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Article

Preventing Honor Killing Before the Lethal Act: The Limits of Reactive Criminal Law and the Case for Preventive Legal Governance

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Abstract

Honor killing raises a preventive problem when cumulative coercion and distributed participation become visible before the grounds for particular coercive powers are established. This article examines that problem through conceptual and normative legal analysis of honor-based abuse, forced marriage, homicide-prevention scholarship, and selected legal materials. It defines the pre-lethal governance gap as a failure to translate fragmented knowledge into an assigned, lawful, and reviewable protective response. Preventive legal governance is developed as an operational specification of existing due-diligence and safeguarding obligations, rather than a new duty to prevent violence. Its contribution lies in connecting the relational unit of preventive concern to the individualized justification required for each institutional act. Four overlapping risk configurations organize the model without implying an inevitable progression toward homicide. The analysis differentiates voluntary support, shared protective records, civil restrictions, and criminal investigation, each governed by distinct legal conditions. A Pre-Lethal Due Process Guarantee Framework specifies judicial control, meaningful opportunities to contest restrictions, limited duration, and periodic review. Evidentiary stewardship regulates information transfer, correction, retention, and erasure so that protective records do not become unofficial criminal histories. Victim agency informs the choice and timing of interventions, including the assessment of retaliation created by disclosure or unwanted action. The framework offers a normative basis for jurisdiction-specific development while making no claim to predictive validation or demonstrated preventive effectiveness.

Keywords

Coercive control, Criminal law, Homicide prevention, Honor killing, Honour-based violence

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1. Introduction

Honor killing is understood here as intentional killing in which an asserted violation of family or group honor supplies a substantial rationale for punishing the victim or restoring collective standing. The definition concerns the legitimating claim attached to the conduct, not a justification accepted by the law. It permits overlapping motives and does not require every killing to involve multiple perpetrators. Honor killing is one possible lethal outcome within the broader field of honor-based abuse (HBA), which encompasses coercive practices enforced through reputational expectations. Neither family disagreement nor an allegation of dishonor, without relevant conduct, establishes an impending homicide [1-4].

Empirical research on HBA identifies patterns of coercion and family involvement that are relevant to protection before a possible lethal act. Case-based work in England and Wales identifies partner, family, and combined perpetrator configurations rather than one stable offender pattern [3]. Specialist-service data likewise show psychological abuse and coercive control as recurrent features [4]. Newer research demonstrates variation across geographical origins while retaining family involvement and identification difficulties as important concerns [5]. These findings direct preventive attention to relationships and patterns that may be obscured when institutions assess each incident in isolation.

The legal problem is not that criminal law invariably waits for death. Threats, assault, confinement, stalking, and forms of coercion may already constitute offences, while attempt and participation doctrines can reach conduct before a completed killing. Their coverage depends on the jurisdiction. The difficulty examined here arises when authorities know enough to consider protection but cannot yet establish the factual and legal conditions for a particular coercive power. Information may be divided among professionals, and the contribution of each suspected participant may remain uncertain. Waiting for proof of homicide liability would misunderstand prevention, but dispensing with individualized grounds would undermine legality.

This article calls the resulting mismatch the pre-lethal governance gap. It exists where a potentially serious pattern cannot be translated into an assigned, lawful, and reviewable protective response because knowledge and competence remain fragmented across time, persons, agencies, or legal categories. The term is prospective only in this qualified sense. It identifies a decision problem before a possible lethal outcome, not a retrospectively certain progression toward murder. Some cases will de-escalate, some will remain non-lethal, and others will demand immediate action without an observable sequence of earlier configurations.

Preventive legal governance is proposed as an operational specification of existing protective obligations. Its contribution is not the discovery of prevention, coordination, or due diligence. It connects the unit of preventive concern, which may include a coercive relationship involving several people, to the separate legal justification required for each institutional act. The distinctive analytical task is to explain how evidence may be assembled to protect an identified person without turning that assembled picture into collective criminal attribution. The model therefore links risk configurations to differentiated powers, evidentiary requirements, procedural guarantees, information controls, and victim participation.

The inquiry asks how this translation can occur without converting protection into punishment for hypothetical future conduct. Section 2 explains the bounded documentary approach. Section 3 defines the relationship between the relevant literatures and examines institutional fragmentation. Section 4 develops the model and its relationship to due diligence. Section 5 specifies the safeguards that make earlier intervention legally defensible, including the right of defence and the possibility that intervention itself increases danger. The conclusion states the model's contribution and limits.

2. Methodology

This is a conceptual and normative legal study, not an empirical evaluation or a systematic literature review. Its documentary base combines scholarship on honor killing, HBA, forced marriage, institutional responses, and homicide prevention with primary materials on preventive duties and procedural constraints. The reference list identifies the materials relied upon. The legal and professional materials are the Istanbul Convention, two ECtHR judgments, European data-protection instruments, and official forced-marriage guidance [6-11]. These categories are distinguished because an empirical finding, a doctrinal interpretation, and a proposed safeguard perform different evidentiary functions.

Selection is purposive and problem-oriented. The included scholarship addresses at least one of the inquiry's central relationships, namely cumulative coercion, the distribution of participation or institutional knowledge, access to protection, or the legality of preventive intervention. HBA-specific work supplies the closest conceptual and contextual evidence. Forced-marriage and intimate-partner-homicide studies are used only for identifiable mechanisms, such as constrained disclosure or danger around separation, rather than as estimates of honor-killing risk. This is a bounded synthesis of the cited materials. No exhaustive database coverage, screening denominator, formal quality score, or claim of saturation is asserted. The concentration on recent English-language scholarship, together with three Indonesian publications, limits representativeness.

Countries enter the analysis as contexts of particular publications rather than as a systematically sampled set of national legal systems. Spain illustrates implementation and protection gaps [12-15]. Scotland and the Netherlands illuminate professional coordination and specialist responses [16,17]. Finland concerns the legal framing of forced marriage [18]. Indonesia, Türkiye, and Italy illustrate interpretive problems involving honor, attribution, and institutional recognition

[19-23]. Other settings contribute evidence about victim experience or homicide prevention. These examples do not establish that one national model is more effective than another. The materials were selected to examine particular mechanisms, and this study does not assemble comparable populations, outcome measures, or observation periods across the countries. Without a common evaluation design, differences in the reported responses cannot be attributed to the effectiveness of a national model. Descriptions drawn from scholarship remain attributed to those studies, and national laws are not treated as interchangeable.

The argument is constructed through a sequence of analytical questions. The literature first identifies how coercion can be cumulative and responsibility distributed. Those observations are then contrasted with the individualized grounds required for liability and coercive powers. The mismatch generates the concept of the governance gap. Existing preventive duties provide the normative starting point, while the intensity of each proposed intervention determines the additional justification required. The synthesis yields four overlapping risk configurations. They are analytical constructions, not categories produced by statistical clustering or independent coding. Section 5 examines their implications through explicitly hypothetical examples and rights-based objections.

The study separates statements of existing law from recommendations for institutional design. The European instruments and judgments are legal reference points within their respective scope, not universal legislation binding every country discussed. Requirements proposed for retention, hearings, and individualized justification require domestic implementation and further jurisdiction-specific analysis. The resulting framework has not been validated for predictive accuracy or preventive effectiveness. Its adequacy can presently be assessed through conceptual coherence, traceable legal reasoning, and its capacity to identify both protective obligations and limits on public power.

3. Honor Killing Before the Lethal Act

3.1 Conceptual Boundaries and the Transfer of Evidence

HBA encompasses the honor-related coercive practices examined in this analysis. It involves the enforcement of asserted obligations of honor, with honor killing representing one possible lethal outcome. Forced marriage is defined by the absence of free consent to marriage and can form part of HBA where such obligations drive the coercion. Coercive control helps explain the sustained restriction of autonomy within these relationships. The categories overlap at the level of conduct while retaining distinct defining features [3,4,24,25]. The analysis follows these connections to identify reasons for inquiry and support while retaining uncertainty about whether violence will escalate.

The distinction becomes especially important when drawing on intimate-partner-homicide research. That category is organized around the victim–offender relationship, while honor killing is identified through the role of asserted reputational enforcement. A killing may satisfy both descriptions. This paper uses partner-homicide studies to formulate questions about help-seeking, separation, and access to services [26-28]. Whether the same mechanisms operate in a case involving reputational enforcement requires contextual assessment. Estimates of prevalence, causal weight, or predictive performance remain specific to the populations and research designs from which they were obtained. An instrument developed around a partner dyad may overlook coercion involving relatives, non-partner participants, or coordinated travel arrangements. Its adequacy for those circumstances requires separate examination.

Survivor accounts and professional reports contribute a different kind of evidence. They can explain how a sequence of incidents acquires meaning within a relationship and why formal assistance may be refused. The accounts help identify questions for inquiry, including whose conduct restricts access to help and which intervention might increase danger. Their evidentiary value depends on that contextual explanation, since such accounts alone do not establish how often similar circumstances culminate in death. Preventive decisions should therefore record uncertainty and remain open to competing explanations as information changes.

3.2 Escalating Control and Collective Risk

The period preceding some honor-related killings involves repeated coercion across time and relationships. Forced-marriage research describes how such pressures accumulate [24], and victim-survivor accounts explain how their combined burden exceeds what can be understood from a single incident [25]. This perspective draws attention to restrictions that may become visible to services before a possible lethal act. It also leaves room for interruption and de-escalation, which preventive assessment must consider.

The meaning of a threat depends partly on the surrounding relationship. Its significance may change when the person is also prevented from leaving, accessing documents, or contacting support. Variation in the people affected complicates a standard victim profile. Research on male victims shows how patriarchal enforcement can target masculinity and sexuality [29], while Swedish survivor accounts describe differing vulnerabilities and support needs [30]. Assessment should follow how control operates in each case and which forms of assistance remain available.

Institutions may encounter different parts of this pattern. Schools can observe restrictions before police receive a complaint, yet staff may hesitate to report where referral could worsen a young person’s position [31]. Health and safeguarding research similarly stresses recognition problems [32]. A recent public-health model frames HBA through

phases of perpetration [33]. For legal purposes, the task is to assess whether those observations provide a sufficient basis for a particular protective response and what further inquiry is justified.

That assessment becomes more difficult when several people contribute to the pressure. One person may communicate a threat while another controls documents or arranges travel. Their actions can interact in ways that narrow the victim's opportunities to seek assistance. A preventive assessment needs to examine those connections, including uncertainty about each person's role. When criminal responsibility is at issue, adjudication must establish what an identified defendant did or intended under the relevant rules of liability.

Collective-risk architecture describes this interaction between connected actions and relationships. It directs attention to how several people's conduct may combine to create danger for an identified person. The evidentiary connection between those actions matters: kinship or community membership alone supplies no basis for attributing a role. Maintaining that distinction allows an assessment to examine the pattern of danger while preserving individualized grounds for criminal responsibility and for any restriction imposed on a particular person.

Consider a hypothetical case in which a school observes repeated withdrawal from classes, a health professional receives an account of threats, and a support service learns that travel documents are being withheld. The person's account and the chronology may help establish whether these observations concern connected restrictions on access to assistance. If, for example, one relative communicates the threats while another withholds the documents to prevent departure, the interaction illustrates the collective-risk architecture described above. Different agencies would hold fragments of the same coercive relationship. If the observations prove unrelated or have another explanation, that interpretation would need to be revised. A safe, confidential consultation could clarify both the connections and the person's wishes. Searching a relative's home or initiating a criminal investigation would require the separate legal grounds applicable to those actions.

Supportive relatives also belong within the assessment of that relationship. A relative who provides safe contact or access to accommodation may offer an important route to protection. Treating the whole family as dangerous could expose that person or cut off assistance. The assessment should identify who does what, distinguish coercive actions from protective ones, and record uncertainty about roles. This preserves the practical value of examining relationships without assigning responsibility through family association.

3.3 Institutional Fragmentation and the Limits of Reactive Law

Comparative research shows why additional criminalization does not necessarily produce additional prevention. Spain's response to honor-based violence has been criticized for limited visibility and insufficient victim-centered protection [12]. Forced-marriage research similarly identifies a punitive orientation alongside gaps in protection and implementation [13]. Survey evidence from Catalonia indicates support for victim-centered responses [14], while professional knowledge remains uneven across service sectors [15]. The recurring weakness lies between formal prohibition and the practical capacity to identify coercion early.

Professional uncertainty can sustain that gap. Scottish research found that a common statutory framework did not eliminate local variation or "race anxiety" [16]. The Dutch approach instead incorporated specialist police expertise within a broader model of prevention, intervention, and prosecution [17]. The contrast suggests that offence coverage is an incomplete measure of legal adequacy. Institutional capacity determines whether legal norms become protective before a case reaches homicide.

Reform centered on new offences encounters the same difficulty. Indonesian normative analysis of honor killing and religious vigilantism shows how reputational logic, community approval, and differentiated group roles can organize violence beyond a single perpetrator [20]. Finland often approaches forced marriage through human-trafficking concepts, while professionals still navigate a continuum between honor-based violence, coercion, and exploitation [18]. The doctrinal settings differ, but each requires a route from early recognition to protection that does not depend on waiting for a completed serious offence.

Criminal law is optimized for retrospective attribution because punishment requires precision. That precision protects legality and the presumption of innocence, but it can generate a prevention-punishment asymmetry at the pre-lethal stage, where responsibility is distributed, evidence incomplete, and victims may hesitate to enter a process that alters family relations or intensifies risk. Research in England and Wales captures this tension: legislation was valued for defining prohibited family abuse, while the criminal justice system was not regarded as a sufficient response on its own [34].

These examples identify possible mechanisms of institutional failure rather than a comparative ranking of legal systems. Formal criminalization may coexist with delayed referral, unavailable accommodation, or uncertainty about who can act. Conversely, a coordinated response can still fail if it lacks lawful powers or dependable services. The governance gap is therefore not reducible to an absent offence. It concerns the conversion of existing knowledge into an authorized response, including the decision that no coercive response is presently justified.

Honor-related coercion does not possess a monopoly on this temporal problem. Premeditated murder and planned theft also raise questions about intervention before completion. The relevance of honor killing is the combination that some cases present, particularly distributed enforcement within relationships on which a victim depends, disclosure that may itself trigger retaliation, and institutions holding disconnected observations. These features intensify a general problem of

preventive legality. They do not establish that honor killing is categorically unique or justify exceptional criminal-law standards.

3.4 Honor and the Minority Question

The category requires interpretation without cultural essentialism. Scandinavian and Canadian scholarship questions the treatment of honor-related violence as an intrinsic property of minority populations [35,36]. Work concerning Italy likewise directs attention to patriarchal understandings of honor outside a framework confined to migrant communities [23]. The analytic question is whether asserted reputational obligations help explain documented coercion in the particular case. Neither ethnic origin nor religious affiliation answers that question. They cannot substitute for evidence or determine eligibility for scrutiny.

South Sulawesi provides a concrete illustration of why this distinction between cultural context and evidence of coercion matters. The term siri' refers here to a context-dependent conception of dignity, self-respect, honor, and shame discussed in research on homicide adjudication in that setting [19]. Its relevance lies in how a particular actor invokes it to explain or defend conduct. Where an appeal to siri' accompanies a threat or restriction, the assessment must examine that connection and the meaning it has for the person affected. Membership in a community that values siri' supplies no equivalent evidentiary link. Judicial classification research and work on institutional recognition likewise caution against allowing a familiar cultural label to replace inquiry into conduct and responsibility [21,22].

An assessment should accordingly ask who invoked an obligation, what action followed, and how that action affected the person seeking assistance. A generic cultural explanation without an evidentiary connection adds suspicion without improving understanding. Conversely, refusing to consider explicitly communicated reputational threats can erase information material to safety. Equal protection requires the same conduct-based standards across populations, with context used to interpret evidence rather than to manufacture it.

4. Preventive Legal Governance

4.1 Contribution in Relation to Existing Approaches

Preventive due diligence supplies a standard for evaluating whether authorities have discharged obligations of reasonable protection. Safeguarding organizes recognition and support for people exposed to harm. Risk assessment assists judgments about danger, and multi-agency arrangements connect professional knowledge and responses. These approaches already contain elements of coordination, proportionality, and victim participation. Preventive legal governance does not claim that they lack such concerns or that a new name makes their existing functions novel [6,16,17,26,37].

Its proposed contribution is a legal translation framework for a specific mismatch. An assessment may appropriately consider several people and a sequence of acts, yet each restriction must be justified against its own legal conditions and the conduct of the person affected. The model therefore asks an additional question at every institutional transition. Does information sufficient for supportive contact also authorize disclosure, compulsory restrictions, or criminal investigation? The answer cannot be inferred from an overall risk label. The model makes these transitions visible, while Section 5 specifies their consequences for defence rights and data custody.

This contribution is an integrative refinement, not a replacement theory of due diligence or an empirically demonstrated improvement over safeguarding. Its analytical value lies in locating a failure that may otherwise be obscured by the instruction to coordinate. More information can improve protection while simultaneously widening an untested allegation's circulation. A well-attended case conference may still lack authority to impose a restriction. Conversely, an institution may possess the relevant power but fail to receive information necessary to consider it. The framework evaluates those different failures separately.

4.2 Risk Configurations and Graduated Intervention

Table 1 presents the model as four non-sequential risk configurations. They summarize cumulative control, escalating constraint, distributed participation, and urgent danger discussed in Sections 3.1-3.3. The configurations can overlap, recur, or disappear. A person need not pass through them in order, and a single credible threat can warrant emergency consideration. The legal graduation concerns the proposed action's intrusiveness, not an assumption that each row represents a measurable increase in the probability of homicide.

Table 1. Risk configurations and graduated institutional intervention.

Risk configuration	Grounds and permissible response	Guarantees and limits
A: Emerging or uncertain coercive control	A request for help or specific concern supports confidential consultation and voluntary safety planning.	Action-specific consent; safe contact; minimal documentation; no automatic shared risk file.
B: Escalating threats or constraints on exit	Specific, articulable concern about serious harm plus a coordination need supports a formal protective file. Civil orders require separate statutory grounds.	Purpose-bound sharing and review date; necessity and individualized justification; judicial control of restrictions.
C: Distributed participation or logistical preparation	Assess connected actions and protective relationships. Identify each person's conduct before seeking an order or investigative power.	No collective guilt; kinship is not evidence; network configuration creates no additional coercive power.
D: Urgent danger or conduct meeting offence thresholds	Use an available emergency protective power on its statutory grounds. Investigation, search, and arrest each retain their own thresholds.	Prompt judicial control; deferred hearing only when necessary; expiry and review; ordinary criminal guarantees.

The distinction between information and power is central to interpreting the table. A request for advice can justify confidential assistance without a finding against another person. A formal shared file requires a recorded protective purpose and sufficiently specific information. A protection order requires the applicable statutory facts and judicial assessment. Search, arrest, and prosecution retain their own legal conditions. These are different decision standards, not points on one numerical scale. A low threshold for help must not become a low threshold for coercion.

Distributed participation is especially important because it changes what an assessment must examine without independently increasing the authority to restrict anyone. If one relative controls documents and another communicates a threat, their actions may be assessed together for safety planning. An order against either still requires individualized grounds. Institutional coordination connects information and responsibilities. It does not create a pooled power greater than the lawful powers of its participants.

The model requires a designated coordinator for each accepted protective case, chosen under local competence rules. That person records the proposed action, responsible agency, relevant threshold, and review date. Disagreement must remain visible, particularly when an advocate or the person at risk anticipates harm from a proposed intervention. Coordination should end with a reasoned decision about what will happen and who must reconsider it, rather than a general instruction to remain vigilant. Absence of coercive grounds may lead to continued voluntary support, not administrative abandonment.

4.3 Existing Duties and the Boundaries of Coercion

The Istanbul Convention provides an existing foundation rather than evidence that this article has discovered a new preventive obligation. Articles 5 and 18 connect prevention with protection and institutional cooperation. Article 51 concerns assessment and management of risk. Articles 52 and 53 address emergency barring and protection orders [6]. These provisions support coordination, but they do not confer an unrestricted power to monitor families or dispense with domestic legal requirements.

Opuz v. Turkey illustrates state failure to protect against known domestic violence [7]. In Kurt v. Austria, the Grand Chamber articulated an autonomous, proactive, and comprehensive assessment of lethal risk, followed by adequate and proportionate operational measures where the requisite risk exists. It nevertheless found no violation of Article 2 on the facts [8]. The case thus supports a contemporaneous standard of diligence, not hindsight liability whenever protection fails. It also addresses constraints on deprivation of liberty [8].

The proposed framework distinguishes the assessment of a protective duty from the authorization of a particular interference. Even a serious duty to protect does not itself supply a power of detention, compulsory relocation, or unlimited disclosure. Officials must identify a lawful measure capable of addressing the risk, then satisfy its substantive and procedural conditions. The precautionary claim that action might prevent a death cannot make every intrusion proportionate. The causal connection between the proposed measure and the particular danger must be explained.

5. Legal Implications and Limits

5.1 The Pre-Lethal Due Process Guarantee Framework

The framework proposed here requires all civil or administrative restrictions of freedom to remain subject to strict judicial control. It applies, for example, to restraining orders, interference with parental authority, restrictions on possessing or carrying firearms, and compulsory monitoring. These measures differ in legal basis and effect. They should not be treated as equally intrusive, nor should an administrative description place them outside procedural scrutiny. Their justification must identify the present conduct or circumstances relied upon, the interest protected, the statutory power used, and the reason a less restrictive response would be inadequate.

Ordinarily, the affected person should receive notice of the application and a meaningful opportunity to contest it before a substantial restriction is imposed. Where notice would create a demonstrable danger or defeat urgent protection, the model permits an immediately effective interim measure followed by prompt adversarial judicial consideration. This is deferred contradiction, meaning temporary postponement rather than removal of the opportunity to be heard. A competent emergency authority may act within an express statutory power, but the measure must reach a court within a short, legislatively specified deadline. Failure to obtain timely judicial confirmation should terminate the interim restriction.

At that hearing, the respondent must know the substance of the allegations, the legal basis of the restriction, and the material reasons for treating the alleged conduct as dangerous. The right of defence includes access to relevant evidence, an opportunity to correct errors and present contrary material, and legal assistance and interpretation where necessary for effective participation. Protection of a victim's address or confidential source can justify tailored disclosure arrangements. It cannot justify an indefinite restriction resting on an undisclosed assertion that the respondent has no practical means to challenge. A court should consider redaction, a sufficiently informative summary, and other lawful safeguards, and refuse continued coercion where fair contestation cannot be secured.

The applicant bears the burden of establishing the applicable grounds. The respondent must not be required to prove that a feared killing will never occur. For a final civil protective order, the proposal requires the underlying factual predicates to be established under the relevant civil standard, together with a reasoned finding of necessity and proportionality. It does not transplant criminal conviction standards into every protective proceeding. Nevertheless, the more intrusive or enduring the restriction, the stronger and more specific its factual justification must be. A victim's credible account can supply significant evidence without mandatory external corroboration, especially where coercion occurs privately. Credibility must be assessed fairly and the account remain open to lawful challenge.

Every restriction should state its duration and the conditions for renewal, variation, and discharge. Automatic renewal on the basis of an unchanged risk label is unacceptable within the proposed framework. Periodic judicial review should examine current evidence, compliance, protective effects, and burdens on those affected. Earlier review must be available if material circumstances change. For parental authority, the court must separately assess the child's safety and interests and consider narrower arrangements, such as supervised contact, when legally available and adequate. Restrictions on firearms require a reasoned connection to the threatened harm. Neither measure should follow automatically from family association.

An appeal or effective route to challenge the order is required, alongside remedies for unlawful disclosure or unjustified restrictions. Any criminal sanction for breaching an order must be governed by the applicable offence definition and criminal procedural guarantees. Covert or technologically intensive monitoring needs its own legal authorization and oversight because its intrusion cannot be inferred from permission to provide social support. Deprivation of liberty remains outside any free-standing power created by this model. A general prediction of dangerousness cannot replace the independent legal grounds required for detention.

5.2 Proportionality and the Threshold between Support and Compulsion

Proportionality must be operationalized through a reasoned comparison of available actions. Suitability asks whether the proposed measure can interrupt the particular route to harm. Necessity asks whether a less intrusive, workable measure could provide adequate protection. Balancing considers the expected protective benefit against restrictions on the respondent and burdens on the protected person. A decision must also explain urgency and reversibility. Strong evidence of a minor interference does not justify a sweeping restriction, while uncertainty about the timing of a grave threat does not eliminate the need for a specific factual basis.

In a hypothetical case of document retention and pressure to travel, a confidential consultation may establish that the documents were held voluntarily and can be retrieved safely. Compulsion would then lack the factual rationale initially suspected. Alternatively, a credible account of refusal, a communicated threat, and an imminent journey may support urgent consideration of an available protective order. The order should target the demonstrated mechanism, such as coercive removal, rather than prohibit all contact with every relative. Where confinement or threats already meet offence thresholds, criminal investigation can proceed alongside protection. The existence of a preventive file is neither a prerequisite nor a substitute for those thresholds.

The same logic governs evidence preservation. Helping a person retain messages already lawfully in their possession differs from seizing another person's device or compelling a provider to disclose communications. The former can accompany voluntary support, while the latter requires a distinct legal power. A support worker's ability to document a disclosure does not authorize covert recording, interception, or compelled access. The model must preserve this distinction even when investigators believe that broader access would clarify the risk.

Proportionality is also temporal. A short emergency restriction may respond to a rapidly changing situation, but the passage of time increases the obligation to justify continuation. De-escalation should permit reduction or termination. Continuing danger can warrant renewal if supported by current reasons. The absence of a new incident is relevant but ambiguous, since effective protection may itself explain it. Neither silence nor the mere possibility that protection is working should determine the result automatically. The reviewing authority must assess both explanations rather than presume that an initial label remains correct.

5.3 Evidentiary Stewardship and the Custody of Risk Information

Evidentiary stewardship means accountable custody of information before its potential use in adjudication. The proposed model distinguishes a confidential service record, a formal shared protective file, and a criminal investigation record. These records serve different purposes and should not merge by default. A school note concerning a disclosure is not a finding of criminal conduct. A medical observation may support protection while revealing information irrelevant to investigators. An institutional risk assessment remains an assessment, even after several agencies receive it.

European data law supplies useful, jurisdiction-limited distinctions. The GDPR governs processing within its scope, including relevant non-law-enforcement processing, while Directive (EU) 2016/680 addresses processing by competent authorities for specified law-enforcement purposes [9,10]. An agency's identity alone does not resolve the applicable regime. A school or health service must establish its own lawful basis for disclosure, including any additional conditions for sensitive information, and the receiving authority must establish lawful grounds for its processing. Professional confidentiality and domestic reporting rules require separate examination. A cooperation agreement cannot itself override them.

The proposed threshold for a formal shared protective file is a specific, articulable basis for concern about serious coercion or violence affecting an identifiable person, together with a documented need for coordination that cannot adequately be met through less identifying consultation. An applicant need not prove a future homicide or obtain corroboration that is inaccessible because of isolation. An anonymous concern can prompt careful preliminary assessment, but vague rumor, cultural membership, or an unsupported institutional label cannot alone justify continuing a shared risk file. The initial account, its source, known limitations, and reasons for formalization must be recorded by a responsible decision-maker.

The information record should distinguish direct observation, the person's account, third-party allegation, professional inference, and any adjudicated finding. It should identify the date and provenance of each item and avoid copying assessments as if they were verified facts. In its own field of application, the Law Enforcement Directive distinguishes factual data from personal assessments and addresses storage review and the positions of different data subjects [10]. The model extends this discipline as a normative design principle across the protective pathway. It is not a claim that every service record falls within that Directive.

Before a transfer, the sender should record the protective or investigative purpose, the recipient's function, the legal basis, and why each disclosed item is necessary. The minimum relevant extract should ordinarily be preferred to an entire school, medical, or social-service history. Access should follow assigned functions, with secure transmission and an audit trail recording consultation, alteration, and onward disclosure. Contact details and locations require especially restricted access. Corrected or discredited allegations must be communicated to authorized recipients so that a mistake does not survive in copied records.

Retention requires an exit rule as concrete as the entry rule. At creation, the file should have a review date and an applicable retention limit fixed through domestic law or an authorized retention schedule. At review, an unconfirmed concern with no continuing, documented protective necessity should lead to closure and erasure of the shared risk designation and unnecessary underlying data. Extension requires recorded reasons, a new review date, and supervisory scrutiny. Lack of prosecution does not by itself prove that concern was unfounded, but it cannot justify indefinite retention either. Where a specific preservation duty or legal claim requires keeping material, it should be restricted to that purpose and separated from routine operational risk searches.

The proposed file must not function as a non-judicial record of prior misconduct. It should carry no finding of guilt, be excluded from routine employment or general background checks, and not be exported as evidence of bad character simply because it once existed. A narrowly retained audit entry may document that a decision was made without preserving an operational allegation against a family. Data subjects need accessible routes to correction, erasure where applicable, and independent review. Notice may be delayed only on a lawful, necessary basis where disclosure would endanger someone or prejudice a legitimate investigation, with that delay itself reviewed. These limits protect reputation and privacy while permitting justified evidence preservation.

If criminal proceedings follow, investigators must establish the lawful route by which information was obtained and preserve its provenance and context. The defence must be able to contest reliability and use under the applicable procedural rules. An untested professional inference does not become proof of intention by circulation among agencies. Equally, genuinely exculpatory material must not disappear because it conflicts with an initial risk assessment. The distinction between a reason to protect and evidence sufficient to attribute criminal responsibility must survive the entire information pathway.

5.4 Victim Agency and the Risk Created by Intervention

Victim agency is part of the model's decision process, not merely a limit applied after an institutional plan has been selected. For an adult with decision-making capacity, voluntary assistance begins with a private account of what the person considers dangerous, what protection they want, and how contact can occur safely. Consent should be specific to the action proposed. Agreement to speak with an advocate is not agreement to police referral, relocation, or disclosure to relatives. Refusal of one measure should not terminate access to other support.

The person’s knowledge can reveal consequences that a checklist misses. Police attendance may alert several relatives, an electronic message may be visible on a shared device, and relocation may interrupt income or access to trusted assistance. Research on forced marriage, HBA support, and partner-homicide prevention supplies reasons to examine these possibilities rather than equate departure or reporting with safety [24,25,28,30]. Research on social determinants of intimate-partner homicide reinforces the importance of material conditions [38], although its findings cannot establish equivalent effects in honor-killing prevention. Official forced-marriage guidance also warns against family mediation and reconciliation because such practices can expose the person to further harm [11]. The model consequently rejects family contact as a routine verification step in suspected coercive cases.

Safety should be defined through a supported dialogue about immediate physical danger, autonomy, livelihood, and sustainable access to help. Institutions retain duties and expertise, and a person's preference does not erase a legally established danger to a child or another person. Where professional and victim assessments conflict, both positions should be documented. An independent specialist advocate can help develop alternatives. The responsible authority should explain why it accepts or rejects the preferred option and how the chosen action reduces foreseeable retaliation. A numerical risk score cannot resolve that disagreement on its own.

Consent is not an absolute veto over every statutory duty, but neither does an asserted protective purpose authorize overriding it. Non-consensual intervention requires an identified legal basis, a sufficiently serious and specific risk or applicable safeguarding duty, and a reasoned finding that the action is necessary. Disclosure should remain limited and the person should normally be informed, unless doing so would itself create a concrete danger. Emergency action should be reviewed promptly and participation restored as soon as practicable. For children or adults lacking relevant capacity, the appropriate safeguarding and representation rules apply, with attention to the person's views rather than automatic deference to potentially implicated relatives.

The Istanbul Convention separates access to services from willingness to press charges or testify [6]. The proposed framework develops that principle through action-specific choice and documented disagreement. It does not impose compulsory relocation on a competent adult under a general duty to protect. Nor should a refusal be recorded as blameworthy non-cooperation. Agencies should retain a safe route for renewed contact and reconsider options when circumstances change. The protective process must expand practical choices rather than reproduce the control from which the person seeks assistance.

5.5 Limits and Evaluation

The framework cannot establish which behavioral combination predicts honor killing or whether its proposed arrangements reduce deaths. Its transfer across jurisdictions depends on lawful protective powers, judicial accessibility, professional resources, and secure information systems. The analysis identifies problems and possible responses, while the feasibility and effects of the proposed arrangements remain to be established in each setting. Implementation requires domestic doctrinal review and evaluation with people who use protective services, including those who decline formal intervention.

Evaluation should examine more than referrals, files opened, or orders issued. Those indicators can increase while safety deteriorates. Relevant questions include whether support reaches an identified person promptly, whether restrictions receive meaningful review, whether mistaken allegations are corrected, and whether intervention creates retaliation or displacement. False positives and missed danger both matter. The model's legal legitimacy depends on its capacity to withdraw unjustified power as well as to mobilize justified protection.

6. Conclusion

Honor killing exposes a consequential mismatch between the unit of criminal adjudication and the unit of preventive concern. A protective assessment may need to understand cumulative coercion and distributed participation while criminal responsibility remains individualized. The pre-lethal governance gap identifies the failure to translate that concern into an assigned, lawful response. It does not imply an inevitable path to homicide or a universal absence of preventive criminal offences.

Preventive legal governance contributes an operational specification of existing duties by linking risk configurations to distinct intervention thresholds and procedural conditions. Table 1 is the model's organizing structure, not a prediction instrument. Its application depends on judicial control of coercive measures, effective opportunities to contest them, time-limited and purpose-bound information practices, and meaningful victim participation. The central requirement is that a reason to offer protection must never be treated as automatic authorization for every more intrusive action.

The proposal therefore requires both timely action and institutional restraint. Coordination can make fragmented danger visible, but it can also magnify error and expose a person to retaliation. A defensible preventive system must explain what it knows, what power that knowledge permits, and when the resulting intervention or record must end. Those requirements provide a basis for further jurisdiction-specific development and empirical evaluation without relaxing the ordinary conditions of criminal liability.

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Ethics Statement

This article presents conceptual and normative analysis of published scholarship and legal materials. It reports no participant recruitment, interviews, intervention, or analysis of non-public identifiable personal data.

Data Availability Statement

No new empirical dataset is reported in this article. The documentary sources supporting the analysis are identified in the reference list. Access to individual publications is subject to the respective publishers' terms.

Author Contributions

Zul Khaidir Kadir: Conceptualization, methodology, formal analysis, writing the original draft, and reviewing and editing the manuscript.

Conflict of Interest

The author declares no conflict of interest.

Generative AI statement

Generative artificial intelligence (GenAI) was used exclusively during manuscript revision to improve grammatical accuracy, sentence construction, academic wording, paragraph coherence, and the logical organisation of the written analysis. Its application was limited to linguistic and editorial assistance and did not extend to conducting legal research, developing legal arguments, interpreting legal provisions, or formulating research conclusions. All substantive legal analysis, source selection, verification of references, doctrinal interpretations, and conclusions were independently undertaken and critically evaluated by the author, who assumes full responsibility for the accuracy, originality, and integrity of the manuscript.

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