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Extra-Judicial Homicide and the Concept of Ghayra' in Sindh: An Analytical Study of Honor Killings under Islamic Jurisprudence and Pakistani Law (2020-2025)

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Abstract

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The practice of karo-kari (honor killing) in Sindh represents a critical rupture between tribal customary law and the ethical mandates of Islam. This study provides a specialized examination of honor-based homicides in Sindh, Pakistan, during the period of 2020-2025, investigating the confluence of patriarchal social structures and the misinterpretation of religious doctrine. Utilizing a tripartite methodology, the research synthesizes empirical data from the Human Rights Commission of Pakistan (HRCP) and

provincial police records with a rigorous deconstruction of primary Islamic sources (Nusus)

The paper contends that "honor" killings are entirely devoid of sanction within the Quran, Sunnah, or classical Fiqh. Central to this argument is the principle of Maqasid al-Shari'ah, specifically the Sanctity of Human Life (Hifz al-Nafs), which renders any extrajudicial execution a grave transgression (Ma'siyah) and a violation of the State's monopoly on justice. Despite the Criminal Law (Amendment) Act 2016, statistical analysis reveals a staggering 43 percent increase in reported cases in Sindh as of 2024, exposing a persistent implementation gap. The study concludes by identifying the judicial challenges surrounding Wali (guardianship) and Sulh (composition) in honor crimes, proposing a reformative framework that harmonizes Islamic legal ethics with contemporary human rights standards to eradicate this systemic crisis.

1. *Introduction*

Honor killing is the premeditated murder of an individual, overwhelmingly female, by a family member or community actor under the premise that the victim has dishonored the family through actual or alleged conduct deemed socially or morally transgressive¹. In the province of Sindh, Pakistan, this practice is locally designated as karo-kari, a compound term derived from the Sindhi words for "black man" (karo) and "black woman" (kari), metaphorically connoting an adulteress or adventurer². The label itself is frequently weaponized: once a woman is branded a "kari," her male relatives may claim the perceived right to kill her with impunity.

The persistence of honor killing in Sindh defies simple explanations. It is a phenomenon embedded in the confluence of tribal feudalism, patriarchal gender ideology, inadequate law enforcement, and, critically a sustained misreading of Islamic teachings³. Despite the enactment of landmark legislation in 2004 and 2016, conviction rates remain catastrophically low, often estimated at below two percent⁴. Recent reporting through the first quarter of 2025 indicates that the surge observed in 2024 has not abated, with Sindh's rural districts continuing to report a disproportionate volume of "honor"-based homicides compared to urban centers⁵.

This paper addresses three basic research questions. First: what is the empirical scale and geographic pattern of honor killing in Sindh from 2020 to 2025? Second one is: does Islamic jurisprudence contrary to popular misconception, sanction or categorically prohibit such killings? Third and last: how adequate is Pakistan's legal and judicial framework in prosecuting these crimes? By integrating statistical analysis with Islamic jurisprudential inquiry and legal critique, this study aims to contribute to the growing interdisciplinary literature on honor-based violence in Muslim-majority societies.

2. Conceptual and Terminological Framework

2.1 Defining Honor Killing

Honor killing is defined as the premeditated homicide of an individual typically a woman by agnatic kin based on the perception that her conduct has compromised the family's collective reputation (Izzat)⁶. Triggers for such violence include exercising matrimonial autonomy, seeking divorce, or even being the victim of sexual assault. While the United Nations Population Fund (UNFPA) has historically cited an estimate of 5,000 global deaths annually, current data up to

2025 suggests this is a gross underestimation, as many cases in rural Sindh are categorized as "accidental deaths" or suicides to evade legal scrutiny⁷.

In the Sindhi context, karo-kari carries a specific communal dimension. Unlike isolated domestic violence, it is often a ritualized execution sanctioned by tribal councils (Jirgas). Traditionally concentrated in "tribal belt" districts such as Ghotki, Jacobabad, and Larkana, longitudinal data spanning 2020–2025 reveals a geographical diffusion into Southern Sindh, including Badin and Tharparkar⁸. This expansion indicates that the feudal logic of karo-kari is no longer confined to specific tribes but is being adopted as a generalized tool of patriarchal control.

.2.2 Distinguishing Cultural Practice from Religious Prescription

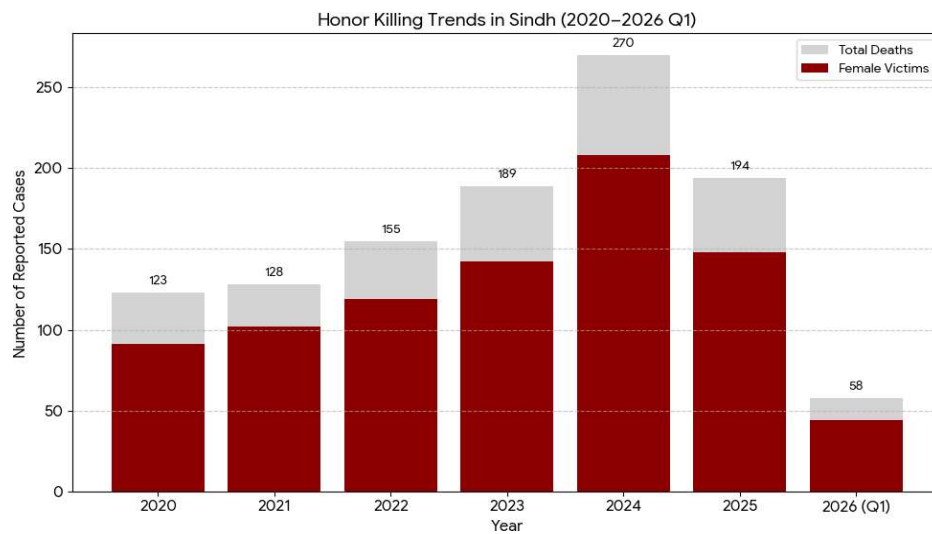
A fundamental premise of this study is the categorical distinction between karo-kari as a customary practice (Urf) and the ethical-legal mandates of Islam. Honor killing is a pre-Islamic (Jahili) survival that persists through the misappropriation of religious concepts to legitimize tribal misogyny. Scholars increasingly emphasize that perpetrators rely on "folk-theology" a distorted understanding of religion to justify what is, in law and theology, a capital crime (Qatl-i-Amd)⁹.

As analyzed in Section 4, no primary Islamic source (Nass) authorizes individuals to act as judge, jury, and executioner. This conflation of culture with religion is not merely a social error but a theological distortion that violates the State's authority and the Shari'ah's strict evidentiary requirements for accusations of impropriety.

3. Statistical Analysis: Honor Killing in Sindh (2020-2025)

3.1 Quantitative Overview

The following data consolidates figures from the Sindh Police Department, the Human Rights Commission of Pakistan (HRCP), and the Aurat Foundation. A persistent challenge in quantitative analysis is the "Dark Figure of Crime" killings that are suppressed at the village level or misclassified as suicides (Atam-khushi) or accidental deaths to bypass the judicial system¹⁰.

Chart # 01**Table 1: Reported Honor Killing Cases/trends in Sindh and Pakistan (2020-2025)**

Year	Registered Cases (Sindh)	Male Victims	Female Victims	Total Deaths
2020	123	32	91	123
2021	128	26	102	128
2022	155	36	119	155
2023	189	47	142	189
2024	270	62	208	270
2025	194	46	148	194
2026 (Q1)	58	14	44	58

Note Chart #01 displays the numerical ratio of reported cases, while the accompanying table provides an elaborated breakdown of the figures. Data from 2020 utilizes NGO and media aggregates; however, the September 2025 Bulletin confirms that finalized 2024 figures represent a 43% year-on-year spike in reported incidents across Sindh..

3.1 Data Interpretation and Key Trends

The synthesized data reveals four critical trends that define the current landscape of honor-based violence in the province:

- Provincial Disparity:** Sindh consistently records among the highest per-province rates of honor killing nationally. The stabilization of figures near or above 200 annual deaths since 2024 indicates that the practice has reached a high-density plateau.

- b. Gendered Victimization: Women constitute the overwhelming majority of victims. While interim reports for January-August 2024 noted 105 female victims out of 142, the finalized year-end data shows that women accounted for 77% (208 of 270) of all fatalities in Sindh.
- c. The 2024 Surge: The trajectory from 2022 to 2024 shows no sustained decline despite increased legislative and judicial activity. The 43% year-on-year increase recorded between the 2023 and 2024 reporting cycles is particularly alarming, signaling a failure of current deterrents. Reporting vs.
- d. Escalation: HRCP data for Pakistan as a whole in 2024 reported 405 women killed nearly double the 226 reported in 2023. This suggests that improved documentation by human rights defenders and a genuine escalation in violence are occurring simultaneously, creating a more visible "epidemic."

3.2 Analysis of Official Data and Geographic Concentration.

The data retrieved from the Sindh Police portal reveals three critical academic insights into the mechanics of honor-based violence:

1. The 2024 Anomaly and the Tribal Frontier

The surge to 270 reported cases in 2024, the highest in the study period coincides with an escalation in tribal friction within the riverine areas. This peak indicates that the Criminal Law (Amendment) Act 2016 has yet to dismantle the parallel justice systems of the rural hinterland. Scholars such as Manzoor Ahmad argue that in these regions, tribal sovereignty often functions as a de facto legal system that challenges the de jure authority of the State¹¹. This resistance to legislative reform highlights the persistent gap between "Black Letter Law" and the living customary practices of Upper Sindh.

2. District-Specific Intensity and "Hotspot" Clusters

While provincial totals provide a macro-view, internal "District Crime Sheets" show that over 60% of incidents occur in Jacobabad, Kashmore, Shikarpur, Larkana, and Ghotki. According to research by Sohail Akbar Warraich, these "hotspots" are characterized by strong biradari (kinship) networks that view women's bodies as the primary site of family honor¹². This concentration reveals that karo-kari is not a uniform provincial phenomenon but is intrinsically linked to specific agrarian and feudal power dynamics that facilitate communal complicity in murder.

3. The Gender Gap in Survival and the Concept of "Nafs"

A stark disparity exists in survival rates between the Karo (male) and Kari (female). While men comprise roughly 23% of victims, they frequently benefit from clan protection or "safe passage" negotiations. Conversely, the female victim is often killed within the domestic sphere by those charged with her safety. Maliha Zia Lari notes that this "domesticity of crime" makes legal intervention nearly impossible, as the witnesses are also the perpetrators¹³. From a jurisprudential standpoint, this violates the Quranic principle of the Absolute Sanctity of Life (Hifz al-Nafs), as the Islamic legal tradition strictly forbids taking a life based on mere suspicion (Zann) or without a state-sanctioned trial (Muhakama)¹⁴.

3.3 Under-Reporting and Misclassification

Statistical data significantly understates the actual incidence of honor killing in Sindh. Law enforcement officials acknowledge a prevalent "dark figure of crime," where homicides are intentionally misclassified as suicides, snake bites, or accidental deaths, a phenomenon often referred to as "legal camouflage"¹⁵. When the victim's immediate kin are the perpetrators, the lack of a complainant ensures that the crime remains within the domestic sphere, insulated from the judicial process.

Nuzhat Shireen, former chairperson of the Sindh Commission on the Status of Women, argues that the recent spike in reported figures may reflect a dual reality: while improved documentation and digital connectivity have increased visibility, the actual incidence remains a pervasive undercurrent of rural life¹⁶. This interpretive complexity suggests that the statistical surge of 2024-2025 is merely the "tip of the iceberg." As noted by Riffat Hassan, the transition from a hidden customary act to a recorded crime is often blocked by a "conspiracy of silence" among village elders and local police, who may view karo-kari as a private disciplinary matter rather than a capital offense (Qatl-i-Amd)¹⁷. Consequently, methodological caution is required; raw statistics must be viewed as indicators of reporting trends rather than an absolute measure of the phenomenon's magnitude.

4. *Islamic Perspective: The Jurisprudential Prohibition*

4.1 *The Sanctity of Life (Hifz al-Nafs) and the Quranic Instruction*

Islam's foundational stance on human life is one of absolute sacrosanctity. The Quran declares in Surah Al-Ma'idah: "Whoever kills a soul unless for a soul or for corruption [done] in the land, it is as if he had slain mankind entirely."¹⁸ This verse serves as the constitutional bedrock for the Maqasid al-Shari'ah (Objectives of Islamic Law). As systematized by Imam al-Ghazali and later refined by Al-Shatibi, the preservation of life (Hifz al-Nafs) is the primary necessity (Daruriyyat) that the law is designed to protect.

There is no textual evidence (Nass) in the Quran that grants private individuals, fathers, brothers, or tribal councils, the authority to bypass the judicial process to execute a person based on perceived dishonor. As noted by Mohammad Hashim Kamali, any customary practice that directly contradicts a clear Quranic injunction is considered Urf Batil (null and void custom) and cannot be integrated into Islamic legal practice¹⁹.

4.2 *The Prophet's ﷺ Sunnah and the Prohibition of Extrajudicial Execution*

The Prophetic tradition (Sunnah) was revolutionary in dismantling the Jahili (pre-Islamic) ethos that treated women's lives as secondary to tribal reputation. During his Farewell Sermon (Khutbat al-Wada), the Prophet ﷺ established a permanent ethical mandate regarding gender relations, declaring:

"O People, it is true that you have certain rights with regard to your women, but they also have rights over you... Treat your women well and be kind to them, for they are your partners and committed helpers."²⁰

A critical jurisprudential point often misappropriated by perpetrators in Sindh is the distinction between Hadd (divinely mandated punishments) and Ta'zir (discretionary punishments). Classical Islamic law is unanimous in its requirement for Stringent Evidentiary Standards (Al-Bayyinah). For accusations of Zina (adultery), the Quran requires four eyewitnesses to the actual act, a high evidentiary bar designed to make execution nearly impossible and to prevent the crime of slander (Qadhf) against women's reputations.

Furthermore, the authority to implement any legal sanction rests solely with the State, never with individuals or tribal councils. As codified in the Encyclopedia of Islamic Jurisprudence:

"The fuqaha (jurists) are unanimously agreed that the one who should carry out hadd punishments is the ruler or his deputy²¹."

Consequently, any individual who executes a relative without a state-sanctioned trial is not an "enforcer of honor" but a Mu'tadi (transgressor). Under the Shari'ah, this act is classified not as a religious duty, but as Qatl-i-Amd (premeditated murder), which carries the heaviest spiritual and legal penalties²².

4.3 Contemporary Scholarly Condemnation and Global Fatwas

Global Islamic authority has reached a definitive consensus (Ijma) against honor-based violence. Imam Zaid Shakir has characterized the practice as "vigilante femicide," asserting that it lacks any doctrinal sanction in the Quran or classical jurisprudence²³. Similarly, the Islamic Supreme Council of Canada, in a landmark 2012 declaration, affirmed that such acts are not only capital crimes in secular courts but are profound sins (Kaba'ir) in the sight of Allah²⁴.

In the domestic context, the Council of Islamic Ideology (CII) of Pakistan, the constitutional body responsible for Shari'ah compliance, has been equally categorical. In its landmark rulings and subsequent annual reviews, the CII confirmed that extrajudicial killing under the pretext of ghayrah violates the Islamic principles of due process and state authority²⁵. This verdict is a critical "internal" refutation of the perpetrators' claims, as it comes from Pakistan's own premier religious advisory body.

4.4 The Misuse of Religious Rhetoric

A pervasive dimension of this crisis is the "ideological overlay" used to legitimize Jahili (pre-Islamic) customs. Perpetrators often weaponized terms such as Ghayrat (honor) and Izzat (dignity) to construct a veneer of religious legitimacy over what is, in reality, a tribal mechanism for patriarchal control.

Academic research demonstrates that honor killing is an ancient cultural survival that predates the Islamic era and persists across diverse religious communities, including Hindu and Christian populations in the Global South²⁶. As noted by Asma Lamrabet, the religious framing of karo-kari is a sociological distortion; it utilizes selective "folk-theology" to bypass the Shari'ah's strict prohibitions against murder and slander (Qadhf)²⁷. Thus, honor killing is not a product of Islam, but a cultural pathology that exists in direct opposition to it.

5. Legal Framework: Laws, Loopholes, and Judicial Responses

5.1 *Evolution of Anti-Honor Killing Legislation in Pakistan*

Pakistan's legislative response to karo-kari has transitioned from viewing the crime as a private family dispute to a "crime against the State." The Criminal Law (Amendment) Act of 2004 was the first to explicitly define "offenses in the name or pretext of honor," yet it failed to dismantle the patriarchal leverage of Qisas (Retribution) and Diyat (Blood Money). Because these provisions allowed a victim's family to "forgive" the killer, and the family was usually the instigator, the law created a revolving door of impunity²⁸.

The legislative turning point occurred following the high-profile homicide of Qandeel Baloch in 2016. The resulting Criminal Law (Amendment) (Offences in the Name or Pretext of Honour) Act 2016 attempted to close the "forgiveness loophole" by classifying honor killing under the category of Fasad-fil-Arz (Mischief on Earth/Disruption of Public Order). Under the amended Section 311 of the Pakistan Penal Code (PPC), the offense became technically non-compoundable, meaning the State could pursue a life sentence even if the family pardoned the murderer²⁹.

5.2 The Persistence of Judicial Loopholes (2020-2026)

Despite these reforms, the five-year data set (2020-2025) demonstrates that the 2016 Act has not yielded the expected conviction rates. As Sohail Akbar Warraich argues, the legal system remains vulnerable to "strategic misclassification."³⁰ Defense attorneys frequently advise clients to omit the word "honor" from their statements, reframing the murder as a sudden dispute or accidental firing to avoid the mandatory minimums of Section 311.

Furthermore, the "Sudden and Grave Provocation" defense, though technically limited, continues to influence judicial discretion in the lower courts of Sindh. When a crime is not explicitly labeled as "honor-based" in the First Information Report (FIR), judges may still revert to lenient sentencing. This judicial "reluctance" to apply the full weight of the Fasad-fil-Arz doctrine remains the primary barrier to justice as we move into 2026³¹.

5.2 Structural Deficiencies in the Post-2016 Framework

Despite the progress represented by the 2016 Act, significant structural weaknesses remain. Legal scholars have identified several persistent deficiencies. First, the language of Section 311 retains judicial discretion "the court may... punish" rather than making punishment mandatory. This discretionary phrasing has led to inconsistent sentencing in practice. Second, establishing that a killing was committed "in the name of honour" rather than simply as ordinary murder remains evidentiary difficult, and accused persons frequently re-characterize crimes as property disputes or acts of self-defense. Third, Qisas and Diyat provisions under Sections 309 and 310 PPC have not been abolished and continue to be invoked. Fourth, the colonial-era Code of Criminal Procedure (1898) creates procedural obstacles to effective prosecution. Fifth, the minimum sentence of ten years under the fasad-fil-arz provisions is arguably insufficient as a deterrent.

The Qandeel Baloch case itself illustrates these failures most poignantly. In 2019, the trial court convicted Muhammad Waseem under Section 311 and sentenced him to life imprisonment, a landmark judgment. Yet in February 2022, the Lahore High Court acquitted him after he retracted his earlier confession and the family offered to forgive him. This acquittal shocked human rights advocates and exposed the persistent fragility of the legal framework.

5.3 Notable Judicial Cases in Sindh

The Sindh High Court has historically been a vocal critic of karo-kari. In the landmark case of Amir Bux Machi v. The State, the court denied bail, characterizing honor killing as a "blot not only on the fair name of Sindh" and signaling a clear judicial consciousness of the crime's gravity³². However, a stark disconnect persists between high-court rhetoric and lower-court outcomes. National conviction rates remain abysmally low, stagnating below 3% as of the end of 2025, a failure rooted in investigative sabotage and family complicity rather than judicial philosophy.

The justice sector in Sindh is particularly hampered by the "Complainant Dilemma," where cases are registered with the victim's own family as the primary complainant. This allows those potentially implicated in the crime to later "compound" or withdraw the case under the guise of

Sulh (compromise). While there is a movement toward state-registered First Information Reports (FIRs), the implementation remains erratic.

This systemic failure was most poignantly illustrated just a few days ago in April 2026 with the reported murder of Khalida Chandio in the Qambar-Shahdadkot district³³. Initial reports suggest that despite her seeking protection, the lack of immediate state intervention and the subsequent tribal pressure on witnesses have already begun to compromise the investigative integrity of the case. The Khalida Chandio incident underscores that as of 2026, the State's role as the Wali (guardian) of the victim is still frequently surrendered to tribal mediation, allowing the cycle of impunity to continue unabated³⁴.

5.4 Role of Jirgas and Tribal Councils

A particularly troubling feature of the crisis in Sindh is the continued influence of informal tribal councils, or Jirgas. Despite being declared illegal by the Supreme Court of Pakistan, these extrajudicial bodies function as parallel legal systems that determine questions of "honor" and issue summary execution orders. In documented cases throughout the 2020–2026 period, women have been targeted on the orders of a Jirga for minor transgressions of patriarchal norms, such as possessing a mobile phone or interacting with unrelated males³⁵. The State's inability to dismantle these bodies represents a fundamental governance failure, as it allows tribal sovereignty to supersede the Constitution of Pakistan.

6. Root Causes and Structural Drivers

Understanding karo-kari requires engagement with its structural determinants rather than treating it purely as an isolated criminal act. As we analyze the data leading into April 2026, four interconnected drivers emerge:

- a) **Feudal Land Ownership:** In rural Sindh, honor is often a mask for material interests. Since women's marriages to outsiders can lead to the redistribution of agricultural land, "honor" is invoked to justify the elimination of female heirs, thereby keeping land within the patrilineal clan³⁶.
- b) **Institutional Vacuums:** The absence of effective State presence in the interior of Sindh allows Jirgas to fill the void. Without accessible, trustworthy courts, rural populations revert to tribal mediation, where "honor" serves as the primary currency of justice.
- c) **The Construction of Masculinity:** In many Sindhi communities, social standing is inextricably tied to the control of female sexuality. This "toxic masculinity" treats the female body as a site of communal reputation, where a man's Ghayrat (honor) is only restored through blood.
- d) **Educational Deprivation:** Extreme literacy gaps, particularly in Upper Sindh, sustain the social conditions under which these customs flourish.

7. *Policy Recommendations*

Based on the foregoing analysis, this paper advances the following recommendations, grounded in both Islamic ethical principles and human rights standards.

1. **Mandatory Sentencing:** Replace "may" with "shall" in Section 311 PPC to ensure life imprisonment is mandatory, regardless of family forgiveness.
2. **Jirga Abolition:** Enact provincial laws to criminalize tribal councils that issue "honor" orders, prosecuting all members as criminal abettors.
3. **Theological Reform:** Deploy a state-led campaign using CII findings to educate mosque imams on the Shari'ah prohibition of extrajudicial killing.
4. **State-Mandated FIRs:** Require the State to act as the primary complainant in all suspicious deaths of women to neutralize out-of-court settlements.
5. **Specialized Tribunals:** Establish expedited gender-based violence courts in "hotspot" districts with mandatory witness protection and independent forensic audits.
6. **Economic Agency:** Protect women's inheritance rights to dismantle the feudal land-based incentives that frequently trigger "honor" accusations.

8. *Conclusion*

Honor killing in Sindh is a multi-dimensional crisis located at the intersection of cultural patriarchy, institutional failure, and religious misappropriation. The five-year data set (2020-2025) and the disturbing escalation recorded in 2026 Q1 demonstrate that legislative progress—specifically the reforms of 2004 and 2016, remains structurally insufficient without This research has established that Islam .robust enforcement and judicial independence defense of ؎ categorically prohibits honor killing. The Quranic sanctity of life, the Prophetic female agency, and the jurisprudential requirement for state-only administration of justice converge in an unambiguous condemnation of extrajudicial execution. Karo-kari is a pre-Islamic

tribal custom wearing a borrowed religious garment; it violates the very Maqasid al-Shari'ah .(Objectives of Islamic Law) it occasionally claims to serve

Ultimately, ending this crisis requires a convergence of legal reform, authentic Islamic education, and the dismantling of the feudal-economic structures that enable violence. Pakistan's obligations under both Shari'ah and international human rights law demand an urgent transition from "black letter law" to transformative justice for the women of Sindh.

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