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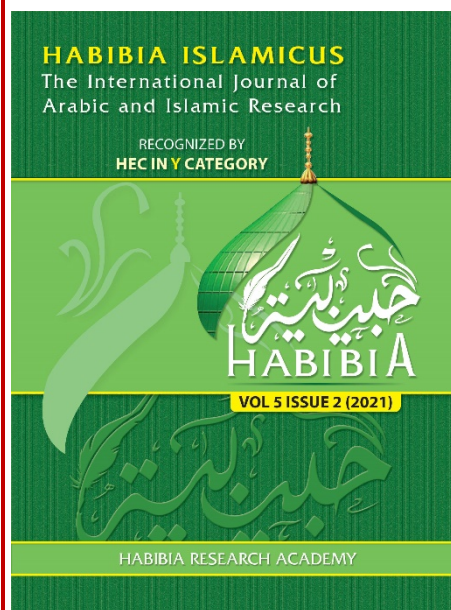
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#### TOPIC:

**SIGNIFICANT FEATURES OF HONOUR KILLING: A TANGIBLE EVALUATION OF ITS ATTRIBUTES AND KNOWN CASES OF HONOUR KILLING IN PAKISTAN.**

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**SIGNIFICANT FEATURES OF HONOUR KILLING:  
A TANGIBLE EVALUATION OF ITS ATTRIBUTES AND KNOWN CASES OF  
HONOUR KILLING IN PAKISTAN.**

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**ABSTRACT**

*The honour based violence comprises homicide as well as assault, rape, confinement, acid attacks, forced marriage, and female infanticide. The causal effect to maintain honour is attached to behavior of women that triggers perturbation in existing norms of a society. Therefore, it becomes a subject of domestic domain rather than state quarters, and it is not specific to certain societies. The word 'honour' stemmed out from the Latin word 'honos', which means worthiness of a person or a group in a society. Later on, it implied adverse assumption of maintaining it through women's behaviors. The killings are carried out due to eloping and court marriage, rape, premarital sex, sexual association, and adultery etc. The contributing factors of honour killing are attached to social dynamics of a society and significance arises to explore relating key features in the light of Islamic injunctions and global legislations. Such features have been more explicitly addressed by private sector as compared to public sector. The United Nations emphasized upon consideration of honour killing issues under the public sphere for tangible outcomes. In Pakistan, the governmental sectors include Ministry of Women, Ministry of Law, Council of Islamic Ideology, and Federal Shariat Court of Pakistan, while private sectors include NGOs, women right activists, civil societies, media, and public at large. As such, it is outcome of joint efforts that now, there exist innovative laws promulgated in Pakistan, which address honour killing as exclusively punishable phenomenon. The honour killing takes place with regard to three dimensions including honour killing on the pretext of illicit relations, honour killing as punishment for seeking divorce, and honour killing as a result of rape. These dimensions define various parameters causing honour killing depending upon intensity of parameters to account for levels of provocation and accusations.*

**KEYWORDS:** Honour Killing, Violence, Society, Culture, Public and Private Sectors, Dimensions of Honour Killing.

**INTRODUCTION:**

**1: Honour Killing – An Understanding.** There is huge amount of work carried out on the subject topic in western and eastern academic circles but it requires more efforts to be served to achieve more realistic and rational definition of honour killing. However, it is not limited to a specific culture but it is more widened phenomenon and spreads over wide range of societies.<sup>1</sup> Its concentration varies in different countries based on their relevant social structures and it should not be judged with bias based on racial and religious parameters. The honour crimes are not limited to homicide but also include assault, rape, confinement, acid attacks, forced marriage, dowry curse, and female infanticide.<sup>2</sup> It is more acceptable justification in view of public opinions that existing social order virtually requires the preservation of the concept of honour, which is linked with male control over women. As a matter of fact, 'crimes of honour' limit to 'honour killings' so as to use it as an excuse for the mitigation of punishments in the court of law and even violence not

amounting to murder are also viewed in the same manner.<sup>3</sup> However, a single definition of honour killing cannot encompass a wide range of crimes conducted in the name of honour, while it is also necessary to account a range of female behavior and her actions that violate existing norm of the society going beyond sexual conduct and become causal effect challenging male control of the society. There lies a problem with the usage of phrase 'honour killings' as it supports the idea that honour is a complex feature which has its ties to sole existence of women and their behaviors and it embodies the honour of males at large. As such there exist arguments that when violence against women is redefined to be a crime in the name of honour, it shifts from judicial quarters to domestic domain.<sup>4</sup> In the same manner the Indian courts are known to have managed for denaturalization of honour crimes to forefront the issue in the mirror of a secular nation and show lenient impact of patriarchal practices unlike dominating situations in the interior of Pakistan having feudal and communal network and traditional ideology. However such categorization should be taken into account with care while it helps as well in the identification of honour crimes and violations of a range of rights, in order to compete and redefine various forms of concerned laws.<sup>5</sup> The fundamental feature in honour killing is maintenance of honour which in most cases applies to sexuality of women and such phenomenon is neither new nor specific to Islam and Pakistan. It is spread over all types of societies and countries having parallel legal system and is rising in European and South American countries as well.<sup>6</sup> The patterns of family honour as seen in Latin American and Mediterranean societies is almost similar to those found in peasant families of Middle East, Southwest Asian, Indian and Chinese societies, which means that family honour is not limited to any specific kind of society.<sup>7</sup> However, common feature among all such cultures and societies is that honour relates to women and their conduct is responsible to preserve, protect and restore the honour of a person, family or group and, if not, murder remains the only solution. Moreover, it is not perceivable that what kind of behavior of women makes them vulnerable of the accusation as their bodies are viably considered due possession of men. A mere notion of 'improper behavior' of women can also be considered enough reason to include other acts relating to human freedom among the list of acts of disobedience and shame on the family.<sup>8</sup> Such kind of freedom of leveling accusations has led to an adverse situation and has increased number of violence against women in the society which makes it necessary to digest the concept of honour at first point and address fringe issues in the later stage. The Mediterranean culture has a value of honour with respect to sexuality of women itself and men of this culture require making sure that women remain inviolate.<sup>9</sup> It is otherwise solely associated with the maintenance of '*ghairat and izzat*' of certain cast standings through its status in public which is to be determined through, courage, generosity and family origin rather than sexual inclinations, and honour killings proceed by the loss of one of these elements due to which shame of the family is received.<sup>10</sup> This occurs in most of the cases due to actual or perceived sexual deviation by a family's

women. It is not the same scenario in case of honour of a male of the society whose honour can be gained and grown as well as lost but in contrast, honour of women cannot be achieved but it can be injured only. It is therefore justified that there exists no rationale of honour killing in the perspective of a religion or any culture but it is used as a tool in the name of tribal customs or social norms in the exploitation of women.<sup>11</sup>

**2: Honour and Honour Killing – Spatial Definitions:** The word ‘honour’ has been derived from the Latin word ‘honor’ which means worthiness of a person, group or community. It defines standing of someone in the spectrum of large social groups or institutions, that is, schools, neighborhoods, cities and public.<sup>12</sup> Ironically, honour is not to be viewed in terms of worthiness or respectability of men but it is found in living attitudes of women who live under the control of men. In more specific manner, honour is defined as the value of a person for himself as well as in the eyes of the society. This concept of honour defines worth and pride of a person as acknowledged by the society and thus his right of pride is maintained.<sup>13</sup> Honour is considered as a right for having certain worth rather than to be considered as a sentiment or a character trait and further it extends its meanings as personal honour manifested with personal right having in consideration that it can be lost. There should exist certain rules to maintain it and codes of honour are declared in a community that should be followed and recognized by a group of people thus constituting an honour group which specifies a word in native language which is frequently referred to define the right in question.<sup>14</sup> It is also known that almost all types of societies have distinct notion of honour. In the same manner, the right to having good name in the society is shared among all types of societies but personal attributes that form the shape of honorableness, that is honorable reputation, can vary from one culture to another. However such approach about honour can contribute to a valid meaning and can develop across diverse cultures.<sup>15</sup> However, to sustain such form of status, worst form of actions is performed and in case of its deviation, homicide may be carried out to make an attempt to restore such status in the form of honour killing. As such, there exists no consensus upon the parameters which constitute honour killing. The non-governmental-organizations and women rights activists call it honour based crimes in which murder is carried out for the purpose to restore so called family honour.<sup>16</sup> In the same context, honour killing in Pakistani society refers to murder of women carried out in an attempt to restore the lost honour of a family and same kind of definition of honour killing is produced in ‘The Criminal Law (Amendment Act, 2004)’, in section 299 of Pakistan Penal Code as an “*offence committed in the name or on the pretext of honour means an offence committed in the name or on the pretext of karokari, siyahkari or similar other customs or practices*”.<sup>17</sup>

**3: Honour Killing and its Significant Features to Research:** As mentioned in previous discussion, the problem of honour killing has degraded Pakistani society to a greater extent since the emergence of Pakistan. Unfortunately, the problem has not been

addressed to its level of importance while stakeholders and pleaders of rights of women exerted enormous pressure on government quarters. The negligence of the problem caused a big turmoil in bottom and middle stratum of the society. Therefore, honour killing is a burning issue of Pakistani society at present time and needs to be addressed systematically so as to safeguard image of Pakistan. In this regard, it is required to address honour killing in the perspective of Islam and most of its features relating to societies of Pakistan with varying culture. It is affirmed that varying society cultures of Pakistan are reflective of varying patterns of honour and shame, and in this regard, restrictions upon sexual behavior of women are made. Such features of honour and shame are protected for good standing of esteemed groups by practicing severe forms of violence and killings.<sup>18</sup> It is required to extend focus to know how such features manifest in Pakistani society and further examination is required to detect underlying social dynamics that are found significant in contributing to the ongoing practice of honour killing. The acceptance of honour killing with respect to legal system in Pakistan and pronounced mitigated punishments for honour killings are still under question. Therefore, the significance of the research manifests its need while concentrating key features, that is, Islamic injunctions and patriarchal patterns in Pakistani society and its global importance.<sup>19</sup> On the other hand, Islam in Pakistan amalgamates to existing cultural norms and is tackled under existing archaic tribal influence. It results into the interpretation of such norms in the context of honour and shame instead of being rational and thus encourages cultural and political attitudes to obstruct the attempt to change leniency in legislation and also yields opportunities to religious groups to legitimize heinous crime of honour killing as part of their custom which has claimed huge number of lives until today. It implies significance of the research to address different forms of crimes against women in the perspective of honour related crimes and therefore, the research is aimed to look into the trends and patterns of such kind of crimes in Pakistan in the Islamic perspective.<sup>20</sup> The proprietary control of men over women is one of causal effect for the consideration of superiority of men over women, which has circumscribed the lives of majority of women and they are left to reside in secluded spaces and have to face brutal forms of punishments if they avoid obedience to such patterns. It is observable that traditional control of men makes women to face all sort of exertions in every aspect of their bodies, that is, in verbal manner and by conduct of its acceptance as natural grief. However, due to the expansion of media group and groups of women rights organizations and prevailing forms of mobility have perceived the dilemma vigilantly and hence awareness have reached to affected areas to a certain extent with such efforts.<sup>21</sup> It is evenly regretful that women face severe forms of aggression against them if they agitate to observe their rights and hence phenomenon of honour killing increases in direct proportion to the rise in the awareness of rights of women by them.<sup>22</sup> The international human rights activists address honour based crimes against women in the perspective of domestic violence and is regarded as crime against women in families or communities.<sup>23</sup> According

to a number of resolutions as aforementioned, the violence against women can be explicitly recognized as responsibility of a state to be dealt under the umbrella of human rights issues. It is diversion of earlier perception by which the dichotomy of private and public spheres played a role in the adoption of an issue while former had a little significance as compared to latter. The issue of honour killing however remained in the lap of private sector and viewed as domestic and private matter. Therefore, the stance of United Nations is sought of quite relevance and honour killing has been considered to be addressed under the public sphere. Therefore, the traditional definition of domestic violence is shifted to new concepts in which state actors gain responsibility in addressing particular form of violence against women due to gender difference and dominating role of men in this regard.<sup>24</sup> Again it is meant to assert that such forms of crimes are not uniquely related to Islamic countries but it is related to the norms of our patriarchal society that require women to live with particular role and they are considered chastity of their families and hence considered as repositories of honour. It is misfortunate to state that religion and culture of a society is used as a tool to enforce patriarchal desires for its compliance and making existing law to accept its viability.<sup>25</sup> The topic of honour killing has received a great amount of attention in the last two decades and hence debated in all possible quarters of relevance under the feminist viewpoint with regard to culture oriented discourse and its acceptance as a universal phenomenon is of utmost attention. The religion of Islam has been dragged into the flames of blame by opponents who make claim for honour based crimes as a result of its stern belief and honour based culture being its extreme form. It is blamed that honour killing is excusable by the believers of Islam.<sup>26</sup>

**4: Honour Killing at the Façade of Patriarchal Premises:** Honour killing is basically the outcome of specific social interaction among the members of a society who are strong promoters of patriarchal structure of a society. The killings conducted in the name of honour are different from other kinds of homicide by virtue of motives of the murderer and such motives are specifically governed by a particular logic of an honour culture.<sup>27</sup> This promotes a unique understanding about shame and honour in a patriarchal society that is seen in quite an odd manner by foreign scholars and therefore, crimes against women are considered as extreme nature global phenomenon.. Such kind of killings is conducted in public in the presence of community leaders or in a private place by a relative of the victim.<sup>28</sup> So, it is a particular type of murder with unique characteristics, and the most likely victim of such killings are women including mothers, wives, daughters and sisters although there is also evidence of men killed in such crimes. On the other hand the killers are usually male relatives of the victim such as, father, brother, cousin, husband, and uncle.<sup>29</sup> However, in case of honour killings the killer is not alone but accompanied by other family members and duly supported by them. They follow an established set of rules that are neither based on an act of rational understanding nor knowledgeable. It is more likely observed that honour killing is performed by male relatives and it is also reported

that women also participate directly or indirectly and help perpetrators to proceed with such acts. The perpetrators involved in honour killing require support of public members and want them to reward murder committed by them with honour.<sup>30</sup> The honour killings are in most of cases a pre-planned and pre mediated but it is hard to have such kind of evidence, while in most cases it is an essential categorization and in others it is not really seen as pre mediated and the murder is seen a mere event on site and, that is, what a man kills has become an incident or in worsened situations the incidence is declared as an accident, suicide or the victim is specified as missing.<sup>31</sup> It is one of the misfortunate parts that victims are deprived of any opportunity to improve their behavior and avoid such mistakes and even such fault has already been committed then they are not given a chance to repent over and asked for forgiveness. It becomes a sheer hard decision regardless of actual facts and figures that honour should be restored once degradation of a family in the public has gone viral and thus perpetrators only find a way for its restoration through cruel bloodshed. The killing is carried out in response to an allegation from other person or on the basis of mere suspicion but there are few chances that real proof of the sexual impropriety of the victim is obtained. The sexual propriety may vary by situation including going to cinema without approval, dating and in severe form, having sexual intimation with someone who is not in legitimate status with the victim.<sup>32</sup> The killings are also conducted in cases where women are duly married with their lover through eloping and signing marriage in court. There are many of circumstances that killing is carried after rape with women but things rest in the hands of patriarchal consensus to decide what kind of provocation has taken place and thus violent resolutions are passed by men of society.<sup>33</sup> However, the most common factors which cause killings in the name of honour include: premarital sex, forbidden sexual association, adultery, and rape. Again, in this respect, the only option to restoring honour of a family is killing of victim which perpetrators desire to announce in public for satisfaction of restoration of honour while hiding the acts of disgrace thereof.<sup>34</sup> In a broad spectrum of Pakistani society, it is necessary to build up a socio-theoretical background that transcends generalization based upon explicit theory on honour and under such circumstances, parameters of culture and religion meet severe retaliation if used to achieve simplification of procedure. There exists a tremendous impact on social life in Pakistan whereby honour constitutes causal means of exerting control and generating paradigm shift in the society structure.<sup>35</sup> The strength of Bedouin social order has played an important role in reinforcing the patriarchal order which transcends its influence on the domination of Islamic ideology and its interpretation in view of continued subordination of women. In the same manner, Pakistani society has been focusing on the virginity of women in the formation of legislation and social order which made men of society aggressive in exercising power over women. Such aggression is liable in the context of implicit behavior of women in view of their sexual conduct and its expression on the honour of a family, clan, and village. Hence we establish an understanding about Pakistani

society with its particular order of male domination having male supremacy over women in a patriarchal order and unconsciously organized in our mind through process of perception as per se.<sup>36</sup> It characterizes features with such circumstances that masculine qualities are always regarded superior to feminine qualities which promotes male supremacy and unconsciously considers this order as natural and eternal that cannot be questioned or altered.<sup>37</sup> It determines virility as central image of men who has right to dominate women socially and psychologically to present his heroic status. It is regretful to mention that the acceptance of women and the process of reinforcing their subordination is not a rational process with deliberate logical intentions but a process based upon dispositions having symbolic violence and resulting into the formation of world sphere of men and women having distinct duties in isolated patterns.<sup>38</sup> The progress in the development of peace and equality process is mainly hindered due to the violence against women which is known as the most shameful human rights' violation and most pervasive phenomenon in the progression of time having no boundaries in term of geography, culture, and religion.<sup>39</sup>

It is emphasized to avoid any impunity for gender based violence and it should not be considered a side issue of special interest groups concerning few people. Moreover, it should not be considered a mere issue of women but a human right issue of all humans on the globe population including both men and women, that is, women should not be judged in segregated and oppressed manner. The approach of such concepts results in violence which cannot be mitigated due the exacerbation of the problem. It continues worsening the issue despite the emergence of the most important instrument for the protection of rights of women in the form of, 'Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).<sup>40</sup> The condition of women went continuously in the subordination of men and marginalized under both international and domestic law systems. It is not only due to reflection of thoroughly gender based system but also a reflection of inadequate procedures found in the international law to deal with circumstance when women's rights collide with religion and culture and hence, such collision gives birth to disruption in the society.<sup>41</sup> It is desired to continue with our struggle to keep balance between women's rights and freedom of practice of belief groups to ascertain their religious activities with respect to their relevant culture. Despite such efforts, a conflict exists between such rights because of difference of opinion over the phenomenon of protection of women's rights and it further extends to establish a reason for perpetrators to act violently using religious, cultural and customary norms to protect their self being. It is therefore evident that thousands of women are killed round the globe. As aforesaid, it happens due to some perceived actions by female member of a family which dishonor status of the family in the society.<sup>42</sup>

**5: Role of Women as Commodity:** In most of cultures in the eastern hemisphere, women are considered as commodity like other belongings of people rather than a human being of worthiness and dignity, having no equality to men with respect to observance of

their rights and freedom. It is a usual practice in such cultures irrespective of their religions and ethnic class that their fate is decided by the elders of such communities and the concept of ownership is promoted to turn down women as commodity; which can be exchanged, bought and sold.<sup>43</sup> All such concepts or other closely linked to it form up men's property or wealth in these types of classes and thus form up the value of their honour. The role of women in this way is acceptable only in the form of object of value and makes the most dire part of honour of a man and his tribe, and thus when she marries to a man as husband, the rights of guardianship also transfer from her father to her husband. In this way, women are bound to guard their virginity. Ironically, when women enter into an adulterous situation then system order of the community is disrupted as the rights of ownership are shifted from men to herself which is sought a challenge to the social community and which in turn makes her black. So women's purity is the most desired requirement and a single clue of sexual interest of women makes them loose right to life and they end up with punishment of death.<sup>44</sup> The United Nations Organization (UNO) was established in 1945 and it initiated a modern history regarding human rights of women on the globe. The charter of UNO, written in 1945, is the first international document, which has recognized rights of women and declared the principal of equal gender rights in the world. In the same effort a huge bundle of research was carried out about rights of women which encouraged many supporters of women's rights to demand equality and a world free of violence. The General Assembly of UN created the United Nations Development Fund for Women (UNIFEM) and International Research and Training Institute for the Advancement of Women (INSTRAW). The CEDAW, as mentioned in earlier articles, was adopted by the UN General Assembly in 1979, and depicts a mission of UN for the equality of women and men in the eyes of law and Article 15, and 16 contains instructions for all states to take necessary measures to ameliorate discrimination against women. It ensures equality of men and women in all aspects including their freedom of will and right to enter into marriage according to their liking and disliking. Similarly in 1993 the UN conference was held in Vienna and women's rights were recognized as established universal human rights in the presence of one hundred and seventy one states and all of them were called to take necessary steps for the appraisal of women rights and for the elimination of violence against women in public and private life.<sup>45</sup> In the same year the UN resolution 48/104, article 3 also states that women are entitled to have equal amount of share of life as men and they have right to equally enjoy and be protected by all human rights and they have fundamental freedom in political, economic, social, cultural and civil sectors of society. These rights include the rights of necessities of life, equality, liberty, protection, and right of maintenance of health. The declaration is made that women should be protected from harassment and torture and states are instructed to avoid making or promoting any custom or law that has the tendency of violence against women and all traditional and religious practices which cause torture to women should be eradicated. Unlike any other

international convention or treaty, this declaration of United Nations is quite a recommendation document for states to act upon.<sup>46</sup>

**6: Dimensions of Honour Killing in Pakistan:** The atrocities in the name of honour killings are frequently found in Pakistan and they are, like other countries, covered up by the collaboration of political authorities and community members and the process of data collection is hindered in predominantly rural areas, which indicates that scale of phenomenon is at severe stage in Pakistan. In Pakistan, the existence of women is entrenched as a property and as symbol of honour in the social, political and economic fabric due to which government authorities ignore such occurrences and atrocities of honour killing. However, honour is an undefined concept due to male dominance in everyday life in Pakistan, and violence in the name of honour is not a new phenomenon.<sup>47</sup> Therefore, the scope of honour killing in the traditions of Pakistan has enlarged and thus number of victims has increased to a larger extent and therefore, women's sexuality is not tolerated and they remain subsidiary to men. Despite honour killing is not provided any support in legal documents but ground realities are ironic, and judiciary and the administration and the society do forgive its occurrence which encourages tribal giants not to consider it a crime and hence punish those who bring shame on honour and break the traditional honour code.<sup>48</sup> This provides an open approval to conduct honour killing and women become victim to it and therefore, violence against women is widely perceived as an acceptable act. The state officials and citizens play an important role in approving the heinous crime against women. Women are thus viewed inferior to men and are commanded by men including their fathers, brothers, husbands and other male relatives who physically control them in community or domestically. Unfortunately, the domestic incidents are not mostly reported, investigated or prosecuted.<sup>49</sup> Pakistani legal system fails to criminalize such heinous act even it is a highly serious form of domestic violence. It is known that complaints of such violence such as, assault, battery, acid throwing and attempted murder are ignored and often go unreported by the police. Hence, Pakistani women face almost every type of violence either domestic or community violence from men in whom custody they live. These violence include spousal murder, mutilation, beatings and in the most severe form in the performance of heinous ritual of honour killing.<sup>50</sup> Honour killing is performed in almost all parts of Pakistan including four provinces and the tribal areas with different name as aforementioned, and traditionally, it is carried out due to the accusation of illicit relations, extramarital sex and denial of her marriage due to disliking in defiance of the family's honour.<sup>51</sup> In Pakistan the honour killers are not mostly punished and there are quite rare instances that cases reach in the premises of court of law for which the killers are sentenced to a sole imprisonment of two to three years. For instance, Hina Jilani, lawyer of Lahore High Court collected one hundred and fifty cases and described that only eight cases were entertained by judges as real form of homicide in the name of honour while all others were dealt in lenience and given reduced sentence.<sup>52</sup> Farzana Parveen, a

pregnant woman, was stoned to death on May 26<sup>th</sup>, 2014, by her own family members outside Lahore High Court, Lahore for marrying a man when loved her. According to a report by Amnesty International, female is the most vulnerable victim in the occurrences of honour killings while on the other hand, male also faces death if found involved in the incidence alongside the female.<sup>53</sup> Women are the foremost target while men are given opportunity of fleeing through buffer zones of retribution and they escape death by paying compensation to the family of the victim. This makes honour killing an industry in which tribal people, police and mediators make money or obtain a woman in compensation. The act of honour killing is also used to camouflage an unrelated murder by men of a community in which a woman of their own family is killed and the whole situation is converted to honour killing.<sup>54</sup> As mentioned earlier, the honour killing is an ancient practice and many authors have described its initiation from Hammurabi and Assyrian tribes in 1200 B.C. when women were not accepted as regular member of society and did not have any social, political and legal rights, and hence it predates the Islamic era. They were treated as property of the family owned by their fathers, brothers and husbands. The Pakistani governmental authorities have not any proper platform to provide statistical data on honour killings.<sup>55</sup> This task is being carried out in Pakistan by NGOs and the Human Rights Commission of Pakistan (HRCp). The HRCp's statistics include cases reported by press or registered with police, and actual data can be considerably higher. However these statistics include fake honour killings which are carried in the name of honour but actual reasons are sought different.<sup>56</sup> As discussed above we establish a point of view that honour killing is carried due to three reasons as below which form up the dimensions of honour killings and further research will follow on such dimensions.

- i) Honour Killings on the Pretext of Illicit Relations.
- ii) Honour Killings as Punishment for Seeking Divorce.
- iii) Honour Killings as a result of Rape.

It is a point of convergence of our studies as within the boundaries of above dimensions the subject point is established for further analysis. Under all above dimensions the phenomenon of honour killings has different parameters which make ground for honour killing that account for level of provocations, the level of guilt of women and the level of intensity of accusations, and core factors relating to the culture and existing traditions that define intensity of all such parameters and factors. As per typical definition of honour killing the violation of honour code is the basic point on which basis the honour killing is carried out and tribes intend to obtain compensation in this process for providing settlement awards to the aggrieved person instead of making it happen to safeguard honour of the tribe.<sup>57</sup> It provides opportunity to the so-called agents of scheme to earn a huge amount of money and it can also be used to conceal other crimes by the phenomenon of honour killing, and many stakeholders come out to play such kind of roles including tribal agents, police agents, and tribal mediators. All such type of actors play a role to conceal a number of other

sins too. Such kind of illicit benefits allure many men to accuse their female family member or nearby relatives to have dishonored their families and kill them to gain compensation for their other sins including previous murders and their desire to obtain land.<sup>58</sup> There exist chances that their brothers may kill them to get land and such pattern is adopted in all economic level of Pakistani society. The concept of honour killing has altered the version of honour and women gain monetary worth in this respect in a tribal society by the process of their murder on false accusation of sexual activity, and for monetary purpose, others exchange them for money.<sup>59</sup> However, in Pakistan, arranged marriages are mostly in vogue, which are executed by force in less educated areas. In arranged marriages, partners are selected by the parents of children and in most cases, such marriages take place without the consent of their children. The disobedience to such marriages would result in accusation of undermining honour of the family even in the presence of law. In the same context women are killed if conflict of marriage arises and they are stuck in varied obedience requirements.<sup>60</sup>

**6.1: Honour Killings on the Pretext of Illicit Relations.** There are huge numbers of cases of honour killing in the name of illicit relations with another man in Pakistan, alongside own marriage choice cases which have induced devastative contribution in honour killing. It is considered a big sin in the eyes of elders of a society to defy an arranged marriage and choose a life partner by own will of a woman in the Pakistani society where marriages mostly take place on arranged marriage basis.<sup>61</sup> If some women act in controversy to the decisions of the elders, she is considered to have committed '*zina*', an illegitimate sex or illicit relations, with her beloved one and a private justice is exerted to decide about life of the women.<sup>62</sup> In Zargrabad, Peshawar, a brutal incidence took place in the jurisdiction of Yakatoot police station. A mother named Bilquis and her two daughters, Hanifia Bibi and Kaftia Bibi were killed on charges of adultery while all of them were married. They were killed by the husband of Bilquis and her son in law due to frequent quarrels in the house and it appeared to be a case of honour killing.<sup>63</sup> In Taralai Kalan, Islamabad, a seventeen years old girl, Nagina Bibi was engaged to her cousin by her father against the will of her brother who wanted to marry her to the brother of her wife. One day her brother accompanied with other brother saw her talking to her fiancé cousin and both were filled with anger. They tied up their sister with a rope and set her on fire. Later she was admitted to hospital with a gesture that she was burnt due to burst of stove but she had recorded the actual statement before death, and a case was registered against the two brothers.<sup>64</sup> In another case, the property of Ms. Shahnaz Bhutto was taken by her husband and later on, she was accused of having illicit relationship with another man. She was killed by her husband and brother in law on the pretext of honour.<sup>65</sup> In Islamabad, a man killed his wife on the pretext of honour and on his surrender to the police, he told that when he reached his home he saw his wife in the kitchen while his bedroom was locked from inside. When he got the room opened, he found a man inside the room due to which he lost his temper

and killed both of them. He told police that it was second time of such incidence while he had already warned his wife once but she did not quit illicit relations with the man.<sup>66</sup> There also occurred an event on September 20, 2017 in Peshawar's Achar Kali area. A father, Abdul Ghani, killed his two daughters; Shamim of age 20 year and Noreen of age 10 years, as reported against a doubt of their illicit relations. His son Wahid Ghani filed FIR in Bala Mani police station due to which the accused was apprehended from Mosam Ghari area and at his arrest he admitted the accusation as reported by his son. He declared that he killed his daughter because they used to go out frequently and he felt ashamed of their character.<sup>67</sup> A tribal council in Karachi ordered electric shocks to a girl Bakht Jan of 15 years age and Ghani Rehman of 17 years old who were killed due to such heinous act on the accusation of eloping against the norms of the tribe. This event occurred in August 2017, and in the same month in Lahore a girl was decapitated by her husband for refusing to quit her job as a factory worker. In the same manner, a Jirga council in Khyber agency ordered the killing of Naghma, a 13 years old girl but she was rescued by security forces. Unfortunately, she was murdered when they released. In October 2016, Qandeel Baloch, a Pakistani model, was killed by her brother on account of bringing shame on him due to her extraordinary exposure in public. It has been quite a distinct event of honour killing which was protested by many civil organizations and nongovernmental organizations for a demand to bring forward result oriented laws. In this effort anti honour killing law was passed by the parliament which allowed harsher punishment and closed doors of pardoning the perpetrators who are often relatives of the victim.<sup>68</sup>

**6.2: Honour Killings as Punishment for Seeking Divorce:** There are many cases in Pakistan that women have received divorce through courts and then faced its consequences in the shape of injury or have been killed. The act of seeking divorce is thought as public defiance in this society and it is given punishment to restore honour of the family.<sup>69</sup> Samia Sarwar was a victim of such disobedience and was killed in the office of her lawyer, Hina Jilani, in Lahore, while the lawyer was also threatened in the accusation of providing legal support. Samia's fault lied that she had persisted to seek divorce from her abusive husband. Samia's father gathered huge support of many religious organizations and the Sarhad Chambers of Commerce and Industry and demanded arrest of Hina Jilani and her sister Asma Jehangir on the accusation of misleading women in Pakistan to take divorce against norms of existing social set up. He also managed *fatwas* against the two sisters and announced reward for killing them. In April 1999, Asma Jehangir filed an FIR against 16 people for their criminal announcements. Later, the case went unknown and no news is updated yet in this regard.<sup>70</sup> In the same way, Salma was beaten by her husband while she was pregnant and she was sent to her father's house without a reason. Later her husband, Muhammad Habib, went to the house of his father in law and insisted her to accompany him home. This demand was rejected by her father who asked him to bring his father for safe and protected return of her daughter. At his point, Habib got angry and stabbed him in

his chest due to which his father in law died and he was sentenced to death by the court of law.<sup>71</sup>

**6.3: Honour Killings as a Result of Rape.** The act of rape is considered in the same spectrum of honour killing as having illicit relations and women are killed in this course of punishment without having their consent in considering the action shameful or not. Therefore, the existing social setup pronounces rape as shame on family just as it would have been engaged into illicit relations and women involved should deserve punishment of death.<sup>72</sup> Until 2006, There existed no strict differentiation between the offence of rape and fornication in Pakistani law and it was difficult for women to prove that she had not consent in the happening of intercourse, therefore she had to face severe forms of punishments as if it was not a rape but a fornication, while it does not dishonor the rapist.<sup>73</sup> A mentally retarded girl was shot dead by a tribal Jirga in Kurram Agency of KPK on the accusation of fornication and bringing shame on the tribe while she was actually raped by a clerk of local government in Parachinar. She was shot dead in front of whole community of the tribe to establish an example of consequences of such act of shame and preserving of so called honour of the family.<sup>74</sup>

**7: Known Cases of Honour Killing in Pakistan:** The case of Ghulam Yaseen and others versus The State is a relevant case. In this case a man who had illicit relations with a woman was killed by three men, the uncles of the woman. The accused were convicted under Section 302 (b), (c) of PPC, and sent to jail for twenty five years with rigorous imprisonment each. It was the least punishment under such clauses. It was stated by the court that murder committed in the name of honour is not similar to murder of '*qatl-e-amd*'. The conviction was then converted to five years less punishment for each in lieu of lenience of old law which provided margin under grave and sudden provocation.<sup>75</sup> The case of Abdul Haque versus The State provides good example of grave and sudden provocation. The Supreme Court recognized the plea of grave and sudden provocation, which has been used for more than hundred years in the sub-continent, and gave lenient decree in this case.<sup>76</sup> Mohammad Yaqub alias Ayyub versus The State, is also a case in which the benefit of grave and sudden provocation was given to the accused who had killed a man. He accused his own sister and the victim on the accusation that he saw both of them coming out from sugarcane fields, and, on such account, his punishment was reduced to five years' imprisonment, providing margin of rule of sudden provocation.<sup>77</sup> In the case of Mohammad Rafiq and others versus The State, the rule of grave and sudden provocation was extended to all accused stating that exception on the basis of such rule is viable as the accused loses control on his nerves when he sees woman of his family in the hands of unknown and this shows explicit dishonor on him and his family.<sup>78</sup> The case of Akbar versus The State is also an example in which rule of grave and sudden provocation is regarded by the court. In this case, a young person of nineteen years kills woman of his family on the pretext of shame on his family. The court admits that illicit relationships in a

Muslim society are not acceptable and father or brother of an adulterous woman has natural realization on such incidence to proceed for homicide. Hence the murder was sought natural keeping in view the age group of the person and looking into the situation of the incidence.<sup>79</sup> In case of Mohammad Sharif versus The State, the court fully agreed to the narrative of the accused in which he stated the happening under severe form of grave and sudden provocation. Mr. Sharif entered his house and found his wife in the arms of a person unknown to him. The person scaled the wall after seeing him and words exchanged between the husband and wife. The wife abused him and threatened to carry on her illicit relations, which made him lose his temperament due to such provocation and he throttled his wife. The court describes it a severe form of provocation in which even if wife begs her husband for mercy and pardon, yet he would have killed her. On such basis the accused gained a reduced form of punishment from the court.<sup>80</sup>

**8: Conclusions:** Honour killing is an outcome of multifaceted state of society which is linked to various parameters necessary to make a society workout in particular frame of reference. Its significance arises in the process of producing an excellent form of society under the agenda of United Nations' human rights declarations. The main character around which the story of honour and honour killing builds up is 'woman', of course, a human species. The role of women in a patriarch environment is seen depressive and degraded as they are not seen a productive source for the development of a society, rather they are considered source of reproduction and sexuality, and moreover, they are bound to preserve, protect and restore the honour of a family. This phenomenon has grown significantly in the societies of Pakistan which diverted attention of human rights activists from all over the world to address the degraded status of women in Pakistan. It is also a burning issue of Pakistani societies and they have played important role in safeguarding the face of Pakistan at the world level. Many scholars have forwarded their view that honour killing has no association with Islam and western criticism of associating it with Islam is outcome of their internal bias towards Islam. It is required that honour killing should be dealt in public sector of legal system rather than private sector to make it responsibility of state. The real teachings of Islam should be practiced and implications should be made in the legal system. The awareness programs should be conducted to clear misjudgments about Islamic provisions and to teach how Islam have strict provisions about killing a human and about bringing false accusations upon the character of women. There have been many amendments made in the legislation and improvements have been made in the administrative areas to culminate the happenings of honour killing in all its dimensions including honour killing on the pretext of illicit relations, as punishment of seeking divorce, and as a result of rape. Despite many efforts, honour killings could not be even mitigated because not object oriented approach exists on ground.

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