Maher & Daly 1996; Steffensmeier & Terry 1986).

The major focus of research for the last fifteen years on women's use of violence as an outcome of abusive relationships; thus, women's violence is often termed as her reaction against the abusive situation (Shaw & Dubois, 1995). It was generally accepted that battered women will be more inclined to kill their life partner/spouse (Browne, 1987; Block, 1990; Bannister, 1991). Walker (1979) attributes the rise of women in violent homicide to “battered women syndrome”. When women get trapped in such a relationship where they are suffering with emotional and physical turmoil , they develop the feelings of learned helplessness . They are afraid of leaving such relationships due to number of reasons like harassment or financial issues. She also believes that violent behavior actually follows the cyclical pattern and a majority of women are already used to these

situations because of experiencing the same situations in their childhood. Walker (1979) also highlights that battered women have feelings of despair and a tendency of blameworthiness.

Consequently, scientists in social context believe that homicides committed by females are mostly the consequence of women's efforts to secure themselves from their male partner's abusive conduct (Browne, 1987). The major motivations behind such murders committed by women are either protecting themselves from an attack or in situations where their dear ones are under threat or harassed by the abuser as proposed by the self-defense theory. The prevalent perception of these women is that it is not possible for them to avoid this abusive situation (Radford, 1994). However, women who are battered usually fail to seek help from other sources before murdering their partners (Sherman & Berk, 1984).

Similarly Russell (2013) stated that "If a woman commits a crime the common belief is that she is misguided and must have committed crime because of her own victimization, was under the control of others or is simply a criminal deviant whose actions strayed from typical "womanly" behavior"(p.1&2).

Women Criminals in Pakistani Perspective

It is not an accepted fact in Pakistan that a crime would be committed by women. They are usually taken as the victims of crimes committed by man against them. Their active role in case of crime is something which is actually contradicting the general schemas based on our societal norms and strictly inculcated cultural values, and therefore not accepted. Honor killing, acid throwing incidents, rape cases and domestic violence are the most common types of crimes which have been committed against women. Thus, most of our statistical data is frequently showing only this particular side of the picture. No doubt that the large ratio of the crime in Pakistan is actually taking place against women but it doesn't mean that we should avoid the other side of the picture. A woman can also commit serious crimes like murder. Avoidance in this case, only increases the magnitude of the issue.

Few people are taking the initiative to conduct the studies on this avoidant dimension of women personality like a study conducted by Tariq and Anila in (1993) which showed that marital maladjustment is associated to female crimes such as running away from home and committing murder. The results showed that behind criminal acts done by women in Pakistan, marital maladjustment is a significant factor.

Rationale of the Study

The previous literature on this issue is scarce with reference to our indigenous culture; a lot of work has been done in the west. The study attempts to investigate the

gender perspective on the subject of killings by women. The issue that, “why do women kill” needs the attention of the researchers. It is important to explore the perceptions of middle aged population of Pakistan about the involvement of women in heinous crimes like murder. There is a strong need to take such step and to conduct such studies which deal with this ignorant area in respect to our culture.

Objective

- To explore the perceptions of middle aged men and women about killings by women.

Method

Sample

The sample of the study consisted of 200 middle aged people with the distribution of 100 men and 100 women. The age range of the participants was 36 to 55 years.

Research Tool

Open ended Question

In your perception, what are the possible reasons of murders committed by women?

Procedure

Data was drawn middle aged men and women through purposive convenient sampling. The written consent was taken by all the participants. Survey research design was used to gather the opinion of middle aged men and women. Open-ended questions were asked from middle aged men and women about the possible perceptions regarding reasons of why do women kill.

Statistical Analysis

- Descriptive statistics was used to analyze the data.

Table 1. Descriptive Statistics Indicating the Total Percentage of Perceptions that why do women kill in overall sample (male and female) (n=200)
Response items percentage of response

S. No.	Response Items	Percentage of Response
1.	As a reaction against situation	10.5%
2.	Last limit of compromise	9.5%
3.	Mental problems	8.5%
4.	Failure in relation	6.5%
5.	Self defense	21.5%
6.	Helplessness	8%
7.	Revenge	8.5%
8.	To protect her rights	7%
9.	Rape	4%
10.	Jealousy	6.5%
11.	Economic reasons	9.5%
12.	Fulfillment of her desires or materialism	8.5%
13.	Aggression	4%
14.	Rivalry or second marriage of husband	8%
15.	Hopelessness	3%
16.	Cheating or extramarital affairs	14.5%
17.	For children	13%
18.	As a last option	6%
19.	To defend her mistakes	5%
20.	Ignorance	6%
21.	Social injustice	5%
22.	Social issues	4%
23.	Self esteem	2.5%
24.	Domestic violence	6.5%
25.	Patriotism	1%
26.	In honor	1.5%
27.	Unavoidable situations	2.5%
28.	Possessiveness	1%
29.	Not possible for women	10%

Table 2. Descriptive statistics indicating the perceptions that why do women kill by females (n=100)

S. No.	Reasons Reported by Females	Percentage of Response
1.	As a reaction against situation	14%
2.	No other option	9%
3.	As a last limit to compromise	18%
4.	Helplessness	11%
5.	To defend her mistakes	5%
6.	To protect her rights	7%
7.	Inferiority complexes and ignorance	7%
8.	Lack of justice	3%
9.	Self defense	23%
10.	Lack of social support	6%
11.	Relation or due to love failures	10%
12.	Cheating or mistrusting	7%
13.	Frustration	9%
14.	Restrictions	2%
15.	Aggression	6%
16.	Psychological disorders or stress	7%
17.	Unavoidable situations	4%
18.	Revenge	9%
19.	Rivalry/second marriage of husbands	4%
20.	Rape	5%
21.	Materialistic objectives /fulfillment of desire	8%
22.	For children	19%
23.	Jealousy	3%
24.	Extreme oppression or torture	5%
25.	Extramarital affairs	2%
26.	Hopelessness	4%
27.	To protect her family	4%
28.	Poverty /economic reasons	5%
29.	Adjustment issues	2%
30.	Don't know /not possible for women	5%
31.	Experimenting with different options	1%

S. No.	Reasons Reported by Females	Percentage of Response
32.	Impulsiveness	1%
33.	Extreme possessiveness	1%
34.	To protect her self esteem	1%
35.	Lack of basic needs	1%
36.	Failure to follow conventional rules	1%
37.	In honor	1%
38.	Patriotism	1%
39.	Social issues	1%
40.	Just give up	1%

Table 3. Descriptive statistics indicating the perceptions that why do women kill by Males (n=100)

S. No.	Reasons Reported by Males	Percentage of Response
1.	Aggression	2%
2.	As a last limit of compromise	1%
3.	Revenge	8%
4.	As a reaction	7%
5.	Psychological issues	10%
6.	Relations or due to love failures	3%
7.	Helplessness	5%
8.	Jealousy	7%
9.	Economic reasons /poverty	14%
10.	Materialism or desires	9%
11.	For rights	7%
12.	Cheating or extramarital affairs	20%
13.	Rape	3%
14.	Self defense	20%
15.	Rivalry/second marriage of husbands	12%
16.	To defend her mistakes	5%
17.	As last option	3%
18.	For children	7%
20.	Illiteracy	6%
21.	Social injustice	7%
22.	Less knowledge of religion	2%
23.	Ignorance (by society or relations)	5%
24.	Domestic violence	8%
25.	Social issues	7%
26.	Emotional issues	3%
27.	In honor	2%
28.	Ask women	4%
29.	Don't know/not possible for women	14%
30.	Self esteem	3%
31.	Hopelessness	2%
32.	Patriotism	1%

S. No.	Reasons Reported by Females	Percentage of Response
33.	Hormonal stress/imbalance	1%
34.	Discrimination on the basis of gender by parents	1%
35.	Possessiveness	1%
36.	Lack of tolerance	1%
37.	Difficult situations	1%

Chart 1

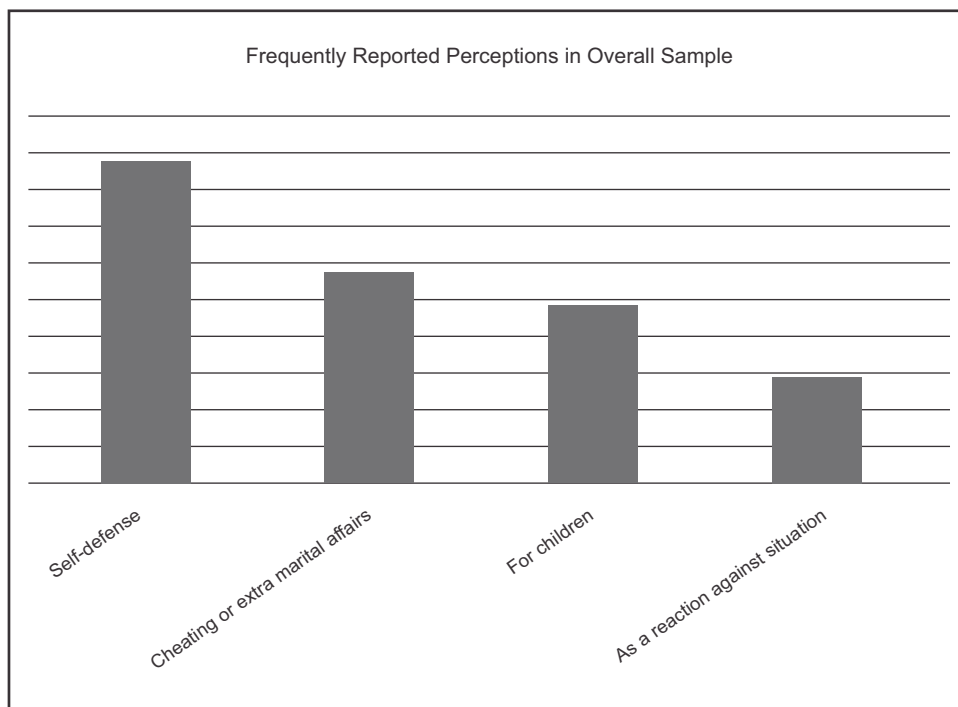


Chart 1

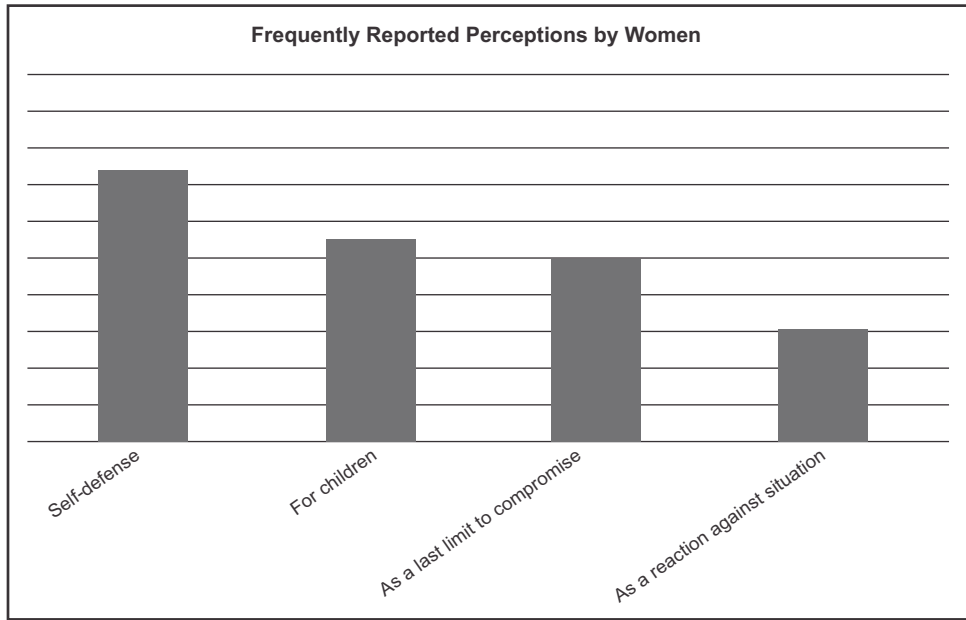
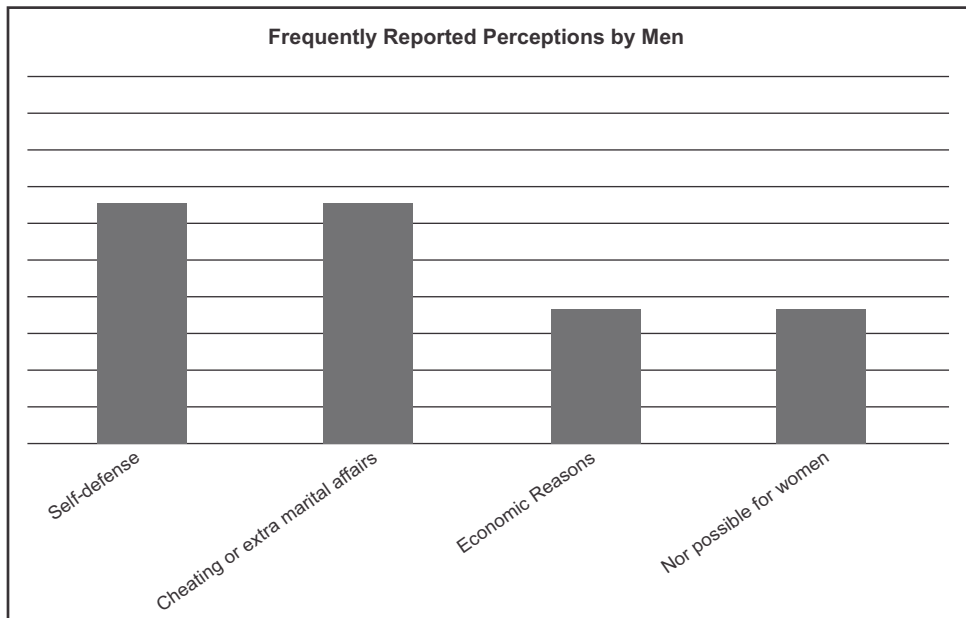


Chart 1



Discussion

The findings of this exploratory study portrayed the perception of middle aged people about “why do women kill” phenomenon. The aim of the study is to develop an understanding about the indigenous perspective of the issue under consideration.

The quantitative study based on survey approach indicated the perceptions of middle aged men and women about why do women kill with respect to our cultural context. In overall sample of middle age men and women (n=200) the highest ratio of the perceptions about murdering by women in socio-psychological perspective of Pakistani culture are self-defense (21.5%), cheating or extramarital affairs (14.5%) for children (13%) and as a reaction against their situation (10.5%). The higher proportion of sample also perceived that women can't commit such a heinous crime due to stereotypical concept of women just victim and not accepting their proactive role in case of crime; that it is simply not possible for women. Females perceived that self-defense could be the most possible factor behind murders committed by women (23%). In the light of this descriptive analysis we can say that females perceive that women kill in self defense in order to protect themselves for instance, in case of dacoity, robbery and rape etc. Killing someone in self defense is that killer killed in order to save herself. It is generally accepted that women would be more inclined to kill their partners if they are battered women and if their partners have abused them (Browne, 1987; Block, 1990; Bannister, 1991). Consequently, scientists in social context believe that homicides committed by females are mostly the consequence of women's efforts to secure themselves from their male partner's abusive conduct (Browne, 1987). The principal motivations behind women committing such murders are either protecting themselves from an attack or in situations where their dear ones are under threat or harassed by the abuser as proposed by self-defense theory. The prevalent perception of these women is that it is not possible for them to avoid this abusive situation (Radford, 1994). However, women who are battered frequently show many ineffective efforts to gain outside involvement before murdering their partners (Sherman & Berk, 1984).

Women can also kill in order to protect their children and even sometimes kill their children to protect them from poverty and other situations of possible crisis (19%). As research proposed that the mothers who murdered their children are more probable to be single, economically ruined and young. The findings support Daly (1998) that the possible adversity the women and their babies would face in the future actually facilitate the women to dispose of an infant and for them murder appeared to be an act of aggravation over their inability to rise above their situations (Daly, 1988).

Females mostly perceived that women can commit murder as a possible reaction against their situation (14%). So this perception matches with what our print media also reports that mother poisoned her children or drowned her children to help them escape the vicious cycle of poverty. They can also commit murder when no more compromise is possible for them in order to protect themselves, their loved ones or their relationships (18%). According to some other common perceptions regarding murders committed by women are that women can also murder any one when she thinks herself as helpless (11%), when she thinks that no one can help her and that she has to do something for her own sake. It has been perceived also that murder can be a result of betrayal or disappointment in women's relationships (10%). This shows the concern of the respondents about the extramarital affairs of the husbands and this male dominated society expects that wives should remain silent and tolerate but sometimes this emotional turmoil can drive women to kill their husbands for being disloyal.

Males perceived that women can commit murder due to self defense (20%) in situations where their honor is at stake. They perceived that the principal motivations behind women committing such murders are either protecting themselves from an attack or in situations where their dear ones are under threat or harassed by the abuser as proposed by self-defense theory. We can say that men and women perceive that in order to protect themselves from the threatening situation women kill. This reflects that gender role of women as caring, sensitive, nurturing shapes the perception of men and women about women killers. This finding also supports Russell's (2013) extensive work on perception of female offenders which illustrates that it is very difficult to perceive women as "dangerous" as it mismatches with gender roles of nurturing and passive nature.

The commonly stated perceptions in male sample are that murder can be result of cheating or extramarital affairs sometimes of their husbands and sometimes their own illicit affairs too (20%), can be the result of rivalry/ second marriage of husband (12%), due to poverty or economic reasons in order to protect themselves or their loved ones (14%). While another possible perception for murder to be committed by women can be psychological issues (10%). Keeping in view the perceptions of men about women killers, it is interesting that men have full realization that it is really hard for wives to digest the extra marital affairs of their husbands and sometimes their own involvements with men result in murder of a lover. Perceptions of males have also portrayed another sensitive issue that murder can be the result of second marriage of husband as the concept of "SOTHAN" in our society is highly disapproved.

Interestingly, a clear majority of men also perceived that either it is not possible for women or that they don't know about it (14%). Surprisingly 14% of the male respondents said they don't know what makes women kill which reflects their ignorance towards this bitter reality. Other perceptions mentioned in sample are psychological problems, failures in relation, helplessness, revenge, to protect her rights, rape, jealousy, fulfillment of her desires or materialism, aggression, hopelessness, cheating or betrayal of trust, as a last option, to defend her mistakes, ignorance, social injustice, social issues, self esteem, domestic violence, patriotism, in honor, unavoidable situations and possessiveness.

Some of the perceptions reported only by males regarding murders committed by men were illiteracy, less knowledge of religion; emotional issues, and discrimination on gender by parents, hormonal stress /imbalance and lack of tolerance. Likewise some of the perceptions were reported only by females; frustration, restrictions, to protect family, adjustment issues, experimenting with different options, impulsiveness, lack of basic needs and failure to follow conventional rules.

Differences are also reported in terms of percentages of perceptions between the two samples. The frequently reported perceptions by the women for killings by women were self defense (23%), for children (19%), as a last limit to compromise (18%) and as a reaction against situation (14%); whereas the most frequently reported perceptions by men were self-defense (20%), cheating or extramarital affairs (20%), economic reasons/poverty (14%) and not possible for women (14%). The results support Russell (2013) that female offenders commit crime because of their own victimization.

Conclusion

The study explored the perceptions of middle aged people regarding the possible factors behind murder committed by women. The data indicated that most of the middle aged men and women perceive that women kill in self-defense. Secondly the study highlights psychosocial factors such as poverty, second marriage of the husband, extramarital affairs of husbands which turn these 'perceived benign women' into brutal killers. The study indicates that perceiving women as offenders mismatches with our schema of women as sensitive, caring and weak heavily shaped by the societal gender roles.

Limitations

1. The present study deals with the perspective of middle aged people only.
2. Purposive Convenient sampling was used which reduces the generalizability.

Implications

1. The study has widespread implications for the forensic psychologists.
2. It helps to develop an awareness regarding the ignorant aspect of women personality.
3. It helps in developing the policies regarding women criminals.
4. The study deals with the perceptions of middle age people about why women kill.

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An Analysis of the Probable Association Between Narcissistic Personality Disorder and a Rage-Type Murder Event (Part 1)

Christiaan Bezuidenhout & Michelle Wharren

Abstract

This research was directed at establishing whether narcissistic individuals will go to extreme levels of violence, specifically murder, if their self-image is threatened. The aim was to determine the extent of pre-existing narcissistic personality disorder (NPD) in these individuals and how this could have contributed to the murderous action they committed. Emphasis was placed on the psychological motivation of the perpetrator, as well as the relationship that existed between the perpetrator and the victim prior to the event. Research on narcissism indicates that hostile aggression is a reaction to threatening evaluations of the self-esteem which often could lead to a gratuitous hostile aggressive action or an overkill murderous event.

This contribution is the first part of a two part series pertaining to our research. Part one will focus on the definition of the concepts, a literature review and a general discussion of the probable association between narcissistic personality disorder and rage-type murder. A case study will be reviewed against the backdrop of the existing literature. Part two of the research in a future publication will focus on our fieldwork and research findings pertaining to this topic.

Keywords

Aggression, "Catathymic Crisis"; DSM-IV-TR; Grandiosity; Narcissism; Narcissistic Personality Disorder (NPD); Rage-Type Murder; Self; Self-esteem; Self-image; Violence.

Narcissism is a phenomenon dating back to the Greek myth of Narcissus. The myth portrays the fate of a man who was so in love with himself, he completely withdrew from the world (Ehrlich, 2000; Fine, 1986). In simple terms, narcissism can be described as "self-involvement", and occurs when the ego adopts itself as the love object, where the alternative of falling in love with another is completely rejected (Peterson & Seligman, 2004; Symington, 1993). Narcissism destroys any self-knowledge in the individual by projecting unwanted aspects of the character onto others (Symington, 1993). "Their whole demeanor tends to portray a quiet sense of knowing that they are more important than others" (von Krosigk, 2012, p.482). In addition they make unreasonable demands on others, show arrogant behavior and are demeaning towards others. These individuals have learned to rely only on themselves and their self-evaluations for safety and the preservation of their self-esteem (Millon, 1981; Nolen-Hoeksema, 2011).

There is a perception that individuals with narcissistic personalities retreat into themselves, as indifference is the best protection against disappointment (Fine, 1986; Ronningstam, 2005). The notion of others being untrustworthy, and reliance primarily on self-love, is a defense mechanism narcissistic individuals evoke to avoid the risk of rejection (Ronningstam, 2005). The main problem seems to be a disturbance in self-regard, as well as disturbances in object relations. These disturbances reflect intense, primitive and internalized object relations and the inability to depend on internalized 'good' objects (Kernberg, 1975).

Narcissistic individuals are by nature independent and not open to intimidation; their main interest is self-preservation. The ego has a substantial amount of aggressiveness, which is ready for activity whenever the self-image is perceived to be under threat (Freud, 1961). They see dependency on other people as a weakness and risky (Nolen-Hoeksema, 2011). Research on narcissism (Bauemeister, Smart & Boden, 1996; Bogart, Benotsch & Pavlovic, 2004; Bushman & Bauemeister, 1998; DiGiuseppe & Tafrate, 2007; Kernberg, 1975; Ronningstam, 2005) indicates that hostile aggression is a reaction to threatening evaluations of the self-esteem. The Diagnostic and Statistical Manual of Mental Disorders (Text Revision) (DSM-IV-TR) (American Psychiatric Association, 2000) describes individuals with narcissistic personalities as those whose “self-esteem is invariably fragile; [these individuals] may be preoccupied with how well [they are] doing or how [they are] regarded by others. In response to criticism, [they] may react with rage...” (p.350). Thus the rage they experience is a direct expression of their aggression, and erupts when their superiority is questioned.

Aim of this Contribution

The authors focused on establishing whether narcissistic individuals will go to extreme levels of violence, specifically murder, if their self-image is threatened in intimate relationships. The aspiration was to determine the extent of pre-existing narcissistic personality disorder (NPD) in these individuals and how this contributed to the murder they committed. Emphasis is placed on the psychological motivation of the murderer, as well as the relationship that existed between the murderer and the victim prior to the event. Individuals who commit rage-type murders do not have psychopathy, and they cannot be diagnosed with Axis I disorders, as stipulated in the Diagnostic and Statistical Manual of Mental Disorders (Text Revision) (DSM-IV-TR), and are thus seen as 'normal' (i.e. individuals who do not have a history of violence or psychopathology). In Part one (this article) the researchers will specifically aim to define the key concepts central to this study, namely: rage-type murder; narcissistic personality disorder and present the reader with the current body of knowledge available on rage-type murder. The researchers

will furthermore try and determine whether a causal link is probable and will use a current case study to give direction to the research and leave food for thought regarding a follow up article (Part two).

Hypothesis

The association between NPD and rage-type murder would assist in determining the risk associated with a narcissistic individual and the likelihood they would re-offend in similar circumstances. Individuals who commit rage-type murders should not be held criminally liable for their actions, since an underlying personality disorder as well as a specific build-up to the event, is required. They should be allowed to contextualize a defense of non-pathological criminal incapacity, and be committed to a psychiatric facility. The effects of the unconscious, a dysfunctional ego, or a weakness in the superego resulting in a personality disorder should not be valid justification for legal punishment (Bromberg, 1951; Levesque, 2006). The punishment for the crime must be based on the personality of the perpetrator, as well as the motivation underlying the act in order for a suitable treatment to aid in the perpetrator's adjustment in the future (Bromberg, 1951).

Definition of Key Concepts

Although definitions all have a common purpose, they often lack uniformity. For this reason the following definitions are provided in order to contribute to a common understanding of the key concepts in this article.

Rage-Type Murder

Megargee (1966) identifies two types of personalities in assaultive populations, namely the under-controlled personality and the over-controlled personality. The under-controlled personality has low inhibitions against aggressive behavior, engaging in violence when provoked, while the over-controlled personality has extremely rigid inhibitions against aggressive behavior and rarely responds to provocation. This individual is aware of the consequences associated with violence (Bartol & Bartol, 2014). Hinton (1983), and more recently Brookman (2005), found that over-controlled, conforming individuals are more likely to be linked to murder, but less likely to be associated with other types of crimes, and the probability of re-offending is low.

Individuals who commit rage-type murders can be classified as over-controlled individuals since they have strong inhibitors and violence only occurs when provocation is intense and, importantly, this has occurred over a period of time (Coid, 2005; Hollin & Howells, 1989). When frustration and provocation overwhelm the over-controlled individual they do tend to violently strike out at the

source of the frustration. Bartol and Bartol (2011) suggest that the over-controlled individual often displays violence in excess of the under-controlled individual, explaining the brutality and unexpected nature of the murder. According to Megargee (1966) the degree of violence is proportional to the degree of the perceived instigation. Thus, over-controlled individuals are likely to commit acts of extreme violence, but not likely to have a history of frequent minor offences. Violence is the result of instigation to violence, mediated by anger, which exceeds the level of control of the aggressive feelings (Coid, 2005; Hollin & Howells, 1989). The violence represents the last resort when all attempts to resolve the situation fail.

A comprehensive definition is important in order to recognize actions that can be considered rage-type murder, as there is a need to distinguish rage-type murder from psychopathic, perverse and psychotic, as well as murder committed to fulfill a criminal motive (Cartwright, 2001). However, no specific definition explaining the exact nature of rage-type murder could be identified. For this reason the operational definition of rage-type murder is based on the descriptions of what the action entails. Generally, murder is the deliberate, unlawful taking of another individual's life, where there is intent to harm that individual (Bergman & Berman, 2009). In the case of rage-type murder, the victim and perpetrator are known to each other, with evidence suggesting a pre-existing relationship. The perpetrator is said to have an over-controlled personality, with no history of psychological pathology, violent or aggressive behavior. There is no evidence of premeditation or motive, allowing the act to take place without prior warning. Post-event analysis indicates a situational build-up, with a relatively trivial catalyzing interaction (mostly an argument, a threat or an insult) between the perpetrator and the victim directly prior to the murder. Often dissociation occurs, leaving the perpetrator unable and unsure regarding the details of the murder.

As a description does not provide a clear definition and, in view of the above, rage-type murder, in the context of this research, can be defined as the deliberate, unlawful killing of an individual by another, with these individuals having a pre-existing relationship. The perpetrator has an over-controlled personality and no history of violent or aggressive behavior or of psychological pathology. The attack appears to be sudden and motiveless, although a situation build-up can be identified. The attack is carried out with excessive violence, generally triggered by a catalyzing interaction between the victim and perpetrator, and often dissociation is present.

Narcissistic Personality Disorder

The clinical features for NPD are set out in the DSM-IV-TR (American Psychiatric Association, 2000), as a classification system to ensure common diagnostic criteria of mental disorders exists. Narcissistic personality is classified as

a Cluster B disorder, namely the dramatic, emotional or erratic cluster. The DSM-IV-TR diagnostic criteria for NPD can be sub-divided into four broad categories, namely, interpersonal (criteria 4,5,6,7 and 8), self-image (criteria 1 and 3), cognitive (criteria 2), and behavioral (criteria 9).

In the DSM-IV-TR (American Psychiatric Association, 2000, p.717), the diagnostic criterion for NPD is outlined as follows:

Narcissistic personality is “a pervasive pattern (in fantasy or behavior), need for admiration and lack of empathy, beginning by early adulthood and persistent in a variety of contexts, as indicated by five (or more) of the following:

1. Has a grandiose sense of self-importance.
2. Is preoccupied with fantasies of unlimited success, power, brilliance, beauty, or ideal love.
3. Believes that he or she is “special” and unique and can only be understood by, or should only associate with, other special or high status people.
4. Requests excessive admiration.
5. Has a sense of entitlement, i.e., unreasonable expectations of especially favorable treatment or automatic compliance with his or her expectations.
6. Is interpersonally exploitative, i.e., takes advantage of others to achieve his or her own ends.
7. Lacks empathy: is unwilling to recognize or identify with the feelings and needs of others.
8. Is often envious of others or believes that others are envious of him or her.
9. Shows arrogant, haughty behaviors or attitudes.”

As the DSM-IV-TR is the standard manual for diagnosing mental disorders in South Africa and many other western countries, the diagnostic criteria serve as a comprehensive definition of NPD. However, NPD is the rarest personality disorder to be diagnosed in individuals (Emmelkamp & Kamphuis, 2007; Nolen-Hoeksema, 2011). Only extreme manifestations of the criteria listed in the DSM-IV-TR reflect pathological narcissism (i.e. NPD), the less extreme manifestations of the criteria reflect narcissism as a personality trait (Emmons, 1987; Peterson & Seligman 2004). For this reason, a diagnosis of NPD as set out in the DSM-IV-TR is not required, as the significant aspect of NPD is the inconsistency between the descriptors. Grandiosity is the core trait of NPD, and self-esteem regulation is the core deficit (Emmelkamp & Kamphuis, 2007; Oltmanns, Martin, Neale, Davidson, 2012).

The criteria, as set forth in the DSM-IV-TR, are used to define NPD in context of this contribution. Operationally, a narcissistic individual can be defined as an individual who is behaviorally arrogant, cognitively omnipotent, personally grandiose, interpersonally exploitative, envious and callous with a sense of entitlement who lacks empathy.

Literature Review With Regard to Narcissistic Personality Disorder

Several authors' (Ellis, 1898; Freud, 1914/1957; Horney, 1939; Reich, 1933/1949) early descriptions of narcissism still have an influence on the conception of the disorder today. For example Freud described narcissism as libidinal investment (Sadock & Kaplan, 2007), which is the closest depiction to the DSM-IV-TR classification of NPD (Millon, 1981; Sadock & Kaplan, 2007). However, the focus of the disorder remains on the central characteristics of accomplishment, ambition and pretentiousness.

In the 1960s, Kernberg (1967) and Kohut (1968) introduced the terms "narcissistic personality structure" and "narcissistic personality disorder" respectively, to describe the long-term organized functioning used to define narcissism as a personality disorder (Ronningstam, 2005). Two theoretical perspectives on narcissism exist, namely the ego psychology-object relations perspective and the self-psychology perspective. The ego psychology-object relations perspective proposed by Kernberg (1967) states that the self is a sub-structure within the ego system, reflecting components developed through experiences (Kernberg, 1998), and the self-psychology perspective proposed by Kohut (1968) states that the development of the self is based on an integration of the internalized self and object representations. These perspectives depict narcissism as a unique behavioral pattern of the late 20th century (Millon, 1998).

Narcissistic individuals blindly base their self-esteem on the naïve assumption of personal worth and superiority, which is directed to recognize and cater to their high self-esteem (Fish, Casey & Kelly, 2007; Millon, 1981; Nolen-Hoeksema, 2011). Narcissistic individuals have immense self-reference, described as a preoccupation with themselves, "...it is what they think of themselves...that serves as the touchstone for their security and contentment..." (Millon, 1981, p.157). There is, however, a contradiction between an inflated self-image and a constant need for admiration (Kernberg, 1975), which is seen by some as a form of dependence. Kernberg (1975) and Kohut (1971) agree that the narcissistic individual remains emotionally invested in the grandiose self-image, despite having a less favorable self-appraisal. The views of the self are unrelated; however, the grandiosity and omnipotence co-exist with feelings of inferiority. Thus, the exaggerated self-esteem has an emotional rather than a cognitive character expressing self-love without cognitions of superiority, consequently involving an

unstable high self-esteem (Bushman & Baumeister, 1998; DiGiuseppe & Tafrate, 2007). The presence of these extreme contradictions in their self-image is evidence of pathology, although well hidden under a surface of proficient social functioning (Kernberg, 1975; Sadock & Kaplan, 2007).

Indicators of the presence of a narcissistic personality include extreme sensitivity to perceived failure, a sense of entitlement and a need to be considered unique. They fail to develop and maintain long-term satisfying relationships (Brown, 1998; Campbell, Brunell, & Finkel, 2006) due to a lack of emotional depth, and consequently an inability to understand the emotions of others. Their feelings lack differentiation and they often have outbursts of emotion followed by quick diffusion. They display excellent anxiety tolerance; however, this is obtained through increasing narcissistic fantasies and a withdrawal into the self (Kernberg, 1975). They are extremely envious of others, emotionally shallow (Brown, 1998; Dobbert, 2007) and they expect one-sided, unconditional love and admiration by everyone in all situations (Boldt, 2007), and an overwhelming sense of grandiosity and omnipotence (Brown, 1998; Ronningstam, 2005). Narcissistic individuals are highly arrogant, exploitative and at times ruthless, holding an indifference to social standards (Dobbert, 2007; Millon, 1981), while at the same time feeling chronically uncertain, with deep-rooted dissatisfaction in themselves (Kernberg, 1975). These individuals have a desire for superiority, and therefore their behavior is less in line with the demands of society, and more an "exhibitionistic demand for admiration" (Boldt, 2007, p.48). They cause considerable damage to many of the social structures to which they belong (Symington, 1993), as their social behavior is directed to maximizing their self-esteem, ultimately validating their self-image (Bushman & Baumeister, 1998; Campbell, et. al, 2006). By definition, they require excessive admiration and approval and will go to great lengths to obtain what they feel is their due (Brown, 1998; Dobbert, 2007).

A widely held view is that low self-esteem is a contributing factor to violence and aggression (Anderson, 1994; Barnett, Miller-Perrin & Perrin, 2005; O'Moore & Kirkham, 2001; Papps & O'Carroll, 1998; Toch, 1993). However, research carried out by Baumeister, et. al, (1996) contradicts this assumption. In their opinion, violence is a result of any real or perceived threat to an individual's positive views of the self. Their research concludes that hostile aggression is a reaction to threatening evaluations of the self-esteem. Narcissistic individuals have a high opinion of themselves, efficient social functioning and impulse control, as well as the potential to fulfill ambitions (Kernberg, 1975). In situations in which narcissistic individuals find their ability or sense of entitlement is questioned, when they perceive threat to their self-image, or when they are hurt, they are likely to display primitive defense mechanisms, such as a cold demeanor, deep depression, and in some instances

intense aggression and extreme hostility (Bogart, et. al, 2004; Kernberg, 1975; Ronningstam, 2005). Any threat toward their 'superior' self-esteem is a predictor of aggressive and violent behavior (Ronningstam, 2005).

Research (Bushman & Baumeister, 1998; Lachkar, 1992; Snyder, Schrepferman, Brooker, & Stoolmiller, 2007) indicates that all individuals who receive ego threats are inclined to respond with aggression to the source of the criticism. However, Bushman and Baumeister (1998) found that the reaction is strongest among narcissistic individuals. This research furthermore illustrates that narcissistic individuals develop aggressive responses to positive reactions, revealing that these individuals react with aggression and hostility to any form of evaluation. Other authors' research has yielded similar results (Bogart, et. al, 2004; Campbell, et. al, 2006; Larsen & Buss, 2006; Nestor, 2002). This behavior is very similar to hostile attribution bias which means that they are more likely to interpret ambiguous actions as hostile and threatening (Bartol & Bartol, 2014). Narcissism does not, however, indicate overall elevation of aggression. The aggression is specifically directed towards the source of the criticism and is determined by the degree of the perceived threat (Bushman & Baumeister, 1998), suggesting the aggression is interpersonally meaningful. Individuals who consider themselves superior to others are not more dangerous, rather it can be said that the individuals who have a desire to be superior are more dangerous (Bushman & Baumeister, 1998).

The motive why an individual would murder someone who is known to the perpetrator, with no prior history of violent behavior, is enigmatic. In view of the above literature, it seems likely that narcissistic individuals will go to extreme levels of violence if their self-image is threatened to a substantial degree within an interpersonal relationship.

Literature Review With Regard to the Association between Rage-Type Murder and Narcissistic Personality Disorder

Narcissistic individuals require constant external admiration to maintain their self-esteem (the "narcissistic supply"). When they do not receive this, they perceive the experience as a personal rejection (the "narcissistic injury"), which will possibly result in an irrational reaction (Schulte, Hall & Crosby, 1994). Narcissistic individuals place themselves in situations where they intend receiving or creating attention from others. Invariably, they experience intense emotion from the feedback (Rhodewalt & Morf, 1998); be it positive or negative (Emmons, 1987). Discrepancies between external feedback and internal self-image result in an arousal state that promotes aggression, and possibly violence, under certain conditions (Papps & O'Carroll, 1998).

Narcissistic individuals displace or block appropriate affect in situations, which they consider overwhelming, yet they are able to display appropriate affect in other situations (Schulte, et. al, 1994). These individuals are unable to express or acknowledge rage, aggression, or disappointment, which results in behavior that is suggestive of potential harm to themselves or others (Schulte, et. al, 1994). They react with intense anger to any situation in which they are criticized, humiliated, or rejected (i.e. any situation which threatens their self-image) (Emmelkamp & Kamphuis, 2007). Single instances of perceived threats to the grandiose self-image are not sufficient to produce expressions of aggression. However, if constant criticism is directed at the narcissistic individual, it is likely to be perceived as a threat; it thus plays an instigating role, and when instigation is present, eruption of violence is almost always inevitable (Malmquist, 2006; Papps & O'Carroll, 1998). The isolation of appropriate affect is evident after the murder event, where the perpetrator seems to be unaffected by the situation. The notion exists that inappropriate affect, in this instance, relates to the narcissistic injury and subsequent rage (Lachkar, 1992; Schulte, et. al, 1994).

Narcissistic individuals display a pattern of emotional responses organized around their grandiose self-image, to maintain their fragile self-esteem. Grandiosity, dominance, narcissism, and hostility are positively correlated (Raskin, Novacek & Hogan, 1991), suggesting grandiosity and dominance mediate the relationship between narcissism, hostility and subsequently anger and rage (Rhodewalt & Morf, 1998). Anger is an "intense emotional experience, interpersonal in nature" (Papps & O'Carroll, 1998, p.421). Anger is a consequence of frustration, and is thus goal directed, in other words, it is used to overcome obstacles. Rage is an expression of "a primitive explosive affective state" (Cartwright, 2002a, p.22) that involves the self-system, and is a consequence of shame; in other words, it is a failure to maintain the self-system and it requires a personal insult (Almaas, 2000; Cartwright, 2002a).

Rage is anger caused by shame, and manifests with a dissociated behavior (Almaas, 2000; Cartwright, 2002a). The anger is so intense that the goal is blocked and the self-organization is disrupted (Almaas, 2000; Cartwright, 2002a). Rage is a "powerful motivator of behavior" (Glick & Roose, 1993, p.130), it impairs the ability to go beyond the immediate situation, it "focuses consciousness completely on the here-and-now situation with unparalleled intensity" (Katz, 1988, p.31), and may be expressed directly or indirectly (through displacement). Rage is not spontaneous; it has a threshold of activation, facilitation, and reactivity (Glick & Roose, 1993). Rage is experience-dependant, and is generated by a build-up of discontentment. The degree of the discontent determines the affect and behavior that are activated (Glick & Roose, 1993). The intensity, duration, and frequency of the

discontent determine the intensity of the subsequent rage reaction (Cartwright, 2002a), which is triggered by mounting discontent, and an inability of the ego defense mechanisms to mediate the experience (Glick & Roose, 1993). In narcissistic rage, threats to the self may lead to violent attacks, since the individual has a need to 'remove' the perceived threat (Akhtar, 2009; De Zulueta, 1993; Lachkar, 1992). Narcissistic rage is a "desperate defensive action" aimed at preventing shame, humiliation, and any threat to the wellbeing of the self that are produced by sudden loss of self-esteem (Akhtar, 2009, p.182; Cartwright, 2002a, p.25). A rage reaction emerges whenever there is a real or perceived lack of control within the narcissistic individual (Cartwright, 2002a). Unlike anger, rage is not related to overcoming an obstacle, it is a response to an injury to the self, which makes this reaction more intense, unfocused, and of a longer duration (Cartwright, 2002a). "The greater the threat to our sense of who we feel we are, the more powerful the [defense] processes we use" (De Zulueta, 1993, p.124). In rage-type murders, the rage is evident by the brutality of the crime and the gratuitous violence, as well as by the appearance of multiple wounds inflicted by an individual who has an intimate relationship with the victim.

Grandiosity and dominance in the narcissistic individual are defensive behaviors that allow the expression of hostility, anger, and rage. Anger, hostility, and rage are central to the emotional life of the narcissistic individual, as these responses are expressed to protect the self-image (Raskin, et. al, 1991). Anger and rage are a response to perceived threats to the grandiose self (Malmquist, 2006; Raskin, et. al, 1991; Rhodewalt & Morf, 1998). Exploitation and projection are psychological defense mechanisms the narcissistic individual employs to protect their self-esteem (Raskin, et. al, 1991; Sadock & Kaplan, 2007). A psychological defense mechanism is a configuration that deals with rage on an unconscious level by splitting the ego into 'good' and 'bad' object (De Zulueta, 1993; Sadock & Kaplan, 2007). Individuals identify with good objects and project destructive bad feelings onto others (De Zulueta, 1993). All individuals depend on psychological defense mechanisms to protect them from feelings that are threatening or painful (De Zulueta, 1993). Narcissistic individuals maintain defensive psychological structures that promote feelings of safety, as this is essential to the survival of the idealized self (Bateman, 1999). "Certain [individuals] with narcissistic pathology, who are facing narcissistically overwhelming situations ... may ... be at risk for impulsively committing acts of violence towards themselves and others" (Schulte, et. al, 1994, p.620). When perceived threats do arise, individuals with a grandiose self-image do generally react in irrational ways (Almaas, 2000; Malmquist, 2006; Papps & O'Carroll, 1998).

When the defensive psychological structure is breached (the split of the ego into 'good' and 'bad' object is united), and the bad self is revealed, the levels of anxiety within the individual cannot be tolerated, and this compels the individual to remove the threat (i.e. commit the murder) (Cartwright, 2002b). This is seen as a form of self-preservative violence, in which the threatening object must be removed or destroyed (Bateman, 1999). The dissociation experienced is due to the individual's need to remain in contact with the other, while repressing the destructive feelings of rage brought out by the projective identification (De Zulueta, 1993). The idealized self is not a stable part of the internalized objects, as the goodness relies on projective identification with good external objects (Cartwright, 2002b). Projective identification is a process where unwanted aspects of the self are isolated and transferred into another individual, and the modified version of what is projected onto the other is returned (De Zulueta, 1993; Sadock & Kaplan, 2007). Projective identification is characterized by the 'oneness' of the self and the other, whereas pure projection is characterized by the 'otherness' of the self and other (De Zulueta, 1993; Sadock & Kaplan, 2007). Narcissistic individuals seek conformation of goodness from external objects to maintain their defensive psychological structures; they use projective identification to find external conformations to encourage their perception of being the idealized self (Cartwright, 2002b; Sadock & Kaplan, 2007). The external objects are part of a system that has a narcissistic quality, where there is no clear distinction between the self and the external object (Cartwright, 2002b). The idealized self supports and contains an internal bad object system. While supporting and containing the bad object system, the idealized self also protects the self from external threats (Cartwright, 2002b).

The splitting of the personality (ego) shows the refusal of the narcissistic individual to associate the self with any badness (Cartwright, 2002b; Sadock & Kaplan, 2007). The bad self-images remain split off and dormant in the personality; the bad self remains concealed behind the idealized self (Cartwright, 2002b). "Bad experience simply accumulates and remains unmodified and unarticulated" (Cartwright, 2002b, p.12), as acknowledging the bad experience could alter the idealized self, so the narcissistic individual does not deal with the experience, they merely remove it. The ego is maintained as long as the destructive personality remains split (Cartwright, 2002b). This defensive personality organization best explains the arrogant, grandiose personality (good object/idealized self-image) and the underlying inadequacy, incompetence, and passivity (bad object/fragile self-esteem), all which remain hidden because of the anxiety they create (Cartwright, 2002b). The defensive psychological structure allows rage and destructiveness to remain unconscious as long as the split in the personality is maintained (De Zulueta, 1993). When the split can no longer be maintained, displacement is used to preserve the self.

It is important to determine whether the threatening object is internal or external. In rage-type murder the object that is removed or destroyed is an external object that is identified with a bad internal object. Through projective identification, the other is perceived as the source of everything bad; it therefore becomes necessary to remove the other to protect the self (Cartwright, 2002b; De Zulueta, 1993). Due to projective identification, the boundary between the self and the other is not clearly distinguishable, thus the act of murder is seen as one to protect the self, as the other is not viewed as a distinct entity. The murder is a result of ego dysfunction and failure of repression (Cartwright, 2000). Glick and Roose (1993) state that “when excessive [criticism] persists, occurs frequently enough, and are sufficiently intense, they stabilize into hate, a more enduring feeling of self-object attached hostile destructiveness” (p.127). Hostile destructiveness creates a disruption in the formation of the structure of the psyche and object relations (Glick & Roose, 1993). Rage is an effect of hostile destructiveness, and takes into account that discontent is not only due to frustration, not always directed outward, and does not manifest immediately (Almaas, 2000; Glick & Roose, 1993). Frustration generates aggression whenever negative affect is aroused, and negative affect produces primitive anger experiences (i.e. rage) (Almaas, 2000; Papps & O'Carroll, 1998). Any negative affect immediately gives rise to some form of a reaction, be it avoidance or attack (Papps & O'Carroll, 1998). This is particularly evident when narcissistic individuals are involved, as they refuse to accept negative feedback and generally react with irrational responses (Papps & O'Carroll, 1998).

Object relations determine the level of rage generated in situations (Glick & Roose, 1993). The intensity, duration, and frequency of the discontent in the object relations produce the degree and form of hostile destructiveness in the relationship (Glick & Roose, 1993). Rage that is released in a specific situation is facilitated by increased levels of accumulated and stabilized hostile destructiveness (Glick & Roose, 1993). This means that when the ego is overloaded with experiences of discontent, any minor, trivial event can trigger an intense rage reaction. This rage reaction is linked to past experiences, which explains why the trigger need not be extremely intense (Glick & Roose, 1993; Sadock & Kaplan, 2007).

The narcissistic individual will only direct the rage toward the source of the threat (Papps & O'Carroll, 1998; Sadock & Kaplan, 2007). Thus, it is necessary to have a build-up of self-image threats directed at the narcissistic individual before an irrational aggressive reaction is likely to occur, and this reaction will be directed to the source of the criticism. Research (Bursten, 1981; Feldman, Johnson, & Bell, 1990; Horowitz, 1981; Malmquist, 2006) suggests that this reaction is due to a grandiose self-image, with a fragile self-esteem, which results in limited coping skills. The aggressive reactions are actions to re-establish the self-esteem (Schulte,

et. al, 1994). Violence is a specific manifestation of aggression (Cartwright, 2002a), the aggressive reaction is a consequence of continued threat to the self-image. Violence may result if the threat is directed at the narcissistic ego. Violence is a rare event, and is likely only to manifest in an intimate relationship (Schulte, et. al, 1994).

Wertham (in Cartwright, 2002a) describes rage-type murder as a process with its foundation in an injurious precipitating event, resulting in a catathymic crisis for which the victim is blamed. An emotional outburst, which consists of essentially unprovoked extreme rage, manifested by an explosion of aggression, was termed a “catathymic crisis” by Wertham in 1937 (in Revitch & Schlesinger, 1981). The catathymic crisis is defined as “a reaction activated by a strong and tenacious affect” (Revitch & Schlesinger, 1981, p.127), in other words, it is the eruption of the self to violence in which all energy is used in an attempt to control the situation, but when this fails, individuals devote all their energy into eliminating the threat. The release of energy during the violent act represents a failure of the perpetrator to contain, manage, and control the inner conflict and turmoil within the relationship (Pollock, Stowell-Smith & Gopfert, 2006). Once the threat is removed, intrapsychic equilibrium is re-established, and there is a return to a sense of normality (Hyatt-Williams, 1996; Wertham, 1966).

The catathymic crisis occurs within an ego-threatening relationship (Revitch & Schlesinger, 1981), and is triggered by a build-up of tension and frustration. This build-up can last anywhere from a few days to a year before the act is carried out, and a feeling of relief usually follows the act (Revitch & Schlesinger, 1981). In rage-type murder, violence becomes more of a solution as the tension and frustration build up, until it becomes uncontrollable and violence ensues, where after there is a superficial return to normality. In the case of other types of murder the perpetrator realizes that extreme violence is unnecessary; in the case of rage-type murder the perpetrator feels that violence is the only solution to the situation.

The murder appears to be motiveless, with a degree of dissociation present in the perpetrator (Cartwright, 2002a). The act itself is defensive in nature, and the destruction of the object (the source of the distress) is the motivating factor within the perpetrator (Cartwright, 2000). The impulse to murder originates from an “internally threatened part of the personality” (Cartwright, 2000, p.112) that the individual attempts to destroy by removing the perceived source of the threat (Bateman, 1999; Cartwright, 2000; Hyatt-Williams, 1996). To the perpetrator the murder may feel as if it is a necessary function for self-preservation, since their internal reality is controlled by fear (Cartwright, 2000; Cartwright, 2002b; Hyatt-Williams, 1998), thus, the act appears unprovoked to outsiders, but to the perpetrator it is necessary to preserve the self. The violence is committed, followed by a

superficial return to normality with no insight into the murder (Cartwright, 2002b). Dissociation occurs with a sudden surge of rage at the time of the murder, and passes immediately after the act (Cartwright, 2002a). The dissociative reaction is a consequence of the splitting of the ego (into good and bad objects) and superego from the rest of the personality; the result is that individuals are unable to control their feelings of anger and hostility (Abrahamsen, 1973; Sadock & Kaplan, 2007). The loss of control results in the clear overkill typical in this type of murder (Pollock, et. al, 2006).

The complete personality and the entirety of the situation of the individual, together with negative emotion (i.e. frustration, fear and depression) and the catalyzing event, bring about the factors that may result in the murder taking place (Abrahamsen, 1973; Wertham, 1966). The reason murder takes place is based on negative emotions, which are only risk factors when they are isolated and exaggerated. In the case of rage-type murder, the negative emotion is fear, stimulated by the circumstances surrounding the event (Wertham, 1966). Fear is an overwhelming negative emotion, and is usually the root of violence (Wertham, 1966). A seemingly irresolvable personal dilemma, with the idea of an easy solution to the dilemma through violence may lead to a violent response (Wertham, 1966). This is not the sole explanation as to why murder is committed; it is a factor in the dynamics of some types of murder (Wertham, 1966): where the perpetrator feels inferior and incompetent, extreme violence frees them from these negative emotions.

The central elements to the gratuitous hostile aggressive action or the overkill murderous event are:

- A. The affective nature of the act (Wertham, 1950). The act is a defensive display of explosive affect, with the aim of eliminating the threat. It is unnecessarily violent, but brings the required relief to the perpetrator. The affective reactions (Wertham, 1950) can be explained in three stages:
 - i. The incubation period, in which the perpetrator is preoccupied with the victim and the fantasies of murder. Growing tension prior to the murder is evident in post-event analysis, and is not always conscious to the perpetrator (Pollock, et. al, 2006). During the build-up phase, the perpetrator is usually obsessively preoccupied with the victim (Revitch & Schlesinger, 1981). In most instances the perpetrator is described as being depressed and sometimes suicidal (Revitch & Schlesinger, 1981). Fantasies of murdering the ego-threatening object usually accompany suicidal thoughts, which eventually become the dominant preoccupation (Revitch & Schlesinger, 1981).

- ii. The act itself, which is the result of an accumulation of the build-up of tension, and is generally triggered by an insignificant event. The murderous act is dependent upon several factors coming together to cause the particular reaction (Cartwright, 2002a). The accumulation of events allows a low intensity stimulus to trigger the rage, which results in an excessive reaction to a seemingly trivial event (Cartwright, 2002a).
 - iii. The relief experienced when the build-up of tension and energy is released. After the murder, the perpetrator loses the suicidal thoughts, as the bad self has been eliminated. "Every [murder] ... is unconsciously a suicide, and every suicide in a sense is a psychological [murder, both] acts are caused by the perpetrator's sudden and acute loss of self-esteem" (Abrahamsen, 1973, p.16).
- B. The dissociation the perpetrator experiences (Wertham, 1950). The act is committed in an altered state of consciousness (Revitch & Schlesinger, 1981), where there is impaired contact with reality, although complete amnesia is highly unlikely. The perpetrator is not consciously aware of the motive for the violence. The perpetrator can often not discuss the events surrounding the murder, as they have difficulties in recollecting the offence, which is a display of the dissociated, split-off or amnesic attitude the perpetrator has (Pollock, et. al, 2006). Their self-reflection and metallization are limited, leaving the offence unintegrated into the consciousness of the perpetrator, also explaining the inability of the perpetrator to verbalize the event (Pollock, et. al, 2006).
- C. The lack of motive for the excessive violence carried out (Wertham, 1950). A seemingly insignificant event triggers the explosive expression of aggression; there is no premeditation to the act. In the time preceding the murder, although not planned, every move made by the perpetrator and every countermove made by the victim determine the outcome of the situation. If the perpetrator and the victim do not 'feed off' each others' actions, the escalation to violence will most likely be prevented (Barnett, et. al, 2005; Hyatt-Williams, 1998). The actual murder only takes place when "too much pressure is experienced by the individual at risk before [they] had the time, opportunity or capacity to digest it and detoxicate it psychically" (Hyatt-Williams, 1998, p.157).

Revitch and Schlesinger (1981) draw four conclusions concerning rage-type murder that contextualize the above. Firstly, an injury to the pride of the perpetrator is a key determining factor in the murder event. Secondly, the murder occurs in a close interpersonal relationship, where unresolved conflict and helplessness result in attachment difficulties on the part of the perpetrator. Thirdly, trauma or a traumatic experience in the history of the perpetrator is not a significant contributing factor to the murder. Lastly, the motivating factor appears to be displacement of

emotion onto the victim, who carries a symbolic significance to the perpetrator. Several authors (Bromberg, 1951; Lehrman, 1939; Zilborg, 1935) made similar conclusions and suggest that in the majority of murder cases, the victim is likely to represent some aspects of the perpetrator unconsciously in the mind of the perpetrator.

In summary, the situational characteristics are attributed to the individual's psychological make-up (Wertham, 1950). An external event generally provokes the act; the perpetrator and victim are usually involved in an intimate relationship; there is an escalation of the situation, which over time becomes overwhelming, as both the perpetrator and the victim are unable to escape. The overkill signifies the need to remove the internalized object relationship; and the perpetrator is usually the one who notifies the authorities, suggesting they are aware of the wrongfulness of the act, but this is not a sign of remorse for their actions.

Interpretive Case Study to Contextualize the Literature

In a recent case in South Africa that made international headlines the above elements toward the gratuitous hostile aggressive action or the overkill murderous event as well as the dissociative process can be appreciated. The case also bequeaths food for thought pertaining to the catathymic crisis and dissociation after a person's "narcissistic supply" is terminated.

Johan Kotzé who was dubbed the "Modimolle Monster" was accused of orchestrating the gang-rape of and lengthy torture of his estranged wife, Ina Bonnette as well as murdering his stepson Conrad Bonnette in Modimolle [also known as Nylstroom - a town located in the Limpopo Province of South Africa] on 3 January 2012. At the time Bonnette was still married to Kotzé, but lived in her own apartment because of their strained relationship and earlier decision to split up (Bonnette, 2013). On New Year's Eve 2011, Kotzé apparently saw Bonnette with another man in loving interaction at a social function. He observed them for a while and later even secretly followed them to her apartment. In the court case his defense stated that this exploit of betrayal by Kotzé's estranged wife impacted severely on him as he was obsessed with Bonnette. He viewed her actions as treason and renouncement. In addition emotional pressure mounted when, according to him, during an argument on 3 January 2012, Bonnette placed a vibrator on a table in his house and told him to use it on his next wife. What unfolded later in the day links to our current study (Part one and Part two)? Later that day (January 3, 2012), Kotzé phoned Bonette to come and collect the last of her belongings from his home. When she arrived, Kotzé overpowered her, covered her head with a towel, tied her onto a bed and gagged her. The time lapse of the planning of the event on 3 January 2012 is not clear but Kotzé also managed to convince three of his employees to assist him with his "revenge" against his estranged wife who according to him "disgraced" him

on New Year's Eve three days earlier. He apparently told the three accomplices to hide in the bedroom cupboard not to raise any suspicion before she arrived at his home. Johan Kotzé, and his three employees, Andries Sithole, Pieta Mohlake and Sello Mphaka attacked Ina Bonnette once she was tied to the bed. Kotzé apparently screamed at her before torturing and mutilating her with pliers, a saw, a screwdriver, steel nails and a grinder. She was beaten, gang raped by the other three men, her breasts were slashed, one of her nipples was cut off, her private parts were mutilated and objects were inserted into her. Bonnette suffered serious injuries and internal bleeding from the attack which lasted almost three hours. Kotzé also killed Ina Bonnette's son, Conrad Bonnette (his 19 year old stepson) with a .22 rifle in a room adjacent to where the torturing and rape was taking place. Kotzé apparently also phoned Conrad earlier in the day telling him to come to his house as he needed to talk to him. Conrad arrived while the men were torturing Ina Bonnette. Kotzé took Conrad to a room next to where his mother was suffering. Ina later told the court that Conrad begged Kotzé not to kill him (Bonnette, 2013). The begging did not help and his body was found in the next room. He had been shot in the head and heart.

Kotzé and the other three men were arrested a few days later. A court case followed and a clinical psychologist who acted on behalf of the defense team stated in court that Kotzé became dissociated when he saw Ina Bonnette with another man on New Year's Eve 2011. This dissociation was compounded when Bonnette placed the vibrator on the table during their argument before the hostile event later that day on 3 January 2012. The psychologist indicated that this added to his emotional pressure. The psychologist stated that Kotzé's "narcissistic supply" was cut off when he saw Bonnette with someone else and it caused severe trauma and stress. She stated in court that Kotzé had a narcissistic personality disorder and was obsessed with Bonnette. The psychologist insisted that Kotzé's narcissistic personality disorder regulated his behavior and the psychologist requested for mitigating circumstances and acquittal. She disclosed in court that "It is my opinion that the combination of Mr Kotze's narcissistic personality disorder, superimposed on traumatic psychological injuries, combined with an unmanaged, long-standing, major depression and untreated and unresolved acute stress disorder, resulted in a state of psychological dissociation during his alleged criminal acts" (Vermaak, 2012). At the heart of Kotzé's closing argument was the assertion that Kotzé was not fully aware of his actions and his attorney appealing that he should be acquitted as he was 'dissociated' when he allegedly attacked Bonnette and her son.

However the State's psychologist who clinically observed Kotzé during psychiatric observation and who testified for the prosecution said Kotzé did not suffer from any mental disorders and could be held accountable for his actions. The

“Modimolle Monster”, Johan Kotzé, and his co-accused, Sithole, Mohlake and Mphaka, were handed down harsh sentences by the judge on Wednesday 17 July 2013. Kotzé and Sithole both received life sentences for the murder of Conrad Bonnette, while Mphaka and Mohlake were acquitted of the murder charge. Kotzé was also sentenced to 10 years for kidnapping and received another life sentence for Bonnette's rape. Sithole who was HIV positive at the time of the attack, was charged with a life sentence for Bonnette's rape and 10 years for kidnapping (Modimolle Madness, 2013; Vermaak, 2012).

This case, by some means verify the processes involved in exhibiting rage by someone with narcissistic personality disorder. The gravity of the “revenge” attack on Bonnette and the murdering of Conrad who continuously pleaded for his life somehow support the notion of the dissociation the perpetrator probably experienced. Kotzé stated in court that he could not recollect shooting Conrad or hurting Ina Bonnette. He told the presiding judge that these things happened but he could not remember what happened that day. He also denied shooting Conrad intentionally and told the court he remembered Conrad pleading but was surprised to hear that Conrad was dead. Kotzé said that he had been surprised to learn Conrad had been shot three times, and maintained he did not aim at Conrad. The judge asked Kotzé if he thought about what happened when he left the house after the incident and whether he thought he had committed a crime. Kotzé stated that he did not think so. This statement supports the fact that an act of this gravity is committed in an altered state of consciousness (Revitch & Schlesinger, 1981), where there is impaired contact with reality, although complete amnesia of the incident is highly unlikely. The perpetrator is not consciously aware of the motive for his violent actions. The perpetrator can often not discuss the events surrounding the murder, as they have difficulties in recollecting the offence. This leaves the question whether a person with NPD, a degree of narcissism or at least just about fit the criteria to be diagnosed with NPD should be deemed guilty and imprisoned? From the literature survey in this study it is safe to deduce that individuals with NPD will most likely react in a similar manner in similar circumstances, as a result of an underlying personality disorder. This suggests that incarceration in a correctional facility is probably not the correct place to rehabilitate these individuals and should subsequently rather be committed to a psychiatric facility. One can ask the question whether Kotzé knew exactly what he was doing or whether he acted with rage during a catathymic crisis which occurred within an ego-threatening relationship. His defense could however not convince the court and his plea of suffering of NPD was not successful.

Concluding Thoughts

The aim with the current research is to explore a possible association between rage-type murder and NPD. In Part one of the study rage-type murders as a phenomenon was delineated and NPD was defined. The literature pertaining to the association between rage-type murder and NPD was highlighted. A current case that signaled the probable processes during a catathymic crisis and the gratuitous violence that follows was interpreted against the background of the existing literature. The case leaves one with a sense of discontent as to whether NPD do play a role in cases involving rage-type murder and gratuitous violence. In Part two of the current study (future publication) the researchers will use cases identified from a Psychiatric Hospital to determine whether these perpetrators displayed narcissistic personality traits during the commission of a rage-type murder of a loved one. All the cases we selected in the qualitative research were referred to the Psychiatric Hospital by order of the court and involve males who displayed traits associated with NPD and committed rage-type murders - (Part two of the research).

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The Role of Narcissistic Personality Disorder in Rage-Type Murder (Part 2)

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Abstract

This research was directed at establishing whether narcissistic individuals will go to extreme levels of violence, specifically murder, if their self-image is threatened. The aim with the current research is to explore a possible association between rage-type murder and narcissistic personality disorder (NPD). In Part one of the study rage-type murders as a phenomenon was delineated and NPD was defined. The literature pertaining to the association between rage-type murder and NPD was highlighted. A current case that signaled the probable processes during a catathymic crisis and the gratuitous violence that follows was interpreted against the background of the existing literature. However Part one of the study left one with a sense of discontent as to whether NPD do play a role in cases involving rage-type murder and gratuitous violence. In Part two of the current study (this contribution) the researchers will use cases identified from Weskoppies Psychiatric Hospital (a hospital in Pretoria, Gauteng, South Africa) to uncover the role of NPD in rage murder. Our aim is to determine whether these perpetrators displayed narcissistic personality traits during the commission of a rage-type murder of a loved one. All the cases we selected were referred to the Psychiatric Hospital by order of the court for observation and involve males who displayed traits associated with NPD and committed rage-type murders. Our intention is to determine the extent of pre-existing NPD in these individuals and how this contributed to the murderous action they committed. Emphasis is placed on the psychological motivation of the perpetrator, as well as the relationship that existed between the perpetrator and the victim prior to the event. As the subject of the research was a relatively unknown phenomenon, a qualitative approach was used. We endeavored to identify the underlying personality dynamics to determine whether an association between rage-type murder and NPD exists. Although more research is necessary, our findings in Part two of the study has established an association between the selected cases of rage-type murder and NPD and there is historic documented evidence (Part 1) suggesting that individuals with NPD will most likely react in a similar manner in similar circumstances, as a result of their underlying personality disorder.

Keywords

Diagnostic and Statistical Manual of Mental Disorders (Text Revision) (DSM-IV-TR); Grandiosity; Minnesota Multiphasic Personality Inventory (MMPI-2); Narcissistic Personality Disorder (NPD); Object; Observation; Paranoia (Pa); Psychopathic Deviance (Pd); Rage-Type Murder; Self; Self-esteem; Self-image.

Introduction

In Part one of the study rage-type murders as a phenomenon was delineated and NPD was defined. The literature pertaining to the association between rage-type murder and NPD was highlighted. A current case that signaled the probable processes during a catathymic crisis and the gratuitous violence that follows was interpreted against the background of the existing literature. However Part one of the study left one with a sense of discontent as to whether NPD do play a role in cases involving rage-type murder and gratuitous violence.

Aim of this Contribution

In this contribution the researchers focused on establishing whether narcissistic individuals will go to extreme levels of violence, specifically murder, if their self-image is threatened in intimate relationships. The aspiration was to determine the extent of pre-existing NPD in these individuals and how this contributed to the murder they committed. Emphasis is placed on the psychological motivation of the murderer, as well as the relationship that existed between the murderer and the victim prior to the event. Individuals who commit rage-type murders do not have psychopathy, and they cannot be diagnosed with Axis I disorders, as stipulated in the Diagnostic and Statistical Manual of Mental Disorders (Text Revision) (DSM-IV-TR), and are thus seen as 'normal' (i.e. individuals who do not have a history of violence or psychopathology).

Hypothesis

The association between NPD and rage-type murder would assist in determining the risk associated with a narcissistic individual and the likelihood they would re-offend in similar circumstances. Individuals who commit rage-type murders should not be held criminally liable for their actions, since an underlying personality disorder as well as a specific build-up to the event, is required. They should be allowed to contextualize a defense of non-pathological criminal incapacity, and be committed to a psychiatric facility. The effects of the unconscious, a dysfunctional ego, or a weakness in the superego resulting in a personality disorder should not be valid justification for legal punishment (Bromberg, 1951; Levesque, 2006). The punishment for the crime must be based on the personality of the perpetrator, as well as the motivation underlying the act in order for a suitable treatment to aid in the perpetrator's adjustment in the future (Bromberg, 1951).

The above hypothesis is based on the body of literature (Part 1) which highlighted that an external event generally provokes the act; the perpetrator and victim are usually involved in an intimate relationship; there is an escalation of the situation, which over time becomes overwhelming, as both the perpetrator and the

victim are unable to escape. A catathymic crisis is usually fatal as gratuitous violence follow whenever the narcissistic individual cannot control his extreme anger and rage toward a partner who taunt, ridicule or scorn them. An overkill episode signifies the need to remove the internalized object relationship; and the perpetrator is normally the one who notifies the authorities, suggesting they are aware of the wrongfulness of the act, but this is not a sign of remorse for their actions. To test these assumptions we endeavored to seek an association between narcissism and rage type murder by means of a qualitative investigation.

Research Methodology

As the subject of the research was a relatively unknown phenomenon, a qualitative research approach was used. The research focused on analyzing specific cases of murder, more particularly cases where rage-type murders were committed. It endeavored to identify the underlying personality dynamics to determine whether an association between rage-type murder and NPD exists.

Case studies illustrating rage-type murderers who had been admitted to the Weskoppies Psychiatric Hospital for a 30-day observation period were identified and analyzed. These cases were selected through reviewing the case history of each individual to determine whether the murder fitted the outlined definition of a rage-type murder. The cases that met the outlined requirements were deemed suitable for the purpose of the research, where after the Minnesota Multiphasic Personality Inventory (MMPI-2) results of the selected cases were examined to determine the personality organization of the individuals and whether they displayed narcissistic personality traits. This information was then used to determine the possible association between NPD and rage-type murder.

The MMPI-2 was selected as the assessment tool as it is the most widely used personality assessment available (Butcher & Williams, 2000; Siegel, 2008). In short, the MMPI-2 is a standardized questionnaire used as a quantitative measure of an individual's emotional adjustment. Based on 567 True/False questions, the individual's responses are recorded on a profile form, consisting of ten clinical scales and six validity scales. This profile is then compared to the scores derived from normative samples, to obtain clinical information (Groth-Marnat, 2009; Siegel, 2008). The content of the majority of the MMPI-2 questions deal with psychiatric, psychological, neuropsychological and physical symptoms that can be associated with psychopathology (Groth-Marnat, 2009).

For the purposes of this research a two-point code type was used to indicate the presence of narcissistic personality traits. A two-point code type implies an elevation of two scales, for the purposes of this research specifically the psychopathic deviance (Pd) scale and the paranoia (Pa) scale, also referred to as the

4-6/6-4 code type. The Pd scale is a measure of anti-social tendencies and psychopathic behavior, and the Pa scale “assesses suspiciousness, mistrust, delusional beliefs, excessive interpersonal sensitivity, rigid thinking, [and] externalization of blame” (Butcher & Williams, 2000, p.80).

An interpretation based only on a two-scale elevation was considered to be overly simplistic. Thus, all scales were interpreted independently, and a clinical interpretation provided in the context of each individual's background. The 4-6/6-4 code type individual was used to indicate whether the individuals did have narcissistic personality traits, and thus was classified as having NPD.

Based on the definition provided (Part 1), we identified the following characteristics that were required in order to classify the encounter between the victim and the perpetrator as a rage-type murder:

- There was a pre-existing relationship between the victim and the perpetrator.
- The perpetrator had an over-controlled personality (i.e. they generally do not respond to provocation and are against the use of violence).
- There was a catalyzing interaction with the victim directly prior to the murder.
- Post-event analysis indicated a situational build-up to the murder.
- In many cases dissociation is present.
- The specific criteria for the selection of cases were as follows:
- The murder was classified as a rage-type murder.
- The individuals in the selected case studies were over 20 years of age.
- The individuals entered a defense of non-pathological criminal incapacity in cases involving rage-type murders, and were referred to Weskoppies Psychiatric Hospital for observation by a court of law.
- Only cases from 2001 onward were included in the research.

Nine cases were identified of individuals thought to be rage-type murderers, who were admitted for a 30-day period of psychiatric observation from 2001 onward. Only five were accepted as rage-type murders according to the criteria above. All the cases selected were referred to the Psychiatric Hospital by order of the court and involved males over the age of 20 years. The individuals involved were admitted to the Forensic Unit and were subjected to standard psychiatric hospital observations, which included psychiatric interviews, psychological interviews, psychological testing, as well as general behavioral observations in the ward. All the information obtained during the standard psychiatric hospital observations is held in the clinical case files in the archives at Weskoppies Psychiatric Hospital. All the standard psychiatric hospital observation evaluations were completed prior to the initiation of the research, and the case records had been closed.

Results and Discussion

In rage-type murders, the act itself is often oversimplified and the dynamics involved overlooked. To understand this specific type of murder, it is not only necessary to establish the motive, but also important to identify and describe the unconscious facets of the personality that were revealed by the interaction between the perpetrator and the victim (Barnett, Miller-Perrin, & Perrin, 2005). What sets rage-type murders apart from other types of murder is not why it happened, but rather how the act is justified within the individual (Wertham, 1966). When examining rage-type murders, the context of the individual's personality and background needs to be considered, as it provides the foundation for understanding the dynamics of their actions. The discussion of each case is based on the account of the events and the literature presented, which highlights the defining features indicating why each of these case studies is specifically considered a rage-type murder. The account of the events is that of the perpetrator, and was taken from the interviews conducted with the perpetrators during their 30-day observation period. This information was collected by means of an analysis of the information in the case files, as well as discussions and suggestions from the supervising psychologist, Professor Jonathan Scholtz, Head of Clinical Psychology at Weskoppies Psychiatric Hospital, who played a role in the interpretation of each case. The information in the case files includes information collected by means of assessment interviews conducted by the supervising psychologist, data collected by means of psychological tests, among others the MMPI-2, information obtained in the form of reports and interviews from third parties, including family members and other health professionals who were involved with the case, session records in the form of process notes taken during the interviews conducted by the supervising psychologist, and in some instances written work by the client.

After each discussion, the MMPI-2 profile for each individual will be presented and interpreted. The interpretation of the MMPI-2 is based on the elevated scores in the different scale types. The elevated scores define the code type of the individual. To interpret an individual's profile accurately, one needs to explain the overall configuration of the results within the context of the demographic characteristics of the different individual cases (Groth-Marnat, 2009).

Professor Scholtz, interpreted the MMPI-2 profiles of the selected cases in this study. We used the MMPI-2 results, together with a case history, collateral information and psychometric assessment information to develop a character image/profile of each individual. The information from all the sources was synthesized to arrive at a clinical interpretation of each individual. The validity of the profile is listed, followed by the clinical scales in order of descending elevations, with the highest elevations and the appropriate code-type. The results obtained from the profiles will be discussed within the context for each case.

Case Study One: Mr. A

Rationale for Selecting Mr. A's Case

Mr. A was referred for a 30-day observation period in 2006 following the murder of his wife (Miss A) earlier the same year. Mr. A shot Miss A in the chest with a hunting rifle and he was subsequently charged with her murder. An account of the events surrounding the murder will briefly be discussed followed by a clinical interpretation of Mr. A's MMPI-2 results.

Background Information and Discussion of Mr. A's Case

Mr. A does not fit the personality profile of a psychopath or anti-social personality disorder (ASPD). He can be described as mentally stable with no prior history of violence and he is not impulsive in his general behavior. Mr. A did not have any criminal history prior to the murder, and there is no indication of premeditation. He acted impulsively; the violent reaction was an isolated event that is uncharacteristic of his general behavior.

There are indications that Mr. A had low-grade depression prior to the murder. It is likely that the depression is the result of his businesses becoming insolvent and his belief that everyone viewed him as a failure. He did not appear depressed, but this may be due to his apparent lack of emotional responses as a defense mechanism, which he probably not usually expressed on a conscious level, but used to avoid dealing with his emotions. Furthermore, there are indications that Mr. A was preoccupied with a sense of isolation and feelings of inadequacy due to the failure of his businesses and the strain on his relationships with his family members.

The murder event can be explained according to the central elements outlined by Wertham (1950) [Part 1]. The first element central to the murder event is that the act is a defensive display of explosive affect. An injury to the pride of Mr. A, which could be attributed to his failed businesses, as well as Miss A's constant reminders to him of his failure precipitated the murder. The second element central to the murder event is the dissociation Mr. A experienced. He committed the act in an altered state of consciousness, where there was impaired contact with reality, evident in his apparent inability to recall the events during the murder. The third element central to the murder event is the lack of motive for the excessive violence carried out. The explosive expression of aggression is triggered by a seemingly insignificant event, in this case it was the argument with Miss A concerning his activities during the day. The motivating factor in rage-type murder appears to be displacement of emotion onto the victim. It is likely that Mr. A was of the opinion that the only way to escape the situation of his perceived failure was to remove what he believed to be the source of the threat, in other words to murder Miss A, who constantly reminded him of his failures by criticizing him.

There is no apparent motive for the murder, and it seems likely that the argument prior to the event provoked the murder. The escalation of the situation over time is displayed by Miss A's constant criticisms leveled at Mr. A, as well as their strained relationship, which left both Mr. A and Miss A feeling insecure and unable to escape the situation. Mr. A did experience a degree of dissociation as he claimed not to remember any events from the time that he pointed the hunting rifle at Miss A, until the time that he phoned his father-in-law to inform him of what had happened. After Mr. A shot Miss A, there was a superficial return to normality, but with no insight into the murder. He was aware that his wife had been shot, but he did not report specifics of the murder. Furthermore, he calmly phoned his father-in-law to inform him about what had happened, and asked him to notify the police, where after he went outside to wait for them to arrive. Mr. A was the one who requested the police to be notified; indicating he was aware of the wrongfulness of the act, but this is not an indication of remorse for his actions.

Clinical Interpretation for Mr. A's Case

When Mr. A was assessed, he was 34 years of age. He is a white male with a Grade 12 education. Mr. A was referred to Weskoppies Psychiatric Hospital for a period of 30 days for observation in 2006 following the murder of his wife. The MMPI-2 was administered to Mr. A during his observation period in 2006, and his profile coded according to the MMPI-2 norms. It yielded the following results:

- Validity scales: VRIN, TRIN, L, K, S (reflect a valid profile).
- Clinical scales: Pd, Pa, Hs, Ma, Pt, Si, Tf, Sc, Hy, D.
- Elevations: Pd, Pa, Hs, Ma.
- Highest elevations: Pd, Pa.
- Code type: 4-6/6-4.

Mr. A has a poor self-concept and is highly insecure. The insecurity and low self-esteem are illustrated by the theme in the relationship between Mr. A and Miss A that “she would leave him at any time”, as Miss A was a pretty woman from a wealthy family. Mr. A indicated that he was surprised initially that someone of her standing would be interested in him. Poverty while growing up added to Mr. A's insecurities. For Mr. A, it was important to “make it in life”, have all the material things that would convey a certain status and illustrate his material success to others. Having a wife and a family were part of his idea of this success. It was important to Mr. A that his wife and children believe in and adore him. Mr. A was very “needy” emotionally, but not able to engage emotionally on a deep level himself. This basic stance towards intimacy came from Mr. A's background history. Mr. A had a father,

who was violent and strict and a mother, who was overwhelmed by her troubled marriage, the expectations of her husband, trying to make a living in order to provide for the family, which made her emotionally unavailable to Mr. A.

Appearance and personal grooming were very important to Mr. A. He regarded himself as attractive and explained that he received a great deal of attention from the opposite sex, which later made Miss A jealous. His image as one of the most successful businessmen in the town was very important to him. Mr. A dressed well, splashed out on material things, such as an expensive house, cars and horses and sent his children to a private school. Mr. A had a “narcissistic need” to feel special, adored and admired, as well as the need to receive attention and loyalty from others. Those close to Mr. A had to provide this, his “narcissistic supply”, especially Miss A, who was his primary “narcissistic supplier”. Miss A's mistrust and loss of confidence in Mr. A as a businessman, as well as her later consistent confrontation, meant that she withdrew her “narcissistic supply” from him. Mr. A lost the adoration, attention and loyalty he needed from Miss A to keep his defensive psychological structures in a state of equilibrium and his idealized self intact.

It is important to remember that during the build-up phase, the perpetrator's defences are placed under severe strain and is slowly eroded over time. For Mr. A, the many arguments before the murder, the many instances where Miss A accused him of having sex with other women, his failed businesses and the change in his financial position all contributed to the strain. When the final trigger, the intense argument where Miss A accused Mr. A of “sleeping with black whores” while he was attending a shooting competition, takes place (also referred to as the “narcissistic injury”), Mr. A became overwhelmed. His defensive capability is seriously compromised, he experiences deep hurt and humiliation and he acts out with primitive rage, destroying the source of his humiliation and pain in order for his internal equilibrium to be restored. After the murder there was a return to calmness. Mr. A experienced no genuine remorse, given the psychopathic elements of his personality, even commenting to others that Miss A deserved what happened to her. The temporary episodes of remorse can be attributed to his narcissistic entitlement, psychologically saying “how dare you leave me, nobody leaves me, I am too special”.

It is also important to note that Mr. A's other elevated scores on his MMPI-2 profile were the Hs and Ma scales, indicating the focus he has on his physical aptitude and his appearance. The Hs scale corroborates Mr. A's strong tendency to be overly concerned or involved with his appearance, which was identified in his history. The Ma scale further confirms his narcissistic tendencies, such as his grandiose aspirations, his exaggerated sense of self-worth and self-importance and his superficial relationships.

Case Study Two: Mr. B

Rationale for Selecting Mr. B's Case

Following the murder of his wife (Miss B) in 2000, Mr. B was referred for a 30-day observation period in 2003. Mr. B slashed Miss B's throat with a carving knife, and he was subsequently charged with her murder. An account of the events surrounding the murder will briefly be discussed followed by a clinical interpretation of Mr. B's MMPI-2 results.

Background Information and Discussion of Mr. B's Case

Mr. B does not fit the personality profile of a psychopath or ASPD. Mr. B can be described as mentally stable; he has no prior history of violence, nor is he impulsive in his general behavior. He did not have any criminal history prior to the murder and there is no indication of premeditation. Mr. B acted impulsively; the violent reaction was an isolated event uncharacteristic of his general behavior. According to Mr. B there had been no physical altercations between himself and Miss B until the one they had on the day of the murder. The only physical violence that Mr. B had been exposed to prior to that day, was when his father was violent towards his mother. After experiencing how violent his father was, Mr. B had vowed never to hit his wife. Furthermore, Mr B stated that his family treated him like “a king” and he became accustomed to praise.

The build-up of tension and frustration was evident from approximately a year and a half before the murder, when Mr. B and Miss B started experiencing marital problems. Miss B attributed their problems to Mr. B's child being the source of tension throughout the time preceding the murder. When Miss B informed Mr. B that she had been having a relationship with another man for a year prior to the murder, it was an additional source of tension. This tension between them over these issues escalated to the point where a month prior to the murder they discussed divorce. Miss B was unreasonable in her demands, and since Mr. B did not agree, she refused to divorce him. On the night of the murder, Miss B informed Mr. B that she was planning to marry another man later that year. It is evident that when Mr. B heard of Miss B's plans, violence became a solution for the mounting tension in the relationship, as he claimed a physical fight broke out after he became aware of her plan. The violence was not controlled and the murder was committed.

The murder event can be explained according to the central elements outlined by Wertham (1950). The first element central to the murder event is that the act is a defensive display of explosive affect. In this instance, the murder occurred after an argument ensued between Mr. B and Miss B. There had been an escalation of tension immediately prior to the event. An injury to the pride of Mr. B precipitated the

murder. In the weeks preceding the murder, Miss B was inflexible in her demands for a divorce settlement, but on the night of the murder she informed Mr. B that she was planning to marry another man. Miss B's unreasonable behavior and her refusal to reveal her plans prior to that point, triggered the eruption of violence. The murder was a defensive display of explosive affect, aimed at eliminating the threat. The second element central to the murder event is the dissociation Mr. B experienced. He reported that he had gone into a "trance-like" state. He committed the act in an apparent altered state of consciousness, where he experienced impaired contact with reality. Mr. B claimed to have neither recollection of the events nor specifics of events immediately prior to the murder. He claimed to remember only the physical fight between him and Miss B, but could not recall any of the action. Mr. B stated all he could remember was "seeing red". When Mr. B was asked who slashed Miss B's throat, he replied, "Don't know". Upon being asked whether he had cut Miss B's throat, he calmly stated, "Could be". Mr. B claimed to be confused and puzzled that he was unable to remember anything about the event. The third element central to the murder event is the lack of motive for the excessive violence carried out. An explosive expression of aggression is triggered by a seemingly insignificant event, in this case Miss B's apparent lack of concern for Mr. B. The motivating factor appears to be a displacement of emotion onto the victim. It is likely that Mr. B was overcome with anger when he heard Miss B was planning to marry another man. At first Mr. B only slapped Miss B, who then retaliated and slapped him back. The situation escalated to the point where Mr. B felt the compulsion to murder Miss B.

There is no apparent motive for the murder, but it seems probable that the argument prior to the event provoked the murder. The escalation of the untenable situation over time was displayed by Miss B's refusal to accept Mr. B's child, followed by her relationship with another man, and finally her refusal to divorce Mr. B whilst at the same time planning to marry another man. Mr. B experienced complete dissociation as he apparently could not remember anything from the time that Miss B bit him during their physical fight, until he woke up the next morning, inside his vehicle at a garage. After Mr. B woke up, he returned home where he discovered the body of his wife. After efforts to clean up the crime scene and failed attempts to contact his lawyer, Mr. B proceeded to get ready for work as he did every other morning.

Mr. B was advised to notify the police and he turned himself in to the police later that day. He did not expect the police to arrest him after reporting the murder. During the course of his interview with the police, Mr. B stated that he did not know why he was arrested. He thought the police would first investigate the murder and only then make an arrest, if it was necessary. Mr. B indicated that he was willing to assist in clarifying the circumstances surrounding Miss B's death, and said that he

answered the questions posed to him, although he was under no obligation to do so. At the time, he was aware of his surroundings and that Miss B had been murdered. Furthermore, Mr. B realized that he was probably the one who had murdered Miss B, but did not think his arrest was necessary. He did not show any remorse for his actions during his interrogation.

Clinical Interpretation for Mr. B's Case

Mr. B was assessed at the age of 37 years. He is a black male, who obtained a degree in Electronic Engineering. Mr. B was referred for a period of 30 days for observation in 2003 following the murder of his wife in 2000. The MMPI-2 was administered to Mr. B during his observation period in 2003, and his profile coded according to the MMPI-2 norms. It yielded the following results:

- Validity scales: VRIN, TRIN, L, K, S (reflect a valid profile).
- Clinical scales: Pd, Pa, Hs, D, Sc, Pt, Tf, Si, Hy, Ma.
- Elevations: Pd, Pa, Hs.
- Highest elevations: Pd, Pa.
- Code type: 4-6/6-4.

As in the case of Mr. A, Mr. B also suffered from low self-esteem. Mr. B grew up in rural area, in a large extended family among many other relatives. Mr. B always felt less important than his siblings and thought that by having a good lifestyle he would be able to prove his worth to others. Mr. B resided with relatives for long periods during his childhood, thus having limited contact with his core family. Mr. B's father was a violent man and physically abused Mr. B's mother. From a young age, Mr. B received most of his attention from woman in the village where he stayed, which made him feel good about himself.

Mr. B wanted to get out of the village and become successful in life, as status was important to him. After leaving school, Mr. B attended a so-called traditionally black university to study for his degree. As he felt this was not compatible with his image, he repeated the degree at a so-called traditionally "white" university. Mr. B married a medical professional whose family had strong political connections. Mr. B was promoted to a senior position in his work, which afforded him respect and admiration from his subordinates. Respect and admiration were always important to him. Mr. B was steadfast on his appearance and spent a great deal of time in the gym to ensure his physique would receive attention. Mr. B enjoyed receiving attention from other women and although he was very jealous and possessive towards Miss B, he was having an affair with another woman.

As in the case of Mr. A, it is important to remember that during the build-up phase the perpetrator's defenses are placed under severe strain and are slowly eroded. For Mr. B, his strained marriage, mainly due to several arguments about his child, led to marital problems. Miss B's parents were more involved than usually in their marriage and the illness of Mr. B's mother all contributed substantially to the pressure he experienced. From the moment that the narcissistic injury occurred, the process that followed is similar to that of Mr. A. When the final trigger (the "narcissistic injury"), the heated argument where Miss B told Mr. B she was planning to marry another man, takes place, Mr. B is overwhelmed, his defensive capability seriously compromised, experiences deep hurt and humiliation and retaliates with primitive rage, destroying the source of his humiliation and pain in order to restore his internal equilibrium. After the murder there was a superficial return to normality. Mr. B experienced no genuine remorse given the psychopathic elements of his personality. The temporary episodes of remorse can be attributed to his sense of narcissistic entitlement.

In Mr. B's case, the other elevated score on his MMPI-2 profile was the Hs scale, with the next highest score being the D scale. The elevated score on the Hs scale reinforces how important Mr. B's appearance was for his self-esteem. The D scale seems to verify the underlying low self-worth and feelings of inadequacy that Mr. B had worked so hard to overcome. The combination of elevated scores suggests that Mr. B's personality type falls into the category where the individual cannot bear rejection, criticism, or not being good enough in the eyes of others, especially those who acted as the main suppliers of his "narcissistic needs".

Case Study Three: Mr. C

Rationale for Selecting Mr. C's Case

Mr. C was referred for a 30-day observation period in 2005 following the murder of his ex-girlfriend (Miss C) earlier the same year. Mr. C kidnapped and shot Miss C several times, and he was subsequently charged with her murder. An account of the events surrounding the murder will briefly be discussed followed by a clinical interpretation of Mr. C's MMPI-2 results.

Background Information and Discussion of Mr. C's Case

Mr. C does not fit the personality profile of a psychopath or ASPD. Mr. C can be described as mentally stable, with no prior history of violence and he is not impulsive in his general behavior. He did not have any criminal history prior to the murder and there is insufficient evidence to suggest premeditation. Mr. C acted on impulse and the violent reaction was an isolated event, which is uncharacteristic of his general behavior.

Mr. C can be described as an emotionally immature individual, who was seemingly preoccupied with Miss C. He was usually not aggressive, had a high degree of impulse control and low levels of hostility, which is evident from his patience with Miss C and continued efforts to preserve the relationship despite the constant rejection from her. There were, however, indications of depression, by Mr. C's own admission, as well as inwardly directed hostility, which was evident from his suicidal ideation.

The build-up of tension and frustration in this situation was evident for the five months preceding the murder. Miss C terminated the relationship several times, but immediately after the termination pursued Mr. C again. After successfully rekindling the relationship, she immediately terminated it again. Violence became more of a solution as the tension and frustration in this situation kept increasing. Mr. C had purchased an illegal firearm and kept it with him, which he claimed was to end his own life.

The murder event can be explained according to the central elements outlined by Wertham (1950). The first element central to the murder event is that the act is a defensive display of explosive affect. In this instance Mr. C had suicidal ideations that manifested as a homicidal act. Mr. C was "obsessively preoccupied" with Miss C to the extent that he was described as being depressed and suicidal when she ended their relationship. The murder was precipitated by an injury to the pride of Mr. C, as Miss C's childish display of behavior and refusal to communicate triggered the eruption to violence. After Mr. C had shot Miss C several times, he experienced relief from the tension of the situation. The suicidal thoughts evaporated as soon as the murder was committed. The second element central to the murder event is the dissociation Mr. C experienced. He committed the act in an apparent altered state of consciousness, where he experienced impaired contact with reality. He described the event as an accident, although he could not provide details thereof. The third element central to the murder event is the lack of motive for the excessive violence carried out. An explosive expression of aggression is triggered by a seemingly insignificant event, in this case it was the refusal of Miss C to communicate with Mr. C. The motivating factor in rage-type murder appears to be displacement of emotion onto the victim. It is likely that Mr. C believed that the only way to escape the situation was either to commit suicide or to murder Miss C. Initially he contemplated suicide, but later displaced the emotion onto Miss C and thus murdered her to escape the tension in the situation.

There is no apparent motive for the murder and it seems likely that her continued rejection prior to the event precipitated the murder. Miss C's constant pursuance and rejection of Mr. C aggravated the situation over time, which led to

Mr. C feeling insecure, confused, devastated and unable to escape the situation. Mr. C experienced a degree of dissociation as he claimed not to remember any of the events during the time he shot Miss C. After Mr. C shot Miss C, he claimed it was an accident and that the firearm had accidentally discharged when he tripped. After the event Mr. C was immediately aware of what had happened and that there would be consequences and he therefore did not immediately surrender to the police. In his case, however, the police were called to the scene prior to the murder by individuals who were aware that he had a firearm and was in a room with two women. After a standoff, Mr. C did surrender to the police, but did not show any remorse for his actions.

Clinical Interpretation for Mr. C's Case

Mr. C was assessed at the age of 26 years. He is a black male, who obtained a degree in Public Management and a diploma in Project Management. Mr. C was referred to Weskoppies Psychiatric Hospital for a period of 30 days for observation in 2005 following the murder of his ex-girlfriend. The MMPI-2 was administered to Mr. C during his observation period in 2005, and his profile coded according to the MMPI-2 norms. It yielded the following results:

- Validity scales: VRIN, TRIN, L, K, S (reflect a valid profile).
- Clinical scales: Pa, Pd, Pt, Ma, Si, Tf, D, Hy, Ma, Hs.
- Elevations: Pd, Pa.
- Highest elevations: Pa, Pd.
- Code type: 4-6/6-4.

Although not as apparent as the previous cases, Mr. C also suffered from low self-esteem. As a child, he was uncertain and reserved, especially when it came to girls and lacked confidence. Miss C was Mr. C's first serious relationship and it is clear that he was out of his depth in a close intimate relationship. During his interviews, Mr. C often repeated that he was totally smitten with Miss C.

Mr. C, as with Mr. A and Mr. B, was focused on his physical appearance, to the extent that he founded a body-building club at the tertiary institution where he studied and spent many hours every week training to enhance his physique. Mr. C performed well at his work but was willing to end his promising career in the Cape to follow Miss C to Pretoria to be with her. As with Mr. A and Mr. B, it is important to remember that during the build-up phase the perpetrator's defenses are placed under severe strain and is slowly eroded over time. For Mr. C, his on-and-off relationship with Miss C put him in a state of uncertainty, where he experienced anxiety and, after several terminations of the relationship, he became depressed. Compounding

this, Mr. C was aware that Miss C was unfaithful to him on at least two occasions in their relationship. Mr. C was unable to process the circumstances of his relationship with Miss C and deal with the erratic nature of the relationship. The infidelity and the loss of admiration and love from Miss C were incompatible with the self-image Mr. C had constructed of himself, which caused him humiliation and shame (the “narcissistic injury”). In Mr. C's case the precipitant event was drawn out over a period of time, but in the final moments Miss C's refusal to answer him and covering her ears when he asked her about their relationship, destroyed his defensive capability, which made him say, “Die, you dog”, and shoot her several times. These words and the cold-blooded manner in which he killed her, illustrates the intense, primitive rage he experienced. After the stand-off with the police, Mr. C had a superficial return to normality, when his internal equilibrium was restored. Mr. C experienced no genuine remorse, given the psychopathic elements of his personality. The temporary episodes of remorse can be attributed to his narcissistic feelings of entitlement.

It is important to note that Mr. C's next two highest scores on his MMPI-2 profile were the Pt and Ma scales. The elevated score on the Pt scale indicates underlying feelings of insecurity, inferiority and a tendency to ruminate and be overly worried and tense at times. These tendencies were strongly evident during the build-up phase. The Ma scale, as with Mr. A, confirms his narcissistic tendencies, such as his grandiose aspirations, his exaggerated sense of self-worth and self-importance, as well as his superficial relationships. This case clearly illustrates the role of the unfortunate fit in terms of the relationship, in other words, that the personality type of the victim sadly exacerbates the underlying pathology of the perpetrator.

Case Study Four: Mr. D

Rationale for Selecting Mr. D's Case

Mr. D was referred for a 30-day observation period in 2007 following the murder of his girlfriend (Miss D) in 2005. Mr. D shot Miss D multiple times and he was subsequently charged with her murder. An account of the events surrounding the murder will briefly be discussed followed by a clinical interpretation of Mr. D's MMPI-2 results.

Background Information and Discussion of Mr. D's Case

Mr. D does not fit the personality profile of a psychopath or ASPD. Personality assessments were carried out and it was determined there were no psychopathic traits, but cognitive limitations were determined. Mr. D can be described as mentally stable with no prior history of violence and he is not impulsive in his general

behavior. There are no reports of physical abuse in the relationship and although Miss D's father claims that there were many, none could be traced. Both psychologists and psychiatrists agreed and stated that Mr. D had no history of violence and the shooting was out of character. During the observation of Mr. D it was noted that he had no problems, slept well, behaved well and socialized well with others. Mr. D did not have any criminal history prior to the murder and there is no indication of premeditation. Mr. D acted on impulse and the violent reaction was an isolated event that is uncharacteristic of his general behavior.

The murder event can be explained according to the central elements outlined by Wertham (1950). The first element central to the murder event is that the act is a defensive display of explosive affect. Mr. D had repeatedly asked Miss D to stop arguing with him, but she continued to taunt him. He asked her to stop for a final time, but she again just mocked him. In return, he “showed” her how he was going to make her stop – by shooting her. This illustrates the explosive affect Mr. D experienced prior to the murder, which led him to react by removing what he thought was the source of the problem. The second element central to the murder event is the dissociation Mr. D experienced. Mr. D claimed to have dissociated himself from the event, and despite repeated questioning, he had no recollection of the events. Although a neuro-analytical analysis was performed to assist in Mr. D's recollection of the events, he did not have any apparent memory of what had happened. The conclusion was that Mr. D had no conscious intention to murder Miss D. The third element central to the murder event is the lack of motive for the excessive violence carried out. An explosive expression of aggression is triggered by a seemingly insignificant event, in this case the refusal of Miss D to stop the argument with Mr. D over a picture of a naked woman on someone else's cell phone, which he had nothing to do with. Miss D was shot repeatedly and was struck three times. Thirteen shots were fired by Mr. D, which illustrates his expressive level of determination to get rid of the source of frustration. Although there was an excessive use of violence, there was no indication of premeditation.

There is no apparent motive for the murder and it seems likely the argument prior to the event precipitated the murder. In fact, Mr. D seemed to experience a degree of dissociation as he claimed not be able to remember any of the events from when he told Miss D he was going to show her what he would do to her, until the time he heard his daughter crying. Although complete amnesia is unlikely (Bear, Connors, & Paradiso, 2007) Mr. D could not give any specific details of the event. He probably suffered from limited amnesia, which is usually caused by three factors: extreme emotional arousal, alcohol abuse and physical trauma to the head (Rogers, 2008). Mr. D consumed six beers prior to the incident and was extremely emotionally aroused because of the argument and sardonic actions on the part of

Miss D. After Mr. D shot Miss D, there was a superficial return to normality with no insight into the murder. Mr. D was aware that Miss D had been shot, but he did not report specifics of the murder. The state tendered evidence that Mr. D was completely rational after the incident since he drove to his in-laws with his vehicle to report the incident and drop off his daughter. He then returned to the scene of the murder. Furthermore, Miss D was shot repeatedly and accurately, the pistol was found at the scene, and there was no evidence of involuntary actions or remorse on the part of Mr. D.

Clinical Interpretation for Mr. D's Case

Mr. D was assessed at the age of 32 years. He is a white male, who obtained a Grade 12 education. Mr. D was referred to Weskoppies Psychiatric Hospital for a period of 30 days for observation in 2007 following the murder of his girlfriend in 2005. The MMPI-2 was administered to Mr. D during his observation period in 2007, and his profile coded according to the MMPI-2 norms. It yielded the following results:

- Validity scales: VRIN, TRIN, L, K, S (reflect a valid profile).
- Clinical scales: Ma, Pa, Pd, Mf, D, Si, Hy, Hs, Pt, Sc.
- Elevations: Ma.
- Highest elevations: Ma.
- Code type: 9.

As in the previous cases, Mr. D suffered from low self-esteem. Mr. D also overcompensated for his feelings of low self-esteem in a similar manner to the other perpetrators (i.e. by focusing on his appearance and personal grooming). Mr. D was a successful business owner and had a beautiful girlfriend - Miss D, who accompanied him everywhere.

As in the previous cases, it is important to remember that during the build-up phase the perpetrator's defenses are placed under severe strain and are slowly eroded over time. In this case, in the build-up to the murder, there is a clear and unfortunate mismatch of the personality types of Mr. D and Miss D. Their relationship was characterized by themes of suspicion, jealousy and anger and the pathological patterns of interaction brought the worst out in both of them. The slow erosion of his defenses over time is illustrated by the many arguments prior to the murder and the separate sleeping arrangements. Mr. D stated on several occasions that they argued often and this resulted in them sleeping in separate rooms. The meddling of his in-laws made Mr. D feel subordinate, or at least not "the man in charge" – a prominent recurring theme in all the above mentioned cases. On the night of the murder, Mr. D and Miss D had a seemingly direct, sarcastic argument about Mr. D as well Miss D's

behavior. Miss D challenged Mr. D and in doing so, hurt and humiliated him. After this final precipitant/trigger, the extreme primitive rage that destroyed his defenses is illustrated by the fact that he discharged the weapon 13 times. After the murder Mr. D had a superficial return to normality. Mr. D experienced no genuine remorse. The temporary episodes of remorse can be attributed to his sense of narcissistic entitlement.

Mr. D did not obtain the same code type as the other cases on his MMPI-2 profile. Mr. D had an elevation only on the Hypomania scale (Scale 9), thus his code type is 9. Code 9 individuals can be described as unrealistic, are likely to be irritable and hostile, and have grandiose aspirations and aggressive outbursts. These individuals have an exaggerated sense of self-worth and self-importance, superficial relationships, are manipulative, deceitful, impulsive and an inability to regulate their moods. The MMPI-2 results corroborated the observed behavior during his observation period. Mr. D was manipulative, immature and stubborn with a tendency to be impulsive. His self-importance and sense of entitlement were also confirmed by his MMPI-2 results. Mr. D's next two highest scores on his MMPI-2 profile were the scales suggesting narcissism, the Pa and Pd scales. These were primary elevations in the other cases and are as such confirming the basic narcissistic constellation of his personality.

Case Study Five: Mr. E

Rationale for Selecting Mr. E's Case

Mr. E was referred for a 30-day observation period in 2006 following the murder of his wife (Miss E) in 2005. Mr. E struck Miss E with a blunt object, stabbed her, and slashed her throat with a knife, and subsequently he was charged with her murder, as well as the attempted murder of their son. An account of the events surrounding the murder will briefly be discussed followed by a clinical interpretation of Mr. E's MMPI-2 results.

Background Information and Discussion of Mr. E's Case

Mr. E does not fit the personality profile of a psychopath or ASPD. Mr. E can be described as mentally stable, and although he has limited cognitive ability, he has no prior history of violence, nor is he impulsive in his general behavior. Mr. E did not have a criminal history prior to the murder and there is no indication of premeditation. Mr. E acted on impulse, the violent reaction was an isolated event that is uncharacteristic of his general behavior.

Mr. E can be described as emotionally immature, partly due to his limited cognitive ability. Mr. E experienced a strong sense of isolation as his wife and children communicated with him only minimally, and he felt inadequate due to his

limited cognitive ability. The demonstration of violence illustrated what Mr. E perceived to be the final defense against the disorganization and destruction of the personality. This is evident in the note he wrote for his father where he said that he could no longer handle the fact that Miss E and their children thought he was stupid. The uncontrollable violence acted as a form of self-preservation. He brutally attacked his wife and in an attempt to protect himself from criticism from his children, he attacked his eldest son so his son would not see what had happened.

The build-up of tension and frustration was evident from two years prior to the murder, but it intensified in the months prior to the actual murder incident. Mr. E claimed that his wife had become emotionally cold and distant two years prior to the murder. Furthermore, Mr. E's father-in-law was constantly telling him Miss E was cheating on him. Compounding this, two months prior to the murder Miss E asked Mr. E to obtain a penis enlargement. The murder incident was Mr. E's solution to a build-up of frustration, where after he experienced a superficial return to normality; illustrated by the fact that he asked his son for coffee, completely unaffected by what had just taken place.

The murder event can be explained according to the central elements outlined by Wertham (1950). The first element central to the murder event is that the act, in itself, is a defensive display of explosive affect. The murder carried out by Mr. E was unnecessarily violent, but it brought a sense of relief. Mr. E was able to look at what he did, then calmly ask his son for coffee, then go and sit in the lounge and drink it. The second element central to the murder event is the dissociation Mr. E experienced. Although it was not a complete dissociative reaction, the act was committed in an altered state of consciousness. He had no apparent breakdown with reality; however, he did experience patchy amnesia and subjective accounts of the events. Mr. E could not discuss the events surrounding the murder. His self-reflection and metallization were limited, and the murder was not integrated into his consciousness. Mr. E was aware of what he had done and he knew that it was wrong. However, the gravity of the situation did not immediately penetrate his mind. He continued for several hours in the altered state, attacking his son twice, and then taking him to the hospital to receive treatment. The third element central to the murder event is the lack of motive for the excessive violence used. The explosive expression of aggression is triggered by a seemingly insignificant event. Mr. E explained that he thought that there was someone in the bed with his wife and that was why he attacked her. In this case, there was no report of an argument directly prior to the murder. However, Miss E was in the habit of criticizing Mr. E and on most occasions he did not confront her. After beating his wife, he found it necessary to stab her in the back and cut her throat, and then he proceeded to attack his son in a violent manner on two occasions during the hours following the murder incident.

There is no apparent motive for the murder and it seems likely that Miss E's continued belittling and the children's ignoring of Mr. E precipitated the murder. That the situation had escalated over time was displayed by Miss E's constant criticizing of Mr. E, which left Mr. E feeling insecure, inadequate on all levels, and unable to escape the situation. Mr. E experienced a degree of dissociation as he recalled sketchy memories of the event. In his first statement he claimed to recall nothing, however, in a later statement he provided some details of the event, albeit not everything. In the case of Mr. E, there was awareness after the event of the wrongfulness, but it was not integrated consciousness, as he did not immediately react to the situation. After Mr. E informed his father about the murder of Miss E, he willingly handed himself over to the police, but did not show any remorse for his actions. Mr. E did not inform anyone that the children were at the hospital and needed to be picked up, nor did he accompany his son to receive treatment.

Clinical Interpretation for Mr. E's Case

At the time of Mr. E's assessment, he was 40 years of age. He is a white male, who attended a 'special school' from Grade 5 (Standard 3). He went on to obtain a N1 qualification (equal to a Grade 10/Standard 8). In 2006, Mr. E was referred to Weskoppies Psychiatric Hospital for a 30-day observation period, following the murder of his wife in 2005. The MMPI-2 was administered to Mr. E during his observation period in 2005, and his profile coded according to the MMPI-2 norms. It yielded the following results:

- Validity scales: VRIN, TRIN, L, K, S (reflect a valid profile).
- Clinical scales: Pa, Pd, D, Hs, Pt, Si, Hy, Mf, Sc, Ma.
- Elevations: D, Pd, Pa, Hs.
- Highest elevations: Pa, Pd.
- Code type: 4-6/6-4.

Similar to the previous cases, Mr. E had a low self-esteem, which was brought about mainly by his limited cognitive abilities. Mr. E was always very sensitive about references to or comments about his cognitive (in)abilities while he was growing up. Working hard to start his own company was Mr. E's way to compensate for this "inadequacy". His first serious relationship was with Miss E and they got married when they were still both young.

As in the previous cases, it is important to remember that during the build-up phase the perpetrator's defenses are placed under severe strain and are slowly eroded over time. Unfortunately, the same pattern of pathological interaction is seen between Mr. E and Miss E in the build-up phase. There were several instances where

Miss E humiliated and shamed Mr. E, often in front of others and his children. Apart from teasing Mr. E about his speech, Miss E requested him to have a penis enlargement. Although this was apparently at the insistence of his father-in-law and sister-in-law, it reflected on one of the core elements of his male identity, his sense of male potency and virility. The role of his in-laws is quite clear in the build-up phase, adding to his feelings of humiliation and of “not being the man in control”. In the case of Mr. E a trigger was difficult to ascertain, but it seems that the suspicion his father-in-law had placed in his mind about his wife's infidelity played a role as he explained that he thought someone was in bed with her before he murdered her. The primitive rage, which is illustrated by the way he murdered her and which even extended to his son, is testimony to the intensity of emotions that had built up over time and eroded his defenses. Similarly, once he had annihilated the cause of his narcissistic injury he acted in a calm, rational and devious way. Mr. E experienced no genuine remorse given the psychopathic elements of his personality. The temporary episodes of remorse can be attributed to his sense of narcissistic entitlement.

Although the narcissistic tendencies in Mr. E's personality were less obvious – probably due to his inability to verbalize as eloquently as those in the other case studies, owing to his cognitive impairments – he did obtain the 4-6/6-4 code type on his MMPI-2 profile. Mr. E's other elevated scores on his MMPI-2 profile were the D and Hs scales. The elevated score on the D scale indicates underlying feelings of inadequacy and low self-esteem he had battled with all his life. The Hs scale was consistent with his history of various physical complaints and chronic back pain. It seems from his life history that he often “used” illness to gain sympathy and attention. The combination of elevated scores, similar to the case of Mr. B, suggests that Mr. E's personality type falls into the category in which he cannot bear rejection, criticism, or not being good enough in the eyes of others, especially the main suppliers of his “narcissistic needs”.

Contextualization of the Findings

This research was directed at establishing whether narcissistic individuals will go to extreme levels of violence, specifically murder, if their self-image is threatened. The aim was to determine the extent of pre-existing NPD in these individuals and how this contributed to the murderous action they committed. According to Bromberg (1951), the effects of the unconscious, a dysfunctional ego, or a weakness in the superego resulting in a personality disorder should not be valid justification for legal punishment. The punishment for the crime must be based on the personality of the perpetrator, as well as the motivation underlying the act in order for a suitable treatment to aid in the perpetrator's adjustment in the future. Since the personality of these perpetrators is likely to be a key factor in the motivation for the murder, rehabilitation in a correctional facility will prove ineffective (Levesque, 2006).

Based on our findings it is fairly safe to assume that the males in these case studies are likely to react in a similar manner in a similar situation after they have served their prison sentence for the first narcissistic murder. Thus if they return into an intimate relationship, where the corroding of their self-esteem takes place over time, an unpredictable rage incident will most probably occur again to balance out their internal locus of control.

To support this Wertham (1966) refers to a case of a man who murdered two women. He explains it as follows: As a young man, the client was a gifted violist and became a talented musician in later life. As a young boy, he was hardly ever involved in fights and on the occasions that he was, they were minor incidents. He was described as a quiet and soft-spoken individual. He married at a young age. The marriage was characterized by jealousy and many disagreements. One day, after many arguments, he shot and killed his wife, after which he picked up her body and put her on the couch, while saying a prayer over her body. Immediately after the incident, he went to his mother and told her what had happened. His mother advised him to report what had happened to the police, which he did. The man received a prison sentence of 20 years to life for his crime. He had an excellent prison record and was only involved in one fight, which was in self-defense. He continued his musical education while incarcerated and gained recognition for some of his work outside of prison. As a result, he was paroled after 19 years in prison. The judge stated there was “every evidence of rehabilitation and that there is every probability that upon release he shall never again commit any serious breach of the criminal law” (quoted in Wertham, 1966, p.34). After his release he was very successful as a professional musician. He was so successful that he became a celebrity in the music world at the age of 38 years. A few months after his release from prison, the client stabbed and killed the woman with whom he was having a relationship. A friend of the client described the victim and her relationship to him as being “more than only a girl for him, she was a symbol, a symbol of the world” (Wertham, 1966, p.34). In Wertham's (1966) opinion, it is not usually the case where several traits come together to cause a certain result, but more likely, he explains, that one trait becomes more prominent in the perpetrator and this prominent trait, in combination with several other factors and circumstances, causes a violent result. He further states that “the cycle of murder and release may be repeated” (Wertham, 1966, p.33).

In the current research, NPD and more specifically a sense of worth, has been identified as a prominent trait within the perpetrators. In addition, in all the cases the perpetrators were constantly criticized by the victims causing a build-up of tension prior to the murder, which was most likely the instigating factor that gradually corroded their sense of self-worth, which resulted in the sudden surge in violence.

Although more research is necessary, this research has established an association between the rage-type murders and NPD of the selected case studies and there is historic documented evidence suggesting these individuals will most likely react in a similar manner in similar circumstances, as a result of an underlying personality disorder. This suggests that incarceration in a correctional facility is not the correct place to rehabilitate these individuals and why they should be acquitted because of their personality disorder and subsequently be committed to a psychiatric facility as a patient of the state.

Future Recommendations

As the sample size in the current research was relatively small, it is recommended that the research serve as a foundation to conduct further studies in other Psychiatric Institutions that undertake the observation instruction from courts, to establish whether similar results can be obtained. This will ensure more reliability to the research results and enable generalization. Cross cultural comparisons of similar cases will also bear fruitful results to understand the relationship between NPD and rage-type murder better. It will also benefit in the compilation of pre-sentence reports in court rulings and sentencing.

As this research used a secondary analysis, it is recommended that future studies make use of personal interviews with the perpetrators, as it would further the understanding of the phenomenon, which will contribute to the explanation as to why rage-type murders are committed.

From the psychological interviews, case history, collateral and psychometric assessment information obtained by the psychologists involved in the cases, there is an indication that the victims all had underlying borderline personalities. It will thus be useful to do further research into the personality variables of the victims in order to more comprehensively explain the dynamics involved in the relationship between the victim and the perpetrator and how this might have contributed to the murder.

At some stage it would be useful to compare the results obtained in a South African sample to international samples to determine whether NPD does in fact contribute to rage-type murder in a variety of contexts.

Concluding Thoughts

This research was undertaken to explore a possible association between rage-type murder and NPD. To achieve this, rage-type murder as a phenomenon was described. Cases involving rage-type murder were identified from Weskoppies Psychiatric Hospital and the perpetrators' personality variables were analyzed to determine whether they displayed narcissistic personality traits. All the cases selected were referred by order of the court and involved males over the age of 20

years. In all the cases selected, the individuals displayed traits associated with NPD. While the intentions set out prior to the research were achieved, the research should be used as a foundation for future studies to find more comprehensible arguments as to why some individuals with narcissistic personality types commit rage-type murders.

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Leveraging Change: Developing a Gender Niche in Policing in Pakistan

Aliya Sethi

Setting the Context

Making a visible and sustainable impact in the domain of equality between women and men seeks commitment and capacity from all the cooperation partners to conceive and execute result oriented development interventions. Gender reforms are essentially political in nature aiming at structural and systemic changes, often contested and resisted by the power holders, thus entail struggle by the advocates to transform unequal power relations. Commitment and capacity for change are therefore critical factors to translate the struggle into practice in the form of pertinent strategies, approaches and actions.

Predominant gendered notions and cultural perceptions influence the way the governance institutions respond to the needs and interests of women and men. The institutional policies and practices (from family to state) manifest gender inequalities with negative implications for women and girls in terms of opportunities, resources, capacities and voice. Widely held gender stereotypes make it difficult to introduce gender responsive measures in the policy domain. Few governance institutions, such as police, have not been fully exposed to institutional level gender initiatives, and thus sensitizing those entities become all the more challenging. In such contexts,

“small gains become big achievements as they are seen as milestones for making significant headways”.

Gender Responsive Policing: Challenges in Focus

Gender reform in policing is relatively a new area of technical assistance for Pakistan encompassing both challenges and opportunities for promoting change in policy and practice. The Gender Responsive Policing (GRP) project was launched nationwide to support the police in improving the organizational processes and operational services for being equally responsive to the security needs and interests of women and men, especially the gender based violence.

The project was initiated in an environment (police) exhibiting little gender sensitivity and priority for addressing gender issues and gender based violence. Social norms and inadequate police response on crimes against women discourages women and the families in distress to approach police. Gender gaps in staffing, structure and processes of police affect the interpersonal behavior and practice,

division of work, positioning, performance and work life balance of employees. The evidence from the project's preliminary assessments and consultations has confirmed a common pattern of challenges, although of different enormity across the police organizations, ranging from lack of women's representation in police to their feeble assimilation in mainstream policing and from inadequate gender orientation of training measures to deficient policing services and a less responsive subculture to deal with cases of gender based violence.

The gender responsive policing approach seeks systematic attention to the gender differences and dynamics of social roles, responsibilities and opportunities assigned to women and men in a particular context. The approach analyzes the differences in the social roles and positioning of women and men that result into gender differences constraining their ability to have an equal access to and control over resources and opportunities. It requires initiatives and efforts from the individuals and the institution to incorporate different needs and priorities of women and men into policies and actions.

The GRP Project (July 2009 – December 2014) is funded by the German Federal Foreign Office and jointly implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH and the National Police Bureau. The project is in its second phase of technical assistance to the police organizations. It aims at enabling the National Police Bureau to support the executive police to adopt and implement a standardized policy for gender mainstreaming and gender just access to policing, taking into consideration the principles of rule of law.

Capitalizing on the learning(s) and initiatives of the first phase, the GRP project is focusing on strengthening the strategic base with emphasis on the following areas of intervention:

- Facilitation in implementation of the Gender Strategy of Police 2012 - 2016
- Inclusion of gender dimension in police training
- Enhanced system of police investigations with special emphasis on gender based crimes
- Functional national and international women police networks on gender responsive policing

Results and Approaches

The GRP initiative has created a niche for gender focus within the police. Readiness of police cooperation partners to engage in gender responsive interventions, recognition of gender based challenges and incorporation of gender aspects in police work are indicators of police receptiveness. A most significant milestone is the formulation of a Gender Strategy of Police 2012 – 2016, outlining

policy provisions to promote equality perspective in policing services and organizational processes. The strategy is based on consultations with the police and drew on findings from the gender audit of the police organizations.

The endorsement of the Gender Strategy from the chiefs of all police organizations is the strategic outcome leading to systematic policy actions and practice.

The Gender Strategy 2012–2016 outlines six strategic priorities:

1. improve representation of women in police
2. develop capacities and competence of women police
3. enhance role, positioning and visibility of women police
4. cultivate gender sensitive work environment
5. assimilate gender learning into police training
6. enrich policing services with a gender-equality perspective

The Gender Strategy layouts an indigenous roadmap for the police to institutionalize gender inclusiveness over a period of time by formulating action plans and defining a monitoring mechanism.

The GRP adopted a multifaceted approach of building and broadening partnership, advancing gender analysis and awareness of policies, developing human resources and institutional capacity, piloting interventions and formulating policies. The advisory assistance from the gender audit to the training curricula and from developing a pool of trainers to initiating the Ladies Complaint Units, all have contributed in enhancing the scope of police services and gender orientation of the police cooperation partners. Project interventions, undertaken prior to the Gender Strategy consultations, have prepared a ground for the police to engage in strategy development consultations, share perspectives, discuss challenges and outline measures for incorporation in the strategy.

The Gender Audit of Police Organizations is an example of illustrating evidence on the extent of gender sensitivity of organizational culture and operational services. The audit has furnished results for formulation of the Gender Strategy of Police. Drawing on the gender analysis of the police training curriculum, the induction level police course now incorporates relevant gender aspects, pertinent pieces of legislation, human rights and violence against women. Dissemination of curriculum review has triggered a dialogue to revise the existing training standards and develop a comprehensive policy framework with a gender perspective integrated into it. The result was the formulation and approval of the Punjab's Police Training Policy with its various elements being practiced by the provincial police.

Gender awareness of police personnel through different capacity building initiatives has created a space and acceptance for inclusion and enhanced role of women police and women's access to policing services. Police trainers have been exposed to modern training techniques and gender and policing content. The Standard Operating Procedures on dealing with women and investigating crimes of violence against women (*SOPs on VAW*) are made part of the training programs. A pool of trained police trainers is available as a resource to disseminate the newly acquired knowledge and skill to a wider circle of police training institutes and police trainees.

The initiatives of Ladies Complaint Units (9), Women Police Campus in police training schools (2), advanced investigation courses for women (2), skill based trainings and data collection on VAW aimed at enhancing the police services to better respond to crimes against women and encouraging participation of women police in mainstream policing. Despite little coverage, LCUs located in mainstream police stations and managed by women officers, are serving as facilitation points and gradually changing the male perception about the role and presence of women in mainstream police stations. The Gender Strategy entails expansion of complaint units, establishment of women desks and engagement of women police in mainstream policing.

Two major conferences were organized on the theme of Enhancing Women's Role in Police. The first ever National Women Police Conference has provided an excellent opportunity for women police to get together, share policing experiences and professional challenges. The event drew the attention of police organizations towards the role and recognition of women in police. The conference has inspired women officers for future interaction and networking. The idea of country wide Women Police Network has transpired from the national conference. In the aftermath of the conference, 12 women police officers (*of which 5 graduates of investigation course*) were assigned field positions in Punjab.

The International Women Police Conference was yet another eventful attempt to build synergies and advance gender equality in policing through collaborative learning and dialogue among police delegates around the Muslim world. Around 66 police delegates from 12 countries, 10 speakers from the international institutions and 10 presenters from Pakistan have contributed insightful dialogue on gender responsive policing. Involvement of various strategic stakeholders in the conference gave momentum and greater visibility to the role and positioning of women in police.

The showcasing of 'gender just policing practices' from the international development agencies, research institutes and police networks (*UNDP, UNHead*

Quarter, UN African Union, UN peace mission in Timor Leste, International Association of Women Police, UK and Australian Council of Women and Policing) has broadened the canvass of learning for the participants to follow a gender based approach in policing. The interface with the civil society advocates and Women Parliamentary Caucus of Pakistan have established the need for lobbying with law makers on enhancing the policy environment for gender based legislation.

The delegates recognized the value of collaboration with a wide spectrum of stakeholders and have agreed to continue the cooperation through a Women's Police Network on Gender Responsive Policing. The Network of 12 countries was announced during the conference with Pakistan (women police) taking a lead on conceptualizing and steering the network with technical support from the GRP.

Conclusion / Stepping Forward

The synergy in project interventions has galvanized the police organizations to action. Capacity and commitment made it possible to leverage change to the extent where police has recognized the need to develop a policy framework to address the gender gaps at workplace and in policing services. The accomplishments in the pursuit of gender equality often come with a package of challenges. The challenges are of varying scale, surfacing in different forms and at various stages of planning and implementation of the technical assistance. A major challenge has been to carve a way and create a constituency of demand within the police seeking gender equality change. In the case of GRP initiative, the formulation and endorsement of the Gender Strategy of Police is an illustration of demand generated among the critical mass of the police to develop a strategic framework.

The action planning and implementation of the Gender Strategy are the crucial next steps for the police to translate the strategic priorities into well-defined actions with adequate monitoring and accountability mechanisms. Gender mainstreaming experience suggests that lack of action on defined priorities results in policy evaporation. Therefore, it is essential for the cooperation partners to consolidate the gains, built upon the gender initiatives and expand the scope of responsiveness. Enhanced political will and policy commitment from the police senior management are the pre-requisites for making a real difference at deeper level in police keeping the standards of equality in perspective.

خامہ بہ جوش

The first collection of Urdu Columns of Mr. Fasihuddin (PSP), Editor-in-Chief, Pakistan Journal of Criminology, has been published by Gosh-e-Adab, Quetta, Balochistan. The book is a collection of dynamic topics ranging from terrorism, criminology, international relations, policing, politics, to Afghan war, corruption, literature, and famous personalities.

The book is available from all the major book-stores around Pakistan.

فصیح الدین



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