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**QLANTIC**  
JOURNAL OF  
SOCIAL SCIENCES

## Honour Killings in Pakistan: Legal Perspectives and Reforms

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**Abstract:** *This investigation delves into the pervasive issue of honour killings in Pakistan, examining its legal intricacies and proposing comprehensive reforms. Despite existing legal provisions within the Pakistan Penal Code, the implementation faces substantial challenges, including legal loopholes, societal pressures, and inadequate protection measures. Proposed reforms include enhancing legal clarity, fostering societal awareness through educational initiatives, implementing witness protection programs, expediting judicial processes, fostering collaboration with NGOs, and establishing counselling and support services. The proposed reforms collectively aim to create a nuanced and holistic strategy to combat honour-based violence. By addressing legal shortcomings, challenging ingrained cultural norms, ensuring protection, fostering collaboration, and providing compassionate support services, these measures strive to reshape Pakistan's societal landscape. The success of these reforms relies on the commitment of legal authorities, civil society, and the broader community to foster lasting change, ultimately creating a society where justice, equality, and human rights triumph over the tragic legacy of honour-based violence.*

**Key Words:** Honor Killing, Violence, Ayesha Jalal, Asma Jahangir, Qandeel Baloch

### Introduction

Honour killings, a gruesome manifestation of deeply ingrained cultural norms, persist in Pakistan, casting a dark shadow over the nation's social fabric. These acts, committed under the pretext of preserving family honour, result in the tragic loss of lives, predominantly affecting women who are perceived to have transgressed societal norms. This investigation aims to find out the legal dimensions of honour killings in Pakistan, offering an in-depth analysis of the current legal landscape and proposing reforms essential for preventing and prosecuting these heinous crimes (Hongdao, 2018).

This article explores the major reasons for honour killings in Pakistan. It also describes the major reasons for these killings. This article aims to share the flaws in the legal system that lack punishment for the culprits. This article aims to shed light on these loopholes that can be overcome to make society better and to stop these honour killings. Different laws that are working in Pakistan right now are described along with the relevant provisions presented in this article.

Despite the existence of legal provisions within the Pakistan Penal Code that specifically address honour killings, the prevalence of such crimes remains a stark reality. This investigation recognizes the multi-faceted challenges embedded in cultural complexities, legal ambiguities, and societal pressures that contribute to the persistence of honour killings. As such, a comprehensive examination of the current legal framework is crucial to identify gaps, weaknesses, and areas of improvement.

The introduction will set the stage by acknowledging the gravity of the issue, emphasizing the need for a nuanced understanding of the cultural context, and outlining the overarching objective of the investigation – to critically assess existing laws and advocate for reforms that can bring about a meaningful reduction in honour killings. The narrative will highlight the intersectionality of cultural

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norms, legal intricacies, and societal attitudes, paving the way for an informed exploration of legal perspectives and potential avenues for reform in the subsequent sections (Cheema, M. H. (2008)).

## Research Methodology

In exploring the complex world of honour killings in Pakistan, our research takes a thoughtful path. Instead of doing interviews or surveys, we're immersing ourselves in a treasure trove of stories found in existing frameworks, articles, and reports. Picture it like tuning into a shared narrative, where a multitude of voices echoes through the documented knowledge. These stories, written by researchers and storytellers, act as our guides through the intricate landscape of this societal issue. It's like unravelling a beautiful tapestry, where each thread holds an insight, an experience, and a piece of the bigger picture. By diving into these narratives, our aim is to present a more humanized understanding of honour killings, woven together from the voices and perspectives that have been shared and documented over time.

## Literature Review

Honour killings, driven by cultural norms and perceived violations of family honour, have been a persistent and troubling phenomenon in Pakistan. A comprehensive literature review illuminates the historical, cultural, and legal dimensions surrounding honour killings, offering insights into the complex web of factors that contribute to this alarming social issue.

## Cultural Context

The roots of honour killings in Pakistan are deeply entwined with cultural norms, patriarchal structures, and societal expectations. Scholars such as Nighat Dad highlight the impact of traditional codes of honour and shame, emphasizing how societal pressures contribute to the perpetuation of violence in the name of preserving familial respect. She is a human rights activist in Pakistan. According to a survey, almost 1000 women are killed in Pakistan each year.

## Legal Framework

The Pakistan Penal Code addresses honour killings under various sections, including 299 and 302, providing a legal foundation for prosecution. However, scholars like Asma Jahangir, a human rights activist, underscore the challenges in the effective implementation of these laws. Loopholes, legal ambiguities, and societal pressures often result in lenient sentences or acquittals (Irfan, H.2009).

## Societal Dynamics

The societal dynamics surrounding honour killings involve intricate power structures within families and communities. Research by Ayesha Jalal delves into the role of patriarchy, examining how power imbalances contribute to the victimization of women and inhibit effective legal responses (Jamal, 2015).

## Gender Inequality

Gender inequality lies at the core of honour killings, as women disproportionately bear the brunt of perceived transgressions. Literature by Kamran Asdar Ali explores how discriminatory gender norms perpetuate violence against women, emphasizing the need for transformative societal changes (Ali, 2012).

## Reforms and Interventions

Recent scholarship by Hina Jilani discusses ongoing efforts and proposed reforms aimed at addressing honour killings in Pakistan. Initiatives include legal amendments, awareness campaigns, and the importance of engaging with local communities to challenge ingrained norms (Stephenson, 2000).

## Global Perspectives

A comparative perspective is crucial for understanding honour killings in a global context. Studies by Gill Hague et al. and Nadera Shalhoub-Kevorkian (2017) draw parallels with honour-based violence in other



regions, providing insights into successful interventions and highlighting the importance of contextualized approaches (Begikhani, 2015).

### Intersectionality and Vulnerabilities

Scholarship by Sharmeen Obaid-Chinoy (2016) explores the intersectionality of factors such as class, religion, and education, examining how these variables contribute to the vulnerability of individuals facing the threat of honour-based violence (Obaid-Chinoy).

This literature review underscores the intricate interplay of cultural, legal, and societal factors contributing to honour killings in Pakistan. While existing research highlights the challenges, it also points towards potential reforms, interventions, and a need for broader societal transformation to combat this deeply rooted issue. The subsequent sections of this investigation will build upon this foundation, critically analyzing current legal perspectives and proposing reforms essential for preventing and prosecuting honour killings in Pakistan.

### Major Reasons for Honor Killing in Pakistan

In Pakistan, the issue of honour killings is deeply entwined with the fabric of society, shaped by a complex interplay of cultural, social, and economic factors. At its core, the phenomenon reflects a struggle within a society that grapples with traditions and norms, often at the expense of individual lives (Raza, A. 2006).

### Family Bonds

In Pakistan, families are the cornerstone of life, embodying shared histories, traditions, and love. However, the immense pressure to conform to societal expectations, especially regarding the roles of men and women, can strain these familial bonds. Imagine the internal conflicts within families, torn between love for their members and the weight of cultural expectations, where maintaining honour often takes precedence over individual happiness.

### Love and Relationships

Love, a universal force that transcends boundaries, clashes with the age-old practice of arranged marriages in Pakistan. Picture the heart-wrenching stories of individuals who, driven by love, find themselves at odds with familial expectations. The pursuit of happiness becomes a delicate dance between personal desires and the deeply ingrained traditions that shape family dynamics.

### Cultural Traditions

Embedded in the fabric of society, cultural and religious traditions paint the backdrop against which honour killings unfold. Envision the conflicts individuals face when their choices challenge these time-honoured traditions. It's a struggle between personal autonomy and the weight of cultural expectations, where deviation is often met with grave consequences.

### Protecting Reputation

Families, like individuals, yearn for acceptance within their communities. Consider the anguish experienced when allegations, whether founded or not, threaten the family's reputation. The fear of being shunned becomes a powerful motivator, sometimes leading families to make choices that tragically sacrifice the well-being of their own members for the preservation of societal respect.

### Legal Challenges

The legal landscape, while intended to provide protection, often falls short in the face of honour killings. Imagine the frustration and helplessness of victims when legal frameworks prove inadequate. Strengthening these frameworks becomes a lifeline for those seeking justice, emphasizing the urgent need for legal reforms that prioritize the well-being of individuals over cultural norms.

## Economic Struggles

Picture the daily struggles of families facing economic hardships and limited access to education. In such challenging circumstances, choices are often constrained, and the pressure to conform to societal norms becomes even more pronounced. Economic struggles become intertwined with cultural expectations, pushing families to extreme measures to navigate a complex web of tradition, survival, and societal acceptance (Singh & Bhandari, 2021).

## Human Stories

Behind the stark statistics lie the deeply human stories of individuals grappling with love, aspirations, and the desire for autonomy. Each case of honour killing represents a unique tragedy, a story of hopes and dreams cut short by the rigid constraints of societal norms. It underscores the importance of recognizing the humanity in every narrative, urging societies to foster empathy and understanding in the pursuit of meaningful change.

## Current Legal Framework

The legal framework in Pakistan recognizes honour killings as criminal offences, with specific sections in the Pakistan Penal Code addressing cases of murder driven by perceived violations of family honour. Despite these legal provisions, the actual implementation and effectiveness of these laws encounter significant challenges.

## Landmark cases from History

### Mukhtaran Mai (2002)

Mukhtaran Mai, a woman from a village in Punjab, gained international attention after she was gang-raped as a form of honour revenge. Instead of succumbing to societal pressure, Mukhtaran Mai chose to speak out against her attackers, challenging traditional norms and advocating for women's rights. Her case prompted a reexamination of honour crimes and women's rights in Pakistan.

### Farzana Parveen (2014)

Farzana Parveen, a pregnant woman, was stoned to death outside a Lahore courthouse by her family members for marrying a man of her choice. The case drew attention to the prevalence of honour killings and the vulnerability of women who marry against their family's wishes.

### Qandeel Baloch (2016)

Qandeel Baloch, a social media celebrity and model, was murdered by her brother in what was widely perceived as an honour killing. Baloch was known for her outspoken and bold social media presence, challenging conservative norms. Her tragic death shed light on the perils faced by women who defy societal expectations.

### Zeenat Rafiq (2016)

Zeenat Rafiq was burned alive by her mother in Lahore after marrying a man of her choice against her family's wishes. The brutality of her murder brought attention to the extreme measures taken by families to enforce their perceived honour.

### Asma Aziz 2019

Asma Aziz, a woman from Lahore, alleged that her husband and his accomplices tortured and shaved her head for refusing to dance in front of strangers. Her case shed light on domestic violence and the abusive practices often hidden behind the guise of preserving honour.

## Relevant Sections in the Pakistan Penal Code

### Section 299: Murder

This section outlines the general definition and parameters of murder, encompassing instances where an individual unlawfully causes the death of another person.



### Section 302: Punishment for Murder

Section 302 establishes the punishment for murder, which includes the death penalty or life imprisonment, depending on the circumstances of the case.

### Section 311: Punishment for Murder by Family Member

Section 311 specifically addresses situations where the murder is committed by a family member in the name of preserving family honour. This section acknowledges the distinct nature of honour killings and seeks to apply appropriate legal consequences.

### Challenges in Implementation

- Despite the existence of these legal provisions, there are often loopholes and ambiguities that perpetrators exploit. In some cases, the charges may be reduced or mitigated, leading to lenient sentences.
- Cultural and societal pressures can undermine the enforcement of these laws. Victims or witnesses may face intimidation, coercion, or familial expectations that hinder the reporting of honour killings and subsequently impact the legal proceedings.
- Inadequate investigation and prosecution of honour killings contribute to a lack of accountability. Limited resources, coupled with societal biases, may result in cases being inadequately pursued or dismissed.
- Informal justice systems, such as jirgas (traditional councils), can sometimes supersede formal legal proceedings. In certain instances, these local practices may conflict with national laws, creating challenges in ensuring consistent and effective justice.
- The absence of robust witness protection programs exposes those willing to testify against perpetrators to significant risks. The lack of protection may deter potential witnesses, further complicating the prosecution process.

Addressing these challenges requires a comprehensive approach, including legal reforms, increased awareness, and the development of mechanisms to protect witnesses. The subsequent sections of this investigation will explore potential reforms and interventions necessary to strengthen the legal framework and enhance the prevention and prosecution of honour killings in Pakistan (Vitoshka, [2010](#)).

### Challenges in Addressing Honor Killings

- Existing legal frameworks may be susceptible to exploitation due to loopholes or ambiguities. Perpetrators may manipulate these gaps, resulting in sentences that are lenient or, in some cases, leading to the acquittal of those involved in honour killings.
- The deeply ingrained cultural and societal norms surrounding honour killings pose a significant obstacle to the effective implementation of legal measures. Victims and witnesses often encounter intimidation, coercion, or familial and community expectations that hinder their willingness to come forward, thereby making it challenging to secure convictions.
- The absence of adequate protection measures for potential victims and witnesses further compounds the challenges. Fear of reprisals or lack of security measures can deter individuals from reporting incidents of honour-based violence. This contributes to a pervasive culture of silence, where the victims and witnesses remain reluctant to engage with legal authorities.

Addressing these challenges requires a comprehensive and multi-faceted approach. Legal reforms should aim to close existing loopholes, strengthen protections for victims and witnesses, and create an environment where reporting honour killings is not only feasible but actively encouraged. Additionally, societal interventions, awareness campaigns, and community engagement are crucial to challenging the cultural norms that perpetuate these challenges and inhibit the effective implementation of legal measures. The subsequent sections will delve into potential reforms and interventions necessary to overcome these obstacles and establish a more robust legal framework for preventing and prosecuting honour killings in Pakistan (Raza, A. [2006](#)).

## **Proposed Reforms and Recommendations for Addressing Honor Killings in Pakistan**

### **Legal Clarity and Stringency**

Enhance legal provisions to address honour killings with clarity and stringency. This involves closing existing loopholes, revising definitions to ensure comprehensive coverage, and establishing mandatory sentencing for perpetrators. Strengthening the legal framework will contribute to a more robust and effective response to honour-based violence.

### **Societal Awareness Programs**

Implement comprehensive awareness programs targeting cultural norms that perpetuate honour killings. Educational initiatives and community engagement efforts should challenge existing attitudes, fostering a culture of tolerance and respect. By addressing root causes and promoting understanding, these programs aim to change societal perceptions surrounding honour and violence.

### **Witness Protection Programs**

Develop and implement robust witness protection programs specifically tailored to cases of honour killings. Ensuring the safety and security of individuals willing to testify against perpetrators is crucial for encouraging reporting and building strong cases for prosecution. Witness protection measures should be comprehensive and include relocation, confidentiality, and ongoing support.

### **Swift and Fair Judicial Processes**

Expedite judicial processes related to honour killings to ensure cases are handled promptly and fairly. This involves streamlining legal procedures, reducing delays, and providing specialized training to judicial officials. Sensitizing the judiciary to the unique dynamics of honour crimes is essential for fair and effective legal proceedings.

### **Collaboration with NGOs and Advocacy Groups**

Foster collaboration between the government, non-governmental organizations (NGOs), and advocacy groups to amplify efforts in eradicating honour killings. Support networks can offer resources for victims, facilitate community outreach, and contribute to changing societal attitudes. Partnerships with civil society organizations can strengthen the collective response to combat honor-based violence.

### **Counseling and Support Services**

Establish counselling and support services dedicated to victims and their families affected by honour crimes. These services should address the psychological impact of such crimes and assist in the reintegration of survivors into society. By providing emotional support and rehabilitation, these services contribute to the healing process and empower victims to rebuild their lives.

These proposed reforms are interconnected and aim to create a comprehensive and holistic approach to combat honour killings in Pakistan. By addressing legal, societal, and support-related aspects, these measures aspire to bring about meaningful change and contribute to the eradication of honour-based violence in the country.

## **Conclusion**

In conclusion, the issue of honour killings in Pakistan demands urgent attention and concerted efforts across legal, societal, and support dimensions. Despite the existence of legal provisions within the Pakistan Penal Code, the challenges in effectively addressing and preventing honour killings are multi-faceted. The proposed reforms outlined in this investigation present a comprehensive strategy to tackle the complexities associated with honour-based violence. Enhancing legal clarity and stringency, coupled with expedited and fair judicial processes, forms the foundation for a more robust legal framework. Closing loopholes, revising definitions, and establishing mandatory sentencing contribute to a system that is better equipped to prosecute perpetrators and deter potential offenders.



Societal awareness programs play a pivotal role in challenging deeply ingrained cultural norms. Educational initiatives and community engagement efforts are vital for fostering a culture of tolerance and respect, ultimately transforming societal attitudes towards honour and violence. Witness protection programs are indispensable for ensuring the safety and security of those willing to testify against perpetrators. By addressing the fear of reprisals and providing comprehensive protection measures, these programs encourage reporting and strengthen legal cases. Collaboration with NGOs and advocacy groups further amplifies the impact of reforms. These partnerships contribute to eradicating honour killings by providing support network resources for victims and actively working towards changing societal attitudes through community outreach. Counselling and support services represent a compassionate response to the psychological impact of honour crimes on victims and their families. These services are integral to the healing process and assist survivors in reintegrating into society. In essence, the proposed reforms aim to create a synergistic and holistic approach. By addressing legal shortcomings, challenging cultural norms, ensuring protection, fostering collaboration, and providing support services, Pakistan can strive towards the eradication of honour killings. The success of these reforms hinges on the commitment of legal authorities, civil society, and the broader community to effect lasting change. Only through a collective and sustained effort can Pakistan build a society where the values of justice, equality, and human rights prevail over the tragic legacy of honour-based violence.

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