

Stopping 'honour' killings

President General Pervez Musharraf on Tuesday signed a Criminal Law (Amendment) Act 2004, which provides the death penalty or 25 years imprisonment to the perpetrators of so-called honour killing. This heinous and archaic practice has earned much infamy for Pakistan on the international front and has thrived thanks mostly to the failure of previous governments in dealing with the reasons for its proliferation. Girls and women in Pakistan have long borne the brunt of this custom, killed by relatives for offences that are considered to have dishonoured the family, like illegitimate sexual liaisons, or even the suspicion of such liaisons. Marrying without the family's consent is also sometimes considered such an offence - as illustrated horrifically by the murder in Khanewal shortly before the President signed the Act. Five brothers killed their sister, her husband and their two-year old child, along with two others in the house, because the sister had married against their wishes. Such murders are also used to disguise other motives, like property, or anger at the bride's failure to bring adequate dowry.

The recent amendment to the existing criminal law enhances the punishment for crimes in name of honour, and also attempts to curtail the misuse of the blasphemy law and the Hudood Ordinance. A Superintendent Police (as opposed to a lower-level policeman) will now investigate such offences, and women accused of 'zina' may no longer arrested without the court's permission. A lacuna that has been criticized is that the law still treats 'honour' killing as a compoundable crime, meaning that the victim's relatives may come to an agreement (razinama) with the murderer, or accept money as compensation. Women's rights groups as well as the opposition thus criticise the law as inadequate, holding that instead of a relative, the state should have been made the 'wali'. This point certainly needs further debate, and it would augur well for the country's polity if the government were to agree with the opposition on an issue that has nothing to do politics and power sharing, and has strong ramifications with regard to the moderate image we are trying to project.

Although exact figures are hard to obtain, especially from the remote rural and tribal areas, Pakistan has the dishonour of being considered at the top of the list of 'honour' killing countries. Besides such flawed notions of 'honour', another issue that fuels such murders is the 'jirga' system, which often condones them - as television viewers were reminded during a talk show on a Sindhi channel recently, in which Sardar Manzoor Ali Khan Panhwar, Provincial Minister for Livestock and Fisheries, Sindh, asserted that 'eighty percent of karo-kari murders are justified in the name of honour'. If a sitting minister can openly make such statements with no expectation of being brought to book, it is no wonder that people engaging in such practices have no compunction either.

The Sardar justified the jirga system by saying that ordinary people need it because the regular courts are too time-consuming. While acknowledging the truth of this point, the government should be trying to improve the legal system rather than allowing its functionaries to justify a system that is the prime protector of the tradition of honour killings and whose natural ally is the local feudal lord - who incidentally, has an interest in perpetuating this system as he gets paid large sums for his decision-making role. 'Honour' killing will only be stopped when the jirga system and the supra-legal authority that it exercises is curtailed and brought under the fold of the country's legal system. Until then all efforts to eradicate such murder will merely amount to shooting in the dark.