

Structural and Direct Violence against Women Laws and Reality: Comparative Analysis of Pakistan and South Korea

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Abstract: *The concept of structural violence was introduced by Johan Galtung in the year, 1969. Structural violence is the category of violence among women where the women are harmed by social institutions. When one husband beats his wife it is called violence against women but when the one million keep their wives in ignorance it is known as structural violence. Violence against women is not a problem in the modern world but it is immemorial. Those countries who failed to impart women their due rights are not progressing in the comity of nations. If women are made independent then they will be the helping hand of society. Society will move to the betterment. Nations make progress if, the entire individual play a role in its development. The present condition of women's rights violations in the world reveals that women are mistreated in the world and no*

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considered research to date has made this sense. If the laws are made in the sense that the non-provision of rights to women will demerit the families in achieving incentives from the government then the male gender definitely will deliver the weaker gender their rights. The gaps in the previous studies are found. Practical suggestions are summarized to mitigate the reasons for structural violence in the study. The data is collected by employing the qualitative tools of research that are best suited to the research of social science.

Keywords: *How women can be empowered in Pakistan, How structural violence in Pakistan can be mitigated? Whether Gender equality is a symbol of a progressive society?*

Introduction

According to Galtung structural violence is avoidable and it is responsible for most premature deaths and disabilities. Its examples include ageism, adultism, elitism, classism, ethnocentrism, speciesism, sexism, racism, and nationalism¹. The youth of females is likewise brimming with segregation and infringement of common freedoms as they might be overlooked in well-being and schooling perspectives when contrasted with a man and followed through physical, mental as well as sexual maltreatment through a private accomplice. If, ladies exist in the center of their conjugal lives and proceeded off the advanced period as murder and constrained self-destruction. As in Indo-Pak, continent Muslim society is influenced by male-centric traditions as well as customs regarding ladies, these predominant for the public around then and has brought some sexual orientation segregation as well as disparities against ladies (Pakeeza, 2015).

¹ https://en.wikipedia.org/wiki/Structural_violence

Description of important concepts

How structural violence can be described with examples?

According to Galtung structural violence is avoidable and it is responsible for most premature deaths and disabilities. Its examples include ageism, adultism, elitism, classism, ethnocentrism, speciesism, sexism, racism, and nationalism.

What is the difference between direct violence and cultural violence?

Both kinds of gender violence are connected and interdependent. Direct violence includes gender violence, family violence, racial violence, police violence, terrorism, war, and hate crimes. Structural violence includes ageism, adultism, elitism, classism, ethnocentrism, speciesism, sexism, racism, and nationalism.

How structural violence is shaped?

Ans. Structural violence is not visible, it is shaped by circumstances and influences i.e. relationships, racism, and gender inequality. Its effects are more for lower classes which include homelessness, poverty, unemployment, disease, and death.

Whether due to cultural violence, the fruits of social and scientific progress are not enjoyed by the masses?

Yes, due to social status, people refuse to accept the benefits of social and scientific progresses.

Kinds of violence

What is violence?

The use of force for physical or mental harm against a person is called violence. It can be committed at any place may school, an institution, in families, etc.

i. Economic violence

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It includes frauds, scams, or oppressive policies of the govt.

ii. Political violence

The major portion of this violence is also related to the government.

iii. Cultural violence

When the culture of the minority is overlooked it is called cultural violence. Especially the culture of the people of the tribal areas is very important if, any atrocity is committed against them. It is not direct violence. Its losses are more than the people at large. Gender discrimination, economic discrimination, health facilities issues.

iv. Sexual Violence

It is physical violence against women. Sexual harassment of women at the workplace, rape, etc.

Research Questions

- i. What are the patterns of invisible structural violence that force women to undergo these burdens in Pakistani society?
- ii. How the socioeconomic, political, and cultural forces play a significant role to deprive women of their basic rights in the Pakistani community.
- iii. What are the omissions and commissions in the legislation for the implementation of Laws for the rights of women?
- iv. Whether non the allocation of funds in the budget reveals the nonserious attitude of the government toward eliminating structural violence?

Variety of cultures in the country

Pakistan is a combination of different cultures. It has different areas such as hilly areas, deserts, and plain areas. Pakistan has four provinces all of these provinces have different cultures. Punjab is the biggest populated province of Pakistan. Generally, it has two major cultures which are; Saraki and Punjabi culture. Almost 50 % of the population of Punjab belongs to the Saraki culture. It is observed that Saraki culture is dominant in south Punjab.

Every culture has different norms and traditions. These norms and traditions prevail from year to year. South Punjab has its norms and traditions in its culture. Sometimes customs and traditions are based on wrong beliefs, which destroy any society. Pakistan is among developing country, the majority of the population lives in rural areas and their source of income is associated with agriculture. In our south Punjab areas, people are deprived of even fundamental rights. Lack of education is a big hindrance to progress.

Pakistani Society is men centric

i. Pakistani society was a man-centric culture where culture, customs, standards, and social areas are profoundly established in the general public and were liable for VAW (Babur, 2007). Male dominant society was received of the practices these are installed about the time of Indo Pak landmass. Pakistani women confronted out-of-line treatment consistently because of different social and accepted practices inserted profoundly in Pakistani society and the recurrence of concealment against ladies, influencing the advancement of the local area, particularly in rustic regions (Pakeeza, 2015).

ii. Qizibash (2013) clarified which three cultural different classes in Pakistan, for example, lower; center as well as upper had a fluctuation in light of their way of life. Individuals privileged have a sumptuous and rich way of life acquired from the west and life in cabins. The working classes of the nation are really common those are battling to

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open positions, better training, and expectations of everyday comforts to reach the high society classification. For the most part, eat squandered food and utilize garments that previously were boring to others, and life in the vassals struggling group is supposed when creatures are at the zoo.

Cruelty against women is before the culture of Islam

Over half of Pakistan's populace is illiterate. Primitive masters of the Sind region in Pakistan is against ladies' schooling as they thought that if ladies get educated, they will fail to remember their way of life (Babur, 2007). The Laws of Pakistan were as per the standards of Islam; however, the culture isn't the main sect of Islam and was affected by different cultures and religions. For example killings of honor, Watta satta, and Wani against ladies in ancestral culture were before the culture of Islam. (Pakeeza, 2015). For example, brutality when ladies are murdered as a result of doubt and some other explanation through a family member, assuming that demonstration for savagery was trailed through numerous different males, it was underlying savagery, when it was turned into a cultural arrangement with no consideration by the local area so, it turns into social VAW and society of Pakistan was acting which is showing a social VAW (Babur, 2007).

Society is standing on the wrong parameters of life

i. One other type of VAW regarding dowry in Pakistan is dowry, and burning alive a bride just for dowry is an embarrassing structure in our society. Numerous ladies, who can't endure the brutality, end it all or are scorched alive by their parents-in-law. In Pakistan share isn't just basic in rustic regions, yet additionally in the metropolitan local area and the explanation for more interest in endowment by the lucky man's family is their average mentality. Man of the hour's family believes that they have contributed such a huge amount to their child

so they legitimized themselves to procure against their child and they imagine that they defended in their interest. Another pattern that is very basic these days in Pakistan was that groups of all groups attempt to intrigue their families and local area to get more settlement. Islam endowment was the privilege of ladies, so it is the obligation to the husband to be who might give the measure to dower as if a blessing to his lady of the hour.

ii. The normal view of aggressive behavior at home in Pakistan is by the spouse on his significant other, however, the ladies (mother-parents-in-law) are likewise the implementer of savagery locally and the conflict on aggressive behavior at home is really among males and females as well as between the females because of inadequacy in the family. Ladies in Pakistan had been constrained by men of the general public as well as they ought to the followed choice made by men area for example families, clans, local areas, and members of society.

iii. A fantasy winning in the general public in Pakistan and as per that ladies were assumed as a weight for numerous spots of Pakistan since they were monetarily as well as genuinely subject to male, regardless of whether they were moms, spouses, sisters and girls (Babur, 2007). In rustic spaces in Pakistan, ladies were likewise exchanged to resolve clashes, and some of the time not considered as a person, and training isn't considered critical to them by their dads. UNESCO detailed that just 40 thousand out of 163 thousand were for young ladies.

iv. Women who are working in Pakistan were not viewed as great personalities since they were not reliant upon males. Serious issues regarding working ladies were oppressive conduct to the absence in transport, work as well as well-being offices, as well as more work, and the greater part of them were badgering through the men associates of their working environment. The Pakistan economy is likewise confronting misfortune because as opposed to social issues for ladies not to work the majority of the actual ladies accept that for what reason they must work and acquiring was the duty for men and

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manner less than half populace worked, the other half was only subject to primary.

v. To the extent a significant establishment of chief police, they are not furnishing insurance and security as for sex, race, nationality, religion, and their validity was influencing contrarily if VAW was going on in the ward of police, (Asif, 2010).

Vi. Media was likewise misrepresenting VAW to their perspectives as well as restricting abilities for ladies through depicting platitude promotion to ladies simply through relating demonstrations and items just of ladies. TV stations as well as the print media in Pakistan were likewise upgrading men's closed-mindedness to their platitude items.

Muslim Family Laws and others efforts in Pakistan to counter Structural Violence

i. According to Article 227 (1), of the constitution of Pakistan, the Quran (God's Book) and the Sunnah (the way of the Prophet Muhammad) are the prime sources of legislation in Muslim family laws in Pakistan. Other sources of laws including Ijma [Arabic: consensus among the religious Muslim scholars], Ijtihad [Arabic: independent interpretations of Muslim scholars based on the Quran and Sunnah], Taqlid [Arabic: adherence to established legal principles] are the basic guiding principles of Muslim family laws in Pakistan. Muslim family laws are under the jurisdiction of the Shari'at.

ii. The constitution of Pakistan further guarantees the protection of basic rights, for instance, marriage and family formation in Pakistan as mentioned earlier. It protects the rights of inheritance of heirs (son, daughter, and wife), and gives due share of inheritance to the family by the Islamic laws. Nevertheless, family laws do not protect against cohabitation, and illicit and illegal sexual relations, which are declared as crimes. There are severe sanctions and penalties for such criminal acts under the Hudood Ordinance of 1979 (as mentioned earlier), which have been under discussion. Two persons (man/woman without

Nikah) living together as husband/wife are considered to be in an illegal sexual relationship under Article 4 of The Offence of Zina(Enforcement of Hudood) Ordinance, 1979, despite mutual consent.

iii. Therefore, freedom of mate selection exists within the limitations of Islamic law, which is the supreme law of the country. A couple must publicly declare their marriage for it to be legal and has to sign the Nikah-Nama [marriage contract] in front of eyewitnesses, according to the Muslim Family Laws Ordinance of 1961. It is the responsibility of the parents (guardians) to look after and manage the marriages of children under 18 as wali [guardians]” (Zaman, 2012).

iv. The situation with Women's Empowerment in Pakistan has been a focal point of extreme home-grown and worldwide consideration. Tragically, this consideration has been principal because of the evident infringement of the central privileges of ladies in Pakistani Society. Not just ladies are denied the privileges of balance in varying backgrounds, yet in addition survivors of brutality as friendly, political, or pro-ladies Laws in Pakistan: Challenges towards Implementation Monetary perspectives. Additionally, their privileges have been denied both in the public and private circles of life. The extremist stride in the nation gives a feeling of having to be neglectful of the diverse enactment that manages security and assurance of ladies' rights and watches the women's populace.

v. Pakistan had been contributing to the laws identifying with insurance and of security of ladies' rights from 1947. Now the hour of foundation, it was lightly legitimate eccentricity among the people's rights which they enjoyed. According to the constitution of Pakistan, articles 8 to 28 arrangements for the basic privileges of residents alluded to the equivalent changes in all features with no separation, ethnic variety, and sex. Then again to stop the proceeds of the training of savagery against ladies various laws were brought into activity, for example, the Muslims Personal Law of Sharia, the Muslim Family Law Ordinance (MFLO).

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Vi. It is expected for controlling the family undertakings by ensuring the ladies' rights among unreasonable winning strategies for marriage, separation, and polygamy. Hudood Ordinance (the statute is proclaimed by a leader's request, which was assumed as against the privileges of ladies), the Women Protection Bill, has the principal object is to correct for laws under Hudood Ordinance that mandate deceived the ladies), Sexual Harassment Bill (These bills are for those Pakistani ladies, that need to communicate for the most part in a bad-mannered encompassing, particularly when they emerge from their homes for commercial centers, go by neighborhood transport, and when playing out their obligations in work environment, alongside the male associates).

vii. Prevention of Anti-Women Practices Bill the bills were to intrinsically secure Pakistani ladies from evil entities such as giving a lady for marriage or in any case in Badl-e-Sulha, Sawara, Wani, marriage with Quran Pak denying ladies of their legacy. This bill has proposed solid punishments as the guilty parties enjoying enemies of ladies rehearses, Acid Control and Acid Crime Prevention Bill (the bill means for controlling import, creation, means of transportation, accumulating, deal and utilization for corrosive to forestall the abuse of corrosive and offer lawful help to corrosive and consume casualties. the bill suggested fourteen years of lifetime detainment sentences and fines which are up to one million as a discipline for the culprit of this wrongdoing), Child Marriages Act. Every one of these favorable ladies' laws allows and ensures the lady's rights hypothetically not for all intents and purposes (Muneer, 2017).

Reasons for Structural violence against village women in Pakistan

Following are the top problems of village women in Pakistan;

1. Poor economic resources make her dependent on their male counterpart. The economic dependence makes her believe that she is

for service and not able in decision making in the important affairs of the family.

2. All the affairs of life are money hungry due to which she is not able to protect herself medically by her choice. She is at the mercy of her family elders, especially male members.

3. Education plays a vital role but due to the decades-old custom women's right to education is being declined by a family member on the pretext of honor. They give reason after getting an education the literate lady will challenge their local customs and traditions. So, women should not be imparted with modern education. Due to the unavailability of modern education for village women, village women remain socially, mentally, emotionally, and physically backward.

4. The health and educational service non-availability to village women is due to scarcity of the local skilled human capital in the remote areas of the country Pakistan.

5. The village women are denied to get inherited rights. They worked with their male counterpart but were offered fewer salaries even for similar work due to gender-based prejudice most common at the village level.

6. Pregnancy and delivery issues are taken casually. Women's nutrient care besides food is very important. Due to undernutrition women's health is damaged rapidly. An irreparable loss not only occurs to the mother only but the child is also affected due to undernutrition.

7. Due to illiteracy, economic dependency, a joint family system in women, and availability of plenty of leisure time fights among family members, relatives, and neighbors is most common.

8. Illiteracy in women makes them superstitious. They believe blindly in Pirs, khankas, etc. Which makes them unrealistic in life? Sometimes due to false guidance of Pirs, they create unwanted rifts among each other which ultimately last in bloodshed, etc.

9. In Pakistan women are being granted by the govt. by their welfare programs stipends in the name of the Be-Nazir income support program by the PPP government and with the name of the Ahsas

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program by the PTI-led government. The woman has to wait for long hours to take it. They have to leave their work for getting meager support money. To get the money they had to travel from the village areas to the city.

Structural and Direct Violence Conditions in South Korea

The status of women in South Korea has improved in the field of Education, Health, and legal rights. The Korean government has made true efforts in the provision of women's rights improvements. The government is allocating a budget to augment women's role in society. The Korean police give special attention to women's structural violence cases, especially at the registration and investigation stage. Due to the criminal justice department of the country, the condition of women is improving in the country. The concept of women considering a commodity and kitchen items and responding better after beating is changed a lot. Most of the husbands who commit violence against women are drinkers or narcotics addicts and the servicewomen are often their prey. Sexual violence in South Korea is very common. Research reveals that one sexual abuse is committed after every 23 minutes in the country. This is the reported figure. The actual figure may be more than the reported figure. Most sexual crimes are not reported because in society it's reporting is considered to indulge in shameful for the family. The fundamental roots of sexual violence are not being addressed. The reporting of crimes is increasing by about 70 percent increase. In the country, men are considered subjects of sex while women are objects. Society gave deaf ears to sexual crimes.

11.i Korean govt. Efforts to end structural violence against women
They increased the budget allocation for all institutions for the provision of women their due rights. The Korean govt. has established

a 1366 emergency helpline in case of violence against women. The center provides protection and counseling to victims of violence.

11. ii What is the status of structural violence against women condition in south Korea today?

The position of structural violence against women in South Korea has considerably improved. Women's rights in education, legal and health matters are almost equal to men's. However, some improvements are required in the field of political and economic prejudices.

11. iii Is Domestic or physical violence present in south Korea?

Domestic violence is present in South Korea. One out of six couples has faced it. But due to enhancement in the financial resources in the budget for the elimination of violence against women, the position of domestic violence is improving; the elimination of the curse. Further, the position is better due to cultural change because of the growing rights of women in the field of education, health, and legal matters.

11.iv What is the level of south Korean gender equality?

The position of South Korea in the field of gender equality is not better. South Korea is present at 99th position out of 146th countries in the gender inequality index by analyzing the world economic forum.

11. iv. a Whether South Korean Govt. has taken any steps to root out gender inequality?

South Korea is making gradual improvements for gender equality. South Korea decriminalized abortion in the year,2021. The percentage of women's enrollment in higher education has also increased. But the wage paid to the women is one-third to date and no earnest effort is made in this field.

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11.v Are south Korean families patriarchal?

South Korean families are patriarchal. The livelihood duties belong to the representative of the family and flow of information also. But the families are not always patriarchal. Neo-Confucianism is prevailing in South Korea. The offspring is also inheriting property from the mother. The husband after marriage is residing in the home of the wife.

11. vi. What is the role of south Korean women in society's uplift?

South Korean women's role in society is not ideal in the broader sense. Most women are taught that they are for household duties and subordinations. Women's role in society is limited as compared to men. They are prepared as wide and mother.

11. vii What is the condition of South Korea's women's empowerment?

The country has empowered its women significantly in the field of health and education but still, the world economic forum and the reports of the United Nations have not placed it in the upper case in respect of women empowerment in the developed nations. However, Women are eligible for military service but voluntarily.

Conclusion

- i. Since ancient times women are considered the property of men and this authority of men allows them to use VAW. In different parts of the world, different factors are responsible for the variable status of women Recent statistics by WHO showed that one in every three women is vulnerable to physical and sexual violence and the UN added that only 40% of cases of violence seek any sort of help According to

UN, VAW may start prior their birth as aborted for being the female sex (Pakeeza, 2015).

- ii. A comparison of South Korea and Pakistan was conducted during the research about structural and Direct violence against women and found that human rights conditions in the field of economic, health, and legal rights, the position of women in South Korea is far better than in Pakistan. The reason behind the better position of South Korean women is that Pakistan Govt. made laws for the recognition and protection of women's rights in Pakistan but did not manage infrastructure for them. The Govt. did not allocate budgetary resources due to which the policies went to the dustbin in Pakistan. On the other hand, the basic issues of women in South Korea are better handled by long-term policies. The South Korean Govt. has a legislated small number of laws but they focused on the enforcement of laws due to which their performance remained satisfactory as compared to Pakistan. The role of society in compliance with the state laws is also promising and ideal as compared to Pakistan.
- iii. Society's role in South Korea regarding recognition and human rights consideration is ideal. The situation in Pakistan regarding community engagement for the rights of women and the end of human rights violations including structural and direct violations is pathetic. Only a small number of

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nongovernmental organizations are working and performing in Pakistan for the uplift of women's rights recognition and community sensitization. Until the community is not educated about the rights of women that is why women's rights especially education, health, and legal rights are valuable for the welfare of the whole planet people till then gender-based violation can't be coped with in a true sense.

- iv. In South Korea the research on the rights of women protection is scientific. First, the reasons for structural and direct violence are determined and after that, the budget is allocated to counter the curse based on the data. But the position of structural violence and direct violence is not being coped with due to the non-scientific style of the country. The reasons for structural and cultural violence in the country are not hunted for. If, the budget is allocated due to the vested interest of the stakeholders the real results are not being met in the country. Only some percentage is invested and the programs are not completed due to non-institutionalization and non-practical approaches in the country.

Recommendations

- i. If women need to address their issues then they and society should stand for their rights truly and with integrity. Society should not speak their voice but their actions.
- ii. Women's education should be declared mandatory. Support programs never uplift women. The real solution to remove the financial constraints of women is the induction of cottage industries in remote areas where women should be imparted skills in payment. So, the skills women strengthen in the country can be augmented by imparting their professional education.
- iii. It will not only change their poverty but helps in the economic uplift of the country as well.
- iv. The basic health units at the level of union councils should be strengthened more with tools and human capital. The health workers should move door to door for the health checking of village women and should provide the nutrients supplement at the cost of the government.
- v. Women should be granted inherited rights that the sharia has delivered those centuries ago. The male members who did not deliver inherited rights should be prisoned and convicted. The women should say thanks to dowry articles and should start accepting inherited property rights.

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- vi. The govt. Should allocate budget for the uplift of women after research.
- vii. Women's direct and structural violence should be considered not only a provincial subject. The federal government should make policies based on centrally collected data to protect women's rights effectively. The policies for the protection of women's rights should be reviewed annually.
- viii. The criminal justice of the country should be strengthened to perform an effective role to convict criminals of structural and direct violence against women. The trust deficit in the criminal justice system is promoting crimes in the country. Law and order insurance is not a single-day process but requires a permanent role of the institutions and political stability in the country about which the role of the community should be ideal.

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