

Honor Killing in Pakistan: The Case of 5 Women Buried Alive (Political manipulation in human rights violation)

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Expectative summary:

“Everyone has the right to life, liberty and security of the person. Men and women of full age without any limitation due to race, nationality or religion, have the right to marry or to have a family. They entitled to equal rights as to marriage and its dissolution. Marriage shall be entered into only with the free and full consent of the attending spouses. The family is the natural and fundamental group, unit of society and is entitled to protection by society and state”¹. But “The right to life of women in Pakistan is conditional on their obeying social norms and traditions”².

Pakistan has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1996, still women continue to be ‘commoditized’³-bartered for land or money, given as *swara* (compensation for murder/dispute settlement) or *watta satta* (men acquire a wife by offering a sister or daughter in exchange), women are abused, raped or murdered by close relatives. ‘Honor’ killing was once an unusual custom but has more recently evolved into a common practice in which men kill sisters, daughters, or other female family members to avenge a ‘shame’ or ‘dishonor’ she is accused of bringing upon her family or tribe⁴. Behaviors considered to be ‘dishonorable’ are many and can include a woman wanting to marry a man of her choice; wishing to seek employment outside the home; publicly disobeying the family patriarch; being accused of having illicit relations or seeking a divorce.

This paper is aimed to briefly discuss the recently occurred case of honor killing- a “heinous criminal offence”⁵ where allegedly close relatives buried 3 women alive and 2 other shot dead. Detailed discussion about honor killing and its intensity is beyond the scope of this paper though I will try to give a general description with special reference to

¹ Article 3 & 16 (1,2,3)

² Hina Jilani, Lawyer and Human Rights Activist, Amnesty International Report

³ Amnesty International on Honor Killings in Pakistan (Page 4)

⁴ Focus Group Discussion with Community Elders in Baluchistan Province (2005)

⁵ Human Rights Watch

this particular case and show how politics manipulates in human rights violation or safeguarding the perpetrators of these violations. It will give a hint towards the gap between theory (human rights idols) and practice (implementation) of the international conventions/covenants on human rights.

Description of the case:

'Honor' killings are possible because these inhumane acts are not condemned by society, the law does not punish perpetrators as only 20 % of honor killings are ever brought to justice⁶. Though the government has now passed a law according to which murders committed on the name of 'honor' would be considered intentional murder. Yet the law is not sufficient to control this problem because in all cases the murderers are the close relatives of the victim (woman), i.e. father, brother or husband, who also have the privilege to resolve the issue on behalf of the deceased woman. It means when a person, father, brother or husband kills his wife, sister or daughter they sit together and resolve the case before it goes to the police for investigation or even if it goes the police later on they withdraw the case. Besides, "State institutions -- the law enforcement apparatus and the judiciary -- deal with these crimes against women with extraordinary leniency and the law provides many loopholes for murderers in the name of honour to kill without punishment⁷".

A recent case of HK occurred in one of the remote village Baba Kot; district Jaffarabad, Baluchistan province where the alleged perpetrators buried three women alive and shot dead two others. The reason for doing so is known to punish the three girls, aged 16 to 18, for trying to decide their marriages, while the two aunts were suspected assisting them. The deceased girls have planned to get married in court as a result of their elders refused to let them marry with the persons of their choice. When the news of their decision to get married in court leaked out, the alleged person, known to be the brother of a provincial minister, came along with his body guards, picked the girls and took them to a deserted place, where they beat them before allegedly opening fire on them. The girls got seriously injured yet they were alive when they hurled them in to a ditch and covered them with mud and stones. It is believed that due o the influence of the alleged

⁶ Dr. Arif Mehmood, Ex. Campaign Manager 'We Can End Honor Killing' Oxfam GB, Pakistan (2006)

⁷ Amnesty International, Report on Honor Killings in Pakistan (Page 3)

family the case was kept secret. The alleged persons are considered to be very influential in the area and strong affiliation with government.

Description and analysis of key actors:

Cultural setting of the area:

Pakistan is developing country, with 68% population living in rural areas in joint family system and following their ancestor's way of life⁸. Baluchistan, mainly consisted of 'Baluch' tribe with many other smaller tribes, is considered to be the most traditional, as the people are living in the tribal set up, following their centuries old traditional way and a peculiar code of conduct for day today life. Baluch reckon descent patrilineally. Lineages, however, play a minimal role in the lives of most Baluch. Their society is stratified and has been characterized as "feudal militarism."

Women are considered to be the pivotal point of their honor. Anything related to women is considered to be 'dishonor'. For women it's obligatory to follow a peculiar code of conduct in and out side home and refrain from certain behaviors, as its considered to bring 'Shame' and 'dishonor' for the family, which in most cases results in the death of the alleged woman.

Behaviors considered to be 'dishonorable' are many and can include a woman wanting to marry a man of her choice; wishing to seek employment outside the home; publicly disobeying the family patriarch; being accused of having illicit relations or seeking a divorce⁹. Similarly Standards of honour and chastity are not applied equally to men and women, even though they are supposed to. In the North West Frontier Province and in Baluchistan "men often go unpunished for 'illicit' relationships whereas women are killed on the merest rumor of impropriety¹⁰". The under discussion, case of honor killing happened in this particular province of Pakistan.

⁸ Census Report of Pakistan 1998, Pakistan, Census Organization Pakistan

⁹ Focus Group Discussion with Community Elders in Baluchistan Province (2005)

¹⁰ Amnesty International Report on Honor killings in Pakistan (Page 5)

The state

Pakistan is a signatory of the Universal Declaration of Human Rights (UDHR) and morally bound to implement its article in true spirit. "Everyone has the right to life, liberty and security of person". And "No one will be subjected to torture or to cruel, inhuman or degrading treatment or punishment¹¹". But in this particular case of honor killing the state seems unsuccessful not only in implementing the articles rather punishing the perpetrators because "after one and a half months the police have still not registered the case and it is difficult to get more detailed information¹²". Human rights groups have "accused local authorities of trying to cover up the executions¹³".

Besides, it is observed that the perpetrators after burying these women returned to their tribe like 'conquerors' without any action against them. Father of these girls lodged First Investigation Report (FIR) with the police against his own brother, who was said to be the architect of this crime. But latter on due to family pressure, he withdrew the case.

Similarly Pakistan has also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in March 1996. CEDAW stipulate that state parties agree¹⁴ "To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women". While the constitution of Pakistan¹⁵ reconfirm the same article of CEDAW "Laws inconsistent with or in derogation of Fundamental Rights to be void. Any law, or any custom or usage having the force of law, in so far as it is inconsistent with the rights conferred by this Chapter, shall, to the extent of such inconsistency, be void". Due to public uproar and protest the upper house of the country took the matter seriously and started discussion over these killings. During the discussion a lawmaker (senator) from Baluchistan province, defended and justified these killings saying "these are centuries-old traditions and I will

¹¹ Articles 3 & 5 of the Universal Declaration of Human Rights

¹² <http://www.ahrchk.net/ua/mainfile.php/2008/2969/>

¹³ <http://www.telegraph.co.uk/news/worldnews/asia/pakistan/2660881/Pakistani-women-buried-alive-for-choosing-husbands.html>

¹⁴ Article 5 (a) of the Convention of the Elimination of All Form of Discrimination against Women

¹⁵ Article 8 (1) Constitution of The Islamic Republic Of Pakistan

continue to defend them. He claimed the tribal traditions helped stop obscenity. Besides he asked the fellow lawmakers “not to make a big fuss about it (killings)¹⁶”.

Many members stood up in protest, the executions were 'barbaric' and demanding more discussion. “I was shocked, said one female lawmaker, who pushed for legislation calling for perpetrators of so-called honour killings to be punished¹⁷”. While a handful (of members) said it was an internal matter of the deeply conservative province of Baluchistan”.

But so far the government has been slow to react, said a senator and co-chairman of the Human Rights Commission of Pakistan (HRCP), as, according to him, the matter was referred to the federal government on 16th August and the parliament took it into account very lately. Equally shocking was the conduct of the acting Chairman Senate, hailed from the same province, who disliked even rising of this issue by female Senator and had advised her to “go to our society and see for herself what the situation is like there and then come back to raise such questions in the House¹⁸”.

Though, the senate has passed a unanimous resolution condemning the incident and punishing the perpetrators, an “attempt at a cover-up is on¹⁹” and the government presented an “extremely dubious report” before the senate. The fact the act was “kept quiet means the government sympathizes with such doings’.²⁰”

The fact of the burial of the women has no longer been disputed but the problem occurred is that despite this “heinous crime”²¹ being revealed ‘no action’ has been taken so far by the competent authorities.

Civil society organizations/NGO:

CSOs and NGOs reacted to the case, though at the beginning it was mild but the senator statement ignited it and they staged protest outside the parliament building over

¹⁶ <http://www.dailymail.com.uk/news/worldnews/article-1051229/Five-women-wanted-pick-husbands-buried-alive-mass-honour-killing.html>

¹⁷ Ibid

¹⁸ Press Statement of Human Rights Commission of Pakistan in Daily THE NATION

¹⁹ Editorial of daily THE NEWS, on 3rd September 2008

²⁰ <http://www.telegraph.co.uk/news/worldnews/asia/pakistan/2660881/Pakistani-women-buried-alive-for-choosing-husbands.html>

²¹ Burning Point Column by Basil Fernando, Director of the Asian Human Rights Commission

the killing of the 5 women and asked the government to take strenuous actions against the perpetrators. They condemned the senator's remarks for rationalizing the killing of 5 women in the name of honor. The main rights group in the country, Human Rights Commission of Pakistan has condemned the senator statement in the parliament and asked the government for taking due action against the perpetrators.

Media:

Media is one of the main sources for bringing the honor killing cases to surface. It is considered to be comparatively more authentic source for honor killing data in Pakistan, as rights groups compile their reports about honor killing on the daily reporting of newspapers and other media news. The present case is one of those which media published and it got nationwide attention including the parliament.

Negating the government version of the incident, media, particularly English newspapers, tried to present actual situation. The government presented its report in senate stating three women died instead of five and that the incident was family property dispute not honor killing case. This is a "distinct diversion from accounts of NGOs that have investigated the happening²²". In its editorial one of the English newspaper referred to the government silence as protecting the perpetrators. "Surely the government should be seeking the murderers, not protect (them) through some dark conspiracy of silence. The fact the act was 'kept quiet' means the government sympathizes with such doings.²³"

Conclusion:

The above discussion, media reports, involvement of politician (minister), senator's remarks, chairman senate reaction, government "distinct diversion and extremely dubious²⁴" report in the senate and legal action so far indicates political manipulation in the incident. Three main reasons of, why the perpetrators have not been punished so far, shows the political manipulation involved in human rights abuses or providing a 'cover up' for the perpetrators;

²² Editorial of daily THE NEWS on 3rd September 2008

²³ <http://www.telegraph.co.uk/news/worldnews/asia/pakistan/2660881/Pakistani-women-buried-alive-for-choosing-husbands.html>

²⁴ Editorial of daily THE NEWS, on 3rd September 2008

1. The alleged main perpetrator is known to be the brother of provincial minister, who belong to the ruling coalition and taking action against his brother can create problems for the ruling party.
2. Baluchistan is the most distant and traditionalist province of Pakistan. Living in tribal set ups and following their traditional code of conduct for life. Writ of the government is not applicable, enforced or observed in most parts of the province with traditional laws and custom regulate day-to-day issues and resolved accordingly. Similarly they perceive themselves neglected to the extent by the government that they want complete autonomy (separation) of the province and has tried militants coups in past as well. Baluchistan Liberation Army, an ethnic militant group allegedly involved in clandestine activities²⁵. As the incident took place in a tribal tribe and the alleged perpetrator is an influential member of the tribe with strong political ties, government action against him could be taken as interference in their tradition and custom thus possibly fan the issue of autonomy (separation).
3. Third but important reason was the presidential elections. After widespread public uproar, the government moved to support a Senate resolution condemning the killings. Various critics said the “Pakistan Peoples Party was trying to ignore the episode while trying to secure Baluchistan support for the leader of the party, Asif Ali Zardari, in Saturday’s (6th September) Electoral College vote for president²⁶”.

²⁵ <http://www.globalsecurity.org/military/world/war/pakistan1.htm>

²⁶ http://www.nytimes.com/2008/09/03/world/asia/03pstan.html?_r=1&oref=slogin

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