

VIOLENCE AND CONCEPTIONS OF HONOUR

*Summary of the study report on
honour-based violence and measures for
intervention in Finland*



*Kunniakäsitykset ja väkivalta - selvitys kunniaan liittyvästä
väkivallasta ja siihen puuttumisesta Suomessa (2016)*

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Introduction

The Finnish League for Human Rights (Ihmisoikeusliitto) published a study report in 2016 addressing honour-based violence and the possible ways to prevent and combat honour-based violence in Finland. The data of the study consists of 32 thematic interviews with authorities and people with immigrant background, an online survey for professionals in the educational field as well as police reports and judicial documents on crimes related to honour. Furthermore, the study presents selected good practices from the Nordic countries and Great Britain and makes recommendations for authorities based on the analysis of the data. There has been little previous research on honour-based violence in the Finnish context. Therefore, the report aimed at producing new, basic knowledge on honour-based violence and the ways in which it manifests itself in Finland. This is a short summary of the main findings and implications of the report.

What is honour-based violence?

Honour-based violence aims at protecting or re-establishing the honour of a family or a community when it is suspected that a person does not or will not comply with the values, norms and rules of conduct relating to gender and sexuality. Honour is thus a system guiding people's behaviour and choices, a system which changes with time and is constantly negotiated within a family or a larger community. The concept of honour has different meanings depending on a person's background, gender, age, place of residence or family values. However, what all notions of honour have in common is that the honour of the family or the community is closely connected to the "honourable" behaviour of the female members of the given community. What is understood as honourable behaviour for women and girls maintains family honour whereas behaviour understood as dishonourable may diminish it. In addition to girls and women, however, boys and men may also face honour-based violence, especially if they belong to sexual and/or gender minorities. The report data revealed different forms of honour-based violence which were classified as psychological abuse, physical abuse, sexual abuse and economic abuse. Furthermore, forced marriage was analysed as a particular form of honour-based violence.

Social control and psychological abuse

According to the data, the most prevalent form of honour-based violence in Finland is social control. Social control aims at restricting a person's interaction especially with people of the opposite gender, thus essentially being a way of "protecting" girls' and women's sexuality and reputation. An extreme form of social control may lead to psychological and physical abuse. On the other hand, social control is an inherent part of social interaction between generations; in all cultures the role of parents and other older relatives is to teach the limits of appropriate and inappropriate behaviour. The boundary between acceptable social control and control that can be seen as a form of psychological abuse is not always easy to define. The consequences of psychological abuse might include depression, feelings of shame, lower self-esteem or even suicidal thoughts.

According to the interviewees, pressure to make certain choices or to behave in a certain way as well as strict control over a person's social relationships are among the most common forms of psychological abuse related to conceptions of honour. This can mean controlling or restricting a person's movements or ways of dress, spreading rumours and threatening to spread rumours about a person. The interviewees with immigrant background said that it is often the responsibility of brothers and other young men in the community to monitor young women; many professionals also said that they had noticed the role of brothers in monitoring their sisters' behaviour. Threats of physical violence are also a typical form of psychological abuse.

Social control may also take the form of isolating a person at home, in some cases even for years. For example, sometimes women are not allowed to participate in language courses or go to school or they need to be escorted by e.g. their brother or husband everywhere. Women may need to report on everything they do during the day to their male relatives and their phones may be searched.

Psychological abuse is more often than not connected to gender norms and normative conceptions of sexuality and virginity. Rules of behaviour tend to be extremely gendered and the ideals of "honorary" behaviour are strongly linked to girls' and women's sexuality. The report data showed that girls and women are often not allowed to spend time with or sometimes

even talk to boys and men. Rigid sexual norms are also maintained through social media, both within Finland and transnationally. For instance, women may be pressured to marry someone or to stay in a relationship by threatening to spread inappropriate material (pictures, videos or messages) of them to their family or publicly on social media.

Virginity is still often connected to an intact hymen even though it is not possible to assess whether or not a person has had intercourse based on the hymen. Virginity is thus more of a social construct. Professionals in health care reported having met girls who were worried about no longer being virgins or who requested hymen reconstruction. To protect a girl's virginity and her hymen, parents may try to bar their daughters from e.g. attending PE classes at school or from exercising in their free time.

Economic abuse

Economic abuse, i.e. restricting and controlling a person's finances and economic status can also be a form of honour-based violence. It is always linked to other forms of abuse. The victim might not be allowed to access services, gain financial independence, educate themselves or work outside the home. One typical form of economic abuse is controlling the victim's use of money or requiring that the victim reports how they have spent money in great detail. The perpetrator might also be in possession of the victim's money and debit and credit cards.

Entering into a marriage can also entail various forms of economic abuse. The motive behind a forced marriage might be economic. In addition, marriage payments (bridewealth or dowry) which are common in the context of arranged marriages may also be used to force the couple or one of the spouses to stay in a marriage against their will.

Physical abuse and so-called honour killings

Physical abuse refers to acts which violate a person's bodily integrity. It can take the form of e.g. hitting, slapping, punching, pushing, shoving, hair pulling, physically restraining the victim from moving, choking or kicking. Physical abuse in the context of honour-based violence is most often connected to behaviour or suspected behaviour that is deemed dishonourable or behaviour that breaks gender and sexual norms. Physical abuse often comes alongside other forms of violence such as psychological abuse.

Physical abuse as a form of honour-based violence has its particular features in comparison with other forms of domestic violence. Importantly, in the context of honour-based violence physical abuse is rarely hidden from people within the community as the violent acts are often considered acceptable by both the perpetrators and other members of the family or larger community. The violent acts are often planned by more than one family member; sometimes a larger community partly based outside Finland may be behind the acts. Perpetrators in the police reports and judicial documents were predominantly male – in many cases brothers, fathers, uncles or cousins. In one case, however, both a mother and a father were suspected of assault. Moreover, a few interviewees also mentioned a female perpetrator.

An extreme punishment for “dishonourable” behaviour is a so-called honour killing, broadly defined as a homicide with a motive related to conceptions of honour. According to authorities, there has not been a single case in Finland which would have been defined as an honour killing. In 2015, the District Court of Helsinki found a 20-year-old male guilty of the preparation of an aggravated offence against life or health. He had physically abused his sister on numerous occasions and restricted her social relations. After the sister ran away from home, he sent multiple messages to the sister’s friend swearing he would kill her because she had shamed the family. The prosecutor deemed that the perpetrator had an honour-based motive for the homicide; thus the verdict was the first of its kind, i.e. the first verdict of a preparation of a so-called honour killing in Finland. However, the Court of Appeal later overruled the verdict and the perpetrator was only found guilty of assault.

In the police reports and judicial documents, in addition to the case described above, there were ten cases of illegal threats (death threats), one case of attempted manslaughter and one murder case which had features of honour-based violence. The interviewees did not mention any honour killings that would have taken place in Finland; they did, however, mention cases of planned or attempted honour killings, threats of honour killings as well as honour killings or suspected honour killings carried out abroad where either the victim or the perpetrator lived in Finland.

Forced marriage

Forced marriage is a global problem also affecting many people living in Finland. It is important yet sometimes difficult to distinguish between arranged marriages and forced marriages. Pressure to marry affects young people even if they are not literally forced into marriage. The interviewees also described some cases where an arranged marriage turns into a forced marriage when either spouse is not allowed to file for a divorce if they wish to do so. This report focuses on forced marriages which are connected to conceptions of honour and can therefore be seen as a form of honour-based violence. Forced marriage can be intertwined with other forms of honour-based violence, particularly social pressure or control and sexual violence.

In Finland, there is no specific legislation explicitly banning forced marriages. Relevant legislation in the case of forced marriages includes provisions regarding coercion (Section 8 of Chapter 25 in the Criminal Code of Finland) as well as legislation on human trafficking. In practice it is difficult to apply legislation on human trafficking in the case of forced marriages and e.g. MONIKA Multicultural Women's Association Finland has no knowledge of a single case in which said legislation would have been applied. Provisions regarding coercion are applicable to most cases; however, coercion is a complainant offence and therefore not subject to public prosecution, making it more challenging to take the cases to a court of law. Furthermore, unlike in many other countries, it is generally not possible to annul a marriage in Finland. The only exceptions are listed in Section 19 of Chapter 4 in the Marriage Act which stipulates that a marriage can be annulled "if it has not been performed in accordance with the provisions of section 15 or if the ceremony has been performed by a person without the right to perform marriage ceremonies". A marriage can thus be annulled e.g. if the person performing the ceremony has not obtained consent to marry from both spouses. In all other cases, divorce is the only way to end a marriage, including a forced marriage.

It is difficult to estimate the prevalence of forced marriages in Finland as there are no statistics and some of the marriages are not legally valid. MONIKA Multicultural Women's Association Finland has data of 60 cases of forced marriages between 2011 and 2014.

In the context of this report, various interviewees stated that they have knowledge of forced marriages that have taken place in Finland or involved people living in Finland. Most of these

cases are transnational in that a girl or a woman living in Finland is sent abroad – either voluntarily or against her will – to be forced into marriage. Sometimes a forced marriage can also take place within Finland. The police reports used in the report included two potential cases of forced marriages.

In addition to girls and women, boys and men can also be forced into marriage. In particular, young people belonging in sexual minorities are at high risk. Professionals interviewed in the report reckon that forcing boys and men into marriage is often overlooked by the authorities.

Conclusion

The conclusion of the report is that in general, Finnish authorities and professionals lack the knowledge of the communal nature of honour-based violence and the skills to combat it. Professionals across the fields have different levels of understanding of honour-based violence, although some individuals are well aware of the phenomenon.

A significant problem in Finland is that honour-based violence is hidden from the authorities. The reasons are twofold: on one hand, the victims often do not report the offences to the authorities, and on the other hand, authorities have serious issues in recognising honour-based motives.

The victims are often reluctant to report the cases to the authorities. There are many reasons for this. For instance, the victim may be worried that filing a report may aggravate the situation. Sometimes the victim also lacks information on who to talk to or where to report the offences. Victims may not trust the police or other authorities and they might be willing to protect their family members. Moreover, some victims are afraid that they will be excluded from the community if they file a report.

The report reveals that Finnish authorities struggle in recognising cases of honour-based violence. Even when they do recognise an honour-based motive, they find it difficult to act accordingly due to the lack of e.g. proper guidelines for handling such cases. Sometimes authorities avoid taking up such issues as they consider acts of honour-based violence as part of the victim's "culture". Failure to recognise an honour-based motive seriously compromises the

victim's safety. Finally, it is important to note that while authorities often struggle to recognise honour-based motives, sometimes they also misinterpret irrelevant cases as cases of honour-based violence.

Recommendations

The report provides a detailed description of the roles of immigration administration, integration and social services, professionals in the educational field, health services, police, and the foreign administration in preventing and combating honour-based violence. Professionals in these fields and elsewhere encounter cases of honour-based violence and are in need of effective tools for handling such cases. This summary presents some of the recommendations presented in the report.

As required in the Istanbul Convention, the state of Finland has the obligation to take the responsibility in coordinating the work against honour-based violence in Finland. Good practices need to be developed to help and support victims of honour-based violence more efficiently. Services for victims of honour-based violence should be sufficiently and adequately resourced, as should civil society organisations working against violence. Building trust is key in the work against honour-based violence. Therefore, resources should allow for enough time for building a confidential relationship and the chance to have one-on-one discussions in reception centres, child welfare services, schools, integration services and health care especially for girls and women. Furthermore, the state must establish a coordinating body as provided by the Convention and ensure that honour-based violence and forced marriages are explicitly included in the scope of work of that body.

Authorities in health care and social services, police, education and immigration administration are in need of further training on conceptions of honour and honour-based violence. Guidelines for handling (suspected) cases of honour-based violence need to be developed and made widely available for professionals in different fields who may encounter these cases in their work. Furthermore, models of consultation providing support and advice on honour-based violence for authorities and professionals in e.g. schools, health care and child welfare services must be developed. The work against honour-based violence should be organized in multidisciplinary teams. Diversity is also important in recruitment: it is beneficial for authorities to develop ways

which enable recruiting people with diverse backgrounds, including immigrants. Finally, the use of a qualified interpreter must be ensured in all relevant situations.

Personnel in the Finnish Immigration Service need further training to ensure that honour-based violence and forced marriage can be taken into account in the asylum and family reunion processes. Immigration administration needs to be aware that certain groups of people are more vulnerable to honour-based violence and forced marriage, including women seeking asylum on their own, unaccompanied minors and people belonging to sexual and/or gender minorities. Questions regarding honour-based violence and forced marriage should be included in asylum interviews.

As for integration services, language courses need to be widely available and accessible and those who have recently arrived in Finland need to be educated on their rights and responsibilities. Integration training should include general knowledge on human rights but also information specifically on honour-based violence. Schools must ensure that all students receive adequate human rights education including education on sexual rights and participate in sex education.

Police need to recognise an honour-based motive and take the communal nature of honour-based violence into account when a person files a report and when conducting the investigation. Throughout the entire criminal procedure, the victim should get enough information on the procedure and receive adequate support and protection. Finnish national criminal legislation needs to be thoroughly evaluated to assess if and what adjustments should be made to better respond to honour-based violence.

Forced marriages should be criminalised as a separate criminal offence. Luring someone abroad with the purpose of forcing this person into a marriage must also be criminalised as required by the Istanbul Convention. Possible legislative changes enabling speeding up the divorce process or annulling a marriage in cases of forced marriages as well as the legal effects of such changes need to be thoroughly evaluated.