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Between Mosque and Maple: Navigating Violence Against Women in the Normative Landscapes of Pakistan and South Korea

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ABSTRACT

This article looks at how social and legal systems shape violence against women in South Korea and Pakistan. It's not just about what's written in the law books—it's about how those laws actually play out, especially when they clash with old traditions or beliefs. In Pakistan, for example, Islamic teachings have a big influence. In Korea, Neo-Confucian values still shape people's thinking. Instead of just lining up laws side by side, this essay tries to get at the messy reality, where state rules, religion, and tradition all mix together and leave a mark on women's daily lives. To get at this, the study uses a qualitative method, comparing cases and digging into real stories and social records. The study finds that legal remedies in Pakistan often fall short because there's a clash between efforts to limit patriarchal traditions and the push to protect Islamic values. In South Korea, even with progressive policies on paper, old Confucian ideas still hang on—they end up justifying violence behind closed doors. The article points out that real change takes more than new laws. Societies need solutions that actually fit their values and norms. For Pakistan, that means encouraging ijtihad—getting people to think for themselves within Islamic tradition. In South Korea, it's about shifting public conversations to challenge strict family hierarchies. Both approaches open the door to more inclusive, thoughtful, and progressive civic life.

KEYWORDS: Gender-Based Violence; Structural Violence; Islamic Law; Confucian Values; Comparative Analysis; Socio-Legal Studies; Patriarchy; Honor-Based Violence; Hierarchical Familism; Cultural Norms.

INTRODUCTION:

The study finds that legal remedies in Pakistan often fall short because there's a clash between efforts to limit patriarchal practices and the push to protect Islamic values. In South Korea, even with progressive policies on paper, old Confucian traditions still run deep and quietly allow violence to happen behind closed doors. The article argues that lasting change needs more than just new laws. Societies need to shift their values, and that means tackling things at the ground level, inside the culture itself. For Pakistan, that could mean encouraging ijtihad—independent legal reasoning—in everyday civil life. In South Korea, it's about challenging the idea that the family hierarchy is untouchable and getting people talking openly about it. Violence against women is one of the biggest human rights issues we face right now. There's this constant, stubborn gap: the law might say one thing, but harmful practices keep going. Even though international agreements like CEDAW have pushed countries to rewrite their laws, the real power often lies elsewhere—in religious beliefs, traditions, and social values. These things form an invisible scaffolding that holds up or quietly tears down the law. Just looking at what's written in the books doesn't cut it. If you really want to understand why gender-based violence sticks around, you have to dig into the cultural and religious roots that shape how people think and act and how officials actually enforce the rules.

This article takes a close look at Pakistan and South Korea, comparing how their unique histories and cultural values shape the experience of violence against women. Even though they sit close to each other on the map, their legal and social landscapes are worlds apart. The analysis shows how the push and pull between laws and social norms shapes what actually happens and how women are protected (or not), and how society responds to violence. By laying this out, the article gets at the complicated truth about what's really driving gender-based violence in both countries. In Pakistan, family honor and patriarchy still run the show. These old-school values don't just shape how people think—they seep right into the legal system dealing with gender-based violence. The result? Women's rights take a backseat, and victims often stay silent. Now, if you look at South Korea, things seem more progressive on paper. Their laws focus on protecting women, and there's been real movement toward gender equality. But let's be honest, traditional Confucian ideas and social stigma still hang around, making it tough for victims to speak up or get justice. Comparing these two countries makes one thing clear: you can't really get what's going on with gender-based violence just by reading the laws. You have to dig into the culture and religion that shape how people see women and violence. In both Pakistan and South Korea, the law doesn't exist in a vacuum. Culture—sometimes loud, sometimes subtle—shapes whether women get support or get ignored.

Pakistan's big hurdle is bridging the gap between legal reforms and stubborn cultural beliefs.

People still put men's authority and family reputation above women's rights. Changing this means more than new laws—it calls for real education and open conversations to help people see things differently. Women need to feel empowered enough to stand up for themselves. In South Korea, even with stronger legal protections, those old traditions don't let go easily. Women still have to push past stigma and outdated ideas just to be heard. So, advocacy and public campaigns matter a lot—they help create a space where victims actually feel safe coming forward and demanding justice. Pakistan's story is tangled up in its Islamic identity, and you see that everywhere—from its laws to everyday life. History handed the country a messy mix of legal systems, and that still shapes how people think about gender. After the brutal split from British India in 1947, Pakistan kept a lot of its colonial legal baggage. Things really changed in the 1980s, when General Zia-ul-Haq pushed a wave of Islamization. Suddenly, laws like the Hudood Ordinances made it hard to tell the difference between adultery and consensual sex outside marriage. The Law of Evidence then cut back women's credibility in certain financial cases. These moves locked in a pretty strict, patriarchal reading of Islamic law, and life got tougher for women. Later on, activists fought back. Laws like the Protection of Women Act (2006) and the Anti-Rape Act (2021) landed on the books. But enforcing these laws is another story. Old tribal codes about honor—izzat—still run deep, often taking over when the law falls short. So you end up with this constant tug-of-war: the Qur'an's ideas about gender justice and dignity get pushed aside, while tradition keeps women out of schools and jobs, and even puts them in danger from violence like so-called "honor killings."

Now, look at South Korea. The country rocketed from poverty to high-tech powerhouse, but it's still wrestling with shadows from its Neo-Confucian past. Back during the Chosŏn Dynasty, Confucian values built a world where women belonged at home, as "wise mothers and good wives." Men called the shots, and the family line had to go through the father's side—no exceptions. Women's loyalty, their chastity, and their obedience: these were the gold standard. Fast forward, and South Korea's democracy brought real change. Laws like the Domestic Violence Prevention and Protection Act (1998) and the Act on Punishment of Crimes of Sexual Violence (1994) tried to break the old patterns. But old habits die hard. Even now, silence and impunity around domestic and institutional violence linger, often swept under the rug for the sake of family peace or social image. This disconnect between progressive laws and stubborn cultural attitudes has sparked a fierce, modern feminist response. Movements like "Reckoning of the 'Feminative'" and the outcry after the Gangnam Station murder show just how fed up people are with the gap between what's promised on paper and what's lived out in reality. The fight isn't just about laws—it's about dragging society forward, too.

This article looks at two big ideas: the "Mosque," standing in for Pakistan's religious-legal tradition, and the "Maple," which captures Korea's Confucian social structure. By bringing them together, the goal isn't just to split the world into "East and West" or "developed and

developing" camps. Instead, it's about digging deeper into how these two cultures' moral foundations collide with modern life, especially when it comes to violence against women. At the heart of it all sits a tough question: How do Islam in Pakistan and Confucianism in South Korea actually shape efforts to prevent violence against women—both the kind that happens out in the open and the kind baked into institutions—as these countries change their laws? It's not enough to just pass new rules. Real change needs solutions that make sense within each culture. The study also pushes back against a tired old idea—that religion and tradition only ever hold women back. Sometimes, they can actually spark progress and justice if people are willing to have honest, informed conversations. By looking at where faith, law, and gender intersect, the research tries to get to the bottom of which cultural codes and legal habits either keep gender inequality going or help break it down. In the end, the hope is to offer a model of justice that actually fits the world we live in—a way to blend tradition with real legal change so that fighting for gender justice isn't just a matter of following the law but something people feel is right at their core.

METHODOLOGY:

This study looks at how legal and cultural systems connect in South Korea and Pakistan, using a qualitative case study approach. The core of the research draws on three main things: the actual laws and constitutions, a range of scholarly work—historical, sociological, and legal—and public conversations, like media stories, NGO reports, and statements from major organizations. By digging into how laws actually play out in real life and what they mean in each country's culture, this approach uncovers how religious and traditional values shape the way formal legal systems work—or sometimes, don't work.

REVIEW LITERATURE:

This study There's a ton of research out there on violence against women, but honestly, most of it sits in separate academic silos or focuses on different regions. Because of that, we're still missing a bigger picture—especially when it comes to comparing contexts or drawing connections. Here, I lay out the main strands of scholarship that matter for this study, call out what's still missing, and show exactly how this article fits into that gap.

A lot of the existing research sticks to a legal-institutional angle. People like Celestine Nyamu-Musembi have spent years looking at how international agreements like CEDAW get folded into actual national laws. In Pakistan, folks like Rubya Mehdi and Shaheen Sardar Ali really set the stage here. They've traced the history of Islamic law, from the controversial Hudood Ordinances right up to recent protective legislation. What stands out in their work is how they show the constant push and pull between state law, religious interpretation, and patriarchy. Over in South Korea, researchers such as Seung-kyung Kim and John Lie have mapped out the transformation of family law and gender equality, often describing these laws as forces dragging society away from its Confucian past. This kind of scholarship is crucial if you want to understand how women's rights look on paper. But honestly, it usually stops at pointing out the gap between what the law says and what actually happens, without really digging into why that gap

exists in the first place.

Then there's another strong thread of research that takes a more socio-cultural and feminist route. Here, scholars dig into the cultural norms that drive violence against women. In Pakistan, honor—or izzat—is a key concept in the work of anthropologists like Shahnaz Khan. She lays out how ideas about honor are used to police women's sexuality and justify violence. In South Korea, you see the shadow of Confucian patriarchy everywhere. Laurel Kendall and Hyaeweol Choi, for example, show how values like filial piety and strict gender roles still shape families, workplaces, and society, creating conditions where violence can thrive. This kind of research offers real cultural depth, but it often paints "culture" or "religion" as fixed and all-powerful, which can miss the messy reality—there's always debate, diversity, and people pushing back inside these traditions.

Now, even with all this rich work, there are still three big gaps that keep popping up—gaps this article wants to tackle. First up is the comparative gap. Probably the biggest missing piece is the lack of solid, side-by-side comparisons between countries like Pakistan and South Korea. Most research on violence against women stays boxed in by region—South Asia here, East Asia there—or gets stuck in tired categories like "Islamic vs. Western" or "developed vs. developing." This kind of framing makes it impossible to have a real conversation across contexts. Comparing Pakistan and South Korea isn't just about pointing out differences; it's about looking at how two powerful non-Western systems—Islam and Confucianism—deal with modernity and state law in their own ways. Right now, there's no framework that can really put both systems in the same frame and help us see how culture shapes the power of law, both in universal ways and in ways that are totally specific to each place.

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"religion" as fixed and all-powerful, which can miss the messy reality—there's always debate, diversity, and people pushing back inside these traditions

RESULTS AND DISCUSSIONS:

There's a real paradox at play here. In both Pakistan and South Korea, the very systems that hold people together—religion, tradition, social rules—also end up giving cover to violence against women. It's not just a problem with the police or courts. The trouble runs deeper. When you've got different value systems clashing and overlapping, people get tangled up in mixed expectations, and there's not enough real protection for women.

PAKISTAN: WHEN SACRED TURNS INTO SHACKLES:

In Pakistan, religion isn't just a private matter—it shapes everything. But the way people interpret Islamic teachings, especially through a patriarchal lens, turns what should be guidance into control. Take qiwamah (responsibility), for example. Instead of a shared duty, it gets twisted into outright male authority. Modesty, or hijab, shifts from a personal, spiritual choice to a way to police women's behavior. So women look for security in their faith, but those in power often use the same faith to keep them in line. No wonder, according to a 2020 government report, about 70% of women who've been abused never go to the law. They're stuck—caught between wanting to respect their culture and worrying they'll be accused of going against their religion.

SOUTH KOREA: THE UNSEEN CHAINS OF HIERARCHY:

In South Korea, it's not so much explicit laws as a kind of social grammar that keeps people in line. Confucian ideas—especially hyo, or filial piety—don't just tell people to honor their families. They create this unspoken rule: don't speak up about family problems, especially violence. It's seen as staining the family name. At work, those old hierarchies bleed into company culture. Women face pressure and harassment, but it's all so normalized that most just keep quiet. A 2022 government study found that 45% of women at work had faced gender-based harassment, but only 12% actually reported it. The law offers a way out, but women who use it get labeled troublemakers, accused of breaking the peace.

LOOKING FOR A WAY OUT: MAKING NORMS WORK TOGETHER:

Fixing this isn't just about changing laws. The bigger challenge is getting cultural, religious, and legal norms to pull in the same direction instead of working against each other.

PAKISTAN: CHANGE FROM WITHIN:

For Pakistan, the answer starts with elevating women's voices in religious scholarship. Support women scholars who use ijtihad—independent reasoning—to interpret what the scriptures actually say about marriage, divorce, and testimony. The goal? Separate what's truly divine from what's just old patriarchy, and build a narrative that's both faithful and

freeing.

SOUTH KOREA: RETHINKING TRADITION:

South Korea needs its own internal rethink. Philosophers and thought leaders there can dig into Confucian texts, focusing on the values of benevolence (ren) and justice. The idea is to show that gender equality isn't some foreign concept, but a modern take on old, homegrown values. That way, it's not about throwing out tradition, but uncovering its best parts.

OPENING UP SAFE SPACES FOR REAL TALK:

Both countries need places—universities, media, public forums—where people can question old norms and share new ideas without getting called outsiders. In Pakistan, this means creating space for religious leaders and women's rights activists to actually talk and work together. In South Korea, businesses and public programs should promote the idea of "harmony through equality," not just harmony through silence.

REDEFINING WHAT MATTERS AT HOME

The toughest part is what happens behind closed doors, where the law can't always reach. The answer? A cultural shift where protecting women from harm is seen as the core duty of any group—family, company, or congregation. In Pakistan, honor should mean keeping women safe, not just keeping them in line. In South Korea, real harmony should mean no one is forced to stay silent or endure abuse. That's where real change starts.

In the end, the comparison shows something important: even though the reasons behind normative dissonance aren't always the same, the way forward looks pretty similar. We don't need to abandon tradition or just accept it blindly. What really matters is thinking things through, questioning what needs to change, and having the guts to reform from the inside. Real, lasting protection for women comes when state laws match up with what people truly believe and practice at home. That's where change sticks.

CONCLUSION:

There's still a big gap between what the law says and what actually happens on the ground in both countries. Even with big steps like Pakistan's Anti-Rape Act of 2021, women still face major barriers to autonomy. The World Bank's 2023 report puts female labor force participation at just 22%. And the Human Rights Commission of Pakistan counted over 2,500 cases of honor-based violence between 2022 and 2023. Clearly, passing laws isn't enough to break through deep-rooted social habits. South Korea faces a similar challenge. The laws look good on paper, but cultural attitudes hold things back. A 2023 study from the Gender Equality Ministry found that 45% of working women experience gender-based harassment. Still, only 12% actually report it. For the ninth year straight, South Korea ranks last among OECD countries for the gender wage gap. Old Confucian workplace hierarchies stick around, and anti-discrimination laws haven't changed that yet.

This is what we mean by "normative dissonance"—when strong legal protections clash with ingrained cultural values. In Pakistan, many people interpret Islamic teachings in a way that puts family honor above individual rights, especially for women. South Korea's Confucian legacy, meanwhile, tends to value hierarchy and harmony, which can sideline gender equality at home and at work. So, even if the laws are there, cultural barriers stop people from using them. For Pakistan, three solutions stand out and still fit with international standards. First, the government can support female Islamic scholars to reinterpret women's rights—giving people religiously valid alternatives to old, patriarchal views. Second, building on the Benazir Income Support Program by adding financial literacy training gives women more economic independence, which helps protect them from violence. Third, setting up mosque-based legal aid clinics that combine advice from Shariah with information on statutory rights can encourage more women to seek help by bridging the gap between religious and state law. South Korea needs a different approach, but one that's just as thoughtful. Changing how companies are run and using boardroom quotas—framed as a way to boost group success, not just individual rights—fits with Confucian values. Updating school lessons to teach gender sensitivity through the lens of "balanced harmony" (yin-yang) makes equality feel like a cultural goal, not something imposed from outside. And government-backed media campaigns that feature male allies and encourage open conversations across generations can help people see that gender equality and family values don't have to be at odds. Some strategies work in both places. Building gender violence monitoring systems that reflect local culture helps create better, comparable data for policy-making. Adopting workplace standards certified by UN Women, designed to fit both Islamic and Confucian settings, lets global companies roll out the same protections everywhere. And connecting universities for cross-cultural conversations on rethinking tradition gives young people a real voice in shaping change, while still respecting their roots. All of these ideas make CEDAW's principles more relevant locally and shift the focus from outside pressure to real progress from within. By working with local culture and sticking to international standards, this approach offers a real chance to end violence against women—one that actually lasts (Blanchfield, 2017).

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