

HONOR CRIMES

Honor crimes are extreme forms of gender-based violence that are committed in culturally constructed societies in which the female body is viewed as a vessel for preserving family and tribal honor. In certain Latin American, Mediterranean, and Muslim societies throughout the Muslim world as well as Muslim communities in Europe and the United States an unmarried daughter's virginity and a married woman's chastity preserve a family's reputation. Perceived or real threats to female purity can bring shame on a family's honor. Male family members often resort to extrajudicial punishment of the accused female, and to a lesser extent the male, to cleanse the family honor. These extrajudicial punishments represent honor crimes in the form of beatings, disfigurement, and on rare occasions rape. The most extreme honor crime is death, commonly referred to as honor killing.

SOCIAL AND CULTURAL DIMENSIONS

The behavior traditionally associated with sullyng a family's honor is an underage or adult daughter's actual or suspected premarital or extramarital sex. Culturally constructed interpretations of shameful acts also broadly condemn women or girls who are victims of rape or incest, choose their own husbands, reject or flee from

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forced marriages, initiate divorce, or commit other "offenses" that bring shame on the family. The male member who "cleanses" the family honor through violence and/or murder routinely earns praise and assumes the stature of a hero in the community.

Whereas society pressures a family to cleanse its honor through the blood of its own daughters, the male lineage does not preserve the family's honor in that manner. Therefore, a son's sexual misbehavior does not sully his family's honor, and as a result his family is not under the same social pressure to murder a son who is inappropriately involved with a woman. A girl's dishonored family, in contrast, often takes the life of the man involved in the illicit relationship. In many cases the man's own family may protect, hide, or send him into exile to spare his life. In Pakistan, for instance, blood feuds can result from one family's effort to protect its son while the other family is attempting to take his life to cleanse its honor. To resolve the conflict the man's family commonly pays blood money or awards marriageable girls to the men of the aggrieved family. In contemporary Iraq women who have been ransomed from kidnappers often are killed by their male relatives to ward off any allegations of sexual impropriety while they were kidnapped.

SCOPE OF HONOR CRIMES

The practice of honor killings is prevalent in many parts of the Muslim world but also has been practiced in parts of the Mediterranean, in Brazil, and among Muslim communities in Europe and North America. As recently as the 1960s Sarakatsani shepherds in Greece conducted honor killings (Campbell 1964). In those mountain communities a daughter's misconduct could sully the honor of her family's men. To avenge the dishonor the father or brother often killed the girl and then the alleged lover.

Although the United Nations special rapporteur on violence against women reported in 1997 that the "practice has been largely discontinued" in Brazil, reports still surface of courts pardoning men for wife murder in defense of honor (Coomaraswamy 1997, para. 43). The phenomenon of honor killings is found in European and North American countries with large Muslim—particularly south Asian—communities as well. In late 2004 British officials, for instance, began reexamining 117 murder cases to determine which ones were motivated by honor cleansing.

LEGAL AND POLICY DIMENSIONS

Legal concepts of victim, crime, evidence, and punishment are culturally grounded constructs, and the application and enforcement of laws dealing with honor crimes are often complex, contradictory, and inconsistent. In Brazil, for instance, the modern legal defense of a

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husband charged with wife murder committed to restore his marital honor can be traced to Portuguese colonial law that pardoned a husband who killed his wife and her lover in the act of adultery. Legal systems in a variety of Muslim countries follow Islamic (*shari'a*), European, Ottoman, and tribal law. An analysis of legal structures in several Arab countries determined that the majority of penal codes (Lebanon, Jordan, Syria, Kuwait, Egypt, Iraq, United Arab Emirates, Bahrain, Morocco, and Oman) supporting honor killings and protecting the murderers can be traced to the French penal code of 1810 (Faqr 2001, p. 73), whereas *shari'a* in Saudi Arabia and Qatar prevents the punishment of the killer.

Proponents of *shari'a* point out that guidelines for determining *zina* (sex outside marriage) are more rigid—confessions, four eyewitnesses, or pregnancy—and that punishment is less extreme (flogging, not death) than actual practice in many Muslim societies. Contrary to Islamic law, a rumor of infidelity in many Muslim communities serves as sufficient evidence to justify the murder of the couple. In some cases forensic evidence has demonstrated that victims of honor killings are innocent.

When it is convenient for them to do so, some Muslim societies fall back on cultural practice or tribal law at the expense of *shari'a* to impose social order, prevent promiscuity, or cleanse honor. Although some Jordanian parliamentarians in 1999 argued for abolishing Article 340 of the penal code because it contradicted *shari'a* by allowing the murder of an accused woman by her male family members, the Islamic movement in that country supported the law as a deterrent to inappropriate social relations between young women and men. Islamic law also was ignored in the 1977 public execution of the Saudi princess Mish'al, who demanded the right to marry a man of her choice. Similarly, the 2002 local Pakistani tribal council (*panchayat*) sentence of Mukhtar Mai to gang rape, allegedly to punish her brother for illicit sexual relations with a woman from a rival tribe, also did not follow *shari'a*. The brutality of that incident drew the outrage of citizens across the country.

Although many Muslim countries have passed laws that prohibit honor killings, there are a variety of obstacles to the protection of women: Investigation and enforcement are often weak and ineffective, sympathy for the killers runs deep, corruption is rife, and laws based on Islamic or local tradition allowing the victim's family to pardon the killer undermine prosecution. According to those traditions, pardon, blood money, or marriageable girls awarded to the victim's family absolve the killer. Because the killer is usually a member of the daughter's family or the husband himself, absolution can be automatic. In other cases, such as in Jordan, penal codes allow for lenient or token punishment of the killer. According

to Article 98, the convicted murderer may serve as little as six months. In Palestine the task of murder sometimes is assigned to a youth who is young enough to be exempt from prosecution.

There are few legal mechanisms for protecting potential female victims of honor killings from their own families. In many cases women and men seeking police protection have undergone interrogation, abuse, beatings, and rape. Law enforcement officials often sympathize with the families. Police in Jordan, for example, have subjected women to a virginity examination, hoping that a confirmation of virginity will resolve the family dispute. When women confess to illicit behavior or become pregnant outside marriage or when reconciliation between the parties is not possible for other reasons, government officials may place women in shelters or prison for punishment or for their protection. In most Muslim countries adequate shelters do not exist. Women placed in shelters or prisons may live for years under harsh conditions, often among criminals, until a resolution is reached. In most cases the women must be released into the custody of a male relative or husband. Among the few viable options for their release are the death of a father, remarriage (often to a much older man), and a return home to families that have had a change of heart. It is not uncommon for families to make such commitments and take custody of the women, only to execute them upon their return.

A women's shelter in Dahuk in northern Iraq opened by the Swedish nongovernmental organization Diakonia came under gunfire from relatives of the inmates. Attempted suicide and depression were common at the shelter. In 2004 the Coalitional Provisional Authority (CPA) advisers to the Iraqi Ministry of Labor and Social Affairs (MOLSA) opened a women's shelter inside the International Zone (IZ) as the only safe location for potential victims in Baghdad. Many Iraqi candidates interviewing for positions as workers and security guards at the shelter were rejected when they admitted that they supported honor killings. With IZ property at a premium, a few months after the shelter's opening a high-ranking Iraqi government official demanded the house for himself. Although the minister of MOLSA supported and funded the shelter, when confronted with political pressure, she denied all knowledge of the shelter. The shelter was closed, and the women were turned out.



Pakistan Honor Killings. Nayyar Shahzaidi's husband cut her nose off out of jealousy because he was nervous she would cheat on him.
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LACK OF STATISTICAL DATA

As a result of underreporting, social attitudes, lack of adequate investigations by law enforcement officials, and faulty data collection methods, there are no accurate figures on honor killings. Sometimes honor killings are reported as suicides or accidents. According to one estimate (Knudsen 2004, p. 2), five thousand women per year fall victim to honor killings, perhaps as many as a thousand in Pakistan alone. The Human Rights Commission of Pakistan collects data in two Pakistani provinces. From 1998 to 2002 an average of 412 victims of honor killings per year were reported in southern Sindh. Women accounted for approximately 60 percent of the victims, and only half the cases were reported to the police. In Pakistan's most populous province, the Punjab, 350 honor killings were reported in 2000 and 249 in 2001. Men represented about 10 percent of the deaths. The *Jordan Times* recorded nineteen honor killings in 2000 and twenty-two in 2001 in that country.

SEE ALSO *Honor and Shame; Violence.*

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