

## **When Murder Becomes Tradition: The Brutal Reality of Honour Killings**

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### **Abstract**

In a time where many women live in constant fear of violence, especially from strangers, some face an even more terrifying reality: the threat of death at the hands of their own families. What kind of values encourage a father to kill his daughter, a brother to kill his sister, or a husband to kill his wife? More importantly, how can a society not only turn a blind eye, but actively allow, and in some cases even encourage, the perpetuation of this practice?

These questions form the foundation of this paper, which explores a tradition known as honour-based violence (HBV) and the systems that enable it. This article examines the socio-cultural and legal structures that allow such acts to persist. It further investigates the patriarchal values and community codes that underpin these crimes, and critiques the failure of legal systems - both nationally and internationally - to adequately protect individuals vulnerable to HBV, and hold perpetrators accountable. However, to fully understand HBV, it is important to consider the universal reality of gender-based violence (GBV). While it is typical that honour killings are discussed through cultural or religious contexts, feminist scholars, such as Chandra Talpade Mohanty, caution that viewing violence against women in non-Western contexts purely through a cultural lens can risk reinforcing colonial ideas of Western superiority. While HBV is undeniably shaped by culturally specific concepts such as 'ird' and 'sharaf', this paper resists simple culturalist explanations. Instead, it approaches HBV as a culturally specific manifestation of global patriarchal violence, one that reflects universal structures of gender inequality and violence against women, even as its expressions differ across societies.

Finally, this report highlights the tension between cultural relativism and universal human rights, especially in the context of women's rights. It argues that HBV cannot be justified under the guise of cultural practices and calls for a more consistent, rights-based approach to prevent and prosecute these crimes effectively.

### **Introduction**

Every year around the world an increasing number of women fall victim to murder by their families in the name of 'honour'. The United Nations Population Fund (UNFPA) estimates that "as many as 5,000 women and girls" are killed each year worldwide in the name of 'honour'.<sup>284</sup> Honour killings, as defined by Human Rights Watch, are "acts of violence, usually murder, committed by male family members against female family members who are perceived to have brought dishonour upon the

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<sup>284</sup> Tanya D'Lima, Jennifer L.Solotaroff and Rohini P Pande, ' *For the Sake of Family and Tradition: Honour Killings in India and Pakistan'* (2020) 5(1) ANTYAJAA: Indian Journal of Women and Social Change 22.

family.”<sup>285</sup> Embedded in age-old traditions and often perpetuated through patriarchal structures, honour killings represent a troubling response to perceived breaches of societal norms. Motivations behind such acts are diverse, ranging from talking to an unrelated male to being victims of rape.<sup>286</sup> Anything that is considered taboo by prevailing cultural standards is typically enough, and any allegation of dishonour against a woman usually suffices.

While there have been several attempts by human rights organisations to diminish the practice, the record for achieving this goal has been disappointing. This paper aims to critically analyse honour killings, emphasising the specific dimensions that contribute to their persistence within a global context. By dissecting the layers surrounding these acts, the paper aims to shed light on the intricate interplay of cultural norms and legal frameworks, particularly impacting women. To achieve this aim, the first subsection of this paper will delve into the misogynistic double standards, exploring how women deviating from prescribed gender roles become targets of violence. This article further examines the societal norms that provoke honour killings, ranging from pre-marital relations to the refusal of arranged marriages. In the second subsection, the argument shifts to the broader cultural and religious context, focusing on how honour killings are concentrated in specific regions and how religion and traditions are exploited as smokescreens to justify acts within these societies, even among the youth. The analysis focuses on HBV as both a product of specific cultural logics and a reflection of broader, universal patriarchal systems. Finally, this paper examines the reality within legal systems, where perpetrators often escape punishment, contributing to the perpetuation of this practice.

### **Women are - nearly - always the victims**

Across diverse cultural contexts, a disconcerting pattern emerges: honour killings predominantly target women. Statistics and case studies consistently reveal that women bear the brunt of this violent practice, with some reports estimating that a staggering 93% of victims are women,<sup>287</sup> thus emphasising the gendered nature of this phenomenon. To understand why women are overwhelmingly targeted in honour killings, one must scrutinise the misogynistic underpinnings within cultural foundations. In this section, evidence will be presented to expose the misogynistic elements that perpetuate honour killings.

In many societies, the concept of familial honour is closely tied to the perceived virtue and modesty of women.<sup>288</sup> Women are often regarded as ‘vessels’ of their family’s reputation,<sup>289</sup> becoming central to

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<sup>285</sup> Human Rights Watch, ‘Violence Against Women’ (*Women’s Human Rights*, 2001) <<https://www.hrw.org/legacy/wr2k1/women/women2.html>> accessed 18 January 2024.

<sup>286</sup> Hillary Mayell, ‘Thousands of Women Killed for Family “Honor”’ (*National Geographic*, 2002) <<https://www.nationalgeographic.com/culture/article/thousands-of-women-killed-for-family-honor>> accessed 20 January 2024.

<sup>287</sup> Cynthia Helba and others, ‘Report on Exploratory Study into Honor Violence Measurement Methods’ (*Bureau of Justice Statistics*, 2014) <<https://www.ojp.gov/pdffiles1/bjs/grants/248879.pdf>> accessed 20 January 2024.

<sup>288</sup> James Brandon and Salam Hafez, *Crimes of the Community: Honour-Based Violence in the UK* (Centre for Social Cohesion 2008).

<sup>289</sup> Andrzej Kulczycki and Sarah Windle, ‘Honor Killings in the Middle East and North Africa: A Systematic Review of the Literature’ (2012) 17(11) *Violence Against Women* 1442.

the preservation or tarnishing of familial honour.<sup>290</sup> This gendered perspective is rooted in a patriarchal worldview where women are considered legal minors, transitioning from being viewed as the possession of their father's family to being regarded as the possession of their husband's.<sup>291</sup> Additionally, it is often emphasised that women are considered subordinates who should be protected by males. Such perceptions contribute to the objectification of women, allowing their identities to be reduced to vessels through which familial honor is either upheld or tarnished.<sup>292</sup>

Building on this, misogyny also reveals itself in the normalisation, and even encouragement, of certain behaviours for men. For example, misogyny is manifested in the strict policing of women's behaviour and choices, as any lack of control over women is linked to shame amongst men, compromising their sense of honour.<sup>293</sup> As a result, women who deviate from prescribed gender roles or challenge societal expectations become targets of violence.<sup>294</sup> An example illustrating this is the case of Israa Ghareeb, a 21-year-old woman who faced a brutal death for going out to dinner with her fiancé. This act was deemed dishonourable by her family, as it deviated from societal norms dictating that women should not go out with men before marriage.<sup>295</sup> In such contexts, violating these norms not only harms the woman's reputation, but also stains the image of her family and community,<sup>296</sup> a transgression regarded as rectifiable only through punitive measures imposed on women.<sup>297</sup>

There are many instances in which a woman might compromise her or her family's honour that are evident in various scenarios in honour killings. The most common offence notably emerges as pre-marital relations and marital infidelity.<sup>298</sup> Women accused of adultery are rarely given the chance to prove their innocence,<sup>299</sup> as gossip and community pressure are considered justifiable reasons "as good as proven adultery."<sup>300</sup> In cases such as these, the intense community pressure isolates and mocks the dishonoured family, making the killing of the blamed woman the only resource for the

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<sup>290</sup> Shaina Greiff, 'No Justice in Justifications: Violence Against Women in the Name of Culture, Religion, and Tradition' (The Global Campaign to Stop Killing and Stoning Women and Women Living Under Muslim Laws 2010).

<sup>291</sup> Sadaf Ayubi and Brenda J Honsinger, 'Violence and Women's Human Rights Violations: The Case of Honor Killings, Wartime Sexual Violence Against Women and Sex Trafficking in Parts of Asia, Africa and the Middle East' ( Forum on Public Policy preprint, 2015).

<sup>292</sup> Anahid D Kulwicki, 'The Practice of Honor Crimes: A Glimpse of Domestic Violence in the Arab World' (2002) 23(1) Issues in Mental Health Nursing 77.

<sup>293</sup> Amber Baker and others, 'A Qualitative Assessment of Girls Gaining Ground: Working Towards Female Empowerment in Maharashtra, India' (Bhavishya Alliance 2009).

<sup>294</sup> D'Lima, Solotaroff and Pande, 'For the Sake of Family and Tradition' (n 1).

<sup>295</sup> T Abueish, 'Israa Ghareeb: A Palestinian Woman Who Lost Her Life in the Name of "Honor" (Al Arabiya English, 2019) <<https://english.alarabiya.net/features/2019/09/04/-We-are-all-Israa-Ghareeb-Death-of-Palestinian-woman-sparks-public-outrage->> accessed 10 January 2024.

<sup>296</sup> D'Lima, Solotaroff and Pande, 'For the Sake of Family and Tradition' (n 1).

<sup>297</sup> Baker and others, 'A Qualitative Assessment of Girls Gaining Ground' (n 10).

<sup>298</sup> Kulczycki and Windle, 'Honor Killings in the Middle East and North Africa' (n 6).

<sup>299</sup> Mayell, 'Thousands of Women Killed' (n 3).

<sup>300</sup> Federica Caffaro, Federico Ferraris and Susanna Schmidt, 'Gender Differences in the Perception of Honour Killing in Individualist Versus Collectivistic Cultures: Comparison Between Italy and Turkey' (2014) 71 Sex Roles 296.

family to regain acceptance within the community.<sup>301</sup> Even victims of rape are susceptible to honour killings, as they are “constant reminders of the disgrace.”<sup>302</sup> Statistically, in Egypt, 47% of women were killed after they had been raped.<sup>303</sup> Another unacceptable behaviour that challenges traditional norms is when girls refuse arranged marriages, as it is viewed as a major act of defiance that damages the honour of the man who arranged the marriage.<sup>304</sup> In conservative societies, even chatting with strangers on social media could lead to the woman facing death.<sup>305</sup> Overall, patriarchy reinforces the expectation that women should “strictly obey”, and any acts of defiance are considered disgraceful and shameful.<sup>306</sup>

### **Hiding behind the mask of culture and religion**

The prevalence of HBV is notably concentrated in specific regions, particularly within conservative societies in the Middle East, South Asia, and parts of North Africa. While these regions span across a large geographical area with different levels of socio-economic development, they generally share many common traits in language, religion, and socio-cultural contexts.<sup>307</sup> Some scholars have attempted to draw parallels between intimate partner killing in western countries and honour killings. However, while both are rooted in patriarchal structures that legitimise male control over the women in their life, the key distinction lies in the motive, as most perpetrators of intimate partner crimes do not cite ‘preservation of honour’ as their motive,<sup>308</sup> which makes honour killings a phenomenon that is only existent in the regions mentioned above.

This section examines the perception and justification of honour killings, addresses misconceptions regarding Islamic teachings, and highlights the endorsement and acceptance of honour killings within these societies. Within the cultural context, it is evident that the root cause of honour killings is traced to patriarchal societies and the unjust double standards imposed on women, as noted previously. Despite notable strides in academic and economic progress in many of the countries mentioned, patriarchal family structures persist, and violence emerges as a means of control amid rapid societal changes.<sup>309</sup>

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<sup>301</sup> ibid.

<sup>302</sup> Dawn Perlmutter, ‘*The Semiotics of Honor Killings and Ritual Murder*’ (*Anthropoetics: The Journal Generative Anthropology*, 2011) <<https://anthropoetics.ucla.edu/ap1701/1701perlmutter/>> accessed 12 March 2024.

<sup>303</sup> Mayell, ‘*Thousands of Women Killed*’ (n 3).

<sup>304</sup> ibid.

<sup>305</sup> Ayubi and Honsinger, ‘*Violence and Women’s Human Rights Violations*’ (n 8).

<sup>306</sup> ibid.

<sup>307</sup> Kulczycki and Windle, ‘*Honor Killings in the Middle East and North Africa*’ (n 6).

<sup>308</sup> Krysten B Hartman, ‘*The Shame of Preserving Honor: Why Honor Killings Still Plague the Hashemite Kingdom of Jordan in the 21st Century*’ (Senior Theses, Claremont McKenna College 2010) <<https://core.ac.uk/download/pdf/70967755.pdf>> accessed 20 February 2024.

<sup>309</sup> D’Lima, Solotaroff and Pande, ‘*For the Sake of Family and Tradition*’ (n 1).

This need to preserve control is further reinforced by how honour killings are framed. Perpetrators perceive honour killings as “heroic” and/or “a fulfillment of a religious obligation.”<sup>310</sup> Using religion and traditions as a smokescreen for said acts not only allows it to continue, but also makes it look justifiable in the eyes of the community. The significance of honour in these cultures, deemed worth resorting to violence, is explained by Perlmutter; the Arab concept of honour does not equate to the Western concept, the Arabic word for male honour “*Sharaf*” and the term face “*wajh*” are so closely intertwined to the point of near interchangeability. In the Arab mindset, preserving one’s honour equates to preserving one’s face, in which individuals strive to preserve it, even if it means resorting to violence, as “shame, humiliation, and dishonour are to be avoided at all costs.”<sup>311</sup> Within this context, it is crucial to distinguish between the terms ‘*Sharaf*’ and ‘*ird*’. While both relate to honour, they are assigned different meanings. The term ‘*Sharaf*’ dictates that men embody qualities like courage, bravery, heroism, power, and strength; any display of weakness compromises their honour. In contrast, the term ‘*ird*’ is associated with women’s modesty and faithfulness. Straying from these virtues is seen as a loss of honour, bringing shame upon the men responsible for safeguarding the honour within the family.<sup>312</sup>

However, it is important to examine these interpretations through a critical lens. Feminist scholar, Chandra Talpade Mohanty, warns that viewing violence against women in non-Western societies solely through cultural or religious explanations,<sup>313</sup> risks reinforcing colonialist binaries that depict Western societies as progressive and others as inherently oppressive. While cultural and religious contexts undeniably shape how honour is constructed and weaponised, such framings must be situated within global systems of patriarchy, power, and inequality. An overreliance on culturalist interpretations can obscure how patriarchal power structures, conservative gender norms, and misinterpretations of religion interact to sustain HBV.

While over half of honour killings occur in Muslim-majority countries, it is wrong to assume Islam is to blame. The Qur'an, the book of teachings for Muslims, contains no verses supporting violence against women, and many Muslim scholars unequivocally denounce honour killings as un-Islamic.<sup>314</sup> Despite this, some still rationalise this practice as ‘Islamic’ and, furthermore, as an inherent ‘cultural’ tradition.<sup>315</sup> This is due to wrong and conservative interpretations of the Qur'an.<sup>316</sup> As a result, perpetrators often show no remorse for their actions. Instead, they take pride in reclaiming their honour and masculinity, referring to Islamic law and traditions as justification.<sup>317</sup>

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<sup>310</sup> Justin J Gengler, Mariam F Alkazemi and AlAnoud Alsharekh, ‘Who Supports Honor-Based Violence in the Middle East? Findings From a National Survey of Kuwait’ (2021) 36(11–12) Journal of Interpersonal Violence NP6013.

<sup>311</sup> Perlmutter, ‘The Semiotics of Honor Killings’ (n 19).

<sup>312</sup> *ibid.*

<sup>313</sup> Chandra Talpade Mohanty, ‘Under Western Eyes: Feminist Scholarship and Colonial Discourses’ (1984) Boundary 2 333.

<sup>314</sup> Hartman, ‘The Shame of Preserving Honor’ (n 25); Greiff, ‘No Justice in Justifications’ (n 7).

<sup>315</sup> *ibid.*

<sup>316</sup> Minoo Alinia, *Honor and Violence against Women in Iraqi Kurdistan*, (1st Edition, Palgrave Macmillan 2013) 61.

<sup>317</sup> *ibid.*

In addition, the endorsement of honour killings by individuals within said societies adds to the challenge of abolishing this practice. Surveys conducted in Kuwait and Jordan reveal alarming levels of approval for physical violence as a punishment for female adultery. Notably, significant percentages of the population, including young adolescents, express support for honour killings, with males being more than twice as likely to support honour killings.<sup>318</sup> This widespread acceptance underscores the substantial distance that must be covered to achieve even modest progress in challenging the deeply ingrained cultural norms surrounding honour killings.

### **Flaws in the system**

The widespread nature of honour killings is further compounded by the difficulty in accurately reporting and tracking these crimes. As women subjected to such violence are often buried in unidentified graves, erasing any official record of their existence.<sup>319</sup> Consequently, accurately determining the number of victims becomes exceedingly challenging. As noted previously, the number of victims per year is estimated to surpass 5,000 women; this figure equates to around 13 women being killed in the name of honour per day.<sup>320</sup> However, some non-governmental organisations estimate as many as 20,000 annual victims,<sup>321</sup> increasing figures to 54 women per day. This is more likely, as in Pakistan alone, it is approximated that at least three women fall victim to this practice every day.<sup>322</sup> Adding to the horror of these killings is the unsettling reality that many perpetrators have been able to evade legal consequences, often escaping punishment entirely.<sup>323</sup> This systemic failure to hold individuals accountable becomes a critical aspect of the broader narrative surrounding honour killings, warranting thorough exploration in this final subsection of the paper.

While religious and cultural beliefs significantly contribute to the establishment of norms supporting HBV, legal systems in honour-based countries serve to reinforce these crimes.<sup>324</sup> Despite the horrible nature of these crimes, legal systems in certain regions fail to hold the guilty accountable, allowing them to escape justice and continuing the cycle of violence. This section examines the legal aspects of honour killings, focusing on the existing laws, inconsistencies within the legal system, and biases that hinder the protection of victims.

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<sup>318</sup> Gengler, Alkazemi and Alsharekh, ‘Who Supports Honor-Based Violence’ (n 27); C Eisner and H Ghuneim, ‘Gender Differences in Attitudes Toward Honor-Based Violence in Palestine’ (2013) Violence and Victims.

<sup>319</sup> Mayell, ‘Thousands of Women Killed’ (n 3).

<sup>320</sup> Hartman, ‘The Shame of Preserving Honor’ (n 25).

<sup>321</sup> D'Lima, Solotaroff and Pande, ‘For the Sake of Family and Tradition’ (n 1).

<sup>322</sup> Mayell, ‘Thousands of Women Killed’ (n 3).

<sup>323</sup> *ibid.*

<sup>324</sup> *ibid.*

The first issue with legal frameworks in patriarchal societies is the classification of women as minors and their legal designation as the property of their fathers or husbands.<sup>325</sup> This, coupled with significant flaws in legal systems within regions plagued by honour killings, compounds the challenge of obtaining justice for victims. One notable challenge is the leniency or loopholes within legal frameworks that enable perpetrators to evade severe consequences. Numerous legal provisions and prior case decisions draw a clear distinction between honour killings and other forms of homicides, granting judges considerable flexibility to impose extremely lenient sentences.<sup>326</sup> An illustrative example is Jordan's penal code, Article 340, which excuses and provides exemption from penalty to a man who catches his wife or a female relative committing adultery.<sup>327</sup> Similar clauses persist in the penal codes of Lebanon, Syria, Oman, and Kuwait, granting protection to perpetrators.<sup>328</sup> For instance, Kuwait's penal code, Article 153, grants substantial impunity to a man involved in an honour-related murder.<sup>329</sup> Additional elements within Middle Eastern and North African (MENA) penal codes inadvertently legitimise HBV by linking punishments to the perceived level of 'honour' at risk for the victim, as seen in Lebanon, where a harsher sentence is mandated if the victim is identified as a virgin.<sup>330</sup> This reinforces the idea that the value of a woman, and the gravity of the crime against her, depends on her perceived sexual conduct rather than her fundamental rights. Notably, these laws uniformly identify the male as the beneficiary of the exemption, whether husband, father, or brother. The only exception being the Algerian code, which stands out as it extends the exemption for both husband and wife, making it the only law that gives power to women falling into the same situation, however, this is restricted to instances involving adultery.<sup>331</sup>

Additionally, the existence of broad unspecific laws in said regions, that can be applicable to honour killings, may result in inconsistencies in legal responses. For instance, in the Jordan code, Article 98 grants a mitigating excuse to anyone committing a crime in a state of extreme rage due to an unjust and dangerous act by the victim.<sup>332</sup> This lack of specificity has allowed broad application in various honour crime cases, granting judges the freedom to sentence perpetrators however they see fit, enabling numerous perpetrators to evade serious consequences, and, in many cases, walk free.<sup>333</sup>

Furthermore, women who face threats of HBV rarely receive legal protection,<sup>334</sup> making them hesitant to seek assistance from authorities. The police often fail to maintain impartiality in honour killings,

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<sup>325</sup> Ayubi and Honsinger, 'Violence and Women's Human Rights Violations' (n 8).

<sup>326</sup> Kulczycki and Windle, 'Honor Killings in the Middle East and North Africa' (n 6).

<sup>327</sup> Lama Abu Odeh, 'Honor Killings and the Construction of Gender in Arab Societies' (2010) 58(4) *The American Journal of Comparative law*, 911.

<sup>328</sup> Gengler, Alkazemi and Alsharekh, 'Who Supports Honor-Based Violence' (n 27).

<sup>329</sup> *ibid.*

<sup>330</sup> *ibid.*

<sup>331</sup> Odeh, 'Honor Killings and the Construction of Gender' (n 43).

<sup>332</sup> Hartman, 'The Shame of Preserving Honor' (n 25); Greiff, 'No Justice in Justifications' (n 7).

<sup>333</sup> *ibid.*

<sup>334</sup> Kulczycki and Windle, 'Honor Killings in the Middle East and North Africa' (n 6).

reflecting prevalent gender expectations and biases.<sup>335</sup> In certain regions, the police may even show approval toward a perpetrator, offering special treatment during detention or imprisonment.<sup>336</sup> In cases where women facing threats seek help from authorities, they may find themselves detained in a local prison for protection, but they are unable to leave or check themselves out, even if the threat no longer exists. Ironically, the only person authorised to secure their release is a male relative, who is often the person who poses the threat.<sup>337</sup> This complex web of legal inadequacies further entrenches the challenges of achieving justice and protecting potential victims of HBV.

## **Conclusion**

In conclusion, the issue of honour killings reveals a distressing intersection of cultural norms, legal shortcomings, and societal expectations. The analysis highlights a troubling gender bias, where women bear the brunt of violence in the name of family honour. Honour killings persist as practices shielded by tradition and exist within a legal void. These acts of violence are not driven by allegations of adultery but rather by a desire to exert control and assert dominance over women. The focus is on the perpetrators and the patriarchal society that not only permits but also enables them to act with impunity, instilling little apprehension of accountability. Honour killings demand not only acknowledgment of their existence but also proactive measures to eradicate them. This includes exploring the effectiveness of educational initiatives aimed at altering societal attitudes and dismantling harmful cultural norms that perpetuate these acts, especially within the younger generation, as well as evaluating the impact of legal reforms that are equally essential to ensure accountability and justice. More broadly, HBV should be understood as one expression of the global epidemic of GBV. Recognising its commonalities with other forms of GBV helps to avoid cultural ‘othering’ and instead directs the criticism on the patriarchal structures that sustain the violence. Honour-based violence cannot be challenged effectively without addressing the global and structural systems that allow it to persist under the guise of culture or religion. Additionally, there is a need to examine the establishment of support systems for at-risk individuals, including the accessibility of avenues for victims to seek assistance and the trustworthiness of authorities. By internationally acknowledging honour killings as acts of violence and criminal conduct against women's human rights, future research can pave the way for proactive steps to eradicate this harmful practice.

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<sup>335</sup> ibid.

<sup>336</sup> ibid.

<sup>337</sup> Mayell, ‘Thousands of Women Killed’ (n 3); Hartman, ‘The Shame of Preserving Honor’ (n 25).