

HONOUR KILLINGS IN PAKISTAN: SOCIO-CULTURAL DYNAMICS, LEGAL REFORMS AND CASE STUDIES

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Received: 05 May, 2024

Revised: 05 June, 2024

Accepted: 17 June, 2024

Published: 30 June, 2024

ABSTRACT

Honour killings in Pakistan, driven by deep-rooted socio-cultural factors and patriarchal traditions, represent a significant human rights issue. This article explores the socio-cultural dynamics that perpetuate honour killings, the evolution of legal reforms, tracing the historical context from colonial laws to contemporary legislation, aimed at addressing this violence, and the impact of notable case studies such as Mukhtar Mai and Saba Qaisar. Despite legislative efforts, honour killings persist due to entrenched cultural norms and weak enforcement mechanisms. By examining these aspects, this article underscores the need for comprehensive strategies that combine legal reforms with societal change to ensure justice and protection for victims.

Keywords: Honour, killing, women, violence, legislation, reforms, social, cultural, dynamics, case studies.

INTRODUCTION

Violence against women is a global phenomenon. The United Nations estimates that around 5,000 women and girls are murdered each year in so-called "Honour killings" by members of their families.¹ Large numbers of cases of honour killings go unreported or are falsely reported as suicides. The real figure for world honour killings may be closer to 20,000, according to independent human rights organisations.² "Honour killings" against women can be described as extra-judicial punishment by the close relation of a female for assumed sexual and

marriage offences, considered as a sin or insult. They include sexual unfaithfulness, marrying without the consent of parents or having a relationship that the family considers to be inappropriate and rebelling against social norms and conjugal customs.³ "Honour" killings are widely reported in regions throughout the world; however, they are more common in the Middle East and South Asian countries.⁴

The government in Pakistan is striving to empower women socially, economically and politically

¹Amnesty International, *The horror of 'Honor Killings' even in US* (Fact Sheet, UN 2012) <<https://www.amnestyusa.org/the-horror-of-honour-killings-even-in-us>>. See also United Nations Population Fund, *The state of the world's population 2000: Lives Together, Worlds Apart: Men and Women in a Time of Change* (Research Report 2000) 29.

² Robert, Kiener, 'Honour Killings: Can Murders of Women and Girls be Stopped?' (2011) 5(8) *CQ Global Researcher* 183, 208. See also NupurBasu, 'Honour

killings: India's crying shame' *Aljazeera* (Afghanistan 28 November 2013)

<<http://www.aljazeera.com/indepth/opinion/2013/11/honour-killings-india-crying-shame>>.

³United Nation Development Fund for Women, *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan* (Research Report, 9 December 2010).

through legislative reform. For example, the government has enhanced the quota for women in government jobs and educational institutions and increased the number of special seats in the National Assembly, Senate, Provincial Assemblies and Local Governments.⁴

However, the status of women in Pakistan remains one of systemic gender subordination and Pakistan's ranking for gender equality remains one of the lowest in the world.⁵ Women's social positions and roles vary greatly across classes, regions, and the rural/urban divide.⁶

Moreover, uneven socioeconomic development within Pakistan and the impact of tribal, feudal, and capitalist social formations on women's lives do not equally provide them with opportunities for personal and social development and legal protections.⁷ Such factors result in women being more vulnerable to different forms of violence and crimes including honour killings.⁸

Pakistan is one of the leading countries in the world in terms of the number of honour killings of women, although its occurrence is being echoed across the world.⁹ Honour killings of women in Pakistan have been categorised as a serious social problem along with other gender-based offences of violence such as rape, gang rape, forced marriages (including underage girls), acid throwing, stove burning¹⁰, customary practices of Swara and Wanni (in which girls are given as compensation), domestic violence, sexual harassment at the workplace and so on.¹¹ Some of the aforementioned customary practices and behaviour

happen as part of honour killings. The issue of violence against women and girls is so immense in Pakistan that the Thomson Reuters Foundation has ranked Pakistan the sixth most dangerous country in the world for women.¹² Notably, the first two countries in the survey are India, ranked first, and Afghanistan ranked second, they are located in the same South Asian region. Pakistan was named, once again, the second-worst country in terms of gender equality in the world by the Global Gender Gap Index in 2018. Despite legislation enacted to progress women's rights in Pakistan in recent years, violence against women and unlawful practices persist and continue to escalate.¹³

By conducting the literature review, this research explored the relationship between various social, cultural, structural, instrumental and legal complexities and anomalies that limit the application of the law in the cases of honour killings. Overall, this study explored, examined, and assisted with providing a greater understanding of the phenomenon of honour killings in Pakistan, related laws and the impact of these laws on society. The study has also proposed a framework for future empirical research about Honour killings in Pakistan.

HISTORICAL CONTEXT OF HONOUR KILLINGS LEGISLATION

1. Pre-Colonial and Colonial Era Laws (1947-1990)

The practice of honour killing has deep historical roots in the region now known as Pakistan, dating

⁴ Akbar Nazeer Choudhry, Abubakar Nazeer, Rozita Abdul Mutalib, and Nur Syakiran Akmal Ismail, 'Socio-cultural factors affecting women economic empowerment in Pakistan: A situation analysis' (2019) 9(5) *International Journal of Academic Research in Business and Social Sciences* 90, 94.

⁵ Un Women Asia and Pacific, 'UN Women Pakistan' (online)

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<https://asiapacific.unwomen.org/en/countries/pakistan>>

⁶ Choudhry (n 5) 94. See also Abdul Hadi, 'Patriarchy and gender-based violence in Pakistan' (2017) 4(4) *European Journal of Social Science Education and Research* 297, 298.

⁷ Dr. Naima Tabassum, *Women in Pakistan: Status in Socio-Cultural and Politico-Legal Domains* (Higher Education Commission-Pakistan, 1st ed, 2016) 21.

⁸ World Economic Forum, *The Global Gender Gap* (Analysis Report 2018) 9.

⁹ S. A. Warraich, 'Honour Killings and the Law in Pakistan', in Lynn Welchmann and Sara Hossain (eds), *Honour' Crimes, Paradigms, And Violence Against Women* (London and New York: Zed Books 2005) 78.

¹⁰ Tampering with a gasoline stove, causing an explosion.

¹¹ Abdul Hadi, 'Patriarchy and gender-based violence in Pakistan' (2017) 4(4) *European Journal of Social Science Education and Research* 297, 297. See also National Commission on the Status of Women, 'Women, Violence and Jirgas' (Review study for the National Commission on Status of Women, March 2016) 6.

¹² Thomson Reuters Foundation <<https://www.reuters.com/article/us-women-dangerous-poll-factbox/factbox-which-are-the-worlds-10-most-dangerous-countries-for-women-idUSKBN1JM01Z>>.

¹³ Human Rights Commission of Pakistan, 'State of Human Rights in 2018' (Human Rights Commission of Pakistan, Lahore, March 2019) 9.

back to pre-Islamic times. Honour killings have long been justified under the plea of 'grave and sudden provocation' within the legal framework of the Indian Penal Code 1860 (IPC), established during British colonial rule. Sections 300 and 304(1) of the IPC categorized such murders as culpable homicide not amounting to murder, provided the killing was done in response to a sudden provocation.¹⁴ Section 300 stated: "Culpable homicide is not murder if the offender, whilst deprived of the power of self-control by grave and sudden provocation, causes the death of the person who gave the provocation or causes the death of any other person by mistake or accident." Section 304 specified that: "Whoever commits culpable homicide not amounting to murder, shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine..."

The Calcutta High Court in *Emperor vs Dinbandhu Ooriya* (AIR 1930 Cal 199) ruled that if a husband killed his wife upon discovering her in the act of adultery, he would be guilty of manslaughter rather than murder¹⁵, reflecting the colonial administration's leniency towards honour-based violence as part of customary practices to avoid any sort of interference to prolong their rule.¹⁶

2. Post-Independence Period

Following independence in 1947, Pakistan adopted the IPC as the Pakistan Penal Code (PPC) without amendments.¹⁷ The judiciary continued to apply the 'grave and sudden provocation' defence. In the case of *Muhammad Saleh v The State*,¹⁸ the Supreme Court mitigated the sentence of a man who killed his sister and her paramour upon discovering them in an intimate act, citing provocation as a mitigating factor. Similarly, in *Kamal v The State*,¹⁹ a husband who killed his wife and her paramour in an 'objectionable position' had his life sentence reduced

by the Supreme Court, which acknowledged his loss of self-control under provocation.

These cases illustrate the historical judicial leniency towards honour killings, perpetuating societal norms that prioritise family honour over the rights and lives of individuals. The legacy of colonial legal principles continued to influence Pakistani jurisprudence, allowing honour killings to be treated with undue leniency until more recent legislative reforms were introduced.

MAJOR LEGAL REFORMS

Article 2 of the Constitution of Pakistan 1973 (hereafter Constitution) declares that "Islam shall be the state religion of Pakistan"²⁰ Article 227 of the Constitution declares that all existing laws shall conform with the injunctions of Islam and no law shall be enacted that is repugnant to the principles as laid down in the Holy Quran and Sunnah (acts and sayings of Prophet Muhammad (peace be upon him)). The Constitution specifically guarantees the rights of gender equality. Article 9 of the Constitution enumerates, "No person shall be deprived of life or liberty save in accordance with the law." Article 25 of the Constitution clearly states, "All citizens are equal before the law and are entitled to equal protection of the law." Article 25 (2) further describes that "there shall be no discrimination based on sex alone".

General Zia-ul-Haq's²¹ regime in the late 1970s brought significant changes to Pakistan's legal system. The introduction of the Hudood Ordinances in 1979 blurred the lines between consensual sex outside marriage (Zina) and rape (Zinabil Jabr), making it difficult for rape victims to seek justice without being accused of adultery. These ordinances exacerbated women's vulnerability to honour killings by reinforcing patriarchal interpretations of Islamic law. General Zia²², declared himself as on a "divinely appointed" mission to bring Islamic command

¹⁴Indian Penal Code 1860, s 300 and 304(1).

¹⁵*Emperor vs Dinbandhu Ooriya* AIR 1930 Cal 199, paragraph no 13.

¹⁶Neha Ali Gauhar, *Honour Crimes in Pakistan: Unveiling Reality and Perception* (Research Report by Community Appraisal & Motivation Program, 2014) 21.

¹⁷ Ibid.

¹⁸*Muhammad Saleh v The State*, PLD (1965) SC 366.

¹⁹*Kamal v The State*, PLD (1977) SC 153.

²⁰*Constitution of Pakistan 1973* Art 2.

²¹ Muhammad Zia-ul-Haq was a four-star general who became the sixth President of Pakistan after declaring martial law in 1977. He served as the head of state from 1978 until his death in 1988. He remains the country's longest-serving head of state.

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to Pakistan. Conversely, some argue that Zia's primary object in introducing partial provisions of Islamic law into Pakistan was to gain political acknowledgement and credibility. Thus, the purely secular nature of the system was transformed in 1979, under Zia's regime, with the initiation of Nizam-e-Mustafa (the system of the Prophet Muhammad).²³ Federal Sharia Courts were established to ensure that existing laws shall not contradict the injunctions of Islam.²⁴ In further processes, many fundamental laws such as the Hudood Ordinance 1979, the Qanun e Shahdat Order 1984 (QSO), and the Blasphemy Ordinance were partially promulgated.²⁵

The Zia regime was considered very rigid, particularly for women. Despite reinforcing the present legislation in favour of women, this regime introduced highly discriminatory legislation in respect of women's status, freedom and empowerment under the shadow of Hudood laws. Many critics argued that, unlike the true teachings of Islamic principles and Sharia law provisions for women, policies of Zia's dictatorship not only further reduced women's social status by introducing selective provisions of Islamic laws but also inculcated biased attitudes by limiting women's role in society.²⁶ After the end of Zia's dictatorship regime, democratic governments also continued to work half-heartedly in strengthening women's rights.²⁷

a. Hudood Ordinance

Before the implementation of the Hudood Ordinances in 1979, most of the criminal laws were a product of the Common law, adopted from the British period after the independence of Pakistan. The most common causes of honour crimes are the accusations of 'adultery' or 'unchaste behaviour', which is called 'Zina'.²⁸ The Hudood Ordinance introduced the sexual offences of Zina (extramarital sexual relations) and Zina-bil-jabr (Rape). Under the newly established The Offence of Zina (Enforcement of Hudood) Ordinance, 1979 (hereafter Zina Ordinance) punishment for extramarital/premarital relationships was a hundred lashes for an unmarried individual and death by stoning for a married individual. The Zina Ordinance has created ambiguity and diminished the distinction between a sexual relationship with consent (adultery or Zina) and rape (Zinabil jabar). Both were defined as "sexual intercourse without being valid in marriage".²⁹ However, if a woman could not prove that she has been raped, this sexual act itself converted into the crime of Zina, and the victim woman became liable for the hadd of Zina (adultery) under the Hudood Ordinance.³⁰

Another lacuna within the Zina Ordinance involved its consideration of extramarital pregnancy as proof of Zina.³¹ In the case of rape (Zinabiljabarr), the use of force discharges the victim from liability, even if pregnancy exists.³² However, Islamic Jurists differ on this point. According to Imam Abu Hanifah,

²³Fozia Naseem, Asma Shakir Khawaja and Ishtiaq Ahmad Choudhry, 'Reasons and Victims of Honour Killing in Pakistan: An Analysis' (2019) 26(2) *Journal of Political Studies* 111, 112.

²⁴ Are Knudsen, 'License to Kill: Honour Killings in Pakistan' (Working Paper, Chre Michelson Institute Development Studies and Human Rights, 2004:1) 10 <<http://www.cmi.no/publications/file/?1737=license-to-kill-honour-killings-in-pakistan>>

²⁵Fozia Naseem, Asma Shakir Khawaja and Ishtiaq Ahmad Choudhry, 'Reasons and Victims of Honour Killing in Pakistan: An Analysis' (2019) 26(2) *Journal of Political Studies* 111, 113.

²⁶Hina Jilani and Eman M. Ahmed, 'Violence against Women: The Legal System and Institutional Responses in Pakistan' in *Violence, Law and Women's Rights in South Asia* (edited by Savitri Goonesekere 148-206, New Delhi, Thousand Oaks, London, Sage Publications, 2004) 149.

²⁷Rubya Mehdi, 'The Protection of Women (Criminal Laws Amendment) Act, 2006 in Pakistan' (2010) 1(1)

Journal of Law and Social Research 58, 60. See also Mazna Hussain, 'Take my Riches, Give me Justice: A Contextual analysis of Pakistan's Honor Crimes Legislation' (2006) 29 *Harvard Journal of Law & Gender* 223, 240.

²⁸ Are Knudsen, *License to Kill: Honour Killings in Pakistan* (Working Paper, Chre Michelson Institute Development Studies and Human Rights, 2004:1) 24.

²⁹Rubya Mehdi, 'The Protection of Women (Criminal Laws Amendment) Act, 2006 in Pakistan' (2010) 1(1) *Journal of Law and Social Research* 58, 59.

³⁰ Muhammad Munir, 'Is Zinabil-Jabr Hadd, Ta'zir or Syasa Offence: A Re-Appraisal of the Protection of Women Act, 2006 in Pakistan' (2008) 14(1) *Yearbook of Islamic and Middle Eastern Law* 95, 98.

³¹Ibid 99.

³²Muwafaquddin ibn Qudamah, *al-Mughni*, Dar al-Kitab al-'Arabi, Beirut, n. d. vol 10, 193.

extramarital pregnancy is not sufficient proof of Zina.³³ Abu Hanifah's theology conforms to the decision of 'Umar ibn al-Khattab (the 2nd successor of the caliphate), who acquitted an unmarried woman, of the offence of Zina on a plea of defence that, "I am a heavy sleeper and a man raped me while I was asleep and then he left. I could not recognize him thereafter".³⁴ On the other hand, Imam Malik ibn Anus, Hanafi School of Law (d. 179/795) asserts that illegitimate pregnancy is sufficient proof of illegal sexual relations (adultery).³⁵ The Zina Ordinance seemed to have adopted the view of Imam Malik ibn Anus.³⁶ Above mentioned legal procedural barriers in the Ordinance increased women's suffering in cases of rape rather than protecting them from violence.³⁷ The reported cases of *Jehan Mena vs The State*³⁸ and *Safia Bibi vs The State*³⁹ are examples of this distinction. In both cases, the complainants (women) were convicted by the lower courts even though they were victims of rape (Zinab Jabar), although they were finally acquitted by the Federal Shariat Court. Evidence of four upstanding Muslim men is required in cases of Hadd conviction. Such witnesses must have been eyewitnesses of the act, whereas, under the QSO, one man's testimony is equivalent to two women. For that reason, testimony in cases of rape was almost impossible to achieve. The major lacuna under Hudood laws was, if a woman failed to prove the case of her rape, by default she came under the allegation of admission of extra-marital sex such as

Zina or adultery, thus she was more vulnerable to honour killing.

b. Provisions of a Grave and Sudden Provocation

The Shariat Bench of Peshawar High Court held in the case of *Gul Hassan Khan v Government of Pakistan and Another*⁴⁰ that the concept of 'grave and sudden provocation' has no place in the Islamic criminal justice system. The Federal Sharia Court in the case of *Mohammed Riaz*⁴¹ has endorsed the view of Peshawar High Court. Subsequently, in the case of *Gul Hassan Khan*, the Shariat Appellate Bench of the Supreme Court of Pakistan held that the provisions contained in Sections 299 to 338 of the PPC, particularly those dealing with the offences against the human body, are repugnant with the injunctions of Islam. The court observed that these provisions neither provide sufficient penalties nor the opportunity for monetary compensation, compromise nor pardon to the offender, as prescribed in the Qur'an and Sunnah. The court recommended that necessary amendments need to be introduced in the legislation to address these gaps.⁴² In the light of these recommendations⁴³, the plea of a grave and sudden provocation, a common-law defence (exception 1 to section 300 of the PPC) was repealed with the introduction of the Qisas⁴⁴ and Diyat⁴⁵ Ordinance⁴⁶ CXIII of 1996, which ultimately became an Act of Majlis-e-

³³ Dawud ibn Hazm al-Zahiri, *al-Muhalla*, Dar al-Kutub al-'Arabi, Beirut, 1988, Vol. 12, pp. 195-198; Ibn Qudamah, *al-Mughni*, vol. 10 98.

³⁴ Muwafaquddin ibn Qudamah, *al-Mughni*, Dar al-Kitab al-'Arabi, Beirut, n. d. vol 10 193.

³⁵ Muhammad Munir, 'Is Zinab al-Jabr Hadd, Ta'zir or Syasa Offence: A Re-Appraisal of the Protection of Women Act, 2006 in Pakistan' (2008) 14(1) *Yearbook of Islamic and Middle Eastern Law* 95, 99.

³⁶ Ibid.

³⁷ Ibid 98.

³⁸ *Jehan Mena vs The State*, PLD 1983 FSC 183.

³⁹ *Safia Bibi vs The State*, PLD 1985 FSC 120.

⁴⁰ *Gul Hassan Khan v Government of Pakistan and Another*, PLD 1980 (Peshawar), 1.

⁴¹ *Federation of Pakistan v Mohammed Riaz*, PLD (1980) FSC 1.

⁴² *Federation of Pakistan v Gul Hassan Khan* PLD (1989) SC 633.

⁴³ Ibid.

⁴⁴ Qisas is to harm the offender in exactly the same way as the offender had harmed the victim.

⁴⁵ Diyat is a compensation (blood money) specified in Section 323 of *Pakistan Penal Code, 1860* payable to the heirs of the victim.

⁴⁶ In terms of Article 89 of the Constitution of Pakistan, the President has power to promulgate Ordinances only if the Senate or National Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action. An Ordinance promulgated under this Article shall have the same force and effect as an Act of Majlis-e-Shoora (Parliament) and shall be subject to like restrictions as the power of Majlis-e-Shoora (Parliament) to make law, but every such Ordinance shall be laid before the National Assembly, and shall stand repealed at the expiration of four months from its promulgation or, if before the expiration of that period a resolution disapproving it is passed by the Assembly. The National Assembly may by a resolution extend the Ordinance for a further period of one hundred and twenty days and it shall stand repealed at the expiration of the extended period, or if before the expiration of that period

Shoora [Parliament] through 'The Criminal Law (Amendment) Act 1997'.⁴⁷

Despite the abolition of the provision of defense based on a grave and sudden provocation after the Gul Hassan Khan case, Honour killings continue to be decided on the repealed law because of 'the superior judiciary of Pakistan which has historically patronized honour killing by consistently exercising all available discretion in sentencing to the benefit of those accused of honour crimes'.⁴⁸ The courts have interpreted and applied the provisions of the laws regarding the defence of "loss of self-control" and "grave and sudden provocation" inconsistently, awarding lesser sentences, especially to those convicted of honour killings.⁴⁹ Murder and honour are two separate concepts, but no distinction has been recognised by the courts in decisions. Generally, judicial decisions have shown sympathy for the offenders of honour killings, often not identifying them as responsible for Qisas, Ta'zir or Diyat.

In the year 2000, honour killing became the focus of intense debate on all national and international forums because of its constant increase.⁵⁰ The seven-member bench of the Supreme Court took notice of it in the case of Abdul Zahir wherein it was explained that "the scope of a grave and sudden provocation would not ipso facto fall within the ambit of Section 302 (c) PPC, particularly those of qatl-i-Amd (murder) of wife, sister or other close female relatives by the male family members on the allegation of "Siakari". The court affirmed the precedent laid down in the case of Gul Hassan Khan and held that verdicts of higher courts which have attained finality are binding on all courts under Article 189 of the Constitution of Pakistan.

a resolution disapproving it is passed by the Assembly, upon the passing of that resolution: provided further that extension for further period may be made only once. The Ordinance may be withdrawn at any time by the President. An Ordinance shall be laid before the National Assembly deemed to be a Bill introduced in the National Assembly; and an Ordinance shall be laid before both Houses deemed to be a Bill introduced in the House where it was first laid.

⁴⁷ Are Knudsen, *License to Kill: Honour Killings in Pakistan* (Working Paper, Chre Michelson Institute Development Studies and Human Rights, 2004:1) 24.

⁴⁸ Niaz A. Shah Kakakhel, 'Honour killings: Islamic and human rights perspectives' (2019) 55(1) *Northern Ireland legal quarterly* 78, 86.

c. Provisions of Compoundability under the Qisas and Diyat Ordinance 1990

The Qisas and Diyat Ordinance 1990 (QDO) incorporated significant amendments in the provisions of the Pakistan Penal Code (PPC) and Criminal Procedure Code, 1898 (CrPC), addressing the offences of hurt⁵¹ and murder which allow the legal heirs of a deceased to compromise or compound the offence with the perpetrator at any stage of a trial. These changes brought such offences under private matters rather than against the society or state. The most challenging impact of the clause of compoundability was observed in the cases of honour killings. Wherein if a brother or husband (or any other person) kills his sister or wife in the name of honour, her father, mother or any other blood relations (who comes under the definition of legal heirs) could compound the offence even if a perpetrator confesses. It is observed that in other cases of murder, emotions of hostility prevent compoundability but in honour killings where the perpetrator is a family member and no sentiments of hostility are involved, the likelihood of compoundability becomes higher. Since 2001, almost 4,100 honour killing cases in Pakistan have seen perpetrators forgiven by the next of kin or immediate heir.⁵²

With the introduction of Islamic clauses in the law, there is a continuous strain between the inherent British law and the Islamic provisions, that largely affected the criminal justice system.⁵³ The Legal system of Pakistan was primarily based on secular mechanisms,⁵⁴ which gave rise to a conflict between traditional and non-traditional groups on the question of whether a comprehensive Islamic system should be enforced or it should be based on secularism as a

⁴⁹ Ibid.

⁵⁰ Niaz A. Shah Kakakhel, 'Honour killings: Islamic and human rights perspectives' (2019) 55(1) *Northern Ireland legal quarterly* 78, 87.

⁵¹ Whoever causes pain, harm, disease or injury to any person or impairs, disables, disfigures, defaces or dismembers any organ of the body or part thereof of any person without causing his death, is said to cause hurt.

⁵² Human Rights Watch, '*Pakistan: Events of 2006*' (World Report, 11 January 2007) <<http://hrw.org/englishwr2k7/docs/2007/01/11/pakist14756.htm>>.

⁵³ USAID, P., '*Pakistan Rule of Law Assessment – Final Report*' (Report, 2008) 8.

⁵⁴ Ibid.

modern nation-state.⁵⁵ Similarly, despite all these constitutional guarantees, the moral code of rights to life and liberty was undermined due to discriminatory social and cultural traditions, and the flawed interpretation of the law⁵⁶. A new debate has begun that questions the legitimacy and moral authority of laws that govern citizens' conduct.⁵⁷ The addition of Islamic provisions in PPC has failed to satisfy any group in society.⁵⁸ It remained an unsuccessful effort that brought complications into the legal system.⁵⁹

RECENT LEGISLATION ON HONOUR KILLING IN PAKISTAN

Since 2004, legislation addressing honour killings has been given special attention, with criminal and procedural laws being reformed several times. However, various political regimes have been reluctant to address the legal inadequacies created by the Hudood Ordinances.⁶⁰ Legislation on human rights aimed at preventing honour killings was primarily initiated by pressure from human rights activists, civil society, the media, and local and national NGOs. These groups extensively advocated for women's rights, including laws to stop honour killings, documented unreported violations, and pressured political leaders to take remedial actions. This activism led to the enactment of several key pieces of legislation: the Criminal Law (Amendment) Act 2004, the Protection of Women (Criminal Laws Amendment) Act 2006, the Criminal Law (Third Amendment) Act 2011, and the Punjab Protection of Women against Violence Act 2016. These legislative responses are briefly explored in the following sections.

A. The Criminal Law (Amendment) Act 2004 (CLA 2004)

The promulgation of The Criminal Law (Amendment) Act, 2004 (CLA 2004) was considered "a landmark decision" for the protection of women's rights and honour crimes⁶¹. CLA 2004 (also known as 'Honour Killings Bill') came into force on 10th January 2005 intending to curb the killings on the pretext of "honour" and to protect the rights/honour of individuals, especially women.⁶² According to CLA 2004, the offence of 'Honour Killing' shall be punishable by either:

- a) under Section 302(a) of PPC as Qisas or
- b) under Section 302(b) of PPC as Ta'zir, if the accused is liable under Qisas (Section 302(a) of PPC) and where the charge has been waived by a wali (the legal heir) of the victim then the state will conduct a trial under Section 311 of PPC as per the directions of the Court. The Court also has a discretion to impose such conditions on compounding or waving of the offence as 'it may deem fit' with the consent of the parties as per Section 345(2A) of CrPC⁶³ or
- c) under section 302(c) of PPC (resulting from the CLA 2004) providing: "Provided that nothing in this clause shall apply to the offence of qatl-i-amd if committed in the name or on the pretext of honour and the same shall fall within the ambit of (a) and (b), as the case may be."⁶⁴

These amendments identify honour killings as heinous crimes. Section 305(a) of the PPC excludes the accused or convict as a wali in honour killings, and Section 311 mandates a minimum imprisonment of ten years if the offence is committed in the name of honour. Before these amendments,

⁵⁵TahirWasti, 'Islamic Law in Practice: The Application of Qisas and Diyat Law in Pakistan' (2006) 13(1)*Islamic & Middle Eastern Law* 97, 97.

⁵⁶ArchanaAgarwal, 'Crimes of honour: an International Human Rights Perspective on Violence against Women in South Asia' (Dissertation, Faculty of the Graduate School, University of Southern California, December 2008) 73.

⁵⁷USAID, P, 'Pakistan Rule of Law Assessment – Final Report' (Report, 2008) 7.

⁵⁸TahirWasti, 'Islamic Law in Practice: The Application of Qisas and Diyat Law in Pakistan' (2006) 13(1)*Islamic & Middle Eastern Law* 97, 101.

⁵⁹ Muhammad IqbalChawla, Qutab-ul-Haq, NajiburRahman and Ahmad Riaz-ul-Huda, 'Islamization in Pakistan: An overview' (2015) 52(1) *Journal of the Research Society of Pakistan* 265, 265.

⁶⁰Rubya Mehdi, 'The Protection of Women (Criminal Laws Amendment) Act, 2006 in Pakistan' (2010) 1(1) *Journal of Law and Social Research* 58, 60.

⁶¹AwaisTohid, 'Pakistan Outlaws "Honor" Killings' *The Christian Science Monitor* (webpage, 20 January 2005) <<https://www.csmonitor.com/2005/0120/p06s01-wosc.html>>.

⁶²The *Criminal Law (Amendment) Act 2004*.

⁶³*Code of Criminal Procedure (1898) Pakistan* s 345(2a).

⁶⁴Chairman national commission for Human Rights Pakistan, 'A study on honour killings in Pakistan and recommendatory checks though Law' (Final Report, 2014) 16 <<https://nchr.gov.pk/wp-content/uploads/2019/01/Final-Report-Honour-Killing.pdf>>.

honour killing had never been considered a heinous crime. The accused were routinely acquitted or their sentence was reduced by the Courts based on the defence of 'grave and sudden provocation'. CLA 2004 increased punishments for honour crimes, treating perpetrators as murderers rather than provoked individuals.⁶⁵ However, conviction rates remain low due to police and prosecutorial negligence⁶⁶ and the frequent forgiveness of perpetrators by the victim's heirs. The law allows financial compensation (diyat) without considering the perpetrator's financial status.⁶⁷ Additionally, the Act does not address criminal liability for those abetting honour crimes, such as tribal council members, and close relatives⁶⁸ nor does it clearly define "mensrea" (intention to kill), which complicates proving honour killings.⁶⁹ This function was left as discretion for courts on account of the provision of the words "as the court may deem fit" with the awareness that many legal actors in the criminal justice system (police, prosecution, witness and judges) were still inclined to a patriarchal mindset.⁷⁰ As a result, the deterrence effect of the enforceability of CLA 2004 has been limited, and honour killing cases have continued to be prosecuted as ordinary murder, often resulting in acquittals or reduced sentences for perpetrators.

B. The Law Reform Ordinance, 2006 (LFO)

The Law Reforms Ordinance, 2006 (LFO) was promulgated by the President of Pakistan to provide the concession of bail to women who were

incarcerated for certain criminal charges, specifically in the Hudood cases (including adultery).⁷¹ LFO remained in force for two consecutive tenures of four months only and then lapsed in 2007. LFO did not reach the status of law due to those in opposition in parliament who were against any changes in Hudood Laws. Furthermore, the government did not take much interest in progressing the enactment. During the execution of the LFO, the issue of safety and shelter arose for those women who were released on bail under it. The families of such women had already developed a prejudice against such women, as allegedly their act had brought disgrace to the family (for example cases of adultery). Resultantly, four women in the province of Punjab were killed by their family members after they were released on bail under this Ordinance.⁷² Therefore, several women in different provinces refused to be released from jails due to fear of targeting⁷³.

C. The Protection of Women Act, 2006 (PWA)

The promulgation of The Protection of Women (Criminal Laws Amendment) Act (PWA), 2006 tried to amend the Hudood Laws. It gave rise to an intense debate, largely based on emotions rather than legal grounds, and conflicts between the religious or traditional mindset and human rights activists.⁷⁴ For that reason, the law was approved by the parliament with only a limited scope and both sides of the debate

⁶⁵Christina A. Madek, 'Killing Dishonor: Effective Eradication of Honor Killing' (2005) 29(1) *Suffolk Transnational Law Review* 53, 66.

⁶⁶Mazna Hussain, 'Take my Riches, Give me Justice: A Contextual analysis of Pakistan's Honor Crimes Legislation' (2006) 29 *Harvard Journal of Law & Gender* 223, 240.

⁶⁷Arhum Tariq Butt, 'How does the Pakistani legal system handle honour killings? A hard balance between Islamic and Common Law' (A Dissertation, Undergraduate Laws, University of London, 3 October 2016) 17.

⁶⁸Mazna Hussain, 'Take my Riches, Give me Justice: A Contextual analysis of Pakistan's Honor Crimes Legislation' (2006) 29 *Harvard Journal of Law & Gender* 223, 241.

⁶⁹ Ibid.

⁷⁰ Christina A. Madek, 'Killing Dishonor: Effective Eradication of Honor Killing' (2005) 29(1) *Suffolk Transnational Law Review* 53, 65. See also

Archana Agarwal, 'Crimes of honour: an International Human Rights Perspective on Violence against Women in South Asia' (A Dissertation, Faculty of the Graduate School, University of Southern California, December 2008) 107.

⁷¹Asian Centre for Human Rights, 'Appeasing the Mullahs: Protection of Women (Criminal Laws Amendment) Bill 2006 of Pakistan' *ecoi.net* (News Release, September 13, 2006).

<<http://www.achrweb.org/Review/2006/132-06.htm>>

⁷²Archana Agarwal, 'Crimes of honour: an International Human Rights Perspective on Violence against Women in South Asia' (Dissertation, Faculty of the Graduate School, University of Southern California, December 2008) 109.

⁷³ Ibid

⁷⁴ Muhammad Munir, 'Is Zinabil-Jabr Hadd, Ta'zir or Syasa Offence: A Re-Appraisal of the Protection of Women Act, 2006 in Pakistan' (2008) 14(1) *Yearbook of Islamic and Middle Eastern Law* 95, 96.

claimed victory.⁷⁵PWA amended two Hudood Ordinances, those of Zina and Qazf, while the remaining ordinances remained untouched. Zina Ordinance provided that if a woman reports a case of rape and fails to prove it, it was to be prosecuted as adultery. While PWA introduced a new procedure of investigation in rape and adultery cases. For example, a senior ranking officer of police, equal or above the rank of the superintendent of police was authorized to investigate the case of adultery. Moreover, those penal clauses⁷⁶ (Rape, the offences of kidnapping or abducting a woman to compel her to marry a person against her will or to force her to illicit intercourse,⁷⁷ of kidnapping or abducting a person to subject him to "unnatural lust"⁷⁸ and of selling a person for prostitution,⁷⁹ and related crimes) that were excluded from the PPC and were added in Hudood laws in 1979 were shifted again in PPC through PWA.

The PWA prescribed punishment of imprisonment for life and a fine if a woman was abducted or forced to marry a person without her consent and against her will. To discourage a false accusation of Zina (adultery) against women, the procedural changes were incorporated in CrPC for filing complaints in the courts. Though, all the added provisions in the PWA provide a safeguard for the protection of women against a variety of crimes, many of which may lead to honour killings, however, honour killing as a separate offence was not addressed in this Act.⁸⁰

D. Criminal Law (Amendment) (Offences in the Name or Pretext of Honour) Act, 2016

The latest amendments in 2016 to the PPC brought the issue of honour killing within the province of the common law. However, previous amendments did not solve the main omission in the law relating to the compoundability of the offences. The Criminal Law (Amendment) (Offences in the Name or Pretext of Honour) Act, 2016 amended the clauses of compoundability in the case of honour killings. The

compounding of an offence could only convert the death penalty into life imprisonment in a case of honour killing. Before 2016, perpetrators were acquitted under the shadow of compoundability⁸¹. Section 311 of PPC was reformed to state:

Where all the wali⁸² does not waive or compound the right of Qisas, or if the principle of 'Fasad-fil-arz' (mischief on earth) is attracted, the court may, having regard to the facts and circumstances of the case, punish an offender against whom the right of Qisas has been waived or compounded with death or imprisonment for life or imprisonment of either description for a term which may extend to 14 years as Ta'zir: provided that if the offence has been committed in the name or on the pretext of honour, the punishment shall be imprisonment for life.⁸³

Under the new provisions, the offence of honour killing is only compoundable if a perpetrator is awarded capital punishment, however, the culprit would still face a mandatory life sentence.

Honour killing has been brought under the term of 'Fasad-fil-arz' (mischief on earth) with the inclusion of clause (ee) in section 299 PPC. Present amendments provide that waiver of Qisas or compounding the offence under Sections 309 and 310 PPC will be subjected to Section 311 PPC, where the principle of 'Fasad-fil-arz' is involved. The explanation of 'Fasad-fil-arz' given in Section 311 PPC has been included in Section 299 PPC, with the description:

Fasad-fil-arz includes the past conduct of the offender, or whether he has any previous conviction or the brutal or shocking manner in which the offence has been committed which is outrageous to the public conscience, or if the offender is considered a potential danger to the community, or if the offence has been committed in the name or on the pretext of honour.

Notably, a trial court cannot apply the provision of 'Fasad-fil-arz', unless a perpetrator is proven guilty

Crimes' (Master Victimology and Criminal Justice Thesis, Tilburg University, 19 February 2016) 50.

⁸¹Benazir Jatoi, 'The Punjab Protection of Women Against Violence Act 2016: A Critique' *Aurat Foundation, Legislative Watch* (News Letter, Issue No. 45, May-November 2016) <<https://www.af.org.pk/news/1486547583.pdf>>.

⁸²Legal heirs of the victim.

⁸³*Pakistan Penal Code 1860*, amended s 311.

⁷⁵ Ibid

⁷⁶ Pakistan Penal Code s 375.

⁷⁷ Ibid s 365B.

⁷⁸ Ibid s 376A.

⁷⁹ Ibid s 371.

⁸⁰ Wafaa Abdelhadi, 'Honour Crimes and Violence against Women: Preventing and Punishing Honour

of the offence of honour killing. However, the factors of the poor investigation by the police, prosecution system, complicated legal procedures and cultural and socio-economic influences (as honour killing is considered a family affair) still raise questions regarding the proof of the offence of honour killing in a trial court.

CASE STUDIES OF HONOUR KILLING IN PAKISTAN

The study of renowned honour killing cases demonstrates the importance of individual cases in spearheading reform through international and national recognition. For many years, the issue of honour killing in Pakistan had been kept under a veil of secrecy or under-reporting. This veil was lifted gradually by highlighting some of the tragic honour killing cases like Mukhtar Mai and Saba Qaiser through electronic and social media and civil society. These cases became the voices of women's rights activists, scholars, and common women. Mukhtar Mai and Saba Qaiser have kept the dialogue alive and strong and gave way to legislation for the rights of women, gender equality and violence against women specifically honour killing cases.

1. Mukhtar Mai Case: A Turning Point in Honour Crimes Legislation in Pakistan

The gang rape of Mukhtar Mai in June 2002 prompted an international outcry and significantly changed the course of legislation on honour crimes in Pakistan. This case brought Pakistan's judicial system, and its many problems, into the global spotlight. Mukhtar Mai, a schoolteacher from the village of Meerawalla in Muzaffargarh district, was gang-raped by four men on the orders of the Mastoi tribal council (Jirga). Mai was called to apologize on behalf of her family for her 12-year-old brother's alleged illicit relationship with an older woman from the other dominant clan in the village. The Jirga decided that the boy had dishonoured the tribe; therefore, his sister Mukhtar Mai should be raped to restore the honour of the tribe. When she arrived, she was dragged to a nearby hut and gang-raped by four Mastoi men while an additional ten people watched. Following the rape, she was paraded nude

through the village. Later, it was revealed that the accusations against Mai's brother were false and were levelled to cover up the Mastoi tribe members' sodomy with him.⁸⁴ An Imam⁸⁵ from the local mosque of the village declared the incident a sin and a disgrace for the entire community and encouraged the villagers to report the matter to the police. However, due to the tribe's consensus and the influence of the perpetrators, no one approached. The local police also knew the facts of this rape case but they did nothing to redress Mukhtar Mai's grievances due to the powerful influence of perpetrators and bribes from the perpetrators. The incident was reported in the local press and immediately picked up by the international media and civil society. Human rights groups held demonstrations across Pakistan, demanding justice for Mukhtar Mai. In response, the government of the province of Punjab intervened in the matter. A case was registered 20 days after the incident against 14 men under the Terrorism Act, a non-bailable offence with a speedy trial. Four of the accused were charged with raping while the rest were charged with abetment.

In August 2002, the Anti-Terrorist Court sentenced six men to death (four for rape and two for instigating the rape as members of the Jirga), while eight others were acquitted. In September 2002, the State and Mukhtar Mai appealed against the acquittal of the eight accused. In March 2005, the High Court reversed the trial court's judgment due to "insufficient evidence" and "faulty investigations," acquitting five of the six men and commuting one death penalty to life imprisonment.

These acquittals caused an international outcry, prompting human rights groups to call on the Pakistani government to intervene. In March 2005, Pakistan's highest Islamic Sharia Court suspended the High Court's decision to acquit the five men. The Supreme Court of Pakistan, however, set aside the Sharia court ruling, maintaining the High Court verdict until the Supreme Court appeal was finalized. The five acquitted men were ordered to be released. Mukhtar Mai appealed to the President of Pakistan for the re-arrest of the released men causing the fear of a threat to her life. Her appeal to the Supreme

⁸⁴Mazna Hussain, 'Take my Riches, Give me Justice: A Contextual analysis of Pakistan's Honor Crimes Legislation' (2006) 29 *Harvard Journal of Law & Gender* 223, 224.

⁸⁵Prayer leader, a religious person who gives sermons in the mosque.

Court against the acquittal of the five men was rejected in 2011. In her review petition, Mai requested a larger bench to hear her case, expressing dissatisfaction with the decisions of the Lahore High Court and the Supreme Court. The case is still pending in the Supreme Court.

During the initial stages of the case, the Pakistani government banned Mukhtar Mai from travelling abroad, a move widely condemned as an attempt to prevent negative publicity. Perpetrators repeatedly sought a compromise settlement with her, which she refused, citing their lack of genuine remorse. Mukhtar Mai has received several awards for her courage and efforts to help other women in Pakistan. Glamour magazine named her the 'Glamour Woman of the Year' in 2005, and her autobiography, 'The Name of Honor,' was well-received. International dignitaries, including Laura Bush, praised her bravery and commitment.⁸⁶In a society where women often face severe consequences after being raped, Mukhtar Mai's resilience is remarkable. Although the perpetrators have not been appropriately convicted, they have faced significant legal proceedings and spent considerable time behind bars. Many similar atrocities against women in Pakistan go unreported, but those that do receive significant media and civil society attention.

2. Saba Qaisar Case

Saba Qaisar honour killing case has gained national and international attention due to its prominence through an Oscar-winning Pakistani documentary 'A Girl in the River: The Price of Forgiveness', directed by Shirmeen Obaid Chinoy. This documentary gave a voice to a woman who was a possible victim of honour killing. In Pakistan, the pursuit of honour often ends in the murder of a woman, with the victim's standpoint and narrative remaining mostly unknown.

Saba was 18 years old when her family tried to kill her for marrying a man she chose. Saba was in a love

relationship with a neighbourhood boy, Qaiser, approved by her parents. However, her uncle disapproved of Qaiser's family's financial status and arranged her marriage to his brother-in-law instead. When she informed Qaiser and her family, they asked her to come to their home, where she married Qaiser. Her family considered it a great dishonour and convinced her and Qaiser's family that they could arrange a proper marriage between Saba and Qaiser. On the way, Saba realised the deception of her father and uncle. Instead of returning home, they started to beat her vigorously and shot her with a gun.⁸⁷ Saba collapsed and her body was packed in a large sack and thrown into the river.⁸⁸ Incredibly, Saba survived because the bullet missed her head, causing only a minor injury to her face. The cold river water revived her, and she clawed her way out of the bag, crawled up the riverbank, and managed to approach a petrol station for help. Saba's life was saved by the police and doctors.⁸⁹

After recording Saba's statement and lodging an FIR (First Information Report), the police arrested her father and uncle. The accused defended their actions, claiming that had done the right thing because Saba had dishonoured their family.⁹⁰ Saba's father expressed no regret, steadfastly believing he had restored the family's honour. He was proud to say that this honour killing would be a lesson for future generations and none of his descendants would ever think of doing what Saba did to dishonour the family and tribe.⁹¹ Determined to pursue an attempted murder case against her father and uncle, Saba faced immense pressure from family members and community elders to pardon them. She stated to the media, "Everyone was holding me responsible for keeping my father and uncle behind bars." She added that people tend to forget the horror and tragedy she experienced when she was almost killed and thrown into the river.⁹² Eventually, Saba succumbed to social and family pressure and forgave her father and uncle, leading to their release without prosecution.⁹³ Saba's

⁸⁶Munira Moon Charania, 'Spectacular Subjects: The Violent Erotics of Imperial Visual Culture' (Dissertation, Department of Sociology, Georgia State University, 5 July 2011) 44.

⁸⁷*A girl in the river: the price of forgiveness* (HBO documentary, by ShirmeenObaidchinoy, 2015).

⁸⁸Nicholas Kristof, 'Her Father Shot her in the Head, as an 'Honor Killing' *The New York Times Sunday* (web page, 16 June 2016) 11.

⁸⁹Ibid.

⁹⁰*A girl in the river: the price of forgiveness* (HBO documentary, by ShirmeenObaidchinoy, 2015)

⁹¹Nicholas Kristof, 'Her Father Shot her in the Head, as an 'Honor Killing' *The New York Times Sunday* (web page, 16 June 2016) 11.

⁹²*A girl in the river: the price of forgiveness* (HBO documentary, by ShirmeenObaidchinoy, 2015)

⁹³Nazur-ul-Islam, 'Pursuit of honour in Pakistan often ends in murder' *TRT World*, (Magazine, 9 October 2017)

family attempted to kill her a second time for narrating the story of her survival in an Oscar and Emmy-winning documentary. They believed she had once again brought shame to the family by highlighting the matter before the media.

Saba's case highlights the apparatus of cultural norms that permit the perpetrators to escape from the punishment of murder when honour is used as an excuse. Notably, Saba's family lives in the district of Gujranwala, where according to Punjab police data, at least 71 women were killed on the pretext of honour between 2011 and 2018.

3. Tribal Area Cases

The Kohistan (in the northern areas of Pakistan bordering Afghanistan) honour killings incident happened in 2012. The incident involved the killing of five women and two men on the grounds of honour after a video emerged on social media of their dancing in a private celebration. This incident attracted the attention of higher authorities when Muhammad Afzal Kohistani, (the brother of one of the boys in the video), claimed that all the persons dancing in the video had been murdered through the orders of the Jirga (a council of Afghan tribal leaders consisting of 40-50 members) held under the tribal customs. Jirga took this viral video and act of dancing as dishonour, shame and a violation of the specific norms and customs of the tribal area. The killings of the five young women and two men who were linked with the viral video were kept secret within the tribe. In 2011 the National Commission on the Status of Women (NCSW) took notice of this brutal incident of the killings of five young women and two men, however, the families of those killed (victims of honour killings) refused to accept the killings had occurred.⁹⁴ The local court ordered the personal appearance of the alleged victims before the court if they were alive. Their families initially refused to bring them before the court pleading that tribal restrictions made it a matter of honour and shame for their families if their women appear before the court (the appearance of women in police stations and courts is considered negative in tribal

customs). However, later on, they presented those women before the court, but forensic reports verified they were not the women allegedly dancing in the video on social media. Eventually, in August 2018, a police case was registered for the honour killings of the five women and two men seen in the video. In 2019, Afzal Kohistani was also shot dead by the tribal families because of his role in supporting the victims who had dishonoured their families. The suspects involved in his murder were arrested by the police and faced a trial before the Court of Law.⁹⁵

CONCLUSION

Honour killings remain a grave issue in Pakistan, deeply entrenched in traditional social attitudes, customs, and male-dominated behaviours. Despite legislative efforts like the Criminal Law (Amendment) Act 2004 and the Criminal Law (Amendment) (Offences in the Name or Pretext of Honour) Act 2016, honour killings persist, highlighting the challenges of changing cultural norms and improving enforcement mechanisms.

The socio-cultural dynamics in Pakistan perpetuate honour killings, where women's autonomy is suppressed, and violations of patriarchal expectations are met with lethal violence. This issue is compounded by legal inadequacies, such as provisions allowing the compounding of offences under the Qisas and Diyat Ordinance, often resulting in perpetrators being forgiven by the victim's legal heirs. The interplay between traditional practices and modern legal frameworks creates a complex environment that hinders the effective prosecution and conviction of honour killing cases.

Notable cases like those of Mukhtar Mai and Saba Qaisar have brought international attention to the issue, highlighting the severe consequences of honour-based violence and the resilience of survivors. Mukhtar Mai's case, in particular, exposed flaws in Pakistan's judicial system and galvanized human rights activists, leading to some legal reforms. Similarly, Saba Qaisar's story, documented in the Oscar-winning film "A Girl in the River: The Price of Forgiveness," illustrates the societal pressures and

<https://www.trtworld.com/magazine/pursuit-of-honour-in-pakistan-often-ends-in-murder-11201>.

⁹⁴Haseeb Bhatti, 'Girls in 2011 Kohistan video were killed, Supreme Court told' *DAWN* (Pakistan, 2 January 2019).

⁹⁵Ali Akbar, 'KP Police arrest suspect in Afzal Kohistani's murder' *DAWN* (Pakistan, 8 March 2019).

legal loopholes that allow perpetrators to escape justice.

To address honour killings effectively, comprehensive strategies beyond legal reforms are required. These should include cultural and educational initiatives aimed at changing societal attitudes towards women's rights and gender equality. Empowering women through education, increasing their participation in political and economic spheres, and ensuring their protection under the law are critical steps. Additionally, the criminal justice system needs significant reforms to ensure that honour killing cases are prosecuted swiftly and justly, free from patriarchal biases.

Further recommendations to tackle honour killings include strengthening the legal frameworks by amending the Qisas and Diyat Ordinance to remove the possibility of compounding in honour killing cases, ensuring mandatory prosecution and punishment for perpetrators. It is also essential to provide clear legal definitions of "honour killings" and treat them as distinct from other forms of homicide, with specific penalties.

Improving law enforcement through regular training programs for police officers, prosecutors, and judges on handling honour killing cases with sensitivity and without bias is crucial. Establishing dedicated units within law enforcement agencies to investigate and prosecute honour killings can ensure specialized attention to these cases. Supporting victims and survivors by developing robust protection programs, including safe houses and witness protection schemes, and providing free legal aid and counseling services to support them through the legal process are necessary measures.

Raising awareness through nationwide campaigns to educate the public about the illegality and immorality of honour killings, targeting both rural and urban areas, and integrating education on gender equality and human rights into school curricula can help challenge patriarchal norms from an early age. Engaging communities by working with religious and community leaders to change societal attitudes towards women and honour, promoting messages of equality and respect, and supporting grassroots organizations that work to prevent honour killings and assist victims are vital steps.

Moreover, establishing a centralized database to collect comprehensive data on honour killings, including unreported cases, and encouraging continuous research to understand evolving patterns and the effectiveness of interventions can inform policy and interventions.

International human rights frameworks provide a valuable basis for addressing honour killings, but their implementation requires political will and societal commitment within Pakistan. Modern Islamic scholars' reinterpretation of Islamic law concepts can also play a role in affirming gender equality and challenging discriminatory practices.

Ultimately, the journey to eradicate honour killings in Pakistan is ongoing and requires sustained effort, legal reform, and a shift in societal norms to ensure justice and equality for all. By adhering to the vision of Pakistan's founder, Muhammad Ali Jinnah, that no nation can rise to greatness without women standing alongside men, Pakistan can work towards a future free from the scourge of honour killings.⁹⁶

Authors Bibliography

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⁹⁶Ghazala Butt, 'JINNAH'S CONCEPT OF "AN IDEAL MUSLIM WOMEN"' (2011) 8(1) *Pakistan Journal of Islamic Research* 69, 69.