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Gloor, Daniela; Meier, Hanna

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# Culture and Ethnicity in (Re-)Constructing Domestic Homicides

*Daniela Gloor and Hanna Meier*

## Introduction

This article is based on a multi-year study on police (re-)construction of domestic homicides.<sup>1</sup> The purpose of this study was to examine how and according to what criteria the police force analyses and documents accomplished and attempted homicides in intimate partner relationships and families. A special focus was given to the question: in what way does the police investigate couples' histories and to what extent is domestic violence preceding the crime included and documented in the investigation. While the researchers' questions were not primarily focused on issues of ethnicity, during the analysis 'ethnicity' and 'culture' proved to be interpretive patterns, which are of unexpected importance in police work. The results indicate that, when investigating the context of the homicides and giving explanations for the incidents, the dimensions of ethnicity and culture become important concepts (of understanding) for the police.

Our text analyses of police documents illustrate an approach which Leti Volpp (2000) reveals to be a typical construction pattern. She shows that a local or dominant ('own') culture is often not registered and consequently 'culture' is not used as a means of explaining or understanding certain behaviours. Thus, the actions of members of an autochthonous society are not set in a context of culture. When the behaviour of members of 'other' cultures is addressed, however, Volpp notices a change such that for foreign, immigrant ethnic groups attributions of culture are used, often in combination with moral valuations. Through this approach, essentialist differences are constructed. In her investigation of texts on teenage marriages in the US, Volpp writes:

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1 The qualitative-empirical study was conducted at the University of Basel, Switzerland, Center for Gender Studies. Research was supported by the Swiss National Science Foundation (01/01/2005–30/04/2008) and published as a doctoral thesis (Gloor/Meier 2009a). A summary of the main findings has also been published (Gloor/Meier 2009b).

These narratives suggest that behavior that we might find troubling is more often causally attributed to a group-defined culture when the actor is perceived to 'have' culture. Because we tend to perceive white Americans as 'people without culture', when white people engage in certain practices we do not associate their behavior with racialized conception of culture, but rather construct other, non-cultural explanations. The result is an exaggerated perception of ethnic difference that equates it with moral difference from 'us'. (Volpp 2000: 89)

This paper discusses how ethnicity is dealt with by using an example of police work. It is presumably one of the 'commonalities across Europe' that a culture, which in a national context can be regarded as 'foreign', is called upon as a factor for understanding and constructing events and actions that are viewed as negative and contentious. To illustrate such processes, the paper uses a concrete example (homicides and domestic violence) within a concrete institution (police force) and a specific country (Switzerland). It highlights the symptomatic, casual and routine presence of culturalising attributions in institutional contexts.

## Data, context and methods

The database comprises 38 completed legal cases of accomplished and attempted homicides that were brought to court in the canton of Aargau, Switzerland, within a period of 10 years (1995–2004). The study includes files on homicides in intimate partner relationships – comprising two in three cases, they make up the large majority – as well as homicides in nuclear and extended family relationships, the killing of children by relatives and killings in the context of intimate partner relationships, where non-related persons are affected (the so-called rival as prototype). The analysed documents are so-called 'Final Police Reports', comprising between 5 to approximately 100 pages; texts dealing with accomplished homicides are significantly longer than those dealing with attempted homicides. The 'Final Police Report' collects and condenses the police's results of the investigation phase, which usually extends over a few months. All facts and evidence considered relevant for the definition, understanding and the assessment of the homicide are collected in this document and are subsequently submitted to the public prosecutor's office and the court. The police as well as the prosecutors confirm that the 'Final Police Reports' constitute key documents, which shape a criminal case for the first time, and this first time is of eminent importance within the whole process (Innes 2002). The (re)constructed content of the criminal case – the first written and condensed version of the incident – constitutes a substantial basis for the entire process of jurisdiction.

Even though the documents differ greatly in their individual makeup and structure, the information on the investigated homicide is roughly structured along the following issues and chapters. At the outset, we find formal identification data on offender and victim (1). This is followed by separate chapters on the victim and the offender respectively, containing information on how the police found the victim and the offender. In a further step, the investigation approach is detailed as well as the offender's behaviour during the investigation and during questioning, and the biographies of victim and offender are included here as well (2). Information on the crime, the course of action of the case, the investigation results and material information on the context of the incident make up the body of the report (3). A chapter enquiring the question of motive completes the Final Police Report (4).

Our in-depth text analysis is based on the methodological fundamentals of Grounded Theory Methodology (Strauss and Corbin 1996). Texts – and especially those written within institutions – offer an ideal starting point for decoding institutional logics and lines of reasoning as well as underlying patterns of the cases' problem definition by the police. As Silverman states '*Texts document what participants are actually doing in the world [...]'*' (2006: 157). As Final Police Reports are addressed at other institutions following down the line (public prosecutors and courts), they must hold detailed information and comprehensible arguments and deliberations for them (Gloor/Meier 2012, to be published in: Klein/Kelly). This makes it possible to reconstruct, for instance, 'foreign culture' as a meaningful line of interpretation of an investigated homicide in such texts. In the following, we refer to texts on accomplished homicides, as they are considerably more elaborate and include more detailed information than those on attempted killings.

## Results and discussion: the 'culture' concept as an omnipresent subtext

We notice that the police, when reporting on homicides within intimate partner relationships and families, very often and as a matter of course refer to the foreign origins of those involved. Whenever non-Swiss nationals are involved in a homicide, be it as a victim or an offender, their background is a factor repeatedly emphasised in the police (re)construction of events and used to create a foundation for understanding the offence. Indications of the unfamiliar culture and culturalising arguments run as a subtext through the police reports, thus establishing the ethnic origins of offender and/or victim successively as a relevant context of the crime. For Swiss nationals, on the

other hand, their cultural origins and background are not specifically mentioned in the texts.

In the following, we examine the mentioned police practice based on text examples and demonstrate how, in the reports, ethnic origin comes into play and acquires a negative meaning in interpretation. We arrange our text along the structure of the police reports. To begin with, we examine the ‘offender chapter’, where, *inter alia*, the offender’s behaviour during pre-trial detention is brought up. We then discuss paragraphs on ‘biographic details’, which are shown in the reports for the offender as well as for the victim. Subsequently, we refer to the ‘history’ of the homicide and point to the central role played by violent incidents, which, are linked with ‘foreign’ culture. Finally, we illustrate the presentation of the ‘motive’ for the crime. Overall, it becomes clear that culturalising arguments run through the whole of police reporting and that ethnicity is repeatedly implied as an important factor.

## ‘Culturally determined’ behaviour of the offender during proceedings

The chapters ‘Offender’ and ‘Victim’ in the Final Police Reports present the offender and the victim as objects of the proceedings to the readers and only become tangible as ‘alleged offender’ and ‘dead victim’, respectively. Whereas the victim is presented as an object throughout, the analysis for the offender shows a more varied picture. In describing the investigation and proceedings, the offender is simultaneously presented as the object of various police and/or judicial actions as well as an actor taking part in these actions as a specific person. Deliberations on investigation proceedings include *how* the offender behaved during remand and descriptions of the offenders’ character as well as his ways of thinking and personal traits. According to the findings, such personal traits are usually discussed in the texts if the police perceive them as problematic deviations from certain, implicit expectations. It becomes clear that, apart from mental illness and addiction, primarily one attribute is repeatedly emphasised: the offender’s ethnic origin and culture and this always refers to foreign, non-Swiss cultures, which are constructed as an important, behaviour determining attribute.

The following quotations from Final Police Reports on completed homicides demonstrate how culture is made out to be a determining, essential feature of the offender:

#### 4.5. Course of the investigation; questioning

[...] Towards the reporting officer [surname, given name; male offender] always behaved correctly and decently. Most of the time he was also ready to openly answer the questions put to him. Certain parts he found more challenging than others. What broke through again and again with him was his descent. Thus from my subjective point of view, for him his family's uncertain future was harder to take than the bloody deed itself. He repeatedly pointed out that his wife was to blame for her own fate; she neglected her family and drove it apart. [Report 38, Par. 158]

#### 5.20.8. Personal assessments

[Surname, given name; male offender] always behaved correctly and very decently in every way during his stay at the Telli pre-trial detention centre. I noticed that his children, especially [given name; daughter] were very close to him. He only showed feelings of grief and guilt in respect to his children. The role of women, on the other hand, he does not regard very highly. Towards his divorced wife he rather developed certain feelings of hatred.

It was difficult to enter into close contact with [surname, given name; male offender]. He was quite withdrawn. [Report 11, Par. 682–684]

#### 3.9.2. Personal remarks

[Surname, given name; male offender 1] from a subjective point of view does not exactly conform to the image of a Kosovo Albanian as it is generally accepted in Switzerland, something that is also reflected in his extract from the judicial record, dated 08.09.1995, and in his character reference, dated 16.10.1995. [Surname, given name; male offender 1] also behaved correctly and relatively openly towards the police officers, although under special circumstances his Albanian roots naturally came to light again and again. [Report 23, Par. 348–349]

Repeatedly, the texts communicate to the reader 'foreign', culturally determined characters. For instance, it is 'his descent', which 'broke through again and again' (report 38). The verb 'break through' invokes an uncontrolled, force taking on a life of its own. This means that the origin (or cultural background) acquires its own (dangerous) potential – it breaks through. According to the construction, it is the alleged offender's culture (descent), which lays the foundation for why he does not repent the crime and blames his wife. The offender is denied any respect for women. This means that the cultural attributions are at the same time interlinked with gender attributions (Jäger 1999). The alleged offender is constructed as a person, whose character is determined by his cultural origin, which again is characterised by patriarchal conditions. For assessment, this places the offender in a negative light. In the second quote (report 11) the construction is a little less obvious – without the use of the term 'descent', however, it centres on culture just the

same. Again, the offender is attributed a family and offspring oriented attitude, according to which the children are awarded primary importance and the wife/partner considered lesser. This is stressed by the intimation that the offender *'does not regard the role of women [...] very highly'*. The stereotype behind this statement is: 'Foreigners' love their children and do not respect their wives. Disrespect for the wife becomes a culturally defined behaviour determining feature of the offender. This interpretation is underlined, when talking about 'feelings of hatred', which the alleged offender developed for the woman. In the third quote, we also recognise the interpretive pattern, which essentially establishes the culture of non-Swiss offenders as a defining characteristic (report 23). Initially, the offender is introduced as an atypical 'foreigner', which, especially due to the deviation, is to be understood as characterising him favourably; the alleged offender has a flawless criminal record and an excellent reputation. By deviating from the implicit mould of perception – 'men of this origin breach *our* laws and act uncooperatively' – the offender is highlighted as an exception, and thus the underlying stereotype is upheld. The following, however, clearly qualifies the description. The writer opposes the positive picture with statements about the offender still acting *'again and again'* – *'under special circumstances'* – as a person with a different background, a 'foreigner', and that his *'cultural roots came to light'*. Even though the offender does not fulfil certain (negative) cultural expectations in the writer's description, his personality remains determined by his ethnic origins nonetheless. Culture of origin is postulated as determining the offender's character and behaviour, without substantiating this. However, the statement is underlined with the word 'naturally' – i.e. 'naturally' the roots came to light – making it even clearer to the reader that culturally fixed behaviour is 'normal' and inevitable and nothing else can be expected; it is 'natural' and corresponds with this person's nature. The strategy of culturalising the offender – notwithstanding missing substantiation – becomes very clear, and a culturally determined character is emphatically constructed. This proves to be disadvantageous for the offender, as the character description contributes to the explanation of the offence.

## Biographies of offender and victim: stereotype versus individual

The chapters 'Offender' and 'Victim' as a rule contain a subchapter 'Personal details'. This records the investigation results on the offender's and the victim's biographies, respectively. The information on the offender and vic-

tim usually comprises the following areas: family of birth and growing up; schooling, training and jobs; relationship, marriage, family and children; leisure activities, interests, skills and character. As the findings show, the details of offender and victim are shown according to an implicit norm of a male/female 'standard biography' (Swiss middle classes) and respectively measured by it. The biographic details of the investigation are supposed to give an impression of the two main persons involved: offender and victim. Furthermore, as the analysis finds, the underlying question of the texts is to what extent a connection can be established between biography and crime.

### Reduced information on non-Swiss nationals

The analysis shows that complete, elaborate biographies in the police's representation of the victim's and the offender's lives are reserved for Swiss nationals. Remarkably, none of the examined reports comprises the biographic details for non-Swiss nationals in all the required areas. Leisure activities of immigrants, for instance, are systematically excluded from the texts. We interpret the lack of description of leisure activities – or the readiness to include such details in the details of Swiss nationals – as an expression or a result of social or cultural distancing or closeness, respectively, between the police and the subjects under investigation. The description of leisure activities, however, must not be underestimated, particularly with regard to how a person is contoured. If such interests, leisure activities or social commitment are shown, the reader gets a clearer, more elaborate picture of the described person. If the person, however, is only described based on details when they were growing up, as well as their work and family, this person remains colourless and comes less to the fore as an individual.

In general, with regard to the biographic details, in the reports on non-Swiss nationals (offenders and victims alike) individualising information is systematically excluded whereas this information is mentioned more frequently and descriptively for Swiss nationals (offenders and victims alike).

### Foreign, married women without a biography of their own

Our analyses further found that biographic details for wives with immigrant origins, who fell victim to their husbands, do not contain any information on their childhood and adolescence. This period of their lives is excluded. In their biographies, the victims have neither a childhood nor a family of birth. The same exclusion applies to the questions of schooling and vocational



training in these women's lives. One report even fails to mention date and place of birth of the female victim (report 37). This woman's life story, therefore, starts only on her arrival in Switzerland when taking up residence with her husband. What is reported is paid occupation and work in the home in Switzerland as well as her wedding date, and the children are listed in striking detail with names and dates of birth. The victims, and this is the result of the reconstruction, are primarily presented as wives and mothers. Their previous lives, when they had no connection with the offenders, are excluded from the police reports. Thus, for married, female victims of non-Swiss origins, the biographies – in stark contrast to Swiss-born wives – do not reconstruct an individual presence.

This biographic reduction, consequently, limits the representation of the relevance of those involved 'in their own right'. Whereas the description of Swiss wives victimised by their husbands reveals their personalities as individuals, thus granting them relevance in their own right, non-Swiss wives, who fell victim to their husbands, are consistently typified and de-individualised.

## Investigation results on the background: previous violence against partner as a reference to 'foreign' mentality

The police reports record the time before the homicide and the context of the crime in various ways. On examining the paragraphs one result becomes obvious: 'domestic violence' does not appear as an independent subject for investigation in police reporting on homicides within the context of intimate partner relationships or the family. The fact that a history between offender and victim characterised by violence and control could form a setting for the crime hardly comes to the attention of the investigators. The killings are not discussed in the context of previous incidents of assaults or threats of emotional, physical or sexual abuse. The analysis found that such violent incidents and assaults during the time preceding the crime are investigated to a limited extent only. Thus, previous violent incidents are neither extensively documented or dealt with, nor are they included in the reports with regard to criminal proceedings.

Nevertheless, as we have found, the Final Police Reports often contain certain information and indications of previous violence. The indications of previous violent incidents – for the main part these are violent assaults by the man against the female partner – are generally used in reports to emphasise

and illustrate a certain interpretive pattern regarded as most relevant by the police for understanding the crime. The text analyses reveal three interpretive patterns, which are repeatedly applied in the reports. Firstly, in elaborating on previous violent incidents the investigative concept of a 'bad relationship' is substantiated. Secondly, the indication of previous violence is used to illustrate the argument that the offender's 'personality' must be understood as a decisive factor in the crime, and finally, the description of violence establishes the 'cultural origins' of those involved as an interpretive pattern.

### 'Bad relationship' between offender and victim

In the contextual logic of the text, descriptions of violence in this pattern serve as an indicator and proof of the poor quality of the relationship between offender and victim. The passages serve to illustrate that the relationship as such was not a harmonious one and that this is to be understood as the decisive setting for the crime. Typically, violence is described without an active agent and only vaguely: the reader remains in the dark as to what the conflicts may have looked like and what kind of violence occurred ('attacks' suggest physical violence) and who assaulted whom. The simplified indications of violence are not meant to document the history of the crime but rather to emphasise the conceptual interpretive pattern of the 'bad relationship':

From the 21 pages of the specific interrogation follows clearly that the relationship was not harmonious in any way. Altercations and separations alternated regularly with reconciliations. Apparently there were numerous reasons for the mutual attacks. [Report 8, Par. 948]

### 'Personality' and 'character' of the offender (rarely the victim)

In the reports making use of this interpretative pattern, the paragraphs containing statements on previous violent incidents are usually recorded in parts of the reports describing the character and personality of the offender in detail. The negative character – the described person's *being* – is evoked to the reader by way of the violent incidents – the description of the person's *doing*.

The statements of the informants give a consistent impression of [surname, given name; male offender] [...]. [Surname, given name; male offender] is therefore described as a brutal, egoistic, coarse, aggressive person with a very conservative way of thinking and always thinking of his own interests first. Various statements,

however, allow the conclusion that the accused tended to be jealous. Before and after the divorce he followed [surname, given name; female victim], in order to control and check on her.

The fact that the accused massively beat and hurt [surname, given name; female victim], does not emerge exclusively from the statements of friends and acquaintances [...]. [Report 11, Par. 661–662]

## 'Cultural background' and 'mentality' of the offender

This construction pattern uses information on previous violence as an indicator for the offender's cultural background and mentality. The description of violence serves the purpose of revealing the cultural foreignness or 'otherness' of a person. In the textual record they are an expression of 'culture' and prove the deviation from local standards.

The following quotation – in this case, the victim is the male offender's father (the offender is therefore the victim's son) – shows the culturalising understanding of the violence preceding the killing. The statements first refer to the behaviour of the victim's wife and then turn to the separate members of the family:

After [the] woman [surname; victim's wife] was informed of the violent death of her husband, [...] she initially only presented to us the bright side, or emphasised without fail that the deceased had been a good father and husband and in general had been a very good person.

Only when told of her son's [given name; offender] confession [...], she was obliging enough to reveal [...] also the negative side of family life. In this respect during the interview on 15.04.1996 (act. A2/6.1.5) she characterised the victim as a very conservative person and someone who, according to his origins, lived strictly by his cultural mentality. Within his family, he had been the absolute boss, never allowing any 'ifs and buts'. Thus it wasn't a rare fact that he beat her in front of the children because of altercations or other incidents, which he did not approve of. The children had also been subjected mercilessly and had to suffer all kinds of beatings. This had also been the reason for the daughters [given name] and [given name] to move out early. The son [given name] had only stayed in the family home, as this was, on the one hand, demanded by tradition and, on the other hand, so as not to leave her on her own to the brutal devices of the patriarch. As far as the son [given name] is concerned, he had never done right by his father and was forced to do all his biddings. On the outside, however, her husband had managed to act the loving, caring family man and person. Also in respect of the finances the husband had managed the whole of the family income at all times, and held all the necessary authorisations, even though he himself had not been working for years. [Report 22, Par. 331–335]

When asking about the conceptual logic, into which the violent incidents described above are embedded, our analyses show that it is the victim's cultural background (the 'otherness'), which supplies the textual mould for the description of violence. The victim (the offender's father) is, as reported, 'according to his origins' a 'very conservative' person, who lived 'strictly by his cultural mentality'. Subsequently, the victim's 'negative side', i.e. that he 'beat' and 'subjected' are set in the close context of his cultural background. The text sets 'mentality' and 'beating' in context by using the small word 'thus': '*Thus it wasn't a rare fact that [...].*' The violent behaviour according to this construction is to be understood as an expression and proof of the fact that the victim acted in obedience to a backward culture and his origins. What is shown here is not the individual, negative violent and domineering behaviour of one person, but rather a culturally determined, quasi-natural (violent) behaviour, which, according to the account, is typical of men of this origin. Another expression of the 'foreign culture' as an interpretive pattern for the incidents can be found towards the end of this paragraph, when the 22 year old son's staying on in his parents' home is explained as this 'being demanded by tradition'.

Culturalising descriptions of violence can exclusively be found in reports on homicides involving non-Swiss nationals. The autochthonous (local, national) culture, on the other hand, is never an issue in the reports and never discussed as a determining factor, which defines values and behaviour of a person and might be connected with a homicide.

What strikes the reader is that the style of describing violence in the police reports differs according to the investigation concept. In the case of the indications on previous violence functioning as proof of a 'bad relationship', elaborate and precise descriptions are usually not adhered to. Only very imprecisely do they lay down who carried out an assault, what the exact actions were, what kind of violence was used and what the consequences of the violent incidents were for those involved. This is merely described by vague statements and general indications. This gives the impression that the 'bad relationship', rather than one of the involved persons, is to blame for the killing. According to our analyses, this is the dominant pattern in reports on homicides within the context of intimate partner relationships.

Whenever previous acts of violence are used to illustrate the concept of the offender's 'personality', the descriptions are noticeably more detailed and concrete. Such paragraphs more frequently contain detailed statements on the violent acts and on those responsible as well as on the consequences of violent incidents. If previous violent behaviour is meant to prove a certain way of being, the character of the person involved, the incidents are included in the report more precisely. Also the descriptions of violence, which in the text

construction serve as proof of the foreign and backward ‘cultural origins’ and mentality of the involved, are written in a way that an active agent comes into view. They specifically mention *who* became violent. However, the actual violent incidents are not described and documented in detail for each occasion, but mostly simply in a generic, generalising manner.

For both interpretive patterns, ‘personality’ as well as ‘cultural origins’, we therefore notice a description oriented on the agent. A remarkable difference is, however, where the violent behaviour is attributed to the individual as a ‘personality’ pattern where individual psychological (psychologising) interpretations are repeatedly used. Violence as an indicator of ‘cultural origins’, on the other hand, is attributed collectively. Certain behaviour is interpreted as a cultural (not as an individual) trait. In line with this culturalising construction, a collective cultural character defines the individual.

## Patriarchal culture of origin as ‘evident’ motive

Asking *why* – the motive for the crime – or, respectively, offering a plausible approximation to *why* the crime was committed, is an important part of the police processing of the crime. Investigation on results on the potential background of the crime and its motives is information that is used in order to judicially assess the offender’s actions. The reports, consequently, regularly offer possible explanatory contexts and a motive for the homicide. Usually, the chapter on the motive follows as supplementary and summarising information towards the end of the police report. The question *why* therefore follows the detailed asking of *who*, *what* and *how*.

When asking about the reasons for the crime, the police investigate by questioning the alleged offender. In the texts, the offender is, therefore, often quoted as the main source of information for the construction of a motive. On the other hand, the police include their own interpretation and view of things. It is the latter paragraphs that again bring up ethnicity and the foreign origins of the offender. The following example is taken from the motive chapter in a police report on a wife killed by her husband. In a first subchapter, the police refer to the offender’s statements on his motive. The second subchapter then offers ‘more potential motives’; and this, according to the police, includes ‘humiliation by the wife’s behaviour’:

12.2.2. Humiliation by the wife’s behaviour The sister-in-law [surname, given name; sister-in-law] and her toddler [given name] had stayed at the accused offender’s home since 14/08/1999. [...] She therefore must have witnessed at least some of the incidents involving [surname, given name; male offender] and his

wife, even though she denied this during the interview. According to her statement, the offender's family life was untroubled and without disputes. [Surname, given name; sister-in-law] does not even confirm that [surname, given name; male offender] consumed wine before leaving for Bremgarten on 21/08/1999.

[Surname, given name; male offender] does admit that his wife's remarks concerning his alcohol consumption offended him. Nevertheless, as a motive for the crime he excludes the offence. It is doubtful that this is actually the case. The fact that males do not accept their female partners to answer back, reproach or reprimand them, should be widely known in connection with the Kosovo Albanian mentality. It must also be taken into consideration that the alleged offender may have felt even more offended by the presence of [surname, given name; sister-in-law] during the discussions with his wife about the said subject. [Report 37, Par. 930–932]

As an introduction, statements by the offender's and the victim's sister-in-law are recorded (she is the offender's brother's wife, visiting at the time of the crime). Subsequently, the police enter into their own deliberations, the style of writing in the second paragraph is characterised by arguments. It is the police officers' aim to come to a synthesis and to coherently and comprehensively lay out the incident. Whereas the police, in many cases, simply paraphrase the offender's statements for the description of the motive, in this case giving a reason for the crime is not left up to the offender only. Rather, the police intervene for the purpose of creating a motive. And they do it whilst referring to the offender's cultural origins. The cultural origins are drawn upon as a basis and motive for the offender's actions.

Let's take a closer look at the motive construction: what is noticeable is the introductory paragraph with the comments on the sister-in-law's statement. The police officers assume that she witnessed the altercations ('incidents') and her brother-in-law's (the offender's) use of alcohol on the day the crime was committed. However, the sister-in-law's statement is to the contrary and, in fact, disproves the police's findings rather than corroborating them. And still the person is mentioned in the text. The reason being, as we assume, is that the police can illustrate and reason *their* interpretation of the events and the motive by way of the sister-in-law's presence. The police assume that the offence and humiliation of the husband by his wife, the future victim, are the cause of the crime. Yet the offender, as recorded in the second paragraph, refutes the motive of 'offence' suggested by the police. The police, on the other hand, regard offence as a credible motive and doubt the offender's attitude when rejecting the attributions.

In order to substantiate their point of view – being insulted and humiliated as a motive – the police apply two culturalising arguments: firstly they refer to the fact that 'the Kosovo Albanian mentality' 'is widely' known and,

secondly, they quote a specific sexist image of gender inherent in this mentality. According to this gender attribution, women in this culture do not tell men what to do and do not contradict them. Both arguments are entered into this case without factual reference to the case at hand. They are, in fact, connected generically to so-called known ‘facts’ about the foreign culture of Kosovo Albanians.

As already stated in the introductory paragraph, the sister-in-law was present during the incident at the time the crime was committed, which can now be construed as another argument corroborating the police’s view of things and strengthening the weight of the cultural motive of ‘offence’. The fact that the sister-in-law as an additional person was present increased the public character of the ‘offence’. In the above-mentioned cultural context, this aggravates, according to the logic of the argument, the postulated offence and humiliation. The sister-in-law’s presence is used as a textual means of corroborating the culture-based construction of the motive. In line with this construction, the motive lies in a mental, quasi-natural or culturally determined attitude. Thus, not certain objective or specific behavioural intents, but culture – an essentialist definition of behaviour – is constructed as a motive.

The quoted paragraph refers again to the already mentioned interlinking of discourses about ethnicity and gender or culture and gender relations and norms, respectively. The culturalising arguments are connected with gender attributions and the argument pattern of sexism. The empathy of the Swiss writer of the report for the ‘Kosovo Albanian mentality’ here is remarkable. By devising the motive of culture, he explicitly distances himself from the offender. At the same time, though, he takes the perspective of the accused. The victim’s breach of foreign, so-called cultural norms is described convincingly in the text, and the aggravation of the breach by the sister-in-law’s presence is described empathically and authentically. Though writing about a ‘foreign mentality’, the writer obviously does not have difficulty empathising with the offender’s situation and experience. It is our hypothesis that this is made possible through the (common) male view on the fact that the wife supposedly resisted her husband.

## Conclusion

As our qualitative text analysis of police reports has shown, whenever migrants are involved in homicides within the context of intimate partner relationships or families, the police frequently and regularly fall back on the ‘foreign culture’ of those involved when processing and interpreting events.

The ethnic origin of the involved become a decisive factor for understanding and is used as a setting and explanation of events. In doing so, other unfamiliar mentalities and cultural differences are established as a given, as collective traits of character of all the involved and blamed for these actions. Homicides committed by Swiss nationals, on the other hand, are in no way interpreted along a cultural mould. These results emphasise Volpp's hypothesis (2000) that merely the 'others' have a culture, whereas persons perceived as 'local' act individually, i.e., are not determined culturally. The study shows that this process runs through all of the investigating agency's reporting and it shows the various construction patterns of ethnicity as important as well as stereotypical interpretive pattern for the police.

Domestic violence as a history of the homicide and a context of the crime – and this is a second, material result of the study – is not recognised by the police. If the homicide involves immigrants, previous violent assaults against the partner are rather seen as an indicator of their foreign culture. Using the 'culture concept', we conclude, prevents domestic violence from being recognised and termed as such and it prevents its precise documentation.

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