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### Book publication:

*Oberwittler, D. / Kasselt, J. (2011). Ehrenmorde in Deutschland. Eine Untersuchung auf der Basis von Prozessakten [Honour Killings in Germany. A study based on prosecution files] (Polizei + Forschung, Bd. 42, hrsg. vom Bundeskriminalamt). Köln: Wolters Kluwer Deutschland.*

## Executive Summary

### *Background and Research Question*

Honour killings have attracted considerable attention in Germany since 2005, although little is known about the phenomenon beyond the individual cases (involved). Public reactions to honour killings are in part explained by the fact that crimes of ethnic minorities are perceived by the community as more threatening than crimes of their own group and because these crimes lend themselves to being used as a symbol for the failed integration of immigrants.

The aim of this study is to perform a complete collection of all known cases of honour killings in Germany from 1996 to 2005 and to analyse their key features on the basis of case records. A complete collection is the only way to provide a valid general picture of this violent phenomenon in Germany.

### *Definition*

The quintessential dilemma that surrounds the term ‘honour killing’ is its definition. The definition can either be drawn very narrowly, which will result in many homicides (including those that involve an intimate partner) not being considered or it can be drawn very broadly, which may mean that the line between honour killings and other forms of lethal violence, especially in relationships, dissolves. A definition should therefore allow for a blurred area of transition between other forms of domestic violence.

We define honour killings as intentionally committed or attempted homicides that are carried out predominantly by males against females in the context of patriarchal families or societies in order to restore, from the perspective of the perpetrator, their family’s or personal honour. In every case the apparent loss of honour results from a perceived violation by a woman against behavioural norms based on female sexuality in the broadest sense. The killing for this norm violation is legitimated by the honour concept and is therefore a form of ‘self-administered justice’.

An *honour killing in the strict sense* is the killing of a girl or young woman by their blood relatives to restore collective family honour. More common than honour killings

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in the strict sense are *homicides bordering on partner killings*. These occur when the wife or partner's desire for independence, separation, or sexual infidelity (actual or suspected) results in a violent reaction of the (ex-) husband or partner.

In all societies, the killing of female intimate partners is the most common form of lethal domestic violence which may be considered as an extreme expression of male dominance and possessiveness. Partner homicides that display certain honour killing characteristics differ from 'normal' partner homicides because of the actual or perceived support or understanding within the perpetrator's family that leads to a legitimization of the act based on the concept of honour. That said, no clear line can be drawn between partner homicides with a strong honour killing motive and those partner homicides that occur 'only' on the basis of jealousy or anger about separation. In addition, *honour killings bordering on blood revenge* and various hybrid forms also exist.

### *Explanations*

On the basis of anthropological and sociological research, honour killings can be understood as an extreme result of the combination of patriarchal dominance over women and their sexuality, rigid behavioural norms, and the importance of honour for social relations in economically and socially backward, agrarian tribal societies. The causes of honour killings can be best seen in the combination of structural conditions that are found in the most affected societies of the Near and Middle East. Honour killings in Germany occur in immigrant families who have brought with them these tenacious patriarchal and collective norms of conduct. Without the specific cultural background, these homicides are simply inexplicable. Challenges and deprivations that relate to migration can at most be considered an aggravating factor in the genesis of honour killings.

### *Data Collection and Data Sample*

In order to achieve the goal of a complete collection of all cases of honour killings in Germany between 1996 and 2005, searches of police case lists and full-text media archives were conducted. In the full-text archive of the Deutsche Presse Agentur (German News Agency) a complex search process was used to select 40 additional potential honour killing cases from around 92,500 reports. The empirical analysis of this study is based on 78 cases whose case records could be evaluated.

### *Empirical Results*

We estimate the total possible known number of honour killings in Germany to be about twelve per year, three of which are honour killings in the strict sense. This projection includes partner homicides in the gray zone between collective family honour and individual male honour, the classification of which as honour killings is doubtful. Given that there are roughly 700 annual homicide related deaths in Germany, including many in families and relationships, honour killings are (quantitatively) very rare events.

Nonetheless, an accompanying analysis of *all* homicides in the state of Baden-Wuerttemberg that we conducted for the same period shows that partner homicides among men with Turkish nationality are three times more frequent (and in the age

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group between 25 and 30 years, five times more frequent) than among German nationals. The same applies to male nationals from the former Yugoslavia and Albania. The causes of this extremely high burden may lie partly in the lower educational and social status of these immigrant groups, though it also stands to reason that the same cultural traditions of patriarchal violence against women that allow for honour killings also contribute to the higher exposure to other forms of deadly violence. For this reason the frequency of 'normal' partner homicide among immigrants should be as much a cause of concern as the rarer, but more publicly perceived, honour killings.

Contrary to misgivings, between 1996 and 2005 neither an increase nor a decrease in the incidence of honour killings was witnessed. A quarter of the 78 cases can be considered honour killings in the strict sense, about 40% are cases bordering on partner homicide, another third are cases bordering on blood revenge and other hybrid forms of the crime. In approximately one third of the cases several perpetrators and/or multiple victims were involved.

The paramount motives in partner conflicts are separation or the (alleged) sexual infidelity of the victim or indirect victim, in accordance with the main motives of 'normal' partner homicides. With regard to psychological problems and the violent tendencies of the perpetrator, partner conflicts show similarities with 'normal' partner homicide; at the same time, they display little evidence of a lack of cultural assimilation. This confirms our assumption that there is a blurred transition zone between honour killings and 'normal' partner homicide.

In the case of honour killings in the strict sense, in 80% of the cases (16 of 20) an unwanted love affair by a woman, outside or after marriage, was the central factor involved, whereas a desire to live an autonomous 'Western' lifestyle was the *only* central factor in very few cases. Honour killings frequently occur in the context of 'arranged marriages', either when young women violate the norm that their partner will be chosen by the family or when married women want to escape from an unbearable relationship which is the consequence of an arranged marriage.

At 43% the percentage of male victims was unexpectedly high. Unwanted male partners were often attacked alongside the female victims; in some instances only the male was attacked.

Two thirds of cases occurred in families of Turkish origin, whereby both ethnic Turks and ethnic Kurds were represented. Over 90% of the perpetrators are first generation immigrants. They may have lived in Germany for a long time but, with few exceptions, have not acquired Germany citizenship. Among the younger offenders aged under 30, most were born and first socialized outside of Germany. In many cases their families maintain strong links with their countries of origin. In contrast, second or third generation immigrants who were born and socialized in Germany had no significant role as perpetrators of honour killings. This would suggest that honour killings, as a tradition-bound type of violence in the German host society, cannot live on for generations. Accordingly, the fear that honour killings may represent a 're-ethnicization' of young immigrant youths born in Germany was not substantiated.

The perpetrators can, almost without exception, be assigned to a marginalized ethnic underclass. The members of the group are from poorly educated, low qualified backgrounds and practice non/semi-skilled manual labour or are unemployed. Conversely, this means that the phenomenon is virtually absent from those in the socially and economically stabilised and better integrated immigrant milieus. Thus, although honour killings have cultural roots, social disadvantages and lack of education are important causes that should not be overlooked (as with almost all violent phenomena).

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A number of assumptions surrounding the phenomenon of honour killings can thus be refuted. Honour killings do not occur in all social and educational levels, but only in the most disadvantaged and poorly educated milieus. There is no evidence to suggest strong participation among second or third generation immigrants. There is also no evidence to suggest an increase in the number of honour killings in recent years. These results give hope that honour killings will not become a permanently established phenomenon of violence in Germany. Efforts to reduce disadvantages suffered by girls and young women and the oppression of their self-determination, especially in regard to their choice of partners, will likely reduce the risk of honour killings in Germany.

### *Prosecution of Honour Killings*

In 66 of the 78 cases examined, one or more individuals were convicted before a German court. 87 of the 122 alleged perpetrators were convicted, 32 (36.8%) for murder, 42 (48.3%) for manslaughter and 13 (14.9%) for assault.

The honour motive did not play an important legal role before the courts: this was unexpected, given a recent decision by the Federal Court of Justice which held that honour killings are generally to be considered as homicide with base motivation. In the case of 23 perpetrators (39%), a review of the honour motive as a base motivation was not performed, which raises a number of question in light of the Federal Court of Justice's landmark decision. Moreover, it appears that the district courts broadly interpreted the exception laid down by the Federal Court of Justice that when a perpetrator is particularly anchored to their native values a conviction for manslaughter could be considered instead of homicide. In addition, for 15 perpetrators the honour motive lead to sentence mitigation; in not a single case did the honour motive lead to an aggravated sentence. In summary, it appears that the judgments in the cases studied were milder than was to be expected under the legal precedent set by the Federal Court of Justice.