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## Copenhagen University Islam Lecture Series

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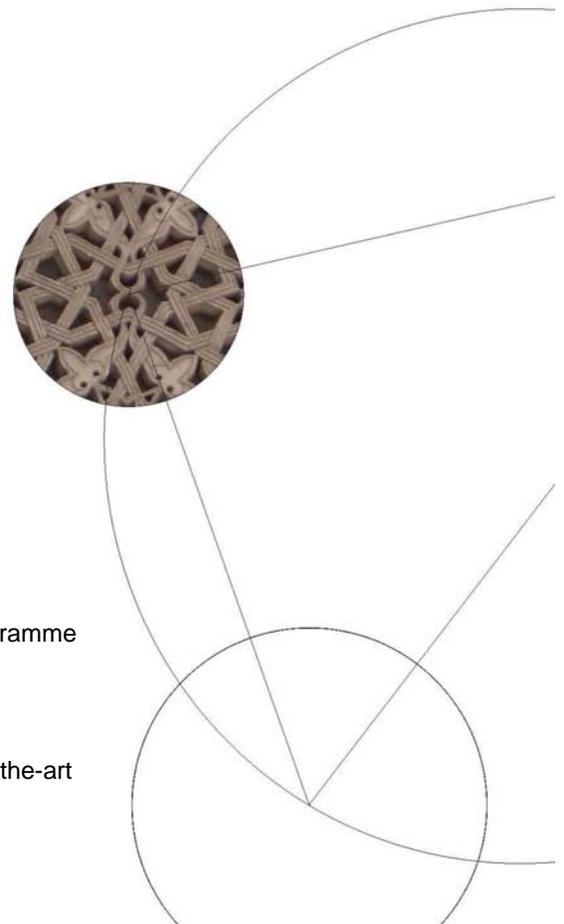
State Responsibility and Collective Civic Participation: *Honour Killing Debates in Germany and the Netherlands*

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## **Introduction**

The responses of liberal democratic welfare states to violence against women in Muslim immigrant communities have increasingly been linked to Muslims' social integration into Western societies. They have also raised questions about immigrants' full membership. In this paper, we look at media and policy debates regarding honour related violence in Germany and the Netherlands. To understand how such debates define who belongs to the political community, we focus on political actors' constructions of state responsibility in the framing of gendered violence in Muslim immigrant communities. In addition, we focus on the ways in which immigrants as collective actors participate in such framings. We argue that two main discursive trends emerge in each of these debates, one exclusionary, the other inclusionary. We show that in the exclusionary trends immigrants become Muslims<sup>1</sup> who are depicted as outsiders and problematic subjects. These Muslims/immigrants need to be carefully monitored and governed by state authorities, because they pose a threat to the common good of society. In the inclusionary trends, these debates construe Muslim immigrants as full members of society and create the possibility for immigrant participation in governance, as immigrants become resources in the policy making and implementing process. This opens up the possibility of portraying Muslims as immigrants who can become truly full, active citizens, not only subjects deserving protection. These trends can operate simultaneously within one country. However, we find that in the area of violence against Muslim women Germany tends towards exclusionary definitions and practices of membership, while the Netherlands is more inclusionary in this policy arena.

In the following, we will first discuss the theoretical background on state responsibility and immigrants as political subjects and participants in civil societies. Then we will turn to Germany, before discussing the Netherlands, to show how in each country state responsibility is defined in debates on violence against Muslim women. For each country, we analyze public statements of actors involved in party politics and government (some of whom are of immigrant backgrounds themselves) for their definitions of state responsibility in this matter. We also focus on the ways in which immigrant collective actors mobilize around the issue of violence against Muslim women in general and honour-related violence in particular. Finally, we will conclude with a discussion of immigrant membership, focusing on the major points of tension between state responsibility and immigrant collective civic participation.

## **Defining Honour Killing, Honour-Related Violence and Forced Marriage**

The simple definition of honour-related violence is a family-initiated violent response to the *perception* that a woman has violated the honour of her family by crossing a boundary of sexual appropriateness. One of the more comprehensive definitions comes from a Dutch government-commissioned report:

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<sup>1</sup> For a critical account of the overlapping identification of Muslim and immigrant in Western Europe, please see Riem Spielhaus (2011).

Honour-related violence is any form of psychological or physical violence based in a collective mentality and perpetrated in reaction to the (threat of) violation of the honour of a man or woman and by extension his or her family [where the honour violation] is known to the outside world or threatens to become known (Ferwerda and van Leiden 2005:25).

Violent responses to the spread of knowledge regarding (perceived) violations of a family's honour include murder of the woman and sometimes man in question, as well as other forms of physical and psychological violence. Violence can be lessened or avoided altogether if gossip is minimized; then families' can negotiate alternate solutions. A forced marriage, a marriage without the consent of one or both parties, can be a solution to a perceived honour violation that falls short of murder. Similarly, expulsion from the community can be a response to perceived honour violations. Once there is a public perception of a violation of honour, it can be very difficult to interrupt the chain of violence that follows. Some activists and social service providers are developing an understanding that sees tight social control over girls by family members as a form of honour-related violence. However, this control is motivated not by perceived violations of honour but by the family's impulse to prevent such violations from occurring.

In this conceptualization of family honour, honour inheres in women but is the property of the family. Honour-related violence, then, is a form of domestic or familial violence, rooted in particular gendered power relations. We prefer the umbrella term *gendered violence* over domestic or familial violence – as this violence is intimately tied up with certain understandings of gender relations, which assign certain behaviours to men and others to women, with the ultimate power to safeguard honour falling to men. While the conceptualization of honour underlying this form of violence against women might seem “foreign” to those born and raised in the West (including second and third generation immigrants), at a greater level of abstraction, the idea that men can and should control “their” women underlies much domestic, familial, and gender-based violence.

We reject earlier discussion of culture-blindness versus Western-centric approaches that often dominate in discussions of honour-related violence and forced marriage (Abu-Lughod 2011). In this public debate, honour killing is most often defined dichotomously. On the one side, some liberals argue for a culture-blind approach to honour killing: It should be perceived as a form of violence against women within a patriarchal context and with no cultural and religious connotations attached to it (Razack 2007). This approach helps to eradicate the cultural stigmatization of Muslim communities; however it also marginalizes the intersectional identities of Muslim women (Crenshaw 1991).

On the other side of the continuum, some have a stigmatizing approach, which can be labelled “cultural fundamentalism”(Ghorashi 2003). Particularly those with a politically conservative agenda argue that honour killing is predominantly a cultural problem that is specific to the Muslim world. They use religion and culture interchangeably, leading to a false perception that if Muslim immigrants in Western countries would give up their religious and cultural practices and adopt Western ones, then these problems will be solved. The literature highlights how these debates on the one hand bring a real problem of violence against women in the immigration context to the foreground but on the other hand often do so in a way that leads to the stigmatization of communities by labelling them

criminal communities with unequal gender relations (Dustin and Phillips 2008; Phillips 2007, Fekete 2006, Reddy 2008, Wikkan 2008; see also Crenshaw 1991).

We are critical of this dualism (culture-blindness versus cultural-fundamentalist approaches) for three reasons: First, we believe that such a binary opposition cannot sufficiently explain how honour-related violence is treated in the multi-dimensional aspects of negotiating rights and obligations in comparative citizenship regimes. Second, this dualistic conceptualization does not reflect the multiplicity of everyday realities, beliefs and practices embedded within minority-majority relations. Third, both of these perspectives start from a Western-centric approach to understanding minorities, seeing these communities as unchanging. As a result, the complexities of honour-related violence in the immigration context are under-specified while neither pole of the dichotomy allows for an analysis of minority voices. These minorities speak their own political dialects, which are created within transnational political spaces, though many immigrants and immigrant collective actors articulate their experiences as minorities through the language of politics dominant in the polities of residence.

Instead of reproducing the dualism of cultural blind versus cultural-fundamentalist approaches, we choose to disrupt it by turning our analysis to two questions: How do political actors' discourses surrounding gendered violence in immigrant communities in the media and in the political arenas frame state responsibility? What is the capacity for immigrants to act collectively and what is the impact, if any, of their collective action? These questions require an understanding of honour-related violence from the perspective of contextual specificity and we build on arguments that contemporary economic and social forces, including the migration experience, shape the guarding of women's honour (Maris and Saharso 2001; Abu-Lughod 2002; Kogacioglu 2004; Warrick 2005; Gill 2006). We take the standpoint that, immigrant communities generally build on homeland practices but redefine them in the new country (Yurdakul and Yukleyen 2009). From this perspective, violence against women in immigrant communities needs to be understood in relation to the history of immigration to the new country and the ethnic and religious background of each specific immigrant community, as well as in relation to the immigrant-receiving country's integration policies, understandings of gendered violence and responses to domestic violence.

Ultimately, we are grappling with the question whether immigrants are considered full members of the societies where they receive full protection and also full access to civic participation. We now turn to the concepts of state responsibility and collective participation to see how they structure such membership.

### **State Responsibility and Collective Participation: Boundaries of Membership**

In many European countries, debates on honour killing and forced marriage bring to the fore questions regarding the limits of membership in the polity and the state's role in policing membership boundaries. At the same time, they raise questions regarding state responsibility for the well-being of residents, immigrants and non-immigrant alike. In many of these debates a discourse that portrays Muslim women as victims of their men dominates. For instance, discussing the Dutch proposals to ban the burka, Dutch scholar of Islam in the modern world, Annelies Moors asked the following questions:

What ... are the grounds to consider face-veiling as a form of gender discrimination the state needs to legislate against? And if it were the case that these women are pressured to wear a face-veil, on what ethical grounds should the state then exclude them – the victims – from education, health care, public transport and public space?“ (Moors, 2011)

Moors illustrates the tension between exclusion and inclusion present in such debates. In the case of the burka, many countries are banning it which has the result of excluding women who wear the burka from basic social services. In addition, the victims discourse leaves Muslim immigrant women without the agency that is a prerequisite for the enactment of full citizenship – their ability to have a voice and a capacity to act as citizens comes to depend on these women disembedding themselves from their communities (Korteweg 2008; Korteweg and Yurdakul 2010; others).

Yet, the victims discourse also creates two types of openings that are productive of active citizenship. First, by construing violence against women a problem that the state needs to solve, these women become citizens by falling within the scope of social welfare legislation. This in and of itself recognizes these women as (potential) citizens. Here, what Marshall (1950) termed the social rights of citizenship are at work. Importantly, in Marshall's framework, social rights are the modicum of well-being necessary to participate in the community of membership. Violence against women not only violates their civil rights, it also creates a profound obstacle to their participation. Policies that address such violence become an important element of social rights. In other words, while social rights are granted by the state, they are inherently about enabling citizens to participate in the community, thus enabling them to enact their membership.

Second, the victims discourse can be strategically mobilized by political activists, including Muslim women themselves, to make claims against the state. Such collective participation becomes itself a sign of full citizenship. Here, we build on theories that argue that citizenship is not solely about receiving rights but also about participating economically, socially and politically. Such participation is enabled by the different rights outlined by Marshall (civil, political, and social). We focus on how the social rights delineated in discourses of state responsibility with respect to honour-related violence and forced marriage are linked to the practice dimension of citizenship.

Definitions of state responsibility are linked to collective civic participation. The claims of collective actors will have greater leverage in the policy making arena if the state has a well-developed discourse of responsibility for citizens' well-being or a strong discourse regarding social rights. If a state has always had a broad definition of social rights, immigrant groups can ask why their problems are not addressed under this umbrella. Furthermore, by making such claims, immigrant collectivities also claim membership by being politically active.

State responsibility can also be framed solely towards those already firmly embedded in membership. In this case, discourses that see honour-related violence as threatening to majority society give rise to definitions of state responsibility that leave the problems of Muslim women outside the scope of state action. In this case, state responsibility is defined vis-a-vis those seen as already members, non-immigrants, and states refrain from granting social rights with their implicit recognition of full membership. How this impacts the capacity for collective action by those not formally or discursively granted full membership is one of the questions our work begins to address.

In sum, when it comes to honour-related violence, state and other political actors are engaged in defining certain behaviour or practices as problematic to the point that state intervention is called for. In this context, state responsibility can be broadly defined in the following two ways:

1. State responsibility can take the form of an extension of social rights. In this case ensuring the right to be free from violence, includes Muslim immigrant women in citizenship.
2. Immigrants are constructed as problematic subjects who need to be carefully monitored and governed, and ultimately excluded from the population (through, for example, restrictive immigration laws).

In addition, debates of honour-related violence create the possibility for immigrants' collective participation as citizens. Ultimately, immigrant collective actors might become direct participants in governance, as they become resources in the policy making and implementing process. Here, immigrants become citizens on the dimension of political participation; they become members of the polity.

Our analysis focuses primarily on the discursive construction of state responsibility and political participation. However, we also pay attention to the material and institutional dimensions. After all, support for violence against women services become lip service without the financial and institutional support. Without money existing social service agencies and law enforcement/the judiciary cannot adequately address these social problems. Without an institutional infrastructure, there are no political opportunities for immigrants to participate.

## **Methodology**

Building on this framework, we ask in this paper to what extent does the state have responsibility in protecting immigrant women. This question is dependent on what states define as their responsibility and the extent to which they treat immigrants as full political subjects. Drawing on statements of political actors in the media and in parliament, we discuss in this paper, state responsibility for protecting women, while maintaining their civic participation in liberal democracies.

For our analysis, we gathered three types of data. First, we gathered data on the current state of policy that addresses honour-related violence in each country, including forced marriage if this was a strong focus of policy debate. We analysed parliamentary discussions that informed current policies against honour-related violence, as well as police guidelines and research reports. When possible, we supplemented this data with data from interviews with senior level government bureaucrats, allowing us to clarify how gender, religion and culture were negotiated in the policy-making process. For the Netherlands, we looked at records of parliamentary debates by the standing committee on immigrant integration that took place between late 2004 and the end of 2008. In addition, Dutch national government charged city governments with developing plans for an integrated approach to honour-related violence, involving immigrant organizations, police, shelters

and gay rights organizations. We looked at the plan for the city of Amsterdam and interviewed the Amsterdam city planner involved in this issue. We also focused on police policy manuals and interviewed the head of police for the National Expertise Centre for Honour-Related Violence. In Germany, these debates take place at both the federal and the state level. We analysed the discussions in the federal parliament (Bundestag) and two state-level (Länder) parliaments: Baden-Württemberg and Berlin, between January 2004 and December 2008. We chose these two Länder parliaments because Baden-Württemberg's parliament and political institutions are generally perceived as conservative toward immigrants whereas Berlin is perceived as more progressive. We analysed debates, motions, and reports that are archived in the Bundestag and in these two parliaments.

Second, for each country we analysed a set of articles reporting on a particular case of honour killing from newspapers with relatively large readerships. Where necessary, we supplemented this with newspaper articles of earlier cases if our analysis of either the newspaper reporting or policy debates indicated these earlier cases had had particular relevance in framing the issue. In each country, we focused on two quality newspapers that reflect the political spectrum of liberal Left-leaning to liberal mainstream. In the Netherlands, we selected *De Volkskrant* and *NRC Handelsblad*. In the German case, we focused on *die Tageszeitung* (TAZ) and the *Süddeutsche Zeitung* (SD). We chose quality newspapers because this is where the most in-depth discussions of the honour killing cases on which we focus took place. A search of popular publications netted very few in-depth discussions (see Koopmans et al. 2005:27 for a similar finding). Moreover, by using mainstream newspapers with relatively large readerships in all countries, we ensure that our comparative conclusions are not only the result of the political outlook of a given newspaper.

Finally, to clarify how immigrant and women's organizations approach these issues, we turned to NGOs involved in parliamentary debates, policy implementation and media discussions. We conducted interviews with key actors, identifying these from newspaper and political debates, gathering information from websites and NGO publications.

## **State Responsibility and Collective Civic Participation: Germany and the Netherlands**

### ***Germany: Background and Context***

In Germany, honour killing came to the attention of parliament members along with the issues of forced marriage, through the campaigns of a women's NGO, Terre des Femmes,<sup>2</sup> in 2003, and a report entitled *Life Situation, Security, and Health of Women in*

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<sup>2</sup> Terre des Femmes is a women's organization in Germany, specializing in such issues as human trafficking, forced marriage and female genital mutilation.

*Germany*, published in 2004, while Renate Schmidt (Sozialdemokratische Partei Deutschland/Social Democratic Party, SPD) was the Federal Minister of Family, Elderly, Women and Youth (Bundesministerium für Familie, Senioren, Frauen und Jugend 2004; interview with Lawyer and a member of *Terre des Femmes* Regina Kalthegener, 24 February 2009). Both the campaign and the report overtly linked honour killing and honour-related violence to forced marriage; however, neither issue garnered much attention in either the press or parliament, and defining state responsibility did not go beyond publishing this report.

In 2005, the brutal murder of 23-year-old Hatun Aynur Sürücü by her brother sparked a public debate on family violence within Muslim immigrant communities and the responsibility of the German state, especially in dealing with honour killing in Germany. Newspapers claimed that this was the sixth such murder in Berlin in a year. Hatun Sürücü's murder coincided with the publication of Turkish-German sociologist Necla Kelek's controversial book *Die Fremde Braut* (The Foreign Bride,<sup>3</sup> 2005). This book, and a number of other publications were accusing Muslim immigrants in Germany of committing particular forms of gendered violence. Hatun Sürücü's murder and Necla Kelek's book triggered extensive media debates on honour killing and gender unequal practices of Turkish immigrants.<sup>4</sup>

After the newspapers brought the issues of honour killing and forced marriage to the foreground in 2005, both the federal parliament and two state parliaments studied (Berlin and Baden-Württemberg Land level parliaments) began debating honour killing, honour-related violence and forced marriage. Despite newspaper reporting that treated honour killing as a separate issue, politicians tended to see honour-related violence either as the result of, or at least related to, forced marriage. Consequently, they proposed policies that would raise the age of marriage for spouses from countries like Turkey and extend the residency permit of immigrants living in a forced marriage situation abroad (normally, a residency permit expires six months after leaving Germany). Neither proposal passed; selectively raising the age of marriage was considered unconstitutional, and the residency permit extension foundered in the absence of support for it by the CDU (Christliche Demokratische Union Deutschlands/Christian Democratic Union). Other proposals to address forced marriage and, by extension, honour-related violence, such as making forced marriage a prosecutable form of coercion and requiring that new brides (and grooms) learn German abroad before gaining an entry visa have since been passed by the coalition government of the CDU and Social-Democrats (SPD, Sozial Demokratische Partei Deutschlands/Social Democratic Party). However, these highly contentious policies and policy proposals have not resulted in a comprehensive strategy against honour-related violence or forced marriage. Although parliamentarians and policy makers across the political spectrum maintain that forced marriages and related violence in immigrant (especially Muslim) communities must be stopped, policy development remains limited and fractious.<sup>5</sup>

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<sup>3</sup> For a critique of Necla Kelek's work, see Beck-Gernsheim (2006) and Yurdakul (2010).

<sup>4</sup> SD Politik, 21 February 2005 Ewing 2008: Korteweg and Yurdakul 2009.

<sup>5</sup> See, for example, the motions introduced by FDP (Drucksache 16/1156), *Die Linke* (Drucksache 16/1564), Bündnis 90/Die Grünen (Drucksache 16/61) and various parliament members in the *Bundestag* (Drucksache 16/4910) including CDU and SPD. These can be found at <http://www.bundestag.de/bundestag/index.jsp>.

### ***German State Responsibility: Integrating Immigrants***

Media arguments that honour killing is the result of an inability to be more German led to policy making that focused on the integration of immigrants in general, rather than on the specificities of honour-related violence. This definition of state responsibility as integrating immigrants meant different things to the members of different parties.

For some political actors, state responsibility is to maintain a rather homogeneous society with “German values”. For example, some CDU leaders portrayed Muslims as living in their own urban enclaves (Parallelgesellschaften), having little contact with Germans and establishing their own norms and rules against the common good of the German society, especially against gender equality. The President of the CDU Fraction in the Berlin Parliament in 2005, Nicolas Zimmer argued: “The concept of so-called multicultural society failed. It supported the establishment of parallel societies and the segmentation of cultural groups with their value systems. This leads to the worst form of self-justice: the so-called honour killing” (CDU Fraktion, Berlin, 14 September 2005). From this follows that state responsibility focuses on those already considered German. When it comes to immigrants, state responsibility is to either integrate them, ie make them German, or to exclude them from the country altogether.

Arguments put forward by ruling party politicians, particularly by the CDU, which mobilized honour-related violence to advocate for general integration policies were the most influential. For example, Michaela Noll, CDU Federal Parliament Member, argued:

It is our goal, to enable arriving spouses in Germany to have a self-determined life, because only then do they have a chance at integration. Yet this is only possible through language. ... Knowledge of the German language is an important factor for me with respect to victim protection. How else should a young woman, who is to enter a forced marriage, be able to defend herself here? Only if she has this basic knowledge will she be able to call attention to her emergency and say that she is in need of help. It will not work otherwise. I believe that in the long run this is a measure, to protect girls from becoming import brides (Bundestag: 15127).

Noll’s statement shows the limited social rights extended to victims of such violence. It is hard to dispute that the young woman in Noll’s example would benefit from knowing German; however, language proficiency would not be enough. But it is unclear whether this young woman would get help in her forced marriage situation in the absence of policies instituting widespread programming in shelters targeting such issues. It is only a partial social right to have access to the police, it is another question whether police and other professionals would be able to support her if these front-line workers lack specific knowledge and understanding of the complexities associated with honour-related violence and forced marriage.

In the Netherlands, state responsibility is defined as the responsibility to prevent violence for those who are vulnerable through community-level social change programs, protect them from direct harm through, for example, shelter spaces, while punishing those who are responsible for the crime. However, in Germany, prevention is not discussed, protection is limited, and prosecution is emphasized. For example, Baden-Württemberg Parliament, which is dominated by the Christian Socialist Union until 2011, has defined the problem of honour killings in relation to forced marriage, provided information to show

its significance and came up with concrete strategies to tackle it by establishing an advisory commission (Fachkommission) and bringing the Law for Combatting Forced Marriage (Zwangsheirat-Bekämpfungsgesetz) to the Bundestag in 2004 (Drucksache 767/04). This intervention could form the foundation for a comprehensive state approach to honour-related violence. However, lawyer and an expert on legal issues related to forced marriage and honour killing Regina KaltheGener interprets Baden-Württemberg's suggestions to the Bundestag as mainly based on introducing severe punishment to the perpetrators, and offering little protection to the victims (Interview with Regina KaltheGener 24 February 2009).

A third definition of state responsibility comes from left-leaning parties. For them, state responsibility should first and foremost be about treating all of the state's citizens equally, rather than singling out Muslim communities and stigmatizing them. Sevim Dağdelen, federal parliament member for Die Linke, clearly indicated that she saw the actions of the CDU/SPD federal coalition government as wilfully obstructionist. In the parliamentary debate on forced marriage, she argued,

“Everyone here agrees that forced marriage is a form of violence, yet this debate shows that the Union [CDU] has used it not only to distract us from the failure of previous governments in matters of social and integration policies, but in order to stigmatize immigrants of a Muslim background as backward and inferior” (Bundestag:15130).

She further stated that this “finger-pointing” has made the task of protecting the women affected by this form of violence more difficult. Finally, she accused the coalition of the ruling CDU and SPD of using the plight of women to hinder immigration, not forced marriage, and implying that they are irresponsible state authorities.

The coalition of CDU and SPD that governed when these debates took place ultimately mobilized around the issue of forced marriage and honour-related violence in ways that aimed to turn Muslims/Turks into Germans (Yurdakul 2009). The federal-level discussions on honour-related violence targeted women who had recently arrived or were attempting to come to Germany, rather than women who were experiencing such violence in Germany as long-term residents or German citizens. Moreover, the policies now put in place require that marriage partners learn German before entering Germany and upon entering Germany, spend more hours in compulsory language courses. Politicians from the coalition argued that both measures would make marriage partners more independent. However, these policies also make immigration more difficult and function as immigration restrictions. In addition, the CDU/SPD coalition put forth a motion to increase the age of marriage for certain immigrant communities to 21. Again this would put a barrier to immigration, though the CDU/SPD stated that this was an attempt to ensure that spouses make informed decisions about their marriage partners. This motion floundered because of its unconstitutionality. All of these immigration and integration policies, whether adopted or proposed, presume an immature and dependent person (presumably a woman) who could potentially be victimized by a Turkish immigrant family in Germany. Such presumptions that deny the agency to Muslim women, only establish them as victims of their communities disable their full political participation into the German society.

Some leaders from Turkish communities in Germany tried to challenge the definitions of state responsibility that underpinned the governing parties policy responses

and opposed the treatment of immigrants as outsiders that resulted from these definitions. For example, Giyasettin Sayan (German-Kurdish member of the party, *Die Linke*, (Left party in Germany) argued in the Berlin Parliament that immigrants should be considered part of German society:

The statement that the family has not managed to become a part of German society, locates the problem outside of our society. This leads to dangerous conclusions beyond the concrete cases: As people leave, the problem will be solved. But the real causes are part of our society and that is where they can be solved (Sayan, Press Release, Die Linke Fraktion Berlin, 18 April 2006)

This approach positioned immigrants as full members of German society and contrasted sharply with that of the CDU.

### ***Collective Civic Participation in Germany***

Safer Çınar, spokesperson of the Türkische Bund Berlin-Brandenburg, provided another alternative discourse. Çınar attempted to relieve the tension between “us” and “them” by introducing the human rights discourse as a common ground to which both German and immigrant values should adhere:

‘We maintain that honour killings, forced marriage, and the oppression of women are not compatible with our religion. But the majority society, too, has to finally stop discussing German values as values that foreigners have to adjust to. It is not a matter of German or Turkish values. It is about universal human rights’ (quoted in am Orde, TAZ, 22 February 2005).

Representatives of immigrant civil society organization like Çınar mobilized the human rights discourse to show that Turkish immigrants in Germany have the right to be treated as full members of German society. In the absence of a clear definition of social rights, he turned to a supranational discourse to argue that collective actors should be organizing around a social problem, rather than around membership in an ethnic group. In this way, collective actors and the state authorities can find political opportunities to work together.

There is some evidence that civil society organizations have an ear in the German Bundestag. For example, Terre des Femmes is the major women’s organization that is holding campaigns against forced marriage and honour killing in Germany. In the parliamentary debates, this organization is mentioned as a partner for effective cooperation. Other organizations mentioned are Agisra e.V. in Cologne, Rosa wohnprojekt and Yasemin in Stuttgart, BIG-Interventioncenter and Papatya in Berlin (Landtag Bw, 22.10.2008, Drucksache 14/3435; Abgeordnetenhaus Berlin, Anlage zur Kleine Anfrage 16/10900). Papatya is also connected to other women’s centers as it has introduced a consulting program through Internet. Recently, there are also centers established to train men who commit violence against women, however we do not have information whether these centers are also providing training to men who specifically force their family members to marriages and threaten them with honour related murder (Abgeordnetenhaus Berlin, Drucksache 16/21, 22 November 2007). These organizations have also indicated a need for increased financial support for protection of women’s shelters, an argument picked up by some members of the parliament, who point out the insufficient financial support for women’s shelters (Bundestag 08.11.2005, Drucksache 16/61). Specifically in

Baden-Württemberg Parliament, the financial support has decreased dramatically since 2000 for approximately the same number of women and children who needed protection (around 4000 women and children per year in Baden-Württemberg) (Landtag BW 06.12.2006 Drucksache 14/67, p. 5). What this shows is that civil society organizations, particularly women's organizations, have some influence over discursive constructions of state responsibility, though theirs are not the dominant interpretations of state responsibility. Furthermore, the interventions of women's organizations show how limited material and institutional support for addressing honour-related violence is in Germany, given serious budget cuts in the area of violence against women services.

### ***Germany: State responsibility versus civic participation***

We have three conclusions in the light of the media and political debates that we have analysed: First, political actors have defined state responsibility in their own ways, but mostly in terms of human rights violations and clashing with "German values" and provided similar strategies to deal with honour killings in the land level and in the federal level. The federal parliament was ineffective to pass any regulations due to conflict between political parties, especially regarding the residence law. Important motions by the opposition parties which suggest better protection of the victims rather than stricter punishment for the perpetrators are still under discussion, and no significant change has been made. Thus definitions of state responsibility do not include full responsibility for dealing with violence against immigrant women.

Second, one of the components of institutional state responsibility, which is to work together with civil society organizations, seem to suffer from lack of networks and financial problems in Germany. Land level parliaments attempt to work together with the NGOs in order to battle and prevent honour killings, however the financial support to these NGOs seem to be insufficient, and in fact decreasing while the number of women and children who need protection is staying the same. Due to financial restrictions, the protection of the victims, such as providing safer accommodation is very limited, considering the scope of the issue. Moreover, victim protection by the provincial police stations is still not provided.

Third, there is an important link between state responsibility and civic participation. Despite of the fact that the German state authorities were set to deal with honour killing, this issue was blended with the immigrant integration debates and used as a justification for restrictive immigrant integration law, such as the increasing of the marriage age for partners to 21 when they come outside Germany (which was not agreed in the Bundestag as it is against the Constitutional Law) and introducing language and integration courses in order to fight against forced marriages. As some politicians point out these proposed changes can prevent collective civic participation of immigrants without providing a convincing argument how they protect victims (PM from the Greens, Schewe-Gerigk Pressemitteilung 27.November 2007, "Internationalen Tag zur Bekämpfung von Gewalt gegen Frauen: Regierung verwehrt Opfern von Zwangsheirat dringend benötigte Rechte").

### ***The Netherlands: Context and Background***

The notion that "honour killing" was occurring in the Netherlands first reached the wider public in 1999 when the press reported on two incidents, one the murder, in broad daylight, of Kezban Vural by her husband, and the second a school shooting incident in Veghel in which a young man of Turkish descent tried to shoot the boy who had been

dating his sister. A number of things happened in response. Friends of Kezban started an NGO called Stichting Kezban (Kezban Foundation) to work against domestic violence in *allochthone* communities.<sup>6</sup> In response to the shooting in Veghel, IOT, the umbrella organization for Turks in the Netherlands, started a number of small programmes to address this issue in the Turkish community. However, these efforts did not reach the formal policy-making stage, nor did they receive widespread media attention. While Geert Wilders, then of the Right-Liberal VVD (Volkspartij voor Vrijheid en Democratie or Popular Party for Freedom and Democracy), pointedly asked in parliament whether honour-related violence was a sign that immigrants could not integrate, his questions were dismissed without any policy (or media) response.<sup>7</sup>

In 2003 and 2004 two additional murders propelled the issue into the formal policy-making arena. Zarife was a high school student whose conflicts with her father had caused her to run away from her home and stay in a shelter for runaway girls until her father persuaded her to return to her family home. He then killed her on a family vacation to Turkey. In a separate incident, Mrs. Gül was shot and killed by her husband in front of the women's shelter where she was hiding.

The policy approach to honour-related violence in the Netherlands that was developed between 2005 and 2010 focused on three areas: prevention, protection and prosecution.<sup>8</sup> The prevention pillar primarily involves immigrant organizations that fall under the umbrella of the national immigrant organizations. The IOT (Inspraakorgaan Turken/ Umbrella organization for Turks in the Netherlands), VON (Vluchtelingen-Organisaties Nederland/Refugees Organizations in the Netherlands) and SMN (Samenwerkingsverband Marokaanse Nederlanders/Joint Organization of Moroccan Dutch) jointly developed a multiyear programme entitled On the (B)right Side of Honour. Working closely with these umbrella organizations, local immigrant organizations developed and implemented programmes to make services accessible to victims of honour-related violence, to educate service providers on the particular contexts within which domestic violence, violence against women and honour-related violence occurs. In addition, immigrant organizations developed general programmes to make gender equality and gender violence a topic of discussions among a wide variety of immigrant groups. Protection was largely covered by the shelters and other professionals (including the police), and prosecution by the police and the public prosecutor. However, these organizations did not work in isolation; rather, the governance component of the Program Against Honour-Related Violence required that all these groups work together to exchange information and develop strategies. The programme was funded through 2010; after this point, the expectation was that the police and shelters would have developed the necessary expertise to deal with the issue appropriately while the prevention pillar should have been integrated at the municipal level. Overall, the programme aimed to comprehensively address honour-related violence as a specific form of domestic violence that occurs within communities of immigrant origin. The final statement by the Minister of Justice and Safety

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<sup>6</sup> The Dutch often refer to the majority community as *autochthone* (native-born) and immigrant communities as *allochthone* (foreign-born). However, we use the term immigrant communities in this paper, unless quoting someone who uses *allochthone* or *allochthones*.

<sup>7</sup> The document containing the question and response can be retrieved by typing KVR513 into one of the parliamentary document search engine ([www.overheid.nl](http://www.overheid.nl)).

<sup>8</sup> The development of policy can be traced by reading the parliamentary documents under the number 30388 at [www.overheid.nl](http://www.overheid.nl), accessed on 21 January 2010; see also Brenninkmeijer et al. (2009).

indicates that an extensive network of national and local organizations have made an impressive beginning at the developing a comprehensive approach to addressing honour-related violence (30388 nr. 50). This approach incorporates local volunteer organizations, schools, shelters, police, immigrant organizations and women's organizations.

### ***Framing State Responsibility: Dutch Problems, Dutch Solutions?***

By late 2004 and early 2005, the issue of honour killing was hotly debated in the Dutch media in response to the murders of Mrs. Gül and Zarife. In addition, the press gave a broad platform to parliamentarians like Ayaan Hirsi Ali of the VVD. After parliament received a report that claimed that 100 women in shelters at the time were at risk of honour killing, Hirsi Ali argued that honour killing should be treated as a form of terrorism. In an in-depth interview with the *Volkskrant*, Hirsi Ali defined honour related violence thus: "You know how it goes. Honour killing is a component of something bigger. It has to do with the sexual morality within Islam, the desire to control women's sexuality. A cult of virginity reigns. A woman who doesn't keep to the rules, can be expelled [from the community] hit, murdered" (Interview by Raoul du Pré, de *Volkskrant*, 4 February 2005).<sup>9</sup>

Such stigmatizing discourses also led a particular framing of state responsibility in which the state's role was primarily a punitive one, similar to the emphasis on prosecution in Germany. Rather than focusing on expanding women's social rights, Hirsi Ali proposed tougher prosecutions and longer prison sentences for both murderers and their accessories – as a deterrent to familially inspired violence. In particular, Hirsi Ali's proposed that measures, like wiretapping telephones and other intrusive measures used in investigating suspected cases of terrorism should be deployed to track who is involved in the planning and executing of honour killing:

Then we'll have the family members. 'What would be next?' They will be accessories. The most beautiful thing would be if a law was adopted that did not just make the murderer culpable, but everybody who knew of his plans and did not intervene. We should [give those accessories] long sentences. Not doing community service for 240 hours, because they will laugh at us. The immigrant communities live with the belief that society doesn't take this too seriously. The government won't find out, is what they think, and if it does happen [that they find out], we get out of it with minimal sentences. That is how it goes in countries like Saudi Arabia, Pakistan and Iran. But this is the Netherlands. This is a society governed by law (Interview by Raoul du Pré, de *Volkskrant*, 4 February 2005).

This framing of state responsibility leaves immigrants outside the definition of membership. In one broad sweep, Hirsi Ali blamed all of Islam for this form of violence and then argued that immigrants have no interest in being law-abiding citizens. The implication is that if immigrants (and their practices) can be left outside the borders of the Dutch state, "real" Dutch citizens would be better off. This constructs a two-tier citizenship which holds the state responsible for well-being of "real" Dutch while limiting the civic participation of Muslims.

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<sup>9</sup> Full references to cited newspaper articles can be found in Appendix 2, Data Sources under Newspapers Cited in each country case.

Yet, this understanding of state responsibility was not the only frame put forth in media debates. Interestingly, given Hirsi Ali's turn to the language of law and order, key actors within the police force promoted an alternate frame of state responsibility. Willem Timmer, superintendent of police, who then in charge of the MEP and as of this writing head of the police's LEC (Landelijk Expertise Centrum Eergerelateerd Geweld/National Centre of Expertise on Honour-Related Violence), argued that honour-related violence was more often about culture than religion. According to Timmer: "I also deal with cases that involve Greeks, Italians, and Antilleans" (NRC, 2 February 2005). By situating honour-related violence in the cultural practices of a large array of immigrants, Timmer tried to undermine the framing of state responsibility as keeping immigrants out of the Netherlands. Rather, in his interview with us, he clearly indicated that the problems of honour-related violence are very much Dutch problems, given that this violence is shaped in the migration and settlement experience.

Andy Clijnk, a senior bureaucrat at the Ministry of Justice in charge of monitoring the development of the program against honour-related violence, suggested (paraphrasing): "This is a Dutch problem, involving Dutch citizens, requiring Dutch solutions." In their work, both Timmer and Clijnk treat the problem of honour-related violence as a problem affecting members of the Dutch state, whose full citizenship is limited as a result of this type of violence.

This latter frame ultimately held sway – signalling the dominance of a state responsibility frame that included the well-being of immigrant women in the scope of social rights, the program Honour-Related Violence received significant material resources (almost 12.6 million Euro was allocated over five years, 30388 nr. 8). In addition, it received significant institutional support through the establishment of organizational networks that brought a wide range of social service and law enforcement agencies around the policy making and policy implementation table.

### ***Dutch Immigrant Organizations and Collective Civic Participation***

Unlike in Germany, immigrant organizations (as well as women's equality organizations) were key actors in creating this policy in the Netherlands. In late 2004, the murders of Mrs. Gül and of Zarife led the IOT (Inspraak Orgaan Turken) to collaborate with the umbrella organization for refugees VON (Vluchtelingen-Organisaties Nederland/Refugees Organizations in the Netherlands), organizing a conference with Turkish activists who worked against honour killing in Turkey. These Turkish activists convinced their Dutch counterparts to pursue the creation of a national-level approach to honour-related violence. The IOT and VON were part of the consultative mechanisms set up under the LOM consultations (Landelijk Overleg Minderheden or National Consultation with Minorities), which have been required by law since the 1997. These immigrant organizations made use of the well-established Dutch infrastructure in which immigrant organizations consult regularly with the minister in charge of integration. They used their easy access to the minister in charge of immigrant integration to request that Minister Rita Verdonk (VVD) of Integration and Foreigners' Affairs act to prevent honour killing and honour-related violence.

In their arguments, immigrant organizations could build on state responsibility for individual well-being that structures Dutch social policy making in general (Bussemaker 1993; Korteweg 2006b). Drawing from this understanding of state responsibility, activists and professionals dealing with honour-related violence were able to develop a pragmatic

approach to the problem that focused on how to use available policy instruments to address the specificities of honour-related violence and honour killing. For example, the murder of Mrs. Gül and of Zarife revealed shortcomings in the response of shelters. In the case of Mrs. Gül, her husband had traced her to three different shelters before murdering her in front of the fourth. Discussing the need for secret locations of shelters, Saadet Metin, a filmmaker and activist of Turkish descent, argued for an approach that treated honour killing as related to but also importantly different from then dominant understandings of domestic violence:

‘Allochthone women have to receive much more intensive guidance,’ says Metin. ‘They come from a family culture with a lot of gossip. If after two months the threat has ebbed, they will make a phone call. And information will leak. They will talk about Aisha who is also [in the shelter] and that information will enter the gossip circuit. They aren’t fully aware of that. They are lonely; for many Turkish women shelters are a new prison.’

Metin says that the environment of the potential perpetrator, in the mosque, the teahouses, with friends and neighbours, is often aware of what the man is planning. ‘Targeted information campaigns in the community is a necessity,’ she says. That environment has to have the chance to report this information anonymously, so that the police can act preventatively (Groen, De Volkskrant, 17 March 2004).

Such arguments framed the needs of Turkish immigrant women in the context of their immediate environment. However, in making such arguments representatives of immigrant organizations also built on an understanding of state responsibility in which immigrants are part of the Dutch population, who have the same right to protection and social services as all Dutch residents. In order that everyone can enact these rights, professionals in shelters and with the police need to adjust to the specificities of these expressions of violence.

Immigrant organizations working on prevention argued that immigrants should not only be positioned as the source of problems but also as the bearers of the solution. They used the honour killing debates to argue for a need to focus on changing mentalities within immigrant communities, improving people’s capacity to take care of themselves by accessing various social services, developing behavioural alternatives, and collaborating with professional parties (such as the police and local women’s shelters).<sup>10</sup> In short, they used the policy debate on honour killing and honour-related violence to address what they saw as problematic inequalities within immigrant communities and by mobilizing immigrants’ own understandings of positive gender relations and familial interactions.

Immigrant organizations were not the only civil society organizations involved in working to address honour-related violence. Research conducted by TransAct, the National Expertise Centre on domestic and sexual violence, and issues related to sexuality and ethnicity, indicated that honour-related violence was an issue in the Netherlands but that few organizations were actively involved in addressing it (Bakker 2003, 2005).<sup>11</sup> Women’s shelter organizations, who realized that they did not know how to respond

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<sup>10</sup> See IOT (n.d.). We draw these conclusions from personal interviews with Carola Dogan of IOT, Karima Ouchan of SMN, and Anne-Floor Dekker of VON (June 2009; see appendix 2 for full information).

<sup>11</sup> TransAct has since become part of MOVISIE Knowledge Center on Social Development.

properly to honour-related violence, also asked the minister for assistance. Thus, the political work of immigrant organizations coincided with that of other organizations.

### ***The Netherlands: State responsibility and civic participation***

In response to the requests to address honour-related violence by the IOT and the VON, integration minister Verdonk, in collaboration with the Minister of Justice, Piet Hein Donner of the CDA (Christen Democratisch Appèl/ Christian Democratic Appeal) sent a letter on 1 November 2005 to parliament outlining three research projects that would become the basis of the integrated response to honour-related violence in the Netherlands (TK 29203 nr. 15).<sup>12</sup> First, the Minister charged Bureau Beke, an independent research bureau, with developing a working definition of honour-related violence. Second, the Unit of Multi-Ethnic Policing (MEP) conducted a study on the incidence of honour-related violence, developing an inventory of best practices in police response to such violence.<sup>13</sup> Third, the COT Institute for Safety, Security and Crisis Management (an independent research bureau focusing on security issues) conducted a case study investigating 20 cases of honour-related violence. In the remainder of the 2004–2005 parliamentary session representatives from various parties across the political spectrum started working on policy development under the umbrella of the standings involved in integration and domestic violence.<sup>14</sup> Dutch civil servants from the Ministry of Foreigners' Affairs and Integration, which at the time was housed within the Ministry of Justice, together with the minister of integration and the parliamentary committee on integration developed a comprehensive policy approach to honour killing and honour-related violence.<sup>15</sup> To our knowledge this is the most comprehensive policies that has been developed on honour-related violence in Western European countries.

The development of this program resulted from a particular formulation of state responsibility and the actions of key collective actors, in particular immigrants and women's organizations. First, a framing of state responsibility that made the state responsible for protecting all women from domestic violence, including honour-related violence, enabled political actors to approach the problem through the vocabulary of domestic violence, a problem that extends into majority society. This diminished the drawing of us/them boundaries that can make extension of social rights more difficult. Second, the active participation of immigrant organizations positioned the immigrants

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<sup>12</sup> This document can be retrieved by entering the document number into [www.overheid.nl](http://www.overheid.nl), one of the parliamentary document search engines.

<sup>13</sup> The Unit on Multi-Ethnic Policing evolved into the LEC (Landelijk Expertise Centrum Eergerelateerd Geweld/National Expert Centre on Honour-Related Violence). Headed by Chief of Police Willem Timmer, this police organization provides assistance to all regional police forces in the Netherlands in identifying honour-related violence and trying to resolve conflicts before they escalate into murder or other grave harm (see Janssen 2008a; 2008b, 2009). They have also developed a training manual for the police academies, entitled *Your Honour or Your Life* [Je eer of je leven].

<sup>14</sup> Ayaan Hirsi Ali (VVD), Khadija Arib of the PvdA (Partij van de Arbeid/ Labour Party), Nebahat Albayrak also of the PvdA, and Mirjam Sterk of the CDA were key members of this committee.

<sup>15</sup> Initially, the programme against honour-related violence received "groot [big] project" status to indicate its importance. Usually reserved for large-scale infrastructure projects, this status has stringent budget reporting requirements that would have been very onerous to follow for the kind of programme development deemed necessary to address honour-related violence. In addition, the rules governing this status do not lend themselves well to developing programmes that cross from national into municipal levels of policy making. As a result, after some debate in parliamentary committee, the groot project status was abandoned; however, the emphasis on honour-related violence as a policy arena of primary importance remained.

leading these organizations as problem solvers. This disrupted easy attributions of honour killing and honour-related violence as the inevitable outcome of immigrant cultural practices, again decreasing the drawing of sharp us versus them boundaries. Finally, the debates on honour killing and honour-related violence took place *after* restrictions on immigration, such as raising the age of marriage migrants to 21 if they come from countries like Turkey or Morocco and requiring new immigrants to pass a language exam *before* they are granted entry visas, had already been passed by the legislature. These measures had become law at the time of the policy development regarding honour killing and honour-related violence. Given that these immigration restrictions were already in place, politicians interested in limiting migration did not benefit from portraying honour killing and honour-related violence as an imported practice that can be stopped by curtailing migration. This effectively foreclosed a more punitive and exclusionary discourse of state responsibility when it came to discussing honour-related violence. This created discursive space for a debate on honour-related violence that focused on how this form of violence constitutes a barrier to the participation of immigrant members of Dutch society, rather than a debate on how to keep new immigrants out of the country or a debate on promoting forced assimilation into Dutch culture and society.

## Conclusion

State responsibility and collective civic participation are defined very differently in and in Germany and the Netherlands. In addition, they are defined and enacted differently within each country as well, creating various discursive frames and political opportunity structures for debates in Germany and the Netherlands.

Public debate focused on honour-related violence around the same time in both countries, in 2004-5 with specific cases of honour killing occupying the front pages of the newspapers. In both countries individual Muslim women with an immigrant background advocated for state intervention in Muslim immigrant communities: While Dutch parliament member Ayaan Hirsi Ali brought up Muslim women's problems in the public discussion, a sociologist Necla Kelek was influential in addressing specifically Turkish women's problems in Germany, which was then extended to all the Muslim women. Yet, despite their apparently similar beginnings, the ensuing public and political debates had very different outcomes. While the resulting definitions of state responsibility were exclusionary and stigmatizing in Germany, they were inclusionary and differentiating in the Dutch context. Where in Germany, a defence of German values informed a limited construction of membership, in the Netherlands, immigrants became Dutch as honour related violence was defined as a Dutch problem, needing Dutch solutions. These divergent approaches were also informed by collective civic participation by immigrant organizations. While in Germany, such organizations had limited influence on policy development and implementation, the reverse was true in the Netherlands.

Comparing the two cases, we see that political actors generated different definitions of the state's roles in addressing the problem of honour-related violence:

- 1)The responsibility to protect women and prosecute those who harm them
- 2)Safeguard the liberal democratic values undergirding the state
- 3)Manage diversity by promoting integration and/or immigrant membership by extending social rights.

In the German case, various political actors defined these three areas of state responsibility thus:

- 1)the state has the responsibility to protect women is an important framing in the debates, however this debate also emphasizes prosecution of Muslim families, such as in the case of the Baden-Württemberg parliament.
- 2)Specifically left-leaning parties draw attention to the liberal democratic values of the state in recognizing equality of all citizens and avoiding stigmatization of Muslims, just as we showed in Sevim Dagdelen's discourse from die Linke.
- 3)The managing of diversity was largely missing, and the discussion on social rights were absent, leading way to other discourses such as human rights. In this context, immigrants are seen as threats to the homogeneity of the German society.

In the Dutch case, we saw political actors promote the following definitions of state responsibility:

- 1)The state has the responsibility to protect all women from violence, immigrant or non-immigrant. Furthermore, the specificities of honour-related violence requires a targeted approach to this problem.
- 2)Some on the right of the political spectrum tried to position honour-related violence as a threat to liberal democratic violence but this did not influence policy making or implementing.
- 3)The honour-related violence programme reflected a strong history of concern with citizens' well-being and an extension of social rights to immigrant groups.

This analysis shows the complex ways in which notions of state responsibility interact with immigrants' collective civic participation to create openings for immigrants' full membership. This paper focuses on only one social problem – that of honour-related violence – and we expect that other social problems might lead to different constructions of state responsibility and collective civic participation.

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