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RESEARCH PAPER

Effectiveness of Legal Frameworks for Honour Killings in Sindh: The **Impact of Sociocultural Influences**

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ABSTRACT

This study examines the legislative measures aimed at curbing honor killings in Pakistan, alongside the sociocultural elements that impede their effective implementation. It explores the interplay between law and morality in regulating and controlling so-called 'honor' killings, with a specific focus on the Sindh province of Pakistan. Utilizing a qualitative approach, the research highlights the existing legal frameworks designed to protect women. However, these frameworks are often undermined by a weak law enforcement system and entrenched cultural norms. The findings emphasize that beyond legal reforms, sociocultural transformation is crucial to addressing the root causes of honor killings. The study concludes with a call for a multidimensional strategy, encompassing legal amendments, public awareness campaigns, and targeted training programs aimed at shifting societal attitudes that negatively impact women's rights. It also advocates for community-based solutions and enhancements in public and legal education. For future research, the collection of primary data is recommended to capture contemporary views and regional variations more accurately. This approach would facilitate a comprehensive analysis of the barriers to eradicating honor killings in Pakistan.

Honour killings, Legal framework, Sociocultural influences, Gender rights, Sindh **Keywords:** Introduction

Honour killings, referred to as "karo-kari" in rural Sindh, Pakistan, represent a severe violation of human rights wherein women are predominantly murdered by close relatives in the name of family dignity. These killings are motivated by a desire to avoid perceived social or religious disgrace, such as adultery, defiance of arranged marriages, or lifestyle choices that contravene traditional norms (Javed, 2019). The underlying rationale is that family honour is believed to be restored by eliminating the individual perceived to have tarnished its reputation. Offenders often face minimal consequences, highlighting the complicity of societal norms and the inadequacies of the legal system in addressing such crimes (Nazar, 2020).

Statistics indicate that approximately thousands honour killings are recorded annually in Pakistan, predominantly in the Sindh and Punjab provinces. This data underscores a deeply rooted cultural and structural issue, exacerbated by legislative loopholes (The News, 2023; Malik et al., 2023). In the first half of 2023, Sindh Province alone reported 123 cases of honour killings, emphasizing the persistent and geographically concentrated nature of these practices. This situation necessitates comprehensive legal and educational reforms aimed at addressing both the acts of honour killings and the cultural acceptance that perpetuates them (The News, 2023).

The practice of honour killing, wherein family honour is esteemed above individual rights, particularly those of women, is deeply entrenched in the patriarchal infrastructure of Pakistani society. These social frameworks provide a foundation for the persistence of this practice, even in the face of existing laws prohibiting it (Gauhar, 2014). The continued prevalence of honour killings reflects a complex interplay between traditional norms and the current legal framework. Thus, legal reforms must be accompanied by corresponding shifts in societal norms and values to effectively combat this issue (Anwar, 2019).

Despite the enactment of the Criminal Law Amendment Act 2016 and other related legislation, a significant disparity remains between the laws on the books and their implementation. The legal system's inability to effectively address honour killings highlights deeper social underpinnings of gender inequalities and the prioritization of family honour over individual freedom (Muzaffar, Khan, & Karamat, 2017) Ahmed, 2023). To address these cultural and legal obstacles, mitigation strategies must include comprehensive public awareness campaigns and a holistic approach to legal education. This approach should aim to align societal norms with ethical standards and human rights requirements (Ullah, 2022; Shahid et al., 2024).

In Pakistan, honour killings represent a significant social problem, underscoring a substantial gap between legal frameworks and their practical implementation. Therefore, some question arises What cultural barriers hinder the enforcement of law against honour killings in Sindh? How does the Social Constructionist perspective reveal the strengths and weaknesses of legal framework against honour killings? This disparity arises from a patriarchal culture that values family honour above individual rights, particularly those of women. It is further exacerbated by a lack of public awareness and insufficient legal education, both of which fail to challenge deeply entrenched cultural norms (Ullah, 2022; Shahid et al., 2024). This research aims to evaluate the efficacy of legal frameworks against honour killings from a sociocultural perspective in Pakistan.

The remainder of the study is structured as follows: Section 2 provides a comprehensive review of existing literature on the topic. Section 3 outlines the research methods and models employed in the study. Section 4 presents a thematic analysis of the data and discusses the findings. Section 5 offers conclusions drawn from the study and provides policy recommendations based on the findings.

Literature Review

Sociocultural Factors Influencing Honour Killings

In Pakistani society, honour killings being practised are highly influenced by the existing cultural constructs where family honour, as the word "izzat" defines itself, is more important than individual rights particularly those of women. Such societal esteem of honour justifies the use of violence to restore a family's image, many times resulting in the routine killing of women believed to have disgraced the family (Ali, Latif & Zafar, 2020). Gender stereotypes and cultural values simply add to women's vulnerability, forcing them to comply with rigid social rules that define their behaviour, appearance, and life decisions, all to sustain the patriarchal status quo (Muzaffar, Yaseen & Ahmad, 2018;Ullah 2022). These family dynamics, whereby male relatives have a decisive say in women's lives, uphold a vicious cycle of violence which is both an outcome and a cause of patriarchal dominance (Muhammad et al., 2018).

Additionally, the intermix of religious and tribal traditions intensifies the problem of honour killings. Many religious texts and tribal rituals give the sense of honour as one very important societal problem, and that is why honour killings are still seen as the correct way to protect cultural and religious integrity (Zia, 2019). The effect of tribal customs which give priority to the collective honour of the tribe instead of individual rights helps to accept such killings within the communities and motivates the continued allegiance to the traditional structures that support honour-based violence (Hongdao, 2018). This intricate web of cultural, religious, and social norms constitutes part of an insurmountable obstacle

to honour killings' elimination as these practices are deeply vested with the community's identity and honour so that they, despite legal prohibitions, may stay unchanged.

Challenges in Enforcement and Implementation

In Pakistan, the implementation of anti-honour murder laws is challenged by deeply rooted traditions and social acceptance, in which community honour is mostly placed over individual rights with women being the victims. It creates a culture in which the perpetrators are mostly excused and given impunity, so people in the community may think of them as solving family honour rather than committing an unlawful act (Ullah, 2022). Challenges confront law enforcement agencies from these patriarchal norms that hinder their operational effectiveness, as family ties and traditional gender roles influence their willingness and ability to pursue justice against honour killing (Ali, Latif & Zafar, 2020). Further, the existing framework faces legal ambiguities and loopholes, and hence many of the perpetrators have escaped punishment (Muhammad, Ramzan & Awan, 2018).

Furthermore, the judicial framework remains weak ranging from the court system to law enforcement officials and other agencies mandated to tackle such culturally complex cases, resulting in the mishandling of perpetrators and their lenient sentencing (Rafi, 2019). Cultural factors such as religious and tribal norms further increase the complexity of legal interventions, as these cultural aspects that are deeply valued and respected also reinforce the difficulties of legal reform and effective law enforcement (Chandio et al. 2024; Hongdao, 2018). While legislative reforms are designed to strengthen the rights of victims and provide harsher penalties for the offenders, they still do not pursue the changes of the society's and culture's attitude towards the problem. Therefore, legal experts and human rights advocates are equal participants in that debate including Shahid et al. (2024) and Bhatti and Hussain (n.d.) advocate a holistic view that combines legal reforms and societal education to transform the community's perception of honour, gender, and justice in favour of a rights-based approach that will eventually make for the elimination of honour killings.

Role of Public Awareness and Legal Education

The role of public awareness campaigns and legal education is very crucial when it comes to addressing honour killings in Pakistan as it strives to shift entrenched cultural norms and prejudices. These campaigns are aimed at the long-term goal of the global recognition of this issue. These campaigns ultimately lead to the erosion of social biases and the formation of community leadership in tackling honour-based Crime (Tunio, 2024; Gauhar, 2014). Nevertheless, the efficacy of such campaigns is affected by cultural barriers, especially in rural areas where traditional values and practices are dominant. This is compounded by the challenge that most of these campaigns do not portray a true image of the ethnic groups that they are supposed to represent, but rather reinforce negative stereotypes and promote messages that are exclusive and culturally insensitive (Ali, Latif & Zafar, 2020; Ullah, 2022). Tailored communication strategies that effectively connect with different segments of the community are a key factor in fostering lasting change.

In addition, legal literacy should be promoted, mainly among women who are most at risk of honour killings, to empower them to resist violence and avail legal justice. Education programs focusing on people's legal rights and protections can immensely aid in uprooting honour killings' impunity (Muhammad, Ramzan & Awan, 2018). However, in some cases, the distribution of legal education is not uniform by far, and often the most marginalised communities have to deal with constraints like illiteracy and lack of legal services (Rafi, 2019). Comprehensive legal education endeavours must not just raise the level of awareness but rather develop deep knowledge and understanding of gender issues, human rights, and the rule of law (Shahid & Awan, 2024). Comprehensive public participation can only be achieved through the involvement of the government, civil society, and religious leaders, which will transform the attitudes of the society and hence, ensure

that educational activities contribute to substantial and enduring social change (Zia, 2019; Bhatti & Hussain, n. d.).

Material and Methods

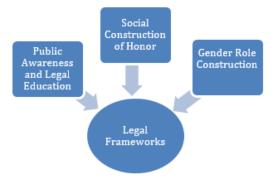
Research Design and Data Collection

This study used an in-depth qualitative research design and, a deductive approach based on Social Constructionist Theory. Through critical analysis, the role of social norms in honour killings in Pakistan is explored. Through the adoption of interpretivism as a research philosophy, the research focused on revealing the subjective experiences and social significance inherent in honour killings, investigating the different perspectives using secondary data sources. Data collection was done using databases such as Google Scholar, JSTOR, Hein Online, and Pakistan Research Repository allowing us to access many scholarly articles, legal documents, and country-specific studies and reports from recognised sources such as the Human Rights Commission of Pakistan and the United Nations Office on Drugs and Crime. The search method used 'Honour Killings', 'Law Frameworks', and "Societal Construction of Honour' added with Boolean operators which will help refine the number of articles to be considered over the next nine years. This strategy entailed a thorough study of events within the confines of Pakistan's geographical area and eliminated non-peer-reviewed sources while all materials were either in English or English translations to maintain the work's depth and integrity.

Conceptual Framework

In this study, Social Constructionist Theory was used to analyse the interaction among social norms, values, and the legal system to honour killings in Pakistan. This theory implies that societies are structured through interactions and communication and therefore gives a solid idea about the cause and judicial handling of honour killings due to the specific views on honour and gender. The factor that is critical for this research is the legal system which gives a clue to Pakistan's competence to challenge the honour killings dealt with through the efficiency of the crime rates, the conviction rates, and the public confidence in the legal system, a data source coming from the Human Rights Commission of Pakistan and the United Nations Office on Drugs and Crime.

One of the key variables is the construction of Societal Honor which deals with the public perception of honor and its effect on criminal trials; the second is the Gender Role Construction, which investigates how gender views affect legal proceedings concerning honor crimes; and the last is the public awareness and legal education, which occupy the space between public attitude and legal mechanism. These components in unison strive to eventually build a fully-fledged account of the offending and the perceived legal forces involved in the struggle to eliminate honor killings through the transformation of society and the law reforms.



Legal Frameworks Against Honour Killings in Pakistan

In Pakistan, the law concerning honour killing has grown broadly but is still replete with impediments. The most common form of murder, honour killing, the killing of a member of the family usually a woman over some imagined disgrace brought to the family, is regulated by different legislative frameworks, including PPC, Qisas, and Diyat, and certain provisions of Islamic Law. Each framework can contain both provisions which are the remedies to the said problem and limitations which could be laid down and could stop the pendulum of justice.

Legal Framework and Provisions

Pakistan Penal Code (PPC): The Criminal Law (Amendment) (Offences in the Name or Pretext of Honor) Act of 2016 had significant amendments that put forth much-needed modifications to stop the trend of honour killings. The part that is most significant in these provisions is Section 311A which stipulates violations of honour killings as non-compoundable offenses. This exemption had a crucial purpose because the perpetrator otherwise could be pardoned by the victim's legal heir.

Qisas and Diyat Laws: By the Qisas and Diyat Ordinance, which derives from the Islamic concept of retribution (Qisas) and compensation (Diyat), the traditional victim's relatives had a right to either overlook the offence or receive some money in the amount of blood money. On the other hand, this allowed perpetrators of honour killings to avoid punishment. In 2016, some amendments were made to try to stop any loopholes that may have occurred in the forgiveness law through the mandatory 10- 25 years' imprisonment.

Islamic Law Influence: The implementation of the Sharia brings another dimension of complexity to the Pakistan legal system. Although varied interpretations can affect how the legal process is established in honour-killing cases, especially in most conservative regions, where it could be viewed through a different lens of culture and religion.

Procedure

In Pakistan, the legal process starts from the lodging of the First information report (FIR) to the conviction of honour murder cases. This procedure involves several important stages, each completed by different sections of the Penal Law.

Filing of FIR: The process starts with lodging an FIR about honour killing under Section 154 of the PPC, which is the original complaint and case record. Hereby this document serves as the first document of the legal system. It is a detailed description of the event as recalled by the complainant and includes specifics of the event, the accused, and any possible witnesses.

Arrest: FIR is usually followed by the arrest under Section 54 of the PPC. In this part of the procedure, the accused can be detained without an arrest warrant, considering the magnitude of the crime that is levied against him. The arrest is the first formal step against the suspect that notes the change from being a reported event into a case that is being investigated.

Investigation: The investigation is an important stage that is conducted under the provisions of section 156 of the PPC. An investigation process entails gathering evidence, which might include forensic analysis, witness statements, and any objects found at the scene of the crime. Investigators are concerned with creating a comprehensive case file that is backed by clear evidence that ties the accused to the crime.

Charging the Accused: After sufficient evidence is gathered charges are then formally laid out under Section 302 of PPC, which deals with qatl-i-amd (intentional

murder). The prosecutor of the investigating officer files the charges in the Sessions Court indicating the move of the trial phase from the investigating phase.

Trial: The trial of the accused starts in a Sessions Court, which is the higher court and deals with serious offences like murders. During the trial, the prosecution and the defence are allowed to give opening statements and examine witnesses and arguments. The judge then closely scrutinises all of the presented evidence by Section 302 of the PPC, verifying whether it meets the relevant legal standards for murder.

Sentencing: If the accused is found guilty, sentencing takes place under Section 302 of the PPC. The sanctions range from the death penalty and life imprisonment to the minimum term of imprisonment for 25 years to be served in prison and this will depend on the severity and situation of the crime. The latest amendments have been proposed to impose tighter penalties for honour killings. As a result, family forgiveness only means lighter penalties in most cases.

Appeal: The convicted party can file an appeal against the decision under Section 410 of the Code of Criminal Procedure. Appeals can be heard in the High Court which is even heightened to the Supreme Court in cases of capital punishment or any other legal or procedural issues.

Effectiveness of Legal Frameworks

The effectiveness of Pakistan's legal system in the battle against honour killings is compromised by the social norms underpinning legal procedures. The scholars, for instance, Ali, Latif, and Zafar (2020) uncovered complex situations where a cultural practice masked the legal change. However, this research has demonstrated that the issue of such cases continues to be prevalent in villages where the community is still rooted in traditional values. This disparity in law enforcement across different regions highlights a fundamental challenge: social approval for the ruling of the law that prefers the preservation of the honour of the family over the liberation of the individual is very high.

Shahid et al. (2019) brought to light the fact that the Criminal Law (Amendment) Act 2016 was not very effective in toughening the penalties for honour killings. The major obstacle arises from the fact that the killing of a girl or woman is condoned and also the application of reconciliation and confession that finally result in the release of the culprits after the family of the victim has forgiven them. Therefore, refutation of such factors defeats the punishment goal of the legal system, whose aim is to prevent those acts.

The other vital problem mentioned by Khan (2020) is the abuse of 'the grave and sudden provocation' defence that was also used as a way of reducing sentences in honour killing cases. Through this legal lapse, the perpetrator can even claim self-defence, which turns into a reduction of culpability and sanctions. This insulation not only develops the amnesia of guilt but also highlights the justice system which is too often unfaithful to the rule of law than to the cultural version.

The disparities in implementation and outcomes of these laws are also striking just as stated by Tariq et al. (2023). Despite this research, it is evident that the disparity in the usage of Islamic law has tremendously affected the legality in Pakistan, which, in turn, leads to significant complications in the processes. In some regions, regional views of Sharia which permit such honour-based violence are in total disagreement with state laws that seek to protect women from such forms of violence.

However, effective implementation of the policies is limited by a lack of public awareness and legal education about individual rights and protection. Gauhar (2024) and Tunio and Nabi (2021) brought to the fore that the eradication of honour killings without

general public education programs and cultural changes in the view of honour and gender roles becomes difficult because of landlord elites. This view is supported by the findings of Hongdao et al. (2018) on legal awareness among general people as well as law enforcement agencies, which are very low and may significantly reduce the effectiveness of enforcement of the existing laws.

Besides the measures aimed at enhancing legal control, the extremely high rate of social approval of honour killings becomes another fundamental issue, which challenges the laws. In some situations, the social recommendations can result in the refusal to report such crimes and communities can also choose to conceal the perpetrators from the legal authorities, as shown by the study of Ullah (2022). This internal discriminatory attitude towards honour-based violence in the communities supports not only the perpetuation but also resists legal reforms.

Therefore, Pakistan has made legislative advancements to curb honour killing but the effectiveness of these legal frameworks is still significantly hampered by cultural resistance, legal loopholes, and enforcement deficit at the regional level. Comprehensive measures that integrate legal reforms with intense public awareness campaigns together with educational measures are necessary to change public attitudes and effectively confront the cultural and societal values that sustain honour killings.

Impact of Sociocultural Influences

The far-reaching influence of sociocultural phenomenon on the legal framework in combating honour killing in Pakistan is illustrated in various recent studies. Such influences usually outweigh the established laws; therefore, they hinder the implementation and effectiveness of laws created to protect women from barbaric practices.

The core issue is the over-arching **patriarchal structure** in Pakistan society, which gives family honour the highest admission at the expense of women's rights, specifically individual rights. As Gauhar (2014) marked, a woman's conduct is viewed as a reflection of the whole family's honour, and any fault seems to justify brutal drastic decisions, such as murder. It is this age-old belief system that pushes for the continuation of honour killings and also influences the way communities and judicial systems act on such incidents usually giving light custodial sentences to the perpetrators.

Ali, Latif, and Zafar (2020) also elaborated on the fact that the norms of honour and morality are the main aspects of **cultural norms** that are still being used today. They mention that acceptance of these actions brings about law enforcement impediments to the extent that communities support and even praise these perpetrators as defenders of family honour. The lack of community support makes prosecution of honour killings very difficult as witnesses would be less likely to testify and community leaders might use avenues of influence to dismiss such cases.

Furthermore, **religious interpretations** which promote the practice of honour killings also aggravate the issue. As Tariq et al. (2023) showed, different approaches to Sharia law may be in alignment or contradiction with legislative reforms designed to prevent honour killings. Regions where orthodox interpretations abound and religious justifications override legal penalties could lead to a situation when efforts to enforce the country's law uniformly will be complicated.

The gender role is also quite crucial for the family dynamics of honour killings. Ullah (2022) highlights the way that women in Pakistan are assigned traditional roles that put them at a great disadvantage, not only socially but also legally as well. Women are often perceived as the personification of family honour and any disregard of the defined functions can be sufficient material for violent retribution. This gendered imposition is not just a

reason but also a factor that causes doubt in the minds of the legal machinery and that may result in reducing the likelihood of the conviction.

Public education and legal education have a crucial part in resolving these problems. Shahid et al., (2024) pointed out the necessity of holistic approaches which combine law reform with social and cultural interventions. Increasing public awareness of the legal rights of women and the fatal consequences of honour killings has the power to shift the societal mindset. Also training lawyers to pay attention to gender sensitivities and laws against honour killing might help better treatment of such cases by the legal system. Even though the legal system of Pakistan grants grounds for actions to prevent honour killings, the power of the defenders is largely weakened by sociocultural factors such as patriarchal norms, cultural interpretations of honour, religious understandings, and gender roles. For the proposed legal system to be effective, combined efforts will be necessary to both reform legislation and shift the public perception of it. This two-fold plan makes it possible to create an atmosphere where gender-based violence is not the norm, and gender equality is the rule. Using these multidimensional measures only the fight against honour killings will be able to be successful.

Conclusion

This research concludes that legal and cultural factors have a substantial impact on the occurrence and management of honour killings in Pakistan. The study contends that the legal frameworks such as the Criminal Law (Amendment) Act of 2016 aimed at tackling honour killings are ineffective because of the rootedness of social and cultural factors that undermine them. The patriarchy in Pakistani society places family honour as a priority above personal freedom and is thus justified if women are seen as a source of family shame and dishonour. In addition to the supporting factor of the socio-cultural context, it also affects the legal processes, including the reporting and trial of the cases. Stand-out cultural norms and specific gender norms classified within the behaviour and social status of women mostly create immense barriers to the effective implementation of laws. Moreover, the disparity between Islam's application in different regions is another ingredient of complexity that hinders the uniformity and effectiveness of prescriptions against honour killings.

Besides that, the research underlines the key role of public awareness and legal expertise in changing the attitude of society toward honour killings. According to the study, laws protecting women's rights and prosecuting honour killings are there. Still, people's low level of education and awareness of these legal provisions prolong the cycle of violence and legal impunity. The campaigns for education and legal reforms must be intensified and should be more intentional with campaigns for the cultural shift of perceptions and practices. However, only through a thorough struggle which is carried out at legal, educational, and cultural levels can the ancient patterns of honour killing be efficiently challenged and eliminated. This research highlights the need for a holistic approach that would not only eliminate the legal gaps but also lead to the social transformation to gender equality and the respect of human rights, thus enhancing the total effectiveness of the legal frameworks against honour killings in Pakistan.

Recommendations

The research results showed that Pakistan's legal system needs to be revamped to change the laws related to honour killings, strengthen enforcement mechanisms, and provide stiffer penalties for perpetrators. Police and justice agencies must be allowed to enforce these laws without being swayed by social prejudice.

Moreover, sociocultural interventions play a significant role. NGOs, community leaders, and religious organisations should join forces in community-based programmes that seek to undermine the age-long norms and beliefs about honour. Programs such as the holding of workshops, awareness campaigns, and support group meetings are supposed to raise women's self-esteem and promote gender equality.

Finally, the awareness and education of the public should be increased. The main stakeholders namely governments, educational institutions, and NGOs should make an effort to erase myths about honour killings and integrate human rights and gender equality education into school programs. Enhanced training for crime control and judicial staff is also needed to handle honour killings cases properly.

Limitations and Future Directions

The fact that this study relies on secondary data that may not entirely reflect the present scenario of attitudes and practices of enforcement within different parts of Pakistan is one of the limitations. More research can be yielded using data that are obtained directly using interviews and surveys with law enforcement officials, legal practitioners, victims' families, and community members as they offer a more comprehensive and up-to-date picture of the problems.

Furthermore, the study primarily covers legal and sociocultural parameters which may not include the regional variations in the customary practice and understanding of honour killings. Further research must be carried out at a regional level which includes studying the cultural, legal, and law enforcement aspects of different provinces or regions of Pakistan to formulate comprehensive and effective interventions and reforms.

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