

Written evidence from National Commission on Forced Marriage [HBA0043]

NCFM welcomes the opportunity to participate in the Inquiry on so-called honour-based abuse (HBA) called for by the Women and Equalities Committee. There have been several inquiries and ongoing discussions in the Violence Against Women and Girls (VAWG) sectors, both statutory and voluntary.

At NCFM we believe that government, statutory bodies and the voluntary sector should put an end to using the terms ‘so-called HBA’, and ‘HBA’ because they feed into and perpetuate the patriarchal discourse of ‘honour’. The term HBA is embedded in patriarchal systems and deployed as shorthand to codify, justify and perpetrate cultures of cruelty directed mainly at women and girls, LGBTQ, and transgender persons in various communities. HBA fuels misogyny, and LGBTQ and transgender abuse. This is not to say that men are not subjected to ‘so-called HBA’.

There is and can be NO HONOUR in cultures of cruelty whereby families and communities control members in their fold, and whom they coerce, gaslight, and groom. Families mutilate the genitals of girls and force them into marriages that constitute statutory rape, and human trafficking. Let us never forget that families and communities can and do murder those who refuse to bow to their pressure, or the so-called incorrectly named discourse of ‘honour’.

The perpetrators of the heinous crimes of ‘so-called HBA’ argue that they lose their honour, encounter shame and lose face, status, purity of religion, caste or class because of the actions, mainly of women.

What HONOUR is there in the abovementioned crimes? The real drivers of ‘so-called HBA’ stem from perceived fears of loss of power, status, economic and cultural capital, social class and caste, ethnic and religious status and purity. These matters are addressed further in Questions 1 & 2.

Another reason for statutory bodies and the voluntary sector to discard the terms ‘HBA’ and ‘so-called HBA’ is that in current practice these terms are viewed through a racialised, and communitarian (both ethnic and religious) lens. This labelling by the state has perpetuated stereotypes and triggered a parallel racist discourse of discrimination – albeit unintended.

Over a decade of active research and interaction with victims and survivors of forced marriage, the Commission’s research indicates that so-called HBA is not restricted to

BAMER communities: it is found in every religious and ethnic community in the U.K., and it cuts across class and caste background.

Q1: What forms of violence against women and girls are motivated by so-called honour? Are these different forms understood by the Government, police and other agencies?

NCFM accepts that the main thrust of ‘so-called HBA’ is against women and girls. Nevertheless, the Commission argues that to have a holistic understanding of HBA, VAWG must be viewed together with violence against LGBTQ and Transgender communities.

To understand how violence against women and girls is linked to the discourse of so-called honour it is important to analyse how the drivers of HBA are embedded in pervasive patriarchies that fuel misogynistic attitudes towards women and girls. So-called HBA is embedded in patriarchal systems, fighting a persistent fear of a loss of perceived purity, status and wealth, in a constructed gendered hierarchy that breeds violence against women and girls, LGBTQ, and transgender persons.

Patriarchy accommodates men and women, provided they are perceived to be good and heterosexual – in this equation, transgender persons are beyond the pale. Every family, community and group define and police their moral boundaries – not always in consonance with the laws of the U.K., which can lead to families and communities transforming into vigilantes.

Patriarchy is a complex global practice continually reinvented and reinforced through a nexus of ideas, customs, and social behaviour for the gendered allocation of rights and resources - for instance, in families, communities and societies where men wield more power and can earn more than women for the same job (as happens in the U.K.) It is instructive to view the discourse of so-called honour and patriarchy through the lens of forced marriage, a key outcome of years of systemic familial and communitarian abuse and among the most heinous forms of what is referred to as HBA.

To fight the fear of a loss of perceived purity, status and wealth, patriarchy privileges heterosexual marriage as the bedrock of social relations in a global context of asymmetrical power between men and women. At the most basic level, patriarchy is founded on a fear of the woman and the girl child's impending reproductive function, which fuels cultures of misogyny and violence against women and girls. To control the female's reproductive function, she is married off as soon as she attains puberty – in some cases even earlier

because a female is seen to have the potential to bring shame to a family's reputation and perceived sense of honour. The recent legislation against child marriage is to be applauded, but how are we going to raise awareness, risk assess and safeguard child brides, in a climate of draconian funding cuts?

At the most fundamental level, a woman can choose to produce offspring in or out of wedlock with a man considered inappropriate by her family and community. Before DNA testing (which is not readily available to most people), a woman had the power to conceal or misrepresent the paternity of a child. In heinous circumstances, in war and peace, a female can be a victim of rape and produce offspring of unknown paternity. In communities where a female has the right to inherit property, she presents further detriment with the possibility of a family's wealth moving out of its control.

Patriarchal codes are deployed to preserve male domination and perpetuate group exclusivity through endogamy, a practice of marrying within a self-defined group based on religion, race, wealth, social class, and status. Through endogamous marriage, families retain or expand power and property ownership and status and control reproduction. Parents and elders, families, and communities assume self-apportioned rights to choose or arrange a marriage partner for their offspring, ward or member of the wider family and community.

In the UK, endogamy cuts across all segments of society regardless of religion, race, wealth, social class, and status. For example, it is not uncommon to marry daughters through forced marriage within a family or clan and to a cousin or barter the female. (Nancy Lindisfarne, 2006). While Lindisfarne's ethnography of marriage as a trade practice covers Afghanistan, in the UK, NCFM came across cases where the exchange of property ownership, land, wealth and status were central to the forced marriage in question – for example, in the case of a white ethnic crofter.

Another strategy to prevent the young from defying endogamy is to forbid love marriage outside the self-defined natal group. Those who dare to rebel are threatened and ostracised by their family and community: some are killed for refusing to marry within or daring to marry outside the group into which they were born.

Patriarchal families adopt several strategies to weaken the economic, social, and cultural capital of daughters who are disinherited through entail, wills and family and community custom. More attention is paid to sons' education and vocational training in parallel

moves, even when a daughter is brighter academically. Disinherited with no property to her name and her right to education curtailed makes the child or woman financially dependent and subservient to men.

It is instructive to observe violence against women and girls through the lens of marriage and its importance in cementing patriarchies. It is through marriage that patriarchs command posterity, and marriage is also an important way in which they can enhance or protect their wealth, and class status, and ensure their racial, and religious purity. It is therefore important for patriarchs to ensure that their offspring marry into what they consider to be the right family.

Questions of an appropriate matrimonial alliance are not restricted to BAMER families. At the risk of oversimplification, in this framework, sons must marry good decent girls (to this day many girls have to undergo virginity tests – although they are illegal) and daughters must remain good and decent to make appropriate alliances.

A mixed marriage or the fear of a mixed marriage can lead to HBA. If a daughter wishes to marry outside her religious community, this can be viewed as a great loss of honour – and impurity. Among Muslims, men can marry women of the Abrahamic faiths (Christians and Jews), and there is less pressure on them to always marry within their religious or ethnic communities. Muslim women on the other hand, according to most orthodoxies, cannot marry a non-Muslim man. Again, there have been cases of young Sikh men disrupting marriages of Sikh women who marry outside their religious community. Again, this attitude is not restricted to BAMER groups.

Similarly, some Roman Catholic families frown upon marriage unless both parties to the marriage are RC. The Commission has interviewed Catholic women who were forced into shotgun marriages as teenagers because their families did not believe in terminations.

The Commission heard evidence from women and girls in several communities that if their comportment and dress did not conform to their family and community's sense of honour they were subjected to violence. The Commission heard evidence from young girls who were taunted on the streets by members of their community, faced physical violence at home from their parents and brothers, were called 'sluts', and were raped on the streets because of the way they dressed. Many women reiterated that the families treated them and their brothers differently.

One said, ‘If my brother wore tight jeans, that was fine, but if my skirt went above my knees, my dad would swear at me, and call me horrible names. Several times, he was violent with me after I returned from a party – because I was late and because my skirt was short.’ This girl was forced to marry a boy, simply because she was 17 and had spoken to him. She was not from a BAMER community.

Another reason for controlling and coercive behaviour towards women and girls is because of the fear that they will take property and money away from the family and community – especially if they marry into another community. Persons subjected to so-called HBA lose the right to choose how they wish to live their lives. Even if they escape there is nothing to compensate for the unhappiness, opportunities lost, and spirits broken.

2. How prevalent is honour-based abuse? What do we know about the background or characteristics of victims and perpetrators?

We cannot know how prevalent is so-called HBA because the lens through which the practice is perceived is of race, religion and ethnicity rather than a typology of violence, a breach of human rights, a civil infringement of the law or a crime.

The CPS defines so-called honour based abuse as,

‘an incident or crime involving violence, threats of violence, intimidation coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect or defend the honour of an individual, family and/or community for alleged or perceived breaches of the family and/or community code of behaviour.’

In the U.K. until recently the matter of women being paid less than men for the same job was hardly discussed or challenged. Is it pushing the boundaries of misogyny too far to ask if this diminishing of the value of the work of women is not a form of financial HBA?

Since this inquiry is about so-called HBA and wishes to explore violence against women and girls, the Commission is not aware whether the CPS definition of HBA was applied to the women listed in the Femicide Census. Their names indicate that they are from varied ethnic and religious backgrounds.

Q3. What is known about abuse practised under the pretext of upholding cultural norms? Is there available data and/or research on the prevalence of these practices?

The Commission's evidence suggests that most perpetrators believe they are performing their customary, or religious duty as elders in forcing members of their families and communities into marriage.

NCFM is not aware of empirical research on this issue. Again conversations with victims of forced marriage revealed a need to raise awareness among children, young adults, and adults in all communities about civic rights and the laws of the U.K. For example, some religions and customs practised in the U.K. permit a man to have more than one wife. Nevertheless, bigamy is a crime in the four countries of the U.K. The same clarity must be brought in interpreting and applying other laws – those that apply to proof of marriage solemnised before an authorised officiant; proof of full, free and informed consent, and proof of capacity – both of the age of consent and mental capacity.

Q4. What are the challenges or barriers faced by victims of honour-based abuse in seeking support or protection?

NCFM's evidence suggests that victims of forced marriage had six main challenges. In the first instance, when they feared abuse or the danger of abuse, they did not know where they could turn for help. Most specialist helplines only function on weekdays, and during office hours. Secondly, many felt let down by their health professionals who did not adequately assess the risks. Thirdly, and rather alarmingly, a young woman whose sister was killed by her family in a forced marriage-related crime went to her local police station (the same station which had let her sister down), only to be asked by the police officer 'What do you mean when you say you are at risk of honour-based abuse?' Fourth, victims are forced to stay with abusive families or an abusive partner (if in a forced marriage) because the local councils cannot find them adequate and safe housing. Finally, at a time of draconian funding cuts language and counselling services are not always available.

Q5. How would you assess the police response to honour-based abuse? How could it be improved?

In part, the police response is summed up by the third barrier in the answer to question 4. It is important to highlight that police forces do not have delegated funds for forced marriage and HBA. They must fish around from their budgets. Furthermore, training for HBA is not mandatory. Several survivors informed the Commission of disappointment and feelings of

being let down by the police. LGBTQ persons related instances of being roughed up by the police – instead of the understanding and protection they expected. Importantly, there is no Commissioner for HBA or forced marriage as there is for Human Trafficking. This indicates the low priority given to the matter. So-called HBA is not restricted to BAMER communities. Even if it were, it must be given a higher priority.

Improvement of the police's response to HBA would have to be part of an overall strategy to cleanse the different forces of systemic racism and misogyny. Evidence from survivors suggests that since in the police's view HBA is restricted to BAMER communities their response is not always professional. More recent evidence indicates that misogyny in the police force transcends race. Police forces are very stretched and can barely handle street and knife crime. Furthermore, the poor record of the police's handling of rape does not bode well for other crimes and offences concerning VAWG.

Q6. Is the current law in relation to honour-based abuse adequate to protect victims? If not, what should change?

There is no specific law that covers so-called honour-based abuse. In the Commission's view, the terminology of HBA and HBV should be abolished for the reasons cited above. There is no honour in cruelty to vulnerable members of a family or a community. The discourse of HBA serves the perpetrators to control and abuse vulnerable children and adults, in the name of honour. Once again, for the above reasons, the Commission registers its questioning of the term honour-based violence. Furthermore, this is a term that relegates to BAMER and minoritised communities crimes and practices of certain typologies committed by persons across every ethnic, religious and class community in the U.K.

Q7. What are the challenges for services supporting victims of honour-based abuse? How could those challenges be mitigated or overcome?

This question is answered with a focus on forced marriage. There are four main challenges for services supporting victims of so-called HBA. The first challenge is the difficulty that victims of HBA have in reaching support organisations. Organisations are stretched and have to juggle their priorities between raising awareness, risk assessment and safeguarding victims. They cannot provide 24-hour helplines and support. A second and critical challenge is how to transform victims into survivors. This requires first, a safe refuge, housing and

adequate counselling and therapy. The third is the ongoing training of personnel, and last but not least fundraising.

About NCFM: NCFM is an independent Commission. For further information, please visit: [Official Website of the National Commission on Forced Marriage – Your Life, Your Marriage, Your Choice \(forcedmarriagecommission.co.uk\)](http://forcedmarriagecommission.co.uk)

December 2022