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From Domestic Violence to Procedural Doubt: A Study of Social Actor Representation and Judicial Framing in a Selected Pakistani Legal Judgment

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ABSTRACT

This article analyses the construction of social actors in the judicial discourse in Muhammad Abbas v. The State and another (2017LHC3506), a criminal appeal in the Lahore High Court which came out of the death of Khadija Bibi. This case is not just a standard intimate partner violence case but a domestic/familial violence judgment, since its legal story is articulated through kinship, familial relations, witness evidence, inheritance, medical evidence, procedure, and doubt. This study analyses the representation of the victim, the appellant, the complainant, witnesses, medical actors, investigating actors, documentary evidence, and the court in the judgment using Van Leeuwen's (2008) Social Actor Theory. The findings reveal that Khadija Bibi is the victim of domestic violence; however, her identity is mainly produced and reproduced in the very restrictive relational, bodily, and evidentiary categories of deceased, wife, mother, sister, body, and medical record. In contrast, the appellant is slowly built up as a legal subject who has rights, and whose role is based on the benefit of doubt as something that is not yet evident. The findings also reveal that the judgment does not merely constitute a report on domestic/familial violence as social harm but re-codifies it as a legal problem of delay, contradiction, witness unreliability, the clash between ocular and medical evidence, and reasonable doubt. It does not set out to question the concept of proof beyond a reasonable doubt, but rather to consider the discursive effects of a legal structure where evidentiary uncertainty is the only central reality, beyond which the gender and familial dimensions of violence are marginalized.

Keywords: Domestic Violence, Familial Violence, Judicial Discourse, Social Actor Representation, Legal Language, Pakistan Legal Discourse

Introduction

Judgments are not just a statement of what has happened. They turn social experiences into legal classifications, a death turns into an occurrence, an injury turns into medical evidence and family relationships into witness roles, and violence turns into something that needs proof. Competing accounts, delayed reporting, medical findings, witness testimony and formal standards of credibility, are all factors where harm usually finds its way into the courtroom, particularly in cases of domestic and familial violence. Language in judgments thus not only serves the function of articulating court rulings, but also of shaping the visibility of victims, accused persons, families, witnesses and legal institutions in the legal text. This process is explored in detail in this article by a close analysis of the discourse of a 2010 case, Muhammad Abbas v. The State and another (2017LHC3506). The case relates to the death of Khadija Bibi and criminal appeal of Muhammad Abbas who is referred to in the judgment as the

appellant/accused. The prosecution version was as narrated in the judgment that Abbas dragged Khadija Bibi towards the fields, hit her with a hatchet and strangled her with her own dupatta. The defense version added another version in which the complainant/brother was also involved in the killing due to an alleged dispute over the Khadija Bibi's share of the land. The issue in the appellate case ultimately hinged on evidentiary issues such as delay, witness conduct and inconsistencies between the ocular report and medical evidence. This background is important because the article is not, as representation is more often perceived, an abstract issue about representation; it's a matter of how representation of a case involving the death of a woman in a domestic/familial context shift from a story about violence to a story about procedural uncertainty.

The concept of domestic violence, as used herein, is in a broad socio-legal context. It isn't just about intimate partner violence, but intimate partner violence is one important type of domestic violence. The discursive field in this case is constituted by marital and family relations, authority within the household, testimony of those related by kinship, potential inheritance conflicts, institutionalization of a woman's death. This is an interpretive clarification, as domestic violence is sometimes used as an alternative to intimate partner violence. The present article, however, considers the case as an example of domestic/familial violence, in which the meaning of the event is, in part, constituted by the gender of the persons involved, as well as by the law's gaze on the event as a form of family violence.

The central argument is that the judgment is a gradual shift of the 'interpretive center' of the case. On one level, this text has a story of violence against Khadija Bibi in it. At another level, the reasoning in appeals increasingly centers itself around legal doubt: the evidence of the prosecution is said not to "ring true", the delay in the filing of the FIR is said to be suspicious, the conduct of the witnesses is said to be unnatural and medical evidence is made a deciding one in testing the ocular account. That is not to say the article suggests that evidentiary requirements should be neglected or that an accused person be convicted with less than evidence beyond a reasonable doubt. Instead, it raises a discourse analytical question: what is the nature of the social reality created by a procedural language of doubt as the predominant way to communicate about domestic/familial violence?

The originality of the article can be seen in the demonstration of the differential production of social actors in the judicial language. Khadija Bibi can be seen as an object of death, injury, kinship and medical description but she cannot be a speaking subject. The appeal, on the other hand, names the appellant, individualizes him/her, and places him/her in a legal position. The court, medical actors and documentary evidence become authoritative and family-based prosecution witnesses are collectivized and subject to doubt. These representational decisions in the judgment are not just in the context of the appeal of a criminal case; they have broader implications for the legal narration of violence against women in terms of visibility, agency, credibility, and responsibility.

The background to the case and the legal outcome.

Before the discourse analysis, a short summary of the case is needed, since the facts of the case, the opposing versions of the story, and the appellate decision shape the representational choices that are explored in the discourse analysis. *Muhammad Abbas v. It was a criminal appeal case in Lahore High Court against the State and other.* The woman in the middle of the case is Khadija Bibi. There were two alternate law stories about her death. According to the prosecution, Muhammad Abbas was the main perpetrator of the violence as he allegedly forcibly dragged Khadija Bibi to the field, hit her with a hatchet and strangled her with a dupatta. Read as a serious

case of domestic/familial violence, where a woman is physically overpowered by the man and subsequently killed in a context of domestic relationships.

Such is the defense version which brought in a different interpretive frame. It had alleged that the complainant (deceased's brother) had killed her for asking for his share of the inheritance land. This is a different story and it's important for the current analysis because it demonstrates that the judgment is not cohesively delivered with a consistent victim/perpetrator story. Rather, Khadija Bibi's placed in between two versions of the story, one from the prosecution and one from the defense, and a third from the court's evidence, which was the most authoritative of all. Her own voice is lost there, but the judgment itself isn't able to make up for that lack, in any meaningful way, by reconstructing her social status. She is seen primarily through the eyes of others, via their opinions on her, the wounds on her body and the significance given to these wounds.

The judgment's final legal action is absolutely crucial to the argument of the article. The focus of the interpretive analysis of the appellate court on domestic/familial violence is not on the social problem. Rather, it reviews if the prosecution has established the charge by criminal levels of proof. The judgment is based on the observations that FIR was lodged after a lapse of time, the behavior of witnesses and their credibility and the conflict between ocular and medical evidence. Thus, the accused/appellant is re-constructed using the language of law that is the language of doubt. This movement is what the title of the article "from domestic/familial violence to procedural doubt" is alluding to. The legal answer is not only the answer to a case but the discursive point of arrival of the judgment as well.

This article is not a retelling of the facts of the death, nor is it trying to determine who was at fault or not. It is textually and discursively oriented. It examines how the judgment allocates agency/credibility to the social actors and the language employed in the judgment to focus on some elements of the case and neglect others. This is why the legal result is important because it can be looked at as a legal principle and as a representational frame: the benefit of doubt.

Literature Review

Domestic Violence, Law and Social Power

Domestic violence is now considered a social, legal, institutional and gender issue rather than a domestic and private phenomenon. The public/private distinction that has traditionally governed the legal and political discussion of violence has been a target of feminist legal and sociological scholarship for a long time (Dobash & Dobash, 1979; Schneider, 2000; Stark, 2007). This is significant as domestic violence is not just a single act of violence. It might be in the context of broader dynamics of dependency, coercion, family power, trust, reputations and social control. The contemporary literature on gender-based violence thus underscores the importance of understanding that violence in private and domestic settings needs to be understood as being embedded in the social structures that render some forms of violence visible and other forms of violence normal and private, or that make it harder to establish the procedural requirements for proving a case of violence.

Domestic violence is still linked to the patriarchal norms in families, gender roles and differential access to institutional safeguards in Pakistan. Indeed, despite the presence of formal legislation that condemns wife beating and other forms of gendered violence, attitudes relating to these types of violence are still entrenched in wider social structures (Raza & Pals, 2025). The study by Raza and Pals is important because it shows that finding the meaning of acceptance or rejection of wife beating requires a look at the level of individual opinion as well as gender ideology, socialization and evolving but differential culture. In the same manner, Gulesci, Leone and Zafar (2026) claim that the laws governing domestic violence in Pakistan are not only written reforms,

as their impact relies on the social norms, which receive, interpret, and apply the law. Their results indicate that statutory change may have a restricted and/or unequal impact if it is not accompanied by a change in institutional capabilities and/or social norms. Such studies are significant because they take domestic violence out of the realm of 'once, rare and strange' events and put them into perspective in a broader field of social power.

The link between domestic violence and the law is thus complicated. Law is a neutral apparatus, it suggests through evidence, procedure, precedent and formal reasoning, but legal discourse is not only an expression of social life, it organizes and authorizes it. Courts make no effort to just record violence as it happened. They breakdown it into legally accepted heads like motive, failure in filing FIR, credibility of witnesses, medical evidence, contradiction and corroboration, reasonable doubts etc. This can result in a process of lived harm turning into pieces of evidence, in turn displacing the sociality of violence with procedural uncertainty. As such, critical legal discourse scholarship has suggested that the language of the law is a fertile site for making sense of meaning, and not merely a transparent means of deploying legal rules (Cheng & Machin, 2023). This insight is especially pertinent to the translation of relational, embodied and gendered harm into the legal vocabulary of proof that often occurs in domestic/familial violence cases.

Representation, Responsibility Assignment and Judicial talk

Studies on legal and public discourses and debate on gender-based violence have consistently demonstrated that representations have an impact on responsibility attributions. For instance, Hamilton (2010) analyzes the judicial language used in reference to women's agency in violent relationships and indicates that judges can portray women in oppositional ways using the assumptions of passivity, responsibility, legitimacy and credibility. Her writing is relevant as it proves women's agency in legal writings can be a problem with law: when the woman is too passive, her voice is erased, and when she is too agentive, her victimhood is called into question. In this sense, Meluzzi, Pinelli, Valvason and Zanchi (2021) also demonstrate that in gender based domestic violence stories, the use of language impacts the attribution of responsibility. Their corpus-based and perception-based study reveals that grammar constructions can focus the reader's attention on or away from the perpetrators and they can impact on the reader's evaluation of blame.

This is all very relevant to the judicial discourse, since the naming of things, categorization, agency, and sequencing of evidence are all crucial to legal texts. A perpetrator can be grammatically activated as the agent of the violence, or the violence can be nominalized, passivated or distributed throughout events, circumstances and evidentiary disclaimers. So too, a victim can be portrayed as a talking subject, a legal relationship, a damaged body, a corpse, and an evidentiary item. These decisions have an impact on the distribution of responsibility, vulnerability and credibility. Feminist linguistic studies also have demonstrated that sometimes violence against women is encoded in patterns that have the effect of obfuscating the male's role or that draw the listener's attention to the woman's actions, behavior or role (Ehrlich 2001, Clark 1992, Lazar 2005). In this regard, 'linguistic representation' is not 'ornamental' to legal reasoning, rather it is one way in which legal reasoning is socially intelligible.

The present article is an extension of this work and aims to locate this work in the context of appellate discourse of Pakistan. The article does not presume any legal doubt as per se suspect from an ideological point of view. The doubt is a must in criminal law. Rather, the question is one of the discursive constructions of doubt, the bodies and voices that are its foundation, and what happens to the social significance of domestic/familial violence when the main narrative of the judgment is one of the lack of procedure.

Social Actor Theory and Pakistani Legal Discourse Studies

Van Leeuwen's Social Actor Theory is a useful tool for analyzing the above representational processes in the context of critical discourse analysis. According to Van Leeuwen (1996, 2008), discourse represents social actors by making some socio-semantic choices, such as: inclusion/exclusion, activation/passivation, nomination/categorization, individualization, personalization/personalization and functionalization/identification. Such categories give the researcher a way to investigate the ways in which people are represented or depicted in a text, the functions they are given and the forms of action or agency that they are granted. The framework is particularly applicable to legal judgments, as judgments are an institutional text with a rich population of victims, accused, appellants, complainants, witnesses, medical officers, police officers, trial court judges and appeals judges.

But not every one of these actors is equal and not every is as much given agency, credibility or moral weight. These differences are important with domestic/familial violence judgments. A victim may be referred to many times in terms of her physical, familial and evidentiary attributes, without ever being discursively heard. In the names of a woman as "daughter," "wife," "deceased" or "injured person", she can be legally identified, while at the same time her independent subjectivity is curtailed. Likewise, the wounds sustained by a woman could be treated medically and no further focus put on the social relation, which caused the violence. In such instances the victim is included, but her voice can be backgrounded. An accused, by contrast, can be initially identified as violent, then, as an appellant or a legal subject with rights or a beneficiary of doubt. This is not just a change in the legal category but also a change in discursive position of where the actor is read.

Although extensive research has been conducted on domestic violence in Pakistan, majority of the research has been centered on prevalence, legal reform and policy implementation, women's access to justice and sociocultural attitudes. Such studies are necessary for a broader context in which to understand domestic violence and the social and institutional factors that surround it. They do not, however, provide a complete account of the ways in which victims, the accused, complainants, witnesses and legal institutions are created in Pakistani judgments as language. This leaves an important gap that needs to be filled. If we consider legal judgements as institutional text, in which violence is experienced, named, categorized, and sometimes displaced, then a close analysis of the text is required. The present article aims at filling this gap and, therefore, deals with the case of *Muhammad Abbas v. State and another*. Van Leeuwen's theory of the Social Actor is used to analyze the State and another. It poses the question of positioning of the accused/appellant Khadija Bibi, the complainant, the witnesses and the institutional actors, and how the representational choices help to suggest the transition from domestic/familial violence to procedural doubt.

Methodology

This study employs research methods of interpretivist qualitative and the single case discourse design, which is critical. The data include the text of the judgment from *Muhammad Abbas v. State and another v Lahore High Court*, (2017LHC3506). The case is purposefully selected as presenting an analytically rich example of a case where an appellate judgment carries a narrative of domestic/familial violence to a final focus on evidentiary doubt. No statistical generalization is intended. Instead, the study offers a thorough interpretation of the text in that judgment, which in turn raises questions that reach beyond the particular judgment and the manifestation of violence in this context to the nature of legal language, gendered violence and social actor representation. The unit of analysis is the judgment as legal discourse, focusing on clauses, phrases, actor references, legal categories and recurrent evidentiary formulations. The study does not consider the judgment as an objective documentation of the event; nor does it aim at

determining which version is factually correct, the one of the prosecution or the defense. It investigates how the judgment performs those narratives and the distribution of authority, doubt, agency and visibility through the use of language. This is important as the article's point is about discourse, not a reinvestigation of fact.

Van Leeuwen's social Actor Theory (van Leeuwen, 1996, 2008) is the basis for the analysis. Exclusion and backgrounding, activation and passivation, nomination and categorization, functionalization and relational identification, genericization and specification, assimilation and individualization, impersonalization, objectivation and somatization are the principle analytical categories that are employed. These categories were "discovered" in a process of "close reading" of the judgment, which was repeated. The appropriate textual snippets were manually selected, categorized based on their socio-semantic aspects and interpreted in the broader discursive context of the judgment. The coding was an iterative process, first coding being done for the social actor involved, and second coding done for the way the social actor was represented (via which social representational strategy).

Three procedures were employed to increase the analytical rigor. First, statements of representation were related to explicit references to the judgment text. Second, legal interpretation and discourse interpretation were distinguished from each other, to ensure that the study did not suggest over-stated conclusions about factual guilt and/or innocence. Third, it presented the contrastive reading which takes into account how the victim was portrayed otherwise without infringing on the legal presumption of proof beyond reasonable doubt. No human participants were involved as the data are from a publicly available court judgment. Sensitive with ethical issues: no sensational description of violence; emphasis on representational patterns rather than individual speculation about the actors.

Findings and Analysis

Backgrounding

The most clear-cut representational pattern in the judgment is the voicing of the perspective of Khadija Bibi herself in the background. She is the character that dies and sparks the case but is not a speaking actor. She has a role in the legal narrative via others: complainant, witnesses, defense attorney, doctor, investigating officer and court. For instance, defense version in the present case reads "the deceased was murdered by her brother, the complainant, as she was demanding her share in her land of inheritance" (2017LHC3506). This sentence puts at the center of a potential property conflict Khadija Bibi, while the statement about her demand is uttered by someone else. She is not depicted as a woman who's claiming a right, but as the subject of rival explanations for her death.

The same can be seen in the complainant's statement: 'My late sister asked for her land from me' (2017LHC3506). It's not only useful for legal narration as it identifies a potential motive, but it also demonstrates the structure of mediated agency. I want you to see the story of the demand made by Khadija Bibi in her own words. It is passed through a male family member, through the legal records and through an evaluation by the appellate court regarding the reliability of evidence. Her right to inherit is possibly agentive if it is part of the story but not included in the judgement to a larger narrative of her social standing, vulnerability or rights.

Backgrounding also elements when domestic tension is referred to by using phrases like 'a quarrel took place between the spouses' and 'the dispute was patched up' However, this is not the case for the (2017LHC3506). These expressions minimize the impact of domestic/familial violence because they are referring to a fight or an argument. This results in a neutral surface as a result of such terms. They do not give the reader the opportunity to think about coercion, fear or vulnerability or forms of control. It is discursively powerful, but not necessarily intentional:

violence can be more easily understood as a disagreement of evidence, than a violation of gender and family.

Activation and passivation

It is clearly shown in the judgment that there is a difference between activation and passivation. In the prosecution story, Abbas is brought to life through material acts of purportedly violent acts. He is accused of having “taken their mother Khadija Bibi (deceased) forcibly towards the fields,” “inflicted three successive blows of hatchet” and “strangled Khadija Bibi with her Dopata” (2017LHC3506). These clauses transform him into the agent of action both grammatically and semantically. In that version, he is a man who is the perpetrator of domestic/familial violence.

Khadija Bibi, on the other hand, is completely subdued. She is represented in a state of having been ‘murdered’, ‘injured’, and having her dead body ‘thrown’ (2017LHC3506). There should be passivity in a murder judgment because the deceased cannot engage in the action of the law in the present. The problem is, though, that judgment does not do a fuller reconstruction, it does not do a passivation of all her life, all her rights, all her fears, all her vulnerability. Her visibility is largely as proof of and the end of violence. The agency of the alleged perpetrator is thus an important issue in the organization of agency in the judgment, as the idea of the perpetrator is activated, whereas the idea of the victim is passivated.

This pattern can also be seen as representing the instability of the activation in the appellate discourse. Abbas is brought to life in the prosecution story as the violent culprit, and as the judgment goes into appellate reasoning, he is gradually shifted into the shoes of the accused whose legal rights and benefit of doubt is at the center of the debates. The very same actor then transgresses from being an alleged agent of violence into being a procedural subject. Khadija Bibi isn't re-positioned in a similar way. She still plays a textual role associated with death, injury, kinship and evidence.

Nomination, Categorization And Relational Identity

Actors are distinguished as per their nominations and categorization. The name of Muhammad Abbas is mentioned, and he is described as “appellant.” The significance of this legal category is that it moves him from the category of alleged violent actor to one of a procedural subject with rights, arguments and a claim before the appellate court. The category appellant does not remove the allegation but rather refocuses the reader's attention on the fact that he is in a legal state and the court has a duty to examine his conviction.

Khadija Bibi is categorized differently. She is called by name; but the fact of her name being mentioned repeatedly is merely relational or evidentiary: “deceased”, “sister”, “wife”, “mother” (2017LHC3506). These categories won't make her an independent speaker. They find her with respect to others or in regard to death. The complainant is classified as “complainant” and “PW.3” and thus, his voice is given a legal role even though his credibility is doubted. Categorization is therefore not only a matter of identification of people, but it also is a matter of establishing their respective discursive authority.

This distinction is significant as relational identity is not a neutral one in the discourse of domestic/familial violence (DFV). Khadija Bibi is legally wife, mother, sister or deceased, but is also legible mainly in terms of the roles that link her to other actors. Her identity is neither elaborated as that of an independent legal subject, nor as the subject of a life and vulnerability to be interpreted through the social. The consequence of that is what is called “controlled inclusion” – the victim is included in the case a lot, but in ways that help the legal process.

Functionalization, Institutional Authority

Epistemic authority is given to the professional and institutional actors through functionalization. The judgment mentions the actors like “Lady Doctor” who “conducted the postmortem examination”, medical actor who “furnished medical evidence”, investigating officer who “started the process of investigation” and the court which “drawn an irresistible conclusion” from the record (2017LHC3506). The institutional functions of these actors are used to represent them. They are credible in professional roles, documents, procedures and legal reasoning.

Shift from violence to doubt is at the center of this functionalization. Medical and institutional actors are not only a source of background information but also are the instruments by which the prosecution narrative is put to the test. In this structure, the body of Khadija Bibi is articulated by the doctor, the record and the court but not in her social story. The institutional actors are stronger in their roles due to their seeming professional and impersonal status and family actors are vulnerable to the credibility assessment. The judgment privileges thus institutionalized knowledge over relational.

That doesn't mean that medical evidence is to be discounted. In criminal law, medical and forensic evidence can be a determining factor in the quest for justice. The discourse problem is the shift of the victim's suffering to a technical problem due to the process of institutional functionalization. As injury comes to be medical evidence and medical evidence is turned into a test of ocular credibility, the social context of violence takes a backseat to the internal consistency of proof.

Genericization, Collectivization and the Production of Doubt

Genericization occurs when the phrase “the spouses”, “the couple” or even “a quarrel took place between the spouses” are used. These expressions shift the kind of social actors into a generalized domestic unit. This kind of language however can tend to make violence look like it's on level terms or mundane. A quarrel implies a certain level of disagreement, but rather, a forced movement, hatchet blows and strangulation would point to a much greater power imbalance. Thus, the process of genericization helps to shift the narrative about violence from a gendered/familial perspective to a more neutral legal tale of domestic misunderstanding.

Meanwhile, the verdict identifies some actors as to their procedural roles where it is relevant. Names, role and witness number of the appellant, complainant, witnesses, doctor and investigating officer are given the legality. Specificity is selectively distributed as can be seen in this contrast. In the law, which needs to evaluate testimony, responsibility and procedure, there are specified actors, but there is no one else who is specified with respect to the victim's subjectivity other than her role in the case.

Assimilation is also important. Prosecution is sometimes referred to by general terms like “the PWs”, “the eyewitnesses”, “the witnesses” (2017LHC3506). Collectivization is the bringing together various voices into one block of evidence. This could give the impression that the prosecution is coherent, but it could also give the court the impression that if the prosecution is inconsistent or in doubt, that it does not just affect one or two, but the prosecution as a whole. Individual witnesses' credibility becomes linked to that of the prosecution story. This representational pattern helps the court to reach the conclusion of the prosecution as a collective evidentiary body has failed to prove the case beyond reasonable doubt.

The Impersonalisation, Objectivation and Somatization

Impersonalization is present and powerful with references to record and evidence, and recovery. The words like “it evinces from the record”, “the matter was reported”, ‘the evidence adduced by the prosecution does not ring true’ and ‘the recovery of hatchet’ are examples of the institutional objects that appear as bearers of truth in (2017LHC3506). This makes the judgment an impersonal one. The court seems to be guided by the evidence and not by feelings, a key

element of judicial power. But that impersonalization may remove the reader from the woman's life that is the subject of the discussion of her death.

Somatization is also very important. Khadija Bibi's body is made legible – by medical terminology: “reddish bruises on the front of neck,” “hyoid bone,” “2nd and 3rd cervical vertebra,” “lacerated wound,” and “spinal cord” (2017LHC3506). These details are not only important for forensic reasoning but also turn the victim into a medical-legal object. The prosecution's case is put to the test on her body. This discourse thus accords her body evidence value, and denies her any more extended story, or social agency.

One of the key takeaways from the article is this. The victim is not taken off the judgment. She appears again and again, but only to the extent that it is shown by evidentiary logic. She is depicted as a corpse, a wounded body, kin and a medicine object. This indicates that it is not always an exclusion that leads to marginalization in judicial discourse. It can also happen by means of inclusion, which make the victim visible only in such a way as to be in service of the procedure of proof.

A Contrastive Reading

Focusing on “how” the judgment represents Khadija Bibi is necessary but not sufficient to demonstrate a strong critical analysis; there should also be some indication of how she could have been represented differently. That does not imply that the court should give up its legal neutrality or find someone guilty in the absence of any evidence. It involves enquiring whether the language of the judiciary can hold the caution of evidence and at the same time maintain its social significance of domestic/familial violence.

For example, leaving phrases like “a quarrel took place between the spouses” as neutral portrayal of violence by the judgment could have been given another classification as contested minimization of violence. It might have been more context sensitive to say the prosecution described it as being coercive violence in a family/domestic context, and the defense challenged both the act and the intent. That kind of language would not pre-determine the outcome of the case but would not minimize alleged violence as a “quarrel between the two.

Likewise, rather than being referred to as ‘deceased’, ‘wife’, ‘mother’ or ‘sister’, the judgment could have been more explicit that these are terms that refer to social relationships and that they don't necessarily capture Khadija Bibi's identity. It could have been titled, “Khadija Bibi, the woman behind the appeal, and how this influenced the evidence. This would allow for a precise legal discussion and deepen her relationship with the law in terms of textual visibility, without relying on men.

The judgment might also have been interpreted as an institutional rather than simply a problem with the prosecution case. In the absence of any other considerations, the law turns “ambiguously” when reasoning from delay, medical contradiction and the unreliability of witnesses. Even a judgment which was victim-sensitive, might still be able to give benefit of doubt to the appellant, recognizing that the social harm of violence can be rendered invisible by procedural shortcomings. Language like this would not affect the level of proof. This would make the judgment more ethically sensitive towards the problem which it adjudicates.

Reframing Domestic/Familial Violence as Procedural Doubt

These representational strategies collectively create a move from issues of domestic/familial violence to procedural doubt. The prosecution story at the outset makes Abbas out to be a potential violent culprit and Khadija Bibi, a victim of grave physical assault. But as the case unfolds the key element is whether the government's case is believable. The speech of doubt eventually replaces the speech of violence.

The transition is done via a number of interrelated strategies. The victim is made passive and "bodied". The prosecution witnesses are polarized in order to open them up for attack. Institutional actors and records are instrumentalized and instrumental. Appeal of the appellant is recategorized as appeal of legal subject which is to be considered on the basis of the standard of proof. The last question that remains to be dealt with is thus not the social significance of the violence in the scope of a domestic/familial field, but rather whether the prosecution is able to make a case that meets with the court. The words like "mysterious delay", "unnatural conduct of the witnesses", "conflict of ocular account with the medical evidence" become the clinching words which bring the resolution of the case (2017LHC3506).

It's significant as it demonstrates the ways in which the legal discourse can focus on the frame of domestic violence, whilst not denying that a woman died. The judgment will not wipe out Khadija Bibi. She's referred to many times in it. But it allows her to be seen in limited capacities: as a dead body, an injured body, a familial body and as a body that makes a point. Therefore, it is suggested in this article that marginalization as it relates to the legal discourse is not necessarily the total exclusion. It can be done by controlled inclusion — the victim is only included in forms which have an evidentiary purpose.

Discussion

The results indicate that the construction of a homicide as domestic/familial can be turned into a narrative of doubt that is procedural in nature, and is possible within the realm of Pakistani law. Procedural uncertainty is not illegitimate; however, it does mean that. In the criminal law, doubt is an important principle of justice, and therefore a denial of it is protection against being wrongfully convicted. The question is rather discursive: with a frame of doubt, the gendered/familial conditions in which violence becomes possible can go out of sight. This results in the case being less remembered as a woman's death in a "domestic/familial" setting, but rather as a case that the prosecution failed.

This discovery is in line with the general critical legal talk scholarship. The language of law is neutral because it is in the form of evidence, record, procedure and precedent. But these types of neutrality are also types of selection. They determine the central questions and others that are peripheral. The factors which are legally determinative are delay, contradictions, medical evidence and reliability of witnesses. The social questions relate to Khadija Bibi's vulnerability, the nature of violence in family relationships, what it would imply if there were an inheritance dispute and her lack of voice. The judgment provides answers to the former questions as directly asked, and leaves the latter more or less underdeveloped.

The analysis also advances the use of Van Leeuwen's approach of Social Actor Theory (2008) to legal judgments. In the framework, not only are social actors named or unnamed, but they are also shown to have different agency. Their positioning is done by way of various forms of agency. The appellant is first portrayed as a doer of violence and later on as an appellant, who is entitled to benefit of doubt. The victim is included in this but he/she is passivated, renationalized, and somatized. The complainant and witnesses are objectified as evidence producers, yet end up being identified as a 'suspect prosecution group'. Authoritative interpreters are medical and legal actors who are functionalized. Such changes reflect the manner in which legal meanings are crafted in ways that do not simply involve an overt statement of ideology.

Comparative reading is done to improve the pragmatic contribution of the paper. In recognizing the weakness of the procedure, a court does not have to demean the social seriousness of domestic/familial violence. In the case of Khadija Bibi, judicial discourse could be more nuanced to differentiate between a quarrel and an allegation of coercive violence; it could bring to the fore her social and legal subjectivity and not merely view her as wife, mother, sister and

deceased; and it could also recognize that a failure to investigate and provide evidence has impacts not just on the accused, but also on the posthumous visibility of the victim. This type of wording would not affect the standard of proof. Instead, it would pay attention to the problem it adjudicates in a more ethically sensitive way.

The article thus makes three contributions to the socio-legal and gendered discourse studies. Firstly, it introduces the critical discourse analysis to the analysis of a Pakistani legal judgment, a situation where there is a lack of close textual analysis of domestic/familial violence judgments. Secondly, it demonstrates that the transition from violence to doubt is not merely a legal transition, but the representational transition as well. Third, it illustrates that judgements of domestic/familial violence are not just about the nature of the outcomes they bring, but the sorts of social actors they create. The law's language is part of the justice process because it is the language that determines who can be seen, how and what kind of harm can be seen and become legible to the law.

Conclusion

This study has analyzed (Muhammad Abbas versus. The State and another as a discourse on family/domestic violence and procedural doubt. It has systematically demonstrated with the concept of Van Leeuwen's Social Actor Theory the organization of the visibility, the agency and the credibility of the main actors in the judgment. Khadija Bibi is the protagonist of the case but not the main proposition of the case. Her roles are as deceased, wife, mother, sister, injured body and evidentiary object. The violent actor who is the subject of the case is turned into a legal entity and his case is solved with benefit of doubt. Witnesses and complainants are singled out and subjected to credibility checks, and medical and institutional actors are given authority by professional and documentary roles.

The article's central thesis is that the judgment does not only tell the story of violence but rather that it creates violence anew, via the legal proof of language. This reorganization is understandable in a legal sense but discursively there are consequences. It expels the social significance of the case and moves the focus away from the issue of gendered/familial harm towards procedural inadequacies. This does not mean that the victim is completely eliminated; rather, she is included in certain forms that align with the evidence-based logic of judgment.

The study also addresses the gap for a more comprehensive and context sensitive approach to domestic violence. Not only should the case be examined in the context of the typical understanding of intimate partner violence but also in other contexts as well. It fits into a larger field of domestic/familial violence, where marriage, kinship and inheritance, household power, and legal process are all interwoven. Further studies should be conducted on more judgments related to domestic/familial violence in Pakistan to see if this trend of 'violence to procedural doubt' is a common trend. Such effort would contribute to a better understanding of the challenges of staying true to due process as well as the challenges of recognizing gendered and familial violence in the language of the law.

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