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‘HONOUR’-BASED VIOLENCE: MOVING TOWARDS ACTION IN IRAQI KURDISTAN

ABSTRACT

The paper presents a discussion of ‘honour’-based violence, followed by the methods, findings and recommendations. Using a gender perspective, it places particular emphasis on the ideas for action on honour-based violence emerging from the research. It is based on activism and attempts to enable social change for women.

Key words

‘honour’-based violence, Kurdistan, Iraqi Kurdistan Region, the Kurdish ‘honour’ code

1. Introduction

This paper is based on a two-year research on ‘honour’-based crimes inside Kurdish communities in Iraqi Kurdistan Region and in the UK. It was funded by the Kurdistan Regional Government (KRG) and conducted by the Centre for Gender and Violence Research, University of Bristol, UK, Roehampton University, UK and Kurdish Women’s Rights Watch (based in Iraqi Kurdistan and the UK). The study was led by the University of Bristol under the direction of Professor Gill Hague, with Dr. Nazand Begikhani leading the research in Iraqi Kurdistan and Dr. Aisha Gill leading the research in the UK. The findings and the arguments presented here refer specifically to the section of the study conducted in Iraqi Kurdistan Region, and have been updated on the basis of Dr. Begikhani’s continuing field work in Iraqi Kurdistan Region.

Honour-based violence has existed throughout history and occurs in societies across the world from Europe to Africa, and from South and East Asia to Latin

America¹. Although this paper is about Kurdish communities, the application of an ‘honour code’ to women’s conduct, and sexual behaviour in particular, is in no way limited to Kurdish societies, nor is it specific to Islamic cultures. Indeed, the practice is not confined to any particular type of society, community, religion, culture or social class/stratum².

2. What is honour-based violence: parameters and contexts?

Honour-based violence covers a wide range of abuses including physical violence, assaults and killings committed in the name of honour, curtailment (sometimes extreme) of liberty and/or basic rights (including access to education), coerced suicide (including enforced self-immolation), and starvation and poisoning as punitive measures. If a woman has been raped, it is not uncommon for her to be forced into marriage with the man who committed the assault(s). Honour crimes can include abandonment, removal of children, female genital mutilation, denial of sexual autonomy, forced virginity testing, forced hymen repair, forced abortion, and the imprisonment, abuse or murder of partners who are deemed inappropriate³.

The most extreme form of honour-based violence– killing in the name of honour – is very widespread. The United Nations estimates that 5,000 women are killed in the name of honour each year, mainly in the Middle East and Asia. However, it is impossible to determine the exact number of women who are killed annually, or how widespread honour crimes are, as reports to the police are sporadic, not least because both male and female family members often try to cover up honour crimes. Many victims disappear, never to be found⁴.

¹ L. Abu Odeh, *Crimes of Honour and the Construction of Gender in Arab Societies* [in:] *Feminism and Islam*, M. Yamani (ed.), New York 1996, pp. 141–194.

² N. Begikhani, *Honour-based Violence: the Case of Iraqi Kurdistan* [in:] *Honour: Crimes, Paradigms and Violence Against Women*, L. Welchman, S. Hossain (eds.), London 2005, pp. 209–229; A. Gill, *Patriarchal Violence in the Name of ‘Honour’*, “International Journal of Criminal Justice Sciences” 2006, No. 1, Vol. 1, pp. 1–12.

³ ‘Honour’: *Crimes, Paradigms and Violence against Women*, L. Welchman, S. Hossain (eds.), London 2005; UNAMI (United Nations Assistance Mission for Iraq), UNHR (United Nations Commission on Human Rights Agency) and ASUDA, *Eliminating Violence Against Women: Perspectives on Honour-related Violence in the Iraqi Kurdistan Region, Suleymaniya Governorate*, Suleymaniya 2009.

⁴ M. Dustin, *Gender Equality, Cultural Diversity: European Comparisons and Lessons*, London 2006.

Crimes committed in the name of honour are usually differentiated from other forms of gendered violence in that they most frequently occur within a framework of family and community structures that permit and perpetuate these abuses. Honour-based violence tends to involve premeditated acts that, due to family/social value systems and norms, are seen as necessary to restore honour in a (real or perceived) situation in which the family's/community's honour is deemed to have been threatened or damaged⁵. It often results in the control of women's sexual and social choices by male relatives, and thus can be legitimised by the perception that women should obey strict codes of behaviour regulated by (usually senior) male family members, and should be punished if they do not⁶.

Public attention is frequently brought to bear on honour-based violence when the details of a particularly shocking crime are broadcast in the media, often in a sensationalised way. In such situations (in Western countries in particular), it is common for the wider community involved to become unjustly stigmatised as a likely site of further such violence⁷. This has certainly been the case for Kurdish communities⁸. However, it is neither appropriate nor accurate to victimise particular communities.

On the other hand, this does not absolve societies from addressing the context-specific manifestations of honour-based violence that occur in their own localities in order to lead to social development and to challenge harmful social practices.

One specific trigger behind this research was the murder by stoning of a teenage Yazidi girl in Iraqi Kurdistan. Du'a Khalil was stoned to death in 2007 in the Ba'shiqah administrative sub-district of the Mosul governorate. Du'a's case sparked national and international reactions when the scene was filmed by mobile phone cameras and the distressing footage broadcast across the world. Amateur footage also showed that police officers stood by and failed to intervene⁹. After

⁵ N. Begikhani, *Honour-based Violence*, op.cit.; A. Gill, *Reconfiguring 'Honour'-based Violence as a Form of Gendered Violence* [in:] *Honour, Violence, Women and Islam*, M. Idriss, T. Abbas (eds.), London 2010, pp. 218–232.

⁶ 'Honour': *Crimes, Paradigms and...*, op.cit.

⁷ V. Meeto, H. Mirza, *There is Nothing Honourable About Honour Killings: Gender, Violence and the Limits of Multiculturalism*, "Women's Studies International Forum" 2007, No. 3, Vol. 30, pp. 187–200.

⁸ N. Begikhani, *Honour-based Violence*, op.cit.

⁹ See N. Begikhani, *Du'a's Murder Compared to Other Honour-related Killings*, "Aso Daily Paper", May 3, 2007, p. 4.

world-wide reaction, four men were finally convicted of this murder in 2010 and sentenced to death¹⁰.

In 2007, partly as a response to the atrocity surrounded Du'a Khalil'a case, the then Prime Minister of Iraqi Kurdistan Region established various initiatives on honour-based violence. The international, collaborative research reported here was then commissioned to provide evidence to facilitate the development of effective strategies to be implemented by the KRG, relevant agencies and also women's rights organisations.

3. Aims and methods

The main research objectives were to assess the nature of honour-based violence, including honour killings, in Iraqi Kurdistan and the Kurdish Diaspora in the UK; to evaluate the impact of these practices on Kurdish women; and both to assess the development to date of strategies and policies to address the issue, and to provide data and recommendations to support interventions, initiatives and social action.

One hundred twenty semi-structured interviews were carried out in Iraqi Kurdistan Region with government officials, police, women's NGOs and other agencies, together with 12 in-depth interviews with survivors/family members, and further informal interviews with victims of burnings.

Detailed case studies of the prosecution of honour killing cases were also carried out, with some of these involving multiple interviews with family members and the professionals involved. Participant observation methods were also used, including observing several prosecution cases.

Furthermore, throughout the project, a comprehensive media monitoring exercise was carried out and the data collected was subjected to a simple form of content analysis. We relied on content analysis of a number of media outlets,

¹⁰ While controversy and appeals continue about this sentence, the case of another Yazidi girl, Simon Dawud, officially 11 years old, reportedly abducted by a Muslim man last January sparked off outrage of women's rights groups and inside Yazidi communities around the world. Simon Dawud from Shekhka village in the Shekhan sub-district, disappeared on 9 January 2013. In a television interview with the KNN on late January, Simon Dawud denies that she was kidnapped, saying that she was 15 years old and eloped with the Muslim man, named Hassan. The Yazidi community around the world mobilised, calling for the return to the family of the daughter, while women's rights activists are calling on the government not to hand her over to her family, fearing that she would be killed in the same way as Du'a. See Rudaw, n185, 14/02/2013, p. 5.

including women's publications, official and independent newspapers, satellite TV and radio programmes.

4. The Kurdish 'honour' code

Within the specific parameters of Kurdistan Region, our findings demonstrated the importance of developing an understanding of what is meant by honour and how this concept is used to justify violence against women. In Kurdish society, the collective (i.e. family, clan, local community and/or the wider nation of Kurdistan) frequently provides codes against which honour and dishonour are measured, and these codes tend to place a particularly heavy burden of responsibility on women. Despite some changes in recent years, especially in the cities, women in Iraqi Kurdistan are still usually expected to be chaste prior to marriage, obedient, subservient, docile, modest, and to comply with the demands of male members of their family. According to our respondents, highly restrictive expectations are often created in relation to dress, physical and social mobility, education, relationships with the opposite sex, and matters of choice in love, marriage, and divorce.

Dishonour, *a'r*, and shame, *a'ib*, are caused when women breach a variety of social and sexual boundaries, such as going out of the home frequently (or at all in the evening, in many cases), forming romantic relationships, being seen in male company or losing their virginity before marriage. Maintaining and restoring honour requires removing the *a'r* through the act of cleansing or purifying, *ghasl*, the collective's honour. Women interviewed during this study reported that they had been perceived as 'bad', dishonourable or shameful. They had, variously, undergone mental and physical abuse, torture, confinement, coercion, forced marriage, mutilation and/or disfigurement (including, in a small number of cases, the cutting off of their ears and noses), genital mutilation, forced divorce, rape as punishment, forced abortion, and public dishonouring. We also identified the new issue of honour crimes through cyber-abuse, where women in Kurdistan had been dishonoured and shamed through the use of the Internet. Some women also reported that their movements had been entirely controlled and that they had been deprived of schooling and educational opportunities.

Other interviewees discussed cases in which women had been forced to commit suicide, including via self-immolation. In fact, the team investigated a series of cases of burnings of women, both those conducted deliberately by perpetrators, and also those identified as self-inflicted or accidental (although no-one else in the very busy, full households concerned was ever burned in these accidents

and it seemed no-one else was ever present to help). Our findings revealed that both men and women may face murder if they are deemed to have damaged their family or community's honour, especially via undertaking love affairs or even engaging in minor contacts with a member of the opposite sex.

The research interviews showed that the frequent enforcement of honour codes places such a high tariff on deviation that it can act to generate practices of concealment and hiding; these may add fuel to familial codes involving the constant observation of young women, and to social policing, including gossip and rumour. Confining and silencing women within the home in Kurdistan, and rendering them fearful of the dangers of entering public spaces (physically and through words), could be seen in case studies in the research to have diminished their strength, vitality and skills. According to our interviewees and the sparsely available statistics, the overwhelming majority of women subjected to honour-based violence in the Region are the young (aged 14–30 years)¹¹.

The climate created by honour crimes undermines the physical, emotional and psychological well-being of women and can result in emotional distress, hopelessness, self-harming, and suicidal thoughts and actions. Our interviewees confirmed that the effects on men can also be destructive, and children, both male and female, in our study had suffered loss, death of parents and violence. The practice and expectation of honour-based violence were described as also including damaging role models that are likely to be emulated by some children and young people. The study thus suggests that it is not only women who suffer during honour violence, but society as a whole.

5. Combating honour-based violence in Iraqi Kurdistan

While accurate figures concerning honour-based violence not available, our research found that there is evidence that the phenomenon remains widespread in Iraqi Kurdistan. Our informants illustrated how the practice had been generally accepted in the past as inevitable, and as part of normal life. However, it was widely suggested that things are beginning to change, albeit very slowly. The practice previously seen as 'honourable' is now open to being characterised as

¹¹ Barewabarayti baduwadachuni tundutiji u dij ba afratan (FVAWD), *Barudokhi komalayati afratan la haremi Kurdistan la sali 2009, lagal barawurdkariyak sabarar ba asti tundutikyakan la newan hardu Sali 2008–2009, la 1/1/2009 ta 31/12/2009*, Hawler, Slemani, Duhok [Report on Social Situation of Women in Kurdistan in 2009, With a Comparison with 2008 Violence Cases in Erbil, Sulaimaniya, and Duhok], Erbil 2009.

'dishonourable' and sometimes degrading for the perpetrators in a way which was not the case in the past. Honour-based violence policies and initiatives have begun to be developed by official authorities, local communities, media groups, faith leaders, and especially women's rights groups.

Creating space to allow concerns to be heard has not been easy. Kurdistan's involvement in the recent Iraq war was complex, following as it did the attempted genocides of the Kurdish population. After the mass exodus in 1991, Iraqi Kurds elected a parliament and formed a government, but this move was followed soon after by the fratricidal war between the two main political parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). Nevertheless, with the end of the Iraqi regime in 2003 and the reunification of the KRG in 2006, a more favourable environment has been created, with civil society functioning and at peace, for the formation of women's organisations and campaigns. This development was facilitated by several factors, including the departure of the Ba'athist regime, growing awareness of human rights, including women's rights, the work of international organisations, and the return of exiled women from the Diaspora¹².

Today, there are more than fifty women's organisations, many working on violence against women. We collected research evidence that these organisations are involved in raising public awareness, training other agencies on women's issues, campaigning, providing outreach services, and offering protection to victims/potential victims of violence. Women's NGOs provide legal services, lawyers and/or mediation services and counselling centres. The most significant service that women's rights groups offer abused women, and those at risk of murder, has been refuge. In Suleymaniya, Zhnan Kurdistan Women's Union and ASUDA for Combating Violence Against Women have been running two women's shelters since 1999, and a very small number of other refuges exist. These positive services are very few, however, in the wider context of the Region, and are all critically overburdened and vulnerable to attack.

Although some commentators have claimed that there has not been enough cooperation and solidarity between women's NGOs, they have continued throughout often difficult and sometimes hostile conditions to provide services and have formed some functioning networks, for example Nawandi Hawbashi Zhnan (Women's Joint/Cooperative Centre), established in 1997, including 18 women's and civil rights groups, the Women's Network, established in 2005

¹² N. Begikhani, *Honour-based Violence*, op.cit.

with 22 organisations, and Jiyan Group, established in summer 2012 regrouping 14 organisations.

The importance of international NGOs, and of UN as well as foreign government agencies, cannot be ignored in relation to the task of raising awareness and providing helpful resources to support work on violence against women and honour-based violence. For instance, the research team observed constructive seminars and training courses provided by agencies like the Global Justice Centre, International Human Rights Law Institute, the US Regional Reconstruction Team, and WADI. Many of these bodies have also been involved in running awareness-raising programmes and providing materials and logistical support to local women's organisations. However, there remains an extreme shortage of training, refuge spaces and women's support services overall.

6. Government Responses in IKR

Until recently, honour-based violence was not integrated into government political agendas, not only in the Iraqi Kurdistan Region, but around the world. However, the KRG has engaged in a variety of activities in recent years. In 2007, it initiated the High Commission to Monitor Violence against Women and also established government Directorates to Combat Violence Against Women. In 2011, the Regional Government established the High Council for Women's Affairs. While the Directorates have started to collect data and statistics as well as to develop focussed responses, the High Council for Women's Affairs started to set up strategies to combat violence against women. The findings of this study show, though, that responses by official bodies in the Region continue usually to be poor. Within the criminal justice system, for example, the police, and also legal representatives, in Kurdistan often do little and blame each other for the lack of rigorous investigation and poor judicial practice that impact many cases. As a result, conviction rates in honour-based violence cases are low and many alleged murderers escape prosecution altogether.

Against a history of war and killings, the government of Iraqi Kurdistan is working within a transitional context. The use of violence and also of informal and tribal justice remains common. However, if the rule of law is to prevail, our study found that there must be a clear commitment to subordinate informal structures and customary legal processes to the nation's laws. In strengthening the rule of law, as was witnessed in the testimony of some interviewees, it is necessary to recognise that the judiciary and police at times come under threat

from conflicting political interests in the Region and within powerful family and community networks, when pursuing the perpetrators of honour crimes.

The study found that the government and relevant agencies have made a start in working to combat honour-based violence. Kurdish law-makers and the KRG have made several notable legal amendments to the criminal codes aimed at removing the leniency with which perpetrators of such crimes were treated in the past. In the extreme case of killings, various legal articles have been introduced since 2000, removing provisions which had previously allowed drastic reductions in the penalties faced by those who had killed – if they had done so in the name of honour. In June 2011, the Kurdistan parliament passed the Combating Domestic Violence Law. These actions, and other new legal remedies, have set a positive precedent although, unfortunately, our study has revealed that the improvements have not been implemented reliably, or to any significant level.

7. An Action Plan on honour-based violence for Iraqi Kurdistan Region

Despite these difficulties, however, there is the beginning of political will to address honour-based violence in Iraqi Kurdistan as part of global efforts to tackle the issue. The first need in the Region is for the further development and embedding of this political will to take the issue forward. An Action Plan was developed from our study to contribute to this process, building on the gendered analysis which we developed.

Action plans are meant to be achievable within realistic time limits. However, cultural change itself is complex, and often it involves a lengthy process fraught with conflict and contradictions. Thus, the Action Plan we developed puts forward pointers only to drive future developments. It recommends that a coordinated multi-pronged approach be adopted and identifies four main issues that require intense focus in Iraqi Kurdistan.

Legal and strategic policy development

The first issue involves legal, strategic and policy developments and reforms within the Kurdistan National Assembly (in terms of the strengthening and bringing together of previously scattered legal statutes). Continuing the task of removing lenience in the prosecution of honour crimes and developing consistent and robust justice policies is needed if the Region is to move forward in preventing honour-based violence. The study recommendations for the criminal

justice system, the police and the judiciary aim to improve the detection and prosecution of offenders, alongside a stronger government response. The issue of customary law versus formal law is a particularly important one in the context of honour crime, as noted, and the research identified a pressing need for clear commitments that customary and traditional legal systems are made secondary to the official legislature and formal law.

Services for victims

There remains a huge lack of services for victims. Thus, the second area of work centres on setting up more support and protection services, including shelters, for victims and their families. At the moment, the very small number of such services means that victims are most commonly left unsupported. If there is a commitment to address honour crimes in the Region, then the provision of supportive services is of key importance. In the militarised context of Iraqi Kurdistan, this also includes providing better security, protection and support for shelters, developed in collaboration with the women's organisations concerned.

Training on honour-based violence for professionals

The third area addresses the need for training programmes for relevant professionals to increase skills and improve attitudes to honour-based violence. Those who deal with informal customary law, cultural systems, and tribal justice need to be trained on women's rights, honour-based violence, and gender equality. All relevant professionals need to be trained in how to work with cases. The training needs to be secular in approach but culturally and religiously aware, to include contextual understandings that honour-based violence is usually a form of gender-based violence and to raise awareness about the deeply damaging nature of the practice to women, girls, and the whole society.

Public awareness-raising

The fourth area involves the development of comprehensive awareness-raising programmes for the public to be rolled out across communities, towns, and rural areas. Such awareness-raising programmes would be expected to take place in villages and to use popular culture in the form of songs and drama (learning from similar programmes developed in other countries).

8. Conclusion

In conclusion, in Iraqi Kurdistan Region, the showcasing and exposure of honour-based violence and discussion of causes and remedies are accumulating. The commissioning and carrying out of this study is part of a welcome trajectory towards attempting to tackle the issue and demonstrates that Iraqi Kurdistan is taking a key part in developing good practice. However, honour crimes remain endemic and embedded in Kurdistan Region, and are part of a broad spectrum of violence against women legitimised, by the widespread continuation of male control over Kurdish families and all aspects of community life. The genocide that the Kurdish people have experienced in recent years, consecutive wars, including the Iraq wars and the militarisation of the Region, have contributed to the continued practice of both honour- and gender-based violence.

Unsurprisingly, given the painful history of the Kurds, and the fact that the KRG has only been established recently, progress in Iraqi Kurdistan has been slow overall. There is an urgent need for the legal provisions concerning honour-based violence, which are currently scattered across various legal instruments, to be consolidated and for robust legal, policing and prosecution procedures to be developed to signal that honour-based violence is no longer socially or legally acceptable or accepted. To be effective, the KRG and Kurdistan National Assembly must initiate and take part in a coordinated, integrated response involving a range of agencies. In particular, there is a pressing need in Iraqi Kurdistan for safe refuges, witness protection programmes, and wider safety, security and support measures. It is also important that attention is paid to changing the cultural attitudes that underpin honour-based violence. Public education and awareness-raising, with the involvement of local people, are keys in this respect, complemented by training for all professionals involved in addressing honour-based violence.

As a final word, honour-based violence is not only a manifestation of gender inequality, but actively works to reinforce it. States across the world have duties under international law to protect and support women's rights, including by taking steps to tackle VAW. However, many continue to fail to do so. It is vital that honour-based violence, including honour killings, remain on the international human rights agenda and are viewed as a form of gender-based violence. Progress may be slow but an encouraging beginning has been made in the Iraqi Kurdistan Region. However, there is still a strong need to stimulate the social change, justice and action on violence against women in general and honour-based violence in particular.