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Constructing Agency and Accountability in Judicial Discourse: A Systemic Functional Linguistic Analysis of a Pakistani Rape-Murder Judgment

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Abstract

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This study investigates the linguistic representation of the victim's and perpetrators' agency in the court verdict on a rape-murder case through systemic functional linguistics (SFL). The verdict is an appellate decision arising from a criminal appeal involving a reference to murder, and it is available on the Lahore High Court website. A qualitative content analysis of the judgment reveals how the experiences of the victim and the perpetrator are linguistically encoded through transitivity, and how this representation shapes reality. All the social actors in the appellate judgment were anonymized. The analysis of the selected clauses in the judgment shows how significant a role the judicial discourse can play in constructing, retaining, disseminating, or dismantling certain stereotypes around rape. The results suggest the use of agent omission, thematic foregrounding, and middle and passive clausal constructions, all of which not only background the perpetrator's agency in relation to the crime but also suggest the victim as the blameworthy and responsible party. Such linguistic representation of a crime, as severe as rape, in the institutional discourse mirrors the misogynistic and patriarchal mindset that runs deep in Pakistani society. Moreover, the paper highlights the lack of objectivity and neutrality in the judicial language, which significantly alters public opinion about rape. It further argues for the need for greater linguistic awareness in legal drafting to ensure more accurate, balanced, and accountable representations of victims and perpetrators in rape discourse.

Keywords: Rape, minors, agency, victims, perpetrators, systemic functional linguistics

1. Introduction

Rape as a sexual offence is mostly committed against women for multiple reasons, including exercising physical control, deriving bodily pleasure, or taking revenge. Rape is not only a crime against the victim's body but also their honor, reputation, and self-respect (Hussain & Bari, 2022), which constitutes this offence as a crime of a grave nature, asking for a serious penalty. Women of all ages, classes, races, ethnicities, and countries are at risk of falling victim to this crime. Children, too, exist in a state of perpetual vulnerability to sexual violence. Imdad (2019) claims the number of sexual assaults on minors in Pakistan increased by 11% in 2018; according to him, 10 children are abused every day in Pakistan. More troubling is that in some cultures, rape is treated as a social, moral, and religious taboo; victims often face stigma and social distancing, as concerns about honor, shame, and morality shift blame onto those who have experienced the violence. This societal response leaves rape survivors feeling isolated and ostracized and affects their social and personal lives.

Rape is an act of coercion and can happen irrespective of the marital status of the victim and perpetrator. However, in strictly conventional societies, rape is often equated with adultery or fornication because it is perceived to violate the honor of the victim and her family. Honor killings have frequently been linked with rape and victim-blaming attitudes (Kentucky Association of Sexual Assault Programs, 2023; Malik & Iftikhar, 2021; Siddiqui, 2023). In some countries, girls are forced to marry their rapists to compensate for the perceived loss of family honor (O'Sullivan & Khan, 2021; Wulffhorst, 2019). Although Tunisia, Jordan, and Lebanon have repealed laws allowing rapists to escape prosecution by marrying their victims, similar laws continue to exist elsewhere (Johnson, 2021; UN Women, 2019). In Pakistan, rape and sexual assault have received increasing media attention with the rise of social media and private television channels. Victims and their families, whose experiences were previously underreported, have found new platforms to

International "Journal of Academic Research for Humanities (JARH) 6(3)" voice their concerns (Jamil, 2020; Masudi & Mustafa, 2022). Consequently, greater public attention has led to legal reforms, including the anti-rape legislation allowing chemical castration of repeat offenders (Saifi, 2021). Despite these developments, concerns remain regarding the representation of victims, perpetrators, and justice in Pakistan (Ali & Khan, 2021; Saeed, 2024).

The present paper examines the stance of one of the country's most influential institutions—the judiciary—towards rape victims and perpetrators. Specifically, it investigates how an appellate court judgment linguistically constructs victimhood and perpetration in a child sexual abuse case, thereby contributing to forensic linguistics in Pakistan.

2. Literature Review

In recent years, rape has been widely discussed, especially since the emergence of social media platforms; rape had always been part of mainstream print and electronic media before social media took over. This section examines key research on the linguistic representation of rape across domains, including print media, court verdicts, and translations. Akram, Yasmin, and Sohail (2025) examined the print media's biased portrayal and perpetuation of rape myths in Noor Muqaddam's case in Pakistan. They find that print media often sensationalize rape, misreport the facts, and compose news reports in a manner that supports the perpetrators, not the victims. Rathore, Noreen, and Qasim (2025) show that Pakistani English newspapers or print media largely shape public opinion on rape/gender-based violence. Their study reveals print media's role in highlighting Gender-based Violence (GBV) as a critical systemic crime that requires immediate governmental attention. Ahmed and Kamran's (2021) research on the role of mass media in promoting moral panic reveals that Zainab Ansari's rape-cum-murder fulfills the criteria of 'moral panic', a term introduced by Stanley Cohen in 1972. The study shows that mass media highly influence public

opinion, judicial verdicts, and other courses of action taken in relation to the crimes being reported (Khan & Zafar 2022).

Print media in Pakistan has a major role in influencing public perception of rape (Sarfraz, Abid, & Bhatti, 2024). Bano (2022) employs four frames, i.e., gender, culture, crime, and identity, to analyze how reporters frame or cover the crime. The study reveals victim-blaming tendencies of the reports, a lack of ethics, and the use of stereotypical language to describe the victims. The linguistic representation of gender-based violence in rape judgments has also been explored from the perspective of CDA by Khan and Khaleel (2024), where they highlight the need to train judges to use gender-sensitive language when drafting the judgments. They endorsed judgments as significant texts in setting an example of how rape should be addressed on a national level by news channels, newspapers, and the public.

Various linguistic frameworks, including Naming Analysis, Social Actor theory, and SFL, have been used to explore the construction of rape in Pakistani print and electronic media. These studies show that the reporters downplay the rapists' role in the crime, highlight the victims more, and have an inclination toward victim blaming and shaming (Tehseem, 2016; Fatima & Naeem, 2023). Research reveals a pattern of the ever-present stigma associated with rape and its survivors. These survivors/victims are always vulnerable to both sexual violence and violence of misrepresentation by the actual perpetrators and the reporters, respectively.

Using Halliday's transitivity model, Barcelos (2020) investigates the language of the appellate decisions on marital rape cases in Santa Catarina, Brazil. The study argues that an appraisal of the judges' discourse on marital rape is necessary to discover the stance of the judiciary on marital rape and the impact of this stance on those seeking legal help. She claims that the judges' use of lexical choices suggests that the victim is consensually involved in the sexual act and that her account of the incident might be entirely fabricated. This, in turn, minimizes the

International "Journal of Academic Research for Humanities (JARH) 6(3)" responsibility of the accused and shifts the blame to the victim for letting herself be raped because of the naturally uncontrollable lust of the accused. The study emphasizes the practice of psychological assessment of the rape victims in giving fair verdicts, since the physical evidence might not be considered reliable, and the forensic evidence is subject to tampering and loss.

Li (2020) explores how Systemic Functional Linguistics (SFL) intersects with translation studies to investigate ideology, characterization, and agency in the Chinese translation of the English autobiography *Wild Swans* by Jung Chang, which serves as a critique of Mao Zedong's Communist Party. The study, through a combination of voice, modality, and theme, along with transitivity choices, reveals shifts or equivalence of agency in the linguistic representation from the source text to the target text. The equivalence of agency is maintained by assigning material and verbal processes to Mao Zedong (a Chinese communist leader) in English and Chinese. The non-equivalences are manifested through the change of Mao as an Actor to Mao as a Senser in the translation. Also, Mao's agency is reduced due to the non-thematic positioning, which also results in a change in the voice system of the clause. Other techniques that contribute to the diminishing of agency include middle and agentive passives. The study concludes that the observed shifts and equivalences of agency in Chinese translation culminate in an altered meaning and, therefore, an altered ideology that the translator wants to convey about Mao as a political leader.

Li and Wang (2021) argue that thematic progression enables a text to produce cohesive, fluent discourse without discontinuities. The text can effectively convey the message of the speaker's/writer's message by employing the thematic structures proposed by Halliday (1994; 2004). The study looks at the textual features of the legal discourse in the Criminal Procedure Law of the People's Republic of China and observes that the law employs different

theme/rheme patterns, including constant, linear, derived, and split rheme structure. The results show that the thematic progression in the criminal procedural law of China helps ensure that the authority, formality, inherent obligation, and rigidity of law are effectively communicated.

Investigating the linguistic representation of the victims and perpetrators in an appellate decision on a sexual assault case heard by the Lahore High Court in 2022, Sher and Saleem (2026) highlight how SFL (transitivity, ergativity, and textuality) works as a theoretical lens to reveal the agency and voice of the victims and the perpetrators (p. 44). The study shows that the appellate decision is inclined to represent rape as a consensual act between the perpetrators and the victims by nominalizing and agentising the perpetrators, which minimizes their responsibility and blames the victims for the tragedy that befell them.

Based on the abovementioned discussion, this study analyzes the voice and agency of underage rape victims of Pakistan. Using SFL analysis on three different levels, the study explores whether the court's verdicts have a patriarchal and misogynist attitude embedded in them. On a broader level, the analysis examines how the language of the legal text (judicial rulings) influences and shapes discourse on rape in Pakistan.

3. Research Gap

Although some research has explored rape discourse in media and sociolinguistic settings in Pakistan, the present study examines how rape is linguistically constructed in Pakistani appellate judgments. It investigates the representation of rape victims and perpetrators in the language of one of the country's most prestigious institutions, thereby contributing to the under-researched field of forensic linguistics in Pakistan.

4. Research Objectives

1. To explore the linguistic representation of victims' and perpetrators' agency in a Pakistani appellate court rape judgment.
2. To identify the embedded ideological patterns of rape in the language of the appellate court judgment.

3. To highlight the ramifications of judicial discourse on rape for influencing public opinion regarding criminal responsibility, justice, and victimhood.

5. Research Questions

1. How are victims and perpetrators linguistically represented in the selected judicial judgment?
2. How do transitivity and ergative structures contribute to the construction of agency and accountability?
3. What thematic patterns emerge in the textual organization of the judgment?
4. To what extent do the linguistic choices of the judgment reflect broader ideological assumptions concerning rape and justice?

6. Methodology

An appellate decision issued by the Lahore High Court in 2018 was selected for the study. The judgment is information-rich and enables an investigation of rape through the experiential (transitivity) and textual (theme-rheme) metafunctions of Systemic Functional Linguistics (SFL). The study examines the construction of rape from the perspectives of both the victim and the perpetrator.

Six clauses directly representing the experiences of the rape victim and the perpetrator were selected for analysis. Qualitative content analysis was employed to identify recurring linguistic patterns and meanings through the experiential and textual metafunctions of SFL. Since the judgment consists of clause complexes, these were unpacked into clause simplexes before analysis. The clauses were then analyzed at three levels—transitivity, ergativity, and textuality. The tabular analysis was followed by an interpretive discussion of each clause through standard transitivity, ergative transitivity, and thematic organization. Standard transitivity examined participant, process, and circumstance configurations; ergative transitivity analyzed operative and receptive voice; and textual analysis explored thematic and rhematic positioning of the victim and perpetrator.

A limitation of the study is its reliance on a

single appellate judgment and six selected clauses. Consequently, the findings cannot be generalized to all rape judgments in Pakistan. Future research may examine judgments from different courts, judges, time periods, and criminal cases to identify recurring linguistic patterns in Pakistani judicial discourse.

6.1 Ethical Considerations

As this study analyzes a publicly available judgment, formal ethical approval was not required. Nevertheless, because the case involves a minor victim and her family, all identifying names and places have been anonymized. The analysis focuses exclusively on the linguistic representation of victims and perpetrators while protecting their identities.

6.2 Theoretical Framework

According to Halliday and Matthiessen (2014), language functions as a resource for meaning making and representing human experience. The present study draws on the experiential and textual metafunctions of SFL to examine the linguistic construction of agency in judicial discourse.

The experiential metafunction employs the transitivity system, which represents experience through processes, participants, and circumstances. Material processes represent actions in the external world, whereas mental processes represent cognition and perception. Other process types include relational, behavioural, verbal, and existential processes. Participants identify the people or entities involved, while circumstances specify information such as time, place, and manner.

The study also employs ergative transitivity, which distinguishes effective and middle clauses to examine the presence or absence of agency. Effective clauses may be operative (active) or receptive (passive), whereas middle clauses may omit the agent entirely or imply one through agentive passives. Unlike standard transitivity, which differentiates among process types, ergative transitivity generalizes these through an Agent–Process–Medium configuration (Halliday & Matthiessen, 2014).

The third analytical layer is the textual

International “Journal of Academic Research for Humanities (JARH) 6(3)” metafunction, specifically the Theme–Rheme structure. Theme occupies the initial position of the clause and represents the point of departure of the message, whereas Rheme contains the remaining information. Thematic choices determine which participant or event receives textual prominence. This framework enables the study to examine how judicial discourse foregrounds or backgrounds victims and perpetrators in representing child sexual abuse.

7. Data Analysis

The appellate judgment, delivered in 2018 by a Judge of the Lahore High Court, responds to a criminal appeal and a murder reference forwarded by the trial court for confirmation. The judgment concerns the rape and murder of a six- to seven-year-old girl (Z.B.) in Rawalpindi, where the offence occurred in the residence occupied by the appellant (K.H.). The analysis examines how the ruling linguistically represents the victim and the perpetrator through transitivity, ergativity, and textual organization following Halliday and Matthiessen (2014). The table below offers a tabular analysis of the data.

Annexure (A)

The analysis of the first clause reveals that the victim Z serves as the goal of the action taken against her; however, the Actor is not mentioned in the clause. The information surrounding the clause mentions what happened to the victim, but not who caused it. The rape and strangulation, even the abduction, are mentioned; however, what is not mentioned is the culprit. The clause takes a material process without any reference to the Actor, suggesting that the ruling ignores the perpetrator’s action and his responsibility for his action. He is entirely exempt from accountability. On the ergative level, the clause takes the victim as the Medium, leading the process to take a passive-receptive form. The textual metafunctional analysis of the clause shows how the victim is thematized and foregrounded. The processes which refer to rape, strangulation, and abduction are all rhematised. If the victim is the goal, there should have been a perpetrator too—the Actor

on the standard transitivity level. On the ergative level, the Actor would have been the agent of the crime; and on the textual level, he would have been the rheme and hence, responsible for the crime. His inclusion in the clause would have carried interpretive weight and would have been analytically relevant.

The standard SFL transitivity analysis of the second clause represents the victim as the actor and 'the house of her father' as the goal. The process is material, and the victim is assigned the role of the actor in an active construction. It is pertinent to mention that even in the passive construction in the first clause of the ruling, the perpetrators were not made the actors. They could have been made the active doers of the crime, but they are exempted from this responsibility. The victim, in the second clause, is represented as the agent of her action and in control of what she does—she left her father's home. On the ergative level, the victim is the agent, and the house is the medium of the clause. The clause could have a passive construction, but the ruling highlights the victim and her act of leaving the house instead; therefore, she is represented as the actor, theme, and agent of the clause. Transitivity aligns perfectly at all three levels when it comes to representing the victim as the party responsible for what happened to her. The next part of the clause is the continuation of the preceding clause. The embedded clause states: which was nothing less than a castle for her ... and went missing subsequent thereto. Here, the house is assigned the role of the Token, while the value attributed to it is the castle for the victim. The process in the clause is relational. On the ergative level, the house acts as the medium, whereas on the textual level, it is the theme. While in the previous clause, the house was in the rheme position, in the following embedded clause, it gains the position of theme. In the third embedded clause, the victim again is in a theme position but not directly mentioned. The clause follows a split theme pattern, which, according to Bloor and Bloor (2004), 'occurs when the Rheme of a clause has two components, each of which is taken in turn as the Theme of a subsequent

International "Journal of Academic Research for Humanities (JARH) 6(3)" clause' (p. 89). In this clause, 'the house' remains the rheme of the first clause, but becomes the theme in the second embedded clause, and then in the third embedded clause, the action of 'went missing', which was the rheme of the first clause and was represented by the process 'left', becomes the topical theme. This is how, on the textual level, the event is unpacked and unfolded in the ruling.

The third clause is embedded and begins with an Actor followed by the process and Goal. The phrasing of the clause does not allow the space to mention why she 'took her last breath'. 'Taking her last breath' is a euphemism for 'the appellant killed her' or 'She was killed by the appellant'. The responsibility of her murder is not assigned to the perpetrator in the clause 'Z took her last breath'. In this clause, it is the victim who is the Actor, Agent, and Theme. Such representation not only conceals the responsibility of the perpetrator altogether and foregrounds the victim, but it also brings a certain sense of detachment and formality to the tragedy of the victim.

On the level of standard transitivity, the material process is attributed to the victim. The ergative transitivity analysis shows that the clause follows the agent-process-medium sequence, where the victim functions as an agent, 'took' plays the role of process, and 'her last breath' is assigned the role of the Medium. On the textual metafunctional level, the victim becomes the Theme of the clause and is therefore foregrounded, whereas the action of dying becomes the rheme. Hence, the victim retains the position of psychological, grammatical, and logical subject in this clause.

The transitivity analysis of the fourth clause also shows the victim as the Actor and therefore the logical subject of the clause. The material process of 'meeting death' is attributed to the participant, and 'death' becomes the Scope of the clause. The circumstantial elements also play a significant role in the representation of the victim in suggesting that she was found in the appellant's room. Since the clause is middle in construction, i.e., it takes neither an operative

nor a receptive construction, the victim/Actor becomes the Medium, not the agent, since there is no Goal against which the Actor takes the action. From the perspective of textual metafunction, the victim is assigned the role of topical theme and remains at the forefront, whereas the process of dying and the crime scene are pushed into the background.

The embedded fifth clause in the text, as per the standard SFL transitivity, demonstrates that the victim functions as the Goal of the material process shown by the phrasal verb 'subjected to'. The configuration of the clause does not involve the role of the actor as a participant. It only includes Circumstance, Goal, Process, and Range. The inclusion of the actor would have been logical and would have made more sense; however, its absence suggests the ruling's tendency to hide the perpetrators as the agents of the crime. Their agency is once again hidden in the transitivity configuration of the clause on the level of standard SFL transitivity. The ergative transitivity analysis of the clause reveals that the perpetrators are not represented as agents of their action. The clause does not employ an Agent-process-medium configuration. It follows a Cir-Medium-Process-Range configuration and entirely omits the agent responsible for the crime under discussion. Therefore, both levels of transitivity – ergative and standard – align in representing the realization of the victim's reality without referring to the perpetrators. Moreover, the clause exhibits effective-receptive construction, which further substantiates the ruling's lexical choices as non-representative of perpetrators' agency and of nominalizing the crime itself. The logical foregrounding of the circumstance in the theme position consolidates the notion that it is the victim or her suffering that is thematized, as opposed to the perpetrator or his actions.

The analysis of the sixth clause on the level of standard SFL transitivity suggests that the clause follows the systemic configuration of Goal-Process-Actor-Circumstance. The victim's reality is represented through a receptive clausal construction, which could have alternatively been

International "Journal of Academic Research for Humanities (JARH) 6(3)" shown as operative, keeping the Actor/perpetrator in the position of the ergative agent and hence, an accountable party to the offence. However, while the victim is again positioned as the Medium, the perpetrator is agentised, though backgrounded or rhematized in the clause on the level of textual metafunction. The clause uses different verbs to refer to rape, including 'plucked', 'mutilated', and 'encroaching upon her modesty' before using the literal word for the crime, i.e., 'savage act of rape and murder', and that too is nominalised to reduce the negative effects of the verb 'rape'. The clause employs flowery and ornamental language in contrast to formal judicial language, which is supposed to be objective, formal, and devoid of emotion. The clause, on the one hand, passivizes the victim, and on the other hand, seems to offset its perpetrator-favoring transitivity configuration by employing emotionally charged adjectives that evoke sympathy for the victim. The clause, therefore, tends to balance out its subjective stance on both the levels of transitivity structure and lexical choices for representing the agency of the perpetrator as well as the victim's experience in the external world. Despite using the material process (indicator of objective truths and facts) for the representation of the agency and responsibility of the perpetrators, the use of passive construction (rhematizing the perpetrator) and foregrounding the victim in thematic position and not using the actual literal word for the crime until the very end of the clause, that too is nominalised in 'rape and murder' go in a different direction.

8. Discussion

The analysis of the appellate judgment reveals a systematic linguistic pattern in the representation of the victim and the perpetrator. Rather than functioning as a neutral account of the events, the judgment constructs a narrative that backgrounds the perpetrator's agency while foregrounding the victim's experience. Although the ruling acknowledges the victim's suffering, it weakens the linguistic connection between the crime and

the offender through passive constructions, agent omission, and thematic foregrounding of the victim. Such representation has the potential to influence public perceptions of criminal responsibility and accountability. The judgment also tends to present rape as something that "happened" to the victim rather than as an intentional act committed by the perpetrator. Expressions such as the victim met death or was subjected to rape reduce the visibility of the offender's deliberate actions. Consequently, the relationship between the perpetrator and the crime becomes linguistically less explicit, which may normalize sexual violence and weaken perceptions of criminal intent.

Another important finding concerns the representation of the victim's movement. The description of the parental home as a "castle" and the subsequent sequencing of clauses subtly associates the victim's departure from home with the events that followed. Although the judgment never explicitly blames the victim, this textual organization encourages readers to infer a relationship between leaving home and becoming vulnerable to sexual violence. Such linguistic choices reinforce traditional beliefs about women's safety and victimhood in patriarchal societies. The judgment also demonstrates a tension between lexical and grammatical choices. While emotionally charged expressions such as little flower evoke sympathy for the victim, passive grammatical constructions continue to background the perpetrator. Consequently, the lexical compassion shown towards the victim is partly offset by grammatical choices that reduce the offender's visibility. These patterns should not necessarily be interpreted as deliberate judicial bias. Rather, they reflect broader conventional practices within legal discourse (Fairclough, 2013), where deeply embedded patriarchal assumptions may shape linguistic choices unconsciously. The findings therefore highlight the importance of linguistic awareness in legal drafting.

The study further suggests that judicial discourse plays a significant role in shaping public understandings of rape, responsibility, and

International "Journal of Academic Research for Humanities (JARH) 6(3)" justice. Linguistic choices such as agent omission, passivization, and thematic foregrounding demonstrate that language is not merely a neutral vehicle of communication but also a means of constructing ideology. Greater linguistic training for judges, lawyers, and legal drafters could therefore contribute to more accurate and accountable representations of victims and perpetrators in judicial discourse. Understanding these linguistic patterns is equally important for media professionals, educators, and the general public. By making criminal agency explicit and avoiding constructions that obscure responsibility, judicial language can contribute to greater public confidence in the legal system and to more balanced representations of sexual violence.

9. Conclusion

This study examined the linguistic representation of victims and perpetrators in a Pakistani appellate judgment on rape through the experiential and textual metafunctions of Systemic Functional Linguistics. The analysis demonstrates how transitivity, ergativity, and thematic organization reveal patterns of agency, accountability, and textual prominence that shape representations of victimhood and perpetration. The findings show that passive constructions, thematic foregrounding of the victim, and omission or backgrounding of the perpetrator's agency contribute to a discourse that weakens the linguistic association between the offender and the crime. Although Pakistan has introduced progressive legal reforms addressing sexual violence, the judgment illustrates that judicial discourse may still reflect deeply embedded patriarchal assumptions in its linguistic representation of victims and perpetrators. The study contributes to forensic linguistics by demonstrating how linguistic analysis can illuminate the relationship between legal language, ideology, and justice. It argues for greater linguistic awareness in judicial drafting so that legal decisions represent criminal agency more accurately, strengthen public confidence in the justice system, and

ensure fairer representations of victims and perpetrators.

References

- Ahmed, N., & Kamran, R. (2021). Child sexual abuse and the print media: A case study of linguistic construction of moral panic. *Jahan Tehqeeq*, 4(3), 395-411.
- Akram, N., Yasmin, M., & Sohail, A. (2025). Perpetuation of rape myths through news reporting on intimate partner violence: A transitivity analysis of Asma Aziz case. *Women's Studies International Forum*, 109, 1-12. <https://doi.org/10.1016/j.wsif.2024.103038>
- Ali, S. M., & Khan, A. (2021). Legal reforms and gender justice in Pakistan: A critical analysis of anti-rape legislation. *Journal of Gender Studies*, 30(4), 421-436. <https://doi.org/10.1080/09589236.2020.1866512>
- Bano, F. (2022). Representation of rape crimes in Pakistani English newspapers: A framing analysis (Master's thesis, National University of Modern Languages). NUML Online Research Repository.
- Barcelos, A. L. S. (2020). A critical discourse analysis of Santa Catarina State Court's perspective on marital rape (Doctoral dissertation). Universidade Federal de Santa Catarina. <https://repositorio.ufsc.br/handle/123456789/204354>
- Bloor, T., & Bloor, M. (2004). *The functional analysis of English: A Hallidayan approach* (2nd ed.). Routledge.
- Fairclough, N. (2013). *Critical discourse analysis*. Routledge.
- Fatima, M., & Naeem, W. (2024). Linguistic identity construction in rape cases: A case study of Gujranwala Motorway case. *Harf-o-Sukhan*, 7(4), 87-99.
- Halliday, M. A. K., & Matthiessen, C. M. I. M. (2014). *Halliday's introduction to functional grammar* (4th ed.). Routledge.
- Hussain, S., & Bari, F. (2022). The intersection of honor, shame, and sexual violence: A socio-legal analysis of rape discourse in Pakistan. *Violence Against Women*, 28(9), 2145-2166. <https://doi.org/10.1177/10778012211068012>
- Imdad, Z. (2019, April 4). Over 10 children abused every day in Pakistan in 2018. *Dawn*. <https://www.dawn.com/news/1473645>
- Jamil, S. (2020). Media and social change in Pakistan: The role of digital media in amplifying marginalized voices. *Media, Culture & Society*, 42(7-8), 1320-1337. <https://doi.org/10.1177/0163443720928575> (S copus Q1, Communication)
- Johnson, S. (2021, March 8). 'Marry your rapist' laws in 20 countries still allow perpetrators to escape justice. *The Guardian*.
- Kentucky Association of Sexual Assault Programs. (2023). Responding to sexual violence: A guide for professionals in the Commonwealth. Retrieved from <https://www.kasap.org/proguide/>
- Khan, F. F., & Khaleel, B. (2024). Analyzing legal drafting: International "Journal of Academic Research for Humanities (JARH) 6(3)" Legal discourse study on crimes against women in Pakistan. *Pakistan Languages and Humanities Review*, 8(1), 160-174. [https://doi.org/10.47205/plhr.2024\(8-1\)14](https://doi.org/10.47205/plhr.2024(8-1)14)
- Khan, M. I., & Zafar, N. (2022). Media framing and judicial decision-making in Pakistan: A quantitative analysis of high-profile criminal cases. *International Journal of Law, Crime and Justice*, 69, 100-120. <https://doi.org/10.1016/j.ijlcrj.2022.100120>
- Li, L. (2020). Shifts of agency in translation: A case study of the Chinese translation of *Wild Swans*. *Meta*, 65(1), 168-192. <https://doi.org/10.7202/1073641ar>
- Li, S., & Wang, Y. (2021). An analysis of the textual features of legal discourse from the perspective of thematic progression: Based on Criminal Procedure Law of the People's Republic of China. *Theory and Practice in Language Studies*, 11(7), 829-835. <https://doi.org/10.17507/tpls.1107.09>
- Malik, H., & Iftikhar, R. (2021). Honour killing in Punjab: Reasons and implications. *Journal of Pakistan Vision*, 22(1), 134-146.
- Masudi, J. A., & Mustafa, N. (2022). Analysing the role of media in promoting crimes. *Pakistan Journal of International Affairs*, 5(2), 1330-1343.
- Noreen, F., & Qasim, H. (2025). A transitivity analysis of gender-based violence in Pakistani English news reports. *Journal of Applied Linguistics and TESOL*, 8(2), 1550-1565. <https://doi.org/10.63878/jalt812>
- O'Sullivan, C., & Khan, S. (2021). 'Marry your rapist' laws in comparative perspective: Prevalence, persistence, and policy implications. *Journal of Human Rights*, 20(3), 312-329. <https://doi.org/10.1080/14754835.2020.1862641>
- Saeed, A. (2024, March 6). Does abortion law ignore rape victims in Pakistan? *Voicepk.net*. <https://voicepk.net/2024/03/does-abortion-law-ignore-rape-victims-in-pakistan/>
- Saifi, S. (2021, November 18). Pakistan passes anti-rape bill allowing chemical castration of repeat offenders. *CNN*. <https://edition.cnn.com/2021/11/18/asia/pakistan-rape-chemical-castration-intl-hnk/index.html>
- Sarfraz, R., Abid, F., & Bhatti, Z. I. (2024). A linguistic analysis of e-newspapers' fabrication of rape in the Pakistani context through the lens of framing in linguistic method. *Migration Letters*, 21(S14), 742-759. <https://migrationletters.com/index.php/ml/article/view/11511/7691>
- Sher, M., & Saleem, A. (2026). How reality is construed in legal judgments: An SFL analysis of a Pakistani appellate decision on sexual assault. *International Premier Journal of Languages & Literature*, 4(1), 44-60.
- Siddiqui, R. N. (2023). 'Honor' crimes and victim-blaming in South Asian contexts: A systematic review of research evidence. *Trauma, Violence, & Abuse*, 24(2), 789-803. <https://doi.org/10.1177/15248380211043816>
- Sulastri, R., & Walidah, M. Q. (2024). Utilizing social media to combat sexual violence: A study of the Speak Up movement on Instagram. *TEMALI: Jurnal Pembangunan Sosial*, 7(2), 208-219.
- Tehseem, T. (2016). Investigating character construal of rape victims in Pakistani news reporting. *International Journal of Language Studies*, 10(2), 127-148.
- UN Women. (2019, June). Reforming the laws that forced women to marry their rapists. Retrieved from <https://www.unwomen.org/en/news/stories/2019/6/feature-story-of-change-reforming-laws-that-forced-women-to-marry-their>
- Wulforst, E. (2019, June 3). UN urges countries to end marital rape and close legal loopholes. *Global Citizen*. <https://www.globalcitizen.org/en/content/un-women-marital-rape-laws/>

Annexure (A)

Table 1: Linguistic Representation of Victimhood and Perpetration: A Systemic Functional Analysis of Selected Clauses from the Judicial Decision

Clause No.	Clause	Primary Process Type	Secondary Process Type	Participants	Voice	Agency	Theme Type	Rheme Focus
1	A little girl (Z) was raped and strangled to death after abduction.	Material (was raped and strangled)	—	Actor: [Omitted]; Carrier & Goal: Victim (Z) Circumstance: after abduction	Passive	Agentless	Topical (Victim)	Processes: rape, strangulation, abduction
2	The little angel left the house of her father which was nothing less than a castle for her and went missing subsequent thereto.	Material (left)	Relational (embedded: "was nothing less than a castle")	Actor: Victim (Z); Goal: house; Token: house; Value: castle	Active	Agentive	Topical (Actor/Victim)	House/action: went missing
3	Z took her last breath.	Material (took)	—	Actor: Victim (Z); Goal: last breath	Active	Agentive	Topical (Victim)	Process: death ("took her last breath")
4	Z.B. met her death in the room under appellant's occupation.	Material (met)	—	Actor: Victim (Z.B.); Scope: death; Circumstance: room of appellant	Middle	Agentless	Topical (Victim)	Circumstance: location of death
5	Before strangulating Z., she was subjected to rape, an act bereft of any morality and at the ebb of extreme inhumanity.	Material (was subjected)	—	Actor: [Omitted]; Goal: Victim (Z)	Passive	Agentless	Circumstantial (Temporal Theme)	Victim's suffering: subjected to rape
6	The little flower was plucked and mutilated by the appellant.	Material (was plucked and mutilated)	—	Actor: Perpetrator (Appellant); Goal: Victim (Z)	Passive (with agent)	Agentive	Topical (Victim as Theme)	Perpetrator's act: rape/murder