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KARO KARI: HONOR KILLING

Wendy M. Gonzalez

Honor killing is an ancient practice in which family members kill women - daughters, mothers, wives, sisters - as punishment for any sexual relationships outside of marriage, or as punishment for the belief in the existence of an inappropriate relationship with another man, that may bring shame to the family. Women are sometimes also maimed and burned. The practice known as "honor killing" may vary from culture to culture, having deep roots in antiquity.

A woman's chastity is central to the family honor.¹ "The tradition of *karo-kari* . . . decrees that any man or woman who has an illicit relationship dishonors the tribe and must be punished with death."² Women in Islamic

¹ Asifa Quraishi, *Her Honor: An Islamic Critique of the Rape Laws of Pakistan From a Woman-Sensitive Perspective*, 18 MICH. J. INT'L L. at 287 (1997).

² *Pakistan: Womens Human Rights Remain a Dead Letter*, AMNESTY INTERNATIONAL - USA, WOMAN'S HUMAN RIGHTS, at <http://www.web.amnesty.org/ai.nsf/index/ASA330071997> (Jan. 3, 1997).

culture are believed to be responsible for preserving morality by “staying secluded and shrouded so that they do not provoke sexual excitement in men.”³

The practice of honor killing is particularly evident in Pakistan. A recent account of one such act of brutality is remarkably disturbing:

In March 1999, a 16-year-old mentally retarded girl, Lal Jamilla Mandokhel, was repeatedly raped by a junior clerk of the local government department of agriculture who took her to a hotel in Parachinar, North West Frontier Province. The girl’s uncle filed a complaint about the incident with police who apprehended the accused but handed over the girl to her tribe, the Mazuzai in the Kurram Agency, a tribal area which has its own legal and judicial system under provisions of the Constitution of Pakistan. An official meeting of Pashtun tribesmen decided that she had brought shame to her tribe and that its honor could only be restored by

her death. She was shot dead in front of a tribal gathering. The rapist was reportedly detained by police “for his own protection” to prevent him from also being handed over to the tribe for execution. It is not known where he is now.⁴

In Pakistan, the tradition of honor killings is at times said to be manipulated as a tool for “settling old scores” against a male or a family.⁵ To change the appearance of a woman by maiming or burning her, or to sexually assault her or kill her, devalues her worth to the family and dishonors the family.

Honor killings are also prevalent in situations such as divorce cases, when a woman refuses to court a man, and when she is seen as being insubordinate. Men who assault women, dishonor the family or elope with women

⁴ *Lal Jamilla Mandokhel in the North West Frontier Province*, AMNESTY INTERNATIONAL – USA, WOMAN’S HUMAN RIGHTS, at http://www.amnestyusa.org/women/m_andokh.html (last visited Jan. 9, 2001).

⁵ *Pakistan Stops Killing Women For Honor*, United Press International (Apr. 24, 2000), at <http://web6.infotrac.galegroup.com>.

³ ANN ELIZABETH MAYER, *ISLAM HUMAN RIGHTS: TRADITION AND POLITICS* 103 (Westview Press 3d ed. 1999).

are punished in the same manner.⁶

According to the annual report of the Human Rights Commission of Pakistan, more than 1,000 Pakistani women were slain in honor killings in 1999.⁷ Victims, family members, and the communities do not report many of the honor killings, because they are considered family and community business. In the first six months of the year 2000, 240 women were victims of honor killings; out of the 240 killings, 81 were committed by brothers, 59 by husbands, 10 by sons, and 54 by other relatives.⁸

Honor killings are also common in traditional tribal communities; three to five incidents are reported everyday in local newspapers.⁹

⁶ *Id.*

⁷ *Grim Times for Pakistan*, LEICESTER MERCURY, Mar. 16, 2000, WL 16217063.

⁸ *Crimes Against Pak. Women on the Increase*, THE HINDU, Dec. 3, 2000, available at LEXIS, FT Asia Intelligence Wire.

⁹ Massoud Ansari, *Rights-Pakistan-For Honor, Women Pay With Their Lives*, INTERPRESS SERVICE, May 28, 2000, available at RDS Contemporary Women's Issues

According to Islamic law, punishment for out of wedlock relationships is: 100 lashes for single women and men, and death by stoning for married women and men.¹⁰ Under the Zina Ordinance, which controls extramarital sexual relations, four male witnesses must be present to charge premarital and extramarital relations.¹¹ In the case of "zina-bil-jabr" (rape), if a court is unable to determine that the crime actually happened, the court may deem the act as consensual and charge the victim with "zina".¹²

Family members consider suicide an honorable solution to the humiliation involved with rape. Although honor killing is considered under murder law, offenders use the idea that the individual committed the act under a "grave and sudden provocation" as a defense.¹³

A 1994 law made murder a compoundable

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¹⁰ See MOHAMED S. EL-AWA, PUNISHMENT IN ISLAMIC LAW 14 (American Trust Publication, 1981).

¹¹ Quraishi, *supra* note 1, at 290-91.

¹² *Id.*

¹³ Ansari, *supra* note 9.

offense so that the two parties involved could compromise, and the act could be forgiven.¹⁴ Individuals who falsely accuse a woman of "zina" are also punished. Those who defame a chaste woman and do not bring four witnesses are punished with eighty lashes.¹⁵

Although the government of Pakistan and various organizations has attempted to criminalize and reduce the number of honor killings, a change has not completely occurred. Rojjida Sajad, a female lawyer in the High Court of Peshawar, stated that an estimated three percent of cases result in convictions.¹⁶

In October 1999, when military leaders seized power of Pakistan, they condemned violence against women.¹⁷ Military ruler Pervez Musharraf has stated that he

will treat honor killings as murder cases.¹⁸

Although Pakistan has seen a rise in honor killing cases, it is not the only country where such incidents occur. Throughout the Middle East, South America, and in some Western countries, including the United States, cases of honor killings are reported, tried, or ignored.

As a long understood practice, honor killing is regarded as a means to protect family honor and women's chastity. While many societies are beginning to view honor killings as a crime, many more still view the practice as a cultural norm.

¹⁴ *More Tribal 'Honor' Killings in Feudal Pakistan*, WIN NEWS, Mar. 14, 1999, at 43, available at INFOTRAC A62793838.

¹⁵ Quraishi, *supra* note 1, at 294.

¹⁶ *More Tribal 'Honor' Killings in Feudal Pakistan*, *supra* note 14.

¹⁷ *Human Rights Watch World Report 2001: Women's Human Rights*, HUMAN RIGHTS WATCH WORLD REPORT 2001, Jan. 2001, available at RDS Contemporary Women's Issues 2729225.

¹⁸ *Id.*