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**The Meaning Between the Lines: A Semantic-Pragmatic Study of Legal Ambiguity in the Domestic Violence (Prevention and Protection) Bill, 2021**

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**Abstract**

This study explores the intersection of language, law, and societal norms through a semantic-pragmatic analysis of Pakistan's Domestic Violence (Prevention and Protection) Bill, 2021. Using Relevance Theory as the analytical framework, the research investigates how the language of the Bill communicates various forms of domestic violence—physical, psychological, economic, and sexual—and how legal ambiguity may affect interpretation and implementation. The study emphasizes the challenges of encoding legal intent in a linguistically and culturally complex context. It critically examines how semantic vagueness and pragmatic implications can obscure the protective aims of the Bill, especially concerning psychological and economic abuse. By employing qualitative content analysis, this research highlights the disconnect between legislative language and social realities, underscoring the need for precision and inclusivity in legal drafting. The findings suggest greater attention to linguistic clarity, contextual relevance, and socio-cultural sensitivity in future legislation.

**1. Introduction**

Domestic violence exists in all parts of the world, cultures, and periods, irrespective of an individual's socioeconomic standing or location. Embedded within the complex fabric of society, it intersects with language, legislation, and cultural norms, shaping and reflecting the dynamics of power, control, and inequality. Though this issue has been worked on thoroughly, there is still a lack of understanding, especially regarding the law and linguistic expressions.

There is an interrelation between violence, language, and legislation. The law stops any form of violence. There is insufficient academic work on the Domestic Violence (Prevention and Protection) Bill 2021 of Pakistan, a gap that this research aims to address. The study employs Relevance Theory, which offers freedom in analyzing social and cultural propensities. Ideologies and opinions are articulated through words. Words stand in defense as well as in the accusation of the victim. Legislation comes into play as a means to mitigate the suffering. However, it does not necessarily mean that laws and regulations defend the weak and subjugated. Legislation during the 1800s allowed violence against wives, treating them as property without legal repercussions (Britannica, 2022). This gives us two important insights about law. First, society, culture, and economy dictate the construction of law. Second, the status of the law is not permanent. It can be considered correct at a certain period and wrong at another.

As in any other part of the world, Pakistan is not safe from the endemic of domestic violence. In an Aljazeera article, Kirmani (2021) states that there is an increase in the occurrences of domestic

violence in Pakistan. However, she adds that it is not a new phenomenon in the country. With globalization, language serves as a means of articulation and expression; thus, some cases are coming to light. Despite the #MeToo movement gaining traction, many cases in Pakistan remain unheard. Some of the reported cases include Syeda Aliza Sultan, who was assaulted by her spouse, Feroze Khan, and Sarah Inam, who was killed by her partner, Imran. Referring to the Pakistan Demographic and Health Survey 2017-2010, she cites that 28 per cent of women aged 15-49 suffer from some form of intimate partner violence. Khan, Ali, and Khuwaja (2009) rely on 13 different pieces of research to claim that emotional abuse is more prevalent in Pakistan than physical abuse. Ali et al. (2021) add that psychological abuse can take the form of name-calling, blaming, and threatening.

In his analysis, Hafeez (2021) offers an explanation regarding the phenomenon of victim blaming in Pakistan, attributing it to deep-rooted misogyny. He mentions the South Asian regional campaigner for Amnesty International and concludes how offenders often escape accountability for their actions. Nevertheless, this understanding provides some context to the domestic violence victims' struggle with the systemic issues in obtaining justice and relief.

Mir et al. (2023) propose that legal rhetoric has an intricate genealogy of borrowed expressions. They claim that the discourse of law in Pakistan bears the imprint of the British Empire. In addition, over time, Latin contributed to the vocabulary of Pakistan's legal discourse. Also, the Pakistani legal society resists change (p. 160). Mollica (2024) enumerates factors that explain the complexities surrounding legal language. One primary factor is 'center embedding,' where sentences are structured within other sentences, making simple statements lose meaning and become challenging to comprehend. In addition, documents containing laws are expected to be specific and clear, so specialized vocabulary is frequently used, making these terms impossible for laypersons to understand. Moreover, given that law is traditionally and formally inclined, its language remains archaically sustained by those traditions. Furthermore, sparse phrasing in complex forms demonstrates the impotence of law's ability to 'performatively' change society. Last, the stages of 'copy and edit', where attorneys work with mold documents, maintain the use of unnecessarily complicated language.

Khan and Khaleel (2024) analyze the aspects of the legal drafting of offenses relating to women and the accompanying courtroom discourse. They argue that, like many forms of legal prose, legal language is rife with gender biases that are often unspoken and deeply embedded in cultural prejudices. There has been progress on the ground concerning the intersection of language and law toward more protective measures for women, but the legal framework remains profoundly influenced by patriarchy. Their findings call attention to the obligation to respect the rights and dignity of all participants within legal processes.

Singh and Neema (2021) state that the aim of the Domestic Violence (Prevention and Protection) Bill 2021 in Pakistan is to address domestic violence issues that escalated during the pandemic by providing protective as well as relief and rehabilitation systems for women, children, and the elderly. It proposes harsh penalties for domestic violence offenses, sets up special protection committees, and allows complaints to be lodged by any person, despite the perpetrator's gender. Although the National Assembly endorsed it, the Bill was put on hold in the Senate and is currently being stalled by the Council of Islamic Ideology (CII), which is awaiting examination due to its alleged Islamic incompatibility. Certain religious and political fractions oppose the Bill, arguing it threatens established moral, social, and family dynamics.

### **1.1. Research Questions**

- i. How far does the language of The Domestic Violence (Prevention and Protection) Bill, 2021, convey different possible interpretations related to physical, psychological, and monetary aspects of domestic violence?

- ii. How clearly and comprehensively does the language of the 2021 Domestic Violence Bill address the psychological, physical, sexual, and economic aspects of domestic violence in the context of Pakistan?

## **2. Literature Review**

### **2.1. Defining Domestic Violence**

Domestic violence is something we encounter frequently in today's world. May it be in literature, through various forms of media, or in our informal conversations. For some, it is a private domestic issue with more profound significance. For others, it may just be a topic of discussion. The Britannica Dictionary defines domestic as related to homeland or household ('Domestic,' 2022). Encyclopedia Britannica (2022) states domestic violence has broader social and legal implications. Domestic abuse is a social and legal construct that refers, in broad terms, to any violence perpetuated against intimate partners. Such violence can range from physical abuse to emotional, sexual, or financial abuse. The abused is not always a spouse or a woman. The inverse can also happen where a male partner is abused by a female partner, which is a rare scenario. Concerning gender and LGBT relations, the definition is expanded to include same-sex partners. To underline the essence of the issue, the number of yearly reported cases of two to four million victims is recorded under domestic violence in the United States of America. Statistical records suggest that present or past intimate partners murder one-third of all female homicide victims in the United States. Male homicide victims are in an even more bloody predicament, where the majority of them remain hidden because of self-stigma and the absence of resource centers (Britannica, 2022).

### **2.2. Domestic Violence: The Past and Present**

As noted in Encyclopedia Britannica (2022), domestic violence occurs in all socioeconomic classes, cultures, and levels of education. It is found in educated and economically prosperous backgrounds, which makes the case more disturbing. Alongside these problems, poverty, inaccessibility, drug abuse, and unjust distribution of resources increase the chances of abuse. Domestic violence can also stem from cultural and societal constraints and problems within the family circle, such as marital discord. Looking back historically, up until the 1800s, it was socially accepted that a husband could physically discipline a wife since she was regarded as his property. She used to be a resource and a mere possession. This changed, however, with the onset of the Industrial Revolution, the advent of the Enlightenment, and the ratification of right-to-property laws. The situation changed drastically when women began to work in the late 19th and early 20th centuries. It was not until then that women's welfare began to improve, but abuse became rampant. For example, the International Association of Chiefs of Police's 1967 training manual indicated that detention of male partners in cases of domestic violence is the "last resort." We see a robust gain in feminist agitation in the 1970s. Feminists now encourage women to speak up instead of submitting to victimization. Nonetheless, the Violence Against Women Act was not passed until 1994.

Domestic violence remains a pervasive and historically entrenched issue that has inflicted suffering on women for decades. Nowadays, with the emergence of economic reliance and uncertainty, domestic violence is rocketing. Piquero et al. (2021) provide insight into the effect of COVID-19 on domestic violence. They contend that advancements previously made in the prevention of domestic violence were, in many ways, undone by the pandemic. The pandemic placed an economic strain on families globally. This strain weakened the existing social order. In times when people are in conflict with spending and are in a psychologically stressful situation, the prevalence of domestic violence statistically increases. This issue has affected marginalized communities to the extent that domestic violence is no longer considered shocking. They argue that violent acts occurring regularly within domestic spaces are on the increase because of the

ongoing COVID-19 pandemic. It is unclear, however, whether this claim stems from unusual family schedules or economic difficulties. Regardless, they found COVID and violence to be directly proportional. They suggest that humanity should learn from the mistakes these events (natural disasters) teach us. They additionally claim that women's physical, emotional, and psychological health risks are related to natural disasters (pp. 5-6).

The researchers also point out that the governor of Puerto Rico has declared a state of emergency for gendered violence. He thinks this is a consequence of the ever-present negative context and COVID-19. The researchers argue that this form of acknowledgment is vital globally, and the problem must be approached from this angle. Moreover, they elaborate further on the impact of law enforcement bodies on the victimization crafted by laws intended to protect victims. To make such amendments to the existing framework requires incredible resolve and genuine commitment. The researchers opine that we must not use derogatory and victim-inflicted language. The experts believe the police must be re-trained. They must be taught how to manage such sensitive matters (Piquero et al., 2021, pp. 5-6).

### **2.3. Domestic Violence in Pakistan**

Domestic violence is a pandemic that has no geographic boundaries. Violence against women is heightened in Pakistan as compared to the rest of the world. The following analysis contextualizes the domestic violence scenario in Pakistan.

A research study published by the Human Rights Commission of Pakistan (HRCP) titled Factsheet on Domestic Violence During the COVID-19 Lockdown in 2020 revealed that an overwhelming 90% of Pakistani women suffer from some form of domestic violence. The study also noted a marked increase in violence targeting women during the pandemic period, indicating that the lockdown, coupled with social and economic pressure, worsened an already bad situation. Along with the findings of the HRCP, the prominent women's rights organization in Pakistan, Aurat Foundation, issued its Annual Statistics 2020 Report, which provides additional data on the prevalence of violence against women in Pakistan. According to the Aurat Foundation's report, over 11,000 incidents of violence against women were reported in 2020. These incidents are categorized into subgroups where domestic violence accounts for 4,775 cases, leading the pack. Rape and gang rape follow with 2,297, while murder accounts for 1,033 (Ali and Inam, 2023).

Zubair, Haider, and Khattak (2018) attempted to analyze the legal barriers to women's protection in Pakistan and the enforcement challenges of the corresponding laws. They focused on Sindh and noted that the predominant obstacles to enforcement lie at the structural paradigmatic framework level of the police and the judiciary. In addition, the varying political interests of some political leaders significantly impede the enforcement of these laws.

Khan, Ali, and Khuwaja (2009) examined domestic violence against women in Pakistan. They have attempted to understand the implications of domestic violence and the factors contributing to it. This type of study is based on a compilation of existing literature relating to domestic violence in Pakistan, which the researchers have scrutinized and analyzed. The study identifies that there are underlying causes that increase a woman's vulnerability to domestic violence, such as her and her spouse's low educational attainment, the woman's socioeconomic status, misguided perceptions regarding women and Islamic laws, poverty, etc. The study proposes several measures to avert domestic violence, i.e., raising international awareness, addressing violence towards women, granting unrestricted access to education to males and females, and enforcing legal provisions without discrimination.

Khatri (2020) observes that gender discrimination in Pakistan is a product of deep-seated misogyny amplified by cultural and religious prejudice. He claims that the British Raj significantly contributed to the problem since the roots of such cultural practices and religious interpretations were nurtured in colonial India. Returning to Pakistan, Khatri is concerned with how societal

power dynamics are displayed through the discourse aimed at women. He asserts that the majority of the psychological abuses stem from infected language. (pp. 69-70).

In Dawn, while commenting on the Domestic Violence Prevention Bill, 2021 Pansota (2021) expresses happiness that, albeit after much debate, psychological dimensions have been incorporated into the definition of domestic violence. He notes that it is the first time that psychological abuse is regarded as a tangible wrong.

#### **2.4. Relevance Theory**

Relevance theory by Dan Sperber and Deirdre Wilson attempts to link a language to a particular context. The following account offers the development of Relevance Theory with the most significant aspects.

According to Braseth (2010), relevance theory stems from Paul Grice's thoughts on meaning and conversation, alongside the cognitive revolution in linguistics and psychology. It is regarded as one of the most important pragmatic theories since Dan Sperber and Deirdre Wilson's work in the late 1970s and early 1980s. Sperber and Wilson still actively refine the theory. Its impact on experimental and developmental pragmatics, as well as the philosophy of language, has been considerable. Relevance theory is a position in pragmatics and semantics that suggests that the interrelation of communication involves more than encoding, transmitting, and decoding a message—inference and context come into play. Assumptions, ideas, utterances, and relevance are the typical inputs in a cognitive process.

Braseth (2010) adds that Sperber and Wilson propose two relevant principles, encapsulating two fundamental human cognitions and communication assumptions. The first is the cognitive principle of relevance, and the second is the communicative principle of relevance. The first of these principles is that human cognition is geared toward maximizing relevance. The second principle states that every act of ostensive communication presumes its optimal relevance.

#### **2.5. Relevance Theory and Law**

Legal language's meaning is narrow because it is a dense, complicated weave of meaning and jargon. While legal language is precise, it does offer some latitude for flexibility, which can lead to the possibility of different interpretations. Such interpretations occur when legal language is studied and applied in diverse situations. Relevance theory analyzes language with importance placed on context. The following presentation of the interplay of relevance theory and law is a theory alongside other theories of justice.

Witczak-Plisiecka (2006) argues that describing Legal Language as a separate whole for the relevance-theoretic paradigm is problematic since meaning is inherently indeterminate. Although Relevance Theory accounts for the language of the courtroom, lawyer-client consultations, and the linguistic behavior of so-called minority groups, legal communication via texts and legal language as a sublanguage is much more challenging. The legal proceedings aim to produce mutual knowledge for all participants. However, expressed in legal terms, such language might seem straightforward, but not everyone will interpret it the same way. The abundance of data within a single legal document may lead to information overload and decrease, rather than heighten, important communication relevance. Therefore, the theory's explanation can be perceived as another justification for eliminating jargon from legal documents.

Moreover, Witczak-Plisiecka (2006) asserts that the context of legal communication involves knowledge of relevant codes and inference. Communicators choose the most appropriate stimuli for a given context. The degree of ostensivity depends on the audience's expertise in legal language. Genre labels provide clues for proper interpretation and enhance the cognitive effect. Code vs. inference distinction and relevance may explain the fossilization of form in legal genres. Some genres involve a wide array of possible matters, such as contracts, which require the simplification of language. The audience of legal documents includes professionals and non-

specialists, making it difficult to characterize. Relevance is a binary value that results from the interplay between processing effort and cognitive effects. The stylistics of the legal genre should lower the processing effort and raise the mental impact. Legal language has crucial differences in perception of what is explicitly stated depending on the audience (183-186).

### **2.6. Works Related to Relevance Theory**

Witczak-Plisiecka (2006) examined legal language from the perspective of relevance theory and legal discourse. The focus is on English legal texts. The analysis's primary inquiry concerns relevance theory, a psychological communication theory. Its basis assumes the theory of stimuli. The paper attempts to address the gaps and situate legal language discourse within the scope of relevance theory. It appears Relevance Theory may be opposed to analyzing language in the legal domain. All principles of Relevance Theory may be relied upon. The description remains simultaneously broad, and indeed, no prescriptive approach to Legal Language may be constructed and positioned within general language (p. 180-181).

Tendahl and Gibbs (2008) analyze metaphor research in linguistics and cognitive linguistics, including relevance theory, which seeks to capture an elementary motivation behind the metaphor usage and comprehend how people typically employ and understand metaphors in everyday life. Contrary to most accepted views, it is argued that metaphor relevance theory and cognitive linguistics offer complementary views on metaphor. Both theories contribute significantly to understanding the use of metaphors in cognition and language and provide intricate theories concerning metaphor comprehension, which are components of an overarching metaphor theory. Al-Jarrah et al. (2018) explore how Relevance Theory addresses one very particular translation issue, i.e., ambiguous structures of a strategic nature. This gives theoretical guidance for how a translator would deal with the problem of pervasive ambiguity at a certain discursive level. In relevance-theoretic terms, all earlier analytical models would assume that a 'good' translation is an interpretation of the text. In their eyes, a 'good' translation must surrender plausibility to all interpretations for which the original text holds evidence. Therefore, the hypothesis is that under such conditions, the translator becomes not an interpreter but a translator. In this case, ambiguity resolution cannot be a workable assumption. The main argument the research endeavor illustrates is how to approach strategically ambiguous structures using Relevance Theory principles.

Zhao (2014) examines the textual function of discourse markers within the scope of Relevance Theory. This paper looks at the textual function of discourse markers and how they aid in text coherence. More specifically, this paper analyzes discourse markers within the Relevance Theory framework concerning motivation and textual functions. As for markers of utterance, they govern the interpretation of utterance through cognition as far as the basics of Relevance Theory are concerned, and their use will give the hearer a set of executable rules for seeking optimal relevance, thus imposing limits on his interpretation. Furthermore, integrating discourse markers into speech communications assists in the optimal relevance search of utterances and discourse coherence. From the speaker's perspective, specific markers aid in organizing information and ordering communicative situations. From the hearer's perspective, the textual function of discourse markers is to constrain the interpretation of utterances to minimize the processing effort required so that the contextual effects, or costs and benefits in retrieving the proposition, context can be achieved at a maximal relevance, minimally uttered, depleted of effort. Discourse markers assist in their search for coherence and relevance.

### **3. Research Methodology**

Research design is described by Kothari (2004) as "a conceptual structure which consists of the blueprint for data collection, measurement and analysis of data" (p. 31). The research uses a qualitative approach consisting of qualitative content analysis. Extensive qualitative data analysis has been completed to understand the intricacies of the issue being studied. Qualitative data

analysis was equipped to comprehensively examine the Bill, allowing for a thorough semantic and pragmatic analysis. This analysis further provides nuanced distinctions between the legislation and its respective legislative contexts, along with the language and mechanisms the prevailing legislation adopts. This study focuses on the investigation of domestic violence, including physical, psychological, economic, and sexual violence, as defined in the Domestic Violence (Prevention and Protection) Bill, 2021.

A framework for data analysis was based on relevance theory by Dan Sperber and Deirdre Wilson (Wilson and Sperber, 2006, p. 612). The conceptual framework is as follows:

- Constructing an appropriate hypothesis about explicit content (explicatures) via decoding, disambiguation, reference resolution, and other pragmatic enrichment processes.
- Constructing an appropriate hypothesis about the intended contextual assumptions (implicated premises).
- Construct an appropriate hypothesis about the intended contextual implications (implicated conclusions).
- Relevance Theory prioritizes the interplay of language use and context.
- The relevance of a text increases if it is easy to understand and diminishes if it is difficult.
- Relevance theory considers the message's worth to the reader or the listener. When a message is encoded as clearly and as effectively as possible, it makes a message more relevant.
- The analysis links explicatures (explicit mention of information) and implied premises and conclusions, key aspects of grasping communication within Relevance Theory.
- According to Relevance theory, there can be multiple implicatures of an explicature.

This framework methodically captures data in a systematic manner, which aligns with the goals of the study for meaningful insights or interpretations.

#### **4. Analysis: Qualitative Content Analysis**

The following content analysis follows a qualitative analysis of the Domestic Violence (Prevention and Protection) Bill 2021. The analysis deals with four facets of abuse discussed in the Bill, i.e., physical abuse, psychological abuse, economic abuse, and sexual abuse.

##### **4.1. Physical Abuse**

The Bill outlines domestic violence as consisting of four abuse categories: physical, emotional/psychological, sexual, and economic. Physical abuse is defined clearly as any harmful acts, including those covered under various sections of the Pakistan Penal Code. Viewing this from a Relevance Theory perspective, the definition works with social relevance as clarity and centrality are achieved. It does, however, lack complete relevance by using legal 'external' references for full interpretation—an accepted feature of legal language. Still, distinguishing the phrasing of the Bill from its implementation is crucial, considering social and religious norms like the notion held by some that men are entitled to undertake violence against women physically, which affects enforcement, even when the law recognizes all such violence as domestic violence.

[Court will] ensure that the aggrieved person is provided shelter in a safe place of residence if he or she so requires

##### **i. Encoding and Decoding:**

- **Encoding:** The writer (court or legal document) encodes a directive that the court is responsible for providing shelter to the aggrieved person.
- **Decoding:** The reader (judge, lawyer, or public) decodes this as a legal requirement or obligation.

ii. **Context:**

- Legal context regarding domestic abuse or harassment cases.
- Situational context is when an individual seeks protection or relief from harm.

iii. **Inference:**

- The audience infers that the provision of shelter is contingent on the requirement of the aggrieved person.
- There is an implicit understanding that the court has the authority and means to provide such shelter.

iv. **Multiple Possible Explicatures:**

- The court will provide shelter if the person needs it.
- The court will ensure the safety of the aggrieved by providing a residence.
- The provision is a protective measure against further harm.

v. **Implicated Premises:**

- The aggrieved person requires protection.
- The court is responsible for the safety of individuals seeking legal protection.

vi. **Implicated Conclusions:**

- The legal system has measures to ensure the safety of individuals at risk.
- The court prioritizes the immediate safety and shelter of the aggrieved person.

The clause in the Bill seems relevant as it is well-crafted, appropriately tailored to contemporary societal conditions, and easy to read, but issues develop if the situations it seeks to address are oversimplified. An important consideration is that the defendant's silence may be reinforced by the threshold conditions, especially where the respondent is a person of considerable power, influence, or standing, which may lead to the denial of the victim's narrative. If the clause is framed in such a way as to stipulate that the victim must endure a significant level of abuse before actionable steps are taken, it risks being devoid of functionality and purely serving as rhetoric. Hence, the clause's effectiveness is undermined by its vague wording, suggesting that much more attention needs to be paid to the intent so that it truly fulfils its aim of providing protection.

Court may pass a protection order in favour of the aggrieved person and direct the respondent to stay away from the aggrieved person, with or without exceptions;

i. **Encoding and Decoding:**

- **Encoding:** A conditional directive that the court may issue a protection order.
- **Decoding:** The reader understands that the court has discretionary power to issue such orders.

ii. **Context:**

- Legal proceedings involving harassment or abuse.
- Situations where proximity to the respondent poses a threat to the aggrieved person.

iii. **Inference:**

- The protection order is a legal tool to ensure the aggrieved person's safety.
- Exceptions may apply depending on the specific circumstances.



- iv. **Multiple Possible Explicatures:**
  - The court has the power to order the respondent to maintain distance.
  - The court's order can include specific exceptions.
  - Protection orders are aimed at preventing further harm.
- v. **Implicated Premises:**
  - The respondent poses a potential threat to the aggrieved person.
  - The court needs flexibility to tailor the order to the situation.
- vi. **Implicated Conclusions:**
  - Legal protection can be customized to suit the needs of the aggrieved.
  - The judicial system provides mechanisms to prevent harm through legally binding orders.

The clause above may be used if the respondent wants revenge and stays away from the aggrieved person for an extended time. In another scenario, the defendant's ego and temper can come into play. It is possible that the spirit of the clause above is reversed, and positivity is maligned in negativity. If the definition of domestic violence and physical abuse is considered under an orthodox religious context, then it seems antithetical and ambiguous. This is why the Bill was opposed by the religious parties in the parliament because, according to them, the Bill was against the dictums of Islam.

#### 4.2. Psychological Abuse

Psychological abuse, one of the most neglected forms of domestic violence, is often cloaked in invisibility, receiving little attention due to its subtle yet pervasive symptoms. The societal focus on blatant physical aggression has obscured the extreme danger posed by psychological manipulation and control. Bill's recognition of psychological abuse is important in closing a legislative gap while concurrently affirming the experiences of victims, marking a crucial step in legal development. The Bill's definition of gaslighting, manipulation, and intimidation as psychological abuse is in harmony with Relevance Theory, which focuses on socially relevant issues. Nonetheless, extensive enforcement, education, societal change, and engagement are paramount if legal structures are to meaningfully address the issue of psychological abuse. In any case, this inclusion makes up an essential advancement toward addressing and mitigating the impacts of psychological abuse and domestic violence.

While defining psychological abuse, the Bill included certain factors that may cause psychological abuse.

[psychological abuse includes] threats of divorce or second marriage on baseless accusation of insanity or infertility

- i. **Encoding and Decoding:**
  - **Encoding:** Defining psychological abuse.
  - **Decoding:** The reader understands specific actions constituting psychological abuse.
- ii. **Context:**
  - Legal definitions related to abuse.
  - Social and cultural implications of threats involving marriage.
- iii. **Inference:**
  - Threats regarding divorce or a second marriage can be psychologically damaging.
  - Accusations of insanity or infertility are recognized as forms of abuse.

- iv. **Multiple Possible Explicatures:**
  - Psychological abuse involves threats related to marital status.
  - Baseless accusations are recognized as harmful.
  - The definition of abuse includes threats that undermine mental well-being.
- v. **Implicated Premises:**
  - Psychological harm can be inflicted through threats and accusations.
  - Social and cultural contexts make these threats particularly harmful.
- vi. **Implicated Conclusions:**
  - Legal definitions of abuse include psychological dimensions.
  - The protection framework recognizes the impact of non-physical forms of abuse.

The linguistic challenges in defining psychological abuse for legislation, such as in the Bill, highlight the legal intricacies posed by the term “baseless” relative to “insanity” and “infertility.” Whether “baseless” qualifies both terms or exists separately is uncertain, suggesting that divorce or remarriage threats are unjustified regardless of the aggrieved person’s condition. This muddled reasoning underlines the complications of damaging victims’ protections irrevocably due to vague phrasing. Hence, legal language should have uniformity and precision to capture cases of ingrained societal injustices, such as psychological abuse. A sharper, focused approach to legal wording requires cooperation from both sides of the aisle—policymakers and attorneys—to eliminate ambiguity, ensuring that the implications of the law are fully unmasked and the goals are achieved.

[Psychological violence includes] bringing false allegation upon the character of a female member or any member of the shared household;

- i. **Encoding and Decoding:**
  - **Encoding:** Specifying actions that constitute psychological violence.
  - **Decoding:** The reader understands that false allegations are a form of psychological violence.
- ii. **Context:**
  - Legal and social understanding of psychological harm.
  - Importance of character and reputation in a shared household.
- iii. **Inference:**
  - False allegations can cause significant psychological distress.
  - The legal framework acknowledges the harm caused by such actions.
- iv. **Multiple Possible Explicatures:**
  - Psychological violence includes false accusations.
  - Harm to character is recognized as a severe issue.
  - The definition of violence encompasses non-physical actions.
- v. **Implicated Premises:**
  - Psychological well-being can be severely affected by false allegations.
  - The legal system includes provisions for protecting against psychological harm.
- vi. **Implicated Conclusions:**
  - Legal definitions of violence are broad and include psychological aspects.
  - Protecting character and reputation is an essential aspect of legal protection.

The same can be said for the above clause. The focus of the discussion is the underlined term ‘false.’ It implies that the respondent has a license to make true allegations against the aggrieved character. Indeed, he/she will raise concerns if any allegations have any truth, but the scenario where the mentally harmed party is completely relinquished to the defendant is harmful to the psyche of the aggrieved. Based on relevance theory, which allows for considering multiple interpretations, multiple possibilities of interpretation arise, making such clauses less relevant.

First, the above two clauses are ambiguous. Second, the two clauses can be undermined by equally strong conflicting interpretations, resulting in harmful implications in legal proceedings.

### 4.3. Economic Abuse

The Bill places significant emphasis on economic abuse, highlighting it as a critical and often overlooked form of domestic violence that undermines victims' autonomy and self-sufficiency. By dedicating a separate section to monetary relief, the Bill recognizes the deep impact of financial control, such as withholding income or sabotaging employment, and offers practical means to support victims in regaining independence. The commentary on economic abuse further enriches understanding by exploring its various forms and social consequences. This focus not only helps victims break free from abusive situations but also contributes to broader goals of gender equality and social justice. Economic empowerment, as emphasized in the Bill, is essential for enabling victims to reclaim their rights and rebuild their lives.

The commentary on the clauses is as follows.

“economic abuse” includes intentional deprivation of economic or financial resources or prohibition or restriction to continue access to such resources to which the aggrieved person is entitled to under any law or custom for the time being in force.

- i. **Encoding and Decoding:**
  - **Encoding:** Defining economic abuse.
  - **Decoding:** The reader understands the specific acts that constitute economic abuse.
- ii. **Context:**
  - Legal definitions related to abuse.
  - Economic dependence and rights under law or custom.
- iii. **Inference:**
  - Depriving someone of economic resources is a form of abuse.
  - Legal entitlements to resources must be protected.
- iv. **Multiple Possible Explicatures:**
  - Economic abuse involves restricting access to financial resources.
  - The aggrieved person is entitled to certain resources.
  - The definition of abuse includes economic dimensions.
- v. **Implicated Premises:**
  - Financial control can be a form of abuse.
  - Economic independence and access are legal rights.
- vi. **Implicated Conclusions:**
  - The legal system recognizes and protects against economic abuse.
  - Ensuring access to financial resources is part of the protection framework.

The Bill's definition of economic abuse is especially notable for inclusivity, and ‘any law or custom’ expands its consideration to include various cultures and adds relevance to society. The phrase ‘intentional action’ raises difficulties because proof of some form of blame is required, which is often subjective, impossible to see, and very difficult to prove in a court of law. This vagueness can dilute the effectiveness of the definition in cases where the intention is dubious. Intentionally, the words add complexity and burden to prove the burden imposed. Despite this, the effort to accommodate economic abuse within the Bill is commendable.

[Court may pass an order] restraining the respondent from dispossessing or in any other manner disturbing the possession of the aggrieved person from the household;

- i. **Encoding and Decoding:**
  - **Encoding:** A directive to restrain the respondent from disturbing possession.
  - **Decoding:** The reader understands this as a legal order to protect the aggrieved person's possession.
- ii. **Context:**
  - Legal protection in cases of domestic disputes.
  - Importance of securing living arrangements for the aggrieved.
- iii. **Inference:**
  - The court can prevent the respondent from disrupting the aggrieved person's living situation.
  - The order aims to maintain stability and safety in the household.
- iv. **Multiple Possible Explicatures:**
  - The court can issue orders to protect household possessions.
  - Dispossession and disturbance are recognized as harmful actions.
  - The legal order seeks to ensure uninterrupted possession.
- v. **Implicated Premises:**
  - Disturbance of possession can cause harm and instability.
  - The aggrieved person has a right to secure living arrangements.
- vi. **Implicated Conclusions:**
  - Legal protections include maintaining household stability.
  - The court can issue orders to prevent dispossession and disturbance.

The provision safeguarding affected individuals from unlawful eviction within the confines of their domicile carries notable importance concerning the patriarchal Pakistani context. Its robustness stems from both its vivid, overt wording and the less conspicuous commitment to countering sociological forms of violence against women. While the clause is clear linguistically and relevant socially, its impact will be felt in application and cultural contexts where backlash or misinterpretation is possible. The clause, while framed within a context of domestic violence, legal remedies, and the social beating of women, provides a focus on justice and feels safe, suggesting that violence within the family against women is systematically misused. How women are cared for will depend on how well the provisions will be understood and used, considering the words carefully framing sociological paradigms and society structure.

#### 4.4. Sexual Abuse

The Bill's inclusion of sexual abuse as a form of domestic violence is praiseworthy for trying to address an issue many have tried to ignore, especially in Pakistan, where sex is a taboo topic. While the Bill does not separately define sexual abuse, the fact that it is recognized alongside other abusive acts highlights its importance. This approach recognizes that different forms of abuse are interrelated, so solutions must be multifaceted. Bill attempts to set a precedent by recognizing sexual abuse to shatter the social silence. Its inclusion exposes the widespread myth that doing something about sexual violence is unnecessary. Societal attitudes need to be changed, as the Bill makes clear, to enable laws and institutions to deal with matters of sexual violence decisively.

"sexual abuse" includes any conduct of a sexual nature that abuses, humiliates, degrades, or otherwise violates the dignity of the vulnerable person or any other person;

- i. **Encoding and Decoding:**
  - **Encoding:** Defining sexual abuse.
  - **Decoding:** The reader understands specific actions that constitute sexual abuse.
- ii. **Context:**
  - Legal definitions related to abuse.

- Recognition of the impact of sexual misconduct.
- iii. **Inference:**
- Sexual abuse involves actions that harm dignity and well-being.
  - The definition covers a range of degrading or humiliating behaviors.
- iv. **Multiple Possible Explicatures:**
- Sexual abuse includes conduct that degrades or humiliates.
  - The focus is on the impact on the victim's dignity.
  - The definition applies to vulnerable persons and others.
- v. **Implicated Premises:**
- Sexual misconduct can have severe psychological impacts.
  - Protecting dignity is a key aspect of legal definitions of abuse.
- vi. **Implicated Conclusions:**
- Legal protections against sexual abuse are comprehensive.
  - Ensuring dignity and well-being is central to the legal framework.

The Bill stands out for its definition of sexual abuse due to both its clarity and inclusivity, which aligns with Relevance Theory. This is particularly remarkable within the context of Pakistan, a society that regards sex as a taboo subject. Using phrases such as “any conduct” and “of any other person,” the Bill inclusively stretches the definition of sexual abuse to all persons. This challenges traditional stereotypes and reaffirms the victimological paradigm that anyone, including all genders, regardless of discrimination based on sex, race, or class, can be a victim. There is also no longer the assumption that only vulnerable and marginalized groups face sexual violence. This definition underscores sexual violence as a commonplace occurrence. The respondent cannot escape liability in providing medical aid to the aggrieved person, as the law places financial liability on the respondent to bear the costs. This is a considerable improvement. While there has been some movement, such as the Supreme Court's 2021 decision to nullify the two-finger test, which stays a step forward, the claim does not disregard the medical aspects of the Bill when care is needed after violence has been enacted. Thus, the legal terminologies which require scrutiny for more precise evaluations are still unheeded.

## 5. Conclusion

This research reveals that the Domestic Violence (Prevention and Protection) Bill, 2021, while progressive in scope and inclusive in its definitions, remains limited by its ambiguous language and contextual challenges. Through the lens of Relevance Theory, the analysis highlights how legal language, although designed for clarity, often fails to consider multiple interpretations, particularly in socio-religious contexts such as Pakistan. Clauses addressing psychological and economic abuse show notable weaknesses, where terms like “baseless” or “intentional” complicate enforcement and open the door to conflicting interpretations. While the Bill commendably includes underrepresented forms of violence and emphasizes the protection of dignity and autonomy, the lack of linguistic precision may hinder its practical efficacy. The study underscores the importance of legal language being accessible to laypersons and effective in judicial settings. Ultimately, meaningful change requires legislative reform and a transformation in societal attitudes, legal literacy, and judicial training. A more linguistically conscious approach to legal drafting can bridge the gap between legislative intent and real-world application.

The study has applied the Relevance Theory to understand the text of the Bill in the Pakistani context. However, it is recommended that the Bill should be analyzed using other theoretical frameworks, such as feminist theory and socio-cultural theories. It is also recommended that the Bill be written in simpler language because the current complex legal terminology might make it difficult for the general public to understand. Lastly, this study provides the basis for other studies to be undertaken. These early findings should be the basis of future research extending beyond

these initial findings to address the limitations described here and explore additional dimensions of the words of, and impact of, the Bill.

## References

- Ali, K., & Inaam, M. (2023). Domestic violence: Policy brief. National Commission for Human Rights, Pakistan. Retrieved June 13, 2024, from <https://www.nchr.gov.pk/wp-content/uploads/2023/03/Domestic-Violence-Policy-Brief.pdf>
- Ali, T., Karmaliani, R., Farhan, R., Hussain, S. & Jawad, F. (2021). Intimate partner violence against women: A comprehensive depiction of Pakistani literature. *East Mediterr Health*, 27(2), 183-194. Retrieved from <https://applications.emro.who.int/emhj/v27/02/1020-3397-2021-2702-183-194-eng.pdf?ua=1&ua=1>
- Al-Jarrah, R. S., Abu-Dalu, A. M., & Obiedat, H. (2018). Translation of strategic ambiguity: A relevance-theoretic analysis. *Poznań Studies in Contemporary Linguistics*, 54(1), 1–35. <https://doi.org/10.1515/psicl-2018-0001>
- Britannica, T. Editors of Encyclopedia (2022, April 14). domestic violence. Encyclopedia Britannica. <https://www.britannica.com/topic/domestic-violence>
- Domestic. In Britannica Dictionary. (n.d.). The Britannica Dictionary. Retrieved April 17, 2022, from <https://www.britannica.com/dictionary/domestic>
- Hafeez, S. (2021, August 7). Pakistan’s problem with violence against women is growing impossible to ignore. *The Diplomat*. Retrieved April 20, 2022, from [https://thediplomat.com/2021/08/pakistans-problem-with-violence-against-women-is-growing-impossible-to-ignore/https://doi.org/10.31703/grr.2018\(III-I\).18](https://thediplomat.com/2021/08/pakistans-problem-with-violence-against-women-is-growing-impossible-to-ignore/https://doi.org/10.31703/grr.2018(III-I).18)
- Khan, A. J., Ali, T. S., Khuwaja, A. K. (2009). Domestic violence among Pakistani women: An insight into literature. *ISRA MEDICAL JOURNAL*, 1(2), 54-56. Retrieved from [https://ecommons.aku.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1188&context=pakistan\\_fhs\\_son](https://ecommons.aku.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1188&context=pakistan_fhs_son)
- Khan, F. F., & Khaleel, B. (2024). Analyzing legal drafting: Legal discourse study on crimes against women in Pakistan. *Pakistan Languages and Humanities Review*, 8(I), 160-174. [https://doi.org/10.47205/plhr.2024\(8-i\)14n](https://doi.org/10.47205/plhr.2024(8-i)14n)
- Khatri, H. (2020). Domestic violence in Pakistan from 1990 – 2020: A mixed method approach. [Master Thesis, Harrisburg University]. Harrisburg University of Science and Technology. Retrieved from [https://digitalcommons.harrisburgu.edu/isem\\_dandt/2](https://digitalcommons.harrisburgu.edu/isem_dandt/2)
- Kirmani, N. (2021, October 8). The past few months have been harrowing for Pakistani women. *Al Jazeera*. Retrieved April 20, 2022, from <https://www.aljazeera.com/opinions/2021/10/8/violence-against-women-in-pakistan-is-not-new-but-it-must-stop>
- Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Age International.
- Mir, S. H., Arif, S. W. K., & Fatima, S. M. (2023). Borrowed legal discourse in Pakistani bar and bench: An explanatory analysis. *Journal of Asian Development Studies*, 12(4), 460–467. <https://poverty.com.pk/index.php/Journal/article/view/73/47>
- Mollica, F. (2024, August 22). Is legal jargon actually a ‘magic spell’? science says maybe. *The University of Melbourne*. <https://findanexpert.unimelb.edu.au/news/91097-is-legal-jargon-actually-a-%E2%80%98magic-spell%E2%80%99-science-says-maybe>

- Pansota, M. A. (2021, August 25). The menace of emotional abuse and why a domestic violence bill is the need of the hour. DAWN.COM. Retrieved from <https://www.dawn.com/news/1641821>
- Piquero, A., Jennings, W., Jemison, E., Kaukinen, C., & Knaul, F. (2021). Domestic violence during the COVID-19 pandemic: Evidence from a systematic review and meta-analysis. *Journal of Criminal Justice*, 74, 1-10. Retrieved from <https://www.sciencedirect.com/science/article/pii/S004723522100026X>
- Senate of Pakistan. (2021). The Domestic Violence (Prevention and Protection) Bill, 2021. [https://senate.gov.pk/uploads/documents/1623998886\\_516.pdf](https://senate.gov.pk/uploads/documents/1623998886_516.pdf)
- Singh, A., & Neema, S. (2021, August 8). Analyzing Pakistan's Domestic Violence Bill: A delayed agenda. JURIST News. <https://www.jurist.org/commentary/2021/08/anurag-singh-saloni-neema-pakistan-domestic-violence-bill/>
- Tendahl, M., & Gibbs Jr, R. W. (2008). Complementary perspectives on metaphor: Cognitive linguistics and relevance theory. *Journal of pragmatics*, 40(11), 1823-1864. <https://doi.org/10.1016/j.pragma.2008.02.001>
- Wilson, D., & Sperber, D. (2006). Relevance theory. In R. H. Laurence, & W. Gregory (Eds.), *The handbook of pragmatics* (pp. 607-632). Blackwell Publishing. Retrieved [The Handbook of Pragmatics \(Blackwell Handbooks in Linguistics\) \(felsemiotica.com\)](https://www.felsemiotica.com/handbook-of-pragmatics)
- Witczak-Plisiecka, I. (2006). The relevance-theoretic perspective on legal language. *ResearchGate*, 182-187. [https://www.researchgate.net/publication/255596097\\_The\\_relevance\\_theoretic\\_perspective\\_on\\_legal\\_language?enrichId=rgreq-b6720cb66467b85cbef1365fe909b954-XXX&enrichSource=Y292ZXJQYWdlOzI1NTU5NjA5NztBUzozNzEyMDMxNzgwMjQ5NjNAMTQ2NTUxMzE0Mjk5OA%3D%3D&el=1\\_x\\_2&esc=publicationCoverPdf](https://www.researchgate.net/publication/255596097_The_relevance_theoretic_perspective_on_legal_language?enrichId=rgreq-b6720cb66467b85cbef1365fe909b954-XXX&enrichSource=Y292ZXJQYWdlOzI1NTU5NjA5NztBUzozNzEyMDMxNzgwMjQ5NjNAMTQ2NTUxMzE0Mjk5OA%3D%3D&el=1_x_2&esc=publicationCoverPdf)
- Zhao, H. (2014). The textual function of discourse markers under the framework of relevance theory. *Theory and practice in Language Studies*, 4(10), 2105-2113. <https://www.academypublication.com/issues/past/tpls/vol04/10/17.pdf>
- Zubair, M., Haider, S. I., & Khattak, F. (2018). The implementation challenges to women's protection laws in Pakistan. *Global Regional Review*, 3(I), 253-264. Retrieved from <https://www.grrjournal.com/fulltext/The-Implementation-Challenges-to-Women-Protection-Laws-in-Pakistan>