



UNVEILING THE VEILED THREAT: GAPS IN THE LEGISLATION ADDRESSING EVE TEASING IN INDIA AND PAKISTAN

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ABSTRACT

The pervasive prevalence of eve teasing in Indian and Pakistani society continues to be a source of discomfort and restriction for women. Eve teasing is defined differently from state to state in India and this contributes to disparities in law enforcement. In addition, survivors are typically discouraged from coming forward because of pervasive victim-blaming attitudes and ingrained patriarchal standards. Underreporting and inadequate prosecution are exacerbated by the lack of sensitivity on the part of law enforcement authorities and the lack of training they get on the subject. Similar difficulties are experienced in Pakistan. It is difficult to enforce the legislation since there is no universally accepted definition of eve teasing. In addition to the delays and inaccuracies inherent in the court system, cultural factors such as honour-based societal beliefs discourage victims from coming forward and demanding justice. A lack of explicit laws on eve teasing has led to uneven enforcement and poor protection for victims, despite efforts by both India and Pakistan to combat gender-based violence. Possible responses include more accurate laws, standardizing legal definition, training law enforcement to be more sensitive to victim's needs and creating expedited justice systems. This article uses a comparison of the two nations to stress the need for new laws that define eve teasing precisely, impose heavy fines, and provide a safe space for victims. Finally, some recommendations are made regarding how to strengthen the application of laws addressing eve teasing in India and Pakistan. A literature review method is adopted for this article.

I. Introduction

In recent years, the abuse of Eve teasing has been considered one of the most controversial issues. The topic is quickly becoming a national issue in all corners of our society.¹ Eveteasing includes gestures, signals, as well as whistling, staring and rubbing of women. The unusualness of this term includes the intervention of unusual strangers. In

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¹ S. Talboys, M. Kauret *al.*, "Is eve teasing a public health problem? Public sexual harassment in rural India and its association with commonmental disorders and suicide ideation among young women ages 15-24," 82(3) *Annals of Global Health* 561(2016).

addition, it is in the public domain, which includes streets, roads, parks, restaurants and any form of public transportation.²As a form of street harassment and public sexual harassment, “eve teasing” affects many groups worldwide, including those in India and Pakistan. Harassment, intimidation, and unwelcome attention are all aspects of this issue that contribute to women feeling uncomfortable and threatened in public.

The practice of eve teasing is a sort of social harassment towards women that has persisted in many societies for quite some time. Eve teasing and sexual harassment of women on the street have greatly impacted their everyday lives in India and Pakistan. The societal and cultural conventions that devalue women worldwide are the root cause of this issue. Name-calling and other forms of mild verbal harassment are as frequent as sexual harassment and even physical assault in India and Pakistan. Lack of comprehensive laws, ineffective law enforcement systems, and a gender imbalance have all contributed to making the issue difficult to confront and eliminate in both nations. It is concerning that certain nations, including India and Pakistan, have not yet implemented sufficient legislation and enforcement procedures to deal with this problem.

Due to a lack of effective legislation in both countries, cycles of gender-based violence and injustice are allowed to flourish in homes. Eve teasing in public places have reached an alarming level of popularity in India, a country with a rich heritage and culture. Because the Indian legal system does not have any regulations that prohibit eve teasing, those who do such acts are free to avoid prosecution. The Indian Penal Code has anti-harassment and anti-assault measures, but it is not detailed enough to account for the subtleties of enforcement conflict. This shortcoming leads to mild punishments that fail to discourage criminal behaviour. While there have been isolated initiatives at the state level, there is still a lack of uniform policy on the national level. Patriarchal standards that enable harassment are reinforced by the legal grey area and the social tolerance that surrounds it.

Inadequate legislation in Pakistan has led to a similar eve-teasing crisis. While the law in Pakistan does protect people from harassment, there is not a law in place that expressly addresses the danger of eve teasing. The country’s capacity to confront the issue straight on is hampered by the absence of precise definitions, severe fines, and efficient enforcement procedures. This monitoring has a chilling social effect and helps to maintain a culture in which women are targeted and harassed in public. A lack of specific legislation compounds

² M. Dhillon, S. Bakaya, “Street harassment: A qualitative study of the experiences of young women in Delhi” *available at*: <https://doi.org/10.1177/21582440145437> (last visited on Dec. 25, 2023).

the effects of ingrained gender stereotypes, a lack of education, and economic inequities, all of which contribute to the issue.

In India and Pakistan, there are not enough laws in place to protect women from eve teasing and this reflects more than simply a gap in the legislation. These perspectives contribute to the normalisation of harassment and assault since they are reinforced by cultural norms and historical precedents. The message sent by the absence of a robust legal structure is that society does not see these acts as particularly significant. This sends the incorrect message to would-be attackers and discourages victims, who are forced to navigate a hostile system with few options for redress.

Consistent data collection and reporting is lacking in both nations, which hinders attempts to curb eve teasing. The full scope of the issue is likely underreported because of prejudice, fear of reprisal, and questions about the judicial procedure. This lack of data makes it harder to create well-thought-out policies and precise actions. Investment in effective reporting mechanisms, public awareness campaigns, and thorough law changes are crucial if India and Pakistan are to make public areas safer for women. Clear definitions of eve teasing, harsh fines, streamlined reporting processes, and protective measures for victims are all necessary components of any such changes.

One of the main reasons eve teasing persists in India and Pakistan is because there are no comprehensive laws in place to prevent it. In both nations, the legal systems contribute to a culture of impunity because they fail to fully address the complexities of this kind of harassment. Specialised legislation, supported by robust fines and efficient enforcement procedures, must be introduced in both nations to address this issue. Broad public awareness campaigns and initiatives to change deeply ingrained gender stereotypes should accompany such legislative reforms. Only by taking a comprehensive strategy can India and Pakistan expect to eliminate eve-teasing and build communities where everyone feels welcome.

II. Concept of Eve Teasing

Eve teasing, shorthand for sexual harassment in public places, is a worldwide epidemic that negatively impacts the lives of numerous people, particularly women. Subtle forms of harassment include things like baiting and unpleasant remarks all the way up to stalking and physical violence. In addition to being a form of harassment, eve-teasing creates a hostile atmosphere that limits women's independence and ability to fully participate in society. When women, particularly young ladies, are alone in metropolitan areas at night, they are vulnerable to “eve teasing,” also known as “street comments” or “ambitious comments by

men.”³ It would seem that women are restricted from responding similarly to statements made by males. The remarks range from the innocuous “hello honey” to the rudely suggestive and even threatening. The focus is almost always on the woman's attractiveness. Whistles, laughing, pinches, and finger snaps may be substituted for (or added to) this remark.⁴ Because it does not take into account the visual or non-verbal components of street bullying, the phrase “eve teasing” encompasses all forms of harassment, including verbal, nonverbal, and physical harassment, inflicted on girls and women in public spaces by men they don't know.⁵

There are a number of interrelated elements that make it tough to find a solution. First, individuals may take advantage of their anonymity in public settings since they are unlikely to run into one other again. Second, the transient and ephemeral character makes it impossible for the culprit to be caught. Third, they may be executed covertly, with only the victim and the offender being aware of what has happened. It is easy to fight and deny such charges, which often encourages the perpetrator to verbally harass the victim.

Other factors that make it easier for victims to stay silent include: the difficulty in gathering evidence; the lack of public support; the victim's reluctance to confront the offender; the victims' natural inclination to avoid drawing public attention to his ways; the victim's propensity to withdraw or alter their behavior in response to abuse; the victims' need to conform to a non-aggressive social stereotype; and her insecurity about boldly pursuing her accusations in the face of denial or aggressive abuse. Women who lack self-assurance seldom raise their voices. Harassment of women and girls on the street is an unfortunate reality. There is a disparity between the sexes when it comes to the degree to which each feels at ease in a public setting. Darker streets, larger numbers of males than women, unruly crowds like those at festivals, and a lack of publicity all added to a feeling of insecurity. Women feel more comfortable in public when stores are open, they can hear their own language, there are billboards, other women are about, and the streets are well-lit.

III. Eve Teasing in India

³ Carol Brooks Gardner, “Passing by: Street remarks, address rights, and the urban female, 50 *Sociological Inquiry*, 328 (1980).

⁴ Elizabeth A Kissling, “Street harassment: The language of sexual terrorism, 2 *Discourse & Society* 45 (1991).

⁵ Habiba Chafai, “Contextualising street sexual harassment in Morocco: A discriminatory sociocultural representation of women” 22 *The Journal of North African Studies* 821 (2017).

India and other South Asian nations use the phrase “Eve teasing” to describe the widespread practice of verbally harassing, taunting, and frequently sexually objectifying women.⁶ Even though it is sometimes written off as just teasing, bullying may have serious effects on a person’s psychological, social, and even physical health. Eve teasing is still a serious issue in India, despite attempts to curb it, demonstrating the pressing need for systemic societal reform. The problem of eve-teasing permeates all levels of Indian culture and requires concerted effort. In India, eve teasing is commonplace in public locations including streets, shopping centers, marketplaces, parks, and even workplaces. Because exclusively women face this harassment due to their gender, it is emblematic of sexism in public institutions. In addition, when crimes and violence against women go undetected, the likelihood of them occurring and the impacts on women are amplified, which may sometimes make it infectious in terms of anxiety, sadness, and behavioral disorders.⁷

IV. Laws Addressing Eve Teasing in India

Recognizing the severity of the issue, Indian lawmakers have introduced several legal provisions to address eve teasing, such as Sections 354 and 509 of the Indian Penal Code (IPC),⁸ the Protection of Women from Sexual Harassment at Workplace Act,⁹ and various state-level laws. Nevertheless, anti-eve teasing legislation in India have been hampered by several obstacles, leaving women open to harassment.

The Constitution of India includes many clauses designed to protect women's rights and promote gender equality. In Article 51A (e),¹⁰ all Indian citizens are obligated to treat women with respect. Article 14 further states that all citizens, regardless of their gender, are treated equally under the law and are afforded the same legal protections.¹¹ Article 15 (3) allows the state to take further precautions on behalf of women and children. Article 15 of the Constitution protects the right to discriminate in this manner.¹²

Although the word “eve teasing” is not used, Section 294 of the IPC¹³ bans harassing a girl or woman with obscene gestures, statements, songs, or recitations and carries a maximum sentence of three months in prison. Imprisonment. Section 354¹⁴ (Insulting a woman) states

⁶ *Supra* note 2.

⁷ Soraganvi, “Safe public places: Rethinking design for women safety”, 8 (1) *International Journal on Emerging Technologies* 304 (2017).

⁸ The Indian Penal Code, 1860. (Act No. 45 of 1860).

⁹ Protection of Women from Sexual Harassment Act, 2013. (No.14 of 2013).

¹⁰ The Constitution of India, art 51 (2) (e).

¹¹ *Id.* at art. 14.

¹² *Id.* at art. 15.

¹³ The Indian Penal Code, 1860. (Act No. 45 of 1860), s. 294.

¹⁴ *Id.* ats. 354.

that a person is responsible for damages and not subject to jail if he purposefully attacks a woman or uses violence to breach a woman's modesty in violation of this article. fines or jail time of up to five years. Section 509 deals with outraging the modesty of a woman.¹⁵

The Criminal Law (Amendment) Act,¹⁶ which altered the Indian Penal Code, the Indian Evidence Act, and the Code of Criminal Procedure, also added the following crimes that are similar to the offense of Eve teasing. According to Section 354A, a man is guilty of sexual harassment if he exposes a woman to pornography against her will, makes sexually suggestive comments, or asks for sexual favors. He faces up to three years in prison, a fine of up to one million dollars, or both. In accordance with Section 354B, any man who assaults a woman or uses criminal force with the intent of disrobing her or forcing her to be naked shall be liable under this section and shall be punished with imprisonment for a period not less than three years and not more than seven years, and a fine. This is a really careless crime. Voyeurism is defined in Section 354C,¹⁷ which states that any man who observes or photographs a woman engaging in a private activity that she expects not to be observed is guilty of a crime and subject to punishment by imprisonment for a term which may extend to three years, a fine of up to three thousand dollars, or both. If the same individual is convicted of a second or subsequent crime, he faces a minimum of three and a maximum of seven years in jail, as well as a fine or both.

Section 354D¹⁸ provides that a male who follows or contacts a woman for the purpose of having sexual intercourse after she has made it apparent she is not interested may be arrested for assault. A conviction for stalking a woman over the Internet, mail, or any other electronic means of contact is punished by up to three years in jail and a fine, with the penalties increasing for additional convictions. could carry jail terms of up to five years and monetary penalties as well.

In this context, the phrases “insult” and “modesty” are both very contextual. However, this is not the only way in which the meaning of the term “modesty” is misconstrued. There has to be a robust discussion and debate on sexual harassment of women, including the perpetrator's actions and words. The current rules are inadequate because of their vagueness, lack of specificity, inconsistent application, and ineffectiveness, as well as their blind spot on public or criminal justice system abuse.

V. Eve Teasing in Pakistan

¹⁵*Id.* ats. 509.

¹⁶ The Criminal Law (Amendment) Act 2013 (No.13 of 2013).

¹⁷*Id.* ats. 354C.

¹⁸*Id.* ats. 354 D.

Everyone, particularly members of marginalized communities, has the right to feel safe in their environment and to be able to move freely throughout society. But in a patriarchal country like Pakistan, it is difficult, and often dangerous, for a woman to stroll alone in public. Women of all ages and socioeconomic levels in Pakistan suffer from high rates of eve teasing, uneasiness in public spaces, anxiety, and fear of social advancement. Almost every woman in Pakistan will, at some point in her life, be the target of eve teasing or other forms of unacknowledged harassment.¹⁹ Gallup found in 2017 that about one in four urban women in Pakistan experience eve teasing on their way to or from places including homes, schools, and marketplaces.²⁰ However, this is also a problem in public places like parks and eateries. Women of all ages and in all places, but especially young girls, are susceptible to eve teasing. The victim often has little option but to keep quiet when faced with such an ordeal on the streets of Pakistan. The societal genesis of silence is also linked to a wide range of socio-psychological elements.²¹

VI. Legal Framework Addressing Eve Teasing in Pakistan

The Constitution of Pakistan was written with the utmost care to ensure that women's rights and equality would always be guaranteed. The Constitution contains several laws and concepts that uphold the worth and rights of women in every sphere of society. Article 14 deals with dignity of person.²² The phrase is inclusive of women's rights because it centers on the value of human dignity, which is universal and applicable to all people. Furthermore, the constitution of Pakistan guarantees non-discrimination and equal rights for all people. The foundation of this idea is found in Article 25,²³ which states that all people have equal protection under the law. All citizens, including women, are afforded the same rights and protections under this article. It also shields women from the unfairness and bias they may confront in numerous aspects of society. Violence and sexism against women are also addressed in the constitution. The state must prioritise the well-being of women and children in order to fulfil its duty to preserve the family, as stated in Article 34.²⁴ In addition, Article 35 specifies that steps must be done to achieve women's equal involvement in all spheres of

¹⁹ N. M. Ahmad, M. M. Ahmad & R. Masood, R. "Socio-psychological implications of public harassment for women in the capital city of Islamabad" 27 (1) *Indian Journal of Gender Studies* 77 (2020).

²⁰ Shumaila Imtiaz, Anila Kamal, "Sexual Harassment in the Public Places of Pakistan: Gender of Perpetrators, Gender Differences and City Differences among Victims" 25 *Sexuality & Culture* 1808 (2021).

²¹ Bilal Ahmed, Farhan Naveed Yousaf & Umm-e-Rubab Asif, "Combating street harassment: A challenge for Pakistan" 31 (4) *Women & Criminal Justice*, 31(4), 283 (2021).

²² Constitution of Pakistan. art. 14.

²³ *Id.* at art. 25.

²⁴ *Id.* at art. 34.

public life and highlights the necessity of defending women's rights.²⁵ When taken as a whole, these laws highlight the constitutional mandate to abolish discrimination against women and promote their full potential.

Several laws in Pakistan aim to address eve teasing and its various forms of harassment such as Sections 354A and 509 of the Pakistan Penal Code (PPC) deal with criminalizing the act of eve teasing. Section 354A²⁶ pertains to assault or use of criminal force against a woman and stripping her of her clothes, while section 509²⁷ targets the intentional insult aimed at a woman's modesty. Protection Against Harassment of Women at the Workplace Act²⁸ primarily focused on workplace harassment, this law also covers harassment in public spaces. It mandates the establishment of anti-harassment committees, complaint mechanisms, and penalties for offenders. The Anti-Rape (Investigation and Trial) addresses various forms of sexual harassment, including online harassment, and emphasizes the use of technology to report such incidents.²⁹ The Prevention of Electronic Crimes Act³⁰ criminalizes cyber-harassment and online stalking, providing a legal basis for dealing with digital forms of eve teasing.

VII. Challenges in Enforcement of Eve Teasing Laws in India & Pakistan

Despite the presence of these laws, several challenges hinder their effective enforcement in India and Pakistan:

Cultural Norms

In India & Pakistan, ingrained cultural traditions that have endured for decades have a substantial impact on the difficulty of executing anti-eve teasing legislation. Eve teasing is a pervasive issue that jeopardizes the safety and wellbeing of women all throughout the nation. Eve teasing is the act of making unwelcome and repeated sexual statements or gestures toward women in public. However, because of ingrained cultural values and social dynamics, it is very difficult to implement legislation intended to stop this practice. The profoundly established notion of "honour" is one of the key cultural conventions that prevents Pakistan from enforcing night warfare regulations in an efficient manner.

There has always been both success and opposition in India's fight against violence against women and girls. The opposition of the social order is primarily to blame for the failure of

²⁵ *Id.* at art. 35.

²⁶ Pakistan Penal Code (Act No. of 1860) S.354A.

²⁷ *Id.* ats. 509.

²⁸ Protection Against Harassment of Women at the Workplace Act 2010. (Act No. IV of 2010)

²⁹ The Anti-Rape (Investigation and Trial) Act, 2021.

³⁰ The Prevention of Electronic Crimes Act 2016.

many reforms and legislation safeguarding women. Of course, the suspected criminals are not the only ones who are on board with this pressure; the vast majority of criminal justice officials and the political elite are as well. When it comes to sexual assault or rape, for instance, the law is structured to penalize victims rather than offenders. The oppression of women and girls by patriarchal society is reflected in many criminal laws and reforms. They have to accept the standards of their families, which often reinforce submissive relationships.³¹

In Pakistani culture, the idea of honour is very important and is directly linked to how women are seen as being pure and dignified. This often results in the notion that any attention or contact a woman has with a male, even if it is unwelcome and upsetting, is harmful for her honour and the honour of her family. As a consequence, many instances of eve teasing go unreported because the victims are fearful of being stigmatized and facing potential repercussions if they speak out. It is difficult for police authorities to collect evidence and develop a case against the culprits as a result of this cultural unwillingness to discuss or recognize such instances. The patriarchal attitudes and conventional gender roles that are present in Pakistan also make implementation difficult.

Vague Definitions

Enforcement of eve teasing laws in India and Pakistan faces a significant challenge rooted in vague definitions. Eve teasing, a widespread form of public harassment and gender-based violence, has long been a concern in these countries, prompting legislative efforts to curb its spread and ensure women's safety and dignity. However, the effectiveness of these laws is hampered by ambiguity around the definition of premeditated harassment, leading to inconsistent implementation and obstructing justice for victims. The legislation addressing this issue sometimes lack precision when it comes to eve teasing in Pakistan and India. Due to the vagueness in the law, perpetrators are able to take advantage of legal pitfalls and escape punishment. Law enforcement and judicial authorities struggle to discern between innocuous encounters and incidents of eve teasing in the absence of a precise and comprehensive definition that incorporates all types and degrees of eve teasing, which results in inconsistent judgements and unfair justice.

Vague definitions have an impact on eve-teasing victim reporting procedures as well. Because they are unsure if the interactions they had with perpetrators were within the bounds of the law, many victims are deterred from reporting occurrences. Because there is no precise

³¹ R. N. Singh, D. Hurley, *et.al.*, "Towards identifying and ranking selected types of violence against women in north India", *International Journal of Comparative and Applied Criminal Justice* 1 (2016).

definition, there is a culture of impunity and quiet that allows offenders to behave without fear of repercussions. Additionally, ambiguous definitions obstruct law enforcement organizations' ability to look into and prosecute war crimes. Without clear definition, there is a chance that complaints would be treated incorrectly, possibly rehabilitating victims and deterring them from pursuing justice.

Underreporting

Underreporting promotes a culture of impunity, makes it difficult to stop this pervasive type of gender-based violence, and makes it difficult for laws to be enforced. The public's mistrust of law enforcement only makes the underestimating issue worse. Due to rampant racism, corruption, and ineffectiveness, many women avoid calling the police. There was a decline in trust in law enforcement because victims worry that their complaints will not be taken seriously or that the police would harass them, there should be a reporting procedure that fosters confidence between victims and the authorities. Furthermore, victims may not be able to comply with the legislation owing to a lack of support services and legal counsel, making it more challenging for them to understand and follow the law. Victims are hesitant to report provocation because of cultural biases, ingrained patriarchal views, and fear of law enforcement.

Inadequate Implementation

The lack of sufficient implementation is a significant obstacle to the enforcement of anti-eve teasing laws in India and Pakistan. The safety, dignity, and rights of many women are threatened by eve teasing, harassment, and threats against women in public places. Although laws have been passed to address this threat, their efficacy is often compromised by a number of issues that make it difficult for them to be put into practice. Lack of understanding and sensitivity among law enforcement organizations and the general people is one of the key causes of the ineffective execution of eve teasing laws. Many police personnel lack the specialised gender training needed to deal with gender-based violence, and it may be difficult to prosecute such offences. It is difficult to conduct an investigation and file charges, and it is challenging for survivors to notify the police due to the lack of information. The paucity of female police officers who are sympathetic to the needs and worries of victims makes this situation worse since survivors can feel uncomfortable discussing their experiences with male officers.

Burden of Proof

In legal terms, the burden of proof refers to the prosecution's obligation to establish guilt beyond a reasonable doubt. The victim, who was often a lady who took part in the unpleasant

action, is given this responsibility. This load is brought on by deeply ingrained societal conventions, pervasive homophobia, and a guilt-based mindset. When women come forward to report being sexually harassed, they are often mistrusted by the police and the general public, who also sometimes harass them. One of the challenges to the execution of eve teasing laws is the lack of solid proof. Since these crimes are often perpetrated in public, it might be challenging to gather evidence like photos or recordings. Additionally, it is difficult to provide eyewitnesses due to the transient nature of such harassment. Therefore, cases often hinge on the veracity of the victim's statement, which is frequently contested because of societal preconceptions. The question of whether the burden of evidence can be satisfied in the absence of conventional evidentiary support is raised by this. The burden of proof is challenging because of the societal stigma attached to reporting these instances. The burden of proof, which is supposed to secure justice, often turns into a tool for further persecuting apocalyptic survivors. This not only erodes trust in the legal system but also prolongs the cycle of criminals going free.

Inadequate Penalties

Insufficient punishment for violators has long been a key obstacle to the enforcement of anti-eve teasing legislation. Eve teasing, a kind of public sexual harassment in which women are verbally or physically harassed in public areas, is still a major issue in the nation that has an impact on the safety, dignity, and wellbeing of countless people. Although there are laws intended to stop this practice, their efficacy is undermined by the absence of severe penalties for offenders. Lesser penalties convey a troubling message to eve teasing survivors that they are not taken seriously by the legal system. The judicial system loses credibility when perpetrators get little fines or brief jail sentences, which also deters victims from coming forward and reporting crimes. Inadequate sentences are also a symptom of a larger systemic issue with gender discrimination in the legal system.

Burdensome Legal Processes

Given that eve teasing is the unwelcome and often aggressive attention or harassment of women in public places, it is a widespread and upsetting problem. Although laws have been passed to combat this threat, their efficacy is hindered by a number of issues, with challenging legal procedures standing out as a major roadblock. The complicated and convoluted judicial system, which sometimes discourages victims from seeking justice, is one of the major obstacles to implementing the eve teasing laws. The process starts with filing a complaint, which may be a difficult act in and of itself owing to ingrained societal conventions that stigmatize doing so. The victim's resistance makes it more difficult to file a

complaint, which necessitates several trips to the police station and a ton of paperwork. This difficult procedure deters victims from coming forward and lessens their desire to seek legal recourse. Additionally, after the filing of a complaint, legal processes are slow and ineffective. Victims of eve teasing often engage in long court fights that last for months or even years, frustrating them and leaving them feeling let down. The sluggish wheels of justice fail to express a sense of urgency and severity to prospective offenders, which prolongs the pain of the victims and diminishes the deterrent power of the law.

Witness Protection

Enforcing eve teasing laws in Pakistan is difficult due to witness protection issues, which underlines a crucial part of the larger struggle against gender-based harassment and violence. Eve teasing, an issue that has long plagued the nation and undermined the safety and autonomy of women, is a word used to characterize general harassment and threats against them. Although legislation has been proposed to solve this problem, the absence of a strong witness protection system makes it difficult for these laws to be implemented effectively. This shortcoming taints the whole court system, discourages victims and witnesses from testifying, and feeds the cycle of impunity. In India and Pakistan, the cultural and social environment often deters victims and witnesses from coming forward with information about cases of eve teasing. Eve teasing may sometimes result from ingrained conventions and biases, which discourages survivors from coming forward. Witness protection becomes necessary due to the possibility of societal shame and ostracism as well as the fear of retaliation from the criminal. Many victims and witnesses worry that by speaking up, they would expose themselves and/or their family to disgrace and increase their vulnerability.

Corruption and Influence

Influence and corruption have been the biggest problems with law enforcement. Although there are laws in existence to safeguard women's rights and reduce the fear of harassment, these laws are often not effectively implemented owing to systemic corruption and the undue influence of influential people. This hinders attempts to make the nation a safer place for women while simultaneously maintaining a culture of impunity. It is quite difficult to execute the law at night since corruption is so pervasive there. Law enforcement organizations are often troubled by corruption, bribery, and a lack of accountability while having the duty to preserve justice and ensure the protection of civilians. As a result, it is more difficult for them to pursue violent offenders with impartiality. People with money and connections may take advantage of the system. Police officials have allegedly accepted payments to ignore bullying

cases or even colluded with offenders, weakening public confidence in the legal system and preventing victims from pursuing justice.

VIII. Reforming Eve Teasing Laws in India & Pakistan

A crucial step in fostering safer and more equitable societies is the reforms in the eve teasing legislation in India and Pakistan. Combating the pervasive issue of eve teasing against women is a challenge shared by these nations. Because current legal systems often fail to appropriately handle such conduct, victims frequently experience a culture of impunity and dread. These reforms will consist of:

Clear and Unambiguous Definition

In order to provide effective protection for women and disadvantaged people, it is imperative that all current laws and regulations be thoroughly reviewed in both India and Pakistan. The phrase “eve teasing” describes a number of sexually harassing actions that often take place in public settings and result in discomfort, anxiety, and embarrassment for the victims. Effective legal reforms in both India and Pakistan requires a precise definition of the pretext of hostilities as a fundamental building block. Currently, the absence of a single description leads to ambiguities within the legal system, which makes it difficult to correctly identify and bring charges against offenders. What one jurisdiction could deem a small infraction might turn into a more severe offense in another. Because of this, the gravity of the issue is diminished, a climate of impunity is maintained, and victims do not get the protection and justice they are due. The need for eve teasing legislation reform requires for a definition that encompasses the whole range of actions that qualify as harassment. The term should include all verbal and physical acts that lead to a hostile environment for women and oppressed groups, from shouting and unpleasant remarks to stalking and physical contact. Regardless of the kind of crime, legislators have the power to direct law enforcement and judicial authorities to take immediate action against offenders.

Clear and Comprehensive Legislation

Transparent and comprehensive legislation is the starting point for improving India and Pakistan's legal systems. By enacting laws that particularly handle targeted threats, both parties may make it clear that such behaviour will not be condoned. In order to seek justice without fear of reprisal or public disgrace, this will motivate victims to come forward. A thorough victim-centered strategy should be a part of any legislation addressing eve teasing. This includes laws for reporting, investigating, and prosecuting crimes that put the security and decency of victims first. Legislation should also impose harsh punishments for offenders,

reflecting the gravity of the act and the need to prevent future perpetrators. Furthermore, the much-needed overhaul of eve teasing laws in India and Pakistan must include clear and complete legislation. Such laws describe and ban eve teasing while also addressing broader societal norms that support such behavior. In the end, passing clear, thorough legislation demonstrates a dedication to respecting the rights and dignity of every person, regardless of gender, and lays the path for a more diverse, fair society.

Swift and Effective Reporting Mechanisms

The legal framework for eve teasing has to be completely revised in order to address the issue, but without appropriate reporting mechanisms that encourage victims to come forward, secure their safety, and hasten justice, such changes would remain useless. Once reported, it is crucial to protect the victim's privacy and safety. Law enforcement must get training in handling such instances delicately and ensuring the victim's privacy and safety at all times. In this sense, dedicated units and specialized female police may help to provide a more welcoming setting for hearings, investigations, and processes. In addition to ensuring justice is served after an incident, establishing timely and efficient reporting processes also aims to avert future occurrences of this kind of incident. Data gathered via reporting systems may be the foundation for prevention measures. The final conclusion is that more than just a change in the legislation is needed to eve teasing laws in Pakistan and India. It calls for a paradigm change in societal attitudes that would enable victims to report crimes without being afraid and ensure their security and privacy throughout the judicial procedure. Such improvements are supported by quick and efficient reporting mechanisms that encourage victims to speak out, gather baseline data, and promote the adoption of evidence-based regulations. The creation of such procedures is required as both nations work to provide safer public areas and a more equitable society. These steps may open the door for long-lasting change in the struggle against violence by shattering the ingrained culture of eve teasing and silence.

Stringent Penalties

Eve teasing has been a major issue in both India and Pakistan, making women of all ages anxious and afraid. The issue has often not been adequately addressed by the laws already in place, which has resulted in impunity for offenders. The legal systems of both nations may convey a clear message that such conduct will not be condoned and that those guilty will face significant repercussions by enforcing heavy fines for eve teasing. Unquestionably, strong penalties are required to change the harassment laws in Pakistan and India. It is impossible to stress the importance of taking strong legal action to stop this threat since it has a direct impact on women's safety, independence, and overall wellbeing. Many times, the current laws

against eve teasing are not strong enough to dissuade criminals. Offenders sometimes get short sentences or penalties that do not adequately represent the gravity of their crimes. This kind of reasoning just supports the culture of bullying and normalizes the objectification of women. The legal system may be a powerful deterrent to eve teasing by implementing severe punishments, such as high fines and protracted jail sentences. This in turn has the potential to alter societal views and cast doubt on widely held notions about the legitimacy of such activity.

The eve teasing laws should be reformed so that penalties are just one part of the message that society is against harassment and dedicated to providing a secure environment for women. Strong penalties would change the cultural norms that support gender-based violence in addition to serving as a deterrent. The act of eve-teasing becomes socially undesirable, creating a safer atmosphere for all parties when the negative effects exceed the positive effects for the offenders.

Fast-Track Courts

As they meet the pressing need for a quick and effective judicial procedure to solve this significant issue, fast track courts play a significant part in the revision of eve teasing legislation in India and Pakistan. Eve teasing, a kind of both public and sexual harassment, has long plagued both nations and made women feel unsafe and fearful. Fast-track courts seem to be a required remedy since the present legal system has often failed to provide justice and deterrence in a timely manner. Eve teasing is a menace that is firmly ingrained in societal norms in both India and Pakistan, and its eradication calls for a comprehensive legal strategy. Due to the backlog of cases in traditional judicial systems, there are delays that only serve to maintain the atmosphere of impunity that surrounds such crimes. On the other side, fast-track courts focus on accelerating trials and making sure that trials are heard and decided expeditiously. These courts function as a deterrence by swiftly bringing criminals to justice and sending a clear message that harassment of any kind will not be tolerated.

Fast-track courts have the capacity to provide victims a safe place to discuss their stories without worrying about a protracted legal struggle, which is one of its key benefits. Eve teasing victims often contend with societal pressure, victim guilt, and the psychological agony of repeatedly experiencing their ordeals. By decreasing the duration of trials, fast-track courts may allay these worries by easing the emotional strain on victims and enticing more survivors to come forward and report events. This is particularly true in places where reporting eve teasing still carries a major stigma. Furthermore, the creation of fast-track courts expressly designed to address the issue of eve teasing demonstrates the government's

commitment to placing a high premium on the security and rights of women. By demonstrating that the legal system is actively working to protect women from harassment, this may boost public confidence. Fast-track courts are a crucial instrument for improving how eve teasing laws are enforced in Pakistan and India. These courts send a clear message to future criminals while simultaneously addressing the essential need for prompt and efficient justice for survivors. The establishment of these courts demonstrates a dedication to putting women's safety first and combating a covert culture of harassment.

IX. Need for a Uniform Statute to Address Eve Teasing in India and Pakistan

Offences involving eve teasing come under many categories of legislation, including harassment, stalking, and obscenity, making it difficult to enforce uniformly. Because of the disjointed nature of the method, there is frequently inadequate deterrence because of discrepancies in how these offences are defined and punished. Therefore, there are many obstacles for victims of eve teasing to seek justice and offenders often evade appropriate punishments owing to gaps in the law. A single statute that encompasses all eve teasing offences is urgently needed to adequately tackle this menace. It would be easier to tackle this issue systemically if there was a single law that applied to all midnight nuisance crimes. Such a law would have the potential to leave no room for interpretation by providing a comprehensive definition of the term “eve teasing” which would apply to all forms of harassment from verbal to cyber. It may also help people understand the limits they have to stay inside and the repercussions they face if they cross them. The reporting and investigation of crimes committed with malice may be streamlined if they fell under a single body of law. Because victims would not have to go through multiple legal procedures to file a report, they would be more likely to do so. Clearer criteria would also help law enforcement authorities handle situations more effectively and sensitively. More suitable and effective sanctions for eve teasing offences might be provided by a distinct legislation. Potential criminals might be deterred by the establishment of universal punishment criteria. Offender evasion or reduced penalties are common effects of the existing sentencing variance among countries and under various legislative requirements. As with many other things in today's digital era, eve teasing has found new outlets in the shape of social media and other digital platforms. A complete agreement would make sure that cyberbullying and unwelcome explicit material are taken as seriously as other forms of harassment in the workplace. By doing so, criminals who use such technology for harassing purposes would have a solid foundation for punishment. A contentious topic that persists in violating women's rights and dignity is eve-teasing. We need

targeted legislation to address this issue head-on. In addition to consolidating a number of other criminal offences, a comprehensive legislation of this kind would define and strictly penalise the act of harassing another person. This statute would make our communities safer and more respectful for people of all genders by standardising the reporting procedure, improving the quality of investigations, and increasing public awareness. Human civilizations must take decisive action to end eve teasing once and for all by addressing the issue with a concerted legal strategy.

X. Conclusion

The issue of eve teasing and the laws surrounding it in India and Pakistan presents a complex and multifaceted challenge that requires comprehensive and coordinated efforts to address effectively. In order to properly address the complex and multidimensional challenges of eve teasing in India and Pakistan and the laws controlling them, a thorough and well-organized effort is necessary. It is obvious that more work needs to be done to safeguard women's safety, dignity, and complete equality in public life even if significant progress has been made in recognising and addressing this problem.

Dealing with eve-teasers presents issues for both India and Pakistan. The elimination of this practice is still being hampered by societal attitudes, victim blaming, and cultural prejudices. India and Pakistan may learn from one another's cross-border cooperation experiences and best practices. Developing a feeling of cohesion while addressing other problems may be facilitated by sharing ideas for legislative reforms, awareness campaigns, and support for survivor networks. The sharing of information and improved communication between the two nations may also be facilitated through regional and international organisations.

Existing laws provide some protection against eve teasing but they frequently lack the entire strategy necessary to tackle this menace. If India and Pakistan really wanted to end the eve teasing, they would pass a comprehensive law specifically addressing it. While certain forms of street harassments may already be criminalised under existing statutes, more comprehensive anti-eve teasing legislation would convey a stronger message that such conduct would not be condoned. Offenders would face harsh penalties if this legislation precisely defined eve teasing, which might include numerous types of verbal, non-verbal, and digital harassment. The proposal would serve as a powerful deterrence against possible harassment and bring attention to the gravity of the situation by focusing on this subject in particular. A special legislation would make it simpler for eve teasing victims to seek justice by streamlining the legal procedure for them. Social stigma and convoluted legal processes

are only two examples of how the existing legal system in both nations may be problematic for victims.

Moreover, enacting a separate and comprehensive statute addressing eve teasing may improve communication and coordination between government agencies, nonprofits, and other interested parties. Violence against women and sexism are not isolated problems; rather, they are symptoms of eve's disease. The legislation, by offering a consistent structure, might inspire many sectors to collaborate on a solution to these systemic issues. To create a future where eve teasing is prohibited, both nations must cooperate. We can create societies where everyone can thrive without the constant fear of persecution if we uphold the values of equality, empathy, and respect. Both countries must travel this difficult path in order to protect the rights and dignity of their women and advance an inclusive and fair society for everyone.