

Preliminary Examination of so-called “Honour Killings” in Canada

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1. Introduction

Premeditated killings of family members, primarily women, who are thought to have brought shame or dishonour to their family by engaging in certain behaviours considered unacceptable (e.g. pre-marital or extra-marital sexual relationships, or relationships with boys not approved by the family), are often referred to in media reports as “honour killings”. This paper examines three questions – what is an “honour killing”, in order to establish the definition used in the paper; where does it occur, looking at reported incidents in Canada; and why does it occur, examining the psychopathology involved in such criminal acts committed in the present day.

Many studies have documented a perception among some families in communities outside of Canada that, in order to restore the family’s honour, a family member must kill the person who allegedly brought shame or dishonour to the family vis-à-vis the larger community.¹ Although the term “honour-based killing” is widely recognized,² it should be noted at the outset that the term is also controversial. For instance, some authors have expressed concern that use of the term is often associated with only a few specific ethno-cultural communities and can be used to obscure the unfortunate reality that family homicides occur in all communities.³ To some, this term may also open an avenue in which offenders may seek to use dishonour to justify their actions during court proceedings in hopes of receiving a reduced punishment.⁴ On the other hand, there are some unique aspects to killings committed in the name of honour that are useful to distinguish from a descriptive and analytical perspective. These unique aspects also have practical implications for victim protection as well as elements of psychopathology, including premeditation and complicity.

One author has indicated that honour killings are distinct from domestic violence for three reasons:⁵

- **Planning** — Honour killings are planned in advance, often at a family conference. The perpetrator's family may repeatedly threaten the victim with death if she dishonours her family.
- **Family complicity** — Honour killings can involve multiple family members in the killing, such as parents, brothers and cousins.
- **Stigma** — Perpetrators of honour killings often don't face negative stigma in their families or communities.

In 2000, the United Nations Population Fund (UNFPA) estimated that there were at least 5,000 honour killings world-wide annually, which may be an underestimate because many cases go unreported or are falsely reported as suicides.⁶ Although this practice is currently primarily associated in media reports with certain Arab cultures, variations of harmful cultural practices toward women involving violence based on notions of honour have been known in many cultures world-wide⁷ and in many historical times.

In recent years, several situations of alleged so-called “honour-based” killings have also arisen in Canada. In 2009, the Ontario Superior Court found a young Ottawa man guilty of the murder of his sister and her fiancé.⁸ The Court stated that the murder was based on a “twisted sense of values.” The accused allegedly considered the murder justified on the grounds that his sister had refused to seek her father’s permission for her engagement, which cast dishonour upon the family. In considering the case, the Court decided to admit expert evidence on the cultural phenomenon of honour killings and its reality in Afghanistan, the country of origin of the accused’s family. Also in 2009, Mohammed Shafi, his wife Tooba, and their son Hamed, were each charged with four counts of first-degree murder and four counts of conspiracy to commit murder in the death of the couple’s three teenage daughters and Rona Amir Mohammed, the father’s first wife. The four victims were found dead in a submerged car near Kingston, Ontario. Family members in Europe alleged that the killings were honour-based because one of the daughters was rebellious and seeing a boy who was unacceptable to the father.⁹ This paper will provide a preliminary overview of the apparent incidence of honour-related killings in Canada through a summary of reported case law and media reports.

The paucity of scientific research and the growing exposure of such violent acts are important reasons why research in this area is crucial. By examining the motives and epidemiological trends of honour killings, one may be able to gain insight into the role of socio-cultural attitudes and psychopathology in such homicidal acts. This paper therefore examines the psychopathology involved in such criminal acts committed in the present day.

2. Apparent Modern-Day Incidence Outside of Canada

Over the past decade, human rights groups have given more exposure and coverage to honour-based killings. Honour killings can occur within a wide range of communities of varying cultural, religious and ethnic backgrounds and have been reported around the world, including in Afghanistan, Bangladesh, Brazil, Egypt, India, Iran, Israel, Jordan, Lebanon, Nigeria, Pakistan, Palestine, Peru, the United States of America, Turkey, the United Kingdom, Italy, Norway, Sweden and Germany.¹⁰ While honour killings take place in many regions of the world, laws in some countries also reflect socio-cultural attitudes that underlie such killings.

A number of countries have or recently had penal code provisions that applied to justify or excuse the killing of a wife, female ascendant, descendant or sister in order to restore the family honour.¹¹ Such provisions reflect traditional honour systems whereby the family of origin, primarily the father and brothers of the female relatives, must bear the responsibility of punishing the woman or girl whose actions brought shame to the family honour in the eyes of the community.¹²

Experts have distinguished between countries where the penal codes provide a specific exemption or justification for murder when conducted in the name of “honour”, such as Iraq and Iran (effectively condoning the killings),¹³ and countries that provide a reduction of penalty for honour-based killings, such as Kuwait and Egypt (partially excusing the murders).¹⁴

However, even in countries that have specifically abolished “honour-based” defences, such as Pakistan, Lebanon and Jordan, sentences for offenders may still be diminished due to the “provocation/heat of passion” or “fit of fury” defence.⁵ Many countries provide reduced penalties specifically for men who kill their wives on the grounds of adultery,¹⁶ including until recently some American States.¹⁷

The United Nations (UN) has studied the issue of honour killings and, in 2001, the UN General Assembly adopted the first specific resolution (55/66) related to the elimination of crimes against women committed in the name of honour. The adoption of this resolution recognized that women continue to be victims of various forms of violence, especially in the name of honour, and that to eliminate this practice, there was a need to urge the nations of the world to implement effective laws and to address the problem in collaboration with the UN.¹⁸

In 2002, the UN Secretary General reported on measures taken by member States towards the elimination of crimes against women committed in the name of honour (A/57/169).

According to the report:

Canada indicated that honour crimes, including killings, were extremely rare in Canada, but such crimes would be investigated and prosecuted as offences under the *Criminal Code*, and such crimes as assault, aggravated assault or sexual assault and murder, which could occur in the execution of an honour crime, were covered by that Code.

With regard to resolution 55/66, the report went on to state that Canada indicated that it was “pleased that honour crimes had been included in resolutions in the Commission on Human Rights on the elimination of violence against women, which had been adopted by consensus.”

The 2002 Report also pointed out progress reported by a number of other countries. For example, it noted that in Egypt, “Egyptian legislation had criminalized all acts referred to in General Assembly resolution 55/66.” In Belarus, “such crimes were not typical in the

country” but would be dealt with in accordance with the general criminal law. Malaysia and Monaco were also dealing with all such crimes under the existing criminal law. Brazil was dealing with honour killings through domestic-violence measures, including shelters, progressive educational measures and specialized police precincts. In Jordan, a national human rights campaign had been successful in reducing such crimes. Furthermore, many states have since undertaken initiatives to more seriously follow the spirit of the resolution.¹⁹

The UN General Assembly also took note of honour crimes in adopting resolutions 55/111 and 55/68, calling upon governments to investigate such crimes and to deal strictly with them. At its sixty-eighth session, in 2000, the Human Rights Committee adopted general comment 28 on article 3 of the *International Covenant on Civil and Political Rights*, in which it stated that “The commission of so called ‘honour crimes,’ which remain unpunished constitutes a serious violation of the Covenant,” and that “Laws which impose more severe penalties on women than on men for adultery or other offenses also violate the requirement of equal treatment.”²⁰

The Council of Europe’s Committee of Ministers on April 30, 2002 adopted the recommendation “on the protection of women against violence, which made specific recommendations to member states regarding killings in the name of honour.”

The Parliamentary Assembly of the Council of Europe has also studied the issue of honour killings. In a report of the Committee on Equal Opportunities for Women and Men, issued March 7, 2003, it commented that:

Most of the reported cases of so-called “honour crimes” within Europe have been amongst Muslim or migrant Muslim communities. The paradox is that Islam itself does not support the death penalty for misconduct related to honour and many Islamic leaders have condemned this practice on the grounds that it has no religious basis.²¹

The Assembly also noted that only some Muslim communities practice honour killings based on a cultural mind-set that is not supported by the religion.

The Assembly called on member States of the Council of Europe “to amend national asylum and immigration law in order to ensure that immigration policy acknowledges that a woman has the right to a residence permit or even to asylum in order to escape from so-called ‘honour crimes’ and is relieved of the threat of deportation or removal if there is, or has been, any actual threat of a ‘crime of honour.’”. It also requested member countries “to provide support to the victims of failed so-called ‘honour crimes’ and also to potential victims, including personal protection, legal aid and psychological rehabilitation.”

Following some high-profile honour killings, a number of European countries have established action plans or strategies to prevent honour-based violence. Some examples in the United Kingdom are the ‘Honour’ Based Violence Strategy (2008) of the Association of Chiefs of Police Officers of England, Wales and Northern Ireland (ACPO); the Crown Prosecution Violence Against Women Strategy and Action Plan (2008); and the Home Office National Cross-Government Public Consultation Paper, “Together We Can End Violence Against Women and Girls” (2009).²² Other European examples include Sweden’s 2007 “Action plan for combating men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships” and Denmark’s 2007 “Strategy for Police Action Against Honour-Related Crime.”²³

3. Apparent Modern-Day Incidence in Canada

The magnitude of honour killings in Canada is largely unknown but there are anecdotal reports about its occurrence. Such occurrences often relate to specific cultural communities where some immigrants to Canada had maintained cultural practices from their country of origin. With the appearance of such cases in Canada, it is important to understand the dynamics of honour killing, the risk to potential victims, and the characteristics of perpetrators. The following sections set out apparent incidents in Canada, gathered from reported criminal court cases, media reports and refugee

decisions. According to these sources, there were at least a dozen killings that appear to have been committed in the name of “honour” in Canada in the decade between 1999 and 2009.

3.1 Reported Cases

There are a few criminal court cases in Canada that appear to involve fact patterns that suggest honour-based killings:

1) In June 2010, Kamikar Singh Dhillon pled guilty to second-degree murder in the killing of his daughter-in-law, Amandeep Kaur Dhillon. On January 1, 2009, 22-year-old Amandeep was fatally stabbed in the basement of a Mississauga grocery store. Her father-in-law was also found at the scene of the crime with stab wounds which he claimed were caused by the victim. These were later found to have been self-inflicted and he was charged with first-degree murder. He was sentenced to life imprisonment with no chance of parole for 15 years. He told investigators he was justified in killing Amandeep because she was going to dishonour their family by leaving his son for another man.²⁴

2) Also in June 2010, 57-year-old father, Muhammad Parvez, and his 26-year-old son, Waqas, pled guilty to second-degree murder death of 16-year-old Aqsa Parvez.²⁵ Aqsa’s father and brother were charged with first-degree murder after she was found strangled in her family’s Mississauga home in December 2007. Friends said that Aqsa was experiencing conflicts with her family due to her refusal to wear the hijab, the Islamic headscarf worn by some Muslim women. In order to spend less time at home she had been staying with another family who described her as a “typical” teenager trying to fit in. She was reportedly attempting to repair her strained relationship with her family prior to her killing.²⁶

3) In May 2009, Hasibullah Sadiqi, 23, was convicted of two counts of first degree murder and was sentenced to life imprisonment with parole ineligibility for 25 years, for the murder of his sister, Khatera Sadiqi, 20, and her fiancé, Feroz Mangal, 23. The victims were gunned down on Sept. 19, 2006, in a car parked outside an Ottawa shopping

plaza. The trio had been out for dinner and a movie with friends, and conversation turned to their father, from whom Ms. Sadiqi was estranged. The Sadiqi and Mangal families were both from Afghanistan but the Sadiqis are Tajik, while the Mangals are Pashtun. Hasibullah told the court he had wanted his sister to show greater respect for their father youth and became angry when Mr. Mangal did not support him on this point. The Crown argued it was an honour killing sparked by anger over the couple's engagement which was not authorized by the father.²⁷ To our knowledge, the case of Sadiqi was the first in Canada where the prosecution used the argument of honour killing to prove pre-meditation.

4) In January 2009, Mr. Dulay's application to reduce his term of parole ineligibility based on his change in attitude toward the cultural justification of the murders he committed was dismissed. In 1991, Kulvinder Dulay killed his younger sister, Kalwinder Dulay, her husband, Gurdawr Dulay and the man they lived with in Calgary, Mukesh Sharma. Mr. Dulay indicated that his family had disapproved of sister's marriage and that as the eldest son he was responsible for cleansing the family honour by killing them. He was convicted of two counts of first degree murder, for which he received the mandatory life sentence with parole ineligibility of 25 years, and one count of second degree murder, for which he got the mandatory life sentence with parole ineligibility for 18 years.²⁸

5) In November 2009, Sugirthanraj Kailayapillai was sentenced to life imprisonment without parole eligibility for 14 years for the 2006 killing of his wife, Ms. Subramaniam, hanging her body in the garage and sending his four-year old daughter and his mother-in-law to the garage to discover the body. The accused claimed that his wife was "of bad character" because she had developed a romantic relationship with someone with whom she worked. In their victim impact statements, the victim's mother and sister stated that:

...members of the Tamil community, a community that Ms. Sivanantham [the victim's sister] describes as holding, "some very rigid and traditional values and norms when it comes to women", have suggested that Ms. Subramanian was murdered because she was of bad character. This has brought shame to the family,

and causes its members, particularly Kanagama [the victim's mother], to feel isolated from their community. They worry that Ms. Subramaniam's children will be ostracized.²⁹

6) In November 2007, the convictions against Muhammad Khan (the victim's father) and Fatima Khan (the victim's step-mother) were upheld on appeal. Mr. Khan was convicted in April 2004 of first-degree murder and sentenced to life imprisonment without parole for at least 25 years for the murder of his five-year-old daughter, Farah Khan, in their home in Toronto in 1999. His wife, Fatima Khan was convicted of second-degree murder and sentenced to life imprisonment without parole for at least 15 years in June 2004. On the day of the murder he allegedly chased the child around a coffee table in the living room of their basement apartment. He then caught her by the hair and legs and beat her with a rolling pin. Finally, he banged her head on the table, whereupon she died. Her father argued that he had to restore his honour because his daughter was the child of his first wife and another man.³⁰

7) In November 2006, the Supreme Court of Canada refused an appeal from Adi Abdul Humaid of his conviction for first degree murder in the death of his wife in 1999.³¹ Mr. Humaid claimed that his wife's insinuations of infidelity caused him to loose control because of the significance of female infidelity in Islamic religion and culture.

The Appeal court stated that:

The difficult problem, as I see it, is that the alleged beliefs which give the insult added gravity are premised on the notion that women are inferior to men and that violence against women is in some circumstances accepted, if not encouraged. These beliefs are antithetical to fundamental Canadian values, including gender equality. It is arguable that as a matter of criminal law policy, the "ordinary person" cannot be fixed with beliefs that are irreconcilable with fundamental Canadian values. Criminal law may simply not accept that a belief system which is contrary to those fundamental values should somehow provide the basis for a partial defence to murder.³²

The Court went on to find that “(p)rovocation does not shield an accused who has not lost self-control, but has instead acted out of a sense of revenge or a culturally driven sense of the appropriate response to someone else's misconduct.”³³

8) In March 2005, Rajinder Singh Atwal, originally from the Punjab region of India, was convicted of second-degree murder for killing his daughter Amandeep Atwal, who died of multiple stab wounds in 2003. He had claimed she had inflicted the wounds on herself, but the court heard that Mr. Atwal disapproved of the 17-year-old's love affair with a classmate. Amandeep's boyfriend, Todd MacIsaac, said the two carried on their romance in secret over a two-year period because she was forbidden to date. Mr. Atwal was convicted of second degree murder and sentenced to life imprisonment with no possibility of parole for 16 years.³⁴

9) In February 2004, the 2002 conviction against Mr. Nahar for the second degree murder of his wife, was upheld. In 2001, Mr. Nahar fatally stabbed his wife, was charged with second degree murder and raised the defence of provocation on the grounds that her disrespect and defiant behaviour was inconsistent with the expectations of the Sikh community and brought shame upon his family. The victim, Kanwaljeet Kaur Nahar, allegedly smoked, consumed alcohol and socialized with other men. Mr. Nahar sought to prove that because of his cultural background, he was more vulnerable to being provoked to acts of violence against his wife than a person from a different cultural background. The defence failed at trial and on appeal.³⁵

3.2 Media Reports

There have been a few other cases of alleged honour-based killings reported by media in Canada for which Canadian courts have not rendered decisions, including:

1) In June 2009, Rona Amir Mohammad, 50, who appears to be the first wife of Mohammad Shafia, and three of her husband's daughters by the second wife, Zainab, 19;

Sahari, 17; and Geeti, 13, were found dead in a submerged car in the Rideau Canal near Kingston. The Shafia family was originally from Kabul, Afghanistan, and had lived in Dubai, in the United Arab Emirates, for 15 years, prior to immigrating to Canada in 2007.³⁶ On July 23, 2009, Mr. Shafia, 56, his second wife, Tooba Mohammad Yahya, 39, and his son Hamed Shafia, 18, were arrested on charges of four counts of first-degree murder and conspiracy to commit murder in the deaths of Mr. Shafia's three daughters and first wife. The trial date is set for early 2011. As noted above, members of Rona's family in Europe have claimed that the deaths were "honour killings". The media reported claims that Rona was seeking a divorce because her husband was abusive. It has also been reported that Zainab's father was angry about her relationship with a Pakistani boy.

2) In June 2000, Jaswinder Kaur Sidhu a young woman of Indo-Canadian descent secretly met and married her true love while visiting India. This marriage was deemed to have brought dishonour to the family because the man she married came from an unsuitable background. As a result, she was murdered in India by one of her relatives to restore honour to the family. Eleven people, including her uncle, a police inspector and the leader of a local gang, were arrested in India in connection with her case.³⁷

3.3 Canadian Refugee Determination Cases

Canadian courts have also had occasion to analyze the phenomenon of honour-based killings in the context of refugee protection law, in connection with incidents of honour killings occurring outside of Canada. In 1993, Canada was the first country in the world to adopt gender persecution guidelines that assist in recognizing gender-based violence as a form of persecution for refugee status purposes.³⁸

Women who have a well-founded fear of persecution because of their gender are eligible for protection in Canada if the state authorities in their country of nationality are unwilling or unable to provide sufficient protection and the woman does not have a viable internal flight alternative in the country. There is no need for a woman to have suffered

domestic abuse in the past in order to secure protection in Canada. The assessment of the well-foundedness of the fear is a forward looking assessment – namely, if the woman were to be returned to her country of nationality or last permanent residence, does she have a well-founded fear of persecution because of her gender?

There are many decisions by the Refugee Protection Division, the Pre-Removal Risk Assessment officers and the Federal Court that recognize that a risk of becoming a victim of an honour killing can give rise to a claim for protection as a Convention Refugee or as a Protected Person in Canada. A few are set out below.

1) *Tabassum v. Canada*, 2009 FC 1185

The applicant was a 44 year old citizen from Pakistan. The applicant submitted that since March 2006 her husband and his family had declared the applicant to be a source of shame and dishonour to their family by her act of touching other men's hair in the course of her employment. They are also alleged to have become erroneously convinced that she was living with another man in Canada when a male guest of the applicant answered the phone at her apartment. The applicant alleged that if she were returned to Pakistan, she would be subject to an "honour killing" at the hands of her husband's family. The Court overturned the decision of the pre-removal risk assessment (PRRA) officer to refuse the refugee application on the grounds that the officer had made unreasonable findings of fact with respect to the threats against the applicant because the objective country evidence showed that the Government of Pakistan was not able to provide adequate state protection against "honour killings." For instance, the U.S. Department of State reports 1,200 to 1,500 honour killings took place in Pakistan in 2007, notwithstanding Government efforts to protect women.

2) *Jabbour v. Canada*, 2009 FC 831

The applicants applied for judicial review of the dismissal of their claim for refugee protection. The principal applicant, Ms. Samah Amun, was a divorced Muslim Palestinian who was married to the applicant Shadi Jabbour, a Christian Palestinian. Both Ms. Amun and Mr. Jabbour were citizens of Israel. Ms. Amun was assaulted by two of her brothers when she requested permission to marry Mr. Jabbour, and a third brother threatened to kill Mr. Jabbour if she married him. The applicants were harassed and were the targets of vandalism, but were told if they could not identify the perpetrators the Israeli police could do nothing. The applicants fled Israel out of fear Ms. Amun's brothers would kill her. The Panel rejected their application but on judicial review the Court found that there was evidence before the Panel that raised questions about the effectiveness of police protection in Israel in relation to the threat of an honour killing of a Muslim woman. The matter was therefore sent back for re-determination by a different panel.

3) *Erdogu v. Canada*, 2008 FC 407

The applicant claimed she would be at risk if she were removed to Turkey because her father had threatened to kill her after learning of her pre-marital affair with her former boyfriend. She gave evidence from her family members, a neighbour and a psychiatric report. The pre-removal risk assessment (PRRA) Officer did not dispute that the applicant faced the risk of a possible honour killing, but chose to assign greater weight to the documentary evidence, particularly that protection was available to women who were subjected to violence. The PRRA Officer's decision did not refer to the portions of the documentary evidence that corroborated the reality of honour killings in Turkey and the fact that the government's efforts had not completely addressed the issue of effective protection for women. The application was allowed.

4) *Qalawi v. Canada*, [2007] F.C.J. No. 904

Amjad Qalawi, a Jordanian citizen, sought refugee protection in Canada based upon his fear that members of a rival family wanted to kill him for having an illicit relationship with one of their female relatives. The Board had rejected Qalawi's application on the grounds that the family did not fit the profile of one whose members would be involved in an honour killing. The Board also did not accept that Qalawi would be killed because he had entered into an agreement with the family to marry the female relative in question. The application for judicial review was allowed. The judge found that the Board overlooked documentary evidence that honour killings are not limited to rural, poor families, and evidence that honour killings can be carried out even after pledges were signed by male family members promising not to harm errant individuals.

5) *Syed v. Canada*, [2005] F.C.J. No. 1710

Three members of a Pakistani family – a mother and her two sons – sought refugee protection. One of the sons had been involved with a girl whose family then killed her, beat him, and issued a fatwa against his entire family. The Board accepted this evidence. The claim of the son who was beaten was accepted, but the claims of his family were rejected. The application for judicial review was allowed. The Board had accepted evidence that the entire family were targets of the fatwa. The judge ruled that the Board overlooked other documentary evidence that suggested the mother and son were at risk if they returned to Pakistan.

6) *I.F.X. (Re)* [2000] CDD No. 166

A 24-year old Roman Catholic, Arab-Israeli woman was granted refugee protection on the basis of her fear of becoming the victim of an honour killing in Israel. The claimant had been forced to marry her first cousin at the age of fourteen and was treated badly by her in-laws. After arriving in Canada, her husband left her. She then started dating a Canadian landed immigrant and became pregnant. She feared that she would become the

victim of an honour killing if she were returned to Israel and her family discovered her extra-marital relationship. There was significant evidence of honour killings among Arab Israelis, and also evidence that despite the efforts of the central Israeli government to curb this type of violence, the government was unable to protect women like the claimant. The panel considered the husband's penchant for violence against his wife and found that there existed more than a mere possibility of persecution for the claimant if she were removed from Canada.

4. Historical Context - Origins of Honour Killing

Honour killings have been known since ancient Roman times, when the *pater familias*, or senior male within a household, retained the right to kill an unmarried but sexually active daughter or an adulterous wife.³⁹ Honour-based crimes were known in medieval Europe where early Jewish law mandated death by stoning for an adulterous wife and her partner.⁴⁰ Today the practice is most commonly associated with regions in North Africa and the Middle East.

Sharif Kanaana, professor of anthropology at Birzeit University states that honour killing is “a complicated issue that cuts deep into the history of Arab society.” He further observes:

What the men of the family, clan, or tribe seek control of in a patrilineal society is reproductive power. Women for the tribe were considered a factory for making men. The honor killing is not a means to control sexual power or behavior. What's behind it is the issue of fertility, or reproductive power.⁴¹

Historically, in some Arab countries under Ottoman rule, a killer would “sprinkle his victim's blood on his clothes and parade through the streets displaying the bloody murder weapon... to increase his honour,” thereby attracting community respect rather than condemnation for taking a life.⁴²

It is not necessary that the victim actually transgress any behavioural norms, as an Amnesty International statement notes:

The mere perception that a woman has contravened the code of sexual behavior damages honor. The regime of honor is unforgiving: women on whom suspicion has fallen are not given an opportunity to defend themselves, and family members have no socially acceptable alternative but to remove the stain on their honor by attacking the woman.⁴³

This can be explained on the basis of the feudal and cultural mind-sets. In the perpetrators' faulty vision, "It is better to eliminate the suspect before the matter blows out of proportion and the talk spreads to the community," even where the suspicion is groundless.⁴⁴

5. Honour Killing - Worldwide

The notions of honour and shame and their use as justification for violence and killing is not unique to any one culture or religion.⁴⁵ Indeed, honour and honour-based violence are reflected in historical events in many countries, and in many works of literature.

For instance, duelling was a key practice through which claims of masculine honour were made, maintained and understood in Western societies.⁴⁶ In France, *Le Cid* told the story of a man insulted by a slap across the face, who asked his son to defend his honour in a duel. In Canada, duelling continued into the late 1800s.⁴⁷

In Britain, for example, the fifth wife of Henry VIII was beheaded based on allegations of adultery. In British literature, Shakespeare's *Desdemona* was killed over allegations of infidelity, and *Romeo and Juliet* tracked an ancient family feud over honour. King Arthur and the Knights of the Round Table centred on notions of honour. The premise of the *Three Musketeers* was the King's guards avenging the betrayal of the king by Cardinal Richelieu.

Similar notions can be traced in Latin American societies. In Brazil and parts of Latin America, machismo is often described as a code of honour. In the early times of Peru, the laws of the Incas permitted husbands to starve their wives to death as punishment for committing an adulterous act. Aztec laws resulted in death by stoning or strangulation for female adultery during the early times of Mexico.⁴⁸

Several great wars started over honour. Likely the clearest of these was the Trojan War, which began over the honour of Helen. Her father required that all her suitors defend his choice for her marriage, thereby setting all of Greece against Troy.

In Ancient Roman times, the senior male within a household retained the right to kill a related woman if she was engaged in pre-marital or extra-marital relations.⁴⁹ According to Blackstone, the Roman law justified homicide “when committed in defence of the chastity either of oneself or relations”.⁵⁰

Honour-based violence⁵¹ can be between men only, and sometimes involves women as collaborators. However, it appears to be perpetrated almost exclusively by men against women and children whom they consider to “belong” to them. It generally appears in the following sets of circumstances:

- Adultery
- Pre-marital sex or having a child out of wedlock (although honour may be restored through a “shotgun wedding”)
- Disobeying parents, or
- Patriotism/Personal Insult/Defaulting on Monetary Debts (typically between men).

Honour is expressed in many other terms, including “vengeance,” “avenging,” “saving face,” etc. However, it is notable that honour-based killings in most Arab and South Asian countries are perpetrated against daughters, sisters or nieces and not against wives. The reason may relate to the distinction between dishonouring as “collective” injury as opposed to dishonouring as “individual” injury.⁵² In community-based honour systems, a

husband's feelings of jealousy, which could be classified as individual hurt pride or honour, are not generally viewed as sufficient grounds for murder. However, the transgressions of a wife can cause a collective injury to her family of origin, which is ultimately responsible for punishing her.⁵³

One author speculates that the concepts of "honour" and "shame" can be found in modern Western forms of intimate-partner violence, noting that the notion of honour in such cases is highly individualized and based on the abuser's personal code of behaviour imposed upon the victim.⁵⁴

As one author notes:

Among the most interesting findings reported by social scientists is the fact that men and women stand in a markedly different relationship to the whole system of allotting honor in "cultures of honor." For example, one observation that has been made recurrently is that men are the only possible sources, or active generators (agents), of honor. The only active effect that women can have on honor, in those cultures in which this is a central value, is to destroy it. But women do have that power: they can destroy the honor of the males in their household. The culturally defined symbol system through which women in patriarchies bring honor or dishonor to men is the world of sex -- that is, female sexual behavior. In this value system, which is both absurd from any rational standpoint and highly dangerous to the continued survival of our species given its effect of stimulating male violence, men delegate to women the power to bring dishonor on men. That is, men put their honor in the hands of 'their' women."⁵⁵

Another author has contrasted cultures of honour with cultures of law:

One can contrast cultures of honour with cultures of law. From the viewpoint of anthropology, cultures of honour typically appear among nomadic peoples and herdsmen who carry their most valuable property with them and risk having it stolen, without having recourse to law enforcement or government. In this situation, inspiring fear forms a better strategy than promoting friendship; and

cultivating a reputation for swift and disproportionate revenge increases the safety of your person and property. Thinkers ranging from Montesquieu to Steven Pinker have remarked upon the mindset needed for a culture of honour.

Cultures of honour therefore appear amongst Bedouins, Scottish and English herdsmen of the Border country, and many similar peoples, who have little allegiance to a national government; among cowboys, frontiersmen, and ranchers of the American West, where official law-enforcement often remained out of reach, as famously celebrated in Western movies; and among aristocrats, who enjoy hereditary privileges that put them beyond the reach of general laws. Cultures of honour also flourish in criminal underworlds and gangs, whose members carry large amounts of cash and contraband and cannot complain to the law if it is stolen. ...

Once a culture of honour exists, it is difficult for its members to make the transition to a culture of law; this requires that people become willing to back down and refuse to immediately retaliate, and from the viewpoint of the culture of honour this appears as a weak and unwise act.⁵⁶

6. Honour Killing - In Countries with Islamic Law

In many Arab countries, the practice of honour killing dates back to pre-Islamic times when Arab settlers occupied a region adjacent to Sindh, known as Baluchistan (in Pakistan).⁵⁷ These Arab settlers had patriarchal traditions such as live burials of newly born daughters. Such traditions trace back to the earliest historic times of Ancient Babylon, where the predominant view was that a woman's virginity belonged to her family.⁵⁸

There is no mention of honour killing in the Quran or Hadiths. Honour killing, in Islamic definitions, refers specifically to extra-legal punishment by the family against a woman, and is forbidden by the Sharia (Islamic law). Religious authorities disagree with extra

punishments such as honour killing and prohibit it, so the practice of it is a cultural and not a religious issue. However, since Islam has influence over vast numbers of Muslims in many countries and from many cultures, some use Islam to justify honour killing even though there is no support for honour killing in Islam.

Traditional interpretations of Islamic law (or Sharia) prescribe severe punishments for *zina*, or extramarital sex, by both men and women. This is, however, not a new practice; it has been around since ancient times and is common practice in other religions and cultures as well. Under Islamic law, premarital sex could be punished by up to 100 lashes, while adultery is punishable by lethal stoning. The act must, however, be attested by at least four Muslim male witnesses of good character. Punishments are reserved to the legal authorities, and false accusations are themselves punished severely.

The execution of the Saudi Arabian princess Misha'al is an example of an honour killing in which the execution did not follow any Islamic religious court proceeding but was ordered directly by her grandfather after she admitted adultery.⁵⁹

Interpretations of these rules vary. Some Arabs regard it as their right under both tradition and Sharia (by the process of al-urf), though this contradicts the views of the vast majority of Islamic scholars (*fuqaha*). Ayatollah Ali Khamenei of Iran has condemned the practice as "un-Islamic", though punishment under Iranian law remains lenient for those who commit honour-based killings.

In Indonesia, generally believed to be the country with the largest Muslim population, honour killings are unknown, as is the case in parts of West Africa with majority-Muslim populations and in many other Islamic countries such as Bangladesh. According to Sheikh Atiyyah Saqr, former head of the al-Azhar University Fatwa Committee:

Like all other religions, Islam strictly prohibits murder and killing without legal justification. Allah, Most High, says, "Whoso slayeth a believer of set purpose, his reward is Hell for ever. Allah is wroth against him and He hath cursed him and prepared for him an awful doom." (An-Nisa': 93) The so-called "honor

killing” is based on ignorance and disregard of morals and laws, which cannot be abolished except by disciplinary punishments.⁶⁰

7. The Psyche of the Honour Killer

Male empowerment has existed for ages as it is rooted deeply in most societies of the world. Men from traditional cultural backgrounds followed the principle of “male dominance,” viewing women in their traditional domestic roles. With advancements, women are obtaining equal rights and are assuming important roles in societies of developed countries and in a number of developing nations. With world-wide migration, there is growing concern among men, originating from traditional cultural backgrounds, that in alien lands “their” women may get “tainted” by the surrounding dominant culture. In order to avoid this, they may become exceedingly strict about religion, assume aggressive attitudes, and at times resort to violence. Perpetual anxiety and hyper-vigilance becomes predominant in the psyche of these men. Men who are socially deprived and economically constrained may tend to develop “narcissistic enjoyment” by exercising power over women who are either their daughters or their wives.

Evolutionary theories may help to explain why honour killings occur. Paternal certainty has always been of great importance to males willing to make investments in offspring thought to be their own. Therefore, while females are certain of their parentage, males may have to resort to aggression to overcome threats to safeguard their paternal certainty. Many cultures have acknowledged this importance through social norms protective of male exclusivity in sexual relations and patriarchal laws against adultery.⁶¹

It is likely that socio-cultural attitudes play a major role in the psyche of honour killing perpetrators as well. Socio-cultural influences may affect the disturbed psyche of a section of people who could perpetrate a reign of power with utmost cruelty and mindlessness. However, many individuals faced with similar socio-cultural influences do not endorse such acts. It is for this reason that one must also consider the role played by psychopathology in honour killings.

Although there have been no studies to indicate the presence or absence of psychopathology in honour killers, observations of various honour killing cases indicate the possibility of a psychopathological process. Many media case reports of honour killings have portrayed certain psychopathic traits in perpetrators. Personality traits, especially psychopathic traits, may manifest in the form of reckless disregard for the safety of women, failure to conform to lawful behaviours and the lack of remorse. In a number of legal situations, violent acts of premeditated homicides carried an indication of some sort of psychopathology. For example, the perpetrator could be suffering from “acute stress disorder.” Those with acute stress disorder will experience dissociative symptoms such as emotional numbing, amnesia, derealisation and depersonalization upon being confronted with a perceived serious threat. There may be a number of psychiatric disorders that can result in a homicide of this nature. For example, paranoid schizophrenia or an unspecified psychosis that is influenced by a perceptual disorder may result in such crimes.

The psychopathology may range from borderline personality disorder through to frank psychosis. The development of psyche among individuals is shaped by cultural archetypes, traditional mind sets, belief systems and hyper-religious ambience.

Cultural mind set augmented by delusions can lead to dangerous perspectives when we talk about “honour killing.” Cultural mind-set, if compounded with psychopathology, especially a schizophrenic illness, may lead to diminished responsibility in terms of crimes. At the same time, pure personality issues cannot and should not be considered sufficient for diminished responsibility where honour crimes are premeditated and carefully planned and executed.

This analysis also adds to the evidence that careful psychiatric evaluation of homicide offenders is necessary in these cases. When clinicians make a diagnosis of psychopathology in cases of honour killings, they must do so with great caution. Having an understanding of the motives and socio-cultural attitudes is crucial in making an

accurate and unbiased assessment. The majority of offenders probably do not have a psychopathology that might indicate diminished responsibility.

It is important to remember that honour killings are often erroneously equated with “crimes of passion,” which are abrupt, impulsive and unpremeditated acts of violence committed by persons who have come face to face with an incident unacceptable to them and who are rendered incapable of self-control for the duration of the act.

As per Ratner’s⁶² work, emotions are best understood as cognitive appraisals of situations that are made on the basis of cultural beliefs and norms that implicate “self” more deeply. In this context, while crimes of passion may be seen as somewhat premeditated to a certain extent, honour killings are usually deliberate, well planned and premeditated acts when a person kills a female relative ostensibly to uphold his honour. Hence, on the surface, honour killing is just like any premeditated murder and, in the absence of a diagnosed psychopathology, should meet the same punishment by a court of law.

The role of mental health professionals is of vital importance in any murder case, including an honour killing. When it comes to specific trials in honour-killing cases, a well-trained psychiatrist with a good background of cultural education can help the legal system. Upon referral by the criminal justice system, a psychiatrist (expert) can take a number of steps to assess a person who has been accused of an honour killing. The most important part of the evaluation should be a thorough history focusing on the psychodynamic aspects of the accused’s development, including personal history with cultural beliefs and background and past history with emphasis on forensic issues.

A thorough mental-state examination may reveal the presence of any psychopathology, indicating serious, clearly identifiable mental-health issues. Some psychological tests such as a personality assessment may help in the evaluation. Cognitive testing, where appropriate, can become a part of this process. In some selected cases, even MRI (magnetic resonance imaging), EEG (electroencephalogram) and PET (positron emission tomography) studies may become valuable addendums while preparing a thorough report.

8. Profiles in Honour Killings

Information on the incidence of honour killings is not widely collected. There are some agencies in Pakistan, however, that have attempted to quantify the incidence rate of honour killings. While these rates are descriptively useful, it is difficult to make generalizations since these numbers are likely an underestimation of the actual figures. Many cases of honour killing go unreported for a variety of reasons, such as police refusal to register these cases, and many of these deaths may be incorrectly reported as suicides or accidents. Indeed, a special envoy for the United Nations sent to Turkey to investigate suspicious suicides amongst Kurdish girls, was quoted as saying that some suicides appeared in Kurdish-inhabited regions of Turkey to be “honour killings disguised as a suicide or an accident.”⁶³

The inaccurate nature of these incidence rates is reflected by the discrepancies in the incidence rates reported by various agencies. The Human Rights Commission of Pakistan reports 1,464 honour killings occurred in Pakistan between 1998 and 2002.⁶⁴ The Pakistan government reported that 4,101 honour killings were registered between 1998 and 2003. The Madadgaar helpline database reported 3,339 honour killings between 2000 and 2004. And finally, a police report indicated that a total of 4,383 honour killings were reported in Pakistan between 2001 and 2004, with 2,228 of these occurring in Sindh.⁶⁵

Epidemiological data assists in characterizing victim, perpetrator and accomplice profiles. The following profiles were developed based on data from Pakistan. These profiles may assist in understanding honour killings that occur in Canada.

8.1 *Victim Profile*

The victims of honour killings are most often adult females who are married.⁶⁶ Nevertheless, those who are single or male may also be affected, and at any age.

Women who are unemployed, illiterate and living in impoverished conditions have an even higher risk of being a victim. The combination of economic vulnerability, limited social supports and lack of awareness of their legal rights often prevents women from changing their subordinate status in society.

The psychological burden on females in a patriarchal society is evident by the high prevalence of mental illness among women in Pakistan. Hence, it is possible that many victims of this patriarchal act may have suffered from mental illness. Nevertheless, it is inevitable that as soon as a woman is accused, she will endure significant psychological distress, which may even lead her to commit suicide prior to what she sees as the inevitable homicide.⁶⁷

8.2 *Perpetrator Profile*

Almost all the perpetrators are male family members, most commonly husbands or fathers followed by brothers. Where possible, the family will decide to choose perpetrators who are under the age of eighteen, as this is akin to “young male syndrome” in which competition for honour, status and marriage prospects is most intense. This allows the perpetrator to serve the shortest possible imprisonment as a juvenile offender. Factors associated with such crimes are economic disadvantage, class or position and pressure to fulfill gender norms. These factors result in violence against women as an expression of masculinity and as an outlet for frustrations at the inability to meet societal or community expectations.

Interestingly, the data also indicate that the perpetrator’s weapon of choice for most honour killings is a firearm. Other methods have included stabbing, strangulation,

hanging, electrocution or poisoning.⁶⁸ Regardless of the weapon chosen, most deaths are quite violent in nature.

There have been no studies to date to indicate the presence or absence of a psychopathological process leading perpetrators to commit honour killings. However, many of the case reports that were reviewed indicated the presence of certain psychopathic traits in perpetrators. Such traits included the reckless disregard for the safety of women, failure to conform to lawful behaviours and the lack of remorse. The fact that some have used the honour killing tradition to conceal other motives for their homicidal actions lends weight to the argument of a psychopathic process. Finally, the process of covering up their actions leads one to believe that most perpetrators have preserved insight into the criminal nature of their actions, but they believe that restoring their family honour is more important than avoiding criminal sanctions.

8.3 *Accomplice Profile*

Family members of the victim, community members, and legal and government authorities in some countries may become explicit or implicit accomplices in the deaths. Families and communities contribute to covering up the perpetrator's homicide by maintaining their silence because of their support for honour killing as a culturally acceptable and heroic act. Others keep their silence due to a fear of retribution. For example, tribal courts have been known to implement death sentences on those who report honour killings to the police.⁶⁹

Legal and government authorities in some countries contribute to covering up the perpetrator's crime by avoiding involvement in such cases. Even when they do become involved, gender discrimination often continues to create support for the perpetrator. Sometimes these authorities can also be corrupt, resulting in further disadvantage to females. The lack of legal intervention is evident by the fact that few of the accused perpetrators are arrested.

9. Socio-Cultural Influences and Honour Killings

Traditional misinterpretations of religion have played a role in developing a patriarchal culture that places an emphasis on female chastity and male superiority. The power dynamics of patriarchy reduce women to their reproductive potential, and in the process deny them agency as human beings.

Women are considered to have monetary value and to be the property of male family members. Therefore, men control much of the lives of women, including social relationships. The preservation of a woman's chastity and fidelity, through segregation and control, becomes the responsibility of the men to whom she "belongs." A female's illicit relationship goes against the socio-cultural framework in Pakistan, causing family honour to be tarnished. A man's ability to protect his family's honour is judged by society. As a result, he must demonstrate his power to safeguard his family's honour by killing those who damaged it.

The concept of women as property and honour remains deeply entrenched in the socio-cultural fabric of many countries. As a result, many individuals, including women, support this ritual. This may also be the reason why in some regions of countries where the concept of honour is predominant, legal authorities often ignore the daily occurrences of women being killed by their families.

Despite being legally proscribed, socio-cultural patterns and feudal attitudes remain unchanged. Many people in such cultures continue to feel that honour killings are justifiable, and therefore, perpetrators are rarely brought to justice. The few cases that go to court usually result in lenient sentences or pardons for males. As honour killing is a "retaliation crime," judges may have the option of allowing victim's families to accept a simple apology, money, land or another female from the perpetrator as compensation for their crime.

In recent years, it appears that the practice of honour killing is being used for reasons other than restoring family honour. Such cases are referred to as “false honour killings.”

⁷⁰ An example would be a man who kills another man in revenge for a personal feud or financial gain, then claims the killing was done to cleanse the family honour because the deceased had allegedly done something inappropriate with a female relative who will also have to be killed. By sacrificing a woman in the household to be accused of some act that damages the family honour, a man will obtain the customary endorsement of any subsequent actions.

Another example of a false honour killing can occur within poorer communities in Sindh (Pakistan), when a woman is considered to be a financial burden on the household. In these communities, individuals sometimes use accusations of “karo-kari”⁷¹ as a way of acquiring wealth or land. Declaring a woman of their household to be a kari allows a family to obtain the victim’s share of an inheritance as well as any appropriate compensation from the co-accused karo.

Questions arise as to why women are targets of violence in one form or other, including from the ancient Arab custom of burying daughters alive, honour killings in different parts of the world, the ritual of “sati”⁷² and subjecting women to forced prostitution and bonded labour.

It is important to look at this problem from a psychiatric angle. The theory of aggression against their own kind has something to say, but there are many other possible explanations. By virtue of human nature, in many instances it is the still dominant “id”, (based on the pleasure principle), that has lead to the perpetration of crimes like karo-kari. This can be furthered by low levels of literacy and limited insight about ethical and religious values. The disturbed psychodynamics of perpetrators, who may develop revenge and sadism, is also a possible factor in the commission of violent crimes such as honour killings.⁷³

A new study⁷⁴ found biological brain differences between criminal psychopaths and other people, when they process facial emotion. The growing scientific and popular focus on genes has also contributed to a resurgence of behavioural genetic determinism. Personality traits have been found to be risk factors for engaging in criminal behavior.⁷⁵ The dopaminergic and adrenergic pathways are also known to be associated with impulsivity and hostility.⁷⁶ Evans et al⁷⁷ identified an association between a serotonin receptor gene (HTR2C) and impulsivity in males. Finally, the theory of XYY chromosome pattern⁷⁸ has not gained much momentum, but still holds place in the literature when it comes to an explanation of violent behaviour.

Mental illnesses are also known to be associated with criminal behaviour. A study⁷⁹ reveals that among homicide offenders, 20 per cent had psychotic illness and 54 per cent had personality disorder as a principal or secondary diagnosis. Psychopathy has been discussed widely in the context of criminality, especially in terms of its characteristically callous and unemotional personality profile. According to Kiehl,⁸⁰ organic findings on MRIs of criminal psychopaths indicated their failure to show the appropriate neural differentiation between abstract and concrete stimuli in the right anterior temporal gyrus and surrounding cortex. There is support for the theory that psychopaths are associated with right hemisphere abnormalities for processing conceptually abstract material.

There are many possible explanations in terms of mental mechanisms for those who resort to honour killings. However, there are also questions that may arise. Are the perpetrators real psychopaths (in which case they would demonstrate the salient feature of “lack of remorse or guilt”)? Are they insane? If so, then why are they at liberty in the community? Are they mentally ill? If yes, then why have they not come to the attention of mental health services? It is quite understandable, given the cultural context where mental illness is still a stigma and most people would not give due importance to psychiatric disorders.

Is it easy to rule out the possibility of “mass psyche” disturbance? Can it be a social norm? The answer to this cannot be in the affirmative, as karo-kari is only endemic in

Pakistan, and is present in different forms at a global level. It will not be surprising if, one day, what may be named the “Karo-Kari Syndrome” emerges as a new culture-bound syndromes specific to Pakistan. This syndrome may be explained in clinical terms as “sudden feelings of loss of honour, feeling as if power and control are gone, extreme anger, irritability and the wild impulse of killing the identified targets.” Such features are somewhat similar to “Latah”,⁸¹ which is a recognized culture-bound syndrome. The syndrome may also reflect that the pleasure principle of “id” has remained immature and has not attained full evolution and transformation.

10. Mental Health and Honour Killings

Patriarchal biases contribute to the occurrence of honour killings. However, there are many individuals with similar socio-cultural influences who don’t endorse such acts. It is for this reason that one must also consider the role of psychopathy, as alluded to in the previous section.

With respect to the victims, there is global consensus that suppression and violence not only violate a woman’s basic rights but also threaten her health and the very state of her being. Patriarchal biases also have an impact on the mental health of the victims. The frequency of honour killings and the unexpectedness with which women are targeted contributes to an atmosphere of fear among Pakistani women. The experience of being controlled and the lack of equal opportunities have the potential to erode a woman's self-esteem, and thereby put her at a high risk for developing a variety of psychiatric disorders such as depression and anxiety.

The threat of honour killings may sometimes lead to voluntary or involuntary suicide. Women who are accused may conduct “honour suicides” because of the shame they experience from committing a dishonourable act or because they fear being brutally attacked.⁸² This may help to explain why studies depict high rates of suicides among women in some cultures.⁸³

Another important consideration is the psychological impact endured by children who witness domestic conflicts and honour based violence. These children face increased risk of behavioural problems, substance abuse, anxiety and depression. Furthermore, these children will be at a higher risk of modeling acts such as honour killings later in their own lives.

11. Conclusion

The twin notions of “honour” and of “shame” and their use as justifications for violence and homicide can be found in many cultures. Honour killings have historical roots in many regions of the world including Latin America, Europe, the Middle East and South Asia. In some Arab and South Asian states, where modern-day incidences of honour killings are more predominant, the practice of honour killings likely originates from ancient Arab culture, with its roots from Pakistan.

However, honour killings are not associated with particular religions or religious practice: they have been recorded across Christian, Jewish, Sikh, Hindu and Muslim communities. Often, honour killings are not a religiously motivated crime, but are based on personal agendas, personal ego and personal mindset. In some cases, there are psychological connotations, as studies have shown that some perpetrators have undiagnosed mental illness and psychopathic traits or disorders.

While honour as a cultural justification for killing is in keeping with the mindset of certain groups, this motive cannot be attributed to entire populations, as many of the people from same country would not share that belief system. The existence of cultural norms and practices does not reduce individual responsibility except in those rare occasions where there is significant individual psychopathology.

Gaining a better understanding of the individual, familial, community and cultural factors at play in honour killings is important for Canadian professionals who come into contact with potential victims, accomplices or offenders. From the literature review and media

reports, it is evident that honour killings do occasionally occur in Canada. So far, over the past decade in Canada there have been at least a dozen reported homicides which appear to have been honour killings. Hopefully this paper will contribute to raising awareness of the complex dynamics at play in cases of honour killings with a view to preventing future tragedies.

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34- *R. v. Atwal*, [2005] B.C.J. No. 1512 (QL) (B.C.S.C.); parole ineligibility period upheld on appeal, *R. v. Atwal*, 2006 BCCA 493 (B.C.C.A.); Megan O’Toole, “Honour killing’ cases spark debates over religion, racism,” *National Post*, July 24, 2009, pg. A6.

35- *R. v. Nahar*, [2004] B.C.J. No. 278 (QL) (B.C.C.A.); *R. v. Nahar*, [2002] B.C.J. No. 1424 (QL) (B.C.S.C.).

36- “Wife will stand trial in canal slayings; Husband and son also face murder charges,” *The Gazette*, February 12, 2010, pg. A.8; Paul Cherry, “Victim wed in secret; Teenager killed in canal had been forced to end union,” *National Post*, August 1, 2009, pg. A.1

37- “Honour Killings: Domestic Abuse by Another Name?” *CBC News*, July 24, 2009. Available at: <http://www.cbc.ca/canada/story/2009/07/24/f-honour-killings.html>; “The Murdered Bride,” *The Fifth Estate*. Aired February 1, 2006. Available at: <http://www.cbc.ca/fifth/murderedbride/timeline.html>; “No Death Penalty for Jassi’s Mother and Uncle,” *Asian Pacific Post*, July 24, 2003.

38- *Women Refugee Claimants Fearing Gender Related Persecution*. Guideline of the Immigration and Refugee Protection Board. Available online at <http://www.irb.gc.ca/eng/brdcom/references/pol/guidir/Pages/women.aspx>

39- Matthew A. Goldstein, “The biological roots of heat-of-passion crimes and honour killings,” *Politics and the Life Sciences* 21,2 (2002): 28-37.

40- James A. Brundage, *Law, Sex and Christian Society in Medieval Europe*, Chicago: University of Chicago Press, 1987, 55.

41- Ruggi, S., “Commodifying Honor in Female Sexuality: Honor Killings in Palestine”. Middle East Research and Information Project. <http://www.merip.org/mer/mer206/ruggi.htm>. Retrieved 2008-02-08.

42- Gideon Kressel et al., “Sororicide/fillicide homicide for family honour,” *Current Anthropology* 22, 2 (1981): 143.

43- Amnesty International. *Pakistan: Violence against women in the name of honour*, AI Index: ASA 33/17/99 (1999).

44- *Ibid.*

45- *Supra*, note 20.

46- Mika LaVaque-Manty, "Duelling for Equality: Masculine Honor and the Modern Politics of Dignity," *Political Theory* 34,6 (2006): 717.

47- Douglas W. Allen and Clyde G. Reed, "The Duel of Honour: Screening for Unobservable Social Capital," *American Law and Economics Review* 8, 1 (2006): 5; the offence of duelling is still in the Canadian *Criminal Code* (section 71).

48- Goldstein, 29.

49- Jane F. Gardner, *Women in Roman law and society* (Bloomington, IN: Indiana University Press, 1986).

50- William Blackstone, *Commentaries on the Laws of England, 1765- 1769, Book Four, Public Wrongs*, (Oxford, Clarendon Press, 1769, reprinted by Wildy & Sons Ltd., London, 1966): 181.

51- Goldstein, 29.

52- Abu-Odeh, 293 and 306.

53- Sharon K. Araji, "Crimes of Honour and Shame: Violence against Women in Western and Non-Western Societies," *The Red Feather Journal of Postmodern Criminology* (2000): 5. Available at: <http://www.critcrim.org/redfeather/journal-pomocrim/vol-8-shaming/araji.html>

54- *Ibid.*

55- Gardner, *supra* note 50.

56- <http://www.economicexpert.com/a/Honour.htm>

57- Women Living Under Muslim Laws, "Karo-Kari, TorTora, Siyakhari, Kala Kali: There is no honour in killing," National Seminar Report, November 2001. (Lahore, Pakistan: Arqam, 2003). Available from http://www.boell-pakistan.org/downloads/Karo_Kari_Tor_Tora.pdf/ Findings from the Shirkat Gah 'Women, Law and Status Programme' involving broad based and systematic research into honour crimes in Punjab, North Western Frontier Province and Sind.

58- Goldstein, 28-37.

59- "Saudi princess 'given UK asylum,'" *BBC News*, July 20, 2009. Available at: http://news.bbc.co.uk/2/hi/uk_news/8158576.stm.

60- Daniel, Krosiak, "Honor Killings and Cultural Defense (with a Special Focus on Germany)," (June 19, 2009). *Mířniky Práva v Stredoeurópskom Priestore*, 2009; Islamic Law and Law of the Muslim World Paper No. 09-71. Available at SSRN: <http://ssrn.com/abstract=1422503>

61- Goldstein, 28-37.

62- Carl Ratner, "A Cultural-Psychological Analysis of Emotions," *Culture and Psychology* 6 (2000): 5-39.

63- Dan Bilefsky, "How to Avoid Honor Killing in Turkey? Honor Suicide," *New York Times*, July 16, 2006. Available at: <http://www.nytimes.com/2006/07/16/world/europe/16turkey.html>.

64- Dr Syed Ehtisham, "Honor Killing: No 'crime of passion'," *The South Asian*, October 07, 2004. Available at: http://www.thesouthasian.org/archives/2004/honor_killing_no_crime_of_pass.html; The Human Rights Commission of Pakistan reported that there were 3,276 victims of honour killings and Karo-Kari in Pakistan between 2004 and 2009: Human Rights Commission of Pakistan, Current stats. Available at: <http://www.hrcp-web.org/currentstat.html>

65- Patel and Gadit, 683-694.

66- *Ibid.*

67- *Ibid.*

68- *Ibid.*

69- *Ibid.*

70- Goldstein, 28-37.

71- In Pakistan, "Karo-Kari" is a compound word which means a 'black male' and 'black female', respectively. These are metaphoric terms for those who engage in illicit pre-marital or extra-marital relations. A Karo-Kari act is initiated when a female is labeled as a Kari, because of the perceived dishonour that she had brought to the family by being in an illicit relationship with a man who is subsequently labeled as a Karo. Once labeled as a Kari, male family members have justification to kill her and the co-accused Karo, to restore the honour of their family. It is less common, however, for men to be killed in relation to these crimes of honour, as they

tend to have access to economic resources allowing them to flee or buy a pardon from the dishonoured family, in lieu of being killed.

72- The term “sati” refers to the funeral practice among some Hindu communities in which the widow would immolate herself on her husband's funeral pyre, voluntarily or in some cases involuntarily. The practice is now outlawed.

73- Amin A. Muhammad Gadit, and Sujay Patel, “Karo-Kari: disturbed psyche or wild ego?” *Journal of Pakistan Medical Association* 57, 3 (2007): 112-113.

74- Quinton Deeley et al., “Facial emotion processing in criminal psychopathy. Preliminary functional magnetic resonance imaging study,” *British Journal of Psychiatry* 189 (December 2006): 533-539.

75- Ronald A. Carson and Mark A. Rothstein, *Behavioral Genetics: The Clash of Culture and Biology*, (Baltimore: Johns Hopkins University Press, 1999): 224-32.

76- Andreas Reif and Klaus-Peter Lesch, “Toward a molecular architecture of personality,” *Behavioural Brain Research* 139, 1-2 (2003): 1-20.

77- J. Evans et al., “Impulsiveness, serotonin genes and repetition of deliberate self harm (DSH),” *Psychological Medicine* 30, 6 (2000): 1327-34.

78- Individuals who have an extra Y chromosome, beyond the usual XX (for females) and XY (for males).

79- Seena Fazel and Martin Grann, “Psychiatric morbidity among homicide offenders: a Swedish population study.” *The American Journal of Psychiatry*, 161(11) (2004): 2129-31.

80- Kent A. Kiehl et al., “Temporal lobe abnormalities in semantic processing by criminal psychopaths as revealed by functional magnetic resonance imaging.” *Psych Research* 130, 1 (2004): 27-42.

81- The term "latah" from Malaysia and Indonesia, is an example of a recognized culture-bound syndrome. See, for example, Ronald C. Simons and C.C. Hughes, *The Culture-bound Syndromes: Folk Illnesses of Psychiatric and Anthropological Interest*, (D. Reidel Publishing Co., 1985). This is a condition where people who have been repetitively startled by others become highly flustered, and may speak out of turn or obey commands. This condition is well-defined in Malaysian and Indonesian society.

82- *Cultural practices in the family that are violent towards women*, UN Commission on Human Rights, Report of the Special Rapporteur on violence against women, its causes and consequences, UN Doc. E/CN.4/2002/83 (2002). Available at: <http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/42e7191fae543562c1256ba7004e96>

[3c/\\$FILE/G0210428.pdf](#); Amnesty International, *Pakistan: Violence against women in the name of honour*, AI Index: ASA 33/17/99 (1999).

83- U. Niaz, "Contemporary issues of Pakistani women: A psychosocial perspective," *Journal of Pakistan Association of Women's Studies* 6, 3 (1997): 29-50.

ANNOTATED BIBLIOGRAPHY

Abu-Odeh, Lama. “Comparatively Speaking: The “Honour” of the “East” and the “Passion” of the “West”,” *Utah Law Review* 2 (1997): 287- 307.

Abu-Odeh conducts a comparison of legal codes in the United States and various Arab countries which regulate crimes of passion and honour-based crimes. There are similarities between treatment of crimes of passion in the ‘West’ and honour-based crimes in the ‘East’. Women in the ‘West’ are at risk from legal decisions which have relaxed the crime of passion defence, and this justification/excuse is in some ways compatible with Arab legal codes that place restrictions on when circumstances are taken into account in harming a family member. While there are differences and similarities between “crimes of passion” and “honour” crimes, the wider cultural context must also be taken into account. A universalistic approach to violence against women that focuses on “why men kill their wives” overlooks the fact that, in the ‘East’, wives are not killed so often as daughters and sisters. Additionally, there have been judicial decisions that continue to reflect a traditional concept of ‘honour’ in some Arab countries.

Araji, Sharon K. “Crimes of Honour and Shame: Violence against Women in Western and Non-Western Societies.” *The Red Feather Journal of Postmodern Criminology*, 2000.

Male-perpetrated inter-partner violence (IPV) in ‘Western’ societies should be understood not only in terms of power/dominance but also in terms of honour/shame. Although honour-based violence is associated primarily with ‘traditional’ societies, these concepts also underpin violence against women in the ‘West’. Notions of ‘honour’ and ‘shame’ may be understood and expressed differently than in ‘traditional’ societies, where male and/or familial honour may be understood as tied to female family members’ sexual propriety. Violence against women who bring ‘shame’ to the family may be condoned by the wider community as justified and as the only way to restore honour to the family. In ‘Western,’ individualistic, capitalist cultures, the source of the ‘shame’ comes from the individual rather from the community, and the resulting violence is private because of state laws and social sanctions against IPV.

Arin, Canan. “Femicide in the Name of Honour in Turkey.” *Violence Against Women* 7, 7 (2001): 821-825.

The lack of investigation and prosecution of cases of honour killing renders them a form of state-sanctioned femicide. Turkish law characterizes them as a crime, yet they are often seen as justifiable. Defendants in honour crimes cases may rely upon Article 52 of the Turkish Criminal Code, which states that where crime is committed under aggravated agitation, it can be taken into account in sentencing. Other provisions meant to further victims rights, including allowing the victim’s family members to give evidence or to become a party to the case, are rarely used to advance the rights of the victim of an honour killing. Arin proposes allowing non-governmental organizations (NGOs) to

become parties in certain cases. NGOs could ask the courts to consider their obligations under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in order to fight the mitigating circumstances that otherwise might be appealed to under the law.

Baron, Beth. “Women, Honour and the State: Evidence from Egypt.” *Middle Eastern Studies* 42, 1 (2006): 1-20.

The state affects honour cultures. Egyptian nationalists used the concept of family honour and elevated it to the national plane to create a sense of ‘national honour.’ This was done, partly, to “redraw communities of honour and shift loyalties to the state and/or nationalists.” The article provides a historical comparison of laws regulating honour-related violence under Arab customary law, Islamic law and the Ottoman Empire. State justice was not as efficient as family justice, so it was never effective in eradicating family honour-based violence. Nationalists in Egypt used the idea of honour to gain public support. They had no intention of eradicating honour-based violence, however, because they sought the support of the conservative elements of Egyptian society. Thus, the concept of honour as tied to female sexual propriety remains an important social concept in Egypt.

Boon, Rebecca. “They Killed her for Going out with Boys: Honour Killings in Turkey in Light of Turkey’s Accession to the European Union and Lessons for Iraq,” *Hofstra Law Review* 35 (2006-2007): 815-856.

Turkey must eliminate honour killings in order to fulfill the Copenhagen Political Criteria and gain accession to the European Union. It is in the United States’ interest to see Turkey succeed in this goal, as Turkey could provide a model for Iraq, where honour killings remain a pervasive social problem. Turkey has instituted some legal reforms to comply with the Copenhagen Criteria, but honour killings have not been eliminated. In order to eliminate honour killings in Turkey, the USA and EU should fund women’s organizations aimed at combating honour killings, educational and outreach programs, safe spaces and shelters for women attempting to escape dangerous situations, and should develop and implement basic socioeconomic programs.

Brandon, James and Salam Hafez. *Crimes of the Community: Honour-Based Violence in the UK*. London: Centre for Social Cohesion, 2008.

Honour killings, domestic violence, forced marriage and female genital mutilation (FGM) are all part of an honour culture. This honour culture is not simply ‘imported’ to the UK by immigrants but is being reproduced by third- and fourth-generation immigrants who were born and raised in the country. Their study comprises seven chapters that look separately at notions of honour, forced marriage, honour-based domestic violence, honour killings, and FGM. They consider the barriers to change among immigrant communities and provide policy prescriptions to the UK government.

Casimir, Michael and Susanne Jung. “Honor and Dishonor: Connotations of a Socio-Symbolic Category in Cross-Cultural Perspective.” *Emotions as Bio-Cultural Processes*, edited by Hans J. Markowitsch and Birgitt Röttger-Rössler, 229-280. New York: Springer, 2009.

Understandings of honour, shame, dishonour, etc... vary from place to place, over time, between urban and rural settings, and between males and females. Despite such nuances, there are several commonalities. Most societies share a definition of ‘honour’ and ‘dishonour’ related to the male control of female sexuality (although there are also other characteristics that can lead to honour for both males and females.) The chapter provides understandings of ‘honour’ and ‘dishonour’ from various regions of the world.

Caulfield, Sueanne. *In Defence of Honor: Sexual Morality, Modernity and Nation in Early Twentieth-Century Brazil*. Durham: Duke University Press, 2000.

Although it is not a central theme in the book, Caulfield notes the traditional right of Brazilian men to kill their adulterous wives, considers the conception of ‘honour’ and how ‘honour’ has been used as a legal defence.

Cheema, Moeen H. “Judicial Patronage of ‘Honour Killings’ in Pakistan: the Supreme Court’s Persistent Adherence to the Doctrine of Grave and Sudden Provocation,” 14 *Buffalo Human Rights Law Review* (2008): 51- 70.

The Pakistani judiciary plays an instrumental role in the continued honour-based violence against women by exercising discretion in sentencing the perpetrators of honour crimes. Judges would often use section 302 of the Pakistani Criminal Code in honour killings which, prior to 1990, provided the defence of grave and sudden provocation and allowed considerable leeway in sentencing. The 1990 *Qisas and Diyat Ordinance* was expected to make it more difficult to claim defence in honour killings, but judicial decisions limited the law in ways which continued to recognize the defence of grave and sudden provocation. The author predicts that the changes made in the Criminal Law (Amendment) Act, 2004, to further strengthen the law preventing honour killings will fail to effectively address the situation because of the penalties in the Act, a narrow definition of ‘honour killings,’ and the judiciary’s recent interpretations of the grave and sudden provocation defence.

Chesler, Phyllis. “Are Honor Killings Simply Domestic Violence?” *Middle East Quarterly* XVI, 2 (Spring 2009): 61-69.

Honour killings are distinct from domestic violence. Chesler argues that honour killings are perpetrated by immigrant communities in the West. They are particular to Muslims, and to a lesser extent, Sikhs and Hindus. She suggests that honour killings reveal a “conflict of cultural moralities” between the West and its Muslim immigrants, and that honour killings could be combated through education against honour killings targeted at the Muslim population. The article provides tables detailing honour killings that have occurred in North America and Europe.

Cinthio, Hanna and Marcus Ericsson. "Beneath the Surface of Honour," (2006).

Available at:

<http://minheder.nu/Beneath%20the%20surface%20of%20honour.pdf>.

Patriarchal tribalism and an interpretation of Islam based around concepts of honour/shame instead of right/wrong reinforce the attitudes that condone honour killings in Jordan.

Coss, Graeme. "The Defence of Provocation: An Acrimonious Divorce from Reality," *Current Issues Criminal Justice* 18, 1 (2006-2007): 51-78.

The Australian defence of provocation should be abolished. Use of the defence has reflected a view that males can be excused for proprietary attitudes towards women. Retaliatory violence by men is not loss of self-control but a response to losing control of 'their' woman. Studies have shown that attitudes provide part of the explanation for why the defence of provocation continues to justify reduced sentences. Surveys of Australians show relatively high numbers are willing to blame the female victim of domestic violence for provoking her male partner.

Douki, S. et al. "Violence against Women in Arab and Islamic Countries." *Archives of Women's Mental Health* 6 (2003): 165-171.

Social views that contribute to violence against women include a wife's misbehaviour, conditions of the husband's daily life, and religious commandments. Islam does not condone honour based violence; it is a cultural, not a religious practice. Researchers need to pay closer attention to the cultural and psychological conditions that create and support honour-based violence. The article provides rates of honour-based violence in Tunisia, Palestine, Israel and Egypt.

Dustin, Moira and Anne Phillips. "Whose agenda is it?" *Ethnicities* 8, 3 (2008): 405-424.

Debates in the UK around honour killings, female genital cutting (FGC), forced marriage and women's Islamic dress characterize the issues as being about the abuse of minority women. Calling these types of crimes "cultural practices" can stereotype the community and portray the practice as normal or widely accepted within that community. Measures which provide legal remedies and punishment for these types of crimes are less effective than support and prevention. Government should consult with the minority groups in question and with women's organizations to design effective policies to address these crimes.

Epstein, Cynthia. "Death by Gender." *Dissent* 57, 2 (2010): 54-57.

Some of the factors explaining the occurrence of honour based violence include the view that violence against women who compromise family honour is acceptable, and marriage as a way to organize tribal alliances and regulate relationships between clans in countries

which are politically organized around kinship. While NGOs dedicated to promoting human rights are active, there are also many roadblocks to combating violence against women. For instance, Human Rights organizations opposed the 2009 Resolution of the UN Human Rights Committee that affirmed the concept of “traditional values” in promoting human rights and fundamental freedoms on the grounds that it sets a dangerous precedent. CEDAW affirms the value of women, but some of the countries where honour based crimes are the most prevalent are already signatories to the treaty. World leaders need to insist on political change, perhaps by insisting on human rights reform as a precursor to full commercial and diplomatic relations.

Faqir, Fadia. "Intrafamily Femicide in Defence of Honour: The Case of Jordan." *Third World Quarterly* 22, 1 (2001): 65-82.

Jordan has one of the highest rates of interfamily femicide in the world. The concept of ‘honour’ is found in many Islamic, Arab, and also Mediterranean societies. Most countries have abolished laws that condone honour based violence but some Arab and Muslim countries have not. Faqir examines Articles 340 and 98 of the Jordanian Penal Code which can mitigate the culpability or sentencing of men who commit honour-based crimes. There are similar provisions in some other Arab countries. This is not an ‘Islamic’ problem. Honour-based crimes, and conceptions of honour, can be located in pre-Islamic cultural practices. They may become increasingly relevant in societies when changing gender roles threaten to destabilize society and redefine public and private space.

Fernandez, Sonya. "The Crusade Over the Bodies of Women." *Patterns of Prejudice* 43, 3 (2009): 269-286.

Discourses considering the treatment of women in debates over honour killings, veiling and forced marriage have perpetuated the characterization of Muslims as fundamentally ‘Other’ to civilized ‘Westerners.’ Discourses which portray Islam as a monolithic, oppressive, barbaric religion have had the effect of normalizing Islam as oppressive to women by juxtaposing it with gender roles in the ‘West.’ Such discourses have two effects. First, Islam itself, rather than the individuals engaging in these practices, is cast as oppressive. Secondly, it silences the voices of Muslim women while simultaneously proclaims a desire to free them.

Gadit, Amin A. Muhammad. “Karo-Kari: disturbed psyche or wild ego?” 57, 3 (2007): 112-113.

Honour killings should also be examined from a psychiatric angle. Factors such as psychological dynamics, genetic explanations, brain functioning, personality traits and mental illness may provide explanations for violent behaviour in some males who perpetuate honour killings.

Gill, A. “Patriarchal Violence in the Name of Honour,” *International Journal of Criminal Justice Sciences*, 2006.

There is no single definition of honour-based violence that is appropriate and relevant across cultures. The way in which honour-based violence is portrayed in media reporting in the UK has reproduced harmful stereotypes of ‘ethnic’ women. There are theoretical problems inherent in applying a universal concept of international human rights to particular cultural practices. The state should include members of the affected cultural communities when considering its policy responses. Members of minority communities that are most oppressed (i.e. women) should be afforded a stronger voice. The state may accommodate cultural practices that respect the rights of its vulnerable members.

Goldstein, Matthew A. “The Biological Root of Heat-of-Passion Crimes and Honor Killings.” *Politics and the Life Sciences* 21, 2 (2002): 28-37.

Heat-of-passion and honour-killing defences are found across cultures, and the right of men to kill wives and female family members has been recognized throughout history. These defences recognize a biologically evolved behavioural pathology that is expressed in varying degrees of strengths across cultures. “Honour killings and heat-of-passion crimes are by-products of an evolved male sexual aggression that are intensified by external threats to paternal certainty. This biological perspective may explain why women are killed and why their killers are frequently excused.”

Hadidi, Mu’men, Anahid Kulwicki and Hani Jahshan. “A review of 16 cases of Honour Killings in Jordan in 1995,” *International Journal of Legal Medicine* (2001) 114, 6: 357-359.

The authors conducted an in-depth review of 16 honour killings in Jordan to determine the cause of death, severity of injuries, murder weapon, identity of the murderer, how the penal code was employed, and sentencing. Multiple gunshot wounds were the most common cause of death. Culpability and sentencing was often reduced when the victim was pregnant. The most common perpetrators were brothers of the victim. Individuals who killed a female who married without the family’s permission received the harshest penalties.

Henry, P.J. “Low-Status Compensation: A Theory for Understanding the Role of Status in Cultures of Honour.” *Journal of Personality and Social Psychology* 97, 3 (2009): 451-466.

The importance of concepts of honour (as status) can be linked to herding cultures using the theory of low-status compensation. A theory of relative-deprivation can explain cultures of honour. Aggression in response to insults is defence of the “psychological self.”

Hussain, Manza, “‘Take My Riches, Give Me Justice’: A Contextual Analysis of Pakistan’s Honor Crimes Legislation,” *Harvard Journal of Law & Gender* 29, 1 (2006): 223 - 246.

Hussain considers the factors leading to honour-related violence in Pakistan and asks why the Pakistani government has been resistant to reform. She also considers the Legal Codes of Muslim countries more generally, noting that most honour killings take place in Islamic countries. Legislation addressing honour killings is an important step forward, but in order for it to be effective the widespread discrimination against women must also be addressed.

Ince, Hilal Onur et al. “Customary Killings in Turkey and Turkish Modernization.” *Middle ‘East’ern Studies* 45, 4 (2009): 537-551.

Honour-killings are linked to Turkish modernization. The modernization process contributed to the commodification of women by failing to reach the rural areas and by focusing on superficial elements like clothing, without addressing the fundamentally patriarchal structure of society.

Kakakhel, Niaz A. “Honour Killings: Islamic and Human Rights Perspectives,” *Northern Ireland Legal Quarterly* 55, 1 (2004): 78-89.

The article examines the origins of honour killings in Pakistan. While honour killings are grounded in Muslim culture, they have no grounding in Islamic law. The author examines how international, religious, colonial and current Pakistani laws are applied to cases involving honour killings.

Khan, Roxanne. “Honour-Related Violence (HRV) in Scotland: A Cross- and Multi-Agency Intervention Involvement Survey.” *Internet Journal of Criminology* 2007.

The article reports the results of a questionnaire to women’s organizations across Scotland to determine the nature and extent of agency responses to honour-related violence (HRV). The questionnaire asked how organizations were collecting information on honour-related violence, the nature and extent of cross-collaboration between agencies, what guidelines were used for cases involving HRV, and whether the organizations would welcome standardized information. Many organizations have dealt with honour-related violence and the issue needs to be further addressed in Scotland. Over half of the respondents reported conferring with other organizations when dealing with HRV cases, and most did not have HRV-specific guidelines. The organizations unanimously agreed that they would welcome more guidance on HRV.

King, Diane E. "The Personal is Patrilineal: *Namus* as Sovereignty." *Identities* 15, 3 (2008): 317-342.

Honour-based violence should be understood as a reaction by a patriarchy or state to define its membership. Honour-based violence is only found in cultures that define membership agnatically (through males of the patrilineal line), where the hymen acts as both the symbolic and real border to membership. The male brother or father (whoever is responsible for the female) asserts sovereignty over the lineage. Honour killings can therefore be understood as "a show of reproductive sovereignty."

Knudsen, Are. "License to Kill: Honour Killings in Pakistan." Chr. Michelsen Institute: Development Studies and Human Rights. WP 2004:1.

Pakistani laws addressing homicide may perpetuate honour killings. Remedies provided in the Penal Code are often perceived as insufficient to fully restore a family's honour, and therefore customary law prevails. Stricter law enforcement and prosecution may reduce the prevalence of honour killings. Pakistan should repeal the *Hudood Laws* and *Qisas and Diyat Act*, and a national database to track honour killings more accurately should be established. Additionally, men must also be included in analyses of honour killings. Both the males and females in who engaged in pre-marital or extra-marital affairs could be targeted in honour-related violence and the violence can lead to revenge killings which mainly target men. Honour killings must be understood by taking account of the complex cultural, political and social context in which they are located.

Kogacioglu, Dicle. "The Tradition Effect: Framing Honour Crimes in Turkey," *Differences: A Journal of Feminist Cultural Studies* 15, 2 (2004): 119-151.

Analyzing the actions of institutions addressing honour crimes in local, national and international contexts are necessary to eliminating honour crimes. Institutions can perpetuate honour crimes if they are ineffective, underfunded, or do not work in ways proscribed by law. Failing to account for institutional effects can overlook the political contexts in which honour killings occur and can prevent critically examining an institution's policies and actions which contribute to continued violence. Analyses that further women's rights must be simultaneously deconstructive and constructive.

Korteweg, Anna and Gökçe Yurdakul. "Islam, gender, and immigrant integration: boundary drawing in discourses on honour killing in the Netherlands and Germany." *Ethnic and Racial Studies* 32, 2 (2009): 218-238.

A comparison of media descriptions of honour killings in Germany and the Netherlands demonstrate that gender, race, religion and nationality intersect in discourses marking membership in a national community. The discourses have the effect of imposing "bright boundaries" which clearly demarcate the majority community as distinct from the immigrant community. Gender, nationality and religion are construed as monolithic identities, and honour killings are portrayed as rooted in Islam.

Lasson, Kenneth. "Bloodstains on a Code of Honour: the Murderous Marginalization of Women in the Islamic World," *Women's Rights Law Reporter* 30, 3/4 (2008-2009): 407 - 441.

The West could intervene to prevent honour killings in other countries if they can exercise political and/or economic leverage (for example, the EU insisting on human rights reforms in Turkey as a precondition of membership). The author ties honour-killings directly to Islam and is critical of 'the Left,' which he claims "apologizes for Islamic extremism."

Madek, Christina A. "Killing Dishonor: Effective Eradication of Honor Killing," *Suffolk Transnational Law Review* 29 (2005-2006): 53-77.

Jordanian and Pakistani legislation addressing honour killing is inconsistent with the CEDAW. The most effective way to address honour killings in these countries is to require legislative changes to their domestic laws, not to strengthen the provisions or the enforcement of CEDAW.

Maris, Cees and Sawitri Saharso. "Honour Killing: A Reflection on Gender, Culture and Violence." *The Netherlands Journal of Social Science* 37, 1 (2001): 52-73.

Honour crimes are a highly ritualized form of violence. Honour killing cannot be explained in purely cultural terms. In the Netherlands, migration settlement patterns have kept pre-existing social structures of immigrant Turkish families intact. Often the male perpetrators are unemployed and consequently highly prize their honour coming from self-respect. There is also a contributing cultural perspective which views women as property and subordinate to men. In light of this, a cultural defence for honour killings is untenable. A woman's right to life overrides defence on the grounds of cultural identity in these cases.

Meetoo, Veena and Heidi Safia Mirza. "Lives at risk: multiculturalism, young women and 'honour killings.'" In *Growing up with Risk*, edited by Betsy Thom, Rosemary Sales and Jenny J. Pearce, 149-164. Bristol: The Policy Press, 2007.

Ethnicized women who are the victims of domestic violence are caught between the cultural relativism in British multicultural discourse and the private/public distinction, on the one hand, and a social fear of Islam post-9/11 on the other. Fears that honour killings can only be addressed by those with particular cultural competence puts ethnicized women at risk when women from the larger community accept honour-based violence as an instance of 'cultural difference.' An effective approach to honour killings must be able to move away from culture-based discourses and towards human rights discourses. Cultural context is important, but policies addressing honour-related violence should place it within the broader scope of domestic violence.

Meetoo, Veena and Heidi Safia Mirza. “‘There is nothing ‘honourable’ about honour killings’: Gender, violence and the limits of multiculturalism.” *Women’s Studies International Forum* 30 (2007): 187-200.

Honour killings in Great Britain have been carried out by Muslims, Sikhs and Christians. While many honour killings have occurred in South Asian and Middle Eastern families, African and Caribbean women have also been victims of honour-based violence. Discourses in the UK, however, portray honour crimes as something affecting South Asian and Middle Eastern Muslim communities. These discourses, combined with an approach to multiculturalism that upholds “respecting diversity and valuing cultural difference,” means ethnicized women may not get the help that they need. The killing of women should never been seen as a cultural issue.

Menon, Ritu. "Dishonourable Killings." *Index on Censorship* 35, 4 (2006): 123-127.

Honour killings in India take place across religions and castes. An honour killing occurs whenever women are killed to avenge male honour. Honour-based violence demonstrates the patriarchal control over women’s sexuality. Indian feminists and activists have questioned using the term ‘honour killings,’ and would be better defined as “violent acts of sexual control and subjugation of women in order to maintain either social and economic disparity, or the legitimate (caste, religious or ethnic) community.” Menon considers the relationship between caste *panchayats* (village councils), who have ordered honour killings, and state officials, who in some instances have avoided becoming involved in honour killings that were ordered by the *panchayats*.

Mojab, Shahrzad. “No ‘Safe Haven’: Violence Against Women in Iraqi Kurdistan.” In *Sites of Violence: Gender and Conflict Zone*, edited by Wenona Giles and Jennifer Hyndman, 108-133. Berkeley: University of California Press, 2004.

Mojab examines Kurdish honour killings in the “safe haven” provided for Kurds by the United States and its allies in the 1991 Gulf War. While honour killings occurred in both times of war and peace, they (along with all instances of domestic violence) increased in times of war. The Kurdish nationalist project has also contributed to the violence against women. Conservative nationalists have identified some of the more patriarchal aspects of the ‘true’ Kurdish culture and have discarded some of the more liberal traditions (for instance, the absence of veiling and the socialization of men and women in rural areas).

Mojab, Shahrzad. *Violence in the Name of Honour: Theoretical and Political Challenges*. Istanbul: Bilgi University Press, 2004.

Honour killings are linked to social upheaval. For example, the Kurds of Iraq and Turkey, who have experienced more brutal effects of war, have had more incidents of honour killing than the Kurds of Iran, who have not. Academics need to discard relativism and take the universality of patriarchal oppression seriously, while still considering the particularity of each patriarchal regime.

Nasrullah, Muazzam. "The Epidemiological patterns of Honour Killing of Women in Pakistan." *European Journal of Public Health* 19, 2 (2009): 193-197.

A better understanding of who suffers from honour killings would contribute to more effective preventative measures. The author analyzed newspaper reports of honour killings from 2004-2007 in Pakistan to determine common features of honour killings. The article provides rates of honour killings, the average age of victims, the most common reasons behind honour killings, the most common weapons used, and the relationship between the victim and the murderer.

Niaz, U. "Violence Against Women in South Asian Countries." *Archives of Women's Mental Health* 6, 3 (2003): 173-184.

The article considers the role of religion in informing gender norms in South Asia. Some of the theories that can account for male violence include a culture of machismo, male chauvinism, an attempt to keep women from gaining strength, and social upheaval due to war. The structure of the family is ultimately what allows this violence to occur.

Oldenburg, Veena Talwar. *Dowry Murder: The Imperial Origins of a Cultural Crime*. Oxford: Oxford University Press, 2002.

'Dowry murders' refer to incidents where a husband or mother-in-law douses a new wife in kerosene and lights her on fire. These are often portrayed to police as cooking accidents. While some articles list this practice as a form of honour killing, it is better understood as a crime motivated by the prospect of financial gain, whereby the husband can keep the wife's dowry and remarry. The 'cultural' practice of dowry can be traced to British policies during colonialism.

Onal, Ayse and Joan Smith. *Honour Killing: Stories of Men Who Killed*. London: Saqi Books, 2008.

Journalist Ayse Onal recounts the stories of Turkish men imprisoned for killing female family members. The stories describe the circumstances around the particular murders, including the men's motivations for the crime, their understandings of honour, and their relationship with the victim.

Ouis, Pernilla. Honourable Traditions? Honour Violence, Early Marriage and Sexual Abuse of Teenage Girls in Lebanon, the Occupied Palestinian Territories and Yemen. *International Journal of Children's Rights*, 17, 3 (2009): 445-474.

Gender-based violence, including honour killings, violates the human rights of youth as set out in the UN Convention on the Rights of the Child (CRC). Honour-based violence should be conceived of differently than gender-based violence because it is collective in nature. Honour-based violence reflects an honour ideology most frequently found in collective, kinship-based societies. It is connected to many forms of child abuse,

including early marriage and sexual abuse. The results of discussion groups with female children in Lebanon, Yemen and the Occupied Palestinian Territories show that female children in honour-based societies tended to internalize the honour ideology and accept that women are to blame for things like sexual harassment. Education and urbanization were negatively correlated with accepting the honour ideology.

Patel, Sujay and Amin Muhammad Gadit. “Karo-Kari: A Form of Honour Killing in Pakistan.” *Transcultural Psychiatry* 45, 4 (2008): 683-694.

The psychological impacts of karo-kari on women and the psychological attributes of men who would commit karo-kari are examined through an analysis of media and NGO reports of karo-kari incidents in Pakistan. Socio-cultural norms and expectations relating to gender roles have contributed to the legitimacy of karo-kari in some communities. Honour killings were legally and culturally sanctioned in ancient Roman, Aztec, Incan and Babylonian societies, and continue to occur around the world whether there is a legal defence for the killing or whether they are outlawed. The authors provide a description of the rate and types of honour killings that have occurred, the common traits of the victims and perpetrators, and the psychological traits of perpetrators.

Pervizat, Leyla. “An Interdisciplinary and Holistic Approach to Understand the Honor Killings in Turkey.” In *Family Life: a Comparative Perspective on 'Crimes of Honour,'* edited by Maria Corrêa and Érica Renata De Souza. UNICAMP: Centre for Gender Studies, 2006.

Pervizat analyses changes to the way in which Turkey’s Penal Code addresses honour crimes. While the Code has changed dramatically, it continues to reflect the continued importance attached to the concept of ‘honour.’ Turkey has demonstrated that it is ready to take a more active role in combating crimes of honour, and Pervizat suggests that solutions should be preceded by an in-depth, holistic study of honour based violence. Religion has an important role to play in combating honour killings. Gender sensitive imams should be included in strategies to teach families that honour violence is not mandated by Islam.

Reddy, Rupa. “Gender, Culture and the Law: Approaches to ‘Honour Crimes’ in the UK.” *Feminist Legal Studies* 16, 3 (2008): 305-321.

Analyzing ‘honour’-related violence as primarily cultural can marginalize the community in question and result in lesser protections for women within that community, but it is also problematic to take culture completely out of the analysis. An approach that is sensitive to the context of each case is required. Honour-based violence should be placed squarely in the range of gender-based violence.

Ruane, Rachel A. “Murder in the Name of Honour: Violence Against Women in Jordan and Pakistan,” *Emory International Law Review* 14, 3 (2000): 1523-1580.

The Jordanian and Pakistani legal codes and judicial systems fail to adequately combat honour based violence. International law requires that states exercise due diligence to ensure their legal system adequately protects against human rights violations. The comment considers why international human rights conventions and resolutions have failed to protect women from honour-related violence.

Sev’er, Aysan and Gökçeçiçek Yurdakul. “Culture of Honor, Culture of Change: A Feminist Analysis of Honor Killings in Rural Turkey.” *Violence Against Women* 7, 9 (2001): 964-998.

Honour killings can be understood as a patriarchal form of violence which exists independently of religious belief. This form of violence is difficult to overcome in some parts of the world due to patriarchal norms embedded in social and governmental institutional structures and because notions of women’s honour can produce real material outcomes for families.

Sev’er, Aysan. “In the Name of Fathers: Honour Killings and Some Examples from South-Eastern Turkey.” *Atlantis: Women’s Studies Journal* 30, 1 (2005): 129-145.

Honour killings should be understood as located on a continuum of violence against women rather than as a specifically ‘cultural’ problem. Violence against women stems from patriarchy and, while forms of patriarchy and violence differ throughout the world, it is a global system. Honour killings in Turkey are tied to the economic worth of women. The dowry and bride-price systems contribute to measuring women’s worth in terms of sexual propriety. To combat this violence, states must amend laws that fail to protect women and enforce them. Inheritance and land-ownership laws that discriminate against women should also be changed, which would help relieve the economic burden that the dowry system causes and the economic dependence of women on men. Such changes should come from within countries, rather than imposed by foreign, top-down interventions.

Shapiro, Shira T. “She Can Do No Wrong: Recent Failures in America’s Immigration Courts to Provide Women Asylum from “Honour Crimes” Abroad,” *American University Journal of Gender, Social Policy & the Law*, Vol. 18, 2 (2009-2010): 293-315.

Shapiro examines cases of women seeking asylum in the United States because they have a fear that they will become victims of honour killings if returned to their country of origin. In *Vellani v. U.S. Attorney General* and *Yaylacicegi v. Gonzalez*, the asylum claims of women who feared they would be the victim of honour killings in their home countries were denied. Shapiro questions the reasoning which led to the claims being

dismissed. Judicial decision-makers should become acquainted with the cultural and social context of the countries in question apart from official government statements. They should be aware that honour crimes are generally under-reported, and that lack of effective policing or financial corruption can prevent the law in those countries from adequately protecting vulnerable women. Finally, the courts should not take the delayed reporting of sexual abuse as a sign that a woman is not credible. Courts should take into account that a cultural code of silence can prevent a woman from reporting abuse.

Shukla, Rakesh. “Honour Killings: A look within the psyche.” *International Journal of Applied Psychoanalytic Studies* 7, 1 (2010):85-87.

Honour killings in Uttar Pradesh, India, have been ordered on the grounds that a married couple is committing incest because they belong to the same *gotra* (a grouping based on the belief that all human beings descended from certain sages). A psychoanalytic approach could help explain the reasons underlying the rage that justifies a death sentence in these situations.

Siddiqui, Hannana. ““There is no ‘honour’ in domestic violence, only shame!’ Women’s struggles against ‘honour’ crimes in the UK.” In *‘Honour’: Crimes, Paradigms, and Violence Against Women*, edited by Lynn Welchman and Sara Hossain, 263-281. New York: Zed Books Limited, 2005.

‘Honour crimes’ are perceived as and dealt with as problems of ethnic and racialized communities in the UK, but white men have relied on provocation defences, which can also be seen as a cultural defence. Stereotyping an entire community can place extra burdens on women who face honour-related violence. The state needs to provide more resources and service providers need better responses to help prevent and protect women from honour-related violence.

Sigal, Janet and Maureen Nally. “Cultural Perspectives on Gender.” In *Praeger Guide to the Psychology of Gender*, edited by M.A. Paludi, 27-40. Westport, CT: Praeger Publishers, 2004.

Gender roles, defined as “people’s beliefs about the appropriate roles and obligations of women and men,” have a cultural basis. Defining gender roles as ‘traditional’ and ‘non-traditional’ is overly simplistic, with all cultures incorporating differing degrees of ‘traditional’ and ‘non-traditional’ conceptions. This chapter considers the factors affecting the development and maintenance of ‘traditional’ gender roles, how immigration affects gender roles, and how gender roles can influence spousal abuse. ‘Traditional’ gender roles within ‘cultures of honour,’ in which a man’s honour is contingent upon the chastity of the women in his family, can contribute to the social acceptance of abuse. Cultures of honour exist in some Middle-Eastern, Asian and Latin American countries. The authors consider the differences and similarities of notions of ‘honour’ and their consequences for domestic abuse across cultures, with an emphasis on how they can affect immigrant communities.

Tripathi, Anushree and Surpiya Yadav. “For the Sake of Honour: But Whose Honour? ‘Honour Crimes’ against Women,” *Asia-Pacific Journal on Human Rights and the Law* 5 (2004): 63-78.

The two main factors contributing to gendered violence are the commodification of women and perceptions of honour. Honour-killings occur whenever a man believes he owns a woman and uses violence to enforce this assumption. The article considers laws related to honour killings in Jordan and Pakistan, and instances of honour-killings in India. It then considers measures taken by the international community to prevent honour-killings, and concludes with a list of recommendations for effective prevention and protection of women.

Van Eck, Clementine. *Purified by Blood: Honour Killings Amongst Turks in the Netherlands*. Amsterdam: Amsterdam University Press, 2003.

Van Eck examines the factors leading to honour killings, and the alternatives to honour killings, through 30 case studies of honour killings committed by Turks in the Netherlands.

Vandello, Joseph A., Dov Cohen and Ruth Grandon. “Stand by your Man.” *Journal of Cross-Cultural Psychology* 40, 1 (2009): 81-104.

Honour-based cultures are more accepting of domestic violence when the woman is perceived to bring dishonour on their partners through infidelity than are non-honour based cultures. “Cultural values emphasizing female loyalty, sacrifice, and male honour may indirectly sanction relationship violence and reward women who remain in abusive relationships.”

Vandello, Joseph A. and Dov Cohen. “Male Honor and Female Fidelity: Implicit Cultural Scripts That Perpetuate Domestic Violence.” *Journal of Personality and Social Psychology* 84, 5 (2003): 997-1010.

Cultural scripts may implicitly promote domestic violence. In two studies, individuals from honour-based cultures (Brazilians, Hispanics and Southern Americans) were generally more likely to view a woman who stays in an abusive relationship favourably and more likely to send messages suggesting domestic violence was more tolerable than individuals from non-honour based cultures (including Canada and the northern United States). Honour-based cultures are generally more likely to perceive a wife’s affair to be indicative of a husband’s un-trustworthiness and un-manliness. There was also considerable in-culture variation in these perceptions.

Vandello, Joseph A., Dov Cohen and Sean Ransom. “U.S. Southern and Northern Differences in Perceptions of Norms About Aggression: Mechanisms for the Perpetuation of a Culture of Honor.” *Journal of Cross-Cultural Psychology* 39, 2 (2008): 162-177.

The authors contrast perceptions of norms about male aggression in America’s Northern and Southern states. The South is perceived to have a “strong” honour tradition which is absent in the North. The South is more accepting of violence to protect one’s self, family and reputation. Although there are differences in the private beliefs of northerners’ and southerners’ about aggression, “differences in public norms may be more extreme than differences in individuals’ private beliefs, and individuals’ misunderstanding of this point may be one reason why the norms are so persistent over time.”

Vitoshka, Diana Y. “The Modern Face of Honor Killing: Factors, Legal Issues and Policy Recommendations.” *Berkley Undergraduate Journal* 22, 2 (2010): 1-36.

Honour-killings are not only gender- or faith-based practices; they can also be motivated by financial gain or a desire to preserve ethnic identity. Honour killings can be traced back to 700 B.C. They predate religion and are found across religious communities. Homosexual men as well as women may be targets of honour killings. Poverty and political instability should also be considered as factors leading to honour killings. Individuals should be ensured that they can access legal protections if threatened by an honour crime. Additionally, ensuring that individuals who are guilty of honour crimes are automatically disinherited would remove financial incentives for the violence.

Welchman, Lynn and Sara Hossain. *‘Honour’: Crimes, Paradigms and Violence against Women*. New York: Zed Books, 2005.

This edited volume presents various perspectives on existing and potential responses to honour related violence in diverse regions, communities and cultures. The authors take an international human rights approach and locate honour based violence in legal, social and cultural context. Contributions to the volume focus on international approaches to honour based violence, theoretical concerns, and honour based violence as it occurs in different countries and cultures around the world.

Wikan, Unni. “Deadly Distrust: Honor Killings and Swedish Multiculturalism.” In *Distrust*, edited by Russell Hardin, 192-204. Russell Sage Foundation, 2004.

Sweden’s multiculturalism policy is considered in light of the honour killing of Fadime Sahindal, an activist and Turkish immigrant to Sweden. Sweden’s multiculturalism policy affords different rights to minorities living in Sweden that are not afforded to the majority culture. The chapter raises questions about how liberal governments should treat immigrants that come from illiberal backgrounds.

Wilson, Margot and Martin Daly. “The Man Who Mistook His Wife for a Chattel.”
In *The Adapted Mind: Evolutionary Psychology and the Generation of Culture*,
edited by J.H. Barkow, L. Cosmides, and J. Tooby. New York: Oxford
University Press, 1992.

Psychologies of male ownership evolved to ensure success in sexual competition and to mitigate the risk of misdirection of paternal investments. Men’s attitudes, emotions, and actions of ownership and the commodification of women denote psychological mechanisms which evolved in the context of particular historical and cultural circumstances. The biological nature of male proprietariness is explored by focusing on the cross-cultural, psychological factors.

Wyatt-Brown, Bertram. *Southern Honor: Ethics and Behaviour in the Old South*, 2nd
ed. Oxford: Oxford University Press, 2007.

In the Old American South, the most socially acceptable way to deal with adultery was for the husband to “take matters into his own hands.” Legal punishments were reduced for violence or murder by a husband who discovered his wife was committing adultery. In Texas, it was considered a justifiable homicide. Instances of revenge appear to have been taken out on both the wife and her lover.