

AKL-E-MAYYET: A DOCTRINAL CRITIQUE OF PAKISTAN'S PENAL RESPONSE TO CANNIBALISM

Muhammad Umar

University of the Punjab

Abstract

This paper will focus on the legal gap that is pronounced in Pakistani law on cannibalism, an activity located at the intersection of criminal deviance, Islamic anthropology and forensic psychiatry. Although necrophagy is universally condemned, the Pakistan Penal Code (PPC) 1860 does not explicitly criminalise the act of feeding on human remains, which has forced the state into procedural desperation. By analysing the 2011 and 2014 incidents of cannibalism in Bhakkar, this study shows that the application of peripheral provisions to meet the requirements of *actus reus* and *mens rea* in the cases of cannibalism is doctrinally deficient. The application of the Anti-Terrorism Act 1997 in 2014 shows a worrying trend of legal patching, where the operation of the law is subjugated to the discretion of the judiciary. With a qualitative approach, the research methodically synthesises classical Islamic *fiqh* on theories of *karamah* and *darurah* with international human rights, in particular the requirement of dignity of the dead mandated by ICCPR Article 7. The study reveals that Pakistani law has a triple vacuum of statutory, normative and interpretative nature. It ends by suggesting an independent statute, Section 297-A, which provides a sophisticated sentence structure between survival, pathological and predatory cannibalism. This study provides a detailed legislative plan by aligning the domestic legislation with international standards of post-mortem dignity and Islamic jurisprudence to guarantee legal certainty and to reinstate the normative integrity of the Pakistani criminal justice system.

Keywords: Cannibalism, Necrophagy, Pakistan Penal Code, Bhakkar Case, Islamic Jurisprudence, Post-mortem Dignity, ICCPR Article 7, Section 297-A, Criminal Justice System.

Chapter 1: Introduction

One of the oldest taboos in the history of humanity, cannibalism or *akl luhum al-bashar*, refers to the consumption of human tissue by another person. It is not only a criminal deviation but also a basic transgression of the human state, which questions the boundaries of the law, morality, and society. Its use has been recorded in anthropological studies in a range of contexts, from ritualistic culture to extreme survival conditions, but in modern urban contexts, its development is usually a symptom of deep pathological or socioeconomic downfall. On a legal note, human body protection is not confined by death, but rather becomes a post-mortem right to dignity. This is a voluntary duty in Pakistan, which is only rhetorically accepted but has not been legally proven because the country does not have any particular law in this regard.

The case of the Bhakkar Brothers revealed the structural weaknesses of the Pakistani criminal justice system, and it is the main driving force behind this doctrinal review. In April, 2011, Mohammad Arif and Farman Ali were arrested in Darya Khan, on the grounds of digging up a female body and eating it. They faced a short two-year custodial sentence for the offence of trespassing on burial places, in the absence of a specific statutory provision. This weak legal strategy was later reinforced in 2014 when the brothers were re-arrested on the discovery of a severed head of a toddler. To pass the two-year limit of section 297, the state referred to section 7 of the Anti-Terrorism Act (ATA) 1997, stating that the offence had stirred terror in the minds of the people, resulting in a twelve-year sentence. It is criticised for its misuse of anti-terrorism legislation, judicial discretion and procedural injustices, including a lack of regard for psychiatric and forensic evaluation. The change is a demonstration of a legal patchwork, and not a principled administration of the law.

Much of the existing literature is often limited to anthropological digressions, while the legal literature mostly follows Western-centric notions of necessity. There is a gap in research in Pakistan, as news reports only provide a shallow account of the Bhakkar incidents, while there is a near-complete lack of systematic doctrinal study with regard to the application of the existing penal code on cannibalism. Further, the empirical basis of crime statistics and judicial opinions has typically been overlooked in legal discourse. This research aims to address this

gap by going beyond the secondary interpretation and providing a rigorous analysis of the legal framework.

This study adopts a qualitative doctrinal methodology. It examines the Pakistan Penal Code, relevant ancillary statutes, reported judicial decisions, parliamentary documents, government responses, and reliable secondary literature. The paper utilises the Bhakkar incidents as the principal empirical anchor. A comparative study is given to analyse common and civil law jurisdictions along with a post-colonial context.

In turn, the current study is predetermined by the following chain of questions related to the sufficiency of the current provisions to meet the requirements of criminal responsibility, the use of anti-terrorism laws in these situations, and the harmonisation of Islamic principles with modern-day psychiatric requirements. The paper takes a qualitative doctrinal stance with the help of jurisprudential analysis and supplementary data, claiming that the penal system of Pakistan has a substantive lacuna and suggesting comprehensive statutory and procedural changes.

Chapter 2: Normative and Theoretical Framework

Cannibalism is usually referred to as the consumption of human flesh by another human being. The term anthropophagy, which is derived from the Greek *anthropos* (human) and *phaghein* (to eat), is more technical and has been used in anthropology and historical literature to explain the practice in various cultures.¹ In legal discourse, cannibalism is not a uniform offence, with many jurisdictions often trying it as a homicide, desecration of corpses, or a public order violation.²

Classification of Cannibalism

In anthropology, the distinction is made between exocannibalism and endocannibalism, with the former associated with warfare or the show of power, to latter found in mortuary situations.³ Motivational models also divide cannibalism into three major typologies. In extreme deprivation, nutritional or survival cannibalism develops, as was the case in the Andes aircraft crash in 1972.⁴ Symbolically, some cultures practice ritual cannibalism, with Aztec religion being the most well-known.⁵ Pathological cannibalism is characterised by extreme psychopathology, such as paraphilic disorders and serial killings.

Psychological Aetiology

The psychoanalytic theory explains cannibalism allegorically through oral incorporation and identity building.⁶ Where later scholars have associated pathological cannibalism with regression and oral sadism,⁷ modern forensic psychology frames it in extreme psychopathology. Research on contemporary serial killers has shown it to be a

¹Arens, W. F. (1979). *The man-eating myth*. Oxford University Press.

² Provost, R. (2015, March 15). *Cannibal laws* (SSRN Scholarly Paper No. 2578597). Social Science Research Network. <https://doi.org/10.2139/ssrn.2578597>

³ Conklin, B. (2001). *Consuming grief*. University of Texas Press.

⁴ Read, P. P. (1977). *Alive*. Lippincott.

⁵ Harner, M. (1977). The ecological basis for Aztec sacrifice. *American Ethnologist*, 4(1), 117. <https://doi.org/10.1525/ae.1977.4.1.02a00070>

⁶ Freud, S. (1950). *Totem and taboo*. Routledge.

⁷ Abraham, K. (1927). *Selected papers on psychoanalysis*. Hogarth Press.

complication of necrophilia, psychosis or paraphilia,⁸ stemming from delusional belief systems and a tool for sexual control.⁹ The risk factors include social isolation, untreated psychosis, personality disorders, traumatic childhood experiences, and substance abuse.¹⁰ These do not hint at a specific psychopathological syndrome, but rather are general criminological predictors of interpersonal violence.

Criminological Perspective

The criminological theories focus on structural and socioeconomic variables. The strain theory assumes that deviant behaviour can arise due to extreme deprivation or marginalisation in the absence of opportunities.¹¹ Risk-assessment studies of serial homicide indicate a pattern of choosing vulnerable and unrelated victims and manual forms of killing.¹² From a sociolegal standpoint, cannibalistic acts are generally auxiliary to homicide and sexual violence. Being a social taboo and liminal crime, it violates the key symbolic classifications which determine personhood and bodily integrity.¹³

Anthropological Context

Anthropological evidence demonstrates that cannibalism has appeared in varied historical contexts. The Franklin Expedition (1845)¹⁴ and the Donner Party (1846-1847)¹⁵ are instances of survival-based cannibalism. The spread of Kuru disease among the South Fore people of Papua New Guinea was a result of endocannibalistic mortuary rituals.¹⁶ Early modern European pharmacology involved the

⁸ Ressler, R. K., Burgess, A. W., & Douglas, J. E. (1988). *Sexual homicide: Patterns and motives*. Lexington Books.

⁹ Taylor, P. J. (2009). Psychosis and violence. *Psychiatry*, 8, 310. <https://doi.org/10.1016/j.mppsy.2009.05.006>

¹⁰ Stone, M. H. (2018). *The anatomy of evil*. Prometheus Books.

¹¹ Merton, R. K. (1938). Social structure and anomie. *American Sociological Review*, 3, 672. <https://doi.org/10.2307/2084686>

¹² Ressler, R. K., Burgess, A. W., & Douglas, J. E. (1988). *Sexual homicide: Patterns and motives*. Lexington Books.

¹³ Douglas, M. (1966). *Purity and danger*. Routledge.

¹⁴ Beattie, O., & Geiger, J. (1987). *Frozen in time: The fate of the Franklin expedition*. Greystone.

¹⁵ Read, P. P. (1977). *Alive*. Lippincott.

¹⁶ Lindenbaum, S. (1979). *Kuru sorcery*. Mayfield.

consumption of powdered human remains for therapeutic purposes,¹⁷ as an example of medical cannibalism. Cannibalism by gastronomic preferences has been observed in Fiji, where human flesh is considered a delicacy on certain islands.¹⁸ There are one-off incidents such as a political hate-driven mob lynching and consumption of parts of the flesh of Dutch Grand Pensionary Johan de Witt and his brother Cornelis in the Netherlands,¹⁹ which hints that cannibalism cannot be limited to mere pathology.

Islamic Jurisprudence

Islamic jurisprudence grounds its moral philosophy in the principle of *karamah*,²⁰ affirming intrinsic human dignity and bodily sanctity.²¹ Simultaneously, the legal system of *haram* in Islam prohibits consuming unlawful substances such as carrion, blood, and swine flesh.²² As human blood is considered impure or *najis*, jurists extend the prohibition to human flesh, classifying it as categorically impermissible.²³ Islamic law recognises the doctrine of necessity as *darurah*, permitting otherwise prohibited acts to preserve life.²⁴ However, this principle is strictly limited, with a slight permissibility in cases of extreme starvation.²⁵

¹⁷ Sugg, R. (2011). *Mummies, cannibals and vampires*. Routledge.

¹⁸ Jones, S., Walsh-Haney, H., & Quinn, R. (2012). Kana Tamata or feasts of men: An interdisciplinary approach for identifying cannibalism in prehistoric Fiji. *International Journal of Osteoarchaeology*. <https://doi.org/10.1002/oa.2269>

¹⁹ Moca-Grama, V. (2026, January 12). Johan de Witt: That time the Dutch people ate their prime minister. *DutchReview*. <https://dutchreview.com/culture/dutch-history-crowds-ate-prime-minister/>

²⁰ Qur'an 17:70

²¹ Ibn Kathir, I. (2003). *Tafsir ibn Kathir* (abridged) (S. R. Al-Mubarakpuri, Ed.; 2nd ed., Vols. 1–10). Maktaba Dar-us-Salam.

²² Qur'an 2:173

²³ Al-Kasani, A. B. (1986). *Bada'i al-Sana'i fi Tartib al-Shara'i* (2nd ed., Vol. 5). Dar al-Kutub al-Ilmiyah.

²⁴ Kamali, M. H. (2008). *Principles of Islamic jurisprudence*. Islamic Texts Society.

²⁵ Kamali, M. H. (2008). *Principles of Islamic jurisprudence*. Islamic Texts Society.

Chapter 3: Legal Framework in Pakistan

The Pakistani criminal law on cannibalism is weakened by legislative gaps and unclear doctrines. Pakistan Penal Code, 1860 (PPC) does not contain any form of express prohibition, which has led to interpretative tensions and uneven sentencing conclusions.

Applicable Statutory Framework

Section 297, Pakistan Penal Code, 1860

Clause 297 of the Penal Code makes trespass into a burial site and any disgrace to a human corpse a criminal offence; the punishments include sentences up to one year in jail or a fine or both.²⁶ Its relatively low maximum penalty is indicative of the fact that it is a public-decency offence, as opposed to a statute intended to safeguard intrinsic human dignity; thereby, extending its application to cannibalism stretches the dogmatic limits.

Section 295(A), Pakistan Penal Code, 1860

In 1927, the Indian Penal Code was amended to punish acts of deliberate intent to cause outrage to religious sentiments. The legislation was enacted due to the interfaith conflict in colonial India and was aimed at protecting interreligious peace.²⁷ Even though cannibalism is capable of causing religious outrage in Pakistan, the analytical focus shifts towards offence against the belief systems as opposed to the offence against the dead.²⁸

Section 201, Pakistan Penal Code, 1860

Section 201 deals with the loss of evidence related to a crime. This is a derivative provision which depends on a principal crime. In his theory of offence structure, Robinson (1997) points out that accessory liability is not a replacement for the lack of the existence of a substantive

²⁶ Pakistan Penal Code, 1860, s. 297

²⁷ Ahmed, I., & Brasted, H. (2021). Recognition and dissent: Constitutional design and religious conflict in Pakistan. *Journal of Contemporary Asia*, 51(2), 351–367. <https://doi.org/10.1080/00472336.2020.1719538>

²⁸ Lau, M. (2011). *The role of Islam in the legal system of Pakistan*. Martinus Nijhoff.

offence.²⁹ Its exercise over cannibalism highlights a gap in the legislative system.

Section 16, Maintenance of Public Order Ordinance, 1960

The Maintenance of Public Order Ordinance (MPO) allows preventive detention under circumstances where the behaviour is deemed to threaten public order; in Pakistan, these laws have been questioned due to their liberal nature.³⁰ The application of Section 16 of MPO in the case of 2011 evidences the focus on the administrative containment instead of a principled criminal classification.

Section 7, Anti-Terrorism Act, 1997

In section 7 of the Anti-Terrorism Act, actions that are meant to breed fear or insecurity in society are criminalised. The 2014 case was dealt with by an Anti-Terrorism Court in response to the general panic in the population.³¹ Increasing the scope of terrorism laws beyond their intended use has faced criticism in Pakistani jurisprudence because of overbreadth and politicised interpretation.³²

Judicial Application

The 2011 conviction of the Bhakkar brothers resulted in a two-year sentence under Sections 297, 295(A), 201 PPC and MPO provisions.³³ The modest penalty reflected the statutory ceiling of Section 297. After their release, the 2014 incident involving a child victim resulted in a twelve-year sentence under anti-terrorism jurisdiction.³⁴ The disparity between two and twelve years did not stem from statutory reform but

²⁹ Robinson, P. H. (1997). *Structure and function in criminal law*. Clarendon Press.

³⁰ Newberg, P. (1995). *Judging the state: Courts and constitutional politics in Pakistan*. Cambridge University Press.

³¹ Dawn. (2014, May 9). Bhakkar cannibals sentenced by ATC. <https://www.dawn.com/news/1105152>

³² International Crisis Group. (2015, July 22). *Revisiting counter-terrorism strategies in Pakistan: Opportunities and pitfalls* (Asia Report No. 271). <https://www.crisisgroup.org/rpt/asia-pacific/pakistan/271-revisiting-counter-terrorism-strategies-pakistan-opportunities-and-pitfalls>

³³ Dawn. (2011, May 30). Bhakkar cannibal brothers jailed for two years. <https://www.dawn.com/news/632890>

³⁴ BBC News. (2014, April 8). Pakistan police find child's head at suspected cannibals' house. <https://www.bbc.com/news/world-asia-26936301>

from jurisdictional reframing. From a sentencing theory perspective, proportionality requires that punishment correspond to harm and culpability.³⁵ The discrepancy that is witnessed is not because of categories of aggravation that are conscientiously crafted but owing to the legislative silence.

Procedural Lapse

In 2014, psychiatric assessments carried out after the arrest hinted at abnormal behavioural trends; however, no officially recognised defence of insanity was proven, despite the fact that Section 84 of the Penal Code provides protection to those who have no understanding of what they are doing.³⁶ However, the lack of published psychiatric results highlights the disregard for doctrinal involvement in the consideration of mental health. There is a complete lack of a comprehensive forensic regimen to deal with cases of cannibalism. These serious procedural lapses hint at the need for systematic reform.

³⁵ Von Hirsch, A. (1993). *Censure and sanctions*. Oxford University Press.

³⁶ Pakistan Penal Code 1860, s. 84.

Chapter 4: Doctrinal Gaps and Interpretive Problems

The prosecution of cannibalism in Pakistan shows both doctrinal and statutory silence and improvisation of interpretations. The absence of a clear offence brings about confusion of definition, inconsistency in sentencing, jurisdictional issues and uncertainty in the use of defences. These shortcomings are not only technical, but involve such basic tenets of criminal law as legality, fair labelling, proportionality and structured discretion.

Elements of the Offence

The major challenge faced in the Bhakkar cases was the inability of the state to regulate the act of eating people physically and provide it with the proper legal definition; in criminal law, the coexistence between *actus reus* and *mens rea* is necessary to achieve a guilty verdict.

Actus Reus

The *actus reus* in the Bhakkar cases consisted of two separate elements, which were the exhumation of the corpse and the consumption of human remains. Section 297 of the Penal Code covers trespassing on burial sites fairly, but it does not mention the act of ingestion. The *actus reus* of cannibalism goes even further than trespass or desecration; in terms of doctrine, it is a physical violation of bodily integrity by consumption. The lack of a legal definition of the particular act creates a lacuna, in which the most heinous aspect of the act went unprosecuted, and the judicial system had to rely on an ancillary act to justify the sentence.

Mens Rea

The current legal system fails to account for specific *mens rea* in acts of cannibalism. The intent which is prescribed in Sections 295 and 297 is limited to insulting religious feelings, which highlights a doctrinal gap. The actions of the brothers were founded on pathological or ritualistic motives, and not a premeditated attempt to offend a religious group. This is why a strong necessity exists to have a principled approach that distinguishes between three levels of *mens rea*. The first category is a particular intent, which includes pathological motives or predatory motives, when the accused attempts to fulfil a certain compulsion,

ritual, or sadistic desire. The second category is of general intent or recklessness, where the accused realises that the act is the desecration of a body but goes ahead regardless of the social or legal consequences involved. Thirdly, an intent designation that is survival-driven and lacks malice. Currently, the law uses a sanctioning structure that is undifferentiated and would impose a universal sanction on a serial necrophage and a starving survivalist, thus creating an unfair sentencing imbalance.

Causation

The act causes an instantaneous violation of the post-mortem dignity of the deceased and triggers far-reaching moral and psychosocial harm in the community. In the 2014 case, the state used the anti-terrorism law with the proliferation of terror as the causal factor. However, in doctrine, causation should have been pegged on the violation of the dignity of the human.

Inchoate Crimes

The other flaw in the present system of penalising is that it is very difficult to prosecute those who have not yet committed but have only attempted, conspired, or are abettors or accomplices. An individual caught in the act of preparing human remains for consumption would just be prosecuted on the grounds of desecration of a grave; although the act was pre-planned between the two persons, it could not be considered a criminal conspiracy since the act of cannibalism is itself not illegal.

Without a special law that outlaws cannibalism, the issues of complicity (sharing of common intention under Section 34 PPC) and abetment (providing substantial assistance, promotion or instigation under Section 109 PPC) are irrelevant. Therefore, despite the wives of the perpetrators of the aforementioned case knowing about the crimes over a long period and choosing not to report, they were not found guilty of complicity or abetment of the offences.

Definitional Ambiguities

The current law under section 297 of the PPC makes the infliction of indignity on a human corpse criminal. The statutory wording does not

have a clear mention of consumption.³⁷ The legislative purpose in the past was to deter serious trespass and insult to funerals and burial places in general, as opposed to the ingestion of the body.³⁸

The general interpretative question is whether anthropophagy should be interpreted as an offence of indignity or as an offence of injury. The narrow meaning confines the crime to the acts that portray disrespect, disinterment, mutilation, or interference with burial places. In these circumstances, cannibalism would be incompatible with the principle on which the legislation was built. On the other hand, a liberal approach can consider consumption as the final expression of physical violation, thus coming under the domain of indignity. However, criminal laws should meet the requirement of clarity and predictability.³⁹ In the case of ambiguity, an expansive reading is likely to damage the fair notice to the accused.

Necessity Defence Dilemma

The doctrine of necessity is included in the catalogue of general exceptions of the Penal Code.⁴⁰ In section 81, it is stated that when an act is likely to cause harm, it can be pardoned when it is done without criminal intent and with the purpose of preventing greater harm. However, Pakistani jurisprudence has hardly ever resorted to the necessity defence in cases of extreme survival. An example of comparative common-law precedent, *R v Dudley and Stephens*, the necessity defence was expressly denied in a cannibalism murder case in the name of survival.⁴¹

Islamic Law Integration

The constitutional arrangement in Pakistan requires the legislation to comply with Islamic principles.⁴² In Islamic law, the necessity (*darurah*) concept allows actions that would otherwise be prohibited, as long as they are necessary in order to protect life. However, the killing of an individual to be eaten is unanimously declared unlawful by classical

³⁷ Pakistan Penal Code 1860, s. 297.

³⁸ Ratanlal, & Dhirajlal. (2020). *The Indian Penal Code* (34th ed.). LexisNexis.

³⁹ Ashworth, A. (2013). *Principles of criminal law* (7th ed.). Oxford University Press.

⁴⁰ Pakistan Penal Code 1860, ss. 52–54.

⁴¹ *R v Dudley and Stephens* (1884) 14 QBD 273 DC

⁴² Constitution of Pakistan 1973, art. 227.

jurists even in extreme cases of food scarcity.⁴³ Juristic discussions strictly build on the sacrosanctity of human dignity (*karamah*) and extrapolate this ban on self-battering and consumption.⁴⁴

Anti-Terrorism Court Issue

The Anti-Terrorism Act of 1997 criminalises acts that are aimed at creating fear or insecurity.⁴⁵ The 2014 case was tried under the anti-terrorism laws on the grounds that it instilled panic in the population; the main aim of the law is to deal with politically instigated violence that threatens the existence of the state.⁴⁶ Cannibalism, as a very shocking deviance, is not ideological violence. The proposal of extending the scope of terrorism laws to cover cannibalism would thus create the issue of overbreadth. The criminal law should have definite conceptual boundaries; otherwise, it would lack legitimacy.⁴⁷ The use of anti-terrorism jurisdiction provides sentencing imbalances and creates unpredictable precedent, essentially replacing extraordinary legislation with holistic reform.

Procedural and Forensic Deficiencies

Jurisdiction is prone to prosecutorial discretion, as there is no statutory classification specifically dedicated to it. The Anti-Terrorist Court was moved in 2014 as a reactionary measure and not as an act of principle. Furthermore, the M’Naghten rule enshrined in Section 84 of PPC,⁴⁸ absolves from liability those persons who are not in a position to determine the nature and quality of their actions.⁴⁹ However, there is no statutory obligation regarding a thorough forensic psychiatric

⁴³ Kamali, M. H. (2008). *Shari’ah law: An introduction*. Oneworld.

⁴⁴ Qur’an 17:70.

⁴⁵ The Anti-Terrorism Act 1997, s. 7

⁴⁶ International Crisis Group. (2015, July 22). *Revisiting counter-terrorism strategies in Pakistan: Opportunities and pitfalls* (Asia Report No. 271). <https://www.crisisgroup.org/rpt/asia-pacific/pakistan/271-revisiting-counter-terrorism-strategies-pakistan-opportunities-and-pitfalls>

⁴⁷ Ashworth, A. (2013). *Principles of criminal law* (7th ed.). Oxford University Press.

⁴⁸ *M’Naghten’s Case* (1843) 10 Cl & Fin 200, 8 ER 718.

⁴⁹ Pakistan Penal Code 1860, s. 84.

examination in the context of cannibalism, despite the increased adoption of psychiatric tests in contemporary criminal justice.⁵⁰

The ad hoc system in Pakistan limits systematised evaluation. At the moment, there is no forensic procedure that is specifically tailored to anthropophagic evidence. Comparative forensic scholarship refers to the need for standard anthropological and pathological practices in cases of dismemberment and consumption of human flesh.⁵¹ The lack of formal principles compromises the consistency of evidence.

Sentencing Framework Deficiencies

The sharp contrast in sentences illustrates the differences created by classification instability instead of calculated proportionality. Consistency and structured discretion are vital sentencing principles.⁵² Simultaneously, aggravating factors (including recidivism, child victimisation, or cruelty) or mitigating considerations (including psychiatric condition or real necessity to survive) are also not explicit. This lack of clear sentencing structure therefore denies the courts principled direction, and as a consequence, adjudicative practices are reactive instead of being systematically coherent.

⁵⁰ Morse, S. J. (2011). Mental disorder and criminal law. *Journal of Criminal Law and Criminology*, 101, 885. <https://doi.org/10.2307/23150443>

⁵¹ Byard, R. W. (2016). Forensic issues in cases of dismemberment. *Forensic Science, Medicine and Pathology*, 12, 377. <https://doi.org/10.1007/s12024-016-9791-z>

⁵² Von Hirsch, A. (1993). *Censure and sanctions*. Oxford University Press.

Chapter 5: Comparative Legal Framework

An analysis of selected jurisdictions shows that cannibalism is rarely a criminalised offence. In common law, civil law and Islamic legal systems, it is mainly prosecuted indirectly through homicide, sacrilege of corpses or proximate crimes. The uniformity of this structure emphasises the universal tendency to control cannibalism by extrapolating the doctrine and not by codifying separately, with a salient difference in the interpretative logic.

Colonial Legal Legacy

Pakistan still enforces the colonial penal code, albeit with amendments. The British Raj never formalised a law against cannibalism primarily because of a lack of any urgent need for one. It is also noteworthy that the parent colonial power itself lacks a dedicated legal provision.

Among the major famines of British India, the official reports on the famine of 1867,⁵³ 1899,⁵⁴ and 1943,⁵⁵ do not specifically mention any instance of cannibalistic activity. However, during the Bengal Famine of 1770, an indirect acknowledgement is recorded,⁵⁶ and on the report on the Great Famine of 1876, anecdotal evidence of survival-based cannibalism is preserved.⁵⁷ Despite these, there is no judicial record of any trial of cannibalism, which can be argued to be due to the disruption of the state apparatus and suppression of the record by the authorities.

The other notable concern, the occult practices of the Aghori community, which generally included post-mortem rituals such as

⁵³ Indian Famine Commission. (1880). *Report of the Indian Famine Commission*. Internet Archive. https://ia802906.us.archive.org/11/items/in.ernet.dli.2015.115976/2015.115976.Report-Of-The-Indian-Famine-Commission_text.pdf

⁵⁴ MacDonnell, A. P., Nicholson, F. A., Bourdillon, J. A., & Lal, S. S. (1908). *Report of the Indian Famine Commission, 1901*. Superintendent Government Printing. <https://archive.org/details/dli.ministry.20768>

⁵⁵ Famine Inquiry Commission. (1945). *The Famine Inquiry Commission final report*. Superintendent Government Press. <https://archive.org/details/dli.csl.1130>

⁵⁶ Khan, Abdul Majed (1969). *The Transition in Bengal, 1756–1775: A Study of Saiyid Muhammad Reza Khan*. Cambridge South Asian Studies. Cambridge University Press. ISBN 978-0-521-04982-5.

⁵⁷ Digby, William. *The Famine Campaign in Southern India (1876-1878)*. Vol. 1. London: Longmans, Green, and Co., 1878.

exhuming and offering indignities to human corpses,⁵⁸ fell within the ambit of section 297; thus, never warranted a specific cannibalism centred legal provision. Moreover, the legislative priorities of the colonisers were based on utilitarianism rather than comprehensive reform based on moral principles.⁵⁹

Surveying the post-colonial landscape paints a more or less similar picture of India and Pakistan, as far as their use of peripheral means instead of direct criminalisation. This congruence of structures emphasises the colonial heritage of statutory construction of penalties and highlights the doctrinal ambiguity which is common between the two.

India's Legal Position

India is a country with documented cases of alleged cannibalism in the recent past, such as the infamous Nithari Killings of 2006.⁶⁰ The culprit, Surinder Koli, was charged with murder, rape, kidnapping, abduction and destruction of evidence. Cannibalism was alleged by the prosecution in multiple cases of his 19 victims, but it was never made a standalone offence under the IPC in any of the cases. Similarly, the CBI Special Courts also proceeded on IPC offences.⁶¹ The Allahabad High Court later ruled there was no forensic evidence to prove cannibalism, and eventually he was acquitted by the Supreme Court due to lack of evidence.⁶²

In the recent 2022 case of ritualistic murders in Kerala, cannibalism was alleged due to gruesome mutilation and dismemberment of the bodies, but it was never formally charged or tried in a court.⁶³ However, despite enacting a comprehensive neoteric criminal legislation,

⁵⁸ Gugler, J. (2024). *Cannibal monks (Aghori)*. <https://joelgugler.com/cannibals/>

⁵⁹ Stokes, E. (1959). *The English utilitarians and India*. Oxford University Press.

⁶⁰ Nanaware, D. S. (2024). House of horror: The Nithari killings. *Journal of Legal Research and Juridical Sciences*, 4(2), 965. <https://jlrs.com/wp-content/uploads/2025/03/98.-Devika-Sanjay-Nanaware.pdf>

⁶¹ Nanaware, D. S. (2025). House of horror: The Nithari killings. *Journal of Legal Research and Juridical Sciences*, 4(2), 965. <https://jlrs.com/wp-content/uploads/2025/03/98.-Devika-Sanjay-Nanaware.pdf>

⁶² *Surendra Koli v. State of Uttar Pradesh & Anr.*, 2025 INSC 1308

⁶³ Sancia, J., & Deepak, S. A. (2026). Occult murders of Kerala: Case studies on supernatural belief-driven murders. *Journal of Forensic Psychology Research and Practice*, 1–25. <https://doi.org/10.1080/24732850.2026.2625812>

Bharatiya Nyaya Sanhita (BNS), 2023, there is no explicit section outlawing cannibalism.⁶⁴

Common Law Jurisdictions

United Kingdom

Cannibalism is not considered a statutory offence in the United Kingdom; instead, charged according to the extant criminal laws like murder, wrongful deprivation of burial rights, or violation of the decency of society. Sexual Offences Act 2003 can be applied to a sexual act involving a corpse, but there is no particular law that specifically prohibits the act of consuming human flesh.⁶⁵ Legislation connected with this is the Human Tissue Act 2004,⁶⁶ which forbids nonconsensual use of human tissue and the Coroners and Justice Act 2009,⁶⁷ which punishes mutilation of non-consenting corpses.

The leading historical authority remains *R v Dudley and Stephens*,⁶⁸ in which the court rejected the necessity defence, emphasising the inviolability of life. Another precedent, *R v Gibson* (1988),⁶⁹ is relevant as it highlights a cannibalistic act without corpse mutilation or murder.

United States

There is a similar lack of specific federal statute in the United States, where regulation varies at the state level. For instance, under the California Penal Code, removal or mutilation of human remains without authority may attract imprisonment of up to five years.⁷⁰ The only US state with an explicit ban is Idaho, where 'wilful ingestion of human flesh or blood' is punished with 14 years of imprisonment.⁷¹

United States v Holmes (1842)⁷² predates its English counterpart, *R v Dudley and Stephens* (1884), establishing the US common law precedent of rejecting the necessity doctrine. Apart from the old *State v Lahue* (1921) case, the US has seen serial rapist-killer and cannibal,

⁶⁴ Bharatiya Nyaya Sanhita, 2023, Act No. 45 of 2023, Gazette of India (2023).

⁶⁵ Sexual Offences Act, 2003.

⁶⁶ Human Tissue Act 2004, s. 5.

⁶⁷ Coroners and Justice Act 2009, s 70.

⁶⁸ *R v Dudley and Stephens* (1884) 14 QBD 273 DC.

⁶⁹ *R v Gibson*, [2008] 1 SCR 397, 2008 SCC 16.

⁷⁰ California Penal Code 1872, s. 7052.

⁷¹ Idaho Code 2025, s. 18-5003.

⁷² *United States v Holmes*, 26 F Cas 360 (CC ED Pa 1842).

Jeffrey Dahmer, who was convicted primarily of murder and sexual assault,⁷³ and child-molester and serial killer Albert Fish, who confessed to cannibalism out of sexual sadism. In these cases, cannibalistic acts were treated as aggravating factors rather than distinct offences,⁷⁴ which demonstrates that American criminal law treats cannibalism as derivative of more serious offences rather than as an independent category.⁷⁵

Civil Law Jurisdictions

Germany

Germany provides an analytically significant modern example through the case of Armin Meiwes in 2001. Meiwes killed and consumed a voluntary victim who had consented previously. Initially convicted of manslaughter, he was retried and ultimately convicted of murder despite the victim's consent,⁷⁶ under the German Criminal Code, *Strafgesetzbuch*.⁷⁷ German courts held that consent did not negate criminal liability where the act violated fundamental public morality and human dignity (*Menschenwürde*), a constitutional value protected under Article 1 of the Basic Law.⁷⁸ Yet Germany did not enact a specific statute.⁷⁹

France

French criminal law likewise lacks a distinct offence of cannibalism,⁸⁰ however, prosecutions in the past have been based on murder offences, desecration of bodies or against the *Ordre Public*. Examples of such an approach would be the historical case of Antoine Leger in 1824,⁸¹ and the contemporary cases of Nicolas Coccaign (2010),⁸² and

⁷³ *State v Dahmer, No F92-2633 (Milwaukee County Circuit Court 1992)*.

⁷⁴ Davis, D. A. (1991). *The Jeffrey Dahmer story: An American nightmare* (pp. 278–280). St Martin's Paperbacks.

⁷⁵ Simpson, A. W. B. (1984). *Cannibalism and the common law*. University of Chicago Press.

⁷⁶ *Meiwes Case (Bundesgerichtshof [BGH] 9 May 2006, 3 StR 438/05)*.

⁷⁷ *Strafgesetzbuch [StGB] 1998, s 211 (Ger.)*.

⁷⁸ *Grundgesetz für die Bundesrepublik Deutschland [GG] 1949, art 1 (Ger.)*.

⁷⁹ *Strafgesetzbuch [StGB] 1998, s 168 (Ger.)*.

⁸⁰ *Code pénal [CP] 1994, arts 221-1 et seq. (Fr.)*.

⁸¹ Guignard, L. (2017). *Antoine Léger l'anthropophage: Une histoire des lectures de la cruauté (1824-1903)*. CRULH Éditions universitaires de Lorraine.

⁸² *Procureur général c Coccaign* (Cour d'assises de Seine-Maritime, Rouen, 23 June 2010, No 09/01367).

Issei Sagawa (1981). Coccain was convicted of murder because he killed and consumed the lung of another prison inmate; whereas, Sagawa, who killed and consumed a fellow Dutch student in Paris, was held legally insane and deported back to Japan.

This is similar to the common law tradition in that it uses broad penal rules. Nevertheless, their arguments are often supported by explicit constitutional values of dignity and *ordre public*,⁸³ which provides a normative transparency at times unavailable in common law adjudication.

International Law

Legal recognition of cannibalism in international law is not enclosed in one specific treaty; it is manifested through an assembly of human rights principles, humanitarian law, and a changing understanding of post-mortem dignity. The main factor in addressing post-mortem dignity is the ICCPR, to which Pakistan is also a signatory. While Article 7 explicitly prohibits cruel and inhuman treatment,⁸⁴ modern human rights jurisprudence considers that it inflicts profound mental and moral suffering upon the living relatives and the community at large; the protection of the dead is thus viewed as an extension of the right to dignity of the living.⁸⁵

Beyond human rights law, International Humanitarian Law (IHL) provides explicit protections for human remains. Under Customary IHL Rule 113, each party to a conflict must take all possible measures to prevent the dead from being despoiled.⁸⁶ This rule is reinforced by the

⁸³ Provost, R. (2017). *Culture in the domains of law: Anthropophagy and cannibal law*. Cambridge University Press.

⁸⁴ United Nations. (1966). *International covenant on civil and political rights*. 999 U.N.T.S. 171. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁸⁵ UN Human Rights Committee. (1992, March 10). *General comment no. 20: Article 7 (Prohibition of torture, or other cruel, inhuman or degrading treatment or punishment)* (UN Doc. CCPR/C/21/Rev.1/Add.3). <https://www.globalhealthrights.org/wp-content/uploads/2013/10/HRC-General-Comment-No.-20-Article-7-Prohibition-of-Torture-or-Other-Cruel-Inhuman-or-Degrading-Treatment-or-Punishment.pdf>

⁸⁶ Henckaerts, J.-M., & Doswald-Beck, L. (2005). *Customary international humanitarian law: Volume I: Rules*. Cambridge University Press. <https://doi.org/10.1017/CBO9780511804700>

First (Article 15)⁸⁷ and Second (Article 18)⁸⁸ Geneva Conventions, which mandate that the dead must be protected against ill-treatment. When it comes to cannibalism, the principles of the IHL draw a general rule that human remains are not *res nullius*, but are inherently guarded beings.

⁸⁷ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949, 75 U.N.T.S. 31. <https://www.refworld.org/docid/3ae6b3620.html>

⁸⁸ Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, August 12, 1949, 75 U.N.T.S. 85. <https://www.refworld.org/docid/3ae6b3720.html>

Chapter 6: Legislative Developments and Stagnation

The law governing cannibalism has been characterised by a significant level of stagnation, due to structural and institutional barriers which have hampered substantive change. The Punjab Law Department, responding to a Right to Information request in April 2022, explicitly acknowledged that no dedicated law on cannibalism exists in Pakistan.⁸⁹

Statistical and judicial records over the last two decades show only two recorded instances, both of the brothers Farman Ali and Mohammad Arif, while no other case has been registered. No official government authority or independent research indicates the prevalence of undocumented cases of cannibalism in Pakistan.

Proposed Amendment

In 2014, four Members of the National Assembly introduced a bill to amend the criminal law in reaction to the events of 2011 and 2014.⁹⁰ The Bill introduced a separate statutory measure, which outlined cannibalism as the eating of human flesh regardless of its source or reason. Although it was referred to a Standing Committee and a subcommittee was constituted, the Bill is still in legislative limbo, and no substantive action has been recorded in the last ten years. The main barriers may be hypothesised as institutional inertia and legislative priorities, but no official parliamentary response has been presented ever since. The stagnation is indicative of a larger trend of crisis-induced legislation.

Sister Bill on Necrophilia

As a reaction to a so-called epidemic, a bill was presented in the Senate (2024 July 10) to propose an amendment to the Penal Code that will

⁸⁹ Punjab Law and Parliamentary Affairs Department. (2022, April 18). RTI Letter 18.4.22. <https://law.punjab.gov.pk/system/files/RTI%20Letter%2018.4.22.pdf> accessed 21 February 2026.

⁹⁰ *Dawn*. (2014, April 17). *LHC cannibalism legislation plea*. <https://www.dawn.com/news/1100528>

criminalise sexual offences with dead subjects.⁹¹ In contrast to the bill on cannibalism, it is marked with distinct statutory intent and linguistic accuracy. It is possible to identify structural similarities between laws that govern cannibalism and necrophilia, as both of them govern the desecration of corpses but are compromised by gaps in statutory wording and enforcement systems.

The establishment of a comprehensive, omnibus corpse-protection law that incorporates cannibalism, necrophilia, organ-trading and medical experimentation into a single statute,⁹² may increase the efficiency of the procedure, protecting the dignity of the victims. Comparative studies reveal that more specific amendments, like those included in the Necrophilia Bill, are more effective than the general peripheral dependence. Clear legal terminology, defined terms, and well-articulated penalties can be used to reduce the ambiguity of interpretation, improve prosecution, and promote judicial predictability.⁹³

⁹¹ Senate Standing Committee on Interior. (2024). *Report of the Senate Standing Committee on Interior on the Pakistan Penal Code (Amendment) Bill, 2024*. Senate of Pakistan. https://senate.gov.pk/uploads/documents/1733917708_193.pdf

⁹² Human Rights Commission of Pakistan. (2015). Criminal law gaps report. <https://hrqp-web.org/hrqpweb/wp-content/uploads/2016/07/Criminal-Justice-Report.pdf>

⁹³ *Comparative desecration laws in Muslim states*. (2014). SSRN. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2487392

Chapter 7: Recommendations for Legislative Reform

The study of the legal system of cannibalism has shown an extreme statutory gap. There is no consistent, legally binding framework that can be used to prosecute instances of anthropophagy. The use of the peripheral statutes and emergency procedures leads to a varying sentencing process and interpretation gaps. As a result, a multi-dimensional legislative change is suggested, which incorporates substantive criminalisation, forensic and psychiatric conditions, and procedural uniformity.

Statutory Recommendations

The absence of a specific provision on cannibalism in the Penal Code makes prosecutors dependent on general statutory clauses, including Section 297, leaving the severity of cannibalism uncompacted.⁹⁴ Moreover, the proposed amendment to Section 297 is rather insufficient as it does not create an independent offence with specific definitions and a scheme of sentencing.⁹⁵ It is recommended to enact a new section, namely, *Section 297-A: Cannibalism*, defining the act and distinguishing between survival cannibalism and pathological or predatory cannibalism.⁹⁶ Proposed penalties could follow a bifurcated scale while also taking aggravating and mitigating factors into account.

Proposed Amendment: Section 297-A

297-A. Cannibalism. (1) Whoever, with the intent to desecrate or satisfy a compulsion, consumes, eats, or otherwise ingests any part of a human body, corpse or remains, whether cooked or raw, shall be punished with imprisonment of either description for a term which may extend from two years to life imprisonment, and shall also be liable to a fine.

(2) In any prosecution that falls under this part, the Court shall order a thorough psychiatric and neurological assessment of the accused to be conducted by a board of specialists. Such a board shall include at least

⁹⁴ Pakistan Penal Code 1860, s. 297.

⁹⁵ National Assembly of Pakistan. (2014). *Criminal Law (Amendment) Bill, 2014*. https://www.na.gov.pk/uploads/documents/1415360941_491.pdf

⁹⁶ Council of Islamic Ideology. (2022). *Cannibalism fatwa*. <https://www.iic.gov.pk/fatawa/cannibalism> accessed 21 February 2026

one forensic psychiatrist who is a member of a government-approved institution

(3) Provided, any act which is performed with an imminent danger of death as a result of starvation, in case there exists no other source of food, and where the person who perpetrates the act did not cause the death of the person whose remains are then used to nourish someone, will be considered a mitigating circumstance, and the court may impose the shortest length of detention in such case.

(4) Any person who attempts to commit cannibalism or necrophagy, or provides the means for such an act, or knowingly participates in a ritual involving the consumption of human remains, shall be liable to the same punishment as provided for the principal offence.

Explanation I: Consumption as Desecration. For this section, the act of consumption is recognised as a specific and aggravated form of desecration of the human body, independent of the act of trespassing upon burial places.

Proposed Sentencing Matrix

To ensure proportionality and deterrence, the law must distinguish between different motivations and degrees of culpability. The following matrix provides a guideline for judicial discretion.

Table 1

Proposed Sentencing Matrix for Cannibalism

Category	Actus Reus	Proposed Sentence	Rationale
Survival Cannibalism	Consumption of remains under acute starvation or necessity (<i>Darurah</i>) where no other food source was available.	2 – 5 Years (with potential for a suspended sentence)	Recognises the ‘Necessity Defence’ in Islamic law; focuses on social reintegration rather than punishment.
Pathological Cannibalism	Consumption linked to	Minimum 7 years of	Prioritises public safety and

	documented psychiatric disorders (including psychosis, paraphilia, or neurological damage).	psychiatric detention	medical rehabilitation; incarceration is secondary to clinical treatment.
Opportunistic or Desecrating	Consumption for ritualistic, commercial, or non-necessity purposes, involving grave desecration.	10 – 15 Years (may be rigorous imprisonment)	Addresses the violation of post-mortem dignity and societal moral order.
Aggravated Cannibalism	Serial cannibalism; targeting vulnerable victims (children); consumption preceded by torture or murder.	25 Years to the remainder of natural life in imprisonment	Reflects the ultimate criminal depravity; serves the primary function of absolute deterrence and public protection.

Evidentiary Recommendations

Mandatory Psychiatric Evaluation

Cannibalistic behaviour is often a result of a severe psychopathology or social exclusion, as the Bhakkar case discovered delusional constructs and social ostracism in psychiatric examination. An exhaustive psychiatric test at the pre-trial and investigation phases should be a statutory requirement that cannot be ignored. The creation of a special forensic psychiatry panel in national and provincial forensic science agencies or state-run medical institutions would ensure consistency in the expert evidence, inform rehabilitation efforts and shape discretion in sentencing.

Forensic Standards Codification

The lack of standard protocols in forensic investigations of cannibalism has affected the consistency of the evidence gathered in existing investigations. Comprehensive post-mortem testing, including defleshing, scrutiny of cut marks, and systematic sample-taking of tissues and a clear definition of admissibility of results in court should be prescribed by codified procedures. Specialised training for medical examiners, forensic experts and police personnel is critical to developing expertise in detecting and documenting anthropophagous acts.

Procedural Recommendations

Aggravating and Mitigating Factors

Serial offences, cases of torture, targeting of the vulnerable, commercial exploitation, ritual aspects, sadistic elements, and the breach of cultural or religious taboos should be included in the aggravating factors. The mitigating factors may include psychiatric disorders, apprehension of death by starvation, duress, impaired capacity due to intoxication or evidence of successful rehabilitation. These guidelines give some discretionary freedom to the judges within the statutory boundaries and therefore strike a balance between retributive, deterrent and rehabilitative goals.⁹⁷

Specialised Court Jurisdiction

While specialised courts are commonplace in Pakistan and courts with explicit jurisdiction may seem natural for such an extreme offence, it is noteworthy that specialised courts lead to fragmentation and inconsistency in the judicial process and inhibit judicial adaptability.⁹⁸ It is imperative to note that courts of specialised jurisdictions such as the Anti-Terrorism Courts have wreaked havoc in Pakistan due to the lax application of anti-terrorism laws;⁹⁹ therefore this study advises

⁹⁷ Human Rights Commission of Pakistan. (2015). *Criminal law gaps report*. <https://hrqp-web.org/hrqpweb/wp-content/uploads/2016/07/Criminal-Justice-Report.pdf> accessed 21 February 2026

⁹⁸ Silvestri, E. (2021). The pros and cons of judicial specialization. In X. Kramer et al. (Eds.), *New pathways to civil justice in Europe*. Springer. https://doi.org/10.1007/978-3-030-66637-8_13

⁹⁹ Tariq, A. (2019). Defining terrorism: Its (mis)application and implications in Pakistan. *Policy Perspectives*, 16(1), 117. <https://doi.org/10.13169/polipers.16.1.0117>

against the formalisation of courts with specialised jurisdiction for cannibalism.

Chapter 8: Conclusion

This study establishes that Pakistan's criminal justice system lacks a coherent legal framework to address cannibalism, compelling courts to rely on peripheral provisions that neither reflect the gravity of the offence nor ensure consistency in the prosecution of the offence. Likewise, the offence is subject to inconsistent sentencing outcomes. The Bhakkar cases expose the consequences of legislative gap and silence, including doctrinal ambiguity, misuse of anti-terrorism legislation and inconsistent judicial reasoning. The cases also highlighted the inadequacy of forensic and psychiatric assessments, which compromised a comprehensive evaluation of the accused. Comparative analysis revealed that although many jurisdictions do not criminalise cannibalism as a standalone offence, yet they provide stronger doctrinal protection for human dignity through comprehensive legal and procedural mechanisms. Given Pakistan's constitutional commitment to human dignity and Islamic principles, the existing framework is insufficient to address this exceptional crime. The proposed reforms, including a dedicated statutory provision, mandatory psychiatric evaluation, codified forensic standards and structured sentencing guidelines, would strengthen legal certainty while preserving the fundamental principles of proportionality and due process. Ultimately, a principled and comprehensive legislative response is essential to protect post-mortem dignity, enhance public confidence, and ensure that future prosecutions are grounded in clear legal doctrine rather than judicial improvisation.

Bibliography

- Abraham, K. (1927). *Selected papers on psychoanalysis*. Hogarth Press.
- Ahmed, I., & Brasted, H. (2021). Recognition and dissent: Constitutional design and religious conflict in Pakistan. *Journal of Contemporary Asia*, 51(2), 351–367.
<https://doi.org/10.1080/00472336.2020.1719538>
- Al-Kasani, A. B. (1986). *Bada'i al-Sana'i fi Tartib al-Shara'i* (2nd ed., Vol. 5). Dar al-Kutub al-Ilmiyah.
- Anti-Terrorism Act 1997, s 7 (Pakistan).
- Arens, W. F. (1979). *The man-eating myth*. Oxford University Press.
- Ashworth, A. (2013). *Principles of criminal law* (7th ed.). Oxford University Press.
- Beattie, O., & Geiger, J. (1987). *Frozen in time: The fate of the Franklin expedition*. Greystone.
- BBC News. (2014, April 8). Pakistan police find child's head at suspected cannibals' house.
<https://www.bbc.com/news/world-asia-26936301>
- Bharatiya Nyaya Sanhita, 2023, Act No. 45 of 2023, Gazette of India (2023).
- Byard, R. W. (2016). Forensic issues in cases of dismemberment. *Forensic Science, Medicine and Pathology*, 12, 377.
<https://doi.org/10.1007/s12024-016-9791-z>
- California Penal Code 1872, s 7052.
- Code pénal [CP] 1994, arts 221-1 et seq. (Fr.).
- Comparative desecration laws in Muslim states. (2014). SSRN.
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2487392
- Conklin, B. (2001). *Consuming grief*. University of Texas Press.
- Constitution of the Islamic Republic of Pakistan 1973, art 227.

- Coroners and Justice Act 2009 (UK), c 25, s 70.
- Council of Islamic Ideology. (2022). *Cannibalism fatwa*.
<https://www.iic.gov.pk/fatawa/cannibalism>
- Criminal Law (Amendment) Bill 2014 (Pakistan).
https://www.na.gov.pk/uploads/documents/1415360941_491.pdf
- Davis, D. A. (1991). *The Jeffrey Dahmer story: An American nightmare* (pp. 278–280). St Martin's Paperbacks.
- Dawn. (2011, May 30). Bhakkar cannibal brothers jailed for two years.
<https://www.dawn.com/news/632890>
- Dawn. (2014, April 17). LHC cannibalism legislation plea.
<https://www.dawn.com/news/1100528>
- Dawn. (2014, May 9). Bhakkar cannibals sentenced by ATC.
<https://www.dawn.com/news/1105152>
- Digby, William. *The Famine Campaign in Southern India (1876-1878)*. Vol. 1. London: Longmans, Green, and Co., 1878.
- Douglas, M. (1966). *Purity and danger*. Routledge.
- Famine Inquiry Commission. (1945). *The Famine Inquiry Commission final report*. Superintendent Government Press.
<https://archive.org/details/dli.csl.1130>
- Freud, S. (1950). *Totem and taboo*. Routledge.
- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949, 75 U.N.T.S. 31.
<https://www.refworld.org/docid/3ae6b3620.html>
- Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, August 12, 1949, 75 U.N.T.S. 85.
<https://www.refworld.org/docid/3ae6b3720.html>
- Grundgesetz für die Bundesrepublik Deutschland [GG] 1949, art 1 (Ger.).
- Gugler, J. (2024). *Cannibal monks (Aghori)*.
<https://joelgugler.com/cannibals/>

- Guignard, L. (2017). *Antoine Léger l'anthropophage: Une histoire des lectures de la cruauté (1824-1903)*. CRULH Éditions universitaires de Lorraine.
- Harner, M. (1977). The ecological basis for Aztec sacrifice. *American Ethnologist*, 4(1), 117.
<https://doi.org/10.1525/ae.1977.4.1.02a00070>
- Henckaerts, J.-M., & Doswald-Beck, L. (2005). Customary international humanitarian law: Volume I: Rules. Cambridge University Press. <https://doi.org/10.1017/CBO9780511804700>
- Human Rights Commission of Pakistan. (2015). *Criminal law gaps report*. <https://hrqp-web.org/hrqpweb/wp-content/uploads/2016/07/Criminal-Justice-Report.pdf>
- Human Tissue Act 2004 (UK), c 30, s 5.
- Ibn Kathir, I. (2003). *Tafsir ibn Kathir* (abridged) (S. R. Al-Mubarakpuri, Ed.; 2nd ed., Vols. 1–10). Maktaba Dar-us-Salam.
- Idaho Code 2025, s 18-5003.
- Indian Famine Commission. (1880). *Report of the Indian Famine Commission*. Internet Archive.
https://ia802906.us.archive.org/11/items/in.ernet.dli.2015.115976/2015.115976.Report-Of-The-Indian-Famine-Commission_text.pdf
- International Crisis Group. (2015, July 22). *Revisiting counter-terrorism strategies in Pakistan: Opportunities and pitfalls* (Asia Report No. 271). <https://www.crisisgroup.org/rpt/asia-pacific/pakistan/271-revisiting-counter-terrorism-strategies-in-pakistan-opportunities-and-pitfalls>
- Jones, S., Walsh-Haney, H., & Quinn, R. (2012). Kana Tamata or feasts of men: An interdisciplinary approach for identifying cannibalism in prehistoric Fiji. *International Journal of Osteoarchaeology*. <https://doi.org/10.1002/oa.2269>
- Kamali, M. H. (2008a). *Principles of Islamic jurisprudence*. Islamic Texts Society.
- Kamali, M. H. (2008b). *Shari'ah law: An introduction*. Oneworld.

- Khan, Abdul Majed (1969). *The Transition in Bengal, 1756–1775: A Study of Saiyid Muhammad Reza Khan*. Cambridge South Asian Studies. Cambridge University Press. ISBN 978-0-521-04982-5.
- Lau, M. (2011). *The role of Islam in the legal system of Pakistan*. Martinus Nijhoff.
- Lindenbaum, S. (1979). *Kuru sorcery*. Mayfield.
- M’Naghten’s Case* (1843) 10 Cl & Fin 200, 8 ER 718.
- Meiwes Case (Bundesgerichtshof [BGH] 9 May 2006, 3 StR 438/05).
- Merton, R. K. (1938). Social structure and anomie. *American Sociological Review*, 3, 672. <https://doi.org/10.2307/2084686>
- Moca-Grama, V. (2026, January 12). Johan de Witt: That time the Dutch people ate their prime minister. *DutchReview*. <https://dutchreview.com/culture/dutch-history-crowds-ate-prime-minister/>
- Morse, S. J. (2011). Mental disorder and criminal law. *Journal of Criminal Law and Criminology*, 101, 885. <https://doi.org/10.2307/23150443>
- Nanaware, D. S. (2024). House of horror: The Nithari killings. *Journal of Legal Research and Juridical Sciences*, 4(2), 965. <https://jlrs.com/wp-content/uploads/2025/03/98.-Devika-Sanjay-Nanaware.pdf>
- Newberg, P. (1995). *Judging the state: Courts and constitutional politics in Pakistan*. Cambridge University Press.
- Pakistan Penal Code 1860, s 84.
- Pakistan Penal Code 1860, s 297.
- Pakistan Penal Code 1860, ss 52–54.
- Procureur général c Coccagn (Cour d'assises de Seine-Maritime, Rouen, 23 June 2010, No 09/01367).
- Provost, R. (2015, March 15). *Cannibal laws* (SSRN Scholarly Paper No. 2578597). Social Science Research Network. <https://doi.org/10.2139/ssrn.2578597>

- Provost, R. (2017). *Culture in the domains of law: Anthropophagy and cannibal law*. Cambridge University Press.
- Punjab Law and Parliamentary Affairs Department. (2022, April 18). *RTI Letter 18.4.22*.
<https://law.punjab.gov.pk/system/files/RTI%20Letter%2018.4.22.pdf>
- Qur'an. (n.d.).
- R v Dudley and Stephens* (1884) 14 QBD 273.
- R v Gibson*, [2008] 1 SCR 397, 2008 SCC 16.
- Ratanlal & Dhirajlal. (2020). *The Indian Penal Code* (34th ed.). LexisNexis.
- Read, P. P. (1977). *Alive*. Lippincott.
- Ressler, R. K., Burgess, A. W., & Douglas, J. E. (1988). *Sexual homicide: Patterns and motives*. Lexington Books.
- Robinson, P. H. (1997). *Structure and function in criminal law*. Clarendon Press.
- Sancia, J., & Deepak, S. A. (2026). Occult murders of Kerala: Case studies on supernatural belief-driven murders. *Journal of Forensic Psychology Research and Practice*, 1–25.
<https://doi.org/10.1080/24732850.2026.2625812>
- Senate Standing Committee on Interior. (2024). *Report of the Senate Standing Committee on Interior on the Pakistan Penal Code (Amendment) Bill, 2024*. Senate of Pakistan.
https://senate.gov.pk/uploads/documents/1733917708_193.pdf
- Sexual Offences Act 2003 (UK), c 42.
- Silvestri, E. (2021). The pros and cons of judicial specialization. In X. Kramer et al. (Eds.), *New pathways to civil justice in Europe*. Springer. https://doi.org/10.1007/978-3-030-66637-8_13
- Simpson, A. W. B. (1984). *Cannibalism and the common law*. University of Chicago Press.
- State v Dahmer, No F92-2633 (Milwaukee County Circuit Court 1992).

- Stokes, E. (1959). *The English utilitarians and India*. Oxford University Press.
- Stone, M. H. (2018). *The anatomy of evil*. Prometheus Books.
- Strafgesetzbuch [StGB] 1998, s 168 (Ger.).
- Strafgesetzbuch [StGB] 1998, s 211 (Ger.).
- Sugg, R. (2011). *Mummies, cannibals and vampires*. Routledge.
- Surendra Koli v. State of Uttar Pradesh & Anr.*, 2025 INSC 1308
- Tariq, A. (2019). Defining terrorism: Its (mis)application and implications in Pakistan. *Policy Perspectives*, 16(1), 117.
<https://doi.org/10.13169/polipers.16.1.0117>
- Taylor, P. J. (2009). Psychosis and violence. *Psychiatry*, 8, 310.
<https://doi.org/10.1016/j.mppsy.2009.05.006>
- UN Human Rights Committee. (1992, March 10). *General comment no. 20: Article 7 (Prohibition of torture, or other cruel, inhuman or degrading treatment or punishment)* (UN Doc. CCPR/C/21/Rev.1/Add.3).
<https://www.globalhealthrights.org/wp-content/uploads/2013/10/HRC-General-Comment-No.-20-Article-7-Prohibition-of-Torture-or-Other-Cruel-Inhuman-or-Degrading-Treatment-or-Punishment.pdf>
- United Nations. (1966). *International covenant on civil and political rights*. 999 U.N.T.S. 171.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- United States v Holmes, 26 F Cas 360 (CC ED Pa 1842).
- Von Hirsch, A. (1993). *Censure and sanctions*. Oxford University Press.