

English summary

The theme of this thesis is honour-related legislation. An "honour-related crime" refers to a situation where one or more people believe that their honour has been or is at risk of being violated and therefore commits a crime against the "offender" in an attempt to restore or maintain the lost or endangered honour.¹ This thesis addresses the regulation of three specific provisions in the Criminal Code, which have been identified as honour-related in the political and public debates. This category of crimes includes the following apparently neutral provisions: § 245 (a) on banning female genital mutilation, strl § 260 (2) on forcing someone to entering a marriage and strl § 260 (3) on forcing someone to covering their face. Within the last few decades, there has been a development in the Danish legislative initiatives in relation to honour-related crimes. These three provisions are the result of the criminal regulation of the phenomenon of "honour crimes".

Successive governments have designated the phenomenon to pose a problem area that requires more attention.² The reason for this is partly that there has been an increase in the notification of honor-related matters to the public authorities and partly to individual cases in the media have helped to make an impression on politicians and the police. For example, the honour killing of the 18-year-old Ghazala Khan, committed by her brother in Slagelse Railway Station, has been one of the reasons the National Police developed a common strategy in this area and started recording honour-related cases.³ The politicians' attention in relation to this area is most evident by the fact that in 2012, 24 million Danish kroner were allocated to prepare and implement a national strategy in this area and the V-government in 2016 together deposited 250 million Danish kroner for the control of this area and the area of extremism.⁴

¹ See for definitions: Hossain, S., & Welchman, L. (red.). (2005). *Introduction: 'Honour', rights and wrongs*. I: *Honour: crimes, paradigms and violence against women*. Spinifex Press. Elakkary, S., Franke, B., Shokri, D., Hartwig, S., Tsokos, M., & Püschel, K. (2014). *Honor crimes: review and proposed definition*. *Forensic science, medicine, and pathology*, 10(1), 76-82. Abu-Lughod, L. (2011). *Seductions of the "honor crime"*. *Differences*, 22(1), 17-63.

² VK-regeringen. (2005). *Nye mål*. Regeringsgrundlag. SRSF-regeringen (2011). *Et Danmark, der står sammen*. Regeringsgrundlag. VLAK-regeringen (2016). *For et friere, rigere og mere trygt Danmark*. Regeringsgrundlag Marienborgaftalen.

³ Se Rigspolitiet laver strategi mod æresdrab: https://www.politi.dk/da/aktuelt/nyheder/2007/aeresdrab_22012007.htm (hentet d. 5.7.2016).

⁴ SRSF-regeringen. (2012, s. 8). *National strategi mod æresrelaterede konflikter*. Social- og Integrationsministeriet. <http://uim.dk/nyheder/2016/2016-10/regeringen-opruer-i-kampen-mod-parallelsamfund> (hentet d. 17.3.2017).

Based on the above, the purpose of this dissertation is:

- to provide a comprehensive overview of criminal law on "honour-related crimes".
- contribute to the academic literature on the criminal law, and
- provide a qualified basis for lawmakers, practitioners, etc. so they can decide whether the legislation on "honour-related crimes" is regulated in an appropriate manner.

Based on the above description of the dissertation topic and purpose the research question is:

What is the legal significance of the provision on "honour-related crimes" in the Criminal Code?

What is the symbolic function of this legislation on "honour-related crimes"? Does the legislation on "honour-related crimes" involve challenges that can be met with a more appropriate legislation?

Based on the legal analysis of "honour-related crimes" it can be concluded that the legislation is largely unnecessary. It is unclear both in the legal text and in the preparatory work and there are efficiency difficulties associated in using it. The legal analysis of the provisions and the analysis of the legal policy context has shown that the legislation is symbolic. The symbolic function of the legislation has been intended to foster societal solidarity, but eventually it has ended as a symbol of superfluous legislation. In view of the above, it can be concluded that the legislation on "honour-related crimes" can be made more appropriate by considering the challenges from a greater criminal justice perspective.