

## Patriarchal Violence in the Name of ‘Honour’

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### Abstract

*This article explains how notions of honour can act as catalysts for so-called honour-based violence when ideas of family and community are challenged by women, and highlights a number of recent and high-profile examples of honour crimes in the UK. A key question is how these crimes should be regarded in the context of our increasingly multi-cultural society. The article examines the way in which the British media have reported these crimes has misrepresented ethnic minorities and engendered a sense of mainstream moral superiority. Furthermore, it argues that a better understanding of the relationship between culture and morality could lead to a more nuanced approach to the construction of a human rights framework. But we must guard against two dangers: on the one hand the danger of universalising what are merely western feminist ideas of morality, and on the other of tolerating human rights violations for the sake of multi-cultural accommodation.*

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### Part 1: Contextualising the problem

*Honour-based violence* is a common occurrence within a variety of cultures and communities (Faqir, 2001). It is historically persistent and highly topical. Media attention has been focused primarily on so-called *honour killing*. However, killing is not the only crime committed in the name of honour, but simply the most violent. Others include early and forced marriage, the sisters and daughters being sold into slavery, mutilation, and the deprivation of freedom, education, or friendship. Honour-based crimes are motivated by a desire to preserve family or community honour (Almosaed, 2004). The victims are predominately female and the perpetrators are usually male relatives (fathers, brothers, husbands, and occasionally sons) (Stewart, 1994; Wikan, 1984).

Because honour crime takes place within families, many states have traditionally used its private context as a pretext for non-intervention. Until recently, the same pretext has been used by international human rights institutions to exclude crimes of honour from their agendas for action (Goonsekere, 2000). Consequently, violence against women, whether or not it has occurred in the name of ‘honour’, has not been situated in the framework of human rights violations. Instead, honour crimes have been left within the sphere of cultural and family frameworks, places that remain outside the scope of

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legislative reform. Yet, such de-politicisation ignores the fact that the persistence of honour crimes is to be explained in part by permissiveness on the part of State agencies and institutions. Indeed, many judicial systems around the world contain legal provisions that provide leniency to the perpetrators of honour crimes (Sen et al, 2003).

Currently, there is no definition of honour-based violence that is appropriate or relevant cross-culturally. This is hardly surprising considering that any such definition would need to represent both cultural and outsider perspectives (Safety and Justice, 2003; Sen *et al*, 2003). However, the absence of a definition does not mean that honour crimes do not exist, or that they are restricted to only some societies. There are certain acts or omissions directed at women that should not anywhere be considered acceptable, regardless of the social or cultural context.

Female honour may be stained by a variety of unacceptable behaviours, such as relationships with persons of different faiths, relationships not sanctioned by the kin network, or pre-marital sex (Wikan, 1984). It is clear that the concept of honour can be very broad and inclusive, containing an entire codex of concepts and behaviours. Codes of honour define the boundaries of acceptable behaviour and even thought, and women must sometimes tread carefully to avoid transgression. Her social group, extended family, or community will decide if these mostly-informal codes of honour were breached. Violation merits punishment, which might mean isolation, a ban on going to college or university or work, beatings, and even death (Abraham, 2000).

A number of recent high-profile court cases have attracted considerable media attention to the subject of honour-based crime. For example, *The Guardian* reported the recent case of a British Asian woman, *Neelum Aziz*, who was forced to marry her cousin as an act of obliging the honour of her male kin (Abbas and Wilson, 2003). The court in Islamabad heard in May 2003 that *Neelum* had been 'threatened and beaten and forced to marry' against her will. She had initially been encouraged to visit family members in Pakistan to rediscover her 'ethnic roots' but on arrival they incarcerated her and confiscated all her personal effects, including her British Passport.<sup>2</sup> *Neelum* was unable to speak out about the crimes perpetrated against her under such conditions. Fear of bringing shame on the family routinely acts to silence women about their experiences of violence and discourages them from resisting such forms of control.

The case of *Heshu Yones* (September 2003) in West London brought national and international attention to the practice of honour killing. *Heshu Yones* lost her life because of a vicious, brutal, and senseless act of violence perpetrated by her father who believed she had crossed the boundary of acceptable behaviour by taking a boyfriend against his wishes.<sup>3</sup> A letter read out in court, from *Heshu* to her father, revealed that she had experienced domestic violence prior to her murder:

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<sup>2</sup> Despite being under constant surveillance *Neelum* was able to make contact by letter with the British High Commission in Islamabad, which intervened in her case and ended her six-month ordeal. She is now safely back in the UK.

<sup>3</sup> Dr Mona Siddiqi recently stated in an article: *Where is the Honour in Murder* (Cunningham, 2003:12), that there can be no religious justification for the father stabbing his daughter twenty times: 'In Britain we have to ask whether killing someone in this situation is such an alien concept, when every soap suggests that people who feel betrayed do think about killing another person, plot to do so, and even go and carry it out' (Cunningham, 2003).

*I'm sorry I wasn't what you wanted. But there's something that you can't change. Hey for an older man you have a good strong punch and kick. I hope you enjoyed testing your strength on me. It was fun being on the receiving end. Well done (Capper, 2003: 2).*

In court, a week before sentencing, *Abdalla* changed his plea and asked the judge, *Neil Denison*, QC, to give him the death sentence for killing his daughter whom he described as the 'jewel in my crown' (Bayley and Levy, 2003: 9). Another example is that of *Sajida Bibi*<sup>4</sup> who was murdered by her extended family in January 2003 for choosing to marry her partner, a man who was thought to be unsuitable by her two male cousins. They believed that she had transgressed by not marrying a spouse from within the family network and interpreted her decision as a violation of honour-related norms and values.

In Part 2 of this paper, I examine how media reporting of honour crimes has influenced mainstream public perception of ethnic minority groups and even engendered racism. Because women are often seen as representatives of their culture, the danger is that ethnic minorities are seen as regressive and backward, and somehow morally inferior. In Part 3, I argue that a more refined understanding of the relationship between culture and morality can lead to a more nuanced approach to the construction of a human rights framework. Part 4 concludes this paper and makes concrete recommendations.

## **Part 2: Media representation of honour killing**

To illustrate how the British media has reported a number of recent honour crimes, the *Heshu Yones* example will be used as a case study. This killing became a significant milestone in the debate about culture and identity. For example, reporters, politicians, and activists began to talk about the 'honour effect', which encompassed various themes including alienated, ethnic minority youth, generational conflicts, self-harm and depression, and violence in the home (Alibhai Brown, 2005).

In what follows, the focus will be media coverage in the broadsheet and tabloid press. Although these texts do not encompass the totality of mainstream media views, they are representative of the coverage of the major news channels and widely-circulated newspapers. Some central themes that came out of these texts guided my analysis of *Heshu's* death. Violence against women in this group was overwhelmingly defined as 'clash of cultures' and 'honour killings' (the first time that such a plea was entered by the perpetrator). Phrases like 'ghastly way of life', 'culture' and 'western ways' were used to describe the event and the experiences of young women of Muslim background in general. The idea that honour crimes had become an 'epidemic' was pervasive in media accounts.

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<sup>4</sup> In the case of *Sajida Bibi*, who was murdered in the Alam Rock area of Birmingham in January 2003 as a result of a choice of marriage partner, her death is summed up as one that was carried out in the name of preserving the honour of a man who 'had been furious at the family's decision late last year to reject a proposed union with a member of his own immediate family' (*The Independent*, January 2003). When reporting such a case an analysis is required which looks at the larger belief systems which allow domestic violence to occur at individual, familial, and societal levels. This is not to say that cultural beliefs, such as patriarchy, are the only explanations for domestic violence and forced marriage. Indeed individual, familial, or cultural factors may also have a direct bearing on violence against Asian women.

Many reasons were given to explain what motivated *Abdalla Yones* to murder his daughter. News coverage focusing on *Heshu* largely used headlines such as ‘Strict Muslim who stabbed to death his “unconventional daughter” is jailed for life’, ‘killed by a tragic clash of cultures’, ‘asylum dad murders his daughter, 16 ... for being too Western’ (Daily Mail, 2003; Daily Mirror, 2003; The Sun, 2003). *Abdalla Yones* was characterised as a strict Muslim father who denied his daughter the right to live her life by brutally murdering her. He did this because he had not been able to control the way in which his daughter had led her life in Britain. Of particular significance was his attitude towards *Heshu* having a boyfriend, which he interpreted as an affront to his honour.

Debates ensued in the media and on the Internet about the issue of violence against women in the name of honour.<sup>5</sup> It was not uncommon for the mainstream media, including BBC television and radio, to characterise this incident as being indicative of a ‘*culture clash crisis*’ amongst youth.<sup>6</sup> Yet such characterisation presents only a narrow vision of what it means to be a member of an ethnic minority in today’s multicultural Britain.<sup>7</sup> Framing the ‘problem’ in this way does not recognise the agency such youth have within the structures of everyday life. Furthermore, the voices of youth seem to have been marginalised within these discourses.

The Mirror went as far as calling *Abdalla* ‘Father Fanatic’. The ‘voice’ of the Mirror had this to say to its readers:

*There is much that we have to do in this country to learn tolerance about other religions and nationalities. But it is not a one-way street. The fanaticism sometimes seen in those of other faiths belongs to another age. It is right that we should be tolerant. But nothing could be less tolerant than killing your own daughter because she is going out with a Christian (The Mirror, 2003)*

These headlines, based on stereotypes, shaped the way in which the murder was understood by many. One journalist asked me in a phone-in debate: ‘Are there many men

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<sup>5</sup> see [www.kwak.org](http://www.kwak.org)

<sup>6</sup> For example consider the recent hit *East is East* (2000) which deals with a Pakistani immigrant who moves to England in the 1930s and marries a Caucasian woman. The film deals with the highly isolated social network that has evolved from class, caste, religion and regional differences in the South Asian diasporic community. The overbearing father who bullies and terrorises his family and refuses to permit his sons to live their own lives had married against his own family’s wishes, abandoning his Pakistani wife to live with his Caucasian wife. What is disturbing about the film is that in many ways it feeds into the current media hysteria about the ‘backwardness’ of the Islamic community *vis-a-vis* the ‘civilised’ British Christian families. This is made quite explicit in the opening scene where the camera pans onto the seven inter-racial English children happily marching in a Catholic parade, unknown to their father, making it appear that this is a western ritual that people gladly participate in. However, when it is time to go to the mosque, all the children run and hide and are dragged and beaten by their father and forced to attend Islamic prayers. This only accentuates the polar opposite portrayal of a negative, oppressive Pakistani community versus an easygoing, happy-go-lucky English community.

<sup>7</sup> Traditionally the immigrant in the West has been afforded two limited ways of expressing his or her identity. One either ‘assimilates and relinquishes the “old” culture, and the other retains the old culture and remains insulated from “normal” British society’. In the case of *East is East* (2000) the film only ends with the young people assimilating and disassociating themselves from their father’s traditional ways. The ridicule is at its height when the film shows the father forcing his sons to marry two ‘unsuitable’ young women, merely to save face in the eyes of the community. In many ways this film reinforces stereotypical representations of immigrant communities and only serves to exacerbate tensions by reinscribing them so starkly.

like *Abdalla* who treat their women in this way?’ Another asked: ‘Are you surprised that he murdered her because of the way she behaved – do minorities treat all their women like this?’ Newspaper headlines also demonstrated a lack of perspective on the part of the media. For example, the Daily Mail article suggested that the death of *Heshu Yones* offered:

*A snapshot of modern inner-city life Britain, with its hotch-potch of displaced families from a bewildering variety of countries and backgrounds (The Daily Mail, 2003).*

On the BBC website, users were invited to give their opinions of so-called honour killings and one of them was posted along with the message that it reflected the ‘balance of views we have received’:

*Why leave your country and come to the West if you are not prepared to compromise and learn the values here?*

Such views about honour-based violence only validate mainstream racist attitudes towards minorities. British public opinion seizes upon family honour killings to portray the horrors of the primitive Asian Other. *How could they do this to such a young girl? They must be barbaric!* These images underwrite a sense of superiority, and legitimate the practice of treating minorities as inferior. We should ask why the media perpetuates negative stereotypes of Asians and minorities, and casts honour-based violence as indicative of the ‘immigrant/Asian mentality’.

Despite the fact that the media tends to portray this kind of crime as something that is common in Muslim communities, it is important to emphasise that honour killing is not fundamentally Islamic. A press release by Kurdish Refugees Women’s Organisation highlighted that domestic violence and honour killings do not just happen in the Muslim, South Asian community. Sawsan Salim commented to the London Metro newspaper that:

*No one has the right to kill women under any name, whether it is God or culture (Capper, 2003: 2).*

Just as Muslims feared the backlash of the September 11<sup>th</sup> terrorist attacks, the murder of *Yeshu Yones* invoked similar fears in the Muslim community across the UK. Some who had been interviewed by the South Asian and mainstream press felt ‘targeted’ and ‘demonised’, and community leaders and women’s groups stepped forward to protest their dissatisfaction with the media and made speeches arguing that Islam did not tolerate violence of any kind and was, therefore, not responsible for *Yeshu’s* murder. For example, *Inayat Bunglawala* of the Muslim Council of Britain (MCB) told BBC News Online that the case was not symptomatic of a widespread problem in the Muslim community. *Rahila Gupta*, a member of Southall Black Sisters, wrote in *The Guardian*:

*Amid all the racist bile we see in the coverage of refugees, this becomes yet another line of attack – that foreign culture is bringing bloodshed to the streets of Britain. It is the same agenda that David Blunkett feeds into when he calls on immigrants to adopt*

*British 'norms of acceptability' and expresses concern about issues such as 'forced marriages' that are alien to 'British' values (Gupta, 2003.)*

Although South Asians have benefited from their status as a successful minority, as immigrants they still have to prove themselves to be 'British', *i.e.* to be seen to subscribe to the same values and beliefs that are supposedly inherent in the mainstream. The danger here is that the South Asian family is seen as regressive and backward when compared to the modern Caucasian one. It is in a sense what postcolonial feminist theorists have described as colonial horror at the barbarity of the Arab, the Oriental, and the Other; what Mohanty describes as 'the saving of the brown woman from the brown man syndrome' (Mohanty, 1991). Postcolonial feminists have attacked such stereotypes as having the effect of dismissing, if not removing, the subaltern from history, freezing them in time and space as feudal residue, and casting them eternally as politically immature women who need to be versed and schooled in the ethos of western feminism (Amos and Parmar, 1984: 7). It is the patronising attitudes of some of those western feminists have sown the seeds of mainstream racism towards diasporic South Asian communities (Amos and Parmar, 1984: 7; Patel, P. 2000).

Nira Yuval-Davis (1997) explains that minority ethnic women must often carry what Mercer (1990) describes as 'the burden of representation'. Indeed, women are perceived to be the symbolic bearers of identity and honour, both personally and collectively. Yuval-Davis (1997) compares the situation to that of Nazi Germany where boys had a duty to live and die bravely for the nation whilst girls did not need to act: they had only to be the embodiment of the nation. The figure of a woman, often a mother, symbolises in many countries the spirit of collectivity, whether it is Mother Russia, Mother Ireland or Mother India. The downside is that when men transgress, it is perceived as an individual issue, or even a natural 'boys will be boys' syndrome, whereas when a woman transgresses, she is seen as having shamed her entire community (Yuval-Davis, 1997: 46). When the media misrepresents crimes against women from minority ethnic minorities, they are in danger of misrepresenting entire cultures.

### **Part 3: Universalism, Cultural Relativism, and Human Rights**

Since the murders of *Rukshana Naz, Saijida Bib, and Heshu Yones*, serious debate has occurred in Britain and internationally about the situation of women from ethnic minority communities. All three cases were widely covered in the mass media with reference to the cultural values and norms. The public discourse in Europe has been simplistic, sensational and essentialist, stigmatising ethnic and religious groups, and dividing communities between 'us' and 'them' or 'others'. Within this context, the 'others' are criticised as outsiders and as problematic communities, with barbaric and backward cultures. So how are to develop a more refined perspective?

Since the 1948 *UN Declaration of Human Rights* there have emerged numerous human rights conventions and legal structures, and declarations have evolved into powerful global human rights institutions (Cook, 1994). Although many of these declarations have been widely praised for their progressive aims, there has also followed

much criticism, mostly directed towards discourses that universalise rights that are culturally engendered by liberal Western traditions. At the core of these debates is the notion of 'culture' or 'community' (terms that are often used interchangeably, thereby further clouding their already complex meanings), and the way they operate transnationally in human rights institutions (Coomaraswamy, 2003). Under contention is how changing dynamics of community and culture can be reconciled with homogeneous legal concepts, nation-building agendas, and disagreements over what constitute *rights* in the first place. Cowan *et al* (2001) have argued that human rights and the law cannot easily be made concrete in the context of a fluid understanding of culture and community.

Leaving aside universalism as an obvious problem, the deployment of 'culture' in the legal context generally allows for only one perspective, usually that belonging to the claimant. A singular perspective may unfairly represent the interests of others who have just as much, if not more, at stake. This is particularly evident in domestic violence cases, for example, where 'cultural' defence arguments have been evoked in UK courtrooms (Smart, 1992). But such claims may instead be only a partial representation of masculinity and power within particular UK immigrant communities (Basu, 2001; Fraser, 1997). Many women in these same communities, who have been the victims of gender-based violence, do not agree that violence in the family is inherently cultural (Gill, 2004).

This suggests that factors other than 'culture' may be in question when making rights claims. It is important to pause and ask specific questions about who is actually naming culture in each context. What are the interests and investments in varying definitions and claims? How do distinct definitions function to fulfil the desires economic elites or disempowered minorities? As rights discourses and institutions 'go global', culture alone proves to be inadequate for making sense of disparate rights claims. Rather, examining local and national political interests and their connections to markets, international legal frameworks and colonial legacies may help us to understand better how culture has been apprehended in the global rights arena (Kapur, 2001; Visweswaran, 2004).

The relationship between international human rights law and multicultural accommodation is undeniably problematic. Extensive literature on multicultural accommodation<sup>8</sup> has established that well-meaning group-based accommodation can harm individuals within the accommodated group, in particular vulnerable group members such as women and children (Solomos, 2000; Alibhai-Brown, 2005). The justification, usefulness, and strengths and weaknesses of multicultural accommodation are the subjects of lively debate among political theorists. Whereas the first wave of multiculturalism focused on the justice claims of minority groups and was mainly concerned with redefining the relationship between the group and the state (Kymlicka, 1995), the second wave of multiculturalism elaborates on the potentially conflicting needs and interests of the three major players in any multicultural system: the group, the state and the individual (Kymlicka, 1995). Shachar (2001) has divided this second wave

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<sup>8</sup> According to Shachar (2001), the term multicultural accommodation refers to a wide range of state measures designed to facilitate identity groups' practices and norms and generally aims to provide a identity groups with the option to maintain their unique cultural and legal understandings of the world.

of multiculturalism into two dominant streams: the 're-universalised citizenship option' and the 'unavoidable costs approach' (Shachar 2001:64). They present two seemingly opposing points of view. On the one hand, proponents of re-universalised citizenship argue that the "state must throw its weight behind the individual in any conflict between the individual and her minority group, even if the state contributes to the alienation of the individual from her group in so doing" (Okin, 1999).

In essence this is an argument against multicultural accommodation and it is often brought forward by the defenders of individual freedom, autonomy and individual rights. On the other hand, the unavoidable costs argument advances the claim that "a genuinely multicultural state has little if any justification for intervening in a minority group's affairs – even if that minority community systematically violates certain members' basic citizenship rights" (Shachar 2001:64). Kukathas (1998), whose work is considered representative of this argument, calls this non-interventionist approach 'the politics of indifference' – or 'doing nothing' as opposed to 'the politics of recognition' or 'the politics of difference' which are advocated by defenders of multiculturalism (Kukathas, 1998:686).

It follows that tension between culture and individual rights, which is inherent in the concept of multicultural accommodation, inevitably has its parallel in the field of international human rights law. Human rights scholars struggle with many of the same questions as multiculturalists: if culture and cultural identity deserve to be protected, how far should this protection extend? When does it turn into a violation of individual rights? Naturally, in addition to cultural differences within states, human rights scholars must take into account cultural differences between states. The crucial question is: are universal human rights capable of accommodating cultural differences? Should they? And if so, how? These questions are central to the debate between universalism and cultural relativism that continues to thrive in the field of human rights and international law. This debate, which is being conducted primarily between Western and non-Western countries, is particularly vehement with regard to women's rights (Wachholz and Miedema, 2000).

In essence, universalism means universality of human rights law in application, if not in origin. In contrast, cultural relativists claim that international human rights provision should not apply, or should only apply with a special interpretation, to certain groups because the provisions on their normal form of application are alien to the groups in question. This assertion is based on the view that values and norms depend on cultural context. Such a position clearly contradicts the basic premise of the human rights movement – its credo that human rights are universal, inherent, and inalienable. This paper in turn places itself firmly within the human rights paradigm, but is critical of the rights discourse in relation to minority ethnic women and the unpacking of the dangers of multiculturalism. International standards are important to apply in terms of the rights of women but this does not mean that such standards should be blind to the context in which they are to be applied.



#### **Part 4: Conclusions**

The importance of state responsibility for private acts is significant to the issue of violence against women (Hester, 2004; Home Office, 2005). One can observe that there are not many international human rights instruments dealing with this problem so far. This lack of involvement certainly illustrates how the traditional notion that states are not responsible for private acts is hindering women's international human rights protection. One reason for this is that international human rights law has been mainly concerned with politically-motivated abuse and the large human rights organisations were born out of such concerns. Another is the well-established idea that only state entities are capable of violating human rights. Whilst anyone can commit a crime, only a state and its agents can be found guilty of human rights violations under international law. Thus the perpetrators of domestic violence cannot be treated as the subjects of international human rights law unless the state can be held responsible in some way. Although this situation has changed since the majority of countries have subsumed domestic violence cases under state criminal law, it remains doubtful that it is viewed an international human rights issue. Therefore, it is important for the women's rights movement to keep pursuing the broader acceptance of state accountability in international human rights discourse regarding violence against women.

In answering the question of who should decide what is the appropriate response to conflicts between multicultural recognition and equal protection, cultural minorities must be included in the governance of practices that affect them, with those whose basic interests are at stake having a greater say. There will inevitably be hard cases in which there is disagreement among cultural minorities about who has basic interests at stake and whether basic interests are indeed violated by a particular cultural rule or practice. South Asian men who wish to uphold practices that contravene basic human rights indeed have interests at stake in the decisions over cultural accommodation. But democratic equality's commitment to protecting the vulnerable requires giving greater voice to those who are at the weaker end of the power balance within minority communities, such as South Asian women who challenge honour-related violence and other forms of gender-related abuse. From the standpoint of protecting human rights, cultural rules or practices that undermine the basic interests of a group's most vulnerable members – whether by failing to respect women's bodily integrity or denying equal civic status to women – are automatically suspect and should not be accommodated.

Providing mechanisms for vulnerable internal minorities to voice their opposition to cultural rules and practices that reinforce their vulnerability can help facilitate the contestation of cultural practices within minority communities (Burman et al, 2004; DasGupta, 1998). Defenders of existing hierarchies may be compelled to change their views. Nigerians who defend physically impairing forms of female circumcision, South Asians who seek to perpetuate forced marriage, and some quarters of the Kurdish community who think women are indeed inferior to men, may well be compelled to moderate their views in order to win broader support within their own religious and cultural communities, as well as from the pluralistic society at large. Maintaining rules and practices that disproportionately burden or exclude particular members may not, in

the long run, be a recipe for cultural survival. Cultural survival depends, in part, on a community's ability to adapt to the needs and interests of all its members. The hope is that by giving voice to the concerns of a group's most vulnerable members and facilitating the internal contestation of cultural norms, cultural leaders and defenders of prevailing power hierarchies will be compelled to moderate their traditions in ways that are more inclusive and just.

If particular cultural rules or practices are consistent with respecting the basic interests of vulnerable members, then, of course, there is room for cultural accommodation. While some of the cases that we have highlighted have focused on reprehensible practices defended in the name of culture, this should not lead us to dismiss all minority cultural practices as similarly reprehensible. There exist many cultural practices that make a positive difference to individual members. Cultural accommodation is sometimes necessary to secure the social bases of self-respect for cultural minorities, as well as addressing the social and political disadvantages that stem from minority cultural status. Thus, the claims of cultural minorities should not be denied fair hearing simply on the grounds that they are unfamiliar to the majority culture. As we have observed in recent cases both in the UK and across Europe concerning the experiences of minority ethnic women, the dominant culture has been quick to judge and intervene, in particular in response to the gender practices of minority cultures, often in ways that have reinforced rather than challenged gender inequality across cultures. This is why the inclusion of minority voices in addressing the claim of culture is all the more urgent. Guarding against cross-cultural hypocrisy over gender practices, as well as ensuring equal justice for minorities, requires it.

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