BETWEEN SAVIORS AND SAVAGES: THE EFFECT OF TURKEY’S REVISED PENAL CODE ON THE TRANSFORMATION OF HONOR KILLINGS INTO HONOR SUICIDES AND WHY COMMUNITY DISCOURSE IS NECESSARY FOR HONOR CRIME ERADICATION

Bethany A. Corbin

INTRODUCTION

Ka thought it strangely depressing that the suicide girls had to struggle to find a private moment to kill themselves. Even after swallowing their pills, even as they lay quietly dying, they’d had to share their rooms with others.

The savage phrase contained in a simple text message haunted Derya’s mind. Her moment of freedom and independence sparked by unpermitted love shattered instantly, replaced with all-consuming shame and fear. Derya knew the risks that accompanied her forbidden acts—her own aunt had been murdered by her grandfather for seeing a boy. Yet, Derya defied her family’s orders and refused to heed her mother’s death warnings. As she flirted with danger, news of her love affair spread, and at age seventeen she received a devastating order from her uncle: “You have blackened our name,” the text message read. “Kill yourself and clean our shame, or we will kill you first.”

* J.D., Wake Forest University School of Law, 2013; B.A., University of North Carolina at Chapel Hill, 2011. I wish to thank Dr. Banu Gökariksel, Associate Professor of Geography at the University of North Carolina at Chapel Hill, for introducing me to the topic of honor killings and sparking my interest in worldwide domestic violence research. Thank you for being a mentor on this topic for the last four years.


3 Bilefsky, supra note 2.

4 Id.

5 Id.
This severe and inhumane sanction from her family arose from one simple action—Derya had fallen in love with Recep, a high school classmate.\textsuperscript{6} Having never experienced love, Derya clung tightly to her new romance, talking with Recep daily on the phone. When Derya’s uncle learned of the communication, he confiscated her phone and alerted her family. But Derya couldn’t stop. She borrowed a friend’s phone and continued the relationship, angry about her family’s strict requirements.\textsuperscript{7} As the romance progressed, Derya faced increasing violence at home, until one day she received a message instructing her to never return home again and to kill herself.

These threatening messages arrived fifteen times per day and served as a death sentence.\textsuperscript{8} “My family attacked my personality, and I felt I had committed the biggest sin in the world,” Derya confided.\textsuperscript{9} “I felt I had no right to dishonor my family, that I have no right to be alive. So I decided to respect my family’s desire and to die.”\textsuperscript{10} The overpowering shame and guilt forced Derya to jump into the Tigris River in an effort to commit suicide.\textsuperscript{11} But the attempt failed and she survived. Determined to fulfill her family’s wishes, Derya next tried to hang herself; an uncle saved her life.\textsuperscript{12} Finally, Derya slashed her wrists with a kitchen knife.\textsuperscript{13}

Although Derya ultimately survived her three suicide attempts, her story illuminates a developing and frightening trend in Turkey—the emergence of honor suicides as an alternative to honor killings.\textsuperscript{14} Described broadly as “honor crimes,” both honor killings and honor suicides are rooted in patriarchal orders based on the authority of men.\textsuperscript{15} Perceived as unquestionably horrific forms of violence, honor crimes occur when a family member has

\begin{itemize}
\item \textsuperscript{6} Goodwin, supra note 2.
\item \textsuperscript{7} Derya was particularly upset over the loss of her cell phone privilege, stating, “Part of me was angry. Everyone uses cell phones. Why not me?” Id. (internal quotation marks omitted).
\item \textsuperscript{8} Bilefsky, supra note 2; Goodwin, supra note 2.
\item \textsuperscript{9} Id. (internal quotation marks omitted).
\item \textsuperscript{10} Id. (internal quotation marks omitted).
\item \textsuperscript{11} Id.; Goodwin, supra note 2 (explaining that in June 2006, “Derya threw herself into the fast-flowing Tigris River near the Iraqi border, but a passing police patrol pulled her out”).
\item \textsuperscript{12} Bilefsky, supra note 2; Goodwin, supra note 2. Derya attempted to hang herself by attaching a rope to a ceiling hook that was meant to hold a baby’s cradle. Goodwin, supra note 2. When Derya pushed the chair out from beneath her legs, her uncle heard the crash and cut her down. Id.
\item \textsuperscript{13} Bilefsky, supra note 2; Goodwin, supra note 2; Habeeb, supra note 2.
\item \textsuperscript{14} Goodwin, supra note 2.
\end{itemize}
violated a social or moral norm that brings shame and dishonor to the family.\(^{16}\) Frequently, the norm violated is sexual in nature and the scope of acts that can trigger an honor killing or suicide is vast.\(^{17}\) Because women are seen as “symbolic bearers of the honor of the clan or tribe,” this sexual contamination is typically punished by murder in order to regain social status.\(^{18}\)

Recently, however, scholars and journalists have identified a shift away from honor killings—in which a male family member murders his own kin—to honor suicides—in which the female transgressor is forced to take her own life.\(^{19}\) This alleged transformation has been widely attributed to the adoption of Turkey’s revised Penal Code in late 2004, which mandated harsh criminal sentences for both the honor killing perpetrator and family members who encouraged the killing.\(^{20}\) Faced with this new prospect of imprisonment, scholars have argued that honor killings have undergone a metamorphosis into honor suicides to prevent the clan from losing two family members.\(^{21}\) This causal connection between honor suicides and the revised Turkish Penal Code was widely espoused in Turkish media and honor killing scholarship.

This Article, however, disputes the causal linkage of honor suicides with Turkey’s new Penal Code, and argues that the existence of honor suicides has simply garnered increased media attention since 2004. In particular, this Article asserts that the statistical data is insufficient to support an association between harsher criminal punishments and honor suicides. Rather, scholars have used the revised Penal Code as a scapegoat to avoid addressing the problematic aspects of Turkey’s underlying honor culture. As one of the first articles to provide an in-depth analysis and critique of this causal connection, this Article challenges the conclusory statements of scholars and the press, and advances the position that honor suicides existed within Turkey prior to the adoption of the revised Penal Code.

In support of this argument, this Article is divided into six parts. Part I offers an overview and description of honor killings, defines the concept of

\(^{16}\) See Hilal O. Ince et al., Customary Killings in Turkey and Turkish Modernization, 45 MIDDLE E. STUD. 537, 538 (2009).

\(^{17}\) See, e.g., Bilefsky, supra note 2.

\(^{18}\) Cynthia F. Epstein, Death by Gender, 57 DISSERT 54, 54 (2010).

\(^{19}\) See, e.g., Goodwin, supra note 2.

\(^{20}\) See Sezgin Cihangir, Gender Specific Honor Codes and Cultural Change, 16 GROUP PROCESS INTERGROUP REL. 319, 322 (2013).

honor within Turkish society, and answers the pressing question of whether Islam condones these crimes. Part II narrows the focus of this Article solely to honor killings within Turkey’s borders, and analyzes honor killing perception within Turkey. Specifically, Part II highlights the ethnicization of honor killings as a Kurdish phenomenon and discusses the motivations behind this depiction. The section then transitions into an exploration of how Turkey’s bid for European Union (“EU”) accession forced Turkey to adopt harsher criminal sanctions against honor killing perpetrators. Part III advances this analysis by identifying the key honor killing legislation in both the unrevised and revised Penal Codes. With the stage appropriately set, Part IV provides a critique of the linkage between honor suicides and the revised Turkish Penal Code, and argues that the emergence of honor suicides is not causally related to Turkey’s legal reformation. In fact, Part V details why legal revision has been ineffective in appreciably reducing honor crimes, and why a dialogue of cultural discourse is fundamental to the eradication of both honor killings and honor suicides. Finally, Part VI concludes the Article.

I. DEFINING HONOR KILLINGS

The term “honor killing” refers to the organized murder of a family member—typically female—for bringing perceived shame and dishonor to her family or community. 22 Committed by fathers against daughters and brothers against sisters, honor killings are the result of carefully debated plans by a family council in which the youngest male is elected to perform the murder. 23 Lacking spontaneity, these crimes adhere to a rigid organizational structure that differentiates honor killings from the larger worldwide phenomenon of femicide. 24 Specifically, honor killings are a form of “internal, societal violence that goes beyond families” 25 and arises from the prerogative to avoid social ostracism. 26 These murders transcend the bounds of the family home and

22 See Tenzin Dorjee et al., A Social Ecological Perspective on Understanding “Honor Killing”: An Intercultural Moral Dilemma, 42 J. INTERCULTURAL COMM. RES. 1, 3 (2013) (“[H]onor killing is defined here as one that involves killing or murdering a female family member by her own family members and family friends to avenge shame brought by infidelity or other culturally unacceptable behaviors.”).


24 See AYSE ONAL, HONOUR KILLING: STORIES OF MEN WHO KILLED 10 (2008) (discussing the difference between honor killings and domestic violence); Doğan, supra note 23, at 423 (“Honor killing is the product of social interactions amongst members of society, and it is qualitatively different from other kinds of murders.”).

25 ONAL, supra note 24, at 255.

26 See id. at 26.
represent an extreme form of revenge that becomes mandatory when no alternative exists for restoring family honor. In this manner, honor killings can be perceived as the failure of a family to adequately control the sexual behavior of its female members.27 This section provides a pertinent explanation of honor and the characteristics of honor killings, serving as the foundation for the discussion of Turkish honor killings and the revised Turkish Penal Code.

A. What is Honor?

The elusive and dynamic term “honor” represents virtue, on the one hand, and hierarchical dominance on the other.28 Operating worldwide as a form of social currency, honor functions informally as property29 and serves as a “cornerstone in the construction of gender identity.”30 Although the precise definition of honor differs from region to region and culture to culture, honor has remained a fundamental property of human beings for centuries. Typically viewed as a measure of social prestige within the community, honor is an acquired and earned trait subject to constant defense and loss.31

The “Western” notion of honor is customarily defined in terms of integrity and virtuous behavior.32 It is an achieved status, increasing or decreasing with the owner’s accomplishments and actions.33 In Turkey, this form of honor is specifically denoted seref, and is possessed and controlled exclusively by men as a marker of social worth and reputation.34 Remaining independent from the actions of females, seref is not implicated in the honor killing analysis, but rather stands in stark contrast to its counterpart, namus.

Namus, which creates the foundation for Turkish honor killings, represents a form of sexual honor “that presupposes physical and moral qualities that

---

30 Zvinkliene, supra note 28, at 532.
32 Aysan Sev’er & Gökçeçięk Yurdakul, Culture of Honor, Culture of Change: A Feminist Analysis of Honor Killings in Rural Turkey, 7 VIOLENCE AGAINST WOMEN 964, 971 (2001) (defining honor as “moral integrity, the esteem accorded to virtue or talent”).
33 See id. at 972.
34 KATHERINE PRATT EWING, STOLEN HONOR: STIGMATIZING MUSLIM MEN IN BERLIN 32 (2008); Sev’er & Yurdakul, supra note 32, at 972.
women ought to have." Reflecting on the whole family, namus refers directly to the sexual purity of females and stresses traditional gender roles in which women are expected to assume and accept subordinate social positions. Structured as a gender-specific code of honor, namus requires females to maintain their family’s social reputation through sexual purity and creates a preoccupation with women’s chastity. In this sense, honor is located solely within the female body and controlled through the female’s actions. Men possess no namus of their own, and women carry the heavy “burden of safeguarding group identity and group honor.”

While men cannot directly claim namus, they are fundamentally impacted by any loss of female virtue. A wrong decision related to female honor inevitably humiliates the entire family on a communal level and disgraces the male kin. Because honor serves as the barometer of familial worth, the male family members actively strive to control the female’s namus by restricting her sexual behavior. This male domination of female sexuality operates on a community-wide level and leads to the development of extreme sanctions aimed at controlling the sexual behavior of women. In this manner, women serve as the agents of men when it comes to their sexuality and are perceived

35 AYSAN SEV’ER, PATRIARCHAL MURDERS OF WOMEN: A SOCIOLOGICAL STUDY OF HONOUR-BASED KILLINGS IN TURKEY AND IN THE WEST 115 (2013); Sev’er & Yurdakul, supra note 32, at 973.
36 KARL A. ROBERTS ET AL., HONOR-BASED VIOLENCE: POLICING AND PREVENTION 19 (2014) (“[H]onor cultures can be described as stressing ‘traditional’ gender roles in which there is high inequality between the genders. Males have most of the political power and females are expected to maintain subordinate social positions . . . .”); Yvette van Oech et al., A Different Kind of Honor Culture: Family Honor and Aggression in Turks, 16 GROUP PROCESSES & INTERGROUP REL. 334, 335 (2013); see JAN GOODWIN, PRICE OF HONOR: MUSLIM WOMEN LIFT THE VEIL OF SILENCE ON THE ISLAMIC WORLD 8 (2003) (noting that “[t]he honor of the Muslim family is believed to reside in a woman’s chastity and modesty”).
37 Cihangir, supra note 20, at 321; Gul Ozyegin, Virginal Facades: Sexual Freedom and Guilt among Young Turkish Women, 16 EUR. J. WOMEN’S STUD. 103, 111 (2009); see Parna Sen, ‘Crimes of Honour’, Value and Meaning, in ‘HONOUR’ CRIMES, PARADIGMS, AND VIOLENCE AGAINST WOMEN 42, 51 (Lynn Welchman & Sara Hossain eds., 2005) (“The honour code thus reflects and contributes to socially legitimated constructions of gender norms that shape and reflect behaviours and are not separate from these.”).
38 Radhika Coomaraswamy, Preface to the ‘HONOUR’ CRIMES, PARADIGMS, AND VIOLENCE AGAINST WOMEN xi, xi (Lynn Welchman & Sara Hossain eds., 2005); ROBERTS ET AL., supra note 36, at 22.
39 Ozyegin, supra note 37, at 111; see UNNI WIKAN, IN HONOR OF FADIME: MURDER AND SHAME 86 (Anna Paterson trans., 2003) (noting that women “represent honor; they symbolize honor; they are honor”) (internal quotation marks omitted); Sev’er & Yurdakul, supra note 32, at 973 (explaining that namus is always determined by female family members).
40 Cohan, supra note 15, at 187 (“In part, the modesty code is derived from the idea that men can become contaminated or defiled by women.”).
41 See id. (“The honor of the village group lies with the modesty of its women and the readiness of its men to protect this modesty.”).
42 Sev’er & Yurdakul, supra note 32, at 975–76.
solely as producers of shame.\textsuperscript{43} Thus, honor killings are premised on what has been popularized as the honor-shame complex—“the aggressor’s sense of identity or failing is based on the behavior of another.”\textsuperscript{44} In this complex, honor is seen through the lens of the “West” as a motive which propels men to kill for reasons that are perceived as petty, unreasonable, or backward.\textsuperscript{45} Therefore, for an honor killing to occur, there must first be a loss of female honor and acquisition of shame upon the family.

\textbf{B. The Characteristics of Honor Killings}

Honor codes—and the crimes associated with them—are not solely concerned with individual men controlling individual women. Rather, honor crimes “are about community norms, social policing and collective decisions and acts of punishment.”\textsuperscript{46} Killing based on shame and tainted honor occurs within a family structure where the bonds of affection, love, and obedience bind all participants to the murder.\textsuperscript{47} Created as the product of social interactions among societal members, “[h]onor killings are a recurrent form of [domestic and] intra-familial violence, finding vindication and acceptance in society and the law.”\textsuperscript{48} Once rumors of a female’s transgressions spread throughout the community, killing the offending female is an obligation of the disgraced family, and the only means of restoring lost honor.\textsuperscript{49} Therefore, honor killing can be defined as the deliberate murder of a disobedient or shameful family member by a familial council for the sole purpose of absolving the family’s honor.

\textsuperscript{43} See Aisha K. Gill, Feminist Reflections on Researching So-called ‘Honor’ Killings, 21 FEMINIST LEGAL STUD. 241, 243 (2013) (“[M]en are responsible for acquiring honour for their families, while women are seen as potential producers of shame.”).

\textsuperscript{44} Nancy V. Baker et al., Family Killing Fields: Honor Rationales in the Murder of Women, 5 VIOLENCE AGAINST WOMEN 164, 177 (1999); see Ewng, supra note 34, at 29–30 (discussing the honor-shame complex).

\textsuperscript{45} Sen, supra note 37, at 45.

\textsuperscript{46} Id. at 48.


\textsuperscript{49} U.S. DEP’T OF STATE, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES, PAKISTAN (2002); see Susanne J. Prochaska, There is No Honor in Honor Killings: Why Women At Risk for Defying Sociosexual Norms Must be Considered a “Particular Social Group” Under Asylum Law, 34 T. JEFFERSON L. REV. 445, 447 (2012) (mentioning that honor killings “allegedly wash away the shame with blood and restore the tarnished honor.”).
Although honor killings are unquestionably related to domestic violence, they nonetheless represent an extreme form of femicide uniquely differentiated by five characteristics. First, honor killings involve gender relations and interactions designed solely to control women’s behavior and sexuality.\(^50\) As symbols of reproduction, women help to create allegiances between male groups that enable the family to strengthen its economic connections within the community.\(^51\) In this context, a woman is often exchanged for marriage to improve social standing or increase familial wealth. According to Nicole Pope, “[a] woman is just a commodity and her ‘owners’, her male relatives, have the right to make decisions on her behalf without consulting her.”\(^52\) This view of women remains deeply entrenched in tribal culture, and any impurity in the woman substantially decreases her value to the family.\(^53\) If fact, because the morality surrounding females is so strict, the male relatives tend to distort reality and blame women for actions beyond their control—for example, rape.\(^54\) Because of this, the female’s behavior is constantly monitored and restricted throughout her life, particularly with arranged marriages and the prohibition on premarital sex.\(^55\)

Second, not only do males assume an active role in the regulation of female behavior, but other women within the family partake and assist in monitoring the subordinate females of the household.\(^56\) Within the hierarchical family, the eldest mother or wife commands the greatest authority and respect among


\(^52\) Nicole Pope, *Honour Killings: Instruments of Patriarchal Control*, in *VIOLENCE IN THE NAME OF HONOUR: THEORETICAL AND POLITICAL CHALLENGES* 101, 102 (Shahrzad Mojab & Nahla Abdo eds., 2004); see Arin, *supra* note 50, at 823 (“In this traditional system, women are not considered individuals; they are the property of the family and are seen to represent its reputation or honor, and, like other forms of property, they can be bought and sold.”).

\(^53\) See Valerie Plant, *Honor Killings and the Asylum Gender Gap*, 15 J. TRANSNAT’L L. & POL’Y 109, 111 (2005) (“In many cultures, an individual’s identity is closely tied to their family unit. In such a culture, the family’s honor is viewed as a personal reflection on each member of the family.”).

\(^54\) Ince et al., *supra* note 16, at 538.


\(^56\) Plant, *supra* note 53, at 112 (stating that women are often involved in the act and decision to kill); see Ince et al., *supra* note 16, at 548.
other women. It is this female figure who actively supervises the younger women to ensure they do not tarnish the family’s honor. Any help to defend the improper actions of younger female relatives disappears immediately if it conflicts with the eldest woman’s loyalty towards men. While loyalty between women can potentially save lives, it is quite common for mothers to be blamed for the transgressions of daughters, which gives them a vested interest in the behavior of their family members. Thus, women within a family are often vigilant and conscientious of the actions of all female members, and are prone to turn against one another. In this manner, women help to participate in the honor killing process.

Third, because of the involvement of both males and females in the regulation of honor, the decision to pursue an honor killing results from a collective family meeting. Honor crimes are not the result of spontaneous male anger or passion, but rather occur with the collective agreement of all family council members and a well-defined plan. At a minimum, the family council consists of “the father and brother[s] of the victim, and may also include uncles, grandfathers, male in-laws, and the mother.” In this way, honor killings cannot be reduced to the psychological imbalances of the individual killer, since the final decision belongs to the collective family as a whole.

Fourth, given the considerable deliberation, discussion, and planning among family members before an honor crime occurs, the council typically elects the youngest male to perform the killing. The young age of the

57 Nicole Pope, Honor Killings in the Twenty-First Century 103 (Palgrave Macmillan 1st ed. 2012) (“Imposing matriarchs may rule over the younger generation with an iron fist, often making life a misery for their daughters-in-law . . . .”).
59 Id. at 134.
60 Id. at 130–34.
61 Id. at 130 (“Mothers are thus described as active in, and directly or indirectly responsible for, the violence to which young women are exposed.”).
64 Sev’er & Yurdakul, supra note 32, at 965.
perpetrator elicits the sympathy of the courts in case of a criminal trial, and results in a reduced sentence or acquittal. These sentence reductions evidence state complicity in honor killings by legitimating shame as an acceptable motive for murder. When the perpetrators defend their actions in court, they repeatedly reference culture and tradition as excuses mandating leniency. By accepting these defenses and invoking culture as justification for killing, the state inherently relinquishes its role as the only source of law in society. In Southeastern Turkey, for example, the average sentence for an honor killing was just 19.7 years in prison during 1990–2005, with a 24% acquittal rate. Clans are thus able to exert their own moral codes and visions into social practice when they are confident the state will not interfere. Therefore, the election of the youngest male to perform the murder is a strategic decision designed to manipulate the judicial process.

Finally, there is always an ability to regain honor through a successful killing. Although less drastic alternatives to murder exist when faced with perceived shame, the only purpose of an honor killing is to restore the family’s honor and reputation. Hence, honor killings are only performed when the family risks unquestionable social ostracism or embarrassment that cannot be mitigated through punishing the offending female in another manner. When faced with an accusation of impropriety, the balance of power shifts dramatically between clans and families and places the burden of proof on the female and her natal family to disprove the allegations. No benefit of the doubt is given to the female, and when the gossip becomes public knowledge, violence typically ensues. With the introduction of shame into the equation,

66 Ince et al., supra, note 16, at 538 (“The killers in customary killings widely use traditions, customs, values and beliefs, as well as the term ‘honour’ itself, as their legitimating referents.”).
67 Belge, supra note 65, at 55.
68 See Ince et al., supra note 16, at 545 (discussing that “being under the full legal age was another reason for a reduced sentence in customary killings”).
69 Mora, supra note 15, at 507 (“Family members, who become a target of any insult, gossip, or rumor especially on women, perceive this condition as a stain that needs to be cleaned.”).
70 See Dorjee et al., supra note 22, at 6 (“Honor killings are the extreme manifestations of these communal face desires, and facework strategies are often needed to recoup damaged family shame and community honor.”).
71 Belge, supra note 65, at 173.
72 Vitoshka, supra note 55, at 14.
the transgression becomes the concern of the entire community, not just the victim’s immediate family. The harm to a female’s reputation can only be repaired with murder, and the killer is praised for his actions. No sympathy is displayed towards the female transgressor who has paid for the family’s honor with her life. Thus, males are often perceived as victims of their own circumstances while the female is simply disposable property used to increase the family’s standing within the community.

Therefore, while honor killings remain part of the worldwide spectrum of domestic violence, they are particularized and distinct murders that occur on a societal level as the result of a collective family vote. The killing buries both the victim and her disgrace, and erases the basic human right to life. Despite these distinctions, however, it is important to remember that femicide is not particular to one culture or religious group. Women experience universal and place-based violence that cuts across race, religion, and class. Although honor killings are an unquestionably heinous crime on the spectrum of violence, we must also raise issue with domestic violence within our own borders. Focusing on culturally specific forms of violence is perceived as controversial ground, and this Article in no way attempts to stereotype any group or space as backward or barbaric.

C. The Role of Islam in Honor Killings

The uniqueness of honor killings arises not solely from the five characteristics discussed above, but also from its developed association with a particular religion—Islam. A common misconception exists among the “Western” part of the world that honor killings occur solely in Islamic nations

---

73 Meetoo & Mirza, supra note 63, at 189.
74 Ince et al., supra note 16, at 538 (“The family and their social environment do not perceive customary killings as a crime, since they view them as the only way of regaining lost honour.”); Plant, supra note 53, at 112 (“In cultures in which honor killings take place, the family members of the offending woman typically see her slaughter as the only solution to the taint on their family honor.”); see Gill, supra note 43, at 249 (describing that the community views the killer as heroic).
75 Plant, supra note 53, at 112.
77 Shalhoub-Kevorkian, supra note 51, at 168.
78 Meetoo & Mirza, supra note 63, at 188.
79 Id.
80 Id.
and are therefore justified under Islamic law (Sharia). Relevant literature and popular news culture provide an overwhelming perception that honor killings are ubiquitous in Islamic and Arab countries, and portray the crime as a uniquely Muslim phenomenon. Honor-related violence has thus been advertised—especially post-9/11—as being supported by Islamic scriptures and the Qur’an (also spelled Kuran).

While honor killings occur disproportionately in Muslim societies, the crime is not limited to these communities and finds no support in the Qur’an or Sharia. Honor killings are prevalent in religious affiliations across Africa, South Asia, the Middle East, Europe, and the United States. Sikhs and Hindus specifically have been faulted for their recent involvement in honor crimes, particularly in India, and the victims can be and sometimes are Christians. A study performed by National Geographic even showed frequent honor killings in Great Britain, Brazil, Ecuador, Italy, Sweden, and Bangladesh. Therefore, the common notion that honor crimes occur solely within Muslim territory is misguided and misinformed.

In fact, honor killings pre-date all written religions. Early justifications for honor crimes can be found in the codes of Hammurabi in 1752 B.C. and in the family law of the Roman Empire.

---


84 Cohan, supra note 15, at 196.

85 Id. at 192, see WIKAN, supra note 39, at 70 (“Honor killing can be found across religions and faiths.”).


88 Ruane, supra note 48, at 1530 (citing Cinema Reel Life: Crimes of Honor (Cinemax broadcast Feb. 28, 2009)).

allowed a man to murder his wife or daughter for illicit sexual relationships under certain circumstances.\textsuperscript{90} In almost every human society, families and communities have played an extensive role in regulating the sexual behavior of their members, typically beginning through early socialization of children. Furthermore, sentences for crimes committed in the “heat of passion,” which included honor killings, were substantially mitigated under the French and Italian Penal Codes until 1975 and 1979, respectively.\textsuperscript{91} In Brazil, honor killings were legal until 1991.\textsuperscript{92} The origins of honor killings can thus be traced back to ancient tribal practices that existed before—and continued after—the invention of Islamic law, with penal codes providing leniency for honor killers across the globe.\textsuperscript{93}

Moreover, Islamic law does not promote or condone honor killings, and no explicit approval of honor crimes exists in the Qur’an.\textsuperscript{94} Because honor killings are acts of murder, the practice is expressly prohibited in the Qur’an: “Whoso kills a believer intentionally, his penalty is hell, abiding therein eternally. God shall be angry with him and curse him, and shall ready for him a grievous torment.”\textsuperscript{95} The Qur’an places a high value on every person’s life, and honor killings are not grounded in any religious text. Rather, Islam represents a monotheistic religion that promotes the faith and unity of God, and upholds the notion that men and women are equal before God (Allah).\textsuperscript{96} The Qur’an expressly denies discrimination against women\textsuperscript{97} and does not provide a basis for the existence of gender hierarchies within societies that perpetuate honor killings. Consequently, Islam does not advance male superiority but instead recognizes the equality of potential between the sexes.

\textsuperscript{90} Plant, supra note 53, at 114.
\textsuperscript{91} Vitoshka, supra note 55, at 10.
\textsuperscript{92} Plant, supra note 53, at 114.
\textsuperscript{93} See Matthew A. Goldstein, The Biological Roots of Heat-of-Passion Crimes and Honor Killings, 21 POL. & LIFE SCI. 28, 32 (2002) (“The Germanic tribes of Western Europe, as well as the Chinese, Japanese, and other Asian cultures legally sanctioned the killing of unfaithful wives by their husbands to protect family honor.”).
\textsuperscript{94} Western, supra note 89, at 107 (“Indeed, honor killings were and are forbidden under Islamic law, and should never be practiced under any circumstances.”).
\textsuperscript{95} THE QUR’AN 4:93 (Tarif Khalidi trans., The Penguin Group 2008); see Western, supra note 89, at 104 (“According to the Quran, if either a man or women commits adultery, they should be flogged with a hundred lashes. Nowhere does the Quran justify killing the adulterer.”).
\textsuperscript{96} See GOODWIN, supra note 36, at 30 (“Islam, in fact, may be the only religion that formally specified women’s rights and sought ways to protect them.”).
\textsuperscript{97} Id. at 31.
Furthermore, Muslims themselves, including both victims and perpetrators, vigorously deny any connection between honor killings and Islam. Instead, the justification given by those involved in the honor killing process is that “tradition is stronger than religion.” Perpetrators invoke the excuse of custom instead of religion, and argue that principles of gender relations in Sharia are consistent with human rights law in the “West.” It is additionally “paradoxical that such practices are regarded as ‘Islamic’ in the West, considering that they have in fact come to the international agenda as a result of successful campaigns by Muslim feminist movements.” Therefore, the association between Islam and honor crimes needs to be perceived within the current climate of Islamophobia and post-9/11 depictions of Muslims as barbaric terrorists. Any inherent linkage of honor killings with Islam is simplistic and naïve.

II. HONOR KILLINGS IN TURKEY & TURKEY’S EUROPEAN UNION ACCESSION PROSPECTS

While honor killings are not particular to Muslim societies, the crime occurs within Turkey, a Muslim-majority country, at an alarming rate. The number of honor killings in Turkey—and worldwide—is difficult to gauge due to the fact that honor killings are misinterpreted, and therefore mis-reported as suicides or accidental deaths. The Turkish Human Rights Directorate estimated the number of honor killings at one per week in Istanbul alone, with over one thousand honor killings occurring in Istanbul from 2003 to 2008. Other organizations, however, posit that only twenty-five to seventy-five honor killings occur annually in Turkey. These organizations suggest that honor killings in Turkey are confined to a limited region—specifically southeastern

98 Katherine P. Ewing, From German Bus Stop to Academy Award Nomination: The Honor Killing as Simulacrum, in GENDER, VIOLENCE, AND HUMAN SECURITY: CRITICAL FEMINIST PERSPECTIVES 163, 166 (Tripp et al. eds., 2013).
100 E WING, supra note 34, at 170.
102 See Meetoo & Mirza, supra note 63, at 194.
103 P OPE, supra note 57, at 29 (“For every honor murder that is reported, many more are disguised as accidents or suicides, and for every woman who is killed, there are dozens who live in fear and face the constant threat of violence.”).
104 Epstein, supra note 18, at 55.
105 See SEV’ER, supra note 35, at 140 (estimating Turkish honor killings between fifty and seventy-five).
Turkey—where Kurds predominantly reside. Additional research by Ceren Belge found that between 1974 and 2005, a total of 181 women had been murdered by their families in the southeastern province of Urfa alone. More recent estimates between 2009 and 2011 suggest that more than 200 honor killings occur annually in Turkey and that this number has reached a “record level.” Regardless of the actual number of honor killings reported, one fact remains undisputed: the statistical range severely underestimates the actual and widespread nature of the crime.

Although the precise number of honor killings in Turkey and worldwide is unknown, these crimes have garnered increased media attention following the EU’s acceptance of Turkey’s bid for membership. Sparking public outrage unmatched by any other type of violence, honor killings have become a form of sensationalized murder in which the victim is depicted as “Western” and modernized, and the perpetrator is deemed barbaric and backward. This popular discourse has developed an ethnicized and gendered tone through mainstream media representations of the killing, and locates the victim and assailant in separate spaces along the modernization continuum. Particular forms of masculinity are thus constructed by the press as inherently threatening and terroristic, and these portrayals are used by the state to promote political agendas. In the West, these state agendas typically involve the modernization or assimilation of Islamic groups, and result in the crime being portrayed as a broad Muslim phenomenon. In Turkey, however, the prospect of EU accession has resulted in a substantially different ethnicization of the crime: it is purely a Kurdish problem. This section first provides a brief history of the Kurds in Turkey, setting the stage for understanding Turkey’s motivation for ethnicizing honor killings. Second, this section details the ethnicization of honor killings in Turkey, and analyzes honor killing perception within the country, particularly in the Turkish press. Finally, this section

---

107 Belge, supra note 65, at 55.
109 See Ewing, supra note 98, at 167; Kogacioglu, supra note 106, at 130; Montoya & Agustín, supra note 83, at 534–40.
110 See Ewing, supra note 34, at 170–71.
111 See Ewing, supra note 98, at 167; Kogacioglu, supra note 106, at 130; Montoya & Agustín, supra note 83, at 534–40.
summarizes the EU’s response to these killings in light of Turkey’s accession prospects and provides the background for understanding Turkey’s revised Penal Code.

A. The Kurds

The relationship between Turkey and its Kurdish citizens is one of complexity, brutality, and repression. Recently termed Turkey’s “Kurdish problem,” the interaction between Turks and Kurds has been anything but peaceful. Until the late 1990s, the very existence of the Kurdish people within Turkey’s borders was considered a political crime. This portion of the Article offers a brief introduction into the Turkish-Kurdish conflict, and provides a foundation for comprehending honor killing portrayal and perception in Turkey.

The Kurds, who live primarily in the southeastern portion of the country, represent Turkey’s largest ethnic minority and comprise twenty percent of the state’s population. Often described as “traditional” and “tribal,” the Kurds have gained international attention for refusing to adopt the mandatory Turkish identity. This unified Turkish identity developed in response to the disintegration of the Ottoman Empire, which was associated with failed ethnic autonomy and diversity. As a reaction to this history, Mustafa Kemal (“Kemal”) created a uniform, national Turkish identity which he forced on all citizens living within the country’s borders. His goal “was to somehow manufacture a ‘single-bodied’ Turkish nation out of many Muslim entities.”

---

114 See id. at 158 (“Until recently, jail terms awaited Kurds who publicly asserted any form of Kurdish identity.”).
117 OMAR TASPINAR, KURDISH NATIONALISM AND POLITICAL ISLAM IN TURKEY: KEMALIST IDENTITY IN TRANSITION 38 (2005) (“Turkish nationalism, therefore, essentially emerged as a reaction to imperial disintegration, in an environment where imperial and multi-ethnic projects failed to instigate a sense of Ottoman patriotism.”); see Michael M. Gunter, Turkey’s Floundering EU Candidacy and Its Kurdish Problem, 14 MIDDLE E. POL’Y 117, 120 (2007) [hereinafter Gunter, Floundering EU Candidacy] (“The seemingly obstinate refusal in the modern Republic of Turkey to admit that its citizens of Kurdish ethnic heritage constitute a minority can be . . . further understood against the background of the gradual disintegration of the Ottoman Empire before the onslaughts of various nationalisms during the nineteenth and early twentieth centuries.”).
118 See TASPINAR, supra note 117, at 77–78.
As such, Kemal attempted to “Turkify” the ethnic minorities by demanding the relinquishment of all native customs, languages, and rituals. The Kurds, however, actively refused to adopt a purely Turkish identity and defied the state government.

In response to this resistance, Kemal and his successors initially denied the very existence of the Kurds. The government imposed settlement and language restrictions on the minority group and prohibited the use of the Kurdish language until the early 1990s. This ban on speaking Kurdish occurred at a time when only a small minority of Kurds (approximately four percent) spoke any Turkish. Even the term “Kurd” was banned from public use for decades. Human and minority rights were further withheld from the Kurds in an attempt to force the minority group into accepting the Turkish identity, and, “[a]s a result, the regularly repeated rhetoric of the state’s official view ‘demonstrates’ the absence . . . of Kurdish material and spiritual existence.”

This denial of both linguistic and human rights to the Kurdish ethnicity failed, however, to “Turkify” the Kurds as planned, and instead incited terrorist activity. Kurdish terrorism, which has plagued the Turkish state for more than twenty years, developed in direct response to the Turkish government’s oppressive regime. The Kurdistan Worker’s Party (“PKK”) represents the primary organization responsible for advocating armed conflict to achieve

---

120 Id. at 71; see Gunter, Floundering EU Candidacy, supra note 117, at 121 (explaining that the Turkish Constitution permits “Turkish authorities to incriminate nonviolent expressions of ethnic identity simply on the basis that they are contrary to the constitutional definition of ‘Turkish’ and a danger to the integrity of the state.”); see also Michael M. Gunter, The Kurdish Problem in Turkey, 42 MIDDLE E. J. 389, 391 (1988) [hereinafter Gunter, Kurdish Problem] (discussing the “Turkicization” of Kurdish villages and towns).

121 See TASPINAR, supra note 117, at 77–78. For more detailed information of the history of the Kurdish uprising, see id. at 79–82.

122 Gunter, Kurdish Problem, supra note 120, at 398; Uslu, supra note 113, at 157.

123 See BOGDANI, supra note 115, at 34 (noting that speaking Kurdish was banned until the 1990s); TASPINAR, supra note 117, at 82 (discussing the Settlement Law of 1934: “The purpose of the Settlement Law was to move Kurds out of their native villages and into modernized Turkish cities in an attempt to promote assimilation and Turkification of the minority group.”); Mesut Yegen, “Prospective-Turks” or “Pseudo-Citizens:” Kurds in Turkey, 63 MIDDLE E. J. 597, 600–04 (2009).

124 Gunter, Kurdish Problem, supra note 120, at 399.

125 See generally Yegen, supra note 123, at 605 (noting that the Turkish government banned all broadcasting in Kurdish and did so without ever referencing Kurds or their language by name).

126 OZCAN, supra note 119, at 71.

127 BOGDANI, supra note 115, at 35.
Kurdish sovereignty and independence. The PKK has enforced their radical agenda through raids and ambushes, and employed over 20,000 armed guerrillas in the southeastern provinces. One of the worst massacres committed by these Kurdish insurgents occurred on June 20, 1987, when the PKK struck the village of Pinarcik and killed over thirty people. Similar deadly attacks followed on July 11, 1987 and August 18, 1987. These violent uprisings forced the Turkish government to increase national security and sparked the establishment of a village guard system in the southeast to quell PKK resistance. Finally, a cease-fire was declared on August 1, 1999. Yet, despite this formal truce, PKK terrorist attacks continued from 2000 to 2003.

Following the “official” end to the cease-fire in June 2004, violence between the Turkish state and the PKK spiraled out of control in 2006. At least fifteen people died during the month of March alone in clashes between the Kurds and Turkish police. During this time, a second militant group, the Kurdistan Freedom Falcons (“TAK”), implemented bombings across western Turkey, particularly in tourist regions. More than a dozen people were killed in April 2006, and at least fifteen more died in October of that same year from PKK and TAK raids and assaults. This violence has escalated in recent years, with more than 700 dead in less than fourteen months throughout 2011 and 2012. During one weekend alone in September 2012, “at least eight Turkish police officers and four soldiers were killed in two separate ambushes...
in southeastern Turkey,” which the PKK quickly claimed responsibility for.\textsuperscript{140} This extreme increase in violence has jeopardized any hopes of finding a quick resolution to the Kurdish problem, and has created unease for Turks and Kurds throughout the country.\textsuperscript{141}

B. The Ethnicization of Honor Killings: A Kurdish Crime

The violent and terroristic activities of both the Turkish state and the PKK in response to the “Kurdish problem” have created a seemingly impenetrable divide between the Turks and their Kurdish neighbors. This conflict remains a point of concern for Turkey’s EU accession.\textsuperscript{142} Faced with addressing both human rights violations and Kurdish resistance in order to advance EU accession talks, Turkey has developed a novel method of singling out the Kurds as barbaric “others” in need of modernization and assimilation: the linkage of honor killings with the Kurdish minority. This connection between Kurds and honor crimes is reinforced through the media’s portrayal of the murders and the lack of broad Turkish and Muslim identifiers.\textsuperscript{143} Instead of perceiving the crime as a human rights violation, Turkey uses the press to portray honor killings as a purely Kurdish phenomenon in order to justify state intervention and modernization of the repressed ethnic minority.\textsuperscript{144} This section briefly details the linkage of honor killings with the Kurds and explores the rationales behind this association.

Although honor killings represent global human rights violations, the Turkish state has worked diligently to construct the crime as belonging solely to the Kurdish culture. Articles and reports produced by the Turkish media and state organizations “approach the problem [of honor killings] through a regional context and tend to correlate it to the culture of the Kurdish and Arabic minorities for whom clan-based social formations are still dominant.”\textsuperscript{145} The press and public associate honor killings with the eastern and southeastern provinces of Turkey where the Kurds predominantly reside

\textsuperscript{140} See id.
\textsuperscript{141} See id.; see also Uslu, supra note 113, at 161 (discussing the obstacles facing resolution of the Kurdish problem).
\textsuperscript{143} See Corbin, supra note 112, at 60–63.
\textsuperscript{144} See id. at 63–74.
\textsuperscript{145} Ince et al., supra note 16, at 539.
and where tribal social structures stand strong. Any honor killing occurrences in the northern and western portions of Turkey are quickly linked to Kurdish migration to these cities. In this manner, the Turkish state draws a distinct “us versus them” boundary in which Kurds who have resided in Turkey for generations are deemed fundamentally “other” and alien within their own homeland.

Specifically, an examination of honor killing portrayal in the Turkish press illuminates the linkage of honor killings with the Kurdish minority. A study on honor killing categorization in Turkish English-language newspapers found that honor killings were associated with Kurds and their location in southeastern Turkey approximately seven times more than they were associated with Muslims and Turks in general. Rarely was an honor killing ascribed broadly with Muslims or the Turkish population. Instead, the reporters who detailed these honor killings repeatedly noted the perpetrator’s Kurdish heritage and referenced the archaic and patriarchal characteristics of both Kurds in general and the southeastern provinces of Turkey in which they lived. For example, journalist Gündüz Aktan (“Aktan”) described the Kurdish community as having “failed to modernize” and integrate with the rest of Turkish society. Reporter Göksel Bozkurt took these characterizations further and explained that “honor killings were specific to Turkey’s eastern and southeastern regions and that they were tied to backward standards and the effects of poverty.” In 2006, Aktan even applauded “Western” media for realizing that honor killings were related to ethnic Kurds “and that both honor killings and the tribal system are phenomena particular to the Southeast of the country.” In Aktan’s view, the words “Kurdish” and “Turkish” should not be used interchangeably when the honor crimes occur in the southeastern region

146 Kuraner, supra note 65, at 28; Mora, supra note 15, at 506.
147 Ince et al., supra note 16, at 544–45.
148 Corbin, supra note 112, at 56–61.
149 Id. at 61–63; see, e.g., Kuraner, supra note 65, at 28 (“In the case of Turkey, the custom originates from the Southeastern and Eastern Regions, where a majority of the population consists of people of Kurdish ethnic origin.”); Mora, supra note 15, at 506 (noting that honor killings are “[o]bserved especially in the Eastern and Southeastern regions of Turkey” where tribal social structure still exists).
These descriptions of Kurds—and the repeated references to their socioeconomic conditions—in connection with honor killings serve to locate honor crimes within a geographically bounded spatiality that excludes the general Turkish population.

Scholars similarly endorse this view by imposing generalized feudal and patriarchal characteristics on the Kurdish dominated southeast. According to Necla Mora, honor killings are “observed especially in the Eastern and Southeastern regions of Turkey” where “[p]reserving honor and glory comes first in the system of values.”154 Comparably, Efsa Kuraner articulates that the custom of honor killing “originates from the Southeastern and Eastern regions, where a majority of the population consists of people of Kurdish ethnic origin.”155 Kuraner proceeds to describe these regions as endorsing oppressive patriarchal views of women’s sexuality and promoting “gender discriminatory traditions and practices.”156 Thus, prominent scholars, including Pinar Ilkkaracan, Hilal Ince, Efsa Kuraner, Necla Mora, Aysan Sev’er, and Gökçeçekççek Yurdakul, all identify a connection between honor crimes and Kurdish clans.157

By isolating honor killings in the southeastern provinces, Turkish reporters and state organizations have ethnicized the crime and attributed it primarily to a disadvantaged minority group.158 The depiction of Kurds as conservative, ignorant, homogenous, and tribal suggests that this ethnicity has failed to modernize and that its ideals and customs are incompatible with a modern, “westernized” country.159 Mesut Yegen even suggests that “[t]he status of

---

153 See id.
154 See Mora, supra note 15, at 506–07.
155 Kuraner, supra note 65, at 28.
156 Id.
157 See Pinar Ilkkaracan, How Adultery Almost Derailed Turkey’s Aspirations to Join the European Union, in SEX POLITICS: REPORTS FROM THE FRONTLINES 247, 261–62 (Parker E., Petchesky R. & Sembler R. eds., 2007) (“[T]he term ‘custom killings’ is associated primarily with a practice more prevalent in eastern and southeastern Turkey, in the context of a semi-feudal traditional agricultural economy and among a predominantly Kurdish population.”); Ince et al., supra note 16, at 544 (“In Turkey, customary killings commonly occur in villages or large enclaves where Arabian or Kurdish clans exist.”); see Kuraner, supra note 65, at 28 (“[T]he custom originates from the Southeastern and Eastern Regions, where a majority of the population consists of people of Kurdish ethnic origin.”); see generally Sev’er & Yurdakul, supra note 32, at 970 (noting that “[r]ural populations [in Turkey], especially in eastern regions, often occupy the lowest rungs on the socioeconomic ladder, are most likely to be undereducated or illiterate, and are most vulnerable to religious and cultural misconceptions or even extremism,” which causes unforgiving patriarchal expectations of gender relations).
158 Kogacioglu, supra note 106, at 130.
159 See Corbin, supra note 112, at 74.
Kurds vis a vis Turkishness is now much closer to that of non-Muslims” than to Muslims and Turks. This discursive isolation of honor killings enables the Turkish state not only to disassociate itself from the murders, but also to target Kurds for forced assimilation and integration programs. Given the active and violent resistance of Kurds to adopting a uniform Turkish identity, governmental efforts to assimilate the Kurds remain a high priority.

Particularly, the Turkish government’s strategy of “otherization” has helped to diminish national support for the Kurds and has increased their alienation within society. By constructing the Kurds as social outcasts, Turkey sets the stage for upcoming modernization and assimilation projects that target the Kurds. Describing the southeastern territory as undeveloped, feudal, and tribal enables Turkey to link the Kurds to these characteristics simply through their place of residence. In doing so, Turkey portrays the Kurds as fundamentally different from the rest of society and in need of both modernized values and infrastructure. This depiction of Kurds combined with international pressure for Turkey to address its Kurdish problem has provided another opportunity for “Turkification.”

Finally, the perception of honor killings as a purely Kurdish phenomenon in Turkey is no doubt partly triggered by Turkey’s repeated attempts to gain membership into the European Union. Turkey’s inability to deny the existence of these heinous crimes has inflamed the “Western” consciousness and caused the EU to recognize these killings as an impediment to integration. According to journalist Fulya Özerkan, “The practice of honor killings has long marred Turkey’s drive to improve women’s rights, a key demand of the European Union.” By stigmatizing the Kurdish ethnicity as backward, barbaric, inhuman, and essentially non-Muslim, Turkey constructs an “us versus them” divide in which it removes itself from the crime altogether. This perceived spatial distance absolves the state of any responsibility for the murders and places Turkey in line with the EU in attempting to eradicate the crime.

---

160 Yegen, supra note 123, at 610.
161 See BOGDANI, supra note 115, at 34–35.
162 See Corbin, supra note 112, at 50.
163 Id. at 11.
The Turkish state’s separation from honor killings, regardless of motive, has become crucial in the battle for EU accession. Despite the existence of honor killings in Turkey for decades, the crime only recently garnered international attention and interest due to Turkey’s EU membership prospects. These sensationalized stories of honor killings help distinguish the crime from ordinary domestic violence, and arouse anger among the citizens of “Western” nations. Frequently cited as an excuse to delay accession negotiations, Turkey’s flawed human rights record, which includes honor crimes, has become a recurring impediment to EU membership. In an attempt to remedy its human rights deficit, the Turkish state has initiated radical legal reforms in response to EU demand. This section provides a succinct introduction to Turkey’s history with the EU, and illustrates how EU pressure stimulated the revisions in Turkey’s Penal Code, which is discussed in Section III.

Long perceived as an “awkward candidate” for EU membership, Turkey’s trajectory for accession has been arduous and strained. Currently, Turkey remains the only candidate country that has not received a timetable for accession. Although Turkey’s candidacy for membership was officially recognized in December 1999 at the Helsinki Council, this recognition followed decades of negotiation talks and agreements between Turkey and the EU:

Turkey applied for associate membership in the EU—then the EEC—as early as 1959. The application resulted in an Association Agreement in 1963, whereby Turkey and the EU would conditionally and gradually create a customs union by 1995 at the latest. The customs union was seen as a step towards full membership at an unspecified future date. The EU unilaterally granted Turkey preferential tariffs and financial assistance, but the process of staged, mutual reductions in tariffs and non-tariff barriers was delayed in the 1970s because of economic and political conditions in Turkey.

See Kogacioglu, supra note 106, at 134.
See Abu-Lughod, supra note 109, at 7–8.
Turkey [then] applied for full membership in 1987. The response in 1990 was that accession negotiations could not be undertaken at the time, since the EU was engaged in major internal changes as well as in the transition of Eastern Europe and the Soviet Union. . . . A breakthrough came at the Helsinki meeting of the European Council in 1999, when Turkey attained status as a candidate for membership.\textsuperscript{170}

Notwithstanding this official recognition, the first Accession Partnership Agreement for Turkey did not materialize until March 2001, and was later revised in 2003 and 2006.\textsuperscript{171} During these interim periods, Turkey was advised to prepare a national program for the adoption of all EU standards, including a realistic timetable for achieving all Accession Partnership requirements.\textsuperscript{172} This included altering Turkey’s existing legislation in order to adopt the \textit{acquis communautaire}, which is the legal framework of the EU.\textsuperscript{173} Turkey responded on March 19, 2001, by presenting its National Program, which included a five-hundred page document outlining Turkey’s intended reforms to harmonize its economic, social, and political policies with those of the EU.\textsuperscript{174} To date, however, Turkey has opened only thirteen of the thirty-five chapters in its negotiations, and has closed only one of those chapters.\textsuperscript{175} Eight chapters were frozen in 2006 due to Turkey’s “non-implementation of the Additional Protocol to its customs union agreement, which concerned the opening of Turkish ports and airports to Cypriot-flagged vessels and flights.”\textsuperscript{176} This persistent refusal to enforce the Additional Protocol further resulted in the EU vetoing another five chapters.\textsuperscript{177} In addition to these economic and political setbacks, the European Commission has expressed continued concern with Turkey’s human rights framework, causing further delay in Turkey’s EU accession talks.

\textsuperscript{170} Id.
\textsuperscript{172} \textit{See generally} Accession Partnership, \textit{supra} note 171.
\textsuperscript{173} Togan, \textit{supra} note 169, at 1013.
\textsuperscript{174} \textit{See generally} TURKISH NATIONAL PROGRAMME FOR THE ADOPTION OF THE ACQUIS, \textit{supra} note 168.
\textsuperscript{175} Nathalie Tocci, \textit{Unblocking Turkey’s EU Accession}, 12 INSIGHT TURKEY 27, 27–28 (2010).
\textsuperscript{176} Id. at 28.
\textsuperscript{177} Id.
Among the economic, political, and democratic standards required for Turkey to adopt is the Copenhagen Criteria.178 The Copenhagen Criteria exists as a document that must be ratified by all EU candidate members and ensures guarantees of democracy and human rights.179 As part of this criteria, a member state must satisfy three prongs: (1) the creation of a functioning market economy; (2) adherence to the EU’s political, economic, and monetary union; and (3) the promotion of stable institutions that guarantee democracy and human rights.180 This third requirement, also termed the political prong, encompasses human, minority, and women’s rights.181 While Turkey’s efforts to fulfill these provisions were initially widely praised by both the EU and the United States in 2003,182 the EU nonetheless expressed repeated dissatisfaction regarding Turkey’s treatment of women and minorities in subsequent years.

Specifically, the EU’s 2005 Progress Report noted an extreme lack of advancement by Turkish officials with regards to improving women’s rights. Evidence of Turkey’s failure to reform women’s rights was found specifically in the area of honor killings, which remained “a matter of serious concern.”183 Both the Special Rapporteur on violence against women and the Special Rapporteur on extrajudicial, summary, or arbitrary executions expressed apprehension over Turkey’s misrepresentation and underreporting of honor crimes.184 In the first eight months of 2006 alone, the European Court of Human Rights (“ECHR”) issued 198 judgments stating that Turkey was in violation of at least one ECHR article.185 Additionally, EU officials raised legitimate criticism that the Turkish Penal Code provided lenient sentences to perpetrators of honor crimes, and that the Turkish state had essentially become

179 Boon, supra note 171, at 824.
180 Elif Üçer, Turkey’s Accession to the European Union, 38 FUTURES 197, 200 (2006).
181 Id.
182 See Hickey, supra note 178, at 668.
complicit in such killings.\textsuperscript{186} These concerns were echoed in the 2007 \textit{Progress Report} for Turkey, which noted continued inadequacies in Turkey’s protection and enforcement of human rights.\textsuperscript{187}

Turkey’s difficulty in improving human rights has become a repeated criticism of the EU today and remains a “major stumbling block in negotiations.”\textsuperscript{188} The most recent 2013 \textit{Progress Report} complained that “[d]omestic violence, occasional honour killings and the issue of early and forced marriages remain a serious concern” in Turkey’s accession talks.\textsuperscript{189} Many EU member states continue to perceive Turkey as a highly patriarchal society with oppressive gender stereotypes ingrained in its social fabric.\textsuperscript{190} These shortcomings must be addressed in order to bring Turkey in line with European standards.

The negative publicity associated with Turkey’s treatment of minorities and women has served not only to stall negotiation talks, but has also caused EU member states to actively resist Turkey’s bid for membership. The linkage of honor killings with Turkey—and, by association, Muslims in general—led critics to argue that Muslim immigrants from Turkey would be unable to “integrate because Islam is inassimilable and therefore a threat to a ‘European identity.’”\textsuperscript{191} These stereotypes were further fueled by the tragedy of 9/11, which categorized all Muslim men as terrorists and all Muslim women as victims of male domination and oppression.\textsuperscript{192} This heightened the perceived incompatibility of Islam and Christianity, drawing further attention to the cultural uniqueness of honor killings during Turkey’s attempted accession.\textsuperscript{193} Thus, the EU began to place increased pressure on Turkey to strengthen its human rights law, and mandated certain reforms to the Turkish Penal Code as a key element of future accession negotiations.\textsuperscript{194}

\begin{footnotesize}
\begin{enumerate}
\item See Special Rapporteur on Executions Report, \textit{supra} note 184, ¶ 46.
\item Hickey, \textit{supra} note 178, at 668.
\item \textsc{Bogdani}, \textit{supra} note 115, at 27.
\item See \textsc{Bogdani}, \textit{supra} note 115, at 30, 47.
\item Ahmet Yükleyn, \textit{Compatibility of “Islam” and “Europe”: Turkey’s EU Accession}, \textsc{Insight Turkey} 115, 116 (2009).
\item See \textsc{Bogdani}, \textit{supra} note 115, at 127.
\item See id. at 128.
\item Hickey, \textit{supra} note 178, at 669.
\end{enumerate}
\end{footnotesize}
III. HONOR KILLINGS UNDER THE TURKISH PENAL CODE

In direct response to EU criticism, Turkey implemented legislative reforms in September 2004. These modifications sparked initial optimism within the EU, and represented an attempt to harmonize Turkey’s legal framework with existing EU laws. As part of these revisions, Turkey adopted extensive human rights legislation designed to “crack down” on honor killings. By implementing these reforms and simultaneously portraying honor killings as a purely Kurdish phenomenon, Turkey successfully distanced itself from these heinous human rights violations. However, an unanticipated consequence of this top-down transformation was the accusation by scholars and reporters that honor killings had merely transformed into honor suicides. This section analyzes the revisions of the Turkish Penal Code with respect to honor killings, and highlights the important changes in criminal sentencing that caused scholars to link this metamorphosis with the revised Penal Code.

A. The Former Turkish Penal Code and Legal Pluralism

In 1926, Turkey adopted its first modern Penal Code, which was modeled substantially after the Italian Criminal Code of 1889. Referred to now as the “former” or “old” Penal Code, this set of laws existed until Turkey’s adoption of the new criminal code in late 2004. Under this former code, honor killings became a type of state-sanctioned femicide in which the Turkish government offered complicity in the murders. Such complicity was evidenced by Turkish penal provisions “that explicitly offer[ed] perpetrators of crimes of honour exoneration from their actions, with the honour motif as mitigation.” Turkish judicial decisions under this code thus recognized and provided mitigation for criminal sentences based on honor or “custom” murders, implicitly legitimizing the killings. These lenient provisions remained in effect until EU officials threatened to halt accession talks unless perpetrators faced harsher sanctions.

---

195 Ertürk, supra note 184, at para. 55.
196 E.g., Hickey, supra note 178, at 668.
197 Id. at 669.
198 Adnan Güriz, Sources of Turkish Law, in INTRODUCTION TO TURKISH LAW 1, 9 (Tuğrul Ansay & Don Wallace eds., 2011).
199 Arin, supra note 50, at 823; see Sev’er & Yurdakul, supra note 32, at 987.
200 Sen, supra note 37, at 49.
Under the former Penal Code, the punishment for intentional murder was a minimum sentence of twenty-four years imprisonment.201 When the intentional murder was committed against family members, parents, or children, or was premeditated, the perpetrator received capital punishment under Articles 449 and 450.202 Provided that honor killings are premeditated intentional murders against family members, the minimum allowable punishment under the former Penal Code should have been life imprisonment without the possibility for parole in cases brought after 2004 and capital punishment for cases brought prior to 2004.203

Despite the clarity of these textbook sentences, most honor killing perpetrators rarely spent more than twenty years in prison under the former code, and acquittals were surprisingly common. In Siverek, for example, “nearly half of all honor killing cases tried in courts between 1996 and 2004 (44.4 percent) resulted in acquittal and the average sentence length for every woman murdered was 10.2 years.”204 Similar data was obtained in Urfa between 1974 and 2005, where the average sentence for an honor killing was 18.2 years in prison; however, the actual time served by most perpetrators was less than thirteen years, with a steady acquittal rate of twenty percent.205 Only seven percent of perpetrators in Urfa received life sentences or capital punishment.206 In Turkey overall, sentences were lowest from 1974 to 1989, with the average perpetrator spending less than 11.1 years in prison, and increased gradually from 1996 to 2005, where the average sentence became 15.7 years in prison.207 While the acquittal rate decreased overall from twenty-four percent in 1990 to eighteen percent in 2005, the acquittal rate for underaged perpetrators remained constant.208

The high acquittal rates and low sentences for honor killing perpetrators were the direct result of Articles 462, 51, 29, and 59 of the former Penal Code. These articles worked in conjunction to afford perpetrators substantial penalty

---

201 Wikan, supra note 39, at 82 (describing the typical punishment for murder as either life imprisonment or execution); see Kogacioglu, supra note 106, at 123.
202 Belge, supra note 65, at 50.
204 Belge, supra note 65, at 93.
205 See generally id. at 55–73.
206 Id.
207 See id. at 73.
208 Id.
reductions in the event of prosecution. Articles 462 and 29 of the former Penal Code defined usage of the provocation defense and offered sentence reductions of up to seven-eighths in cases of provoked homicide. Specifically, Article 462 covered instances of special aggravating provocation and applied primarily to situations where the perpetrator discovered that a first-degree relative was involved in an illicit or pre-marital relationship. Honor crimes were thus typically presented as homicides committed in the heat of passion, and were treated under Articles 462 and 29 as cases of unjust provocation. Article 462 even explicitly reduced a perpetrator’s punishment to one-eighth of the original sentence. The combination of Articles 462 and 29 typically resulted in the acquittal of murderous perpetrators despite the lapse in time between the affair and the killing. In fact, these provocation defenses were granted in approximately sixty-three percent of cases in which they were applicable.

Furthermore, Article 462 was often used in combination with Article 51, which served as a general mitigation clause. Article 51 reduced a perpetrator’s sentence by up to two-thirds if the individual committed homicide as a result of uncontrollable grief or provocation. When upheld, this defense offered an additional two-thirds penalty reduction in conjunction with the seven-eighths reduction afforded by Article 462. Similarly, Article 59 permitted a judge, in his or her sole discretion, to further reduce a perpetrator’s sentence by one-sixth. These sentence reductions, combined with the minimum age for prosecution, made it extremely difficult for the Turkish judicial system to effectively prosecute honor killing perpetrators under the age of eighteen. Thus, the Turkish state was deemed complicit in crimes of honor for its failure to harshly and effectively prosecute the perpetrators and eradicate the offense under the former Penal Code.

These mitigating provisions cannot, however, be analyzed in a vacuum, and the key to understanding these sentence reductions lies in the existence of legal

---

209 Sev’er & Yurdakul, supra note 32, at 971.
210 Kogacioglu, supra note 106, at 122–23; Vitoshka, supra note 55, at 23.
211 Kogacioglu, supra note 106, at 123.
212 Belge, supra note 65, at 73.
214 Kogacioglu, supra note 106, at 123.
216 Sev’er, supra note 35, at 182.
217 Wiklan, supra note 39, at 82.
pluralism within Turkish society. Defined at its basic core as the existence of multiple legal systems in one geographic area, legal pluralism challenges the traditional notion of “law” as a solitary system. 218 “To put it simply, legal pluralism recognizes multiple forms of ordering and bodies of rules which may be central to the lives of individuals but which are not dependent upon the state or state law for recognition or legitimacy.”219 Legal pluralism thus creates a space in which law and culture blend to erode the ideal of a single, textually explicit source of law.

In Turkey, legal pluralism was acknowledged and endorsed by judges from all legal circuits, and blurred the boundary between state law and familial rights. 220 Although the Turkish state espoused a solidified and unitary legal system, the unspoken reality was that the state was not the sole source of law and authority in Turkish society. Rather, Turkish courts recognized a family’s de facto right to control and punish its own members, and shared legal power with the family unit. 221 This sharing of authority facilitated the judicial perception of honor killings as regional and familial customs that should be subjected to lenient criminal sanctions. 222 Specifically, “[t]he framing of honor killings as ‘regional custom’ opened the way for both pluralist arguments for mitigating sentences based on the cultural background of the accused, and for legal centralist arguments on the supremacy of state law over custom.” 223 This legal discourse defined a broader pattern of the state’s relationship with clan families, and led to the relinquishment of substantial judicial control over the family unit as a whole.

This bifurcated legal system arose partly from Turkey’s rotating officer system and the state officials’ unfamiliarity with Kurdish language and politics. In an effort to promote employee loyalty towards the state, the Turkish elites limited the term for a judicial officer in Eastern or Southeastern Turkey to less than three years. 224 This rotating placement kept judicial and law enforcement officials purposefully ignorant of the communities in which they served. As a result, state officials came to view the Kurdish communities as

219 Id. at 74.
220 Corbin, supra note 112, at 125.
221 Id.
222 See Sev’er & Yurdakul, supra note 32, at 987.
223 Belge, supra note 65, at 66.
224 See generally id. at 88–100.
dangerous and separate from the mainstream Turkish population. Poised to consider the Kurdish ethnicity as inherently alien, officials readily accepted arguments that women in these regions were bound by familial customs that should be handled within the family. Laws implemented in Eastern Turkey emphasized that conduct should be viewed in light of regional practices and family expectations. Thus, the centrality and uniformity of the legal system began to break down and ushered in a defining era of legal pluralism.

B. The Revised Turkish Penal Code—A Step in the Right Direction

The reign of legal pluralism began its slow demise in the late 1990s and early 2000s as judicial officers noted incompatibilities between family customs and state law. This shift unsurprisingly coincided with the politicization of the Kurdish-Turkish boundary. Faced with the Kurdish uprising and demand for autonomy, the Turkish government imposed stringent laws aimed at repressing the Kurdish minority. However, as Turkey’s EU accession negotiations gained momentum, the state was forced to recognize the Kurdish ethnicity and improve both minority and human rights.

In direct response to EU pressure and growing outrage over Turkey’s lenient honor provisions, the Turkish government expedited legislative change in 2004 by revising the Turkish Penal Code. Modified in accordance with the Copenhagen Criteria, Turkey’s new Penal Code “resulted in a sudden shift from laws that arguably protect honor killing and are strongly gender-discriminatory to a new penal code and constitutional amendments, which . . . reject honorable motives as justification for murder.” Thus, the new Penal Code envisioned heavy prison terms—even life sentences—for homicide motivated by custom and honor.

---

225 Abu-Lughod, Seductions, supra note 81, at 46.
226 For example, Turkish judges invoked “regional traditions” and “customs” as explanations for their sentence reductions. See Kogacioglu, supra note 106, at 124 (noting that judges view honor crimes as “the result of ‘an unlucky turn of tradition,’ a case of ‘traditions getting out of hand.’” These judges “saw their colleagues as ‘appropriately’ taking social norms into consideration when judging.”).
227 Id. at 124.
228 See Belge, supra note 65, at 55–57.
229 See id.
230 See id.
232 Vitoshka, supra note 55, at 23.
In particular, Article 462 of the unrevised Penal Code, which provided a mitigating defense for homicide in conjunction with Article 51, was revoked.\textsuperscript{233} Comparably, Article 29 of the unrevised code, which reduced penalties in the event of “unjust provocation,” was substantially amended to clarify its inapplicability to honor killings.\textsuperscript{234} According to revised Article 29, “family members and relatives who commit honor killings . . . cannot benefit from a reduction [of penalty].”\textsuperscript{235} Additionally, Article 82, which discusses aggravating circumstances for homicide, was revised to include “custom” killings,\textsuperscript{236} and Article 453 was amended to impose heavier sanctions for honor killings of children.\textsuperscript{237} Under revised Article 453, the imprisonment term increased from a maximum of eight years to a maximum of twelve years.\textsuperscript{238} Similarly, Article 457 increased the penalty by an additional one-third to one-half of the original sentence if the violence was committed against a family member.\textsuperscript{239} Where the perpetrator stands in a guardian relationship with the victim (i.e. parent), Articles 414 through 416 mandate that the proscribed punishment be doubled.\textsuperscript{240}

The most important revision to the Penal Code, however, came in the form of Article 38. Article 38 provides that the perpetrator of an honor killing—typically the youngest brother—and the family council responsible for the decision to commit the crime are to be punished equally.\textsuperscript{241} The effect of this article is to eliminate the immunity that family councils and young perpetrators once enjoyed. Members of a dishonored family can no longer select the youngest male to commit the murder and escape from punishment. Rather, the

\textsuperscript{233} SEYER', supra note 35, at 182. Article 51, however, remains in effect “and again has been used to reduce the punishment for [honor killings] by as much as a third.” Id.

\textsuperscript{234} Vitoshka, supra note 55, at 23; see TÜRK CEZA KANUNU [TURKISH PENAL CODE] Sep. 26, 2004, Kanun 5237, art. 29 (Turk.).

\textsuperscript{235} Vitoshka, supra note 55, at 23; see TÜRK CEZA KANUNU [TURKISH PENAL CODE] Sep. 26, 2004, art. 29 (Turk.).

\textsuperscript{236} ELA ANIL ET AL., TURKISH CIVIL AND PENAL CODE REFORMS FROM A GENDER PERSPECTIVE: THE SUCCESS OF TWO NATIONWIDE CAMPAIGNS 63 (1st ed. 2005). See generally WIKAN, supra note 39, at 82 (stating that honor killings “are seen as an aggravated circumstance for murder crimes”); e.g., TÜRK CEZA KANUNU [TURKISH PENAL CODE] Sep. 26, 2004, Kanun 5237, art. 82 (Turk.).

\textsuperscript{237} Boon, supra note 171, at 836.

\textsuperscript{238} Id. at 836.

\textsuperscript{239} SEYER', supra note 35, at 176.

\textsuperscript{240} Id. at 178.

\textsuperscript{241} ANIL ET AL., supra note 236, at 63; see TÜRK CEZA KANUNU [TURKISH PENAL CODE] Sep. 26, 2004, Kanun 5237, art. 38 (Turk.).
entire family is tried and sentenced without the leniency of the unrevised Penal Code.242

Although Turkey has taken commendable legislative and judicial action on paper to eradicate honor killings, sentencing still remains largely within the discretion of the judge.243 Textual changes to the law cannot simply eliminate the patriarchal and cultural biases that may influence a judge’s decision-making process.244 “Even when an institution operates legally or efficiently, the undermining of women’s rights may be an integral part of its daily modus operandi or its ideological structure.”245 Most judges in Turkey remain social conservatives who interpret the law as offering light punishments to honor killers despite these amendments.246 Such an understanding of the law is legitimized on the ground that the term “honor killing” never once appears in the Turkish Penal Code.247 Rather, the Penal Code references “custom killing,” which judges may differentiate on a purely technical basis from honor killing. According to KA-MER, one of the largest women’s groups in Turkey focused on combatting honor killings, “[t]he law has changed, but you don’t see it yet in the courts when verdicts are handed out. Judges don’t always follow the new laws, they follow their own feelings too.”248 Therefore, while Turkey has achieved substantial progress in terms of legal reformation, the practical effect on daily activities is uncertain.

242 See Hickey, supra note 178, at 669; see also TÜRK CEZA KANUNU [TURKISH PENAL CODE] Sep. 26, 2004, Kanun 5237, art. 38 (Turk.).
243 See’ER, supra note 35, at 181.
244 See Gareth Jones, Turkey Faces Battle to Stamp Out ‘Honor Killings’, ASSYRIAN INT’L NEWS AGENCY (Apr. 7, 2006), http://www.aina.org/news/20060407001803.htm (highlighting that “[a]lthough welcome, tougher laws barely begin to tackle the deep social and cultural roots of honor killings.”); see also Leyla Pervizat, In the Name of Honor, CARNegie COUNCil FOR ETics IN INT’L AFFAIRs, http://www.carneigecouncil.org/publications/archivedialogue/2_10/articles/1058.html:pf_printable (last accessed Mar. 9, 2014) [hereinafter Pervizat, In the Name of Honor] (“Violence against women is legitimized by the attitudes of state actors, many mainstream human rights activists, and Turkish society at large because ultimately gender imbalances are the status quo.”).
245 Kogacioglu, supra note 106, at 121.
248 Jones, supra note 244 (quoting a representative from KA-MER) (internal quotation marks omitted).
IV. THE METAMORPHOSIS OF HONOR KILLINGS INTO HONOR SUICIDES—IS THE REVISED TURKISH PENAL CODE TO BLAME?

While the workable reality of Turkey’s new Penal Code remains unsettled, it is undeniable that these laudable changes have failed to reduce honor killings in any appreciable manner. Though honor killing perpetrators face harsh prosecution under the revised Penal Code for committing an honor crime, the prospect of imprisonment has allegedly only altered the form of honor killings instead of eradicating them. According to scholars, the phenomenon of “honor suicide” emerged simultaneously with the adoption of the new Penal Code as a method for cleansing family honor without risking criminal punishment. Rather than electing the youngest male to perform the murder, Turkish families have now begun to urge the tainted females to take their own lives and spare their families the loss of two members—one in death and one in prison. When viewed in conjunction with worldwide trends in suicide, scholars argue that the causal connection between the Penal Code revisions and the transformation of honor killings into honor suicides is undeniable. The problem with this bold assertion, however, is that scholars have failed to take into account honor suicides that occurred under the former Penal Code, and have not provided statistical data to demonstrate a marked increase in female suicides after the revised code’s adoption. This section traces the metamorphosis of honor killings into honor suicides and challenges the widely held belief that Turkey’s legal revisions caused this transformation.

A. In Support of Causation: The Link Between the Revised Penal Code and Honor Suicides

Prior to the Penal Code revisions in 2004, honor suicides were rarely mentioned in Turkish and international news. The depth of coverage for honor suicides extended only to the mere mention of honor killings occasionally being disguised as suicides. Statistics and detailed information regarding these suicides were unavailable, and the act garnered little media attention. The term “honor suicide” remained a relatively undefined phrase in literature and scholarship. Following the adoption of the new Penal Code in late 2004,

---


250 Cohan, supra note 15, at 193.

251 See Bilefsky, supra note 2.

252 See Wikan, supra note 39, at 77 (stating that “[h]onor killings may also be camouflaged as suicides”).
however, news agencies and the United Nations noted a drastic spike in Turkish female suicides. The coincidental timing between the appearance of suicides and the implementation of harsh punishments for perpetrators of honor killings led scholars to establish a causal link between the two variables. When viewed in conjunction with worldwide trends in suicide, the connection between the Penal Code revisions and this metamorphosis appears misleadingly strong.

Across the globe—and particularly in Western countries—men are three to four times more likely than women to commit suicide. Those women in the West who do commit suicide are typically over the age of forty-five. In Turkey, however, the highest proportion of suicides is committed by young females under the age of twenty-four. Females under twenty-four years old account for fifty percent of all Turkish suicide victims, and that percentage is expected to increase in the upcoming years. There is no other place in the world with the exception of China that reports higher suicide rates for women than men.

While these “mysterious suicides” have typically been treated with suspicion in Turkey, an allegedly dramatic increase in the suicide rate for 2006 sparked a UN investigation. As of May 2006, over thirty-six women had attempted suicide in Turkey, which surpassed the rate for the entire 2005 year. In the province of Van alone, there were twenty suicides up through May 2006, compared with a total of eighty to ninety between the years 2000 and 2003. By June 2007, more than nineteen young women had attempted suicide in Batman, and most were successful. According to scholars, these

253 See Howden, supra note 249.
254 Ramakrishna, supra note 215, at 1404.
257 SEV’ER, supra note 35, at 170.
258 Coskun et al., supra note 255, at 63–64.
259 SEV’ER, supra note 35, at 170.
260 Erdem, supra note 255; see Bilefsky, supra note 2.
261 Howden, supra note 249.
262 Erdem, supra note 255.
263 Smith, supra note 21.
“[u]nusually high rates of suicide among young people are a rather recent phenomenon.”

In light of the high suicide rate, the UN Special Rapporteur on Violence Against Women visited the southeastern provinces of Turkey in 2006 to determine whether the suicides were disguised honor killings. The Rapporteur cited cases in which police suspected hidden murders, and acknowledged that some of the suicides were likely cloaked honor killings. Although the Rapporteur could not conclude that all of the suicides were disguised murders, she did express horror at the number of reported female deaths in Turkey. Despite this unsatisfying conclusion, KA-MER conducted face-to-face interviews with over 1,800 women and determined that a large proportion of these suicides were forced or cajoled.

Moreover, when compared with suicides internationally, approximately seventy-seven percent “of the Batman women who took their own lives used extremely ‘violent’ and ‘irreversible’ ways to do so (hung, shot or burned themselves to death).” This is in stark contrast to international literature on suicides, which states that women generally use less effective and less violent means of killing themselves (for example, ingesting sleeping pills). Thus, the violent methods used are consistent with the theory of forced suicide, and suggest that these suicides are a transformed version of honor killings. Given the alleged recentness of the metamorphosis combined with the convenient timing of the revised Penal Code’s implementation, a causal connection between the two events appears plausible.

B. The Devil’s Advocate: Why The Causation Theory is Flawed

Although scholars intuitively posit that harsher punishments under the revised Penal Code increase the suicide risk for honor killing victims, the researchers fail to prove that honor suicides developed or increased after the revised Penal Code took effect. While the publicity of honor suicides skyrocketed after 2004, the news articles and statistics repeatedly reference

264 Kogacioglu, supra note 106, at 129.
266 Howden, supra note 249.
267 SLEV’ER, supra note 35, at 161.
268 Id. at 171.
269 Id.
honor suicides that occurred during the late 1990s and early 2000s, before the adoption of the revised Penal Code.\footnote{See Christine Toomey, Where Beast Meets West, SUNDAY TIMES, May 14, 2006, at 45–46.} There are few facts to suggest the phenomenon of honor suicides arose in direct response to the threat of imprisonment for perpetrators. The inability of scholars to explain the existence of honor suicides before the adoption of the revised Penal Code casts doubt on their conclusions.

First, the existence of a high female suicide rate in Turkey—and particularly southeastern Turkey—simply supports the proposition that honor suicides occur within the Turkish state, not that they arose primarily after 2004. According to an article published by Christine Toomey in 2006, 281 females attempted suicide in Batman between 2001 and 2005, which was three times the number of attempts by men.\footnote{Id. at 45.} This statistic, while shocking on its face, includes both pre- and post-revision suicides combined. There is no effort by the author to separate out the rate of suicide before and after the implementation of the revised Penal Code. Instead, the author simply makes the sweeping conclusion that the revisions in the Turkish Penal Code, combined with EU demands for Turkey to improve human rights, have caused this tragic development.\footnote{Id. at 44.} However, without a detailed list of year-by-year suicide rates, it is impossible to substantiate this claim.

Scholar Jan Goodwin similarly offers a link between the revised Turkish Penal Code and honor suicides, directly stating that “Turkish authorities now suspect that ‘honor suicides’ are replacing traditional honor killings.”\footnote{See id. at 44.} In support of this assertion, Goodwin reports that between 2001 and 2006 there were 1806 honor killings in Turkey and 5375 female suicides.\footnote{Goodwin, supra note 2.} Goodwin suggests that these numbers support the conclusion that honor killings are decreasing across Turkey while honor suicides are on the rise.\footnote{Id.} Unfortunately, Goodwin commits the same error as Toomey, in that she combines both pre- and post-revision incidents to inflate the statistics. Goodwin never contrasts the number of pre- and post-revision honor killings and suicides. Rather, Goodwin uses a five-year time period that offers no meaningful comparison of data.\footnote{Id.} This is true even if Goodwin’s thesis centers
solely on EU pressure and not the Penal Code itself causing the transformation of honor killings into honor suicides. Nowhere does Goodwin compare the honor killing and suicide statistics for Turkey before and after Turkey’s bid for EU accession was accepted. It is impossible to link honor suicides to EU influence or the revised Penal Code based solely on this set of insufficient data.

Furthermore, author Aybige Yilmaz called the causation theory into question when she announced that “between 1995 and 2000 the total number of reported people committing suicide and attempting suicide in [Batman] was 191, and seventy-five percent of these were women, a figure well above the world average.” This data implies the existence of a high female suicide rate in Turkey long before the state government “cracked down” on honor killings through Penal Code amendments. Moreover, the timeframe examined in this article was substantially confined to the period before the EU accepted Turkey’s membership bid in late 1999. The logical realization from this article and its accompanying data is that honor suicides are more strongly connected with the honor-shame complex and honor culture than with EU pressure and legal reforms: “Indeed, there seems to be an insidious link, especially in the east and south-eastern Turkey, between the unexpectedly high numbers of suicides of young women/girls, and the suffocating honour codes they are expected to live under.”

Given the time periods analyzed in the above-mentioned articles, the only constant variable contributing to honor suicides is the underlying patriarchal emphasis on honor within Turkish society. This connection between suicides and honor culture has been insufficiently explored by scholars to date, and remains off their radar due to the use of the revised Penal Code as a simplified scapegoat.

An examination of compiled suicide statistics from the Kurdish Human Rights Project reinforces the argument that honor suicides are more closely associated with the underlying honor-shame complex than with EU pressure and Turkish legal revisions. In Van, a southeastern province of Turkey, the Kurdish Human Rights Project reported the following suicide statistics from 2000 to 2006:

---


278 SEV’ER, supra note 35, at 161.

279 Kogacioglu, supra note 106, at 129 (“The reasons for such suicides—theyir potential links to pressures having to do with family honor, to the effects of the armed conflict between Kurdish guerrillas and the Turkish army, or to the economic situation—have not been sufficiently explored.”).

280 KURDISH HUMAN RIGHTS PROJECT, EUR. PARLIAMENT’S COMM. WOMEN’S...
2000: 15 suicides
2001: 27 suicides
2002: 17 suicides
2003: 12 suicides
2004: 11 suicides
2005: 11 suicides
2006: 21 suicides

According to the report, the highest rate of suicide was in 2001, three years before the revised Penal Code was adopted. Although the suicide rate decreased from 2002 to 2005 and subsequently increased in 2006, this data cannot be used to persuasively argue that honor suicides came into existence because of the revised Penal Code. In fact, the revised Penal Code was adopted in 2004, yet the suicide statistics for both 2004 and 2005 are lower than their pre-revision counterparts. Although the suicide rate increased in 2006, it is unclear how and if the revised Penal Code had anything to do with it. There is simply insufficient data to conclude that the revised Penal Code caused the metamorphosis of honor killings into honor suicides.

Additionally, the report details honor suicides in Batman, which has become known as the “suicide city.” The Insan Haklari Derneği (“IHD”) collected suicide statistics from press reports and news articles to estimate the approximate number of suicides in Batman on an annual basis.281 The organization discovered that honor suicides were not reported in the press until between 1997 and 1998, and could not collect data on suicides before that time.282 However, beginning with the year 1999, IHD documented the number of reported suicides or attempted suicides in the press as follows:283

1999: 53 suicides or attempted suicides (36 of these victims were female)
2000: 44 suicides or attempted suicides (26 of these victims were female)
2001: 79 suicides or attempted suicides (52 of these victims were female)
2002: 68 suicides or attempted suicides (53 of these victims were female)
2003: 23 suicides or attempted suicides (13 of these victims were female)
2004: 19 suicides or attempted suicides (8 of these victims were female)
2005: 25 suicides or attempted suicides (16 of these victims were female)

---

282 Id. at 41.
283 Id.
2006: 33 suicides or attempted suicides (24 of these victims were female)

The Bar Association in Batman offered similar statistics for the years 1999 and 2000, claiming that there were fifty-three suicides in 1999 and of these, thirty-three victims were women. In 2000, the Bar Association reported fifty-seven suicides with thirty-eight female victims. These data sets for Batman suggest that the highest rate of suicide occurred in 2001, which was after the EU accepted Turkey’s bid for membership but several years before the adoption of the new Penal Code. The years 1999 and 2000 also witnessed significantly higher rates of female suicide than the post-revision years of 2005 and 2006. Aysan Sev’er called the suicide rate for Batman in 2000 “an unprecedented anomaly” and noted that the suicide rate for women jumped to 9.9/100,000. This data even refutes the argument that honor suicides have dramatically increased after the legal revisions were implemented. Thus, the causal link between honor suicides and the revised Turkish Penal Code is unsubstantiated by the data.

Furthermore, investigation into the motive of the suicide is extraordinarily difficult when the victim does not survive. Families that force a female to take her own life or stage the homicide as a suicide do not typically confess to the crime, particularly if their motive is to avoid imprisonment. There is a strong possibility that reporters overestimate the number of forced suicides by simply assuming that all female suicides are honor killing substitutes. It is impossible to know how many suicide victims were forced to kill themselves versus the number of women that committed suicide for other reasons. For example, a study conducted by the Turkish Statistical Institute found that only 9.1% of attempted female suicides were due to “family incompatibility.” The implication from this study is that 90.9% of suicides were the result of non-family influence. This lack of conclusive evidence that suicides are honor-related prevented the UN Special Rapporteur on Violence against Women, Yakin Erturk, from concluding that the suicides in southeastern Turkey were actually disguised honor killings. According to Erturk, “[n]ational and international media have speculated whether suicides of women and girls are in

284 Id.
285 Id.
286 SEV’ER, supra note 35, at 170.
287 See id., at 181.
reality disguised honour killings or forced suicides. For many of the cases reported to me, these speculations probably do not hold true.\footnote{289}

Thus, the blanket claim by reporters and scholars that honor killings have transformed into honor suicides as a direct consequence of the revised Penal Code lacks evidentiary support. The statistics and data provided by both governmental institutions and popular news media fail to separate pre- and post-revision suicides and do not account for how any alleged increase in suicides is directly linked to a decrease in honor killings. There have been no studies conducted analyzing the rates of suicide and honor killings over the years leading up to the Penal Code revisions and the years following its adoption. The data, as it currently stands, is too tenuous to support the causal connection that scholars and researchers espouse. Rather, it is more likely that the suicides are intertwined with the underlying systems of honor and shame that dominate certain aspects of society, and the alleged increase in honor suicides is due to persistent media attention.

V. THE NECESSITY OF COMMUNITY DISCOURSE FOR HONOR CRIME ERADICATION

Although the connection between honor suicides and the revised Penal Code is likely not one of causation, the fact remains that the revised Penal Code has failed to effectively eliminate honor crimes within Turkey’s borders. Regardless of form, honor crimes exist within Turkey—and worldwide—at an unacceptable rate, and top-down legal reformation has failed to sufficiently mitigate the crime. In light of the fact that both honor killings and honor suicides still exist almost ten years after adoption of the Penal Code revisions, it is time to acknowledge that legal amendments and judicial overhaul are insufficient by themselves to eradicate honor crimes. Rather, for the revised Code to acquire legitimacy and command obedience, community perceptions of honor and honor crimes must change from the ground up. This section advocates for implementation of community discourse programs throughout the Turkish state in order to effectively undermine the honor-shame complex that fuels these murders.

\footnote{289} Press Release, United Nations, supra note 269; see UN Urges Turkey to Probe Claims of Forced Suicide Among Women, KURD NET (May 1, 2006), http://www.ekurd.net/mismas/articles/misc2006/16/turkeykurdistankurdistan714.htm (“[Yakin] Erturk explained that many of the suicide cases reported to her in the provinces of Batman, Sanliurfa and Van did not appear to be suspicious.”).
A. The Failure of Legal Revisions

The revisions to the Turkish Penal Code, while commendable and necessary, have failed to mitigate and combat both honor killings and honor suicides in any appreciable manner. Although the revised Penal Code offers no place for discrimination against women, many females nonetheless experience horrible deaths at the hands of their family members.290 “Like a wounded dinosaur, the patriarchal strongholds are extracting a few more victims in the hope of preserving the status quo,” and family members are undeterred by the possibility of legal sanctions.291 The legal equality of the sexes has done little to end honor violence against women.292 Thus, while the Penal Code may have changed and strengthened overnight, feudal patriarchal values are not so adaptable.293

One reason for the inefficiency of the Penal Code in combating honor crimes is that women must still file a complaint to receive legal protection. This requirement keeps “many of the new provisions [of the Penal Code] out of reach for victims.”294 This is particularly true in the southeastern provinces of the country, where the literacy rate is frighteningly low.295 Additionally, the complicity of both the state and police deter numerous victims from seeking legal protection. Turkish police have been known to “openly side with the perpetrators” and are reluctant to follow up on complaints of honor crimes.296 Women who do seek help are frequently told to return to their husbands, and are denied protection if their situation is not grave enough.297 Moreover, there is little differentiation among the police between accidents and suicides, and the ability to bribe a Turkish police officer is not a foreign concept.298 Even if a woman is able to acquire police protection, family members have traditionally been able to use the legal and law enforcement systems to locate the female in hiding and bring her home to face “justice.”299

290 Sev’er & Yurdakul, supra note 32, at 988.
291 Id.
292 Mojab & Hassanpour, supra note 47, at 85.
293 See Arin, supra note 50, at 823 (“Customary murders persist where feudal patriarchal values remain and such ideology cannot be changed overnight.”).
294 SEV’ER, supra note 35, at 183.
295 POPE, supra note 57, at 41 (noting that the illiteracy rate in the eastern and southeastern provinces of Turkey is over forty percent).
296 SEV’ER, supra note 35, at 186.
297 Id. at 187.
298 See id. at 186.
299 Id. at 187.
Furthermore, the discriminatory attitudes of public officials have caused familial violence to be perceived as a “fact of life” in the Kurdish dominated southeast. A majority of police, gendarme, lawyers, judges, and legislators within the country are disproportionately male, and may continue to harbor stereotypical beliefs about Kurdish culture. Public officials, schools, and police “have been reluctant to become involved in what they tend to see as family disputes,” even after the adoption of the revised Penal Code. Thus, while the legal code itself may have changed, the frontline response to reports of honor crimes—police intervention and investigation—has been historically abysmal.

It is for these reasons that a narrow legal approach unaccompanied by broader cultural initiatives is ineffective at reducing and eliminating honor crimes within Turkey. There must be a “recognition that law-based strategies alone are not enough, and that there is a need for other interventions.” Proposed legislation and implemented revisions that punish perpetrators are too reactive and arrive too late to the party. By the time law is invoked, there is often a corpse, not a frightened victim. Therefore, effective eradication of honor crimes must employ a proactive strategy that addresses the underlying frameworks of patriarchy and honor that give rise to these killings and suicides. It is time to recognize that the law is not enough.

B. Community Discourse: Why Muslim Women can Slay Their Own Dragons

The unparalleled fascination of “Western” culture with the “spectacularly oppressive practices” of Turkey and the Middle East has resulted in tremendous international pressure to address global human rights violations. “Western” feminists have mobilized around issues of domestic violence and murder primarily affecting Muslim women. These activists operate from the assumption that the values of freedom and choice are universal and should be achieved in every community. From this dialogue, a category of “pulp nonfiction” is created in which “Western” nations must continuously save
Muslim women. The intricate complexities of honor crimes are “simplified to fit a narrative of progress in which downtrodden Muslim women [are] given new lives by enlightened ‘saviors’ who rescue[] them from ‘savages.’” In direct response to this rhetoric, international organizations impose constant pressure on the Middle East to increase honor crime punishments and “crack down” on perpetrators.

This interaction, however, between the Middle East (specifically Turkey) and its international allies obscures the social realities of honor crimes, and results in untenable solutions. Women’s experiences are shaped differently based on their geographic location, class position, and religious beliefs. A “one-size-fits-all” approach is both arrogant and catastrophic. Without understanding the societal fabric upon which honor crimes occur, it is impossible to propose a workable solution to these human rights violations. “Western” organizations that apply pressure on these communities to “modernize” and eradicate honor crimes do so by advocating “Western” solutions. Not only does this imply moral superiority on the part of the “West,” but it also encourages gender and cultural subordination on an international scale.

When faced with “Western” pressure to combat honor crimes, Turkey and similar countries adopt resolutions that modernize their state institutions, infrastructure, legal codes, and legislative processes. Unfortunately, these actions, encouraged by the international community, do not substantially further their cause. As seen with the revised Turkish Penal Code, top-down reformations cannot change the underlying patriarchal and honor structures of society. In fact, the same state officials and local elites who propose these top-down measures are themselves products of the same culture that produces honor crimes. Rather, the solution must start from the ground up, beginning with community discourse.

309 Id. at 79, 126; see also Sherene H. Razack, Casting Out: The Eviction of Muslims from Western Law & Politics 17 (2008).
310 Abu-Lughod, supra note 109, at 14.
311 Id. at 12.
312 See Ince et al., supra note 16, at 537 (“By preserving the subordination of women, the modernization process has a responsibility for the persistence of customary killings in [Turkey].”).
313 Id. at 539 (“New social and legislative regulations, enforced thanks to the policies of developing feminist and egalitarian groups, do represent steps towards a resolution of the problem but these are unfortunately far from adequate.”) (emphasis added).
314 See Sev’er, supra note 35, at 303.
315 Kirti et al., supra note 50, at 350.
The term community discourse denotes “discussion of all aspect of ‘crimes of honour’ within the community” where they occur. This strategy is premised on the view that the state is complicit in honor crimes, and that reliance on external pressure to eliminate honor killings and suicides is a form of cultural imperialism. Community discourse works as a local solution to help transform family and community attitudes towards honor crimes. As a proactive attempt to change the patriarchal structures that support these killings, community discourse generates and sustains a local dialogue aimed at redefining the concept of honor. “The goal of this community discourse should be to change the normative meaning of the communications surrounding the possession of honor property.” Because the notion of honor is so deeply imbedded in Turkish culture, the traditional “Western” human rights framework ineffectively treats perpetrators as criminals rather than perceiving them as victims of their own cultural masculinity. Thus, an effective solution for honor crimes must alter the very social fabric that legitimizes the crimes in the first place. A purely reactive, legal approach is useless where honor crimes are the norm, not the exception.

One of the most prominent examples of successful community discourse in Turkey is the women’s organization KA-MER. Located in Turkey’s southeastern province of Diyarbakir, KA-MER strives to address the problem of honor killings before the executions occur through direct interaction with the family councils. According to Leyla Pervizat, an activist at KA-MER: We try to give men what I call cultural and psychological space where their masculinity is not challenged and they do not feel forced to kill in order to cleanse their honor. To do this, and in order to help create space for long-term change, we take advantage of some of the positive aspects of Turkish culture that offer individual men an excuse to avoid violence. These include special occasions and gatherings where nonviolent negotiations are encouraged or where authority figures can act as intermediaries, in which we can make use of traditions of hospitality toward guests or respect for elderly people’s recommendations as tools to prevent these crimes.

316 An-Na’im, supra note 27, at 64.
317 Id. at 66, 73.
318 Pervizat, In the Name of Honor, supra note 244.
319 Bond, supra note 29, at 256.
320 See An-Na’im, supra note 27, at 71.
321 Pervizat, In the Name of Honor, supra note 244.
322 Id.
With an approximate two month window between when a killing is ordered and when it takes place, KA-MER has ample time to discuss the motivations for murder with the victim’s family and find a less violent solution. The most respected members of KA-MER visit the patriarchs and humbly ask them to reverse honor killing decrees by reminding them of honor outside the sexual context. In this way, the conception of honor is actually used to combat honor crimes in a culturally sensitive manner. Because activists at KA-MER have an understanding of the tribal and clan structures of the southeastern provinces, they can succeed at “building gendered bridges, in a land that is fractured by land-ownership patterns and ethnic conflict.” This internal approach to honor killings exposes the patriarchs to women’s views on honor crimes in a respectful and non-threatening interaction that does not involve the courts or law. Thus, rather than trying to dismantle the honor structure from the outside in, KA-MER employs a localized strategy that does not require the “West” to save Muslim women. Muslim women themselves are leading a more successful campaign against honor crimes from within their own borders.

The success of KA-MER’s program is undeniable. The number of women applying to KA-MER has increased each year, totaling 750 applicants between 2003 and 2010. Of these 750 applicants, 414 received assistance from the organization, and only three women died. Even the police have started to regularly consult KA-MER in honor-related complaints, and have referred women to the organization for assistance. In this manner, KA-MER stimulates a communal dialogue that emphasizes the positive functions of honor without imposing a stereotypical “Western” solution. Therefore, KA-MER attempts to disassociate the concept of honor from women’s bodies and create neutral spaces in which family and community attitudes towards these crimes can be transformed.

If the brutality of honor crimes is to be stopped, then “Western” and international organizations must begin working with the victims and women in these cultures instead of working for them. Because culture informs and

323 Smith, supra note 21.
324 S E'ER, supra note 35, at 333.
325 Id.
327 Id. at 200.
328 S E'ER, supra note 35, at 332. According to KA-MER, of the 414 applications accepted, 23.4 percent of the women were directed to KA-MER by a governmental organization, including the police and court. KA-MER, supra note 326, at 186.
constructs both our identities and our experiences, it is impossible to combat patriarchal femicide without first understanding the environment in which it is created.\textsuperscript{329} It is for this reason that the proposed solutions must have the cooperation of the community in order to thrive.\textsuperscript{330} Furthermore, including community discourse in the honor crime solution is necessary out of respect for the autonomy of families within those communities.\textsuperscript{331} It is time for the solutions to femicide and honor killings to originate within the cultural framework itself rather than from external pressure to modernize and criminalize the perpetrators.\textsuperscript{332} Foreign intervention is no longer necessary to “save” Muslim women—these women are powerful enough to save themselves. Thus, the international community should devote resources to fostering local community discourse through agencies such as KA-MER and should avoid advocating one-size-fits-all “Westernized” solutions.

\textbf{CONCLUSION}

In the context of Turkish honor killings, the collision between cultural norms and textual law appears like clashing waves in the sea. Pitting patriarchal values against top-down modernization, the Turkish state has thrust honor killings to the forefront of a political battle over women’s bodies. On the one hand, women’s bodies “are seen as the battlegrounds for men’s struggles to assert and reclaim their masculinity,”\textsuperscript{333} and on the other, the female figure is perceived as a marker of modernity. The tension between these two extremes has produced sensationalized literature on honor crimes, and has resulted in the ethnicization of murder.

 Particularly, the “Western” association of honor killings with the Islamic faith has constructed Muslim women as passive victims “bound by the unbreakable chains of religious and patriarchal oppression.”\textsuperscript{334} Whereas “Western” women are deceptively liberated, Muslim women are portrayed as slaves to patriarchal rules and gender constraints.\textsuperscript{335} In this manner, the image

\textsuperscript{329} See RAZACK, supra note 309, at 137 (“Until we can actually see Muslim communities in all their complexities, we have little chance of making theses spaces less violent.”).
\textsuperscript{330} Kirti et al., supra note 50, at 351.
\textsuperscript{331} Id.
\textsuperscript{332} See RAZACK, supra note 309, at 129 (explaining that “legal solutions have to be crafted with Muslim communities in mind. That is, they have to address the cultural context of the crime”).
\textsuperscript{333} Pervizat, In the Name of Honor, supra note 244.
\textsuperscript{335} Id. at 128–30.
of the oppressed Muslim woman ensures a stabilized theme of “Western” superiority and dominance.

As the forerunner for modernization, the “West” has waged an international war on cultural forms of femicide that are labeled as backward, barbaric, and primitive. Honor killings in particular have been singled out for their cultural uniqueness and targeted by the international community as threats to modernization. Faced with both international and EU pressure to eradicate honor crimes in order to foster accession negotiations, Turkey has engaged in its own “othering” of the crime to disassociate itself from these “cultural” killings. Specifically, Turkey has adopted its own ethnicization of murder to marginalize an already disadvantaged minority group—the Kurds. By isolating the Kurds, Turkey positions itself closer to the “West” on the modernization spectrum, and uses honor killings as a mask for forced assimilation programs against the Kurds. In this manner, Turkey strips the Kurdish culture of its moral values and complexity, and ignores the role that state institutions play in perpetuating violence.

Although comprehending honor killings from an ethno-cultural and regional perspective is exceedingly restrictive, Turkey nonetheless targeted Kurdish honor killing perpetrators through top-down legal reformation. By “cracking down” on the leniency previously granted to perpetrators, Turkey modernized its Penal Code to impose harsher punishments for honor crimes. These legal revisions, however, led scholars and reporters to claim that honor killings had simply transformed into honor suicides.

As this Article has shown, the causal link between honor suicides and the revised Turkish Penal Code is tenuous at best and likely nonexistent. The statistical data does not support this linkage, but rather undermines its strength. Without clear pre- and post-revision statistics, it is impossible to compare honor killing and honor suicide frequency within the necessary timeframes. Instead, given the data currently available, it is much more likely that honor suicides are connected with the underlying patriarchal structures that fuel honor killings. Regardless of what caused the emergence of these suicides, it remains clear that the revised Penal Code has failed to appreciably reduce honor crimes throughout Turkey.

336 See supra Part II.
337 See supra Part VI.B.
Rather than implementing a doomed top-down legal approach to honor crimes, the most effective solution lies in the strategy of community discourse. While the law may change overnight, the underlying cultural and patriarchal values that fuel societal morality are not so easily altered. In order to delegitimize the conception of honor as property concealed within the female body, there must be “active and sustained discursive engagement with local communities.”338 Women must be provided the tools to undermine these structures from within, and there is no place for allegedly superior “Westernized” solutions. Honor crimes cannot be stopped without directly understanding the cultural environment in which they were first created. It is only by evolving culture from within that honor crimes can truly be eliminated.339

338 Bond, supra note 29, at 256.
339 See Zaunbrecher, supra note 62, at 706.