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Honour Killing In Pakistan: A Theoretical Analysis

Abstract

Pakistan being the member to the UN Charter and signatory to a number of International Conventions and Treaties is under so many obligations to take essential measures for the protection of the women rights and stop the killings in the name of family honour and prestige. Mainly the problem is of the enforcement of the laws and fulfillment of the constitutional provisions. Major cause of the honour killing and non-enforcement of laws are deeply rooted in the socio-economic and politico-cultural and religious systems of the land. These factors cannot be changed over nightly by law or administration. However, these can be changed through a gradual process of education, acculturation, and social engineering. All these processes, if initiated effectively can yield positive results in short span of time. It is because the structural and instrumental changes can be brought in with no time, but change of minds, values, and traditions are always deadly slower, so to combat this social evil (honour killing) theoretical analysis of the phenomenon is unavoidable.

Keywords: Honor killing, structural violence, feminism, social evil, women rights.

Introduction

This research study aims to characterize and evaluate the concept and genesis of honour killing. A number of studies have been done over the years to explore and to address the complex phenomenon of honour killing. There are varieties of theories which give a distinguished approach towards this concept. A large number of factors contribute to influence the psychological, biological and socio-economic factors of this problem. Psychological theories garner the intrapsychic structure that influences this gender discrimination. According to the biological theories, gender difference emerging from the biological variation differences in both male and female creates a genetic diversity; which further creates a sexual orientation generating more contradiction and clash of ideas.[1]

Theories of psychology are more accentuated towards gender notions and psychological styles, within the community transmission model (a potential model for successful prevention and control). An integrated conceptual framework, social cognitive gender-role development and functioning theory integrate both sociology and social structural determinants.[2] Gender and role attitudes in this perspective are the product of a large network of social influences which work both in the families and in many social systems in everyday life, which advocates a multifaceted system of social transmission not exclusively a social model.

This research argues to incorporate the theories of feminism (Theory of Violence) into the theories of peace, by analyzing which is missing but not confronting. Johan Galtung's theory of violence is taken as a key point, as it is widely uncontested in peace studies. Galtung's articulation of direct, structural, and cultural violence offers a unified framework within which all violence's can be seen.[3] On the other hand, feminism can contribute to enrich Galtung's theory of violence in four possible ways:

- While embodying relation of power, it needs to incorporate notions of gender in social construct.
- Dichotomous, categories of gender formulate the understandings of the world which are the main source of production and reproduction of violence at all levels.
- Gendered language defines the possibility and impossibility of pursuing different visions of the social world. Violence and peace can be constituted through language.
- Violence produces and defines gender identities which are produced and defined by them.[4]

These contributions can play a vital role in implications of peace studies. Only by taking gender seriously as a category of analysis, and to accept violence as "natural" one can give prescriptions for the violence free society.
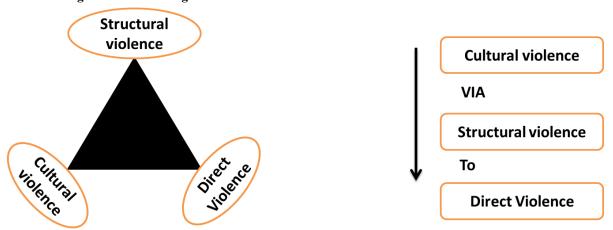
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Structural, Cultural and Direct Violence:

In 1969, when Johan Galtung introduced the critical distinction between personal and structural violence, he introduced the concept of violent behavior in Violence and Peace paradigm first time. The concept of cultural violence was introduced in 1990. Whereas personal violence is subject violence, structural violence is subject-free violence, and cultural violence is a legitimization of both personal and structural violence. According to him Violence is built into the system of structural violence that depicts the unequal power and opportunities for life and this unequal distribution of the resources leads to structural violence. Resources are seen in this understanding not only as material or economic but also as non-material, including education healthcare, etc. There is a strong case of personal violence for Galtung when one husband is beating his wife, but 1 million husbands have a structural violence in ignorance.[5]

Johan Galtung proposed a violence theory based on the fact that overt, intimate violence is only one of three forms of violence. There are more subtle but not less damaging categories of violence in society, namely structural and cultural violence. Galtung understands, for example, that deprivation or media attention are violent types. However, he acknowledges that the only way of achieving true peace is by reducing aggression at all levels.[6]

Johan Galtung's Violence Triangle:

Violence is defined as a direct violence, structural violence and cultural violence by means of the types described above, as a super-type of violence placed at each corner of the triangle (violent) as an image of violence. The image invoked is cultural violence, when its' direct' and' structural violence' feet are on the verge of both. The head offers the impression of systemic and cultural origins of direct violence when the triangle sits on its "direct violence." Direct abuse is an event. Structural abuse is a cycle of ups and downs; cultural abuse is a constant phenomenon Galtung supports the same in view of the gradual changes of basic culture, for a long time.[7]

The discussion on violence and masculinities showed that, as Galtung argues, gender relationships are more than just a cultural environment that makes violence permissible and valid. Violence is made possible both by the nature of relationships between power and gender and by aggression. In a relationship of shared contract, aggression and gender are concerned. The prevailing point of view is that a partnership between peace studies and feminism can only take feminism seriously and redefine its philosophy, principles and definitions based on the assumption that gender is an essential and realistic field of study. Through re-examining Johan Galtung's theory of violence in the context of "gender lenses," one can see that both peace studies and feminism really do benefit from this partnership.

Direct violence also becomes institutionalized, repeated and ritualistic, like a vendetta, thanks to the violent structure institutionalized and the violent culture internalized. In a comparison with a triangular syndrome of peace which creates structural peace, symbiotic, equitable relations among various partners and direct peace, with acts of cooperation, friendship and love this triangular syndrome of violence should be contrasted by the reality. It could be a positive triangle, rather than a self-intensifying triangle.[8]

Socio-cultural aspect was developed by Lev Vygotsky, a Russian psychologist, in 1934. It speaks about the importance of society and culture to the formation and development of the individual. It shows how parents, friends, teachers and society develop individual social, cultural, learning and cognitive functions. Similarly, the theory highlights the importance of socio-cultural values and beliefs in the development of these functions.[9]

Gender ideologies are determined systematically classify rights and obligation and which is' adapted' by both men and women's behavior. They also influences infrastructure access and control the decision-making participation. These gender ideologies often strengthen men's power, and create a situation of inferiority complex for women. Culture is sometimes narrowly interpreted as a custom or tradition and is regarded natural and inevitable. Culture is fluid and reliable despite certain assumptions. Those actors having physical, political and social authority dominate the cultures and expand their position in a certain society.[10]

Social relations are the parameters that explore and innovates social power which reinforces discrimination between genders. In a systematic approach this analysis involves household, community, market and institutions. It helps to identify the gaps between sexes, which are separated on the basis of class, race, ethnicity and culture. Its aim is to create an understanding and formulation of strategies, which improve the dynamics of gender relations in the context of different institutions. Implementation of such approaches in the practical domain is not possible.[11] Through creation of an understanding between the genders and creation of a harmonious environment through education and culture is harder in the areas subject to the honour killing evil because centuries old traditions can be rectified only through the rules coupled with harsh penalties.

Structural theorists extensively considered social and cultural structures, social classes, poverty, race, ethnicity, and ecological areas to link them with the domestic violence, although violence exists in all categories such as income, social classes and levels of education. According to this approach, the disproportionate numbers of perpetrators of violence are men, who are poor, unemployed or underemployment. These individuals and their families have not sufficient resources even to deal the basic necessities of life, thus they became violent because of the social or economic pressures.[12]

Materialistic theorists claim that family bonds are affected by external factors such as ownership of the private property. "The materialist school has two theoretical foundations, i.e. (a) personal (family) and (b) structural (state/society) which contribute to oppression and violence against women at both levels. It is imperative here to understand the conceptual notion of honour and shame, which is garnered towards the female sexuality within the social setting and it, is also highly endorsed by the prevailing social systems.[13]

Evolution of material conditions and institutions of a particular society give birth to the historical materialistic ideologies, which helped in clarification of all social and intellectual ties among the human. In the modification of women's role and status, social structure and material changes have played a significant role. For instance, surplus value has given rise to private property which is commonly owned by the men in terms of distribution of resources, which created gender disparity. Private property rights delivered more rights to men in contrast to women, which ultimately further strengthened the patriarchal system. Paternity concerns gave birth to the development of monogamous marriage institution. Post the monogamous system, the male started to guard and manage the fertility of the female to defend private property. History indicates that there are close links between economics, tradition, spiritual and sexual values in a given society.[14]

The main features of the social structures are economic exploitation and class relationships. The family is the byproduct of women's domestic labor in their homes and their need of capital for the next generation of employees. Liberalism is the second theoretical paradigm. Liberalists believe that patriarchy exists because women are denied of equal rights in education and the employment sector. They believe that the whole society has sexist attitudes towards women. Gender equality is the only solution to the problem.[15] There are established patterns of social conditioning such as customs, matrimonial practices and other cultural norms (including property structures and resource control) that are planned to bring women's sexuality and reproductive abilities under man's charge. In this regard, she excludes others from the patriarchal scheme by identifying regions that belong globally to identifying and traditional patriarchy, and assumes that western and liberals societies are less patriarchal.[16]

The concept of honour is amended although, it still can be understood as the ideology of those in a competitive arena who want patriarchal authority to determine and control women's conduct. The competitive arena

is the women's appeal for equality, contends.[17] Women obtaining more rights and freedoms are challenged to sexuality power and control. It refers to the observations in developing countries of the Middle East.[18]

Natural Rights Vs Legal Rights:

Natural Rights are the ancestral basic human rights. The right to choose a life partner as per his/her choice is one of the first fundamental humans natural right.[19] In the state of nature acclaimed by John Locke, there is absence of a government and human lives his life as per his desires and choices. People were free, equal and independent in the state of nature. He figured that natural rights were the right to life, dignity, safety and hard work. They were protected by certain obligations, which acted as the custodians of these natural rights and normally led many people to respect these rights even in the state of nature. It also applies to the very definition of freedom, the right to marry and have a dignified life, freedom from fear and threat. It encourages everyone to exercise their rights while respecting another person rights.[20]

Natural rights define two main elements of rights i.e. rights to certain freedom of conduct and the prohibition of severe damage by others. This concept is supported by the UN Declaration of Human Rights 1948, which is signed by all the member States. These are the basic rights of human being and considered as natural rights and every individual can enjoy these rights within an organized society.[21]

Legal positivism by John Austin involves natural rights and "positive law." The right to a marriage by choice is not just a right in vacuum. The right to marry by his/her own choice is not constituted in vacuum; however the concept of "positive law" enables people to marry as per their choice and legalize their marriage. The majority of society should the habit of obey the sovereign force, disseminating constructive actions. Sovereign attributes both powers as commander and enforcer of certain laws and actions.[22] Further, to substantiate such natural and basic rights of individuals most of the states have incorporated them into their constitution or the legal system. Particularly such rights cannot be left at the discretion of the tribal or clan chiefs. Pakistan is no exception in this regard. There are two distinct sets of structures within the social paradigm, which indicates aggression and protest between both sides: on the one hand assertion and violent suppression of freedom among women by the so-called savior of society and, on the other side, social activism for family honour.[23]

It is a settled fact that law can progress faster than society's ideas and customs. The legislature and courts consistently recognize the fundamental right to individual's freedom to marry and to have children, but apparently it is denied at grass-root level by the blind followers of the customs and traditions. Honour killing is occurring on an increasingly steep curve in certain specific areas/regions of Pakistan, such as the tribal areas. However, it does not mean that the rest of Pakistan is free of this social evil.[24] Legal positivism and natural rights are violated in both rural and urban area of Pakistan, where women are subject to honour killing, if they decide to marry a person of their own choice. The natural rights of women as defined by John Austin are under the severe threat in Pakistan. Issues such as elopement, accompanied by cultural relativism, are explored under the scope of traditional patriarchal theories and the Marxist orientation of historical materialism. These theories are particularly relevant as they explain the socio-economic and cultural determinants of human behavior and conditions in human rights theologies. Some of those are discussed below.

Karl Marx's under the fundamental premise of historical materialism explains that society is always in struggle, where the bourgeoisie (haves) and proletariat (have-nots) oppose each other. In the weaker segments the oppressed are always challenged with violent opposition. This theory can be related to the couples who face hostility and threats against their spouses after exercising their natural right of marriage by choice, particularly in the lower socio-economic status. "Feminist theorists are also inspired by the Marxist approach of historical materialism.[25]

Gender Disparity

Equity between women and men always leads to equity in the life outcomes considering their diverse needs and interests and providing the redistribution of power and resources. The goal of gender equity, also is related to systemic equality, overshadows the need for revolutionary change. It states that men and women have different needs, attitudes, desires and preferences and that equal treatment of men and women would have diverse outcomes.[26]

The intent of gender planning is to ensure a systematic and holistic process of gender-sensitive policy outcomes. Gender policies will necessarily begin a political process with consultation and participation of different stakeholders only when its transformation conditions are addressed.[27] The tools of gender planning include identification of gender roles, an assessment of gender criteria and the collection of compromised data at household level. Gender planning constitutes; gender genetic test, gender objectives, monitoring and evaluation procedures, gender-based consultation, participation and the identification of the entire strategy. The final aspect practice identifies the need for gender planning to be legitimized and empirically validated by known procedures. In order to ensure that policy is practical with limited dilution, capacity building amongst planners is essential.[28]

Schneider interprets honour in terms of power in society and relates it as "an ideology of a power holding class, which is characterizing, enlarge and protect the legacy in a competitive arena, throughout the context of social relations."[29]

The theoretical framework of traditional patriarchy's prestige, honour, and assertion leads to fear and reverence in couples who make the decisions and eventually to ripe marriages. The ideology of honour, which results directly from the patriarchal role of the gender includes that these roles be acted in accordance with and a source of status and acceptance within the community; and then when deviance is deemed offensive. For males the "honour" is won by steamrolling and trying to control women and young men, and lost through weakness and failure to control; To females that "honour" is preserved by subservience, obedience, house, strength and purity, that can and cannot be restored by autonomous acts particularly those of sexuality. Ultimately it is people in government in communities and in the society (men and older women who have shown that younger women have grasped the' honour' code) who establish what are' honourable' or' inexcusable.[30]

A rigid and patriarchal society denies women space for resistance and change. The theory of male power may help to clarify and identify the problem, but it cannot address the extent of gender inequality. It proposes that inequality of gender is constant over time and space. Women's empowerment is a bottom-up approach in transforming the misogynistic thoughts, by developing the awareness and capacity of individuals or groups that challenge women's subordination. It is imperative to develop a theoretical framework which draws attention to the fundamental theories pertaining to gender roles and social construction. Natural law and legal positivism play a vital role in order to grasp the socio-economic exclusion and legal status of honour killing.[31]

Gender relations are hierarchical power connections that tend to bring women at disadvantageous position. Gender planning procedures involve systemic structures of the community which codify the physical, social and economic power of men over women" Feminist theorists "use the concept of Patriarchy to explain that how overarching and tightly controlled structures systematically subordinate the women. These controlled structures favour men instead of women in constraining choices and options in society. Housework, paid work, state, culture, sexuality, and violence have been the main sites of patriarchal oppression. In retrospect to their gender, the behaviors prejudice against women is being crafted in the patriarchal society in shape of exclusion and unequal pay.[32]

Tahira S Khan argued about the status of women as an oppressed entity under the pretext of a patriarchal society. She explained that women are oppressed, because of the historical legacy of the patriarchal institutions of human society. In order to give credibility to her argument she tested her hypothesis from Marxist and Feminist approach. Albeit of these feminist approaches there are other numerous groups, sub-groups and theorists supporting the natural rights of human. Theories explaining the phenomenon of women rights can generally be divided into two categories Idealist and the Materialist.[33]

The idea that the suppressed status of women in societies is natural and is integrated into the basic tissue of society, ambitious education reflects the key genesis of the liberal feminist Education. According to this school of thought, it is the duty of a State to provide protection and equal rights to women. The idealistic approach negates the structural and economic factors that promulgate women as oppressed. The oppression of women is a social, historic and alterable phenomenon as per material theory.[34]

Discussion:

Killing in the name of honour is practiced in many underdeveloped as well as developed countries. From the previous discussion it can safely be concluded that such practices are not only illegal but contradictory with the basic principles of natural law, State law, as well the constitutional law of the country. Further, there are a large number of international conventions, covenants, declarations which emphasis to safeguard the right to life, especially the eradication of all types of discriminations against the women. Pakistan, being party to all these international instruments is under obligation to ensure the implementation of these international treaties, conventions and declarations. It is indicated that mainly this offence is being carried out and practiced through the informal, tribal or rural system of judicial administration, unfortunately recognized traditionally by the elite of the affected localities. This system is deeply rooted in the local culture of the land, totally accepted by the local population. Hence it can be said that the main supporter of such practices is the notorious system of *Jirga or Panchayat* (social institution).

The victims of the honour killing predominantly are women. The offenders are mostly the males such as husbands, brothers, or fathers of the victims. Resultantly they are rescued and safeguarded by the family by using available loop holes in the legal or judicial system of the country. If we consider the socio-economic conditions of the offenders and victims of the honour killing, it shows that the overwhelming majority of such cases are found in the lowest strata of the middle class. Because, perhaps due to their over sensitivity regarding their honour, poor education, still slavery to the antique tradition and value system. It is further revealed that cultural globalization though changed the world including Pakistan but it impact on the honour killing is limited. Scholars of this subject divide the phenomena of globalization of culture into two parts. Open global culture spread everywhere with little resistance, but the window of private cultural norms was kept closed by the elders of these areas. Even the local administration hardly dares to intervene into that domain. In this way the domestic violence against women remains out of the administrative and judicial domain.

Interesting fact found during this study is that the defenders of such practices never give any religious reference in their defence. What they say is to defend their tribal or regional norms and values. Hence the Western media's propaganda regarding the religious support to these undesired practices is not true. The local community leaders always talk to uphold their tribal and local traditions, norms and values.

The parliament of Pakistan has passed considerable number of legislations to stop such malpractices and ensure the availability of equal rights and opportunities to the women and eradication of the all discriminations against the women. Similarly international institutions also adopted a good number of legislation and protocols to eradicate discriminations against women. Pakistan being member of all such forums is bound to adopt these legislations and had ratified them as well. However, this study reveals a wide gap between legislation and the implementation. Political capital and political will are required for the eradication of such practices.

However, one positive aspect of all this case study is that the total number of such cases in such a densely populated country of 221 million people is comparatively not too high. As Noam Chomsky write, it the image constructed by Western media through highlighting certain news items while ignoring others. Such agenda setting at times ignore the flipside of the issue and presents only limited picture. Actual number of such cases is not as much higher as is posed. The poor literacy in such honour killing affected areas is a known factor. It can be countered by raising the literacy rate.

Conclusion:

While concluding, it is obvious that increasing tension increase the risk of abuse among family members. In addition to it, there are some similarities between violent families. Four common features of violent families were found: force teams. Social isolation, a similar effect on victims, alcoholism and chemical dependence but many researches show that stress does not cause domestic violence. It depend on individual behavior how he mange such situation. People select different ways to decrease stress according to what they have learned about the strategies they have worked with in the past.[35]

All these theoretical interpretations of physical violence which leads towards honour killings, explain various types of violence, but no theory specifically explains the causes of honour killing precisely because they only examine certain variables, and thus can explain the larger picture partly. In addition, while some theories can be generalized to most types of physical violence, others are particularly dealing with only one type. Moreover, certain

theories can study the causes of violence in the home, but do not explain why they prevail. However, these theories have been valuable to the study, but no single theory can prevail over all others.

Hence fighting against this evil can simultaneously be on two fronts, i.e. short term and long term where one can initiate the changes.

For the short term steps, the government needs to make the implementation of the constitutional and legal provisions quick and effective. In this regard special police squads are required to be formulated immediately, either under provincial or federal control. The local literate and reliable citizens may also be given representation in such squads. Before their posting they must be given proper training and orientation. Periodically their transfers to different regions can be ordered. If any such incident happens anywhere in the country, the administrative officers such as the Districts Magistrates or the Commissioners should be held responsible for it.

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