Honor without women: Honor and the legitimization of murder in the criminal courts of Lebanon.

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UMI
HONOR WITHOUT WOMEN:
HONOR AND THE LEGITIMIZATION OF MURDER
IN THE CRIMINAL COURTS OF LEBANON

by

Randa Bassem Serhan

A Thesis
Submitted to the Faculty of Graduate Studies and Research
through the
Department of Sociology and Anthropology
in Partial Fulfillment of the Requirements for
the Degree of Master of Arts at the
University of Windsor

Windsor, Ontario, Canada

1997

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0-612-52480-9
ABSTRACT

"Honor crimes" are the killing of women, and occasionally men for deviation from sexual norms and expectations. This phrase is an oxymoron which binds the notion of what is socially condoned, honor, with what is condemned and punished, a crime. This uneasy combination places the act of murder in an unconventional position, where it is presented as a moral imperative in cleansing a tarnished family name. Honor is restored when the blood of the dissenter is shed.

Crimes motivated by honor are representative of, and deeply rooted, in the histories of Mediterranean societies. In the last century, most of the region has viewed a dissolution of honor crimes, making them a relic of the past. However, such phenomenon have persisted in the Arab world, despite overwhelming economic, political and social change. Numerous Arab countries have maintained penal codes which allow for consideration of honor in murder cases. The Levant (Lebanon, Syria, and Jordan) may be said to have the least stringent requirements for recourse to arguments of honor within their penal codes. This study focuses on Lebanon for reasons of accessibility, and availability of resources.

The bulk of the data collected for this exploration is composed of investigative literature and Lebanese criminal court records. The court archives serve the purposes of displaying a discourse of honor in a controlled setting, and demonstrating the de facto
handling of such crimes. Through examination of the transcripts of the 36 honor crimes tried in 1995, the boundaries of honor are defined revealing an unadulterated leniency towards the killers. I argue this bias stems from a deeper level of discrimination against women, since in all but a few cases the victims are women. A hegemonic discourse exists that obscures the reality of the murder, and increases the margin of acceptable justifications for killing a female relative. In the process, I attempt to dispel some of the common misconceptions about the reality of honor crimes, such as the role Islam plays in their perpetuation.
ACKNOWLEDGMENTS

I would like to thank a number of people for the assistance they have extended to me in my graduate school journey. I am most grateful to Dr. Hedley, who took me in at an inopportune time and waited patiently for me to realign myself. I also thank Dr. Hedley for his invaluable input and guidance, without which I do not think this thesis would have materialized. I am also appreciative of Dr. Basok and Dr. Paraschak for making themselves available on such short notice, and still managing to provide me with useful critique and advice. I thank Dr. Shuraydi for helping me keep things in perspective.

I want to thank my parents for their endless patience and support, especially during those moments when I no longer believed in myself. In addition, I want to thank them for being my research assistants in Lebanon, when I was unable to return due to travel restrictions. I couldn’t have asked for more diligent relief.

Last but not least, I want to thank Sue and Andrea for their warm smiles which made the start of everyday pleasant.

Thank you all for helping me reach this milestone in my life.
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MAP OF LEBANON

CHAPTER 1

INTRODUCTION

(I) INTRODUCTION

Honor crimes were first introduced to the Western public by way of a highly publicized execution in Saudi Arabia (Aburich 1996). In 1977, a young Saudi princess was put to death in a public square in Jeddah for falling in love with, and wanting to marry a young Lebanese man. Princess Misbah was caught trying to flee the country with her lover, which brought the family honor into question, and the death sentence upon her (Aburich 1996). Initially, the death of the princess was labeled a drowning accident by the royal family, since the identity of the executed woman was kept hidden. However, a few years later, a film was broadcast in England exposing the true cause of the death of Princess Misbah. A film that brought criticism to the Saudis, and created diplomatic tension between the two countries (Aburich 1996). The period within which this scandal had occurred coincided with the Khomeini revolution*, another highly publicized phenomenon, which reintroduced the veil to Iran (Encyclopedia Britannica 1996). Ultimately, the prominence of these two events fed into the image of Islam, and the Arab

*The Khomeini revolution is noted here for its impact on the Western media, more so than for any possible impact it had on the social dynamics of the region. Iran is not included in our cluster of Mediterranean countries, for it is neither Arab nor European. Over and above, there is no documentation on Iran stating its belief, legal or social, in this type of honor crime.
world, as being repressive, and brutal to women.

On the intellectual level, honor crimes had already been receiving attention since the turn of the century (Antoun 1968). The initial approach to honor crimes was ecological in nature, with Smith in 1903 describing them as a coping mechanism for the harsh desert environment (Antoun 1968). Over the years, various perspectives based on economics, religion, and psychology took precedence, then subsided. This continued to be the trend until the revival of Islamic fundamentalism in the 1970s, when the religious hypothesis re-emergence with vibrancy. With the spread of fundamentalism across the Arab regions, there has been an increased stress on the propriety of females' behavior, using violence to deter undesired conduct. The intellectual concern with religious correlation served to further ferment the popular image of Islam as the culprit, in many instances, of violence. Some writers, like John Laffin, called violence "the most positive form of prayer" (1975 p.108). Despite these propositions, there was/is very little conclusive research on the topic of honor crimes.

(i) The Arab Women's Court

By the early 1980s, documentation of honor crimes became scarce, with mention of it only through media speculation. Interest was apparently subdued both regionally and internationally, until the Arab Women's Court in 1995 (Kabalan 1995). The Arab Women's Court was held in Beirut, Lebanon during June of 1995, as part of the preliminary forums for the United Nations Fourth World Conference of Women held in Beijing, China (Jamal el-Din 1995). This forum consisted of numerous sessions with prominent female figures, lawyers, government officials, and survivors of violence from different Arab nations speaking on the issues of violence against Arab Women (Cherif, Chekir and Kumar 1995; Kabalan 1995).

Honor crimes occupied a prominent position throughout the hearings and
discussion, with social workers and reporters presenting cases they were aware of. Accounts and condemnation came in from representatives of 14 Arab countries. The mood of the tribunal can be illustrated through the words of Suheir Al-Tell (Union of Jordanian Women) who said:

Our societies have linked honor to a tiny part of a woman’s body. But honor is far greater and broader than that. When a woman loves, whose honor is at stake? Those concerned are many: husband, father, uncle, brother, cousin, etc. Whose honor is offended exactly? What kind of phony value is that? . . . . . man and men only are those who whet their knives and slit throats, then stand, hero-like, in the public place to be acclaimed by other prospective male criminals, poised to commit the same crime....” (Cherif Chekir and Kumar 1995 pp.17-18).

Despite such an impassioned and sweeping charge, some members of the Lebanese delegation maintained that violence was not a problem for Lebanese women in particular. Bahiya Al Hariri, female deputy in the Lebanese Parliament, was quoted to have said at the closing of the “court” that violence was caused by societal unenlightenment, rather than by men (Jamal el-Din 1995). She also added that one should discuss violence in the developed countries, before approaching Arab communities which "enjoy" heritage and customs that remain to protect females. Her final comment was that in Lebanon there are no gender issues, only political ones (Jamal el-Din 1995).

(ii) Realities of Honor Crimes In Lebanon

Weeks prior to these proclamations, an article appeared in a weekly magazine reporting official statistics from 1976, when the Lebanese Institute for Criminal Studies was still intact, and the civil war had not taken its toll on the population yet. The
document claimed that 277 of the 537 homicides in Lebanon for that year, were either
honor, or honor related (Crimes Rate 1995). The killings were said to have occurred in
poor, traditional, remote areas of Lebanon, but not in the cities. This was contrasted with
the present situation where increasingly larger numbers were actually occurring in Beirut
and Tripoli.

The following year, on January 4, 1996, a collection of articles appeared in the
same daily newspaper as the one quoting Bahiya Al- Hariri, which also countered her
beliefs about the reality of honor crimes in Lebanon (Alawi 1996; Al-Antarazzi 1996;
Rafi 1996). The title of the first article was ‘Honor Crimes, an Umbrella[i.e.,
justification] for Murder’. The author suggested that honor crimes are severely
underreported, being concealed for familial, social, and traditional reasons (Alawi 1996).
He professed that honor also accorded the killer leniency in the courtroom, quoting
parliamentary members’ rationale for the existence of honor crime laws: “there are
certain social and traditional values that still dominate most parts of Lebanon” (Alawi
1996).

In the second article titled, “Patched Virginity” the author also supported the
proposition that honor crimes were being obscured in legal discourse. Shawki Rafi
backed his statements by quoting the assertions of a prominent defense lawyer, Deputy
Saud Raphael. Deputy Raphael had previously defended a father involved in an honor
crime, and had commented on the case in the following way: “How could we treat a man
who kills for honor or revenge on equal footing with the man who kills for immoral or
random reasons. How could all of these killers receive the same punishment?”. He added
that “man in a backward society has all the qualities of the ordinary man in terms of
feelings, sentiments, love, and aspirations. Thus whenever sin or adultery are committed,
according to their[backward individuals’] perceptions, it does not dirty the reputation of
the actor, but of a whole group of people, starting with his family, and clan, through to
his village, or the whole district” (Rafi 1996).
The final article, "Borrowed Virginity" was less concerned with the views of law enforcers, choosing to approach individuals in the medical field for their perception of this type of crime. Reem Al-Antarazi questioned gynecologists about the numbers of women who seek their aid in obtaining false certification of virginity, or the extralegal hymen reconstruction surgery (a.k.a. hymenorrhaphy). The responses again suggested that threats to the lives of females who had lost their virginity were an actual problem. Several of the doctors interviewed admitted to performing these procedures for humanitarian reasons, although they claimed they were a growing business in Lebanon, with the costs rising up to $1500 for the 15 minute procedure.

(iii) Development of Purpose

From amidst this mass of incompatible, yet coexistent arguments emerged the idea to conduct a study on honor crimes. There are those who deny honor crimes constitute a dilemma to most Lebanese women, while others do not deny their existence but do not believe that the killers should be penalized. Finally there are those who deal with this phenomenon on a fairly regular bases, i.e. women's groups, reporters and medical doctors who do perceive a threat to the lives of females who have lost their virginity. To propose that hymenorrhaphy is a growing business, may suggest a possible increase in incidents, or threats of honor crimes. The doctors interviewed chose to remain anonymous which presents another dilemma into the issue of honor crimes, since it appears that it cannot be addressed candidly.

An atmosphere of mystification surrounds honor that needs to be dispersed, in order to begin to comprehend this phenomenon. Accordingly, this study will attempt to construct a setting within which the issues of religion, tradition, and the prevalence of honor crimes can be addressed. This end will be achieved through the use of a multifaceted approach, covering historical, cultural-specific, and court record analyses.

Lebanon will be the context from within which I derive most of my data. Lebanon
is the one country in the Mediterranean region and Arab world I have complete access to. However, it merits its own significance in that it is perceived as the most liberated of the Arab countries, and yet it has one of the most lax laws concerning honor crimes. In particular, the focus will be on these laws and the actual management of honor crimes in the Lebanese legal system. I will use transcripts of 36 cases tried in 1995 to explore the peculiar role ‘honor’ plays in the courtroom. Through these documents, I will demonstrate that a hegemonic discourse exists which obscures the rights of women, and removes honor crimes from the realm of murder. I will also demonstrate that the conception of honor is stretched in the courtroom to include phenomenon and arguments that are necessarily contradictory in nature.

In the process, subsidiary issues will be addressed to dispel certain commonplace misconceptions of honor, and honor crimes. Islam will be shown not to occupy the decisive position it is purported to claim in matters of honor crimes, while the group involved in such crimes will be shown to be broader than what is initially apparent.

(iv) Division of Objectives

To accomplish this feat in a comprehensible manner, this study will be developed in the shape of a funnel taking the broadest of understandings of honor, and working through them to approximate the unadulterated core of the honor system. This commences in chapter 2, the manifold faces of honor, a historical exploration that unveils the role of honor in social relations. Illustrations taken from various territories and epochs will serve towards the development of a conception of honor. The ensuing definition will then be traced from its setting in ancient Roman law through to its place in the penal code of modern-day Lebanon.

In chapter 3, the 36 cases will be exhibited to the fullest extent permitted by the court transcripts. Each case will be introduced individually to reflect the treatment honor crimes receive in practice. Once this process is complete, and the magnitude of the
arguments has been absorbed, deconstruction of the trials begins in chapter 4, the analysis.

The analysis will strive to categorize and discern the underpinnings of the trials. This process will continue in chapter 5, which will try to provide theoretical purpose to the dynamics and treatment of honor, before chapter 6 attempts to bring unity to the widely varied discourses on the subject-matter.

Finally, chapter 7 is comprised of a discussion of the conclusions derived from the antecedent findings, as well as a personal conception of the state of honor in Lebanon.

(II) METHODOLOGY

The peculiar nature and setting of honor crimes make the study of such a phenomenon particularly cumbersome. As previously established, honor crimes are allotted a distinct category, and thus cannot be comprehensively examined if treated like other types of homicide and murder. There are minimal sociological studies conducted on honor crimes, statistics are nonexistent, and government records are insufficient to attempt a quantitative study. In addition, honor killings are sensitive topics that few individuals are willing to discuss candidly, for often there is denial of their occurrence. Not surprisingly, the few researchers who have covered honor crimes have usually reduced them to a ‘sign of the time’, to religious dogmatism, or to individual psychological factors (Daly 1988; Dodd 1974; Goetting 1994; Kressel 1981; Ortner 1978; Rapport, Lomski-Feder and Masalha 1989, Shokeid 1980; Tentori and Chiauzzi 1981). These explanations are restrictive, and somewhat inadequate, and may only be symptoms of, or rationalizations for the existence of crimes of honor.

In order to overcome these obstacles, this study will utilize in-depth, yet
unobtrusive, case study techniques of analysis (Dooley 1994; Neuman 1991). Initially, a historical/cultural framework will be established, in order to place the phenomenon of honor within a larger context, before proceeding to document, and analyze content within a restricted domain. The documents to be analyzed will include the Lebanese Penal Code and its amendments and court records collected by myself during a recent visit to Lebanon, and a number of newspaper articles from 1995 and 1996.

The historical foundation will be constructed from articles and books on honor in literature, law, and tradition both in Europe and the Mediterranean region. This step will serve to provide the reader with some background and understanding of honor before being confronted with the actual cases taken from court transcripts. The cases are the quintessence of this investigation. They constitute the closest accounts to first person pronouncements or interviews, for these individuals are emitting sworn testimony based on their intimate involvement in honor crimes. Further, since the literature on honor is dated and highly limited, they will comprise the bulk of examinable information. As such, each case will be introduced separately to divulge the totality of the arguments and ambiance of the trials.

The court cases obtained from the criminal court in Lebanon are 36 in total for the year 1995. This number may not be an accurate depiction of the actual number of honor killings for that year, for these are the ones that were tried in that year, meaning any number of them could have occurred prior to 1995, but had been backlogged. In addition, it is important to note that these cases were “completed”, or “successful”, rather than attempted honor killings. The transcripts were originally recorded in Arabic, which I then translated into English. I found it necessary to elaborate on certain words and phrases to recreate the potency they lost in the translation. In the process, the continuity of the narratives was disrupted at several points/junctures.

The analysis of honor crimes will revolve around two particulars, the courtroom discourse and the demographics of the killers and victims. The discourse will be analyzed
for its overt content as well as its unarticulated implications, while the demographics will be scrutinized for possible emergent patterns. The age, religion/sect, education, marital status, and residence of the killer and victim will all be utilized in an attempt to sketch a profile of the individuals who have been involved in honor crimes.

Finally, the results of these measures will be brought together under a theoretical discussion in attempt to provide them with structure. Various theoretical constructs will be utilized to suggest possible explanations for the presence, perpetuation and potency of honor crimes.

(III) LIMITATIONS

Honor crimes are covered by a shell of secrecy and sacredness, thus making attempts to study them particularly difficult. There are numerous layers, and dimensions of honor crimes that can only be touched upon superficially, as is evidenced through the writings of so many researchers. During the generating of the methodology, it became apparent that many of these aspects cannot be delved into in this present study.

Ideally, this study would be able to cover indepth interviews with killers, or families that have been touched by honor crimes. Unfortunately, this is not feasible, considering the unwillingness of individuals to speak to authorities, let alone a complete outsider. The family may be assumed to bury the incident with the victim. Instead, this study will concentrate on secondary sources, data collected from the criminal court archives, and several newspaper articles, as noted in the methodology. Although the court transcripts are the next most tangible accounts of honor crimes, they carry several shortcomings. They are informative as to the dynamics of the court sessions, and the
actual treatment of honor crimes under the Lebanese penal system, however they are one-dimensional.

Only the killer is represented, with all arguments stemming from his/her perspective. The killer and his/her lawyer recreate the occurrences of the case, and draw conclusions from them, without there being a balance representing the victim’s account. The victim is obviously not available to speak for her/himself, and no one else volunteers to speak on her/his behalf. This gives a skewed view of the chain of events that led to the killing, but it is a bias that is realized, and taken into account to the extent possible in the present study.

Another shortcoming of relying on court transcripts is that the accounts given may not represent the killer’s true sentiments, since they are arguments devised to defend, and lighten the sentence of the killer. The killer may be speaking in all honesty, but he may be ascribing to reasoning considered ‘acceptable’ in court, or to instructions from the lawyer. This is not to imply that the testimonies, or arguments were false, but to create awareness of the possibility of exaggerated or modified recollection of the occurrences.

Other obstacles with the study of honor crimes arise from the lack of official records in Lebanon. It is impossible to attempt to discern the changes in occurrences over the years, because there are no conclusive records, especially over the last two decades. In addition, death records are quite inaccurate, with many individuals not recorded for many years, and others mislabeled. There is no way of discovering how many actual honor crimes take place per year, since often these will be categorized as suicides to protect the privacy of families. Even when the killings become part of the criminal records, like these cases under study, the trials are not immediate and thus cannot
indicate incidents per year. Accordingly, this study will not attempt to place a numerical figure on the occurrences; it is suffice to note that 36 cases were tried in 1995, without indicating 36 cases took place in that year.

Finally, since the scope of this study is limited to previous writings, the court records, and a few newspaper articles, most propositions are inconclusive. The statements made are based on the analysis of the court cases, and thus are not an attempt to create generalizations. The views of the subjects are not intended to be portrayed as universal, or typical, since the numbers are too small to constitute a representative sample. In essence, this study is an attempt to shed light on honor crimes, raise questions as to their dynamics, and answer as many of them as the data allows.

(**IV** **VALIDITY AND RELIABILITY**

The validity and reliability of studying honor crimes cannot be achieved through any concrete technical methods, and as such they must be attained through gathering extensive information on the Mediterranean peoples, laws, and symbols of honor. The first step towards validity is through the restrictive use of “honor crimes”, to avoid researcher/recorder definition inconsistencies. Honor crimes will tentatively be limited to the killing of a female by her brother, father, or father’s brother’s son, but will ultimately be determined by law enforcement classification. The variables of analysis will be constructed by myself, and thus will be uniform for all 36 cases. These elements will be age, sex, education, occupation, residence, charge of crime, sentence, and outcome of trial (was any time served).

The problems of validity arise when one considers that the cases being studied are not representative of the true magnitude of the occurrence of honor crimes. There are
several levels of screening before a case actually makes it to court. As previously noted, this is a subject most people attempt to cover-up, thus even if knowledge of the crime extends beyond the family, it still has to pass throughout the community, and then the police. There is also the element of categorizing the occurrence of honor killings under different domains, such as accidents and suicides. There would be no possible method to differentiate the percentage of honor crimes amongst accidents and suicides. The only way to control for this shortcoming is to be aware of its existence, and to document it within the study.

Meeting the requirements of reliability are less complicated than those of validity, since only written documents are used. The customary problems with reliability, when using documents, are changes in recording methods, consistency of accounts, and equivalence reliability. Changes in recording methods do not effect this study, since only tried honor killings, usually entailing confessions, are taken into account. Finally, the test of equivalence reliability is unnecessary in Lebanon for all police headquarters are within the capital, Beirut. In addition, all cases of murder or other crimes are tried in the central courts in Beirut, thus there is no room for discrepancies between courts across Lebanon. The only inconsistencies in recording will be due to the individual communities’ ability to keep the crime undetected. Again this is one area that cannot be controlled, but that should be acknowledged.

Finally, any inferences made by me will be evaluated against the larger context of the historical data. The historical data will be the point of departure for most of the comparisons and assertions made within this study.

(V) ETHICAL CONCERNS

Due to the sensitivity of the topic of honor crimes, only secondary sources will be utilized in this study. Information will be extracted from books, Lebanese newspapers,
and court cases, sources all accessible to the public. Nonetheless, there are several issues which must be dealt with in the process of data collection, and handling. The first concern lies at the heart of honor crimes, namely that of family reputation. Mention of any family name may jeopardize the family's standing in the community, thus efforts will be taken to ensure the complete anonymity of all subjects. Complete anonymity will be attained through the use of initials in place of proper names, in discussion of specific cases.

Beyond anonymity for all families involved, any other alterations of the data will both prove fruitless, and threatening to the validity of the study. Vital information such as religion, age, education, and residence are ineffectual in identifying individuals and families yet are central to the understanding of honor crimes. Accordingly, all other characteristics of the individuals involved will remain unmodified. Unfortunately, complete regard for sentiments of the cultures under scrutiny is infeasible, for this study in itself is undesirable. Investigation of honor crimes is entrance into the realm of the 'denied' or 'avoided'.
CHAPTER TWO

MANIFOLD FACES OF HONOR:
IN HISTORY, THOUGHT, LAW

(1) INTRODUCTION

Honor, in all its guises, has preoccupied the minds of humans for centuries. Honor is an indefinite concept, having fluid parameters that are determined by time and space. The construction of honor has been influenced by religious beliefs, and the political and economic realities of the peoples concerned with it (Kiernan 1988; Miller 1993; Speier 1952). This is reflected in the terms utilized to explain honor, including courage, prestige, pride, chivalry, and valor (Blok 1981; Kiernan 1988; Peristiany 1966; Pitt-Rivers 1966; Speier 1952). Each term ascribes certain qualities to honor whose significance can only be understood within particular contexts. For instance, ‘courage’ to the noblemen of the Middle Ages meant overcoming physical weaknesses, even if it entailed death (Kiernan 1988), while, ‘pride’ for the ancient Greek meant protecting one’s property also at the expense of possibly losing one’s life (Blok 1981). Tales of men giving up their lives, or endangering the lives of others for the sake of ‘honor’ have been plentiful in most cultures and societies. Literature has reflected the
prominence of honor, since what is conceivably the first recorded heroic tale, *The Epic of Gilgamesh*, dated to the Third Millennium BC (Sanders 1976).

*Gilgamesh* is the story of King Uruk Of Mesopotamia, who demonstrated his power by killing young men and raping virgins. Gilgamesh’s life was a sequence of challenges to his supremacy, which he maintained by defeating his rivals. His demise came at the hands of the gods, after he had verbally insulted one of the goddesses (Sanders 1976). The essence of this theme of social acclaim, and personal honor continued in the works, and more importantly in the lives of peoples to come. In the Nordic countries, there were the sagas of the great heroes, and the trials by combat, which ultimately determined the fate and standing of rivals (Miller 1993). In England there were the tragedies of Shakespeare (Kiernan 1988), while Spain had the legend of Don Juan (Baroja 1966), and both shared the duel as the method of settling a dispute. The duel eventually spread to most parts of Europe, allowing for nobility and ‘gentlemen’ to resolve their differences amongst themselves (Kiernan 1988).

**(II) FORMS OF HONOR IN HISTORY**

The duel, trial by combat, and more specifically honor were by definition in the possession of the aristocracy and nobility of the different lands. They were integral components of what the aristocracy believed set them apart from the masses (Baroja 1966; Kiernan 1988). The aristocracy had courage and pride that a commoner could not comprehend, since he/she lacked moral fiber (Kiernan 1988; Pitt-Rivers 1966). In addition, these challenges were often against the law, whether that of the monarchy,
Christianity, or a newly formed government (Kiernan 1988; Miller 1993). This ability to defy rules and escape any severe punishment further accentuated the aristocracy’s power, placing them above the law (Kiernan 1988).

The causes of duels and other challenges were numerous, ranging from petty arguments between acquaintances, to personal insults, to killing of family members (Hardy 1963; Kiernan 1988; Miller 1993). The mechanics of the dispute were less varied; they would customarily entail a verbal affront in public, a challenge, and the resolution in blood or kind. The public insult was often crucial, because it created an imbalance in the relationship between the two parties, leaving the insulted individual with the prospect of being permanently dishonored (Ginat 1979; Kiernan 1988; Laffin 1975; Miller 1993 Pitt-Rivers 1966). The balance is not always restored through recourse to violence; rather a public apology, or some form of payment may also suffice. Nonetheless, in some instances, the shedding of blood was perceived as crucial.

These instances arose when the insult was directed at the individual’s family, making the need for revenge a duty. The individual was considered a member of a collective being, of which his/her actions were representative (Kiernan 1988; Kressel 1992; Miller 1993). In England and mainland Europe revenge had to be commensurate to the offense for the individual to maintain or regain his honor (Kiernan 1988). In Nordic countries, the counter attack had to be greater in severity; if the initial affront was the killing of a family member, the victim’s family were compelled to kill at least one member of the offender’s family (Moberg 1997). If the family decides not to avenge the insult or death of one of its members, it is shunned by the rest of the community
(Moberg 1997). This was seen as detrimental for the members of the aristocracy, who depended upon one another for identity, support, and continued status.

Some modern analysts perceive the code of honor as a mechanism of control in a state of loose government (Hardy 1963; Tillion 1983; Schneider 1971). They speak of the absence of centralized government, or its unwillingness to regulate social life. Under such states of affair, the family/blood become the binding characteristics between men, creating strength as a collective identity. These societies were built on families, not individuals (Cantarella 1991; Minces 1982; Peristiany 1976). This was more accentuated in the Nordic countries where authority was absent and strength and wit determined survival and power (Kiernan 1988; Miller 1993; Moberg 1997). In the rest of Europe where monarchies existed, the nobility composed the armies, which forced monarchs to be more tolerant of their idiosyncrasies (Kiernan 1988). Ultimately, these practices of insults and revenge remained operative well into the first half of the 1800s in Europe (Kiernan 1988).

The cessation of the duel, and combat by trial may have come with the increased emphasis on nationalism. Individuals began perceiving themselves as citizens/individuals, and less as members of small groups. Governments were shaped according to the family model, and began assuming many of the functions that the family once fulfilled (McCIntock 1993). The final blow to this particular code of honor and conduct was possibly administered by the spread of industrialization, and the ensuing urbanization. Individuals felt less inclined to fight for a family name or group that could no longer afford its members the same type of services and security it once did (Baroja 1966; Kiernan 1988). In addition, feudalism was destroyed, and the aristocracy were no
longer intact, the bourgeoisie having taken over with new values (Baroja 1966; Kiernan 1988).

These new values revolved around hard work, and pride in personal achievements (Baroja 1966; Owen 1968). Nonetheless, they also included another set of values that had been long established: that of chastity, and its connection to the honor of males. It is unclear if matters of female indiscretion were dealt with in a similar manner to other types of affronts to honor during different eras, yet it is evident that female sexuality was of social concern (Kiernan 1988). Chastity received some attention in literature over the years; it was discussed in texts on aristocracy, along with the purity of their blood/superiority of their females, and was advocated by religion and philosophy (Black 1993; Kiernan 1988).

(i) Emphasis on Chastity

In the opening paragraph of The Epic of Gilgamesh, the distress of the residents of Uruk over the conduct of the new king towards their virgins was described (Sanders 1976). They had prayed to the gods to create a being that could challenge and destroy their king. Almost five thousand years later, the residents of a Spanish town were also expressing their distress over the actions of a certain noble man, Don Juan. Don Juan was notorious for stripping men of their honor by seducing their female agnates (Baroja 1966). He was known to be a master of disguises, ‘tricking’ his prey before their wedding nights, and challenging opponents with his sword.

In aristocratic Europe, until recently, virginity of women was perceived as crucial for honorable marriages (Kiernan 1988; Miller 1993). Parents and other family elders
arranged the marriage of their offspring, and virginity was required for good alliances. Again this alludes to the interdependence of the aristocracy in matters of identity and social standing. Although these ideas began to fade, the virtues of chastity were still being endorsed by religion (Baroja 1966; Young 1993). The image of the virgin and the mother were very powerful, with stories of the rewards chaste women would receive in this life, and the after life (Berger 1973; Young 1993). One such example, was the story of Saint Maria Goretti, who in 1902 at the age of 12 died fighting a potential rapist. She was canonized in 1950, and her ordeal was used to demonstrate that virginity for females was dearer than life (Young 1993).

Honor has expanded beyond this restricted notion of female virginity throughout the latter part of the twentieth century, manifesting itself in other forms. In most instances, it is classified as nonviolent, and of concern only to the one individual maintaining or attaining it (Miller 1988). Honor may be conferred by peers, as in awards, or it could be an internal sense of worth, detached from the individual’s blood line. However, some forms of honor do entail violence, when individuals that affiliate themselves with a certain group feel threatened by another. Such instances would include riots at soccer matches, wars- on a larger scale, and even music, such as the East coast - West coast rivalry of the 1990s between rap singers and bands.

Thus far, the purpose of this discussion is to portray the prominence of honor in peoples’ lives throughout different time periods and regions. It is not to suggest that issues of honor have been static, nor that the analysis is conclusive, or indisputable. The significance of this brief overview lies in its ability to lay a foundation from which a discussion of honor in the Mediterranean can commence. It also places honor in
European contexts, dispelling any notions of it being an aberrant Mediterranean phenomenon. The manifestations and underpinnings of honor in the two regions are not dissimilar, although this is not readily discernible from the literature on the Mediterranean. The latter has been discontinuous in its expression of the terms of honor, for often the researcher focuses on only one factor in explaining the entire phenomenon.

(III) "HONOR" IN THOUGHT:
SHIFT INTO THE MEDITERRANEAN

Prior to surveying this literature it must be clarified that the expression Mediterranean peoples/region is used with reservation. Admittedly, the application of this notion has long been obsolete, yet it is functional in this concise field of honor. Mediterranean peoples will be used to encompass all societies mentioned in honor crime studies. When this term appears it will refer to Sicily, Greece, Cyprus, Lebanon, Egypt, Syria, remote parts of France, and other Arab countries in strict reference to honor, without implying that they are politically, or culturally homogeneous (Barakat 1993; Campbell 1964; Davis 1987; Goodwin 1994; Peristiany 1996; Saadawi 1982; Shokeid 1980; Tillion 1983; Tentori and Chiauzzi 1981; Weisfeld 1990).

One of the first entities linked with honor is the family (Diab 1974; Kertzer and Saller 1991; Mernissi 1987; Pitt-Rivers 1966; Saadawi 1982; Tillion 1983). This is not unusual considering that the family has customarily been viewed as the most important and powerful institution in the organization of Mediterranean societies. J.K. Campbell defined honor as the worth of the family, symbolized in blood (1964; 1966). To achieve honor, there must be purity of the blood line, thus making chastity of females paramount (1964; 1966). Once the infringement has been made on a family’s honor, again blood (shedding of) is utilized to cleanse the scar or injury.
Minces also depicts a similar scenario, of the connection between family and honor (1982). She describes the sexual purity of women as the domain which reflects the family’s reputation, and conformity to community norms. The family reputation, expressed as honor, is used as leverage in social, economic, and political activities. Tillion adds that questions of honor transgress present generations, to affect past (dead) and future (unborn) members (1983). Honor therefore is a holistic concept, instead of an individualistic/separatist one. The reason this may have been obscured is the notion of collectivity amongst Arabs, which is depicted in idealist rather than utilitarian terms.

The collectivity of the Arabs has been discussed extensively over the centuries, and across the lands. The first of these accounts were presented by an Arab sociologist-historian, Ibn Khaldun, in the late 1300s, through the depiction of ideas of solidarity and the good of the group over that of the individual (Barakat 1993). These descriptive characteristics were reiterated continuously until as recently as 1981, when William Lancaster wrote about the Arab Bedouin as being organized around equality and group cohesion (Barakat 1993). These sentiments of self-denial and group unity are still echoed in societies around the Arab world (Sharara 1983; Kertzer and Saller 1991; Tentori & Chiauzzi 1981; Wasserfall 1990). However, according to other sociologists and anthropologists, these notions are not intrinsic to Arab people, but rather are forms of behavior necessary for survival in their environment (Barakat 1993; Davis 1977; Glazer & Ras Wahiba 1994; Ortner 1981).

The ecology of the land makes demands upon individuals to act in certain ways. Honor crimes, notwithstanding, may also prove to be a response to certain pressures. Jane Schneider constructs an extensive portrait of pastoral communities of the Mediterranean region as being challenged by a lack of arable land, and limited access to natural resources and water supplies. She stipulates that honor crimes are a manifestation of the need to control fertility, family size, and create social regulation in a state of extreme fragmentation (1971).
As mentioned previously, the definitions of honor are vast and varied, yet the reaction expectations/norms are even more indiscernible. It would be infeasible to pinpoint all the honor infringement and response combinations possible, for they are often situational. Nonetheless, when the issue concerns sexual norms, the rules of honor and its protection are explicitly defined in the Mediterranean region.

(i) Gendered Honor

Honor terminology in the Mediterranean countries is an integral part of daily language and child rearing (Wikan 1984). Shame, which is the absence, rather than the opposite of honor, is learned early on by children in these countries. The word 'shame' is used as a primary mode of discipline for children; it sets boundaries, and indicates when these boundaries have been crossed (Kressel 1981; Wikan 1984). In direct contrast, the word 'honor' is rarely used, or understood by children. What is 'honorable' is constantly affirmed, yet the actual word is only used in times of 'adversity', in particular when a family name is at stake. When used, there is a clear distinction between the honor of a woman, and the honor of a man. In the languages of the Mediterranean region, there exist two words for the two types of honor: in Arabic being 'ird' for women, and 'sharaf' for men (Antoun 1968; Campbell 1964; Ortner 1978). With each term goes a different set of rules that are mutually exclusive.

The two terms 'ird' and 'sharaf' evidently correspond to the notions of femininity and manliness respectively (Antoun 1968; Davis 1977; Ginat 1979; Glazer & Ras Wahiba 1994; Wasserfall 1990). Manliness should be exhibited in all spheres of life, whether personal, economic, or political. Manliness includes such ideas as courage, aggression, authority, and virility (Kaufman 1987; Laffin 1975; Stockard 1980; Tillion 1983; Tomeh 1983). In direct contrast, femininity is characterized by bashfulness, passivity, selflessness, and above all sexual purity/chastity (Antoun 1968; AbouZeid 1966; Campbell 1964; Mernissi 1987; Pitt-Rivers 1966). Sexual purity is required of all
females; married women should be virginal in thought, and single, widowed, and divorced women should all abstain from sexual activity (Antoun 1968; Jacob 1968; Khuri 1975; Salah 1972; Tillion 1983).

The weight consigned to manliness and femininity varies with the researcher, some perceiving one as more of an incitement for honor crimes than the other. A. Blok and R. Wasserfall state that exaggerated definitions of masculinity compel men to dominate and control others to preserve their image, beginning with female agnates (1980; 1990). Honor crimes occur when a man's sense of masculinity/honor is threatened by female conduct. G. Kressel and A.M. Abouzeid emphasize the lack of compliance with expected female roles (1981; 1966). Women who do not observe the prescribed rules of behavior symbolize the moral weakness of their entire clan/lineage. Saadawi goes further to suggest that biology often determines the fate of females, depending on the existence of a hymen (1982). However, other research locates the essence of honor at a very different level, that of wealth (Baroja 1966; Campbell 1964; Davis 1977; Kertzer and Saller 1991; Peristiany 1966; Pitt-Rivers 1966).

(II) Intrusion of Wealth

J. Davis, J. Pitt-Rivers, and J. Campbell, amongst others, hold that wealth plays a primary and essential role in the honor system: its existence negates many of the stringent requirements (1977; 1966; 1966). Men have two avenues for attaining honor: having wealth, or meeting the aforementioned requirements of courage, aggression etc. Wealth affords individuals/families honor in the sense that they have superseded the commoners' struggle (Campbell 1966; Davis 1977; Khuri 1973; Pitt Rivers 1966). Wealth is used as a buffer from the gossip and judgment of others, wealth creates new criteria of evaluation (Herzfeld 1980; Pitt-Rivers 1966). It is important at this point to interject that wealth in the Mediterranean region is not only one of material wealth, but also of 'past wealth' (Khuri 1973; Pitt-Rivers 1966).
The two types of wealth, although not mutually exclusive, operate in different ways to maintain/attain honor. Material wealth works to buy deference and respect, and furnishes outlets to restoration of honor without reverting to violence. One of the more evident outlets is known as hymenorrhaphy, a surgical reconstruction of the hymen. This procedure is increasingly becoming more popular amongst the wealthier stratas (Goodwin 1994). 'Past wealth' is based on the pre-capitalistic system, where landowners and religious leaders were the political and social elite (Barakat 1993; Peters 1963). This group established their positions of honor then, and their descendants enjoy the same position based on precedence. Ultimately, regardless of the source of wealth, women of these groups are shielded, for their honor is guaranteed (Barakat 1993; Ginat 1979; Ortner 1978; Pitt-Rivers 1966; Schneider 1971).

For the masses not protected by wealth, punishment is further differentiated upon gender lines. Male violators are often treated on individualized bases, with mitigating factors often used in explaining their inability to fulfill certain role requirements (AbouZeid 1966; Jacob 1968; Mughazil 1985). Inevitably, punishment for infringement of sharaf (male honor), is inconsistent and indistinct (Mughazil 1985; Ortner 1978). Female violators of the honor code face a different fate; punishment in some form is inescapable. Once the violation is made public, the male members of the family must take immediate action (AbouZeid 1966; Campbell 1966; Laffin 1975; Schneider 1971; Tillion 1983). The punishments range from 'hurried up marriages', 'distant marriages', to the most extreme, killing of the unchaste or disreputable females, known as 'crimes of honor' (Antoun 1968; Glazer and Ras Wahiba 1994). Essentially, the male involved in the matter, or in the allegations, is rarely held accountable for his actions; rather the female is seen as the sole 'offender' (Jacobs 1968; Mughazil 1985; Saadawi 1982; Wasserfall 1990).
(IV) "HONOR" IN LAW

This dichotomy in responsibility between men and women over sexual conduct has been fermented over many centuries of social, political, and legal change. The first instance of public concern with the sexual conduct of females appeared in Roman law under the reign of Augustus. In 13 BC *lex Julia de adulterinis* and *stuprum* were created, making any illicit sexual relationship open to public trial at the request of any male citizen (Canterella 1991; Cohen 1991; Gardner 1986). These laws considered any relationship outside of the confines of marriage and prostitution to be criminal (Canterella 1991). Prior to these laws 'misconduct' was dealt with by the father, who under 'patria potestas' was given the right of life and death over his children and slaves (Canterella 1991; Foucault 1980).

With the introduction of these laws the father continued to be the prime vindicator of the offense, yet the issuance of a pardon became conditional. The two main clauses were that the female be the man's natural daughter, and that he must have been surprised/acted in a fit of rage (Canterella 1991; Shelton 1988). The offense became known as a crime against honor, rather than against the father. These alterations introduced the idea of family honor and emotional turmoil, criteria not considered previously. In the process, the killing of wives by husbands was outlawed, however this was a short lived provision. Soon thereafter the husband was granted extenuating circumstances, and eventually received full impunity by the 5th century (Canterella 1991).
There were countless shifts in the terms and criteria for admissibility of the notion of killing for honor’s sake, but it was never completely abolished. Many other European penal codes derived from these laws, and thus reiterated the same conceptions of female sexual conduct (Abu-Odeh 1996; Canterella 1991). Despite the declaration of equality between females and males after the French Revolution, in 1776 the ‘natural order’ of the supremacy of the husband, and the legitimacy of ‘homicide honoris causa’ was affirmed by the Comite de Legislation (Abu-Odeh 1996; Canterella 1991). In the penal code of 1810, under Napoleonic legislation, female adultery was reverted to being a crime, and honor (article 324) was accepted as grounds for impunity for the husband who kills his wife and her lover upon discovering their relationship (Abu-Odeh 1996; Canterella 1991).

In 19th century Italy, after its unification, the laws granted extenuating circumstances, and not complete pardons, yet extended the persons permitted to use the honor ‘motive’ to the father, brother, husband, mother, and sister (Canterella, 1991). It was not until 1981 that homicide for honor’s sake was removed from the Italian penal code. It was only a few years prior to that, in 1975, that the French abolished their version of the honor law, under article 17, law 617/75 (Abu-Odeh 1996; Mughazil 1985).

Other states continue to exhibit preferential treatment towards the killer, yet each state has its own conditions on who, and what circumstances qualify for the reduced sentencing. The only systems that allow for complete acquittal are those of the Levant Lebanon, Syria, and Jordan (Abu-Odeh 1996). These three countries also have the broadest definitions of what constitutes an honor crime, allowing almost any male the benefit of extenuating circumstance, and giving validity to suspicion. All other
systems require two elements: a) witnessed adultery (includes that of single females), and b) surprise/ immediate reaction (Mohsen 1990; Mughazil 1985). Beyond this the separate penal codes differ on the admissible circumstances as follows:

Spain: Article 428 - If the killer is the father, and the female is under the age of 23, and still living at home, or the husband if she is married (Mughazil 1985)

Portugal: Article 372 - If the killer is the father, and the female is under the age of 21 and still living at home (Mughazil, 1985)
Kuwait: Father, brother, and son (Al-Shaya 1997)

Egypt: Husband (Mohsen 1990)

Tunisia: Previously both husbands and wives, now treated as purely homicide/ no exemptions (Cherif, Chekir and Kumar 1995).

The differences in who has recourse to these indulgent articles of legal codes can be attributed to the governmental forces in power at the time, including colonial influences. They do not necessarily reflect the religious, traditional or customary values of the time; in fact it may be safe to suggest that they do not. In particular, they do not converge with religion's treatment of instances of illicit sexuality (Al-Shaya 1997; Ahmed 1992; Antoun 1968; Dodd 1974; Tillion 1983). Dealing specifically with Islam, the Quran specifically states that no individual is permitted to take the life of another,
except through legal means (Al-Shaya 1996)*. Males may not arbitrarily kill females because they are seen as a burden or inadequate, infanticide became prohibited (Maydani 1955)\textsuperscript{11}.

Over and above this, there is no mention of honor- female(ird) or male(sharaf)- in the Quran: these are cultural terms (Al-Shaya 1996). There is mention of purity and chastity, which are required in both males and females\textsuperscript{2}. When there is an infringement on purity, the case is supposed to be presented to a court of law\textsuperscript{3}. With this there must be at least four mature witnesses present, with false accusations also being punishable by law\textsuperscript{4} (Al-Shaya 1996; Antoun 1968; Maydani 1955). One method of dispelling the

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*At the time of the inception of Islam, a formalized court system was not in place, thus all crimes were tried by the Prophet Mohammed, and later by Sheiks, within the parameters of the Mosque

\textsuperscript{1} Chapter 4:94

"And those kill a believer intentionally, his reward shall be Hell wherein he shall abide. And Allah will be wroth with him and will curse him and will prepare for him a great punishment." (Sher’Ai 1968).

\textsuperscript{2} Chapter 24:31 & 32

"Say to the believing men that they restrain their eyes and guard their private parts. That is purer for them...."

"And say to the believing women that they restrain their eyes and guard their private parts, and that they disclose natural and artificial beauty...." (Sher’Ai 1968).

\textsuperscript{3} Chapter 24: 3

"The adulteress and the adulterer(or fornictress and the fornicator) - flog each of them with a hundred stripes.....let a party of the believers witness their punishment." (Sher’Ai 1968).

\textsuperscript{4} Chapter 24:5
allegations against the woman is through her oath of innocence, which is perceived by
the Quran as sufficient proof of the truth.\(^5\)

**(IV) "HONOR" IN LEBANESE LAW**

Appreciating the antecedents of honor and honor crime laws, it becomes
imperative to localize the probe to this study's field of interest, Lebanon. Lebanon has
experienced many of the influences and transitions observed in other Mediterranean
countries. This is evidenced from the numerous contradictions deposited in the lettering
of the Lebanese constitution and penal code.

Lebanon has stipulated within its constitution, Article 7, "All Lebanese shall be
equal before the law. They shall equally enjoy civil and political rights and shall equally
be bound by public obligations and duties without any distinction (Davis 1953). This
article was incorporated in the original writing of the constitution in 1926, under the
auspices of the French High Commissioner, Henri de Jouvenel (Hitti 1957; Mayarati
1968). In the process, the Ottoman municipal law was all but destroyed, with the
exception of Law 188 dealing with honor crimes. The latter called for a reduction of

\(^{5}\) Chapter 24:9 & 10

"But it shall avert the punishment from her if she bears witness four times in the name of Allah saying
that he is of the liars. And her fifth oath shall be to any that the wrath of Allah be upon her if he
speaks the truth." (Sher'Ai 1968).

N.B. The punishments that were prescribed by the Quran are no longer enforced, rather the Islamic states
(i.e. Libya, Kuwait) have replaced these penalties with a 3-5 year jail term for both the female and male
(Mayer 1990; Al-Shaya 1996).
penalty if the defendant kills or injures his wife or one of his female “unlawfuls” and/or the man she is with, upon discovering them in an uncompromising situation (Abu-Odeh 1996; Mughazil 1985).

This Ottoman law of 1858, in combination with Article 324 of the 1810 French Penal Code, was extracted from in the formulation of the Lebanese penal code dealing with honor crimes on March 24, 1939 (Abu-Odeh 1996; Mughazil 1985). The French code speaks of ‘passion crimes’, which allow for emotion/fury as defense in the killing of one’s wife, “ascendant”, “descendant”, or sister, after being surprised by the discovery of their adultery. The synthesis created Law 562 of the Lebanese penal code composed by a committee including Philip Boulous (president), Wafiq Kassar, and Fouad Amoun (Mughazil 1985). This law consisted of two main clauses:

1. He who catches his wife or one of his ascendants, descendants, or sister committing adultery or illegitimate sexual acts with another and he killed or injured one or both of them benefits from exemption of penalty (an absolute excuse)
2. He who catches his wife or one of his ascendants, descendants or sister in a ‘suspicious’ state with another benefits from a reduction of penalty (Mughazil 1985; Liebesny 1975).

In 1934-44, when the penal code was finalized, this law was expanded on under Article 250-253. Collectively, these five articles became known under the general heading of ‘honor crimes’ (Kassem 1997; Mughazil 1985). Article 250 speaks of ‘moral killing’, which would receive no penalty. Article 251 is based on ‘extenuating excuses’
which reduce a life sentence to a one year minimum. Article 252, deals with ‘provocation’, calling for a reduced sentence (no term specified). Article 253 grants ‘extenuating reasons’, changing a death penalty to a 7-20 year sentence (Mughazil 1985).

For those cases that were not clearly definable as honor crimes, there were other laws that were applicable to homicide within the Lebanese Penal Code. Articles 547-549 deal directly with homicide, defined as committed with an intent to kill (Mughazil 1985). Article 547 speaks of the murder of one individual, and the ensuing penalty of a minimum of 15 years of hard labor. Article 548 deals with a double murder, with a minimum of life in prison, while Article 549 states that killing of an ascendant or descendant is punishable by the death penalty, except under three conditions (Mughazil 1985). The three conditions are general descriptions of circumstances when the defendant’s judgment may have been impaired by an insult to his honor, and thus requiring a more lenient sentence, if any.

The first condition is that of “Surprise”, which simply states that if the man discovered the adultery, without any prior knowledge of the existence of the affair, he is pardoned. The second condition is labeled “Witnessed Copulation”, however within the text of this is also the ‘valid belief’ that a sexual relationship has, or will ensue. The final condition is “Spur of the Moment”, yet the time lapse needed to invalidate this excuse is left to the determination of the judge (Mughazil 1985).

Another pair of laws (192 and 193) that have been used in judging cases of ‘honor crimes’, are constructed around the ‘honorable motive rule’ (Kassem 1997). These are wider in range than the other laws, since they pertain to the killing of men and women for ‘valid reasons’ (Mughazil, 1985). Article 192 states that if a “motive” is the cause, or
reason for, or the ultimate goal of the individual’s actions, the individual is not indicted except where stated by the law (Kassem 1997). Article 193 continues with this reasoning, stating if the judge determines, or finds out that a ‘motive’ was an honest one, he has to pass the following sentences:

* Life sentence instead of a death penalty
* Life sentence or 15 years imprisonment, instead of life sentence with hard labor
* Limited period arrest instead of limited period hard labor
* Simple imprisonment instead of hard labor imprisonment

A supplement was added to these laws defining an honest motive as one characterized by chivalry, and high morality, free from egoism, selfishness, personal considerations, and material benefit. In 1965, Article 418 was introduced, calling for restricted use of this law, i.e. not to be used in ‘honor killings’, yet it remains to be resorted to in some instances (Abu-Odeh 1996; Mughazil 1985). In 1994, yet another law was introduced, no. 302/94, which forbids the judge from granting pardons, extenuating excuses, or circumstances for any/all homicides (Anonymous 1997). This law stipulates hanging for any man who kills for political reasons, and freezes articles 547 and 548, thus forcing the judge to pass death sentences on all killers (Anonymous 1997). Theoretically, this would presumably eradicate the use of articles 192 and 193, yet in practice this has not altered their use (see chapter 3).

Finally, in certain cases the article dealing with accountability or lack of accountability is applied, thus pardoning or reducing the severity of the penalty. This occurs when the defendant is a minor, or is mentally challenged. It is believed that
families often use individuals in this category to benefit the differential treatment they receive (Abu-Odeh 1996; Honor Crimes 1997; Mughazil 1985).

(V) CONCLUSION

Haling this expanse of history and thought into perspective, it becomes indubitable that honor is a truly complex, and multifaceted phenomenon. In a succinct manner, one can assert that honor is what most revered and valued by those partaking in the dissemination of an ideology of honor. It is based on the sexual conduct of female family members, affects the masculinity of their male counterparts, and is judged and conferred within the confines on individual communities. Accordingly, the particulars of its enforcement vary, a reality felt by policy makers both in Europe and the Mediterranean who have had to contend with its delimitation. The only difference is that Europeans have recently been able to resolve this dilemma by expunging the discriminating honor laws from their penal codes.

Lebanon is one of the Mediterranean countries that has been incapable, or unwilling, to free itself from the clutches of the honor system, allowing this system to take precedence over state consideration for the equal treatment of its citizens, and the right of Lebanese women to enjoy self-preservation and personal security.
CHAPTER 3

AFTERMATH OF KILLING FOR HONOR:
ENTANGLEMENT IN CRIMINAL-LEGAL DIALOGUE

There are loud screams and a young woman lays dead: another case of what is known as an ‘honor crime’. Word quickly spreads amongst close relatives and friends and a decision is made on how best to manage the situation. The most common reactions of this small community fall into one of three categories: silence; notification of the authorities; or watching in awe as the killer is arrested, or heads for the police station to surrender.

In the first instance, the silence would ensue from an agreement that the woman deserved her death (Alawi 1995; Ginat 1979; Kressel 1992). The killer usually a brother, father, or husband is seen as having been justified in his actions, and in need of community support. Arrangements are made for a hurried burial of the body, a false doctor’s report, and a vow of silence in the face of authority investigation (Rafi 1995). These methods can be executed with minimal difficulty due to the laxity of official record-keeping in Lebanon. Many births and deaths are not registered for a number of years if registered at all. Death records are especially obscure, rarely offering the exact cause and circumstance of the death. Often deaths are recorded as death by natural causes (no specification), accident, or suicide.
Many incidents of honor crimes begin at this level and possibly never develop beyond. Knowledge of these incidents remains exclusive to the group involved, until someone decides that the killing was unjust and informs the authorities (Ginat 1979). This may reasonably be assumed a rarity considering the amount of opposition the person would face in the community.

The cases that do penetrate the community shield to reach authority knowledge are a result of surrenders or police investigation. It is not uncommon for the killers to voluntarily proceed to the police station to turn themselves in. Arrests occur when police become suspicious of reported suicide and probe the death further.

When the individual comes into police custody, he/she is kept in prison until the start of the trial. The time spent in prison varies from one case to the next. It depends on any combination of the following factors: the availability of judges to reside over the case (there is a serious shortage), the person’s ability to appoint a lawyer, or the willingness of a lawyer to volunteer his/her services to the defendant (Lebanon.com 1997). Lebanon does not have a public defender’s office; the only assistance accessible to needy individuals is provided by the Bar Association (United States Intelligence Services 1997). Individuals who lack funds and family support spend many years awaiting their trials.

Trials in Lebanon are markedly different from their Western counterparts with respect to the significance attributed to the various roles. Most notable is the absence of a jury who are replaced by a court council, usually comprised of 3 judges (IncoNet 1997). There is the chief judge who is considered the head of the proceedings and makes all final decisions. The other two judges serve as advisors, aiding in evaluation of evidence.
They make not ask questions or voice their opinions without permission from the chief judge (Liebesny 1975).

All appeals and arguments are directed at this council which gives the chief judge almost absolute discretion in deciding the outcome of each case (Mughazil 1985; Liebesny 1975). He determines the validity of the testimony, and the qualifications for extenuating circumstances or excuses. With honor crimes in particular, the chief judge is allotted the added privilege of applying or ignoring, honor laws in instances where the killer is female since the laws only address the issue of male killers (Mohsen 1990; Mokbel-Wensley 1996).

The other distinction is that the defendant plays an active role in his/her own defense taking away some of the prominence of the lawyers (Maydani 1955). A great deal of weight is assigned to the defendant's own self-defense, and representation. Lawyers do assume the roles of prosecutor and defense, but their arguments do not revolve around each other, but focus on the defendant, and appealing to the judges' morality/sympathy (Anonymous 1997; Liebesny 1975).

The circumstances described are taken to their extremes in the case of honor crimes, where the trials are closed to the public. This privacy is only accorded to matters that involve public order and morals, which apparently killing for honor affects (Malouli 1997). The only individuals permitted into the courtroom are the immediate family of the defendant and the victim (often the same), the defendant, law officials, and a small
number of witnesses\(^1\). The witnesses that do appear are almost exclusively there to provide support for the defendant.

The prosecutor initiates the proceedings by introducing the case, interpreting its perimeters, and recommending a sentence. The prosecutor is a representative of the state and society, and thus is expected to immerse himself/herself in the stipulations of the penal code (Anonymous 1997). Subsequently, the defendant’s lawyer rises to explain his/her client’s motivation and circumstances. There may actually be more than one lawyer arguing in killer’s the favor who strive not to repudiate his/her involvement, but to obtain a pardon or at minimum clemency from the judges (Anonymous 1997). The final statement prior to the sentencing is often made by the accused/defendant, making his/her last plea for justice. Any sentence administered always includes the time spent by the defendant in jail awaiting the trial.

This is an eminently condensed depiction of the atmosphere of the court proceedings, offering only a glimpse into the handling of honor crimes in the legal system. The internal dynamics of the cases would complete this portrayal, however the form they assume is too complex to categorize into minute units. Each incident introduces its individual conception of shameful female conduct and the level at which assassination was considered inevitable. The range of arguments is so diverse that to forgo presentation of the cases would compromise understanding of the phenomenon.

Over and above this information, considering the condition of the available data any decisive assertions about honor crimes would be premature. The literature reviewed

\(^1\) This information is based on an interview conducted by Dr. B. Serhan on July 29 1997, with 2 Lebanese lawyer and a chief judge who chose to remain anonymous. The interview revolved around the treatment of honor crimes in the Lebanese legal system and courtroom.
is informative, yet is dated and quite scarce. Research on honor crimes is practically nonexistent with the exception of their discussion as a symptom of the honor system in general. In order to enrich the perception of what constitutes an honor crime, and to compensate for the deficiency in empirical studies and statistics, it may prove beneficial to exhibit the cases individually. This will also allow the reader to revert to tangible text when references are made to specific incidents in the remainder of the study.

Prior to presentation of the personal information of the killer and the victim, and the courtroom deliberations for the separate cases as recorded in the court archives, several issues must be elucidated about this transcription. All personal information (age, education) is based on the attributes of the individual at the time of the killing, rather than the time of the trial since these two may not coincide. The only aspect of the personal information altered are the names of individuals, which I have replaced with initials to ensure anonymity. There are other modifications to the original texts that I have taken to increase their flow and readability. The first of these changes is censoring some of the proclamations due to the obscenity inherent in them. To ensure that this would not compromise the gist of the arguments, I took the liberty of substituting the actual articulations with more tempered expressions. The second is an addition to the text in the way of transitions, and third person descriptions. I found these to aid in defining the roles of the various players. Nonetheless, I have indicated within the presentation of the cases where I have made modifications on the text (i.e. rephrased), and where the original text was in third person (i.e. not my interpretation). The final noteworthy aspect of the shortcomings of the transcripts is that the record-keeper apparently does not note the presence of the witnesses, or does not distinguish his/her pronouncements from the
those of the defense lawyers. This obscurity cannot be rectified at this point beyond acknowledging its presence.

Realizing these limitations, it is possible to present the actual transcriptions in their relatively unadulterated version. Within the transcripts are numerous references to articles of law from the Lebanese penal code without explanation. Thus a display of these laws may be necessary to allow the reader an easy reference during reading of the transcripts. The 9 articles of law dealing with honor crimes divided into two categories as follows:

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<tr>
<th>HONOR CRIME LAWS</th>
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<tr>
<td><strong>NAME OF ARTICLE</strong></td>
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<td>Honorable Motive Rule</td>
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# HOMICIDE LAWS

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<th>NAME OF ARTICLE</th>
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<th>DESCRIPTION</th>
<th>CLAUSES</th>
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<tr>
<td>Homicide</td>
<td>547</td>
<td>Killing of one individual</td>
<td>—</td>
<td>15 years of hard labor</td>
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<tr>
<td></td>
<td>548</td>
<td>Killing of two individuals</td>
<td>—</td>
<td>Minimum of life in prison</td>
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|                 | 549               | Killing of an ascendant or descendant punishable by death except under 3 conditions | 1. Surprise-no prior knowledge of affair  
2. Witnessed Copulation- or valid belief  
3. Spur of the Moment - unspecified time | Lenient term if any |

**Homicide laws amendment**  
302/94 - Temporary law - passed 1994  
Eliminating distinction between types of homicide  
Judge forbidden from granting pardons, extenuating excuses  
Death penalty for all homicides

* Extenuating Excuses; Provocation; Extenuating Reasons—These are the exact terms used in the penal code, without clarification. They are open to evaluation by the judges.

## PRESENTATION OF CASES:

**Informed on**

**Case 1:**

Killer: T.A., 58 years old  
Victim: R.A., 26 year old, daughter of T.A.  
Religion: Druze  
Residence: Village in the Anti-Lebanon(Druze) mountains  
Education/Profession: T.A.- illiterate/ night guard  
R.A.- 9th grade/unemployed  
Year of incident: 1988

The Public Attorney(prosecutor) tried to argue that T.A. had cold-heartedly murdered his daughter, since he chose to conceal the killing from the authorities. His recommendation was that T.A. be sentenced to life in prison.
T.A.'s lawyer began his defense by describing R.A.'s behavior. R.A. had been married to a second cousin who had been working abroad for two years at the time of the killing. R.A. had an affair with a young soldier, blatantly in the face of the community. She would entertain this soldier in her home, ignoring pleas for her to change her ways. Eventually word of her lewd behavior reached her husband in Saudi Arabia. Upon his return he divorced R.A. At the same time, T.A. was coming to welcome his son-in-law, with no knowledge of the divorce, when he found R.A. in bed with a young man. In the midst of his shock and anger, he started shooting at her with his bibi rifle. She died immediately, and her lover escaped through the window.

Following this narrative of the chain of events, the lawyer began to draw the image of T.A. T.A. was a well-liked and trusted man. In their community, T.A. had never provoked any criticism. He was an honest hard working man, working as a guard for the village farm plots for over 30 years. This occupation explained T.A.'s having a rifle during a visit to his daughter. This weapon was licensed. It was also noted that T.A. had repeatedly requested from his daughter that she repent and alter her ways.

The community was talking, and pressure was mounting on T.A. to act. The lawyer concluded that the build-up of all this pressure coupled with the discovery of her in bed with the man generated this tragedy. T.A. had lost his ability to think rationally. His final recommendation was that Article 562 be implemented. In particular a pardon should be granted based on clause 1 of this article.

Finally, T.A. was given the opportunity to speak. He said, "I admit that during a fight with my daughter, after the ruin of our family’s reputation. I was extremely angry, it
overpowered my conscience and willpower, and I regret my actions”. T.A. was
pardonned, and released immediately.

Case 2:

Killer: T.N., 50 years old
Victim: B.N., 17 years old, daughter of T.N.
Religion: Shiite Moslems
Residence: Hirmil in rural Baalbeck (tribal region)
Education/Profession: T.N.- Elementary/Owned small plot of land
B.N.- Enrolled in high school
Year of incident: 1994

The Public Attorney (prosecutor) introduced this case as an incident of murder.
He described the father (T.N.) as having thoroughly thought through the killing, before
committing the act. Four weeks passed between the discovery of B.N.’s love-interest, and
her death. He recommended the death penalty under article 549. T.N.’s lawyer described
a completely different development of events. His account proposed that B.N. had
actually committed suicide. She had done this out of strong feelings of guilt, for her
inappropriate behavior.

The family’s predicament had started shortly before the death of B.N. B.N.
walked 2 km to and from school daily. At some point she started arriving home late. Her
mother warned her, telling her T.N. would not tolerate any gossip. B.N. insisted that her
delays were school related. Eventually, B.N. was caught by her father and brother in the
fields with a young man (rephrased). This incident had come about when lunch guests on
Sunday, began questioning the prolonged absence of B.N. from the family home. Five
hours later, T.N. and his son went out searching for her, and dragged her back home.
T.N. forced her to drop out of school, confining her to her room. This was his punishment for her. Four weeks later, while T.N. was in the garden, he heard a shot coming from B.N.'s room. He ran into the house, with the rest of the family, to find B.N. lying on the floor with a rifle by her side. She had shot herself in the chest. T.N. called the police to report the suicide.

The lawyer then proceeded to "draw on" T.N.'s nobler qualities. T.N. was the head of his extended family, making him a well respected, and revered man. He had great pride in his manhood and honor, which had never been questioned. He was a strict father, but with good intentions. Finally the lawyer added that this was a family tragedy, and that the family should not be made to suffer any further. B.N. was driven to suicide only by her guilty conscience over losing her virginity and disgracing her family.

Next, the mother and the one son were asked to relate the incidents. They all were in agreement that their father was not in the house at the time of B.N.'s death. T.N. made no comments.

After deliberation, the court had to release T.N. based on lack of evidence. No witnesses came forward to create any doubt to the story as T.N.'s lawyer had related it.

**Case 3:**

Killer: H.H., 36 years old  
Victim: S.B., 32 years old, H.H.'s wife  
Religion: Druze  
Residence: Village in the Anti-Lebanese (Druze) Mountains  
Education/Profession: H.H.- High school/electrician  
S.B. -Elementary/house wife  
Year of incident: 1992
The Public Attorney requested the death penalty under article 549. He argued that the killing was carefully planned and executed. H.H. had pre-arranged with S.B.’s family to call S.B.’s death a suicide. He watched her die in the hospital, without breaking down and confessing.

H.H.’s lawyer spoke of how futile all other measures were in curbing S.B.’s behavior. She had stubbornly withstood all the talk of neighbors and relatives. S.B. even went so far as to befriend her lover’s sister so that she could prolong her visits to their home. She remained in complete denial, even when confronted with the notion that her visits to that home were not of a platonic nature.

H.H. on the other hand, was very patient and understanding. He accepted her verbal abuse and even her avoidance of him in bed. He never tried to force her to be intimate, rather he waited patiently for her to return to him. It was only after her visits became increasingly long and frequent, that H.H. felt the pressure to act. The neighbors’ questions were growing, so H.H. arranged to meet and discuss the solutions with S.B.’s family. Both parties agreed that divorce would not put an end to S.B.’s behavior, and the disgrace she caused. It was only after the family agreed, that H.H. bought the poison (Demol) that he put in S.B.’s milk. H.H. was only acting according to her family’s wishes, and the community’s expectations. His lawyer finally requested that the court treat this incident as an honor crime, under Article 562, pardoning H.H.

The Judge rejected this. H.H.’s lawyer then requested H.H. be tried under Article 253. This was taken into account, and H.H. was sentenced to 12 years in prison.
Case 4:

Killer: M.A., 51 years old
Victim: G.A., 24 years old, M.A.'s daughter
Religion: Sunni Moslems
Residence: Beirut
Ed/Prof.: M.A.- elementary/ N/A
                   G.A.- Law school
Year of incident: 1987

The Public Attorney began by illuminating the fact that M.A. had failed to appear in court. He portrayed this as the evidence of his guilt, and his lack of conscience. He stated that M.A. refused to surrender, and moreover to pay for his crime. All these factors should be considered, and a death sentence should be passed on M.A.

M.A.'s lawyer expressed that M.A. was a conservative, and well-respected man who should not be humiliated further. G.A. had humiliated him not once, but twice. Initially, G.A. had fallen in love with a soldier/security guard working at her university. She insisted on having a relationship with him despite her father's objections. G.A. came and went with this man, without concern for the disgrace she was bringing upon her family. Added to this was the fact that G.A.'s lover was of a different religion. She deepened the disgrace and humiliation a second time by eloping with her lover.

Nonetheless, M.A. did not take any drastic measures, he only pleaded with her to return home. She again ignored his pleas, and her mother's pain, to remain with her lover. The incident that led to her death was purely coincidental, and accidental. M.A. had been driving through Khaldi (a suburb south of Beirut), when he came upon G.A. and her lover. He asked to speak to her, begging her to return home. When she rejected his pleas, he pushed her out of extreme anger and excitement. M.A. had not had the chance
to think rationally about his actions, nor did he plan them. Accordingly, M.A. should not be tried under Article 549, and given a minimal sentence.

The Judge took all the evidence into consideration, and sentenced M.A. under Articles 192 and 193 to five years in prison. However, since the incident had occurred in 1987, prior to 1991, the sentence was reduced to 2.5 years under law 84/91.

M.A. has not begun his prison sentence since he has not been located. When found, M.A. will be retried, and a new sentence will be passed.

Case 5:

Killer: K.A., 35 years old
Victim: H.A., 25 years old, K.A.’s sister-in-law, and close relative
Religion: Sunni Moslem
Residence: Camp near Sidon(South Lebanon)
Ed/Prof.: K.A.-N/A
H.A.-elementary/house wife
Year of incident: 1989

The Public Attorney requested the death penalty under Article 549, excluding the possibility of using extenuating circumstance. He argued that K.A. had entered H.A.’s home with one objective, to kill her.

The defense lawyer argued that K.A. acted in the interest of honor. H.A. had disgraced her family and community intentionally. H.A. had been married for eleven years, and had four children, when she decided to abandon them.

H.A. had married a relative, K.A.’s brother, at the age of 14(he was 19 years old). They had been living in Saudi Arabia for some years, when H.A. returned for the summer without her husband. She was accompanied by a Turkish man, whom she introduced as a
neighbor from Saudi. Talk in the community started immediately about this man constantly visiting H.A. Several days after her arrival, she told her family she was off with the Turkish man to confirm their return tickets. H.A. did not return.

H.A.'s family were extremely humiliated, and embarrassed. They searched for her, calling her husband. He informed them the Turkish man was not his friend, and he was not returning to Lebanon to resolve the situation. They eventually found out, through the airport, that H.A. had traveled to Istanbul. The questions and rumors in the community increased. Her family tried to claim that she had died during the recent shelling. However, H.A. decided to return, to obtain a divorce from her husband.

The extended family elders met to discuss H.A.'s behavior. They agreed that it was degrading, and unacceptable. They stated that she had tread on her children and her family's honor with her dirty shoes, and was lower than a prostitute (rephrased). They passed a death sentence on her, but the person fulfilling this task had not been specified.

K.A., being her brother-in-law and a close relative took it upon himself to cleanse the family honor. K.A. was only fulfilling the elders' wishes. To K.A., this was a social duty.

The court, taking into consideration that no arrest, or surrender had been made, decided to dismiss the case. The arguments were the lack of access into the camp for Lebanese authorities, and the lack of witnesses. Everything proposed in the court was based on several individuals' reports to the authorities, instead of actual testimony. Finally, the court commented that there was a Palestinian police presence in the camp, and that this was an internal affair.
Case 6:
Killer: N.T., 35 years old  
Victim: R.T., 20 years old, N.T.'s nephew  
Religion: Shiite Moslem  
Residence: Southern Lebanese village  
Ed/Prof.: N.T.- High school/Truck driver  
R.T.- High school/militia member  
Year of incident: 1991

The Public Attorney opened by stating that T.T., N.T.'s brother and R.T.'s father, had been the one to report the incident. T.T. had even requested the death penalty for his brother, prior to withdrawing his personal claim. This showed that the killing was not a case of honor crime, and should be tried under Article 549. He also asked the court to note that R.T. and N.T. were members of opposing militias. Also, the aunt in question has not come forward to testify.

N.T.'s lawyer countered this argument, noting that this issue is the greatest of all human taboos, incest. He said that R.T. had attempted, and suggested the unimaginable (rephrased). R.T. had for months been propositioning his 25 year old, married aunt. His aunt was too afraid to tell her husband, fearing he would divorce her; instead she told her brother N.T.

N.T. was an intelligent man, and decided to discuss the issue with T.T., R.T.'s father, before acting. He had not intended to harm R.T., but he was also infuriated by the potential scandal. It was on the way to meeting his brother, that he came upon R.T. sitting in his car. He confronted R.T. with the accusations of his aunt, trying to resolve the dilemma. He was surprised by R.T.'s reaction, which was to deny the accusations, as well as to insult his aunt. He cursed both his aunt and uncle. T.T. lost his temper; not
being able to think clearly, he pulled out his gun and shot R.T. in the head twice. Reminding the court that R.T. was blatantly attempting to seduce his aunt, he requested that Articles 192 and 193 be applied. Finally, he stated that this killing was noble, and was socially acceptable.

Taking into consideration withdrawal of T.T.'s claim, N.T. was sentenced to 2 years in prison.

Case 7:

Killer: S.I. (female), 19 years old
Victim: F.A., 27 years old, S.I.'s lover
Religion: S.I.- Sunni Moslem, F.A.-Christian
Residence: Mount Lebanon, Tabarja (tourist town)
Ed/Prof.: S.I.- 5th grade/waitress
F.A.-College/restaurant manager
Year of incident: 1990

The Public Attorney called this crime a bitter woman's anger, over her own lewd behavior. He called it cold-blooded, requiring a death penalty once again.

S.I. had previously been sentenced to death in absentia(Article 549). This sentence had been passed three years previously, while S.I. was still on the run. S.I.'s lawyer argued that S.I. could not be tried under Article 549, since she had no intention of killing F.A. F.A. had been treating S.I. cruelly for over one year prior to his death.

F.A. had managed to seduce S.I. soon after she began her waitressing job, at the restaurant he managed. F.A. was educated, he had a degree in hotel management, and came from a well off family. The relationship had started based on F.A.'s promise of marriage, a proposal he kept postponing, even after S.I. found herself pregnant. F.A.'s
mother even went as far as convincing S.I. to abort her child. This came with a promise that upon its completion, F.A. would marry her. Again the promise never materialized.

S.I. was dismayed, and decided to return to her village in North Lebanon. However, she was rejected since her community had learned of her affair. They had warned her about the religious and class differences, and they no longer accepted her. Being illiterate, with no resources, she returned to F.A., begging him to marry her. F.A. took her in again, but would still not marry her. She begged him to save her own and her family’s honor and reputation in the village. Finally, he told her she would never be more than a mistress. Distraught, she waited for him to fall asleep, then pulled out his hand gun and shot him in the head.

S.I. had killed F.A. in a state of extreme outrage, despair, and distress. F.A. had harmed her beyond what is tolerable, especially considering her conservative background.

S.I. was sentenced to death, under Article 547. Her lawyer appealed this verdict two months later, and won. S.I. was then sentenced under Article 253 to seven years of hard labor. This was further reduced to 3.5 years under law 84/91, since the incident took place prior to 1991. In addition, S.I. was ordered to pay F.A.’s mother 20 million Lebanese pounds (U.S.$ 13,000) in compensation for the moral and material damage she caused.
Case 8:

Killer: G.D., 47 years old
Victims: H.R., 46 years old, G.D.’s ex-best friend
         M.M., 34 years old, G.D.’s ex-wife
         M.M.’s mother, 70 years old
         M.M.’s brother, 21 years old
Religion: Shiite Moslem
Residence: G.D. & H.R. - Beirut suburb
         M.M., and family- Village in South Lebanon.
Ed/Prof.: G.D.- University/pharmacist
         M.M.- high school/house wife
Year of incident: 1990

The Public Attorney requested the death penalty, arguing G.D. had ample time to reconsider his actions. G.D. had been divorced from his wife for more than two months before the incident. He also set fire to H.R.’s four cars the day before the killings. Finally, he had to drive 20 miles from where he killed H.R., to reach M.M.’s family home. All this showing he could have stopped himself at any point, thus warranting a death penalty under Article 549.

G.D.’s lawyer believed that the time that lapsed served to further ignite G.D.’s anger, rather than to calm him down. H.R. and M.M. had both mistreated him, and deceived G.D. They had begun having an affair one year prior to the incident, while G.D. and M.M. were still married. H.R. pretended to be G.D.’s friend right to the end, while making a fool of him. The neighbors and relatives were all talking about the deception of G.D., yet M.M. and H.R. completely denied it.

M.M. had also been creating numerous problems for G.D. She had been complaining endlessly, and avoided intimacy with G.D. He was patient, and tried in
various ways to make her happy. She rejected all of his attempts, and finally asked for a divorce. G.D. agreed on the condition that she leave their four children with him, hoping this would deter her. Instead, she accepted; she chose her lover over her children.

Eventually, M.M. moved into her mother's home, and married H.R. This contract had been signed before the official 100 day wait period after M.M.'s divorce which fueled more criticism from the neighbors. Finally, G.D. could not tolerate the gossip, and decided to find out the truth for himself. He set fire to H.R.'s front door, and four cars. H.R.'s children were rescued by the neighbors. G.D. was taken in for questioning, but H.R. vouched for him, saying he would not do such a thing. This confirmed to G.D. that the rumors were true. The next day G.D. went into H.R.'s house, and shot him in the head at close range. Then in his fury, he drove to M.M.'s home, and killed her, her mother, and her younger brother. During these hours G.D. was blinded by the loss of honor, and humiliation.

Accordingly, G.D. should not be tried as a killer, but as a man under extreme pressure. The court sentenced him under Article 192 to 3 years in prison. This sentence includes the weeks spent in custody awaiting trial.

Case 9:

Killer: H.E., 47 years old  
Victim: Z.E., 16 years old, H.E.'s daughter  
Religion: Druze  
Residence: Village in Anti-Lebanon mountains  
Ed/Prof.: H.E.-elementary/owns small grocery store  
Z.E.-Enrolled in high school  
Year of incident: 1994
The Public Attorney requested the death penalty for H.E. The prosecutor argued that H.E. had killed his 16 year old daughter with intent and determination.

H.E.’s attorney began to speak of H.E.’s disgrace. H.E. worked in Beirut most of the year, running a small grocery store. He was not able to keep close contact with his children, only speaking to them on his holidays.

In early 1994, Z.E. met F.A., and he became a family friend. By mid-1994, F.A. was asked not to visit the family home again. Nonetheless, within a couple of months Z.E. confessed to her mother that she was pregnant. Her mother took her to the village clinic to have an abortion. She asked the doctor to make no mention of this to H.E.

H.E. had not heard news of any of the goings-ons of his daughter, until the end of the year. When he came home for the holidays, Z.E.’s mother decided to tell him all that had happened to his daughter. H.E. was extremely humiliated and shocked. He had known his daughter to be innocent and respectful; he could not believe she would dishonor the family to this extent. They argued that night, but H.E. could still not calm down. The next day, he took his daughter for a drive outside the village. He drove to a forest, where he shot Z.E. with a machine gun. Then he surrendered.

H.E. was acting to defend his honor, since Z.E. had completely disgraced herself and her family. They live in a small community, and word of this would spread quickly. H.E. had decided to cleanse his honor before the community was able to learn of the disgrace. The lawyer pleaded that H.E. be treated under Article 251, for he was motivated purely by honor.

The court accepted the defense’s arguments, and sentenced H.E. to one year in prison. He had already served four months while awaiting trial.
Case 10:

Killer: A.N., 25 years old
Victim: H.N., 19 years old, A.N.’s sister
Religion: Sunni Moslem
Residence: North Lebanon.
Ed/Prof.: A.N. - High school/soldier
H.N. - 9th grade/unemployed
Year of incident: 1995

The Public Attorney argued that killing for virginity is not covered by any law in the penal code. Accordingly, this should be treated as murder of a relative under Article 549. A.N. should receive the death penalty, since none of the extenuating circumstances apply to this incident.

A.N.’s lawyer spoke of how H.N. had failed her virginity test on her wedding night; she did not bleed. A.N. gave her the benefit of the doubt, and took her to a doctor to verify her purity. However to A.N., and to the rest of the family’s surprise, the doctor announced that H.N. had lost her virginity over a year prior to her marriage. A.N. still believed in his sister’s purity, so he took her to a second doctor, then a third. Unfortunately they all confirmed that H.N. had not been a virgin for a long time.

Following this, the family took H.N. home, and waited outside her bedroom as her husband had intercourse with her again. She still did not bleed, but she insisted she was innocent. Eventually, A.N. offered to drive everyone home since it was futile to wait any longer. A.N. dropped off his mother, H.N.’s husband then drove H.N. just outside the village. He then cleansed his family honor; he shot H.N. 3 times in the forehead, once in the cheek, 4 times in the arm. He then surrendered himself.
A.N. does not deserve to be treated as a murderer, since he came from an extremely conservative background. H.N. had disgraced her family, and her village by her actions. A.N. did not react without giving his sister a chance to prove her purity. A.N. reacted under the shock of finding out about his sister’s dishonor. He should be tried under Article 562.

The court had to dismiss the case because H.N.’s husband refused to testify against A.N. There was not enough evidence. A.N. was released immediately.

Case 11:

Killer: A.G., 34 years old
Victims: S.B., 30 years old, A.G.’s wife
         B.M., 32 years old, S.B.’s lover
Religion: Druze
Residence: Small town in Anti-Lebanon Mountains
Ed/Prof.: A.G.- 9th grade/owned small grocery store
          S.B.- Elementary/house wife
          B.M.- 10th grade/ N/A
Year of incident: 1994

The Public Attorney argued that A.G. had planned the murder of his wife and her lover, and had been waiting for just the right opportunity. A.G. should be sentenced to death under Article 549, since he chose to kill his wife rather than divorce. The affair had not been a surprise to A.G., and thus the extenuating circumstances of Article 549 do not apply to him.

A.G.’s lawyer began describing his predicament as it had started over 18 months before the incident. S.B. and B.M. started having an affair in early 1993. The townspeople began to talk immediately. B.M. did not deny the rumors, but rather fueled
them by confirming the details. As the rumors started expanding and spreading further, B.M.'s own brother advised him to end the relationship for the sake of A.G. and S.B.'s family honor. The advice was repeated by a mutual friend that could not bear what B.M. was doing to everybody involved.

Next, S.B. and A.G.'s fathers heard about the affair, and advised A.G. to cut off all contacts with B.M. They believed this was the only way to preserve the two families' honor. A.G. approached B.M. and requested that he no longer visit his home, especially while he was at work. B.M. ignored all these pleas and requests, and continued his affair with A.G.'s wife. Eventually, B.M.'s sister confronted A.G. with knowledge of the affair. A.G. reluctantly decided to confront his wife with the rumors. S.B. denied the existence of the affair, yet the talk in the town kept intensifying (rephrased). A.G. even saw B.M. coming out of his home as he was returning from work. A.G. yelled "for God's sake leave us alone". Finally, A.G. could not withstand the talk of the town any longer, and felt he had to take some action to save his own and S.B.'s family honor.

An opportunity came one month later at 11:30. A.G. woke up to find his wife not in her bed (they slept in separate rooms), but rather on the balcony with B.M. They were having intercourse in A.G.'s home[rephrased], while his children were sleeping close by. The night was clear, there was a full moon, and A.G. saw S.B. and B.M. on the sofa. He started screaming, then shot S.B. in the head, then B.M. as he was trying to escape. A.G. then woke up his children, took them to his cousins' house to ensure their safety before he surrendered.
A.G. was then given the chance to speak in court, where he said, “I could not bear the social pressure any more. The stigma/scarring of our family honor was overwhelming”.

A.G.’s lawyer ended his argument by saying A.G. had committed this act under extreme mental anguish. He had been blinded by the discovery of his wife and B.M. being intimate on the balcony. A.G. did not have time to reconsider his actions, and thus should be tried under Article 562, giving him a minimal sentence.

The court decided to sentence A.G. to 3 years in prison.

Case 12:

Killer: A.A., 58 years old
Victim: R.A., 24 years old, A.A.’s niece, and daughter-in-law
Religion: Sunni Moslem
Residence: A.A. village in North Lebanon, R.A. in Tripoli, North Lebanon
Ed/Prof.: A.A.- elementary/farmer
R.A.- elementary/house wife
Year of incident: 1995

The Public Attorney introduced the case as one of premeditated murder, without any claim to family honor. A.A.’s family from the onset supported R.A., and J.A. refused to divorce her, or believe any of the rumors. Now, A.A.’s brother requests the death penalty for the loss of his daughter. A.A. acted on his own initiative, and should be sentenced to death for taking R.A.’s life.

A.A.’s lawyer proposed that A.A. was only attempting to preserve his family’s honor. R.A. had been having an affair for one year prior to the incident. The rumors of R.A.’s affair had traveled back to their village from the city. A.A. tried to warn his son,
asking him to divorce R.A. A.A. felt this would contain the disgrace, and limit the loss of honor. J.A. initially agreed with A.A., but then decided not to go through with the divorce. A.A. tried again to convince him that R.A. must be guilty, because she had brought suspicion and rumors upon herself. His attempts were futile; J.A. told him he loved R.A. too much.

A.A. felt trapped. He saw his family’s reputation being ruined without anyone trying to rectify it. Finally, A.A. could not handle the stigma anymore, and decided to cleanse the family honor himself. He drove to his son’s home while he was at work, and shot R.A. several times. He felt this was the only solution, since his son was a weakling.

A.A. should be treated as a man concerned with the welfare of the whole family. He should be tried under Article 562, under suspicion of infidelity.

The court took into consideration that A.A.’s brother requested the death penalty. It also took into account the conservative background A.A. came from, and the social pressure he was under. A compromise was reached, sentencing A.A. to four years in prison under Article 251.

Case 13:

Killer: J.M., 40 years old
Victims: A.Z., 35 years old, raped J.M.’s wife
        B.Z., 25 years old, A.Z.’s brother
        H.Z., 31 years old, A.Z.;s sister, survived
Religion: Shiite Moslem
Residence: Southern suburb of Beirut (where many displaced people live)
Ed/Prof.: J.M.- High school/delivery person
        A.Z.- 9th grade/owned amusement center
        B.Z.- High school/worked in amusement center
        H.Z.- 7th grade/unemployed
Year of incident: 1995
The Public Attorney requested a death sentence under Article 548 for J.M.'s double murder, and one attempted murder. J.M. had planned the murders, choosing that path over a legal one. J.M. could have legitimately filed a complaint against A.Z., potentially sending A.Z. to prison for 5 years. J.M. was not surprised by the events, nor did he witness any copulation, thus he is not eligible for any extenuating circumstance.

J.M.'s lawyer believed that murder was the only choice in J.M.'s mind. J.M. could not go to the authorities about his plight, because he felt he would be exposing the scandal further. J.M. felt that going to the police would confirm that he was less of a man, completing the assault to his honor. A.Z.'s family conspiracy was so immense, J.M. felt humiliated beyond what is tolerable.

H.Z., A.Z.'s 31 year old sister used to accompany J.M.'s wife to their home, where A.Z. would rape her. A.Z. and B.Z. (24 year old) would then mock J.M. when they saw him in public. They would make references to a new car they bought which was symbolically his wife (rephrased). J.M asked his wife about the rapes, but she denied their occurrence. However, J.M. still felt the need to discover the truth for himself. He watched his wife for a number of days, when he realized that H.Z. was the one fetching his wife to their home.

Finally, J.M.'s wife confessed to being raped continuously by A.Z. J.M. understood that his wife was the victim, and that A.Z. and his family were to blame. J.M. was humiliated, and afraid that the neighbors may be aware of the raping of his wife. Once the pressure of listening to the cruel remarks of the brothers became too overwhelming, J.M. decided to cleanse his honor. He took his machine gun to A.Z. 's
home, where he killed A.Z. and B.Z., and wounded H.Z. He then surrendered himself to
the police. He did not attempt to flee from the killings.

Rape is the biggest violation to manhood, especially when it is repeatedly
committed. J.M. reacted in the only way he knew how. In his community, this is the only
way to cleanse one’s honor; blood must be shed. J.M. should be allowed to be tried under
Article 192. He did not intend to kill these men for any selfish reason.

J.M. rose to say “I am ready to kill them again if they came back to life. I have no
regrets. I acted the way a real man should act”

The court considered all the testimony, but could not come to a decision, based
on the fact that J.M.’s wife had disappeared. The court ruled that a decision would be
made once J.M.’s wife has been arrested, and questioned. In the meantime, J.M. will
remain in custody, until his wife is located.

Case 14:

Killer: T.H., 25 years old
Victim: I.H., 37 years old, T.H.’s sister
Religion: Druze
Residence: Anti-Lebanon Mountains
Ed/Prof.: T.H.- High school/mechanic
I.H.- 9th grade/house wife
Year of incident: 1994

The Public Attorney recommended that T.H. receive the death penalty under
Article 549. His argument was that T.H. did not even know his sister at the time of her
return to the village, and that since I.H. was invited back by her family, this killing was
planned.
T.H.’s lawyer began by describing the social torment T.H. had to endure growing up. T.H., since the age of seven, had been hearing talk about his older sister. The community labeled his sister as a disgrace to the family, having abandoned the community to marry a stranger. The man was from a different religion, and the family had rejected him.

T.H. grew up being told he was less of a man because of his sister’s conduct. The whole family suffered, since all negative references involved their family name. Then I.H. did not revisit the village until she had gotten divorced. T.H. was glad to have his sister back, but he had pleaded with her to marry a Druze man and settle in their village. She again refused the wishes of her family.

When all eyes and talk were turned on T.H. to convince his sister to repent, he became disconcerted. After waiting to see his sister for seventeen years, he was shocked to see her as the community depicted her. Finally, in front of many spectators he decided to cleanse the family name. He stabbed her to death, while the community cheered him on. They had all known that T.H. had done the right thing: he had restored the family’s honor. He then surrendered to the authorities.

T.H.’s lawyer requested that the court take into account the psychological pressure T.H. was under for so many years, and to consider that T.H. had to grow up stigmatized, because of I.H.’s abandonment of the family. T.H. should be viewed in light of what his community expects; he should be tried under Article 192.

The court decided to sentence T.H. to six years in prison.
Case 15:

Killer: R.K., 38 years old  
Victim: I.M., 32 years old, R.K.'s wife  
Religion: Christian; Armenian  
Residence: Dora, suburb north of Beirut  
Ed/Prof.: R.K. - high school/municipal guard  
I.M. - 9th grade/housewife  
Year of incident: 1990

The Public Attorney requested the death penalty under Article 549. R.K. deprived his children of their mother.

R.K.’s lawyers pleaded for his pardon under Article 253. I.M. was not only an infidel, but she also disgraced her family. In 1989, the neighbors began to talk about I.M.’s love interest in K., another neighbor. At the same time, I.M. started criticizing their marriage, and avoiding R.K. in bed. She also started spending hours on the balcony, staring across at K. in the next building.

The situation developed when R.K. caught I.M. speaking to K. on the stairs. He beat her heavily, and she left to her parents' home. The following day, he begged her to return home, telling her he loved her, but she refused. His children returned home with him, and began telling him about what the other kids were saying in the neighborhood. The rumors were that K. visited I.M. after midnight, when the family was sleeping. His eldest son told him that K. would tell him to ask his mother to stand on the balcony, but he never saw them together.

The situation climaxed when R.K. found K. speaking to his son. They got into a heated argument, and K. threatened to kill R.K. K. was known for his ruthlessness. R.K. decided to clear things up with his wife. He drove to her parents' to question her about her relationship with K. I.M. finally admitted that she was having an affair with K.
She also told him it was none of his business how evolved the relationship was. He asked her if K. scared her into a relationship, and she answered that she loved K. R.K. then asked about his and his children's dignity and honor. Her response was she didn’t care about them, she was only interested in her own happiness. At that moment, R.K. pulled out his gun and shot I.M. in her stomach and chest several times. He then surrendered himself.

R.K. spoke next to explain his actions, and the emotions he had gone through.

I loved my wife, and I was extremely hurt and saddened by her behavior. I could not tolerate being humiliated by my wife to the extent of seeing young children mock me in the street. It was difficult to walk in the streets in our neighborhood, because of the way people were staring at me. Also, it was unbearable to be threatened by L.A.'s lover, and have my children know that their mother is mean.

The court took a midway position by allowing R.K. extenuating circumstances under Article 253, yet giving him a sentence of 10 years. However, under Law 84/91, the sentence was further reduced to 5 years imprisonment, since the incident occurred before 1991. R.K. was released immediately, having already served a 5 year sentence awaiting the trial.

Case 16:

Killer: M.K., 45 years old
Victim: Y.M., 25 years old, M.K.'s wife
Religion: Sunni Moslem
Residence: Beirut
Ed/Prof.: M.K.- University/ school teacher
          Y.M.- High school/housewife
Year of incident: 1995
The Public Attorney proposed that M.K. had committed the murder out of purely selfish motives. Honor was not involved in this killing, M.K. had planned to trap his wife in a compromising position, to justify killing her. He should be sentenced to death under Article 549, excluding any extenuating circumstances.

M.K.’s lawyer claimed that Y.M. had brought M.K. to his demise. Y.M. began having affairs with various men shortly after M.K. left to work in the Gulf. M.K. was forced to leave to Saudi Arabia due to harsh financial circumstances.

Word of Y.K.’s infidelity reached M.K. through friends and relatives. He constantly called her to warn her about her behavior. Often he called late at night, but never found her at home. A year passed, the rumors kept growing, M.K. decided to resign and move back to Beirut. This did not motivate Y.K. to change her behavior, she still went out for long hours, without informing anyone of her whereabouts. Their relatives and friends kept confronting M.K. about his wife’s conduct, telling him she was treading on his, and their children’s dignity. Not being able to change Y.K.’s ways, M.K. became depressed, and started drinking heavily.

M.K. often told his wife that she was ruining the honor of himself, their children, and both their families. He begged her to stop seeing all the other men, but it was futile. She would reply that he was a mere drunkard, and he was imagining unreal things. She laughed at him, saying he should get his mental condition checked. He became increasingly depressed, but decided to follow her one evening to see for himself where she went.

M.K. followed his wife all the way to an apartment, where a man answered the door. He waited half an hour, and when she didn’t come out, he broke in. He found Y.K.
with a man in bed. M.K. started screaming and ran to the kitchen to grab a knife. Y.K.’s lover escaped, leaving Y.K. behind. M.K., in his fury, stabbed Y.K. 22 times all over her body. He then surrendered to the police.

The court granted M.K. the use of extenuating circumstances under Articles 562 and 193. M.K. was sentenced to 3 years imprisonment.

Case 17:

Killer: M.H. 24 years old
Victims: F.A. 28, brother-in-law
    H.H. 18, survived, sister, married to F.A.
    O.H. 17, sister
    Twins 3.5, children of F.A. and S.H.
Religion: Sunni Moslem
Residence: North Lebanon
Ed/Prof.: M.H.- High school/clerk in pharmacy
    F.A.- Militia member
    H.H. & O.H.- elementary/unemployed
Year of incident: 1992

The Public Attorney requested the death penalty under Article 549, for killing the 3.5 year old twins. The prosecutor argued that the twins were innocent children that did not deserve to die. He made no requests for the killing of the twins’ father, and M.H.’s sister, H.H.

M.H.’s lawyer began with the statement that M.H. had been tormented for 4 years prior to the fateful incident. F.A. married M.H.’s 17 year old sister(S.H.) in 1988. Soon thereafter, S.H. gave birth to twins, then died in a fire. Rumors began that the fire was not an accident, F.A. had been the one to set it. M.H. did not believe those rumors. F.A. asked to marry the next sister in line, H.H. was sixteen years old at the time. According to
old customs, F.A. was entitled to marry her, for the children's sake. H.H. was taken out of school to take care of the twins.

For the next year, M.H. kept hearing the rumors about his sister's suspicious death. Neighbors told M.H. that F.A. had killed S.H., because she found out that he had raped the younger sister, H.H. S.H. had threatened F.A., telling him she would inform the authorities. M.H. had also heard talk of how F.A. had dominated M.H.'s family. M.H. and his father were no longer men, because they allowed F.A. to kill and rape S.H. and H.H. The family's honor was completely ruined. The final blow came when M.H. heard that F.A. had raped his third sister (O.H.). O.H. was only fifteen at the time.

By 1992, M.H. could not tolerate the complete ruin of his family, and their honor. The neighbors increased their talk about the lack of honor and dignity M.H.'s family had. M.H., completely humiliated went to F.A.'s home, and started shooting. He killed F.A., and the twins, and wounded his sisters. He then surrendered.

The police took the sisters to the hospital, where the youngest was examined by a physician. It was confirmed that she had lost her virginity. She died in the hospital several days later.

The court took all the evidence into consideration. M.H. was tried under Article 562, and was pardoned for killing F.A., and his sister. However, the court decided to sentence him to five years in prison for killing the innocent twins. M.H. had two more years of his sentence to serve, since he had been in custody for 3 years awaiting the trial.
Case 18:

Killer: I.K. (female), 19 years old  
Victim: N.S. 29 years old, I.K.'s lover  
Religion: Druze  
Residence: Village in the Anti-Lebanon Mountains  
Ed/Prof.: I.K.- enrolled in high school  
N.S.- elementary/farmer  
Year of incident: 1991

The Public Attorney requested the death penalty for I.K., since she did intend to kill N.S. The murder was premeditated; I.K. had intentionally invited N.S. over for the sole purpose of killing him.

I.K.'s lawyer argued that I.K. stole the machine gun from N.S. only minutes before the incident. I.K. was the true victim in the relationship. I.K. had been seduced by N.S. (25 year old divorcee), when she was only fifteen. I.K. was a well behaved girl, and a good student. N.S. was an adult living next door with his mother, who watched I.K. everyday as she walked by on her way to and from school. N.S. was known in the village to be tough, rude, and vulgar; even his mother often left the house because of him.

N.S. deflowered I.K., then kept her under his control for three years. He used promises to marry her and threats to keep her returning to him. He threatened to expose her, if she abandoned him. When I.K. turned 18, N.S. began to show interest in her younger sister, who was 14 at the time. N.S. even asked I.K. to help him seduce her sister. I.K. refused. She asked him to marry her to save her own, and her family's honor. He responded he was no longer interested in her, he would rather be with her younger sister. At that point, I.K. realized that N.S. had used her, and ruined her family's reputation and honor.
A few months later, her sister and mother had gone away for the weekend, and N.S. invited her over. She went hoping that he would reconsider marriage, but it was futile. She left, and on her way out she stole his machine gun. An hour passed before N.S. followed her to her home to have intercourse with her again. She then gave him a letter to read from her brother who was living abroad, then slipped into the bathroom to retrieve the machine gun. She shot him in the back of the head, then surrendered herself to the authorities.

The lawyer concluded with a statement that I.K. was the victim, who had decided to cleanse her honor. I.K. acted based on the feelings of hopelessness, and concern for her family's dignity. I.K. knew N.S. had disgraced her, and she wanted to protect her sister from a similar fate. N.S. deprived I.K. of her innocence, and not having any male relatives around, she took charge of the family honor. She should be tried under Article 253, since the killing was an honor crime. I.K. never planned the killing; she was in a state of extreme psychological distress.

The court ruled that I.K. should not be tried under Article 549, since N.S. was not a relative. They sentenced her to 15 years in prison under Article 547. This was reduced under Article 251 to 2 years imprisonment. The eight months spent in custody awaiting trial counted as part of the two years.

Case 19:

Killer: M.K., 52 years old
Victim: S.K., 23 years old, M.K.'s daughter
Religion: Sunni Moslem
Residence: Camp in South Lebanon
Ed/Prof.: M.K.- Farmer
S.K.- Elementary/housewife
Year of incident: 1992

The Public Attorney requested the death penalty for M.K. under Article 549. He argued M.K. had brutally hit his daughter with an axe, intending to kill her. He coldly disposed of the body, burying her in a nearby lot, before considering surrendering himself to the authorities.

The defense lawyer argued that his knowledge of the incident did not show a cold killer. M.K. was an impassioned father, shocked by the sight of his daughter in a compromising position with a neighbor. M.K. should be pardoned under Article 562, since he witnessed his daughter’s infidelity.

The lawyer depicted S.K. as a lewd woman, with no regard for her family's honor. S.K. had been married to her first cousin(paternal) A.K. for one year, when rumors began of her infidelity. The extended family and neighbors were suspicious of N., a young commando, living next door to S.K. and A.K. N. was friendly with the couple, and visited them every day, even when A.K. was not home. People confronted A.K. with their suspicions, but he refused to doubt his wife and his friend.

S.K.'s immediate family and neighbors were becoming increasingly worried over their daughter's behavior. The small community knew of N.'s visits, and all were questioning the honor of S.K.'s family. The pressure mounted requiring her family to take some action, with people challenging them in the alleys. Finally, S.K.'s parents and brothers decided to watch S.K.'s home. At 9 a.m. N. entered, after A.K. had gone out to
the fields. An hour passed, the family grew restless, forcing open the door. There they found S.K. topless on the couch, kissing N (rephrased). M.K., shocked and enraged, charged at his daughter with the axe he used to break open the door. He split her head in two, and she died immediately. M.K. buried his daughter, then surrendered.

The lawyer explained that for such a small, conservative community, M.K. had no choice but to kill his daughter. He did not consciously plan to kill S.K., it was an act of extreme psychological torment. M.K. was cleansing his family’s honor, in the way expected by his community. S.K. had stained her extended family’s honor, in these small, closed quarters. Her family could not escape ridicule and criticism.

The court agreed with the defense’s arguments, and granted M.K. extenuating circumstances under Article 253. He was sentenced to 3 years imprisonment, which he had served awaiting trial. He was released immediately.

_Case 20:_

Killer: S.T.H., 19 years old  
Victim: T.H., 46 years old, S.T.H.’s father  
Religion: Moslem  
Ed/Prof.: S.T.H.- High school/ N/A  
T.H.- N/A  
Year of incident:1993

The Public Attorney requested the death penalty under Article 549. He argued S.T.H. had killed his father in cold blood.

The defense lawyer disagreed with this statement, stating S.T.H. was under extreme psychological turmoil. S.T.H. had grown up believing his father had been killed at the onset of the war. When he was 16, some insensitive friends began to tell him
otherwise. They began telling him stories of how his father had sex change surgery, and is now named Sonya.

Apparently, T.H. had been married from 1970-1975. He was a normal husband at first. However, he began drinking, and returning home late with other men. He would send his wife, and later children, to his mother’s house for days at a time. In 1975, S.T.H.’s mother returned early one evening, to find T.H. with a man in bed (rephrased). The court granted her a divorce immediately. After the divorce, T.H. had the operation, and had all his official records changed even his passport classified him as a women. This story was repeated to S.T.H. frequently, but he still believed his father was dead.

When he turned 18, he looked up his family registry for army service purposes. There he discovered the truth of these stories. He felt tremendous shame, knowing his friends and neighbors had known the truth about his father. He tracked down the address of his father, only to find a woman in the apartment alone. He asked her if she had been his father, and she replied yes. S.T.H. was shocked, but hoped he could change his father's mind, to convince him to become a man again. S.T.H. returned later with his aunt(T.H.’s sister), hoping together they could convince T.H. to be a man. They begged him to change for S.T.H. and his brother’s sake, but he refused. S.T.H. would not give up, he visited his father a week later. He told his father that he would pay all the expenses necessary for the surgery. T.H. started cursing his son, leaving him devastated. When he went into the shower, his son went to the kitchen, and retrieved the refrigerator door wire, and a knife. He then strangled, and stabbed T.H. S.T.H. surrendered to the authorities the next day.
The lawyer went on to describe the torment of S.T.H. He argued S.T.H. had grown up deprived of his father’s love and presence, only to find out that he was a woman. He continued speaking of the irresponsible and cruel friends that had confronted S.T.H. with this tale. All the whispers and rumors had turned S.T.H.’s life into a living Hell. He was feeling abnormal, since his father had turned into this strange being. He tried to regain his family’s honor by begging his father to become a man again. S.T.H. was left in an unbearably difficult position.

The court accepted the defense lawyer’s arguments. The court also had additional remarks on this case (as recorded in transcripts, not an addition):

S.T.H. did not plan the killing, he was extremely unstable at the time.

Although it approves of people’s freedom to choose their own destiny, it must not be at the expense of another person’s dignity, honor, and well-being. T.H. had violated his two sons’ natural rights. He should not have given them life, if he did not want to be a man and a father. He did not allow them their right to feel normal, sparing them the questions, ridicule, and queer looks. He had been selfish to enjoy bisexual relations initially, and then transform himself.

T.H. had brought about his own demise by causing his son a great deal of suffering, pain, and psychological stress.

S.T.H. was granted extenuating circumstances under Articles 251 and 252. He was sentenced to 5 years imprisonment, two of which he had already served.
Arrested at scene

Case 21:

Killer: T.A., 28 years old
Victims: L.A., 32 years old, T.A.’s sister
H., 42 years old, L.A.’s husband
Religion: Shiite Moslem
Residence: Suburb, south of Beirut
Ed/Prof.: T.A.- High school/N/A
L.A.- elementary/house wife
H. - N/A
Year of incident: 1995

The Public Attorney asked for the death penalty for T.A.’s crime. The killings were consciously committed, because T.A. had gone twice to his sister’s home with a machine gun. T.A. was determined, having found L.A.’s children sitting in the living room the first time; he returned an hour later to execute the killings.

T.A.’s attorney argued that the time between the two visits was not enough for T.A. to calm down. Also, when he did return the second time, he witnessed his sister exiting her bedroom with a Syrian soldier. Her husband(B.N.) was sitting in the living room waiting to get paid. This blinded T.A. with humiliation; he saw his sister prostituting herself.

Prior to this incident, there had been a great deal of talk amidst their community about L.A.’s lifestyle. T.A. had heard that it was L.A.’s husband(B.N.) that had led her down that path. Initially, he could not believe these rumors, but he questioned L.A. and B.N. anyway. They both denied it, yet the talk was increasing. People were blaming T.A. for allowing his sister to prostitute herself and disgrace her family. Finally, the family elders met, and concluded that T.A. should kill L.A.
When T.A. committed the killings, he was only acting out his family’s wishes. He was performing a social duty and regaining justice for the community. T.A. should not be punished for fulfilling the expectations of his family and community. L.A. and B.N. were running a prostitution operation in front of their three children. They dishonored their families. T.A. should be pardoned under Articles 562, and 192.

Once the lawyer completed his plea, T.A. rose to make his own. “I repeatedly warned my brother-in-law about allowing strange men into his house. I was only wiping out my family’s shame.”

The court sentenced T.A. to one year of hard labor for the killing of L.A., as covered under Article 251. However, the killing of her husband was not covered in any law, and thus T.A. was sentenced to life in prison for that killing, under Article 547.

Case 22:

Killer: N.E., 47 years old
Victims: P, 63 years old, village priest
        N.L., 22 years old, daughter’s lover, survived
Religion: Christian
Residence: North Lebanon
Ed/Prof.: P- High School/ Priest
        N.E. - None/farmer
        N.L. - Elementary/farmer
Year of incident: 1995

The Public Attorney requested the death penalty under Article 548, for the murder of the priest, and attempted murder of N.L. When N.E. came upon his daughter with
these two men, he consciously went to his car to retrieve his machine gun. The shooting was intended to kill all three individuals.

N.E.’s attorney began by explaining a father’s rage at having his young daughter stolen from his home. S.E. was only 16 years old when N.L. (22 years old) asked for her hand. N.E. rejected N.L. N.L. did not respect this decision and convinced S.E. to elope with him. N.E., along with his two sons searched for S.E. for several weeks. There was no sign of the couple, but rumors circulated that their elopement was blessed by Father P.

N.E. is a well-respected man in his community, his opinion weighed heavily. N.E.’s honor and dignity were never questioned; he had always been able to hold his head high amongst his peers. This elopement was a large blow to his manhood, and his honor. N.E. was disgraced, yet the killings had not been planned. N.E. coincidentally ran into the two men with his daughter at a highway supermarket on his way to Beirut. Seeing Father P. with the young couple confirmed the rumors. N.E. lost his mind, got his machine gun out of his car, and started shooting randomly.

N.E. had not intended to kill the men, he was not thinking rationally. This is an honor crime, N.E. should be granted extenuating circumstances under Article 192.

The court could not grant a pardon, yet it took into account N.E.’s emotional state at the sight of his daughter with the two men. His sentence was reduced from the death penalty to 10 years of hard labor.
Case 23:

Killer: T.A. 31 years old
Victims: J.A. 36 years old, sister
Religion: Sunni Moslem
Residence: North Lebanon, outside Tripoli
Ed/Prof.: T.A. - University/school teacher
          J.A. - University/school teacher
Year of incident: 1995

The Public Attorney requested the death penalty for T.A.’s crime, under Article 549, with no provisions. The prosecutor argued that T.A.’s killing of his sister was based on his own biases. T.A. cold-heartedly killed the sister that supported his university education, and provided for him for many years. He even went as far as to stab J.A. to death in front of a playground full of frightened children.

T.A.’s attorneys argued that T.A. was acting on his beliefs and knowledge of what Islamic behavior ought to be. T.A. also came from a highly conservative community, with strong traditions. T.A. was encouraged and motivated by community pressure to kill his sister, J.A.

J.A. was a liberated, independent woman who refused to acknowledge her community’s traditions. She dressed immodestly, and led a promiscuous life. At 36, she was still single, and careless about her behavior. This was unbearable to T.A. whose attempts to reform her ways were to no avail. In his mad fury, he ran to the school his sister taught at and killed her. Then he waited for the police to arrive.

T.A. should be tried under Article 192, since he was trying to protect his family from disgrace. The lawyers ended with a plea to the court to pardon T.A.
T.A. stood up to say:

I gave J. many warnings and chances to modify her behavior, and to abide by fundamentalist Islamic teachings. She told me I was a fanatic, backward, and narrow-minded, and carried on in her disgraceful ways. I tolerated J's liberated lifestyle for many years until I realized it was wrong. Last year, I was introduced to the great religious teachings on family morality, and the need for me to be J's guardian and protector.

The court rejected all the arguments presented by T.A., and his lawyers. He was sentenced under Article 549 to 20 years of hard labor.

Case 24:

Killer: I.M., 25 years old  
Victim: R.M., 15 years old, I.M.'s sister  
Religion: Shiite Moslem  
Residence: Beirut, displaced from village in South Lebanon  
Ed/Prof.: I.M. - 3rd Grade/construction worker  
R.M.- 8th Grade/unemployed  
Year of incident:1992

The Public Attorney described I.M.'s actions as intricately planned, and executed. I.M. was determined to kill his younger sister, and he took all measures not to allow her to escape death. He poisoned R.M., then tried to drown her. He watched as she died slowly for 10 days in the hospital, denying any involvement in her poisoning. For this cruelty, I.M. should receive the death penalty.
I.M.'s two lawyers argued that R.M. was not a child, she was pregnant. R.M. had been expelled from high school for her unruly behavior. He father enrolled her in vocational school, where she only managed to last for two months. Again she was expelled for creating problems, and not following instructions. She was also problematic at home, ignoring her aging father's wishes.

R.M. constantly left the house for prolonged outings, using the excuse of visiting their married siblings. I.M. discovered that she was not visiting her siblings at all. In addition, working on a construction site near their home, he realized that R.M. was leaving daily in a strange man's car. When he questioned her about her long absences, she was silent. I.M. asked for the man's name, but she refused to reply. I.M. beat her on repeated occasions, yet she remained stubborn. She did not care about the honor of her family, she was more interested in her own love affair. All I.M.'s attempts were futile; R.M. was set in her ways.

The final blow to I.M.'s honor came when his mother told him R.M. was six months pregnant. He beat her for the man's name, but again silence. His fear was that people in the village would hear of this disgrace, ruining his family's name in their community. He wanted to shoot her, but believed that would also expose his family, even confirm rumors. Ultimately, he felt the only way to wipe out the existing loss of honor, without adding to it, would be to poison her. He did this by taking her to the beach, then pouring Demol in her Pepsi bottle. He then asked her to go for a swim, but took her in too deep, and left her to drown. A fisherman saved her, but she died in the hospital later.

These actions show the sentiment of a desperate individual. He took it upon himself to save his family's honor, especially since their father was so old. He was only
trying to contain the possible scandal and complete loss of honor. Thus, R.M.'s behavior should be taken into consideration when trying to understand I.M.'s dilemma.

The court took all the evidence into account, including their backward and conservative background. Yet, since the killing was carefully planned, I.M. was sentenced to 5 years of hard labor. He had already served three of those years, prior to the trial.

Case 25:

Killer: F.B., 55 years old  
Victim: H.B., 17 years old, F.B.'s daughter  
Religion: Sunni Moslem  
Residence: North Lebanon  
Ed/Prof.: F.B. - High School/used car salesman  
H.B. - 11th Grade/unemployed  
Year of incident: 1995

The Public Attorney(prosecutor) requested the death penalty for the killing of a young girl. The prosecutor proposed F.B. pushed his daughter off the 13th floor railing to her death.

F.B.'s attorney rejected this interpretation of the death of H.B. He agreed that F.B. and H.B. were having an argument, but insisted that H.B. had fallen over the railing.

F.B. was a very conservative man; he was strict with his children. He had two sons in university, and wanted his daughters to follow the same path. F.B. noticed that H.B. was spending long hours on the balcony, staring into the street. He became suspicious, and asked her about her new habit. She denied any certain interest in standing on the balcony. However, it was not long before F.B. intercepted a love letter from a
young neighborhood boy, being delivered by one of H.B.’s friends. F.B. was furious, and forced H.B. to drop out of school. He forbade her from leaving the house alone, yet he came home from work one day to find her missing.

F.B. and his young son looked for her, only to find her on the stairwell with the young man. A very loud argument started between them and the neighbors came out to witness F.B.’s disgrace. This increased F.B.’s humiliation and anger, so he threatened his daughter. The young man escaped down the stairs, while H.B. ran up the stairs. In her excitement, and fear she leaned too far over the railing, and fell to her death. The police arrived shortly afterwards to arrest F.B.

The court could not pass a sentence against F.B., since there were no testimonies to support the murder proposition. The court had to accept this as an accident, and released F.B. immediately.

Case 26:

Killer: I.M., 16 years old
Victims: Z.M., 22 years old, I.M.’s sister
          C.S., 41 years old, I.M.’s mother
Religion: Sunni Moslem
Residence: Tripoli, North Lebanon
Ed/Prof.: I.M. - 6th Grade/unemployed
          Z.M. - 9th Grade/unemployed
          C.S. - Elementary, Unemployed
Year of incident: 1995

The Public Attorney requested that I.M.’s father(M.M.) be tried for the killings of his son. He proposed that M.M. convinced his young son to kill his sister and mother.
M.M. had divorced his wife recently, and may have been seeking revenge. No recommendations were made for I.M.'s sentence.

I.M.'s lawyer refuted the notion that I.M. was coerced into committing the killings. The lawyer insisted that I.M. had acted on his own initiative. The lawyer agreed that M.M. had divorced his wife 3 years previously, and believed that she was helping their daughter deviate. However, he did not intend or encourage anyone to kill them.

The lawyer described how the chain of events culminated into this tragedy. M.M. had arranged a marriage for his daughter, Z.M., when she was 21 years old. Soon after the marriage, Z.M. started to complain about her husband, running away to her mother's house on several occasions. M.M. would always bring Z.M. back to her husband's home. M.M. could not allow his daughter to get a divorce, because he felt that this was the behavior of prostitutes. Z.M. went around her father and husband, and started having an affair. She would meet her lover in her mother's house.

Z.M.'s husband eventually found out and told M.M. He felt humiliated and disgraced. He informed his two sons of their sister's violation of their family honor. He explained to them that they must try to change Z.'s ways, if they were to be able to walk with their heads raised in the community. He also told them of their mother's encouragement of this behavior.

The two sons, N.M. and I.M. went to visit their mother and sister. They offered to take them for a drive by the beach. On the way, the sons asked their sister to return to her husband. Z.M. refused, saying she was already in love with another man. Their mother supported her, saying I.M. and N.M. needed to stop listening to their father. After the argument, N.M. parked the car and went for a walk, leaving I.M. with their mother
and sister. Several minutes later N.M. heard shots, and rushed back to find the two women dead. I.M. had shot his mother 3 times in the head, and his sister twice, also in the head. M.M. and his sons were arrested a couple of hours later.

I.M.'s lawyer remarked that it was evident I.M. acted based on his young emotions. M.M. never requested these actions of his son, it was I.M. that understood that he had to kill his mother and sister. I.M. understood the dishonor to the family, and in his zealous manner, decided to commit the killing. The lawyer concluded that since, I.M. is a child, he cannot be tried as a mature, and develop adult.

I.M. rose to confess to the killings.

I killed my mother and sister, because they deserved to be punished for violating social norms, and staining our family honor. My father did not encourage me, and my brother did not know of my intentions when we went for our car ride.

The court was forced to release M.M. and N.M., since they were not present at the time of the killings. In addition, there was no evidence to support the idea that I.M. had been encouraged to kill. As for I.M., he was granted extenuating circumstances under Article 549, and was sentenced to two years imprisonment.

Case 27:

Killer: I.N., 25 years old, A.N., 29 years old, brothers
Victims: H.N., 32 years old, I.N.'s sister
H.K., 32 years old, H.N.'s lover
Religion: I.N. & A.N. & H.N. - Sunni Moslem; Palestinian
H.K. - Christian, Lebanese
Residence: I.N. & A.N. - Borj, suburb outside Beirut
H.K. & H.N. - North Lebanon
Ed/Prof.: I.N. - High School/day laborer
The Public Attorney requested the death penalty for the two brothers. In particular, killing of the sister (H.N.) should be tried under Article 549, with no provisions. The killing of H.K. should be tried under Article 547. The prosecutor argued that the killings were premeditated.

I.N. and A.N.'s attorney began stating that the defendants had been patient with their sister for 15 months. During that time they had been listening to the endless talk in their small community. People were talking about how H.N. had disgraced her whole family, without even looking back once.

H.N. had been married to H.H. for 14 years, and had six children, when she abandoned her whole family. She left the six children with their father, to move in with her lover, H.K. She never asked for a divorce, and lived with her lover in sin. Later, when she gave birth, the rumors in the community intensified. I.N. and A.N. were no longer respected; the community branded them disgraced, not real men. They still attempted to contact their sister, to save the dignity of her children, to no avail. Finally, H.H. (brother-in-law) challenged the two brothers' inaction, reminding them of their duties towards the community, and their family. This was the point when A.N. and I.N. realized that they had to cleanse their family honor.

They traveled up to North Lebanon to confront H.N., and convince her to return to her children. H.N. refused to listen to them, while H.K. tried to throw them out, a fight broke out. The fight ended with the brothers having to shoot both H.N. and H.K. A.N.
and I.N. were forced into the situation, they had not intended to kill their sister, and her lover. Ultimately, this was a matter of honor, H.N. had stained her family’s dignity.

The court took all testimony into account, and pardoned A.N. and I.N. for killing their sister, under Article 562. However, they were sentenced to five years imprisonment for killing H.K. under article 251.

**Case 28:**

Killer: M.A.M., 37 years old; Egyptian  
Victim: J.K., 35 years old, M.A.M.’s wife’s lover; Egyptian  
Religion: Sunni Moslem  
Residence: East Lebanon  
Ed./Prof.: M.A.M.- High school/day-laborer  
J.K.- High school/day-laborer  
Year of incident: 1993

The Public Attorney requested that M.A.M. be tried under Article 547; killing one person with intent. M.A.M. both drugged, and strangled J.K., before he disposed of his body. There was no remorse, until he was arrested many days after the incident.

M.A.M.’s lawyer argues that this incident was a matter of honor. M.A.M. had been in prison, for petty theft, for three years, only to come out and find his wife was having an affair. M.A.M. also found this out in the most humiliating way, from other Egyptian workers.

J.K. had been bragging to other Egyptian men about his affair with M.A.M.’s wife. He had described their intimacy, and the hidden tattoos on M.A.M.’s wife’s body. This bragging did not stop when M.A.M. left prison, J.K. even mocked M.A.M. in public. M.A.M. was completely humiliated, feeling his honor had been stained for the three years he had been in prison.
M.A.M. loved his wife dearly, and had four children with her. He was convinced that his wife was tricked into having this affair. He also could not face any of the other Egyptian workers, because they all laughed at him. Finally, after a long day of work and listening to insults, he drugged J.K.’s tea, then strangled him. He felt he had cleansed his honor.

M.A.M.’s attorney pleaded to have him tried under Article 192. His final statement was that M.A.M. had waited three long years for his freedom, only to discover that his honor had been ruined in the process.

The court rejected the defense’s arguments. It sentenced M.A.M. under Article 547 to 15 years of hard labor.

**Case 29:**

Killer: S.A., 28 years old; Egyptian  
Victim: H.Z., 21 years old, S.A.’s niece; Egyptian  
Religion: Sunni Moslem  
Residence: S.A.-Beirut, H.Z.-Damascus  
Ed/Prof.: S.A. - High School/(illegal) gas station attendant  
H.Z.- Elementary/prostitute  
Year of incident: 1994

The Public Attorney requested the death penalty under Article 549, without use of any stipulations. S.A. had intended to kill H.Z., his niece; that was the purpose of his invitation to her.

S.A.’s attorney began by labeling this as a crime of honor. S.A. had only acted under extreme social pressure from his friends and relatives. S.A. had been hearing rumors that his niece, H.Z. was a prostitute in Syria. He did not believe the rumors, until
he received letters from their village in Egypt, saying the same thing. The letters showed concern over H.Z., since the family’s honor was in question in the village. His relatives wanted S.A. to find out the truth, and clear the family name.

S.A. not being able to leave Lebanon, asked H.Z. to come visit him. When she arrived, he began questioning her about how she made a living in Syria. She refused to tell him, but eventually confessed to being a prostitute. S.A. felt humiliated, and decided to cleanse his family’s honor immediately. He took a knife from his kitchen, and stabbed H.Z. to death.

The lawyer continued to say that the court should take into consideration, S.A.’s particular circumstances. He was from a very small village in Egypt, where killing H.Z. was expected. S.A. had fulfilled his social duty towards his village.

The court accepted the defense’s arguments, realizing the social pressure S.A. was in, and that in his backward understanding, he was doing the just, and honorable thing. S.A. was sentenced under Article 192 to two years in prison. (A few weeks later in another trial, S.A. was sentenced to death. This trial was for an unrelated murder of a fellow Egyptian worker, over a trivial matter).

Case 30:

Killer: J.P., 41 years old
Victim: M.P., 17 years old, J.P.’s daughter
Religion: Christian
Residence: East Lebanon, suburb north of Beirut
Ed/Prof.: J.P. - University/taxi driver
         M.P. - High School
Year of incident: 1989
The Public Attorney requested the death penalty for J.P., under Article 549. J.P. killed with intent, since he used two methods to ensure that M.P. dies.

The defense attorney began to explain the clash between J.P.'s beliefs, and M.P.'s lifestyle. J.P. was very conservative, and very proud of his manhood and honor. He was a strict father; he believed in disciplining his children. He had two daughters, and one son, of which M.P. was the eldest. He always taught his children to be modest, and to respect the family honor.

The predicament of J.P.'s family began several weeks before the incident. M.P. had been coming home later and later most evenings. She would claim she was only visiting some of her friends, but her parents were becoming suspicious. One night, she did not return until 11:30 p.m., while her parents were up worrying about her. When her mother asked her where she had been, M.P. refused to answer. Her mother and father both yelled at her, and beat her, but she remained too stubborn to answer. The next door neighbors took her in for the night. M.P. told them that she was with a man, and that this had not been her first relationship. She told them that she enjoyed sex, and went out with men for that sole purpose.

The next day, M.P. returned home, where her parents beat her, again to no avail. They took her to a doctor, who confirmed that M.P. had lost her virginity at the age of 14. He also told them that she had had many partners. Her mother poisoned her drink with Demol. When M.P. became sick, her mother and siblings rushed her to the hospital.

J.P. arrived later to visit his daughter. His wife told him that his daughter had lost her virginity at 14. J.P. left the hospital, returning with a knife. He asked to be left alone with M.P., then he stabbed her.
The lawyer continued, saying these actions were of a man distraught by humiliation. This was an honor crime, and J.P. should not be penalized. His daughter caused him enough pain and dishonor. He requested the court sentence J.P. under Articles 252, 192 and 193.

The court accepted the defense lawyer's arguments. Articles 252, 192, and 193 were all implemented, granting J.P. a complete pardon. He was released immediately.

Case 31:

Killer: I.H., 42 years old, S.'s brother-in-law
S., 23 years old
Victims: M.A., 28 years old, S.'s lover, Egyptian
Religion: Christian
Ed/Prof.: I.H.- High School/shopkeeper
M.A. - High School/bakery worker
Residence: East Lebanon, suburb north of Beirut
Year of incident: 1995

The Public Attorney requested the death penalty for I.H. and S. The killing was planned, M.A. was trapped.

The defense attorney rejected this interpretation of the events of March 8, 1995. He argued that the relationship between M.A. and the defendants went back much further than the events of that night. M.A. had been in a relationship with S. since 1992. M.A. had been promising to marry S., as soon as he had saved enough money. S.'s family knew of this relationship, and approved it, since it would end in marriage.

S. began hearing talk of M.A. leaving to Egypt in February. She was also told by his friends that he was to marry an Egyptian woman from his village. She was shocked, and very upset. She approached I.H., her brother in law, asking for help in convincing
M.A. to marry her. I.H. spoke to M.A., explaining to him that he should marry S., since he had been S.'s lover. M.A. did not reply.

I.H. and S. decided to invite M.A. to dinner one last time, to try to convince him to keep his promise to S. I.H. spoke to M.A. all night trying to show him the damage he was doing to S’s honor. He spoke to M.A. about family honor, and obligations, to no avail. M.A.’s final answer was a firm no. I.H. and S. offered to drive M.A. home since it was a rainy night. On the way, I.H. asked M.A. one last time, the answer was still no. M.A. parked the car along the road side, and stabbed M.A. several times in the chest, then slew him. After M.A. died, I.H. discovered US$ 3000 in his pocket, which he took.

The lawyer followed the explanation with a statement about the dishonoring of S. and her family. He argued that S. had been seduced at the age of 17, by a 25 year old. He had made her trust him, and he deceived her. S. was left in a situation where she and her family would be disgraced amongst the community. I.H. was acting as the male protector of S.; as her brother-in-law, he was family. I.H. should be sentenced under Articles 192 & 193, and should receive a minimal sentence, while S. should be pardoned since she did not plan, or partake in the killing.

The court rejected the defense’s argument and sentenced both I.H. and S. to the death penalty under Article 547. An appeal to this decision was scheduled for a later date.

Case 32:

Killer: Z.R., 38 years old
Victim: M.A., 25 years old; Z.R.’s sister’s lover
Religion: Moslem
Residence: Village in North Lebanon
Ed/Prof.: Z.R. - 8th Grade/Mechanic
M.A. - 9th Grade/Taxi driver
Year of incident: 1985

The Public Attorney requested the death penalty for Z.R. He argued Z.R. had killed M.A. unprovoked, there was no confrontation immediately preceding the shooting. In fact, Z.R. had shot M.A. from a distance, without warning. The prosecutor followed this by recommended the initial death sentence (1988) under Article 547, be maintained.

The defense attorney countered these statements, proposing that Z.R. had shot M.A. in self-defense. He requested that Z.R. be pardoned under Article 184, self-defense. The judge interrupted this, stating there was no basis for self-defense. They had no evidence, and this argument would be rejected.

Z.R.'s lawyer then redirected his arguments. He stated Z.R. and M.A. had been strained for months prior to the incident. The conflict began in 1985, when M.A. had kidnapped F.R., Z.R.'s 17 year old sister. M.A. wanted to marry F.R. without her family's knowledge or approval. Immediately after the kidnapping, Z.R. and his brother M.R., amongst other family members, began an intense search for F.R. They were hoping to find her before she lost her virginity, which they were able to do. Upon her return, the two families held a reconciliation ceremony, to show each other, and the community that there was no animosity between them. However, neither Z.R. not M.A. attended the ceremony.

Relations between Z.R. and the kidnapper remained tense throughout 1985. They exchanged threats, and challenged each other. Z.R. tried to diffuse the tension, and
uphold his families' honor by sending M.A. a message asking him to move out of the neighborhood. M.A. refused, and replied with a threat to Z.R.'s life. Ten days later, Z.R. was walking by a cafe, when he saw a crowd gathered around M.A. He heard M.A. boasting about the elopement, and making threats, and insulting Z.R.'s honor, while waving his gun around. Z.R. then panicked, and pulled out his own gun and shot one shot at M.A. He died in the hospital hours later.

The lawyer ended this depiction of the events, by stating that M.A. had stained Z.R.'s family honor once, and was attempting to stain it again. He reminded the court of the kidnapping, and its social consequences. He spoke of the gossip and rumors in the community, that fueled the hurt and humiliation Z.R.'s family felt. He also noted that M.A.'s father had dropped his personal claim against Z.R. in 1989.

The court recognized Z.R.'s particular conservative background, as well as the state of the country. The crime was committed during a time when security was lacking in Lebanon, and people were under pressure from the war. The court granted Z.R. extenuating circumstances under Article 253, thus reducing the homicide sentence from 15 years to 3 years. This was further reduced under Law 84/91 to 18 months imprisonment.

Case 33:

Killers: H.S., 15 years old; I.S., 12 years old
Victim: A.T., 32 years old
Religion: Moslem
Residence: Rural area in Baalbeck
Ed/Prof.: H.S. - Enrolled in school
I.S. - Enrolled in school
A.T.- Elementary/farmer
Year of incident: 1977
The Public Attorney began by noting that H.S. and I.S. had escaped justice for 18 years, under the protection of their tribe. They had killed A.T. with intent; he had been invited back to the village only to be killed. The death sentence passed in absentia should still be effective, under Article 549.

The defense lawyers argued that H.S. and I.S. were minors at the time of the incident. H.S. and I.S. were not accountable for their actions, since they acted under immense social and psychological pressure. Also, they were avenging the killing of H.S.’s father, I.S.’s uncle.

This family’s problems began in 1975, when M.S., a relative of these men, raped M.T., A.T.’s niece. H.S.’s father arranged for M.T. to marry another young man from his clan, to save her family’s honor. This marriage disintegrated very soon, leaving M.T. on her own again. Apparently, A.T. blamed H.S.’s father for this, and killed him in the public square. H.S.’s family was devastated; the head of their clan had been killed, while he was trying to protect M.T.’s honor. The clan elders met, and decided A.T. should be killed to avenge H.S.’s slaying.

A.T. fled the village, and took refuge in his wife’s village. In the meantime, reconciliation efforts were underway. In 1977, the two families reconciled, and A.T. was permitted to return to the village. Within a few days of his return, H.S. and I.S. spotted him walking with his wife and son at the outskirts of the village. As the car they were in drove by, they started shooting with their machine guns. These men (minors then) were acting out of pure emotions.

Once they returned to the village center, they were celebrated. The villagers all agreed with their actions. The women were signing on rooftops. H.S. and I.S. had
restored their clan’s honor. This is a case of honor crime, and they should be pardoned under Article 192 and 193.

The lawyers continued their arguments by noting that A.T.’s wife had dropped her personal claim against the two men, and that the other men in the car should not be held accountable, since they had no knowledge of H.S. and I.S.’s intentions.

The court accepted the defense’s arguments, arguing that the pressure these men had been under was overwhelming. Also, since they were not able to think clearly, they could not plan the killing. Accordingly, the previous sentence was nullified. They were sentenced under Article 253 to 3 years, which was further reduced under Law 84/91 to 18 months of hard labor.

The court also accepted the arguments dealing with the three adults in the car at the time, yet held them responsible for not trying to stop H.S. and I.S. They were each sentenced to 8 months of hard labor.

Case 34:

Killer: E.G., 40 years old
Victims: S.H., 32 years old, E.G.’s ex-wife, and cousin, survived
               A.F., 34 years old, S.H.’s lover
Religion: Christian
Residence: Mount Lebanon
Ed/Prof.: E.G. - High School/Small dry cleaning business
               S.H. - 9th Grade, unemployed
               A.F. - N.A.
Year of incident: 1995

The Public Attorney requested the death penalty under Article 547. He argued that E.G. had intended to kill both A.F. and S.H., although S.H. survived. E.G. had walked into the church on Easter Monday with a hand-gun; the murder was planned. He
closed with a note to S.H.’s official complaint. S.H. had gone to the authorities weeks before the incident to report death threats from E.G.

The defense attorney argued that E.G. had cracked under all the psychological pressure he was experiencing. He had been listening to community criticism for over a year. Neighbors and relatives spoke of E.G.’s shame caused by S.H. Their marital problems had been extensive, beginning over 10 years prior to the incident.

S.H. was married to E.G.’s brother, who died during an air raid in 1981. As her brother-in-law, and a cousin, E.G. married S.H. to take care of her, and his nephews. S.H. was difficult throughout the 12 years of marriage, but E.G. did not divorce her. S.H. started having an affair with A.F. sometime during this period. In 1994, S.H. asked the church to annul the marriage, based on the close blood relation between them. The church granted S.H. a divorce in October 1994, deeming the marriage illegitimate.

Soon thereafter, S.H. abandoned her 3 sons, and moved to A.F.’s village, and even lived in A.F.’s home. They went out together publicly, and word spread of their affair, reaching E.G. (living in Beirut). E.G. was outraged, and humiliated, knowing the honor of his nephews and his family was being stained by S.H.’s actions. E.G. was worried about his nephew’s sentiments, and their ability to hold their heads up high in the neighborhood. He contacted S.H., and attempted to convince her to return to him and her children. She refused, insisting on continuing her present lifestyle.

Eventually, E,G, could not tolerate the humiliation anymore. S.H. and A.F. appeared at E.G.’s neighborhood church for Easter. E.G. simply lost his mind. He was blinded by their being together in front of his neighbors and relatives, and he confronted
them. A.F. refused to respond, and S.H. began to scream at him. Finally, E.G. pulled out his hand gun and shot both individuals.

The defense lawyers concluded with a plea to sentence E.G. under Article 252. He had acted in a state of extreme excitement, and the situation confirmed S.H.'s affair.

The court rejected the defense's arguments, viewing E.G. as a murderer. A death penalty was passed on E.G. under Article 547.

*An appeal to this decision was in the process at the time of data collection.

**Case 35:**

Killer: J.I., 18 years old
Victim: L.I., 19 years old, J.I.'s sister
Religion: Sunni Moslem
Residence: Camp in South Lebanon
Ed/Prof.: J.I.- High School/new graduate
L.I.- High School/unemployed
Year of Incident: 1992

The Public Attorney argued that L.I. was entrapped by J.I., who had planned the killing prior to visiting her. There was no argument or confrontation, it was a calculated murder. The prosecutor recommended J.I. be given the death penalty under 549.

J.I.'s lawyer argued that J.I. was compelled by family honor to kill his sister. L.I. was engaged to T.I., their first cousin(paternal), when she eloped with his friend O. L.I. did not consult or warn her family before she took off with O. The family was outraged and humiliated.
The problem worsened when L.I. and O. refused to return to the camp, taking refuge at a Palestinian notable’s house. Once this occurred, news of the elopement spread fast across the camp. J.I. and the rest of L.I.’s family issued death threats to the lovers.

The Palestinian notable, having influence over L.I.’s family, intervened on the couple’s behalf. He wanted to secure the couple’s safety. He also testified that L.I.’s chastity was preserved, and O. had not even kissed L.I. O.’s family also sought reconciliation with L.I.’s family, fearing for their son’s life.

Eventually, J.I. accepted the reconciliatory attempts. They asked L.I. to return home, and for O. to ask for her hand officially. T.I. had broken the engagement. The notable escorted L.I. back to her parents’ home, upon her return, her parents realized they could not forgive her, and suggested she move in with some relatives until they calm down.

Two weeks after her move to another camp, J.I. went to visit his sister. He had just graduated from high school, and he wanted to have lunch with his sister. After lunch, they went for a walk by the beach. Within a few minutes, they argued, and J.I. shot L.I. in the head. A Lebanese army patrol arrested him immediately.

The defense lawyer concluded with the statement that J.I. was acting according to the honor code. J.I. had been subjected to criticism and ridicule from people in the neighborhood. Even after his sister returned home, the social pressure did not ease. His family honor had already been stained. Finally, he made a plea on J.I.’s behalf to grant him extenuating circumstances under Article 252.
The court accepted the defense’s arguments, noting the social and psychological stress J.I. was under. He was sentenced to 5 years, three of which he had already served awaiting trial.

Case 36:

Killer: N.R., 32 years old
Victim: L.K., 30 years old, N.R.’s wife
Religion: Christian
Residence: Affluent neighborhood of Beirut
Ed/Prof.: N.R.- University/businessman
L.K.- University/lawyer
Year of incident: 1989

N.B. This case is different since it was an appeal to an earlier decision.


N.R., according to L.K.’s parents’ and maid’s testimonies, threatened L.K. repeatedly. He would tell her that he wanted their daughters to be close to his relatives, so when he killed her there would be someone to take care of them. The problem worsened when N.R. became convinced L.K. was having an affair with her dentist. L.K. denied the accusations, but N.R. still beat her with a slipper, and punched her in the face. She decided to leave him, and told their maid to call her mother in Paris, to ask her to return to Beirut immediately. She then proceeded to move her jewelry out of their home.
She then changed her mind, and stayed with him to preserve her family's honor and dignity.

In October 1989, L.K. went into the hospital for a tooth transplant. She had asked N.R. to accompany her, but he refused. Within an hour he followed her. She was in the surgery room in a hospital robe. He pulled it up, saw she was naked, and began to scream about her having an affair with the dentist. He then tried to hit her with his shoe, but the nurses stopped him.

Soon thereafter, N.R. changed his attitude; he was more affectionate towards L.K. When the maid asked L.K. about this, she said she had threatened to disclose some very serious documents of N.R.'s, ones that would destroy him. N.R. remained calm, and even decided to have a party, celebrating their renewed harmony. During the party L.K. was very content, dancing, and taking pictures with her friends. The last guests left at 1:30 a.m. L.K. and N.R. stayed in the living room until 3:45 a.m., discussing their schedules for the next day. The maid was still cleaning at 4 a.m., when she heard an explosion coming from their bedroom. N.R. came running out saying L.K. had committed suicide. He went to call a doctor from the building, while the maid called the building security.

The police investigated the suicide, acquired an autopsy of the skull by request of L.K.'s family. They concluded that L.K. did not commit suicide. N.R. was arrested on October 20 1989. At his 1991 trial, the court granted him extenuating circumstances under Article 549, sentencing him to 9 years hard labor. L.K.'s parents rejected this sentence, and began appealing it. After 3.5 years, and many appeals, the case reached court again for one last time in 1995.
The prosecutor reintroduced all the evidence, and testimony including that of the maid and police officers. The court found N.R. guilty of first degree murder, and sentenced him to death under Article 549. However, since this incident took place prior to 1991, he benefited from Law 84/91, and received a life sentence. He was also deprived of his civil rights, his right to see his daughters, and was ordered to pay 25 million (US $16,000) in damages to L.K.’s family.
CHAPTER 4

ANALYSIS

(1) INTRODUCTION

The cases presented in Chapter 3 all share the common title of "honor crimes". This label altered the structure and objectives of the trial proceedings making them distinct from most other cases tried in the Lebanese legal system. The deliberations were made accessible to the immediate families of the victims and defendants to the exclusion of the general public. This privacy accorded "honor crimes" carried on into the proceedings, where the defendant’s were not required to elaborate or prove any of their allegations or claims to emotional instability. The arguments made were unconventional considering what may be expected of cases involving murder, even the most elementary question of the defendant’s involvement in the killing is only contended in two of the 36 cases tried. In fact, in 13 incidents the assassin voluntarily surrendered to the authorities.

Lacking the basic aim of proving innocence or guilt in relation to committing murder, the trials assumed a different focal point: establishing honor and motivation. The courtroom was transformed into an arena for debating the motivation of the defendants,
and the boundaries of honor. This chapter will review and explore the course these trials take, and the results they reach. Once patterns have been identified and discussed, the findings will be evaluated against an earlier study conducted by Mona Jacob (1958-1967) on honor crimes in the Lebanese penal system.

(i) The Prosecutor’s Charge

The prosecutor’s submissions were shaped by the unconventional classification of honor crimes as separate from other forms of murder, where simply linking the defendant to the crime is insufficient to secure a conviction. The prosecutors working within these limits immersed themselves in imputations of malice and selfishness on the part of the defendants. This was in an attempt to divorce the killings from any justification through recourse to notions of honor. The words used to describe the defendant’s actions include “cold-blooded”, with intent, consciously, having planned his/her deed, and having had ample time to reconsider.

These terms are the antithesis of the stipulations within the honor crime laws, in particular Article 562, and the conditions of Article 549. As previously presented these laws speak of surprise, loss of rationality, and immediate reactions, all of which were ruled out in the prosecutor’s proclamations. This rejection of legitimacy or morality of the killings was reinforced by the prosecutor’s complete avoidance of the use of the absolving term “honor”, and, more importantly, by demanding a death sentence be passed on the defendant.

The interpretation of the actions and motivation of the killer remained the focus throughout the prosecutor’s brief charge, with virtually no acknowledgment of the
victim. The prosecutor did not speak of the victim beyond making reference to her/his name in the process of making the charge against the defendant. Judging from the court transcripts, this may have been a result of a possible lack of information concerning the victim available to the prosecutor. Nonetheless, the defendant's own account of the events leading to the killing were available to the prosecutor, and appeared to form the bases of the prosecutor's accusations. This would appear to be solid grounds for incrimination of the killer, yet it was instantly surpassed once the defense lawyers proceeded with their proclamations.

(ii) Defense's Retort

The defense lawyer(s) in each case initiated his/her arguments with a rejection of the prosecutor's readings of the defendant's actions. Unlike the prosecutors, the defense lawyers chose to appeal to a variety of arguments reaching beyond the confines of the killings into character portrayals of the defendant and victim. The defense lawyer further juxtaposed elements of "traditional rational" honor with those of "emotional legal" honor* to create a depiction of the events that would make killing of the victim seem imperative upon the defendant.

An accurate categorization of the defense lawyer's role would be to describe it as a reign over the proceedings. All delineation of the terms of honor, beyond its rejection by the prosecutors, was provided, the defense lawyers. Accordingly, most of the discussion to ensue will be based on the proclamations of the defense lawyers. Several

* These are not actual terms or phrases used, but rather my own summary of the arguments presented within the courtroom proceedings. They are intended to draw a distinction between the literature's depiction of honor, and what the court accepts as honor.
distinct levels of argument can be identified from within their discourse, the first of which have been mentioned, the division (if synthetic) between the "traditional rational" and the "emotional legal" definitions of honor. Amidst these doctrines lay numerous assertions as to the role expectations of males and females. These emergent notions of femininity and manliness are a recurring theme in practically all justifications, attesting to their centrality to the conception of honor crimes. Accordingly, they will be allotted their own section, however an overlap with other discussions is unavoidable and should be anticipated.

(II) "Traditional Rational" Terms of Honor

One of the essentials of the defense lawyers' arguments was linking 'honor' to the family, whether directly or indirectly. In all the cases without exception, honor was referred to as "family honor". Emphasis was made on 'dishonor' [of] the family (case 9), 'stigma of our family honor'(case 11), 'family's reputation being ruined'(case 12), and 'cleans[ing] his family's honor'(case 29) based on the conduct of the female victims, whether sexual or suggestive. Honor was used in the collective form, rather than as a personal possession. This general proposition encompassed, and was used as a benchmark for many other patterns of arguments that appear within the courtroom. From the idea of the family stemmed the notions of heredity, responsibility, and their close correlates accountability, intent to do harm, and deviance. Enrenched in and plotted along these arguments were the very pronounced gender role expectations.
(i) Heredity

Heredity was insinuated in several cases, where it was argued that the offspring inherit their parent’s lifestyle, or at least their dishonor. In case 26, a young man killed both his sister and mother, for his sister’s infidelity. The defense lawyer spoke of “their mother’s encouragement of this behavior”, and “their mother’s supporting her”. In case 15, the lawyer noted that the killer had asked his wife about their “children’s dignity and honor”, which would be scarred as a result of her actions. The defense lawyer in case 20 proclaimed that the killer “was feeling abnormal, since his father had turned into this strange being[transsexual].

(ii) Responsibility

Responsibility takes two forms; one where a sense of duty is presumed, based on the relationship between the killer and his victim(s), and the other where personal responsibility to kill is implicit, since the killer is never questioned/criticized for not taking a different course of action. It appears as if the court views the homicide as an inevitable reaction to the infringement on ‘honor’.

Personal responsibility is a paradoxical concept. Whether it is emphasized or diverted, it remains decisive in a number of cases. In three cases the issue of claiming responsibility to kill as implicit was a central component of the defense’s argument. In case 24, the killer professed that he had acted without his parents’ knowledge when he killed his sister. In case 26, the 16 year old killer denied that he was encouraged by his father to kill his mother and sister. The same held true for case 33, where the 12 and 15 year old assassins insisted they had acted solely on their own initiative.
The opposite argument was equally effective in providing the killer with extenuating circumstances. In case 3, the husband/killer claimed that his wife's family collaborated with him on the killing. In case 5, despite the fact that the killer was not brought to trial, it was still argued that he had been encouraged by the words of his family elders. Finally, in case 29, the killer received letters from his village in Egypt, requesting that he visit his niece (rumored to be a prostitute), and cleanse their honor.

(iii) Accountability and Intent

Leading from the arguments on responsibility the notions of accountability and intent were introduced. These notions were used to divert blame from the killer, and place it on the victim. In concrete terms, the killer was depicted as having been held accountable to the community for the victim's shameful behavior. Under such circumstances the defendant was compelled to control the victim's behavior, to commit homicide. Blame was then deposited on the victim by proposing that she/he had intended to harm her/his family honor by having an affair, falling in love, or having a sexual relationship.

These are the conjunctures where the division between males and females become blatant in the assertions of the defense lawyers. In all the cases tried, with the exception of those with male victims, intent was used in reference to the female victims, and accountability was reserved for the male killers. This theme runs throughout the cases and enters into the larger sphere of the separation between males and females, a realm which will dealt with subsequently. Nonetheless, assertions from cases 13, 14 and 4 can present a glimpse into this division in their discussion of accountability and intent.
Accountability was established through references to ridicule, questioning, and confrontation. In case 13, the rapists would "mock J.M. (husband) when they saw him in public. They would make references to a new car they bought, which was symbolically his wife". T.H. was ridiculed for his sister's elopement that occurred when he was 7 years old, "all eyes and talk turned on T.H. to convince his sister to repent...". In essence, "he was performing a social duty, and regaining justice for the community (case 14). The lawyers in case 4 attempted to demonstrate intent by stating "G.A. came and went with this man, without concern for the disgrace she was bringing upon her family. She deepened the disgrace, and humiliation a second time by eloping with her lover".

Up to this point, discussion of the defense lawyers' retort has centered around what may be termed the "traditional rational" version of honor. The arguments have dealt with what appears to be doctrines of social life and social requirements. When an act violates any of the established notions of family, responsibility and accountability, the defense proposes there are predetermined consequences to be faced. This excludes all notions of emotions and irrationality that are central to the definition of honor crimes as stipulated in the penal code of Lebanon.

However, an appeal to emotional arguments was produced from within the discourse on accountability, where not being able to fulfill his 'social duty' the defendant was overwhelmed with humiliation and anger. This form of argument transfers the motivation from duty to a reaction to social and emotional pressure. It may be suggested that when this transition into the legal stipulations of the constituents of an honor crime was bumpy, as will become evident through the ensuing discussion.
(III) “EMOTIONAL LEGAL” TERMS OF HONOR

(i) Social Pressure

The defense lawyers paved the way for claiming the defendant experienced mental turmoil by beginning outside the defendant, with discussion of the community. In 22 of the 36 cases, allusions to pressure from relatives, neighbors, or the community (rarely defined), while 34 killers claimed emotional turmoil. States of ‘blindness’ and ‘irrational behavior’ are cited, but not evaluated, or elaborated on. The methods of establishing social pressure were relating community behavior as follows: “there had been a great deal of talk amidst their community about L.A.’s lifestyle...People were blaming T.A. for allowing his sister to prostitute herself...”(c.21). “The extended family elders met to discuss H.A.’s behavior...she had tread on her children’s’ and her family’s honor with her dirty shoes, and was lower than a prostitute. They had passed a death sentence on her...”(c.5). In another incident, more factors were brought in as elements of social pressure; “I.N. and A.N.[brothers] were no longer respected, the community branded them disgraced, not real men...H.H.[brother-in-law] challenged the two brothers’ inaction, reminding them of their duties towards the community, and their family.”(c.27).

(ii) Mental Turmoil

Mental turmoil often followed directly from these assertions about social pressure. Often the killer was said to have collapsed under all this pressure, and to have been overwhelmed by emotions. The emotions described were vague, and the intensity, and length of their affect were left open to analysis. In case 8, the rage had started the
night previous to the final multiple homicides. In another incident (c. 19), it was argued the emotions and reactions were immediate, "M.K., shocked and enraged, charged at his daughter with the axe he used to break open the door", although the father had suspected the affair beforehand.

As noted previously, this concern with emotions contradicts assertions of victim perpetrated homicide. It transfers the stress from the behavior of the victim that 'merited punishment', to the mental particulars of the killer. The explanation for this variation in argument lays within the provisions of the penal code. There are eight articles of law customarily used to try honor crimes. They are divided into two categories, 'honor crimes' and 'homicides'. The main law (article 562) in the former group, is limited to the killing of a female relative upon the discovery of her in a compromising, or suspicious situation. This assumes an element of emotional arousal, where the person is unable to think rationally. Of the homicide laws, Article 549 also entails conceptions of flurry under its conditions for penalty reduction, labeled 'surprise', 'witnessed copulation', and 'spur of the moment'. The remaining six articles, are derivatives of the above two.

These articles assign immense weight to the psychological state of the individual at the time of the killing, yet remain vague enough to allow room for interpretation. Accordingly, this creates a forum within which the main players negotiate the premises of honor. The defense lawyers enjoyed a greater resource of arguments from which to draw upon, giving them additional room to maneuver themselves in. Another important characteristic of these laws is that they specify that the victim in an honor crime is female, while the killer is male. This separation in the wording of the laws indicates the prominence of the issue of appropriate female and male behavior. A distinction that was
repeatedly emphasized in the courtroom to draw contrasts between the victim and the killer. Evidently since the majority of the victims were female and the defendants male, this distinction became a contrast between the victims and the killers.

(IV) SHAMELESS WOMEN

Differentiation between female victims and male killers was entrenched in the court proceedings. A certain type of terminology was used in reference to females, laden with accusation and criticism. They were described as deficient mothers, wives, daughters, and sisters. They ‘ignore pleas’ to change their ways, ‘withstand beating’, ‘have blatant affairs’, ‘abandon their children’, and ‘create problems’ in the marital home.

The aspects that made them deficient include disobedience, loss of virginity, self-interest, and dissatisfaction. Most female victims were portrayed as exhibiting at least one of these characteristics. Disobedience was intrinsic to these women’s behavior, but it was accentuated in cases 1, 2, 3, 24, 25, 27, and 30, where the women were repeatedly warned, and informed of the repercussions of their behavior. This is illustrated by the following allegations: ‘Her mother warned her [about coming home late from school], telling her T.N.[father] would not tolerate any gossip’(c.2), and “When her mother asked her where she had been, M.P. refused to answer. Her mother and father both yelled at, and beat her, but she remained too stubborn to answer”(c.30).

Loss of virginity took another course, where the mere mention of it warrants dishonor. In cases 9 and 10, minimal description of the young female was given beyond
the fact that she had lost her virginity. "Z.E. confessed to her mother that she was pregnant. Her mother took her to the village clinic to have an abortion", and "H.N. had failed her virginity test on her wedding night, she did not bleed" sum the extent to which the victims are spoken of.

Other women were accused of seeking their own interests at the expense of that of their community, and children. In cases 1,4,5,8,16,26, and 27 the women did not attempt to conceal their infidelity. In case 1, "R.A. had an affair with a young soldier, blatantly in the face of the community". In case 16, "A year passed, the rumors kept growing, M.K.[husband] decided to resign and move back to Beirut. This did not motivate Y.K. to change her behavior...begged her to stop...she laughed at him".

These women's self-interest was argued in some instances to have extended to abandonment of their children. In case 8, "[she] finally asked for a divorce, G.D. agreed on the condition that she leave their four children with their father, to move in with her lover".

Finally, marital dissatisfaction or discord was presented as confirmation of the female victim's infidelity. "...the neighbors began to talk about I.M.'s love interest in K., another neighbor. At the same time, I.M. started criticizing their marriage, and avoiding R.K. in bed"(c.15). In another instance, this criticism came by way of praising the husband: "H.H.[husband], on the other hand, was very patient and understanding. He accepted her verbal abuse and even her avoidance in bed. He never tried to force her to be intimate, rather he waited patiently for her return to him"(c.3).
(V) HONORABLE MEN

This contrast between the vices of the victim, and the virtues of the killer continued in every case. Arguing from several of the cases presented above, the polarity of the images professed by the defense lawyers become evident. In case 1 (infidelity), the killer/father was “a well-liked, and trusted man...he had never provoked any criticism. He was an honest hard working man, working as a guard for the village farm plots for over 30 years”. While in case 2 (disobedience), “T.N.[father] was the head of his extended family, a well-respected, and revered man. He has great pride in his manhood and honor, which had never been questioned. He was a strict father, but with good intentions”. Similar words are used in another trial of a death of a young girl, case 30; “J.P.[father] was very conservative, and very proud of his manhood and honor. He was a strict father, he believed in disciplining his children”.

In other instances, the benevolence of the defendant was ascribed through description of their initial reaction to their female relative’s indiscretions. In case 8 (marital-dissatisfaction), “He [G.D.] was patient, and tried in various ways to make her happy.” In another case (no. 10), where the killer was the brother, he was described as a fair individual who “gave her [victim/sister] the benefit of the doubt, and took her to a doctor to verify her purity...A.N. [killer] still believed in his sister’s purity, so he took her to a second doctor, then a third.” This appears to attest to the fact that the killer went beyond the call of duty, and yet faced with disappointment by sister’s conformed loss of virginity.
The words used to describe the killing also entail the notion that the family's honor had been the major concern to the defendant. "H.E. [case 9] had decided to cleanse his honor, before the community was able to learn of the disgrace [daughter's abortion]." Over and above this portrayal by the defense lawyers, when the defendant's chose to speak for themselves they described similar sentiments. R.K. [case 15] spoke of his feelings of disgrace amidst his community over his wife's infidelity. In the words recorded in the transcripts he said, "I could not tolerate being humiliated by my wife to the extent of seeing young children mocking me in the street...it was unbearable...[to] have my children know their mother is mean." In case 13, J.M. rationalized his actions from a less emotional stance appealing to 'traditional' terms of honor. He was quoted to have said, "I am ready to kill them [wife's rapists] again if they came back to life. I have no regrets. I acted the way a real man should."

From the progression of the arguments, it becomes apparent that the defense lawyers' discourse did in fact overshadow the prosecutors' attempt to strip the events of any honor connotations. The defense lawyers depicted a multifaceted honor that was able to elide the fact that a murder had been committed. In totality, their arguments drew a distinct separation between male/female and killer/victim. It is not difficult to deduce who they considered deviant. The woman was deviant, while the man was the conformist. The woman destroyed, and the man assumed the responsibilities of cleansing and restoring. Nonetheless, the true test of the effectiveness of the arguments presented by the prosecutors and defense lawyers lies in the sentencing and outcome of the trials.
(VI) OUTCOME OF HONOR NEGOTIATIONS

In essence, the lawyers and more importantly, the judges tend to create the final analysis of honor. This has already been evidenced in the discourse of the trial, the results of which can be perceived through analysis of the sentences passed at the end of the trial. The sentences passed varied on two levels, between seemingly similar incidents, and between markedly different arguments. In each of cases 3, 15, and 16, the man confessed to killing his wife, because of her infidelity. They were given sentences of 12, 5, and 3 years respectively, the reason for this being the dialogue between the lawyers and the judge, where slight distinctions in details can be detected.

(i) The Extremes of the Sentence Continuum

In case 3, the husband poisoned his wife, and claimed it was suicide. He admitted he felt divorce was insufficient to rectify the situation. He received 12 years for having planned, and attempted to disguise the killing. In case 15, the husband had actually caught his wife in bed with her lover. It may be suggested he was not given an absolute pardon (according to law 562 or 549), because he had previous knowledge of the affair. The discovery of the lovers was not a complete surprise, yet he received a reduced sentence of 5 years. In the final case (no. 16), the killer received the lightest of the sentences, since it was argued his wife had been abusive towards him. Moreover, the night he followed her, he was not armed. This suggests he had not planned to kill her; the knife he used was one from her lover's kitchen.
Additional differences in perspective can be contrived through comparison of incidents at opposite poles of the sentence spectrum: the pardons and one year sentences, contrasted with the death and long term sentences. Cases 1, 9, 30 shared several features; light/no sentence, the killer was the father, and was over 40 years of age. Case 1 was presented as a young Druze wife’s infidelity, which led to rumors and community condemnation, and eventually divorce. The woman was killed by her father when he caught her in bed with a strange man, an aspect that complies with the terms of Article 562. Under this law, the father was granted a complete pardon.

Cases 9 and 30 developed along the same path. Both fathers were in their 40s, while their daughters were teenagers, unwed, still living at home. The infringement on honor resulted from the daughters allegedly losing their virginity. In the first incident, the family resided in a village in the Druze mountains, and the daughter had become pregnant and had had an abortion in the village clinic. In the second, the family was living in suburb north of Beirut, the daughter had been returning home late every night, and finally confessed to the neighbors that she had been having a sexual affair with an older man. Her parents had apparently taken her to a doctor that confirmed she had lost her virginity at the age of 14. Both men were argued to have been under extreme pressure at the time of the killings. This was held despite the fact that they had not reacted to the ‘discovery’, until the following day, they had ‘slept on it’. The father in case 9 was tried under Article 251, and sentenced to one year imprisonment, while in case 30 he was pardoned under the combined application of Articles 252, 192, and 193.

At the other end, one finds the killers who received the most severe of the sentences in cases 21, 31, 34, and 23. These cases are more complicated, since the
relationship between the killers and the victims was not clearly defined. In case 21, the man had killed his sister, and his brother-in-law. Arguments of gossip, and family questioning were made, with emphasis on the emotional effect they had on the killer. These emotions exploded when he had witnessed her exiting her room with a Syrian soldier, while her husband waited in the living room. These were conceived as qualifications of social and psychological pressure, and a ‘suspicious’ situation (article 562), and the man was sentenced to 1 year for killing his sister. However, since these terms did not extend to encompass the killing of the brother-in-law, he was given a life sentence for that assassination.

In case 31, the circumstances were further complicated by the robbery that occurred immediately following the killing. The relationship can be viewed as problematic at the onset, since the woman/accomplice’s family knew and approved of her affair with the victim. Then when he abandoned her, she recruited the aid of her brother-in-law, a non-blood relative. There was no mention of social pressure, or fear of the family’s reaction, only a brief reference to loss of honor. Possibly more crucial was the fact that the killers had stolen $3000 from the victim’s wallet after the assassination. Ultimately, both the lover(female) and her brother-in-law were sentenced to death under Article 547.

E.G. was also sentenced to death under 547 for killing his ex-wife’s lover. E.G. had been married to his cousin for 12 years, when she obtained an annulment from the Church, based on their close blood ties. The defense lawyer attempted to argue she had been a difficult wife, had abandoned her 3 sons, and moved in with her lover. He also spoke of gossip, and her children’s honor. This was countered by the annulment, the
killing of her lover, and the place of the killing. The woman had previously filed complaints with the authorities concerning death threats she had been receiving from E.G., thus showing planning and intent. E.G. attempted to kill her, and succeeded in killing her lover despite the lack of a suspicious situation since they were in Church. This can be inferred to be significant since, since it was noted at the onset of the trial, E.G. had “walked into the church on Easter Monday with a hand-gun...”.

Another incident that met with a harsh sentence, case 23, had an element not previously considered in any other account, religion. The killer (T.A.) used Islamic Fundamentalism as the reason for ending his sister’s life. He spoke of proper Islamic teachings, of his sister’s obligation to adhere to these, and his introduction to the “great religious teachings on family morality, and the need for [him] to be J’s[sister’s] guardian and protector”. The lawyer supplemented this with “she dressed immodestly, and led a promiscuous life. At 36 she was still single...this was unbearable to T.A...”. These arguments were rejected by the court, and T.A. was sentenced under 549 to 20 years of hard labor.

(ii) 3.8 Years: Where Most Cases Lie

Between these two extremes, complete pardon or complete condemnation, there is a range of sentences from 18 months to 15 years, with a medial amount of 3.8 years. The bulk of the cases studied lie in this middle area. The relationships and types of infringements are vast, yet all are ultimately linked by honor. An illustration of the disparities will be made from examining incidents no. 8, 11, 12, and 19, based on their proximity to the mean sentence (3.8 years), although any combination of cases can
achieve the same results. G.D.(c.8) killed four individuals, his ex-wife, her husband, mother, and younger brother. The defense presented revolved around the betrayal G.D. suffered at the hands of his ex-wife, and her husband, who once had been G.D.’s closest friend. They had an affair, then consummated their marriage before the 100 day incubation period after the divorce. G.D. was under pressure since his neighbors and relatives were all talking about the deception of G.D...[he] could not tolerate the gossip, and decided to find out the truth for himself”. The court perceived G.D. as being under tremendous pressure, thus sentencing him to three years under Article 192.

In case 11, the killer(A.G.) had caught his wife with her lover on the balcony in their marital home. Prior to this incident it was said there was talk amongst the town’s people about the affair, and a confrontation between the two men. The lawyer asked for leniency based on the notion that “A.G. had committed this act under extreme mental anguish...[he] did not have time to consider his actions”. The court accepted this defense, and sentenced A.G. to 3 years under Article 251.

A.A.(c.12.) received a slightly longer sentence, four years, for killing his niece/daughter-in-law. The assassination was argued to have culminated from his son’s refusal to divorce his niece, upon being warned of the rumors circulating about her infidelity. His brother/her father demanded the death penalty for A.A.’s actions. The court took into account that “A.A. felt trapped, he saw his family’s reputation being ruined...[he] could not handle the stigma anymore...”. A compromise was reached with the four year sentence under Article 251.

In the last instance, M.K. killed his daughter with an axe upon finding her in the arms of a young neighbor, after her husband had gone to work. M.K. had been hearing
rumors about his daughter for some time prior to the incident, "people were challenging them[family] in the alleys...her family could not escape ridicule and criticism". M.K. was sentenced to 3 years imprisonment under Article 253.

**(VII) BASIC PICTURE OF HONOR DERIVED FROM SENTENCE PATTERNS**

Conclusive statements concerning the exact reasons certain arguments are accepted or rejected are infeasible given the vagueness of the laws used, and the fact that the judge is not required to explain his decision. Realizing this constriction, certain observations can still be made about the judges' general perception of the reality of honor, and honor crimes. The definitions of honor established within these cases center on several assumptions about the individuals involved, as to their customs and dynamics of everyday life.

The first idea of honor developed is that it flows through blood; all cases were linked through female blood at one level or another. Derived from this is the notion that it is the females' behavior that effects the blood, and in turn the reputation of the family. Again in all cases, the core of the disputes began with an 'infringement' on norms of female behavior. These norms are developed in the arguments to constitute several expectations, that of fidelity for the married women, abstinence for the divorced, and virginity for the single. This has been shown to include suggestive behavior, meaning the female can be killed for falling in love, without having taken it to a sexual level(c.25). Allowing for such cases implies another view of these individuals: they are traditional. This word, along with conservative, are used frequently as all-encompassing explanations.
of the behavior, and reactions of the killers. It appears as if these people are expected to be ‘traditional’, and this tradition calls upon them to commit murder, in such instances, to cleanse honor.

Part of being traditional is also to be community oriented, a community that is perceived as collective, with a strong hold on all its members despite the shifts in society, urbanization, and the disintegration of the village. Within the courtroom it is accepted that traditions, and traditional individuals, live in a static environment where ideas of honor necessarily entail female sexual behavior, and are vehemently upheld. Emotional reactions are taken for granted, and fury and shock are portrayed as a ‘natural’ outcome of finding out that a female has taken on a sexualized role, rather than remaining asexual.

This is problematic, since it is circular in reasoning, yet based on the judges’ acceptance of the various arguments, everything seems to resolve itself through reliance on terms such as ‘traditional’, ‘honor’, ‘humiliation’, ‘community pressure’, and ‘conservatism’. When employed, these words protect against criticism and skepticism, since in none of the cases were the killers asked to prove their claims. There were no instances where the killer was asked to verify his allegations with documentation (i.e. doctor’s report in loss of virginity cases), or asked to elaborate on the pressure he was experiencing. Another indication of the judges’ belief in the validity of arguments of honor, was that the female victim was only represented in 1 of the 36 cases, where her parents had taken the initiative to hire a lawyer. The rest of the female victims are portrayed as one dimensional individuals, ‘deviants’.
The one case that defied most of the generalizations was no. 23, where as previously mentioned, the killer had resorted to arguments of a religious nature. This implies yet another level of the view of honor, from the perspective of the judges, which is not derived from religion. It is difficult to deduce whether religion plays a role in honor in the community, yet within the courtroom it appears not to be a valid justification for committing murder. The killer received 20 years of hard labor, despite the fact that he had killed his sister, an individual whose honor is inseparable from his.

This case also incorporated another dimension that may have been instrumental in the court’s rejection, which is that both the defendant and victim were educated, a possible indication that they were not from a traditional household. Accordingly, it may be proposed that not only was religion not viewed as a component of the honor tradition, but that an individual’s expected level of ‘modernity’ and ‘understanding’ (‘fi-him’) play a role in how the defendant is received and judged.

Examining the laws applied, and the sentences administered, two additional observations can be made as to the judges’ biases on honor crimes. The judges have a broader conception of honor than some of the laws allow, and they differentiate between the killers. In the first instance, the judges do not appear to confine themselves to a single definition of honor for they rarely implemented Article 562, or the exempting conditions of Article 549. This may be suggested to be a critical measure since these two articles of law can reasonably be said to represent the creed of the honor crime laws. However, they are also the more specific and defined of all the laws applied, and thus leave less room for maneuvering and interpretation.
There were 16 instances of using laws 250-253, which do not specify the conditions under which the killer's judgment is impaired, or what constitutes an infringement (i.e. there is no mention of witnessed copulation). There were another 7 cases where laws 192 and 193, 'honorable motive' were applied, which take honor to a higher level of abstraction. These laws speak of committing murder for a 'nobler' cause, without mention of female sexual behavior. The only instances where the restrictive laws of honor were used were those at either extreme of the sentence continuum.

The second observation is that of differential treatment of the killers based on their relationship to the victim. The laws are clear as to who may benefit from reduced penalty, namely the father, brother, husband, son, or male (any ascendant or descendant). This is a wide spectrum of individuals who are meant to be treated as equals, yet from these cases, it becomes apparent that the father is given preferential treatment. In all the 8 incidents where the father was the killer, the proceedings and sentences were exceptionally lenient. In two cases, the fathers were released on lack of evidence (c 2, 25). Another two fathers were pardoned (c.1,30), while 3 more received sentences of less than 3 years. Even in the one case where the father did not kill his daughter, but the priest that blessed her marriage, he was sentenced to 10 years imprisonment instead of receiving the death penalty.

In the final analysis, it can be proposed that judges have their own views of honor, and honor crimes that cannot be classified as strictly legal, or social, but perhaps a synthesis of both. These biases and perspectives on honor in the courtroom are not very far removed from those observed by Mona Jacobs, almost 30 years previously. Jacobs conducted a study of tried honor crimes from the years 1958-1967 in 1968.
(VIII) COMPARISON TO MONA JACOB'S STUDY

Mona Jacob conducted a study over a ten year span of Lebanese penal history with relation to 'honor crimes'. She collected court records of tried honor crimes, which she defined as "the killing of a woman by her brother or father for her alleged indiscretions". She consciously excluded husbands from the category of potential perpetrators, stating that when husbands kill the correct term is a passion crime and not an honor crime. She further argued that passion crimes are more universal, while honor crimes were more culturally specific. Accepting this difference of definition of honor crimes, Jacob's study is still insightful and able to contribute to the understanding of the phenomenon as explored in the present study. Jacob recorded 118 cases over a 10 year period, an average of 12 per year, a far lower number than found presently, which in itself warrants a comparison between the two studies.

According to my research, Mona Jacob's study was the first and only other examination of actual court records of honor crimes, in Lebanon or elsewhere. Although it is now dated, the fact of its solitary nature validates delving into some of the particulars of her findings.

Jacob discovered a bias in favor of the defendant/killer, where the vague laws pertaining to honor crimes were stretched to the limit to accommodate the different defenses presented. She was able to categorize these rationalizations into 6 categories:
1. A deviant female/ or one of ill-repute

This points to a female who returns home at late hours, or who goes out in public with a man. Gossip starts spreading, the father and the brother(s) try to convince her to change her ways, first with threats, and confinement, and finally murder.

2. The female who falls for temptation, including rape

This, unlike the first, necessarily entails loss of virginity. This is discovered upon marriage, when the husband returns the female to her father’s home, where she is killed by her father or brother.

3. Pregnancy out of wedlock

This usually happened to peasant females working in the city. Even if the female gets married, she is killed by her father or brother.

4. Marrying outside her religion without permission

Females marrying outside their sect have to give up their faith, dishonoring the family. Again killed by brother or father.

5. Adulteress

The brother is usually the killer, because the husband does not concern himself with the honor of another family. Even in cases where the husband forgives the female, the brother still kills her.

6. Prostitution

In these cases the only way for the brother or father to regain their respect in the community, was to kill the female.

In summary, these categories can be used to classify most of the cases in the present study, with very few variations. It would be futile to present these cases once again for they have all been discussed previously, however the points of differentiation
may prove important in discerning any changes. In the reputation category cases 2, 3, 12, 26 comply with Jacobs’ observations. The second unit, falling for temptation/loss of virginity needs to be expanded upon, since it entails a newer phenomenon: killing of males. Case 10 coincides with the idea that if the female is not a virgin on her wedding night, she pays the price with her life. This case in interesting for it demonstrates blood relations, and the cleavages of responsibility in honor. The man killed his sister, despite her husband’s acceptance of her: her honor, or shame fell upon him. In the remainder of the cases in this category, the relationship was reversed; where the victims were males, and the killers were females. In cases 7, 18, and 31, the men had been killed for retracting their marriage proposals after the inception of a sexual relationship with the female killers.

The third category, pregnancy, was scarcely represented in this study. It was used to explain the killing of the two teenage girls in cases 9 and 25. There were five cases of elopement, two of which complied with Jacob’s criteria of marriage outside of one’s religion. Cases 4 and 14 involved a Moslem woman who had fallen in love, and married a Christian security guard, and a Druze woman who had married a Moslem man, respectively. The third elopement was never consummated, yet the young woman was killed (no. 35). In the last two cases, the victims were men, again a divergence from Jacobs’ observations. In case 22, the father killed the priest who blessed the marriage, while in case 32, the woman’s brother killed her lover, even though this elopement was not consummated either.

The next type of infringement was adultery, which was the most used argument in this study. There were 11 cases of alleged adultery, most of which did not conform to
Jacobs' definitions. Most were committed by husbands, who according to Jacob's were not responsible for wives' actions under the rules of honor. However, cases 26 and 27 do conform to Jacobs' restricted definition of adultery, where the men killed their sisters prompted by their brothers-in-law. In cases 16 and 17, the husbands assassinated their wives, without involving or receiving approval from the women's families.

Jacobs' final category, prostitution, was only observed in two cases, 21 and 29. In the former, the female was killed because she was reputed to be a prostitute. In case 29, the woman had been found prostituting in her marital home, encouraged by her husband; both were killed by her brother.

There were several other infringements on honor in this study not observed by Jacob. These included an incident of attempted incest (C.6.), rape (13, 17, 33), religion (23), and a sex change (20). In most of these, men were the victims, explaining why Jacob may have not documented similar cases (she concentrated on killings of women). This is especially interesting in the rape cases, since in Jacob's study the women were held responsible regardless of the circumstances. In case 13, the man believed his wife had been invited over to their neighbors' home to be raped. He killed the rapist, the rapist's brother, and injured their sister. In case 17, the killer had heard that both his sisters were raped by his brother-in-law. The killer assassinated his brother-in-law, one of his sisters (the other survived), and infant twins to wipe out all trace of the scandal. Finally, in case 33 the rape had triggered a chain of events leading to the case tried.

The latter was possibly the most notable of the cases tried, for it drew upon several values associated with honor. The case began with the rape of a young girl. To avoid bloodshed at this point, the clan leaders met, and agreed to arrange a "hurried-up"
marriage. At this stage, it can be presumed that the predicament was resolved, however an obstacle arose when the “arranged” husband rejected the situation, and divorced the woman. To the woman’s family this was a breach of an agreement, and her uncle killed the other clan’s head. This is when a clan feud could have erupted, according to tribal tradition. The region this took place in was notorious for bloody feuds (Jacob 1968). In this particular incident, reconciliatory talks were initiated, but it took almost two years for permission to be granted for the killer’s return. Despite this, the killer was still gunned down before his wife and son. The villagers celebrated this killing. Nonetheless, this case did not end in 1977, since the victim/uncle’s wife made an official complaint against the two youngsters who killed her husband. The police were not able to make any arrests for 18 years, by which time the wife had dropped her claim.

Also noteworthy is the fact that the two killers were minors. This converges with the results of Jacob’s study, but not this study. This killing took place in the early years of the civil war, 10 years following Jacob’s study, but 18 years before collection of data for the present study. The point being that one aspect of honor crimes had changed significantly, the age range of the assassins. In Jacob’s study the majority of killers were between the ages of 18-25, while in this study they were between 25-58 years old.

This disparity can be explained in several ways, none necessarily more correct than the other. Initially, there is the obvious husband category, omitted from Jacob’s study, which accounts for 8 of the 36 cases, and represents the over 30 year olds. Other explanations include loss of respect/fear of the law, after the protracted civil war, the younger generations lack support for such values, or simply the lack of young men in
Lebanon. Basically, the younger/’war’ generation does not appear to adhere to community control, as they had during the late 50s and 60s.

There were two additional discrepancies between the earlier and present study, but they were not as drastic. The first being the choice of weapon. In the first study, the majority of killings were executed with knives, while now there was a preference for machine guns. Over 80% of the killings involved shootings. This can be viewed as a by-product of the war, during which firearm ownership was practically universal. This is simply a matter of accessibility, since the Egyptians and Palestinians chose poison, strangulation, knives, and even an ax to kill their victims.

The second discrepancy lies in the relation of the killer to the victim. In Jacob’s study 75% of the killers were the victims’ brothers. In the present study, this number falls down to 28%. The explanation for this again is the omission of husbands from the study, for they come in a close second at 25%. Jacobs’ definition of honor did not entail the inclusion of husbands, despite the fact that the same laws were in place during the period of her study. The justification for this omission, provided by Jacobs, was that killings by husbands should be categorized as ‘passion crimes’ rather than honor, thus rejecting the definition provided by the Lebanese penal code. It is impossible to discern her exact reasons for excluding husbands, although it may be suggested that they did not constitute a large enough category at the time of her study. Nonetheless, the differences in the percentages of brothers is quite significant, but that may be due to the loss of young lives during the war, and the exile of many more.

Beyond these inconsistencies, the profiles of the individuals involved do agree with Jacob’s study. She found that most individuals resided in villages, or poverty
stricken districts. Most held low level jobs; they were unskilled laborers, peasants, and small shop keepers. In addition, most were Moslem, but Christians and Druze were included in the numbers.

In the present study, most individuals continued to live in their villages, or remained attached to them. For instance, in case 24 the killer was afraid of exposure in the village, despite their residing in Beirut, and accordingly devised his assassination. In case 12, the couple lived in Tripoli city, yet rumors of adultery reached the village, which prompted the woman’s uncle to kill her. Most other individuals lived in the suburbs of Beirut, whether north or south. These areas are known to be poverty stricken, especially in the south, which is home to close to half million displaced villagers. In relation to the jobs held, most were also unskilled laborers: small proprietors, farmers, taxi drivers, construction workers, and soldiers. The exceptions included school teachers, a pharmacist, and a university educated businessman. However, these men were also the husbands of the women killed, and not accounted for previously.

Finally, the religious distribution of the killers has been almost static. In the present study, the majority were Moslem (66.6% or 24/36), with Christians and Druze each at 16.6% (6/36). This does not allude to a discrepancy between the religions, since it coincides closely with the religious distribution in the general population.

(IX) CONCLUSIONS

The aim of this chapter began with a desire to analyze the discourse of the proceedings, their construction of honor and their affect on the sentences at the
termination of the hearings. This objective led the discussion over a vast territory of arguments, and into numerous dimensions of honor, gender, and the laws that deal with killings of this nature. Many questions were raised in the process that could not all be answered at this point, but will be tackled subsequently in the theory and discussion sections.

This chapter was able widen the path for a theoretical discussion, since the findings illuminated some of the major approaches to honor. The prosecutors were the initiating point of the trial and this discussion. They constitute the resistance to has become apparent as the indoctrinated discourse of honor. Their sole weapon against this discourse was to attempt to extricate the killings from the realm of honor. The defense lawyers assumed primacy from there on, and the judges appeared to be inclined towards their depiction of the killings, since most received a reduced sentence at some level.

When these observations are compounded and evaluated against the findings of Mona Jacob’s study, we find that a bias against the female victims in favor of the male defendants is not an unprecedented phenomenon. There are definite differences between the two studies, yet some of the most elementary propositions remain the same. It becomes apparent that not only have honor crimes persisted, but they may have also expanded in definition. The boundaries of what may be conceptualized to be an infringement on honor or a valid reaction (an honor crime) have been stretched beyond the categories recorded by Jacob. The meaning of this expansion and the underlying forces that allow honor crimes to exist and to continue to receive preferential treatment in a court of law are the questions to be delved into in the following chapters.
CHAPTER 5
THEORETICAL CONSTRUCTS

I) INTRODUCTION

Honor crimes are rarely mentioned in criminological texts. Of approximately 15 books reviewed only one, *Femicide*, made mention of honor crimes (Brown and Geis 1991; Finklehor and Gelles 1983; Flanzer 1982; Gelles 1987; Gelles and Loseke 1993; Hampton and Gullotta 1993; Heise 1989; Okun 1986; Pleck 1987; Radford and Russell 1992; Reid 1994; Sheley 1991; Stith and Williams 1990; Vold 1986; Wolfgang 1958). This reference was in a single sentence, stating that honor crimes are found in the Mediterranean region, but are rare occurrences (Radford and Russell 1992). This seeming denial of the existence of honor crimes may be a reflection of the lack of information pertaining to crimes in this region, or the vagueness of the definition of honor crimes. The use of the concept of 'honor' in honor crimes strips the phenomenon of any immoral connotations, thus removing them from the realm of criminal conduct.

Over and above this point, by allowing the use of 'honor' it becomes difficult to analyze honor crimes from any one criminological perspective. The use of any of the most popular theories would threaten to reduce the implications these crimes hold for Mediterranean societies. One might be tempted to use frustration-aggression theories, since
these acts of honor killing appear to be more random than uniform, yet this may obscure the magnitude of these occurrences. Frustration aggression theories are time bound, and often individualistic, with most attention given to circumstances of the perpetrator. They would be unable to explain why men for centuries have honor and women as the outlet for their frustrations.

(II) PREVIOUS ATTEMPTS AT UNDERSTANDING HONOR

In order to give justice to the topic and the information gathered, it is crucial to attempt to examine this phenomenon without any criminological preconceptions as to the causation and perpetuation of honor crimes. Such an approach has been adopted by most researchers exploring honor in the Mediterranean region, most notable of whom are J. Schneider 1971; Blok 1981; Ortner 1978 and J. Pitt-Rivers 1966. These writers ascribed to notions of state formation and domination, faulting a higher order for the rise of the honor system.

Schneider proposed that the honor system was a response to the lack of regulative and cohesive structures in these societies (1971; Davis 1987). Her hypothesis began with the harsh ecology of the Mediterranean region, which necessitated the formation of the honor system to ensure survival. Once centralized state apparatuses came into place, the honor system continued to be operative for different reasons. These new governments were often foreign, and imposed on the subjects, thus honor served another function as a buffer against the hegemony of the state and the church (Davis 1987).

Blok advocated a similar rationale for the existence of the honor code; he labeled it a ‘self-help’ mechanism in a environment of instability, and disorganization. It
replaced an ineffective government, forming definitive relationships between individuals, of duties and expectations (1981). Ortner took up the converse view, proposing the requirements of honor were a manifestation and imposition of the state, or dominant order. She argued the demands made upon women were an extension of the power forces assuming authority at the inception of nation-states (1978; 1981). Males were ‘domesticated’, and in exchange women had to give up most of their autonomy, a situation intensified when the village encountered the city (1978; Davis 1987).

Finally, Pitt-Rivers attempted to place his hypothesis in actual relationships between the dominant group, and those dominated (1966). He theorized that honor (that which is based on manliness and femininity) is a supplementary mode of stratification for those individuals excluded from economic and political hierarchies. He drew dichotomies between city and village, aristocracy and plebeians, where each perceived the other as lacking honor, based on differential systems of evaluation (1966).

These quasi-theories are plausible and enticing, yet at the same time problematic. The assertions over the role of the state pose a particular dilemma, for they cannot be proved or disproved. Moreover, these propositions can be viewed as gross generalizations, which reduce the system of honor to that of a by-product of an impressive entity. This is somewhat simplistic, and more importantly of little value in discernment of the present data. The discourse and outcome of the 36 court cases do not lend support to any ideas of overbearing government apparatuses imposing meaning, or creating honor.
(III) ALTERNATIVE APPROACHES TO HONOR

Borrowing from the ideas of Michel Foucault, it can be argued that an abstract or unified power that dictates terms of honor unilaterally onto unquestioning subjects is inconceivable (Deleuze 1986). Power is an outcome of several forces working on, and effecting each other. To understand the origin of any power, one must account for all forces involved, whether economic, educational, familial, religious, moral or political (Deleuze 1986). Accordingly, to understand the source of power that perpetuates the notions of honor in Lebanon one would have to investigate the political cleavages, family and educational institutions, and the fragmented religious sects. This is an extremely large feat, that may prove to be unnecessary in comprehending the dynamics of honor crimes in the courtroom domain.

Realizing that there is no one unequivocal theory to elucidate honor crimes, and their treatment in the Lebanese penal system, it still is possible to make sense of this apparently brutal phenomenon. Employing some of the ideas residing in the writings of Michel Foucault, Pierre Bourdieu and Antonio Gramsci, honor crimes can be placed in a coherent context. They can be seen less as whimsical acts of cruelty by males against females, and more as an integral component of a cultural system.

(i) Foucault’s History of Sexuality

Beginning with Foucault’s premise that any phenomenon must be examined in localized time and space, the focus of most postulations presented will be derived directly from the tangibles of the courtroom dynamics. The greater issues of the origin of honor crimes, and domination of women will only be alluded to under the discussion
of Foucault’s *History of Sexuality* (1980). In this text, Foucault offers some insight into issues of the inception of honor, through his examination of the intrigue over human sexuality.

In very brief and simplified terms, the supervision of sexual conduct originated amidst the aristocracy, evolving from a desire for longevity. Sex was of concern to the aristocracy, since it was responsible for reproduction of healthy, vigorous individuals. Blood was used as the symbol of their distinction, affinity, ancestry, and even vulnerability to corruption (p. 147). Accordingly, regulation of sexual conduct became part of the collective welfare, ensuring the purity, physical quality and continuity of their descent lines.

The prime targets of this regulation were ‘idle’ females and young male students. These were the most accessible and readily controllable groups amongst the aristocracy. The justification for targeting these individuals varied over time, yet their seclusion was instrumental in fermenting the distinctiveness of the elite. The chasm between them and the masses was made increasingly visible, since only they had the resources, and time to seclude individuals, and survive without recourse to their labor. Their military training and schooling enabled them to discipline their bodies, and overcome their ‘animal’ weaknesses. This mastery of the body translated into the keystone of honor, the ability to overcome cowardice and sexuality/sexual urges.

In the same text, Foucault proceeds to trace the transition of the suppression of sexual conduct from the realm of the aristocracy to that of the legal and state structure under the bourgeoisie. He speaks of this institutionalization of repression in the interest of political and economic betterment, based on control of population growth, fertility,
and regulation of the human body, it being both the producer and the consumer in society. This takes the discussion in new directions not unlike those mentioned earlier by other writers which are of little value to the present study.

Foucault’s exploration into sexuality and honor was based on the values and lives of the elite of France. Using his own words it was a study constrained by time and space. Thus its applicability to the treatment of honor crimes in the Lebanese legal system is limited, particularly taking into consideration that France and Lebanon underwent very disparate historical transformations, both politically and socially. Lebanon to this day has not developed a fully-functional apparatus of population control, and vital record keeping. Foucault’s work, nevertheless, is able to provide a distinctly Western vision of sexuality and honor, which permits them historical standing in a capitalist and industrialized dominion.

Dwelling on these points further would be counterproductive, for the discourse within the courtroom disseminates fresh boundaries, and meanings of honor. Assertions as to the place honor occupies begin prior to any verbalizations with the constituents of the trial, the players involved and the individuals, excluded. The trial is closed to the public, limiting participation at the onset. This limitation is further compounded in the case of females, since the judges, lawyers, killers, and occasional witnesses were male in all but a few of the court cases analyzed. Apparently, whether of personal choice or under social pressure, women are absent from the formal proceedings of honor construction.
(ii) Female vs. Male Dichotomy

Regrettably, for lack of a more sophisticated rendition, this state of affairs, and the ensuing dialogue within the trials will be viewed in terms of the female/male, private/public dichotomy (Bourdieu 1979). This technique of classification appeared with the earliest of anthropological writings on the Arab world, and may be suggested to have been overused, and sometimes abused in stereotyping Arab civil, political, and economic life. The dichotomy has been obscured in many spheres of life in Lebanon, however it is evident from the present data that it survives in the legal system, and institutional discussion of honor.

Once the proceedings commence, and the defense sets into motion, the separation of the female and male spheres becomes increasingly pronounced. The defense lawyers all began with a character portrayal, or more correctly ‘assassination’ of the victim. The victim is unidimensional, an incurable dissolute. The language used is derogatory, and often coarse (certain accounts were censored in this study), fostering an atmosphere of informality unfitting a murder trial. This language may be assumed to be reserved for the company of men, and filtered in the presence of females, insinuating these men view the courtroom as their domain.

The killer and the defense lawyer speaking on his behalf, are chiefly uncontested, with no evidence required beyond the word and recounting of the events by these men. The killers in 34 of the 36 cases did not attempt to deny committing the murder; rather, their efforts were geared towards demonstrating the moral imperative of their actions. Conversely, there are no speakers present on behalf of the victim, for even the prosecutors do not concern themselves with the victim, but with the actual act of murder.
Unmistakably such administration of honor crimes alludes to strong cleavages between the realm of the female and male, the perpetrator and victim, represented by the antinomies emotional vs. rational, and destructive vs. constructive.

(iii) Antonio Gramsci’s Hegemony

These dichotomies are entrenched in the present data, despite the circumstantial variations in each individual case. In order to comprehend how such a bias can be so evident yet virtually unchallenged, Antonio Gramsci’s concept of ‘hegemony’ must be introduced. Renate Holub (1992) is able to ground this complex idea with the following depiction:

Hegemony is a lived system of meaning and values, not simply an ideology, a sense of reality beyond, which it is, for most people, difficult to move, a lived dominance and subordination internalized (p.104).

This statement elucidates in a concise manner the possible embedment of such a phenomenon. It makes sense of the fact that men of such different walks of life are able to converge in their perceptions of such a crime, minimizing the reality of its brutality. Also implicit in this statement is the intricacy of hegemony asserted by Gramsci in its ability to permeate people’s lives at the civil, moral, educational, familial, and the political level of experience (Bocock 1987; Hoffman 1984; Holub 1992; Smith and Hoare 1971).
The definitions and propositions found in the trial discourse are only a component of the whole system, even though admittedly an important one since it is directly linked to the coercive powers of the state (Burstyn 1985; Holub 1992). As Raymond Williams stated hegemony cannot be reduced to any formal institution for it is self-generating (1977). The survival of the honor system, and the ensuing crimes require the cooperation and consent of all individuals at some level, or in some form (Burstyn 1985; Smith and Hoare 1971). This suggests that even women are part of the perpetuation of these ideals, but to what extent can only be speculated on at this level.

Hegemony is reproduced by various relationships between individuals, who continuously negotiate, modify, reinterpret, dilute, and project its terms (Williams 1977). This is evident in the discourse of the courtroom, where there are constant negotiations as to the boundaries of honor, since each case introduces its own peculiarities of honor. Approaching honor from this perspective eliminates some of the questions as to the persistence of such unjustifiable practices, while raising the questions of why there is not a larger number of occurrences, and of what value honor is to these individuals that do succumb to its precepts?

**(iv) Pierre Bourdieu’s Logic of Practice**

In an attempt to address these issues, Pierre Bourdieu’s notions of ‘habitus’ and ‘symbolic capital’ from his _Logic of Practice_ will be put to use (1990). Habitus may be seen as an extension of the basic premises of hegemony, but it takes an additional step into the realm of concrete, and individual action. Bourdieu explains habitus as a durable disposition that produces ‘regular’ behavior in individuals who share common histories
(1990). He proposes habitus deposits in these individuals schemes of behavior that ultimately make decision making appear objective, divorced from any underlying calculation or aim. However, he emphasizes that practice is in no sense mechanical, since these schemes create limits, yet do not predetermine action. Practice is the outcome of the meeting of past knowledge with present events, thus always permitting room for personal choice (Bourdieu 1990).

The aforementioned can be employed to respond to the question of numbers, by stating that as strong as tradition is it cannot predict, or dictate behavior in all circumstances. This is only a partial answer since the available data on honor does not provide us with sufficient material to make more definitive postulations. Nonetheless, supplementary insight into this issue can be attained once Bourdieu’s phrase ‘symbolic capital’ is explored. Symbolic capital is the concept that is able to translate seemingly illogical practice into logical, practical action. Bourdieu states that all practice has a practical function, yet it may be indiscernible at face value or from a materialist perspective (1990).

Bourdieu defines symbolic capital by its functions, what it demands and accrues for its owners and users. Symbolic capital is that which creates relationships of exchange, of debt and rights. It is not recognized in the realm of the practical, and the relationships it creates are denied, yet its possession affords the individual great privileges. The pains taken to conceal its existence are commensurate to those employed to attain its benefits, thus creating the illusion of its altruism (Bourdieu 1990). This crystallizes when applied to the system of honor, and honor killings. In his writings, Bourdieu virtually equates
symbolic capital to honor, for he repeatedly speaks of the accumulation of honor, and its functions in feasts, ceremonies, and marriage alliances (1990).

He proposes that symbolic capital, honor, or prestige (which he uses interchangeably), is an investment whose dividends are not evident, nor immediate. Accordingly, an action that may initially appear as a loss or harmful, eventually brings the actor profit, if only symbolically in terms of community approval. Once attained, this symbolic capital confers status, and creates a clientele for its owners. It also enables the group, especially through marriage, to acquire prestigious affines, stronger alliances. He describes the honor of women as a mode of symbolic capital, which can easily be mobilized to achieve gains in the future. Ultimately, symbolic capital allots positions comparable to those conferred by titles of nobility, property, and education since access to the latter is highly circumscribed. These positions transform arbitrary relations of exploitation into durable relations, grounded in nature (p.112).

As Bourdieu emphasized, this is difficult to comprehend from a capitalist, or individualistic perspective, since this system is peculiar to societies which operate on economies of ‘good-will’ rather than materialism, having undergone different historical experiences. He describes the milieu within which such a system can flourish as one where relations of domination are ‘made, unmade, and remade’ through personal interactions, rather than through institutionalized mechanisms that confer status, i.e. education (p.130). This is not to suggest that material and symbolic wealth exist in separate domains, for they function to supplement one another, as portrayed in the following assertion, “economic and symbolic capital are so inextricably intertwined that
display of material and symbolic strength represented by prestigious affines is in itself likely to bring in material profits...” (p.119).

Finally, the system of honor is brought into perspective by Bourdieu in a few revealing sentences:

The hypersensitivity to the slightest slur or innuendo, and the multiplicity of strategies designed to belie or avert them, can be explained by the fact that symbolic capital is less easily measured and counted than land or livestock, and that the group, ultimately the only source of credit, will readily withdraw it and direct its suspicions at even the strongest, as if, in matters of honor, as in land, one man’s wealth made others that much poorer (p.121).

If one accepts such a proposition, it may be safe to suggest that an entrance into the heart of the honor system has been attained. Reverting to the dialogue, and rationalizations presented during the trials, distinct parallels begin to emerge. In most of the cases, being able to ‘hold one’s head up’ or the fact that the man is respected, or well-liked in the community, are of central importance. These allusions to the killer’s repertoire vis-à-vis his community can be viewed as testimony to his symbolic capital. The peculiar setting of the courtroom makes these otherwise ill-favored statements acceptable. They function as leverage in securing confidence in the killer’s account through an appeal to the judges’ conscience and sympathies.

Comparably, there is an emphasis on the various measures taken prior to the killings exhibiting the notion that there may exist a protocol of expected behavior to avert shame without recourse to murder. The value of this may also been seen as added credit to the perpetrator’s worth, which judging from the success rate (from the killer’s
perspective) of most cases suggests that symbolic capital commands its unofficial weight in the courtroom.

(IV) CONCLUSION

By means of this discourse the gist of honor is crystallized in the assertions of it being essentially based on sexual conduct, a creator of value for individuals, and yet irreducible into a precise set of characteristics or behavior. The results of this have made honor delicate and virtually void of form, with shortcomings that ironically form the basis of its perpetuation. This frailty equips honor with its power to endure overhauling change by maintaining it in a state of constant flux. Each re-negotiation of the terms of honor lends to it being assimilated into people’s way of life, and locked into their understanding.
CHAPTER 6

DISCUSSION

(I) INTRODUCTION

The trials constituted an extended arena for negotiation of the killer’s worth/honor, and exposure of the victim’s shame. The strength or weakness of the killer’s symbolic capital served as leverage in the outcome of the cases. The more symbolic capital the he/she could claim, the stronger was the condemnation of the victim’s infringement on honor, and the lighter the sentence. This approach to murder cases demonstrates a strong hegemonic discourse, within which the killing takes secondary consideration to the moral evaluation of the motives of the defendant.

The judges, lawyers, and killers each ascertained their own biases and views towards honor during the proceedings, but only the prosecutors’ proclamations disrupted the general tone of the trials. The prosecutors began their arguments by rejecting any negotiation of honor, they used strong language to condemn the actions of the killers, categorizing the assassination as premeditated murder. The remainder of the players had a difference in opinion on the exact circumstances that merited reduced sentences, but agreed that honor was the motive in most cases. Their different approaches were merged
together in this unique setting to create a distinct depiction of honor crimes which was oblivious to its own inconsistencies.

These players spoke in universals, assuming their views reflected those of the general population, without acknowledgment of the victim, or consideration of alternative interpretations of the events. The reader almost loses sight of who the culprit is, since the language used in reference to the victim(s) was of such a derogatory nature. The killer was often painted as the individual wronged, who was able to avenge his, and his family’s honor.

These strong biases in favor of the killer go virtually unchallenged suggesting many of the arguments may have a bases external to these particular players. This cannot be concluded from the data collected for this study, however an attempt to extract these arguments from the courtroom is possible. The information accessible at this point is comprised of previous writings and data on Lebanese society, together these may elucidate some of the motivation and realities of honor crimes.

**(II) PARALLELS TO LITERATURE**

Reverting to the literature on honor in the Mediterranean, it becomes evident that in actuality the perspectives professed by the dominant players within the courtroom were not without foundation. The information and themes recorded in previous research on honor are similar on many levels to the courtroom discourse. Strong parallels are exhibited between the articulations in both settings over notions of heredity, foundations
of honor, gender roles, and community involvement in all stages of honor (Campbell 1964; Mernissi 1987; Minces 1982; Pitt-Rivers 1966; Tillion 1983).

Transmittal of honor through blood lines insinuated in several cases has been documented as having both social and biological bases. Kressel spoke in social terms, when he proposed that the mother is responsible for curbing her daughter’s behavior, teaching her about shame, and thus is blamed for her daughter’s indiscretions (1992). Tillion and Mernissi attributed more weight to the movement of honor, by linking it to blood, proposing it affects dead, living and unborn family members (1983; 1987).

Female chastity was observed as the bedrock of honor by Pitt-Rivers, Campbell, and AbouZeid amongst others attesting to the centrality it was allocated in the trials (1966; 1964; 1966). The requirements made upon females were also used as the benchmark from which to deduce the requirements upon males. The ideas of virginity, obedience, content, passivity, and manliness, authority, and aggression saturated all such accounts (Ginat 1979; Glazer and Ras Wahiba 1994; Kressel 1981; Peristiany 1966; Rapport, Lomski-Feder and Masalha 1989; Saadawi 1982). The infringements on honor as observed in the 36 cases, all stem from challenges to these prescribed ideals.

(i) The Conferment of Masculinity

Realizing the potency of particular gender role expectations in the literature, one begins to trace similar views within the court discourse. Courage, aggression, virility and authority provided the basis of defense for the killers, they appeared to be evidence of
the men’s honor. Suggesting that honor is a component of symbolic capital, one may state masculinity requires expressive behavior for it to be confirmed by the community (Bourdieu 1990; Kaufman 1987). Thus instances of honor provide a legitimate and safe forum within which masculinity can be exhibited. Courage was shown when men responded to a challenge or confrontation knowing they may be punished subsequently. Aggression was covered by the very fact that the man was able to kill even the closest of relatives. Virility was less exhibited than defended by the husbands, who had the added insult of appearing less desirable to their wives than other men. Finally, authority was affirmed on several levels; control of women, and taking charge of family honor. Women who were deviant at the onset were brought under the men’s authority, while family honor returned to their possession.

In the scarce instances when a man was killed, he was accused of lacking masculine qualities, thus bringing about his own demise. There were four such cases, no. 6,7,18,31. All of these have been dealt with previously, but in brief they are: in case 6, a man had not fulfilled his role as protector of his aunt, instead he went to the opposite extreme of trying to ruin her honor; in the others, the men had been deceptive, or disrespectful. They had made promises to marry the women, and even after being ‘begged’, did not uphold their word. They showed cowardice by lying rather than facing the women.

In case 7, the man’s mother spoke on his behalf, convincing the young female to undergo an abortion. In case 18, the victim was described as crude and abusive towards his own mother. In case 31, the man had gotten married, and arranged to leave the country without informing his lover. Ultimately, these men were portrayed as lacking qualities esteemed in the community; a solid word, and courage.
A similar description of the shortcomings of some males was provided by Blok, who developed the notion of male inadequacy through the use of common symbols in Greece, the ram and the Billy-goat (1981). These two animals were represented as the ‘real man’ and the man who lacked honor, respectively. The ram was the strong male that fought for his females, while the Billy-goat was the male that allowed other males to prey on his females, while he watched (Blok 1981). These references were reiterated by Pitt-Rivers, who spoke of the ‘cuckold’ in Spain, the cheated male (1966). Abu-Odeh, more recently, examined the idea of the castrated man, reduced to a woman in her study of honor crimes in the Arab world (1996).

Ironically, a man loses his ‘manhood’, or is reduced to a woman, at the hands of a woman (Abu-Odeh 1996; Ginat 1979). Honor begins in the sexuality of the women, and ends in the reputation of the men, and family. The sole condition spoken of is that the female must be a blood relative to the male (AbouZeid 1966; Campbell 1964; Minces 1982; Pitt-Rivers 1966; Saadawi 1982; Tillion 1983). Fathers, brothers, paternal uncles, paternal cousins and sons are at the forefront of this group, followed by maternal uncles, cousins, and more distant male relatives. The one category of males conspicuously excluded from this group are husbands.

(ii) The Group Spared Dishonor

Husbands were not categorized amongst the male relatives whose reputation would be adversely affected by shame of his wife. No references to the husband as the offended party who must vindicate his honor exist, for it was commonly accepted by the authors that the husband would send the woman back to her parental home (AbouZeid
1966; Campbell 1964; Ginat 1979). It is there that she is punished either by her brothers or father. Tillion termed this phenomenon ‘the rule of vendetta’, where if the husband were to kill his wife, her family would have the discretion of killing him. A family feud could result from such actions, since the woman never severs her ties with her paternal family (Hardy, 1963; Tillion 1983). Jacob’s study confirmed such ideas, observing that the assassin was always a blood relative, usually chosen by the family elders (1968).

**III) HUSBANDS’ ROLE EMERGES IN FINDINGS**

The notion of excluding husbands from the honor equation was completely eradicated in the present study, since the husband assumed an integral place in both the penal code, and in the courtroom. 8 of the 36 murders were committed by husbands, a situation that defies the notion that honor is solely established through blood. According to the state, the husband’s honor is equally linked to that of his wife as that of his mother, daughter, or sister. This provided an approach to honor that may not have been in the ‘traditional’ conception of honor, and thus furnished the opportunity for expansion of the terms within the courtroom.

On the other hand, it may suggest that previous writers fell into the fallacy of taking the subjects’ self-portrayals too literally. Emrys Peters spoke of this once common mistake amongst anthropologists who assume the characterization of the status quo of individuals is actual rather than what is ideal (1963). The reason for this being merely that subjects may not be aware of variations from their world-views, or may not wish to relate it to others.
In either case, there is the essential element of involvement of subjects, whether it is to negotiate the terms of honor, or to misrepresent the status quo. These subjects or individuals I refer to as the community, since the ‘community’ is a constant element in both the courtroom discourse and the writings on honor. Most previous works have proposed that the community is essential in defining, monitoring, and conferring honor on individual families (Baroja 1966; Kressel 1992; Pitt-Rivers 1966).

In the courtroom the ‘community’ was used as a integral component in defense of most killers in this study, yet the reference was in conceptual terms, never specified nor broken down into separate components. Thus these declarations cannot be utilized to make any decisive postulations about the role and authority a community (however it may be defined) has over matters of honor and female sexuality. This intricacy cannot be resolved from the data collected for the present study, yet discerning it is not infeasible with additional research. There are numerous issues related to the notion of community that require elaboration such as who constitutes the community and what level of integration exists amongst these people. The first of these issues requires further studies, however some of the main elements to be addressed can be specified at this stage.

**(IV) IDENTIFYING THE COMMUNITY**

To discover what constitutes a community, individuals in the general population must be approached and questioned as to their conception of honor, and what form of punishment if any should be meted when an indiscretion does occur. The cases explored
provide answers, yet they are unqualified since they come from a population with a vested interest in the depiction of honor crimes in a certain light. Over and above this, women must be approached for their views, since they are all but excluded from the court proceedings, and only mentioned in terms of supporting their husbands' or sons' decisions, or being blamed for their daughter's actions. The victims naturally were not present to speak for themselves, but at the same time no woman was asked or was available to express her interpretation of the events. This complete silence on behalf of the female population leaves a great void in the genuine understanding of honor crimes.

Once the perspectives of females (a sample) are probed, a clearer representation of the community is made possible, delineating who participates in this construction and enforcement of honor. Also on the topic of participation, it is crucial to discover what segment of the population adheres to such ideologies, beyond those subjects in this study that committed murder. The importance of this is to discern the generalizability of the assertions made in the courtroom and the literature. In the present study, individuals of lower educational and socioeconomic levels constituted the majority of the culprits. This may not necessarily allude to their being the only segment involved in the honor system, despite the fact that such a proposition has been set forth by various writers (Abu-Odeh 1996; Davis 1977; Herzfeld 1980; Pitt-Rivers 1966).

(V) PROBE INTO GROUP DEVELOPMENT AND DYNAMICS

It is possible to attempt a brief investigation into the reasons individuals of lower socioeconomic standing may be inclined towards a system of honor based on its past.
Historically, most of these individuals were land tenants, or cash-crop farmers (Costello 1977). They relied on each other’s support to sustain themselves, and maintain their homes and families. Face-to-face interaction was the basis of their social relationships and organization. Their conditions being as such allowed for a great deal of opportunity for individuals to affect each others’ behavior. Condemnation by the community would necessarily mean a loss of livelihood or at least an increase in obstacles in one’s life. Most individuals would understandably be inclined towards conformity to group norms, and appeasement of other families and members.

In 1975, the situation had only shifted slightly with 55% of the Lebanese labor force involved in agriculture (Waterbury 1978). Once the war started, there was a great exodus from villages in the south towards Beirut. By 1989, only 11% of the labor force was still employed in agriculture (CIA 1995b). This may appear to suggest a shift in values and sentiments, however taking into account the particular circumstances of Lebanese society, it may be proposed changes in group dynamics were remiss.

From 1975 to 1990, urbanization was rapid, and in many instances involuntary. Masses were moving to Beirut and its suburbs, escaping the strife in the southern villages. In the process, many individuals believed this transition was temporary, viewing their permanent residence in the villages. These individuals kept their legal and political registration, and for all purposes their sentiments in the villages (Costello 1977; Khlat and Halabi 1986). Gilbert and Gugler (1992) support these ideas, stating that many urban dwellers remain firmly rooted in the rural community. They sum up this notion in saying, “Becoming urban involves an extension of cultural equipment, but does not necessarily imply a commensurate rejection or loss.” (1992 p.119).
Despite these propositions, a shift in sentiments and practice is inevitable and can be evidenced by the findings in this study. Honor has experienced an expansion in boundaries that is a result of urbanization and increased involvement of the authorities in citizen's affairs. Husbands have come to be included in the group of men permitted to kill for honor, and emotions have come to assume as critical a role as rational tradition arguments in a court of law.

However, as suggested earlier, the shifts may not have been as sweeping as they could have possibly been since the economic realities of Lebanon still allow for community control of individual members' behavior. For even those leaving the village with no intention of returning are caught in this web, where they are forced to maintain unwavering bonds with family and community. As documented by Waterbury in 1978, and Toksoz in 1986, Lebanon is run predominantly on private (personal) capital with very little industry. This coupled with the notion that 5% of the population absorbs 40% of the national wealth (Waterbury 1978) and the fact that 79% of the work force are in services and industry (CIA 1995b), draws very grim prospects for self-sufficiency. Most of the population falls below the poverty line with a 35% unemployment rate (CIA 1995b). Personal contacts become crucial to secure jobs, attain health care, and initiate private businesses. Evidence from this study indicate that Costello's statement, "where there is some political advantage through kinship contracts, as in Lebanon, matrilineal kinship claims are extensive" (1977 p.57), still applies in present day Lebanon.

This brief discourse is meant to shed some light on the social circumstances of the masses in Lebanon. It is not intended to serve as an economic analysis, but rather to suggest reasons personal relationships remain so intimate, and paramount. With regards
to the upper strata, very little can be deduced about their world views and values from this data. The only accounts available about this issue come from assertions of writers, such as Pitt-Rivers (1966) and Herzfeld (1980). Pitt-Rivers (1966) compounds the relationship between the aristocracy and honor by stating individuals of wealth, whether past or material, are shielded from the honor system and community criticism based on the conduct of their females. Their wealth secures their position, and honor in society.

Such assertions are quite dated, and not based on empirical studies, yet the present exploration was unable to refute any aspect of them. Similarly, the findings were unable to provide any support, ultimately forming another area necessitating supplementary investigation. The issue of wealth is crucial to honor, since it suggests some sort of stratification. This is a very powerful suggestion, that can create new approaches to analyzing the honor system, making it increasingly more tangible, and empirical in nature.

Nonetheless, the present findings warrant their own merits for they have exposed a very distinct discourse of honor, that has for the most part been neglected. The courtroom is a site where language and accounts that may have otherwise been censored, are vocalized unabated. The debasing of the female victims is quite candid, since in all but a few cases, there were no women present. Beyond this fundamental chasm in regard to females, especially the victims, there are added observations as to the intricacies of what frames an infringement on honor in the eyes of the killers, judges, and the Lebanese penal code. As previously mentioned, these may not all converge, but the findings show that compromises, and stretching of definitions resolve all discrepancies.
(VI) CONCLUSIONS

This chapter was an attempt to stretch the discussion of honor beyond the restricted context of the courtroom. Throughout the construction of parallels to previous literature, it became apparent that many of the ideas professed in court have some historicity to them. Realizing that the ideas of heredity, gender roles and community are documented in works on the Mediterranean in general lends to a better understanding of the acceptability of these arguments during the trials. In the same vein, these connections provide points of contrast, where the definitions of honor can be seen to have been altered and expanded to include additional forms of infringements and to involve more individuals.

Using previous research also validates the constant references to the 'community', even though it is not specified in the trial discourse. Earlier works suggest that the community is at the core of matters of honor playing a decisive role in any outcome over an infringement on honor. This alluded to a strong need to define the community, which this study was unable to do beyond forming speculations. The speculations this chapter made were based on various information on the social and economic being of the population of Lebanon. The conclusions arrived at were that the environment most of the Lebanese population are living permits such a system of honor and the ensuing community control to persist.

The questions this chapter was unable to address fully were what group constituted this community of honor, and how strictly do individual members adhere to these proclamations about the ideals and norms of honor. These issues are touched
upon, and possibly given some direction, however they reach beyond the scope of this study. To address these critical issues adequately, one would be required to delve into diverse areas, which merit examinations of their own. Appreciating the objectives of the present exploration, it may suffice to accept that there are broader issues involved in the decision making within the courtroom which reach beyond ignorance or blind dogmatism.
CHAPTER 7

CONCLUSION

This study began with a sketch of a few prevalent arguments about the nature of honor crimes, and who/what is to blame for their occurrence. Islam, and Islamic Fundamentalism were perceived as the source of such values by some, others proposed it was ‘backwardness’, while others attempted to downplay the existence of honor crimes. In order to address these varied issues within a specified context, 36 ‘honor killing’ were examined from Lebanese court records.

It did not take long to realize that each argument had its legitimate place in relation to honor crimes, although it may not be the one posited. The suggested command of Islam was all but cast aside by the findings, with the number of Moslem killers being representative of their distribution in the general population. From a legal stance, there is minimal consideration for Islam, or any religion both in the classification and trying of the killings. The incidents are transferred to the criminal court, rather than to the separate religious courts, where all personal/familial complaints are heard. Once in the courtroom the role of Islam is further obscured when in the one case that resorted to Islam for justification, the killer was sentenced more harshly than most.

Outside the legal milieu, religious leaders appear to be in support of the separation of honor crimes from religion. When questioned about honor crimes, Father
Raymond Abdo, speaking on behalf of the Christian Church, stated that the Church acknowledges and supports state laws/justice, although its own rules differ (Rafi 1996). The Church views any [intentional] killing as a crime, regardless of motivation, or circumstance, including that of ‘honor’. He explains this by adding that honor stems from a man’s power to forgive, and not from his power to realize revenge.

Presented with the same query, Sheikh Zuhair Shweesh, a prominent Sunni Moslem clergymen, concurred with the notion that all [intentional] killings are of a kind (Rafi 1996). He proposed that the situation has been exasperated by a lenient legal system[Lebanese], which permits the admission of extenuating factors into cases of ‘honor crimes’, finally, adding that this actually encourages men to commit crimes of honor, since it makes prosecution unlikely.

Sheikh Mohammed Hussein Fadallah, an elite Shiite clergymen, introduced another dimension into the dilemma of honor crimes, that of condoning hymenorrhaphy, surgical reconstruction of the hymen. Speaking at a lecture on medicine and religion, he made the following statements, printed in the daily paper; al-Safir on January 4, 1996:

I have no objection to a physician mending the virginity shield[hymen] of a female who lost her virginity as a result of being seduced, cheated, or raped by a male(p.1).

The physician, by performing this operation, saves the girl’s life, as well as her future, from the backward mentality which holds the female responsible for family honor(p.1).
The male committing the aggression is supported by his family, who hire lawyers for his defense. However, the female who deviates, is deceived, or is merely the focus of gossip, is abandoned, even by pious individuals. All these people recite the following words “High honor is not preserved unless blood is shed over it”....Thus when a female’s life is at risk, I say to the physician mend the virginity shield with a clear conscience(p.1).

Clearly, the Moslem Sheikhs relinquished any responsibility for honor crimes, directing the blame at the penal system, and the ‘backward mentality’ of certain groups. The latter allegation brings us to the second set of arguments, based on individuals’ demographics. This is a complex notion since ‘backwardness’ is an inconclusive term, except that it is supposed to describe those who lack education, hold menial positions, and live in villages. The findings support this profile of the killers, however this is not a causal relationship, since the majority of the population of Lebanon falls within this category. The differences between village and city dwellers are often blurred, since sentiments and interests between the two are never severed. Also, since the initial investigation demonstrates that honor crimes have an extensive history, such a proposition is too simplistic, yet provided a base for assertions about the role of social status in instigating or hindering the cultivation of the ideology of honor.

The third argument minimizing the occurrence of these killings in Lebanon can easily be rejected as an oversight based on the simple fact that there were/are cases being tried in the criminal courts, labeled honor crimes. However, since this belief was divulged by a state official (female) it is alarming, for if a problem does not exist, then
there is no need for a remedy. It is misconceptions, or denials like these that obscure the extent, and meaning of honor crimes.

On the surface, it appears as if very little was derived from exploration of these issues, yet they were invaluable for they opened a path for more fundamental findings. The legal data and court records used to answer these queries offered exceptional insight into the dynamics of honor crimes. They unveiled the paradoxes laden in the definition and handling of this phenomenon. The contradictions began very early in the history of Lebanon with the writing of the constitution in 1926, which assigned equal duty/rights to all its citizens. This was ignored in the penal code, when the ‘honor crime’ laws were formed to make it mandatory upon judges to pardon, or grant lighter sentences to males who killed their female relatives for honor (Mokbel-Wensley 1996). This requirement was waived in the case of female killers, since they were not included in the writing of these laws, which specify males avenging honor.

Only a year after the institution of the penal code, Lebanon became one of the original members of the United Nations, signing the Charter on 24 October, 1945 (Marayati 1968; Nijhoff 1995). This posited another contradiction since the UN Preamble begins with “in fundamental human rights, in the dignity of worth of the human person, in the equal rights of men and women…” (UN Charter). This was the first of the international treaties that Lebanon would ratify over the next five decades. As with other UN members, Lebanon signed the Universal Bill of Human Rights, then went on to
sign at least six other treaties dealing with human liberties\(^1\) (Nijhoff 1995).

These inconsistencies were recognized by a number of Lebanese lawyers and state officials, who felt that the rights of women were being compromised by honor laws. They formed a committee in 1970 to advocate the removal of Law 562 from the penal code. This committee developed into the Lebanese Association for Human Rights (NGO), with the objective of terminating Law 562 still on its agenda for 1997 (Ismail 1996). Resistance to this change has been strong; in 1983 the penal code was overhauled with exception to laws related to honor crimes (Mughazil 1985). Then, in 1990, a new introduction was added to the Constitution reaffirming Lebanon's commitment to all international conventions and declarations concerning human rights, with no alterations to the penal code (Ismail 1996). Finally, in 1991 a new article was introduced which decreased all sentences for honor crimes committed before 1991 by half, in some circumstances granting pardons (Article 198).

During this period of inflexibility, Lebanon still sent delegates to all four conferences on women\(^2\) (Nijhoff 1995). However, when it came to issues of critical importance for realizing the rights of women, Lebanon declined signing treaties such as: Convention on the Nationality of Married Women (1957), Convention on Consent to

\(^{1}\) Convention on the Prevention and Punishment of the Crime of Genocide - 9/12/1948
Convention on Political Rights of Women - 7/6/1954
International Convention on the Elimination of All Forms of Racial Discrimination - 12/11/1971
International Covenant on Civil and Political Rights - 3/1972
International Covenant on Rights of Children - 29/1/1990

\(^{2}\) Mexico City 1975
Copenhagen 1980
Nairobi 1985
Beijing 1995

Despite the fact that it took 17 years to ratify CEDAW, the Lebanese government still attached reservations to this treaty (Ismail 1996). Amongst the most notable are: 1. The provision that gives women equal rights with men with respect to the nationality of their children, 2. The provisions that give men and women the same rights and responsibilities during marriage and divorce, 3. Equal responsibilities as parents, 4. Equal rights with regard to guardianship, adoption, 5. Right to choose family name Ismail (1996).

With the ambivalence of the state towards honor crimes, and the ambiguity of the penal code in these cases, it was not surprising to witness the method the cases were tried in. Void of specific terms, the few individuals involved have great discretion in defining honor, and determining the direction of the discourse, often presenting incoherent defenses which nonetheless prevail. There is absolute discrimination against females in the courtroom, the most blatant of which was their exclusion from the trial. The situation is confounded throughout the proceedings, where the female victims were slandered, and the male killers were revered, inverting the roles. The language used was demeaning, attesting to the belief that this was a strictly male domain.

Males monopolize the discussion of honor crimes, for they define what constitutes an infringement on honor, commit the assassinations, provide the accounts of the incidents that culminated in murder, negotiate the definitions in court, then pass the sentences on other men. The terrain is practically airtight, clouding over any question as to the views of women, or genuineness of the allegations of infringements on honor. The
final blow to the rights of women comes with the sentencing, which in all but a few of the extreme cases, is under five years. The calamity of this reality can be illustrated with a comparison to sentences passed for other types of crimes. Under Article 666 of the penal code, it is stipulated that an individual writing an invalid check will receive up to three years in prison (Ismail 1996), while under the new law, no. 302/94, all homicides, excluding those of honor, are to be given the death penalty (Anonymous 1997).

Indubitably, this scenario is extremely skewed, making it difficult to accept that such absurdities are incorporated into a penal code. The fact that such a state of affairs has endured decades of political, economic, and social change makes it all the more perplexing. Several possibilities exist as to why honor crime laws have resisted all change, including the arrest of civil life during the 16 year civil war, the political composition of Lebanon, and the feebleness of women’s groups.

During the years of the civil war, all government agencies were at a stand-still, with society being in a state of total anarchy. There were opportunities to make any changes to laws, or to better the status of women vis-à-vis men. This may be have been the case then; however after the war ended and the government regained reign over society, the position of women was further compromised with the issuance of laws 84/91, and 302/94. The first of these laws reduced the sentences by half for killings committed prior to 1991, while the other gave legitimacy to the honor crime laws, by leaving them unabated.

The second line of reasoning is less apologetic, placing the blame on the political composition of Lebanon, which is so divided the rights of women get lost in the disarray. In an interesting chapter, Jean Makdisi propounds that Lebanese women are victims of
sectarianism, which has transposed all discussion of women's issues into the hands of theologians (1996). He suggests this confounded issues of personal status with those of a secular nature, such as issues of honor crimes, poverty, and health. This is a revealing statement, because it makes sense of the constant connection between religion, honor, and women. He argues that there is immense apprehension felt between the different political parties that inhibits any free discourse, and silences all challengers. Thus priests and Sheikhs are accorded the sole right of debating such issues, that were previously out of their jurisdiction. Even then there does not exist serious discussion of women's issues since each side tries not to provoke the other, making only 'polite', inconsequential statements.

Makdisi asserts this fear that creates deference to sectarian views, also disguises the class underpinnings of the status of women. He states that women do not have a voice in Lebanon, with only 3 women in a 128 member parliament, all of whom are related to prominent males (1996). Incidentally, one of them was also the one to denounce the notion that honor crimes constitute a problem in Lebanon. He proposes that the reason there is such a lack of representation, which is reflected in all positions of decision making, is twofold: the illusion of 'modernity', and the status of the women heading the women's movements.

Lebanon has been for generations viewed as having the most liberated women, but he states this is misleading since this 'modernity' is measured by sect, dress, and language. Sect usually refers to Christians who are likened to Western women, dress to the ability for women to bare their bodies, and language to the fact that most women are bilingual (Arabic, and either French or English). With these signs of "Westernization",

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women are pacified into acquiescence since many of their Arab counterparts do not enjoy such 'liberties' (Makdisi 1996).

The second half of the equation is that the women heading the women's movements are privileged, from the elite classes. They do not see the injustices the average woman is exposed, and may truly believe that women's lot in Lebanon is quite favorable, judging from their own experiences (Sharara 1983; Makdisi 1996). Makdisi declares these women get the respect accorded them based on their family standing, which is confused with their position as women. Accordingly, their efforts are very limited, and complacent with the status quo. To illustrate the conviction with which he holds that status intervenes at all levels of social life, Makdisi cynically states:

It seems clear that religious law, whether Christian or Moslem, is tempered by social status of the woman concerned: miracles can be accomplished by a rich and influential family in the protection-whether de jure or de facto- of their daughters (1996 p.241).

When fused, all these arguments depict a very grim picture for the eradication of the honor crime laws. However, before dismissing it as a hopeless endeavor there must be further investigation into the sentiments, and receptivity of women towards change. The women's groups may not be completely effective, but they continue to be intact, and their voices are heard occasionally. The new generation of women who were raised in a state of anarchy during the war may be more acutely aware of their oppression, and are now coming of age where they can assume responsibility for their own situation.
Ultimately, this study has only scratched the surface of this immensely large and weighty topic, leaving a great deal of territory to be explored. What it has been able to establish is that the predicament of women caught in the honor system is very real, and is one that may not be solved for some time. Not only is it entrenched in a people's history, but it has also been incorporated into the intricacies of concrete legal, economic, and political systems.
APPENDIX I

DEFINITIONS

Honor:

Honor is the value of a person in one’s own eyes, and more importantly in the
eyes of his/her society (Bourdieu 1984; Fallers 1973; Hatch 1989; Pitt-Rivers 1966;
Riches 1979). Honor is attained through two avenues, ascription, and achievement/
reputation. When honor is based on reputation, it is gained through actions that sustain a
person’s sense of gender identity (Hatch 1989). The roles and actions expected of
individuals are based on community beliefs on what is feminine and masculine. In the
Mediterranean region, men must be aggressive, virile, domineering, able to support a
family, and to protect their womenfolk (Campbell 1964; Davis 1977; Kertzer & Saller
1991; Schneider 1971, Tillion 1983). Women must be shy, chaste, unselfish, and self
sacrificial (Campbell 1964; Ginat 1979; Mernissi 1987; Peristiany 1966; Pitt-River 1966;
Saadawi 1982).

Honor will be treated as an economical element, able to give status in a similar
fashion to wealth (Davis 1977; Khuri 1975; Herzfeld 1980). In addition, honor will be
viewed as a socially constructed phenomenon, instead of being a biological, spiritual, or
juridical quality (Abu-Odeh 1996; Ginat 1979; Mernissi 1987; Pitt-Rivers 1966; Speier
1952; Weisfeld 1990).
**Sharaf/Male Honor:**

Male honor is based on the ability to maintain a reputation of being virile, courageous, and able to provide for and protect his womenfolk, and children (AbouZeid 1966; Miller 1993; Saadawi 1982; Tillion 1983). Male honor is malleable; it can be augmented or reduced according to the male’s individual behavior (AbouZeid 1966; Kressel 1992). Even when it is threatened by female misconduct, a man’s actions can rectify the situation, namely by killing the female.

**Ird/Female Honor:**

Female honor is a highly volatile subject, for mention of it necessarily entails a conflict. Female honor is simultaneously intertwined with female sexuality, and the honor of the family. The conduct of one female leads to detrimental consequences for the reputation of the entire family, especially the closest male agnates, thus making it crucial to preserve the chastity of females. Female honor cannot be augmented in any fashion, it can only be lost, and cannot be redeemed unless the female is killed.

**Honor Crimes:**

Honor crimes refer exclusively to ‘successful’ killings in the name of cleansing the family honor. In theory, the victim is female; whether single, married, divorced, or widowed, killed by her brother, father, or father’s brother’s son for allegedly having behaved in an unchaste manner, thus ruining the family honor (Jacob 1968). Accordingly, the offender cannot be the husband. In practice these restrictions are not observed, for the victim may be male, and the killer is often the husband.
**Shame/Em:**

A term more frequently associated with females, since men can only be shamed by the ‘condition of their pockets’. Shame, or eb is commonly heard in everyday discourse, for it a mode of guiding people’s behavior. It basically points out the inappropriateness of certain actions. It is used in a condescending manner: parent to child, elder to youngster, and guardian to female ward (Kressel 1981).

**Shameless:**

This term applies to individuals who are left out of the behavior roles and community judgment, namely prostitutes and gypsies. These two groups are permitted to act in any manner without being ridiculed, since they have no concept of shame, and they have no honor to lose.

**Billy-goat/Cuckold:**

The Billy-goat is a small male dairy animal that is infamous for allowing other males to mate with his partner while he watches. This animal has small horns that are symbolic of the devil and sexuality. Accordingly, a man who does not protect (i.e. control the sexual conduct of) his womenfolk is labeled a cuckold. This is one of the worst insults a man can be bestow on another (Blok 1981).

**Ram:**

The ram symbolizes the antonym of the Billy-goat. He is extremely aggressive and protective of his females. No other male is allowed to approach the ram’s partner without a confrontation (Blok 1981).
**Gossip:**

Gossip is one of the most avid sources of information and communication for many people in the Mediterranean region (Campbell 1964; Glazer & Ras Wahiba 1994; Wasserfall 1990). Gossip is used to express gender role expectations, in particular those that deal with the sexual conduct of women. Contrary to many definitions of gossip, it will not be viewed as a cohesive force, for this gives it an element of legitimacy that overshadows its true function of controlling other people's behavior.

**Female vs. Male:**

In Mediterranean societies, in matters of honor, the roles of criminal and victim are reversed, similar to cases of self defense (Mughazil 1985). The female of ill-repute is considered the deviant that needs to be disciplined or punished, while the offender is seen as a man of integrity.
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