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## Bloodstains on a "Code of Honor"

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**BLOODSTAINS ON A "CODE OF HONOR"**  
*The Murderous Marginalization of Women in the Islamic World*

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*Abstract*

In the real world of the Twenty-first Century, deep biases against women are prevalent in much of Muslim society. Although there is no explicit approval of honor killing in Islamic law (*Sharia*), its culture remains fundamentally patriarchal. As unfathomable as it is to Western minds, "honor killing" is a facet of traditional patriarchy, and its condonation can be traced largely to ancient tribal practices. Justifications for it can be found in the codes of Hammurabi and in the family law of the Roman Empire. Unfortunately, honor killings in the Twenty-first Century are not isolated incidents, nor can they be regarded as mere relics of a primitive past. Indeed, the practice continues unabated to this day. If we are to accept the fact that honor killings violate international law and should be considered repugnant to modern civilization, what meaningful and effective responses can be provided by Western democracies? A number of social, economic and political issues complicate matters and limit the range of options. This Article explores honor killings from historical, cultural, religious, and legal perspectives; examines responses to date from the international community; and suggests remedies that might be more effective.

**BLOODSTAINS ON A “CODE OF HONOR”**  
*The Murderous Marginalization of Women in the Islamic World*

**By Kenneth Lasson\***

*All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.*

– Article 1 of the United Nations Universal Declaration of Human Rights

*The right to life of women . . . is conditional  
on their obeying social norms and traditions.*

–Hina Jilani, lawyer and human rights activist

On New Year’s Eve of 2008, two sisters, 17-year-old Sarah and 18-year-old Amina Said, were found dead in a taxi cab at the Omni Mandalay Hotel in Irving, Texas. The vehicle belonged to their father, Yaser Abdel Said, an Egyptian-born cabdriver who reportedly was upset by his daughters’ westernized habits, and who quickly disappeared. A capital murder warrant was issued for his arrest; he remains at large. The police suspect that his motive was based on Islamic religious tradition.<sup>2</sup>

They have good reason to believe so.

As unfathomable as it is to Western minds, “honor killing” is a facet of traditional patriarchy, and its condonation can be traced largely to ancient tribal practices. Justifications for it can be found in the codes of Hammurabi and in the family law of the Roman Empire. In the real world of the Twenty-first Century, deep biases against women are prevalent in much of Muslim society. Although there is no explicit approval of honor killing in Islamic law (*Sharia*), its culture remains fundamentally patriarchal.<sup>3</sup>

According to those traditions, a man’s honor consists of two primary components: his reputation, as determined by his own actions in the community, and the chastity or virtue of the female members of his family. When the latter is threatened because of the perceived sexual misconduct of a female member of the family, many believe its honor can be regained only by murdering the miscreant. The decision to kill is often sanctioned by a group of family elders. The deed is usually performed by a relative – a husband, brother, uncle, father or son of the woman who allegedly sullied the family’s honor.<sup>4</sup>

For some the practice of honor killing represents a kind of “social umbrella” that allows for a wide range of other often-violent acts against women and girls, including torture and female infanticide.<sup>3</sup> It should go without saying that such behavior violates virtually all established norms of legal and civilized society. But the phenomenon of honor killing is not rare, nor is it exclusive to the predominantly Islamic countries. It occurs as well in Western nations, including Britain, Canada, Germany, Italy, and the United States. As waves of people from the Middle East have emigrated to Europe and America over the past generation, honor killings have increased exponentially.

How can and should one respond to this kind of assault on basic human rights? Since much of the non-Islamic public is ignorant of the existence and scope of honor killings, broad

dissemination of information would seem to be a logical first step. But knowledge itself has its limitations: People are most concerned about their own lives and families. Data readily available on the Internet is often lost in the sheer immensity of that form of communication. Newspaper and magazine and other media coverage of honor killings has been relatively limited. Scholarship on the subject (especially the occasional law-review article) goes widely unread.

Perhaps even more frustrating for those who care about this ancient/modern atrocity is the difficulty of trying to cure the problem by litigation or legislation. Although various international declarations, treaties, conventions, and laws have been passed, they sometimes fail for want of ratification or – more frequently – for lack of effective enforcement.

This Article explores honor killings from historical, cultural, religious, and legal perspectives; examines responses to date from the international community; and suggests remedies that might be more effective.

### **Introduction**

International human rights are the subject of many treaties, conventions, books, and articles, and have come to be regarded as important and enforceable norms of modern civilized societies. The equality of rights regardless of race or gender is looked upon as a noble and inalienable principle whose pursuit and maintenance are fundamental.

The enforcement of international human rights law is the responsibility of each sovereign state. There is currently no international court with exclusive jurisdiction over such matters. (The International Criminal Court deals with crimes against humanity, war crimes, and genocide; although the European Union has established the European Court of Human Rights which enforces European human rights law on a regional basis.) In practice, many human rights are difficult legally to enforce, largely because of the absence of consensus on the application of certain rights, and the lack of relevant national legislation or of bodies empowered to take legal action to enforce them.<sup>4</sup>

In particular, however, the rights of women – while generally progressing in America and some other Western nations – appear to be regressing among many countries that are predominantly Islamic. In the past, for example, women in Iraq had the ability to choose whom they married, to obtain a divorce, to attend school, and to work. While they did face some gender discrimination, they were considered to be one of the more liberalized groups of women in the Middle East. Over the past five years, though, women in many Islamic nations, including parts of Iraq, have lived in constant fear both for their safety and lives and for that of their families. The primary causes of this backlash are the absence of strong central governments, in whose stead are a growing roster of countries controlled by tribal leaders and warlords.<sup>5</sup>

In 2008, a number of Islamic nations are controlled by religious clerics and tribal chieftains. There is virtually no separation of church and state. Grossly discriminatory religious and tribal views are imposed upon women, regardless of whether they share in the beliefs and practices of the religion.<sup>6</sup>

Although many Islamic women become victims of gender-based violence simply for having been born female, they are marginalized and discriminated against in a variety of other ways as well. Strict standards are set for how they shall dress and act, including to whom they may speak and whom they must marry. They are often forced into arranged marriages, some at as young an age as eleven years old. They are raped, physically abused, and mutilated. Women who work as teachers are given placements at schools that require a commute of several hours, daily. As a result of the poor road conditions, traffic jams, heat and violence, many die while

driving to work. Further, afraid of being forced to marry an undesirable spouse, or simply in fear because she is too young to be married, the suicide rate among Islamic women has increased dramatically over the past five years.<sup>7</sup>

The most barbaric of the crimes against them, however, are honor killings.

### I. Sources of Islamic Law

The primary sources of Islamic law are the *Koran* (considered to be divinely inspired word transmitted to the Prophet Muhammad); the *Sunnah* (traditions and practices of Muhammad); *Ijma* (the consensus of legal scholars within the community in the absence of specific rulings in the Koran or Sunnah); and *Qiyas* (reasoning by analogy).<sup>8</sup> Islam itself is based on the principle of the inseparability of religion and politics, which necessitates the codification of Islamic law as the law of the country, proclaimed and administered by national governments.<sup>9</sup>

The Koran is not a traditional legal text, but a document that sets forth tenets for “living faithfully.” Early on, scholars examined the Koran to “formulate rules based on the principles and injunctions within the revealed source.” Once this interpretative period ended, the law was subsequently codified. The rules reflected the prevailing view of women when the Koran was revealed, during the Seventh Century in Arabia – that they are inferior to men.<sup>10</sup>

As different Islamic countries evolved over time, the law relating to crimes against women took different forms.

In Iran, the secular government established by Reza Sha Pahlavi in the early Twentieth Century and ceded to his son, Mohammed Reza, during World War II, was denounced by Ayatollah Khomeini in 1979. This was the beginning of the Iranian Revolution (1978-79), when ascendant religious clerics rejected the Shah's adoption of western culture, which they claimed robbed Iranians of their true identity.<sup>11</sup>

If the revolutionaries were to succeed in overthrowing the Shah, the popular support of Iranian women was vital to their success. While many women were opposed to the creation of a theocracy, others believed it would provide women with greater opportunities. In fact, though, after the revolution, the government's policies towards women became more repressive. Secular women holding positions in government were forced to leave these positions. Female judges were forced to resign. Women were effectively confined to their homes. When in public, they were required to conform to a stated-enforced dress code, covering their hair and avoiding makeup or adornment. Iranian women who committed adultery were subjected to death by stoning.<sup>12</sup>

The tradition of the veil was not adopted until after the death of Mohammad. “Say to the believing women that they should lower their gaze and guard their modesty. They should draw their veils over their bosoms and not display their ornaments.”<sup>13</sup> After the revolution, this rule was strictly interpreted by the Iranian government to require “Islamic dress.” This rule has been written into Iranian penal code making violations criminal.<sup>14</sup>

The clerical regime reinstated strict *Sharia* law, which further subjugated women, especially relating to marriage. The minimum age requirement for girls to marry was reduced to nine; many young girls were forced into early marriage by their parents. In order to engage in sexual relations with women besides their wives, Iranian men can arrange a temporary marriage (*sigheh*), which terminates upon completion of the sex act. After the revolution, Special Civil Courts authorized the registration of these arrangements.<sup>15</sup>

Traditional jurists believe that passages in the Koran support the view that men are

superior to women. For example, some understand verse 4:34 to support the claim that men have a degree of advantage over women and, accordingly, an explicit right to rule over their wives. Men are considered to be the managers of the affairs of women because Allah has made the one superior to the other, and because men spend of their wealth on women. Virtuous women are, therefore, obedient: they guard their rights carefully under the watch of Allah. "As for those women whose defiance [*nushuz*] you have cause to fear, admonish them and keep them apart from your beds and beat [*daraba*] them. Then, if they submit to you, do not look for excuses to punish them: note it well that there is Allah above you, Who is Supreme and Great."<sup>16</sup>

Although the founder of Pakistan (Mohammad Ali Jinnah) held a more moderate view of Islamic law, and his sister (Fatima) played a large role in the development of the nation. After his death in 1977 General Muhammad Zia-ul-Haq, a fundamentalist, came into power and instituted more restrictive measures.<sup>17</sup>

In the 1970s, the President of Pakistan implemented ordinances "to bring the laws of Pakistan into conformity with the injunctions of Islam." Thus a 1979 law criminalizes extramarital sexual relations (*zina*). A man and woman are said to commit *zina* "if they willfully have sexual intercourse without being validly married to each other."<sup>18</sup>

*Zina* is subject to punishment if it is committed by a sane adult man with a woman to whom he is not married or engaged, or by a sane adult woman with a man to whom she is not married or engaged. *Zina-bil-jabr* is punishable if it is against the will of the victim; with the consent of the victim, when the consent has been obtained by putting the victim in fear of death or injury; or with the consent of the victim, when the offender knows that the offender is not validly married to the victim and that the consent is given because the victim believes that the offender is another person to whom the victim is or believes herself or himself to be validly married.<sup>19</sup>

Proof of *zina* or *zina-bil-jabr* occurs when the accused makes before a Court of competent jurisdiction a confession of the commission of the offence; or when at least four Muslim adult male witnesses, about whom the Court is satisfied, having regard to the requirements of credibility of witnesses (*tazkiyah al-shuhood*), that they are truthful persons and abstain from major sins (*kabair*), give evidence as eyewitnesses of the act of penetration necessary to the offence.<sup>20</sup>

When a case has lacked the requisite number of witnesses, Pakistani courts often conclude that the intercourse was "consensual" (and therefore charge rape *victims* with a crime). Likewise, in cases of rape where the court deemed there was insufficient evidence to find that a rape occurred the victim could then be charged with a *zina* crime.<sup>21</sup>

Most of Pakistan's population is concentrated in rural areas, which serves as a further impediment to justice for women in Pakistan because tribal councils, comprised completely of men, are the first, and often final, authoritative decision-makers – deferred to by the government.<sup>22</sup>

The Koran prescribes punishment for those who commit "illegal sexual relations," such as adultery: "The adulteress and adulterer should be flogged a hundred lashes each, and no pity for them should deter you from the law of God, if you believe in God and the Last Day; and the punishment should be witnessed by a body of believers."<sup>23</sup>

In Pakistan, the family's honor is associated with the "virtue" of its women, and an accusation of *zina* is considered one of the most egregious dishonors. When women are charged

with committing *zina*, their friends and family often will not visit them in prison. In many instances, the alleged offenders are encouraged to commit suicide.<sup>24</sup>

Punishment for *zina* is harsh. Stove-burning is a common occurrence in Pakistan. In the typical scenario, the victim is doused with kerosene and set afire from the stove.<sup>25</sup>

As in other Islamic countries, honor killings in Pakistan can be traced to ancient custom among desert tribes, where “women and their chastity” symbolized honor for their families, which men had a “duty” to preserve, even at the cost of killing any female relative involved in an act considered dishonorable.<sup>26</sup>

In Jordan, the Ottoman Empire ruled from the Fourteenth century to shortly after World War I. When the Ottomans lost power in the region, Jordanian law retained a number of Islamic principles. The current Jordanian Penal Code reflects those of Turkey, France, Lebanon, and Syria.<sup>27</sup>

As such it suggests a “defense of honor” in certain crimes, under which those convicted are treated leniently. Thus one who catches his wife or another female relative committing adultery and injures or kills either of them is exempt from any penalty.<sup>28</sup> That provision is rarely used as a defense for premeditated honor crimes, however, because it requires the husband to be surprised in order to take advantage of the reduction in punishment.<sup>29</sup>

The Turkish Empire, evolved from the Ottomans, began in 1923. Although it adopted the Swiss Civil Code in 1926, the Turks maintained elements of Islamic law that oppressed women. For example, a woman who became a widow or was divorced or had her marriage annulled cannot remarry for 300 days following the passing of the husband, a divorce, or the annulment decree. The code contained no comparable provision for Turkish men; though it has been revised many times since 1926, and the waiting requirement has not been abrogated.<sup>30</sup>

In early Egypt marriage required an offer and acceptance, and the husband was obligated to pay a dowry. Once the wife received the dowry, she then moved to her husband’s home; in exchange, she agreed to provide “conjugal society.” The wife was entitled to daily support from her husband, but she would lose that entitlement if she was “disobedient” – which included “leaving the house without his permission or without good reason, or deny[ing] him sexual access.”<sup>31</sup>

The jurisprudence in modern-day Egypt originates from an Islamic legal system known as the *Taqlid*, adopted in 1948. Under that system both parties to a marriage retain the rights to property they owned before. The husband could easily obtain a divorce, often simply by uttering a legally-accepted formula. The divorced wife would then spend a waiting period in her husband’s residence, during which time the husband could cancel the divorce without the wife’s permission.<sup>32</sup>

A national Egyptian Code was passed, and various reforms abrogated sections of the laws on disobedience.<sup>33</sup>

## **II. Honor Killings in the Modern World**

In a traditional honor killing, the males and post-menopausal females of the clan convene a council which, if it determines that the woman in question should perish for her sins, conspires to kill her. If the community regards that determination as acceptable, or at least as private business, it may actively or tacitly support the actions of the family. Moreover, such collective decisions are generally not reversible.<sup>34</sup>

Unfortunately, honor killings in the Twenty-first Century are not isolated incidents, nor can they be regarded as mere relics of a primitive past. Instead they are part and parcel of an ancient culture with strong roots and an ever-increasing population – a pre-Islamic, tribal custom, where a family's status depends largely upon its honor – determined to a great extent by a woman's sexual propriety. Prior to marriage her virginity is still considered the property of her male relatives, whose duty it is to guard it. If the woman is merely suspected of infidelity, whether consensual or forced, she may be beaten, mutilated, tortured, raped or killed in order to defend family honor. In most cases, the woman's brother or husband carries out the punishment, with little fear of retribution; the male with whom she had relations, or who raped her, likewise faces no reprisal.<sup>35</sup>

Thus grounded in religion and involving sexual relationships, the sensitivities brought to bear in honor killings are so great and nuanced that the slightest offense to an exceptionally strict norm elicits harsh responses. Many honor killings occur based on suspicion or rumor of illicit sexual relations.<sup>36</sup>

Unlike any other deprivation of human rights, honor killing is brought to the fore in all its grisly detail. The sheer brutality of honor killings is available for all to witness via the Internet. Viewers may watch an actual murder take place, meet the victims and their killers, and observe the culture that spawns such conduct via the clerics who excuse it. The evidence is available with the click of a few buttons. A Cable News Network broadcast of the murder of a nineteen-year-old Muslim girl was captured on a cell-phone camera.<sup>37</sup> Her offense: dating a non-Muslim boy. The crime took place in Mosul, Northern Iraq. A report of the same incident was carried on Arab Television.<sup>38</sup> A subsequent story was aired by journalist Wolfe Blitzler on CNN,<sup>39</sup> which later carried still another investigative report.<sup>40</sup> The British Broadcasting Corporation reported the execution of a sixteen-year-old Iranian girl.<sup>41</sup> The Public Broadcasting System offered a chilling interview with a Muslim cleric who justified such conduct.<sup>42</sup>

Although four witnesses must testify that a sexual act took place in order to prove infidelity, and punishment for this offense is 100 lashes if the woman is single and death by stoning if she is married, a United Nations study reports that at least 5,000 women worldwide each year are murdered in honor killings for alleged infidelity.<sup>43</sup>

The true number of honor killings occurring worldwide remains unknown, largely because they often remain private family affairs. Most take place in predominantly Moslem countries. In Jordan, for example, honor killings may account for one-third of all violent deaths each year. Since 1998 more than 2,000 cases of honor killings have been reported in Pakistan. But such murders have also occurred in Australia, Brazil, Britain, Canada, Ecuador, Italy, Sweden, and the United States.<sup>44</sup>

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A country-by-country examination of honor killings both their ubiquity and differences.

In Jordan, although there is some evidence that courts are working to stem the tide of honor killings – which currently result in the death of around twenty Jordanian women per year, each killed by their own family members – until very recently, honor crimes were only punishable by a mere six months in prison.<sup>45</sup> Courts frequently invoke Article 98 of the Penal Code to honor killings because it provides discretionary sentencing for crimes committed in a “state of great fury.” In addition, Jordanian courts allow the victim's family to waive the

complaint against the murderer.<sup>46</sup>

In one case a Jordanian man, after learning of his twenty-two-year-old sister's extra-marital affair, beat her drowned her in the Dead Sea. He was charged with premeditated murder. Also charged with murder were the victim's parents and another brother.<sup>47</sup> In November of 2006 a Jordanian man severely beat his married daughter with a baton, and then electrocuted her, because she had had an affair out of the wedlock. He was subsequently sentenced to just six months in prison.<sup>48</sup>

In July of 2008, a 16-year-old Jordanian boy was charged with killing his 23-year-old sister by stabbing her ten times in the heart. Police said he confessed to the murder, which he committed because his sister had disappeared from home for a month with a boyfriend. It was the seventh reported so-called honor killing in Jordan this year, according to security officials.<sup>49</sup> Rape also engenders honor killing of the victim. A seventeen-year-old Jordanian girl was molested by a family friend. After the family was unable to procure an abortion for the girl, the father and brother bought a gun to kill her. The girl survived and her father received no punishment for his attempted murder.<sup>50</sup>

In Pakistan, the incidence of honor killing annually has reached epidemic proportions. Killings under the guise of honor also occur when a daughter seeks a divorce from her husband. For example, Samia Sarwar was entered into an arranged marriage at the age of 17. Her husband physically abused her for several years. When Samia told her parents that she was seeking a divorce, her parents, overwrought with shame, threatened to murder her if she left her husband. In spite of the threats, Samia left her husband and sought refuge in a shelter. At a arranged meeting with her mother to obtain consent for a divorce, she was shot by an uncle.<sup>51</sup>

It is unknown how many women are maimed or disfigured for life in attacks that fall short of murder. Punishment for such crimes is rare.<sup>52</sup> In another case in Pakistan, a pregnant sixteen- year-old was set afire by her husband and mother-in-law as punishment for disobeying him. Still another girl, only one year older, was tied to a post and set on fire by her brothers. A religious figure at a local mosque bound his wife to the bed and thrust a red-hot iron bar inside her.

Honor killing result for more trivial reasons as well, such as when a wife does not serve a meal quickly enough – or when a man dreams that his wife has betrayed him. In Pakistan, where men interpret religion and culture, such crimes are likewise seldom punished.<sup>53</sup> Moreover and to the contrary, women who pursue their claims in court frequently lose because of the inherently male- biased judicial system in Pakistan.<sup>54</sup> Victims of domestic violence are frequently told they will bring dishonor to their families by reporting such crimes, and are discouraged from contacting the police. Worse, victims who have reported the crimes are often subjected to further abuse at the hands of the police who are supposed to protect them. Sexual assault by the police is a frequent occurrence. Women do not report these crimes because, if they cannot prove rape, they must have been willing participants and therefore promiscuous woman and liable for adultery. In these cases, a woman must prove rape “beyond a reasonable doubt.” Unable to substantiate the rape claim against the police, a large number of rape victims are charged with adultery.<sup>55</sup>

Somewhat ironically, Pakistan is one of the few nations for which substantial data on honor killings is readily available. According to the Human Rights Commission of Pakistan, over 1500 cases of honor killings were reported there between 2000 and 2005. Of the victims,

97 percent were female, 63 percent were married, 37 percent were single, 26 percent were minors, and 2 percent were male. Of those accused of committing the crime, 35 percent were the victims' brothers, 26 percent their husbands, 24 percent were in-laws, relatives, neighbors, or employees, 9 percent were their fathers, 5 percent were their sons, 52 percent were reported to police, and 17 percent were held or arrested.<sup>56</sup>

In Iraq, nineteen-year-old Shawbo Ali Rauf was murdered by her family in order to regain the family's honor, something they believed she had taken away. Her crime: she was said to have an unrecognizable number in her mobile phone. Upon learning of this, her in-laws took her to a picnic in Dokan, where they shot her seven times.<sup>57</sup>

Rand Abdel-Qader, a seventeen-year-old from Basra, was beaten, stabbed, and suffocated by her father for having become "infatuated" with a British soldier serving in southern Iraq. A friend said that all she'd done was talk to the soldier, that she took pride in her virginity, and that she had never engaged in any sexual relations with him. The father, a government employee, was arrested after the murder, but released after only two hours.<sup>58</sup>

Acts of violence against women are increasing worldwide, especially in those countries where militias are in power. Specifically on the rise are crimes such as beheadings, beatings, rapes, suicides through self-immolation, trafficking, genital mutilation and child abuse masquerading as marriage of young girls as little as nine years old. According to police reports in Basra, fifteen women per month are reported to be killed for breaching the Islamic dress codes. In the year 2007, 133 women were murdered, of whom 47 were said to be honor killings. Only three convictions have resulted.<sup>59</sup>

Another seventeen-year-old, Du'a Khalil Aswad, from Nineveh, allegedly fell in love with a boy outside of her Yazidi tribe. As a result she was stoned to death, in front of a crowd of 2000 men. Images of her broken body were filmed on mobile phones and transmitted over the Internet. Although many viewers were apparently shocked by the footage, the victim's father reported a year later that not a single person responsible for her death had been prosecuted. (In this case, unlike most honor crimes, the victim's father had not agreed to his in-law's actions and in fact had condoned his daughter's relationship.)<sup>60</sup>

Subsequent to the stoning of Ms. Aswad, an Internal Ministry unit was established in Kurdistan to combat violence against women. Despite efforts to criminalize honor killings, however, religious fundamentalists often succeed in defending them as justifiable and non-criminal.<sup>61</sup>

Under the Kurdish and Iraqi governments, power is ultimately ceded to the tribes, whose culture of honor killing is implicitly condoned. Dozens of other girls and women are killed every month; few perpetrators are punished either for murder or for aiding and abetting murder. In 2007, in the city of Sulaymaniyah (with a population of about one million people) there were 407 reports of threats, beatings, beheadings, and other deaths – all related to "family problems."<sup>62</sup>

A particularly heinous case involved a sixteen-year-old girl named Kurdistan Aziz, who had fled her family with a man she knew it would not accept. Aware of the risk involved, she'd asked the local police for protection and was referred to a "Department to End Domestic Violence" – which in return for a bribe turned her back to her father. The family elected to kill her by stoning. A local woman's organization alerted the authorities, but they refused to intervene in what they called a "tribal issue." Kurdistan Aziz was subsequently found crushed to death.<sup>63</sup>

Advocacy groups are viewed with suspicion. One woman activist, Houzan Mahmoud,

has had a *fatwa* on her head since petitioning against the introduction of *Sharia* law in Kurdistan, says of the Kurdish government: "If before there was one dictator persecuting people, now almost everyone is persecuting women."<sup>64</sup>

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Perhaps less understandable are honor killings in countries with Western alliances, where one might expect human-rights sensitivities to be exercised more firmly.

For example in Saudi Arabia, ostensibly a close ally of the United States, a young woman in Riyadh was murdered by her father for chatting online on "Facebook." Caught in the midst of a conversation with a man, she was beaten and shot. Led by Saudi preacher Ali al-Maliki, over 6,500 people have joined in the movement to ban access and use of Facebook on all local Internet servers in Muslim nations.<sup>65</sup>

Official protestations from American foreign-policy makers are hard to find.

One might expect to hear at least some discussion of the Saudi Arabian practice of wife-beating, which (as in other Islamic nations) is both culturally accepted and often even encouraged.

In 2007, for example, a prominent Saudi cleric appeared on television to teach the Muslim men how to properly beat their wives. The cleric made certain to instruct his viewers never to beat the face: "Beating in the face is forbidden . . . even if you want your camel or donkey to start walking, you are not allowed to beat in the face. If this is true for animals, it is all the more true when it comes to humans."<sup>66</sup>

The Arab community in Israel makes up about twenty percent of the country's total population.. In the past few years, dozens of young women have been victimized by honor killings as a result of having offended their families' strict Islamic code of behavior. Seven women, part of the same extended family, were killed over the past seven years in one neighborhood alone in Ramalla. As explained by the Yigal Ezra, the police superintendent in that town: "[I]f a woman spoke to someone on a cell phone or laughed with a man, that is sometimes a violation of the family honor, from their perspective. They plan how the murder will take place, who will carry it out and even find an alibi for the murderer. From the moment someone is marked, there is no way out."<sup>67</sup>

In Germany, a 23-year-old woman named Hatin Sucuru received a telephone call from her relatives and went to a bus stop in Berlin, where she was shot, leaving her five year-old son alone in his bed. Originally from Turkey, Hatin had been raised in Berlin and forced at age 16 to marry her Turkish cousin. Seeking to follow "western ways," she had thrown out her Islamic head scarf and begun to date German men. She'd enrolled in a technical school to learn how to become an electrician. Her three brothers were arrested for her murder. At their school, the brothers were applauded; their classmates were quoted saying, "she only had herself to blame" and "she deserved what she got – the whore lived like a German."<sup>68</sup>

In the United Kingdom, many young Arab women are constantly faced with issues of forced marriages and honor-related violence constantly. Some families have resorted to violence in order to persuade their daughters into unwanted marriages. Some women choose to commit suicide rather than submit to marriage with a stranger. The problem appears to have worsened over the past five years. Ms. Sanghera herself was forced to marry by her family, but at sixteen years old, she ran away to avoid becoming the wife of a stranger.<sup>69</sup>

In the predominantly Asian town of Stoke-on-Trent, fear motivates girls as young as fourteen who are forced by their families into marriages against their will. The only offense

which can be brought against a victim's family is assault or kidnapping.<sup>70</sup>

Abuse of and discrimination against Muslim women does not only occur in Islamic nations, but in western countries themselves – including the United States. Although within the Muslim-American community there are currently no solid statistics on the rate of domestic violence, and it is difficult to determine whether Muslim women are victimized at a different rate than women in the general population, there are some telling cases. In Dallas, Texas for example, a young Pakistani immigrant was forced into an arranged marriage with a violent husband; she was routinely beaten, and forbidden from going out into the public with out her husband. During the Muslim holy month of Ramadan in 2006, she escaped after being physically abused by her husband for praying rather than cleaning the kitchen. She made the decision to leave him when he threw her to the ground and beat her, threatening her life.<sup>71</sup>

As noted at the beginning of this Article, in Irving, Texas two teenage Egyptian-American sisters were shot dead on New Years Day, 2008. Their father is the lead suspect, and it is reported that he was angered by their American-like behavior. The girls and their mother fled their father after he threatened to kill him. Their great-aunt labeled their murders “honor killings” because they brought shame to their family. As a result of this honor-killing allegation, a greater focus has been placed upon all forms of abuse in the Muslim-American community. Since the community veils these acts in secrecy, this is believed to be a much bigger problem than reported.<sup>72</sup>

In July of 2008, a 25-year-old Jonesboro, Georgia woman told her father she wanted out of an arranged marriage. Police said they found Sandeela Kanwal's body inside a home in Jonesboro; their primary suspect is her father, Chaudhry Rashid.<sup>73</sup>

In addition, immigrant women fearful of being deported from the U.S. and facing death at home in the name of family honor fight to gain asylum. This is not an easy process, however; besides requiring the sympathy and knowledge of an immigration lawyer, testimony from an expert witness often is needed as well.<sup>74</sup>

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Women in Islamic nations are discriminated against in other deadly ways as well.

In Saudi Arabia, the government appoints teachers to work at schools in small villages where there are not enough local staff to fill the vacant spots. While males are permitted to live in the villages they are employed as teachers in, females may not. Rather, women need permission from a male guardian to live alone in these villages and also must find a landlord that is willing to even rent them an apartment. Consequently, women must risk their lives each day, as they commute to work on roads in poor, dangerous conditions. Saudi Arabian roads are among the most dangerous in the world, at least in part because female teachers must travel along them each day as a part of their long commutes through the desert to reach their assigned school in a distant locations.)<sup>75</sup>

Human trafficking is likewise on the rise in the Islamic world. In the poor villages of northern Nigeria, for example, young girls ranging in age from twelve to seventeen are being trafficked in order to work as domestic help for meager wages. They are paid the equivalent to about \$13 U.S. dollars each month, and the money is usually sent directly to their parents. The meager wages earned by a teenage girl provide more money for her parents, and also mean one less mouth for the family to feed. While the parents reap the benefits of having extra cash on hand, some of their daughters have become victims of rape or other types of physical abuse and beating by their employers.<sup>76</sup>

Although Nigeria's National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) has made human trafficking more difficult by hampering traditional transportation methods, the more law-enforcement agencies perfect strategies to stop it, the more the traffickers find sophisticated ways of running their trade. NAPTIP has a dormitory where these girls can go. However, it serves to help only after they've been victimized; it does not prevent the abuse beforehand.<sup>77</sup>

A woman from Pakistan was trafficked with her three-year-old son over the border to Afghanistan, where they were handed over to an Afghan man who raped her and subsequently beat her child to death before her eyes. The man who murdered her son was sentenced to twenty years in jail – and the mother was also sent to jail for four years for committing adultery and “escaping her house” in Pakistan, even though she had been trafficked and molested. The prosecutor in the case declared, “She spent several nights with the man. She committed adultery. It was rape, but the woman is also guilty.”<sup>78</sup>

According to one UN human-rights officer, in 78 percent of the cases she has seen that involve a woman's complaint of domestic violence, the victim is charged as a criminal. Many victims are forced to marry their attackers or be sent to jail for having committed adultery. Proving rape is almost impossible.<sup>79</sup>

Marginalization of women primarily in Islamic regimes is also manifested through strict enforcement of restrictive dress codes in the workplace. The requirement of long loose clothing and a veil during the hot summer months can cause sickness, even death. In Iran, the government recently launched a new crackdown on women who offend the dress code, especially in small companies, in order to “prevent social damage.” If an office fails to uphold the dress code requirement, it can be closed down. For repeat offenders, the punishments are more severe. A woman who commits a second offence and violates the dress code again may be held at the police station much longer or even be taken to court. Repeat offenders may also be forced to take “guidance classes” to point her in the right direction and teach her to respect the veil.<sup>80</sup>

### **III. Moral Imperatives and Reasoned Responses**

If we are to accept the fact that honor killings violate international law and should be considered repugnant to modern civilization, what meaningful and effective responses can be provided by Western democracies? A number of social, economic and political issues complicate matters and limit the range of options.

Countries with large Islamic communities – including Australia, Britain, Canada, Italy, and the United States – are often constrained by domestic considerations. For example, a recent wave of honor killings in Germany (*ehrenmord*), accompanied by extremist preaching in German mosques, has led government officials to speak out against various multi-cultural initiatives, and there have been moves in the legislature to expel Islamic extremists who condone such activity. However, the high concentration of Islamic migrant workers, combined with their poor economic conditions, make the situation tense and fluid. The list of prominent German politicians who have declared multi-culturalism a dead letter includes the federal chancellor, Angela Merkel. Migrants in Germany thus remain in a precarious situation, despite legislative and other efforts to improve their conditions. The situation could polarize further as Germany moves ahead with plans to deport Muslim “extremists.”<sup>81</sup>

Other international issues – above all, the oil-trade – likewise serve to deny Western nations the full political and economic leverage required to deal most effectively with

human-rights abuses in the Islamic world.

A notable exception – which could serve as an example of how such leverage could work – is the relationship between Turkey and the European Union. Because Turkey seeks admission into the EU, its member states are in a position to press for reforms in Turkish human-rights policies – including the outlawing and enforcement of laws against honor killing. Turkey would thus be obligated to accept the “Copenhagen Political Criteria,” whose regulations include the requirement to respect judgments of the European Court of Human Rights guaranteeing “full enjoyment of human rights and fundamental freedoms by all individuals without discrimination and irrespective of sex.”<sup>82</sup>

Leverage against Turkey in this matter seems to have yielded results. Although a 2005 EU Report notes that violence against women “remains a matter of serious concern,” it acknowledges that “greater attention is being paid to women’s rights.”<sup>83</sup> A more recent report from the Feminist Majority Foundation suggests that the necessary changes are taking place. Facing pressure from women’s groups and the European Union, the Turkish government has begun a major media campaign condemning all violence towards women, especially honor killings. It also plans to establish hotlines, rescue teams, and town-hall meetings in the Kurdish southeastern area of the country, where the rate of honor killings is particularly high. Prime Minister Recep Tayyip Erdogan (a conservative) has spoken out against the archaic practice, telling the Organization of the Islamic Conference that honor killings need to be abolished from all Islamic societies.<sup>84</sup>

Unfortunately, such overt reforms are rare in the Islamic world.

#### *CEDAW*

The United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the only international treaty guaranteeing women’s human rights. Often described as an international bill of rights for women, it was unanimously adopted by the United Nations General Assembly on December 18, 1979, and became effective in 1981. CEDAW defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”<sup>85</sup>

Although the U.S. was instrumental in drafting CEDAW, however, and though it was originally signed by President Jimmy Carter in 1980, it has never been ratified by the Senate. The United States is the only industrialized nation that has not ratified the treaty.<sup>86</sup>

Part of the opposition to CEDAW comes from what is perceived as its pro-choice content. Other critiques talk about how it is a product of “radical feminism,” and how it mandates a genderless society.<sup>87</sup>

Nevertheless, ratification of CEDAW would certainly be consistent with both the foreign and domestic policy of the U.S., which has a long record of ratifying international human rights treaties.<sup>88</sup> CEDAW is consistent with U.S. constitutional principles opposing discrimination against women. In fact, U.S. law is already in substantial compliance with CEDAW. Legal scholars and others have questioned why the United States has yet to ratify CEDAW, some twenty years after that document was endorsed by other Western powers.<sup>89</sup> Similarly, there have been numerous calls for more rigorous enforcement of a United Nations Convention on

Women's Rights,<sup>90</sup> as well as for immigration reform that would make it easier for victims of "Sharia violence" to gain asylum in the United States.<sup>91</sup>

The failure to ratify CEDAW, as many have pointed out, undermines America's credibility as a leader in international human rights. How can we demand, the question is rightly asked, that India and Pakistan work harder to stop honor killing of women by their families?<sup>92</sup>

### *Limitations of International Human-Rights Law*

The utilization of international law poses some significant challenges for advocates seeking to abolish honor killings. One is the quest for universality: voices of women in the Islamic world have noted various theoretical discrepancies in feminist analyses relating to the cultural determination of rights, as well as socio-economic and political imperatives.<sup>93</sup>

Another is the formalism which characterizes both substance and procedure in international law and the workings of the United Nations. Although the pursuit of human rights through the U.N. is theoretically possible, the enforcement procedures provided in various human rights instruments are hampered by lengthy time periods between initial reporting and positive results. This dissonance between the universe of formal laws, treaties, conventions, and declarations of rights, and the the material reality of marginalized peoples, is stark indeed.<sup>94</sup>

According to one feminist theorist, women "must move beyond the quagmire of the universalist aspirations of feminism and its human rights vision":

This bi-polar paradigm increasingly distorts the discourse and thwarts significant programs that have a potentially transformative capacity to improve women's lives . . . to promote and engage in a human rights discourse that recognizes multiple identities and multiple agendas. . . .Feminism needs to embrace a discourse that envelopes a nuanced sense of the articulation of rights.<sup>95</sup>

Those who teach international human rights find it frustrating to tell students that, although

many acts, treaties, conventions, and declarations exist, enforcement of them is tendentious as best.

It is "the frustration of being caught between the pristine fervor of the idealist and the destructive enthusiasm of the critic."<sup>96</sup> Whether it is possible to show students how human rights advocates can deal effectively with the inherent dilemmas remains largely to be seen.

### *Primacy of the Internet*

Legal scholarship and its influence on the issue of honor killings are inherently limited. Few people (much less policy-makers) read law reviews.<sup>97</sup> Nations move slowly, particularly in agreeing upon international laws. Little more progress is likely to take place without raising public awareness at the grass-roots level, creating an environment in which a highly motivated electorate demands action by its chosen representatives.

The best forum for raising and keeping the issue before the public may well be the Internet. Indeed information about honor killings, and exhortations to prevent them and other acts of violence against women, are offered by a variety of articulate sources, particularly on the

web-sites of non- governmental organizations.

At least one organization on the Web is devoted exclusively to the subject of honor killings: The International Campaign Against Honour Killings (ICAHK) provides a variety of links in its "Take Action" section as well as several resources for Islamic women who fear they may become victims themselves.<sup>98</sup>

Similarly, the Women's Resource Center (*Shirkat Gah*) has begun a "Global Campaign to Stop Killing and Stoning Women," which addresses "the persistent misuse of religion and culture to justify killing women as punishment for violating the 'norms' of sexual behaviour as defined and imposed by vested interests."<sup>99</sup> Human Rights Today recently distinguished itself with several important stories about honor killings.<sup>100</sup> Gendercide.org recently posted a notable study focusing on honor killings that have taken place in Pakistan, Jordan, Palestine, Israel, and the Balkans since 1994.<sup>101</sup> In Iraq, the Organization for Women's Freedom in Iraq (OWFI) runs a clandestine operation which helps smuggle young women out of danger.<sup>102</sup> The Swiss charity WADI maintains a number of shelters and educational programs in Kurdistan, locally staffed.<sup>103</sup>

There are numerous smaller websites that also treat the subject.<sup>104</sup>

In the United States, the National Organization for Women (NOW) has posted articles about honor killing and other forms of serious violence against women in the Islamic world.<sup>105</sup> However, NOW's primary focus remains on domestic issues, not international relations and U.S. foreign policy.<sup>106</sup>

Perhaps the most vociferous Internet analyses and condemnations have come from individual American commentators. Of them, Phyllis Chesler is among the more prominent. An academic, author, and psychotherapist, she includes on her website a section on Islamic Gender and Religious Apartheid, which includes several dozen articles that explore the problem – many of which strongly criticize the failure of Western feminism in this regard.<sup>107</sup>

In a recent book review, Chesler chided feminist hypocrisy:

[Mainstream feminism] tends to be more concerned with Israel's "occupation" of Palestine or the U.S. "occupation" of Afghanistan and Iraq than with the Islamist persecution of women. They consider it "racist" to condemn gender apartheid of the most savage sort, and "racism" trumps concerns about gender. Incredibly, those same Western feminists who condemn Western patriarchal institutions of marriage, biological motherhood, heterosexuality, and religion now view Islamic veiling, the hijab (head scarf), purdah, arranged marriage, and polygamy as sacred religious rights.<sup>108</sup>

Chesler suggests that Western feminists and leftists are major supporters of "the Islamification of America," and generally do not feel it is their place to condemn Muslim-on-Muslim violence. They come to the defense of pro-Islamist, anti-American, anti-Israeli, and anti-Jewish hate speech, as protected on American campuses by academic freedom and the First Amendment. They take seriously false and often paranoid allegations of "Islamophobia," while stridently denying the radical Islamic war against infidels, Western values of freedom and tolerance, and women's rights. In doing so, they push doctrines of multi-cultural relativism and unspoken, often unconscious fears about "death by lawsuit" or by more physical acts of terrorism, making it difficult for anyone (scholar or citizen) to state their own honest (and negative) views about radical Islam.<sup>109</sup>

Chesler observes the strict control exercised by many Islamic men over their wives:

I'm not saying every Muslim family does it or that every Imam encourages it or that only Muslim men beat their wives, but Muslim men have control over their wives. And monitoring the chastity of their women is an obsession, because if she loses it, or has a boyfriend or wants to marry who she wants to marry, this could be a death sentence.<sup>110</sup>

The conservative columnist Debbie Schlussel addresses the issue of honor killing as it is treated by Hollywood. She points to the film "Crossing Over," in which a scene depicting an honor killing was deleted from the script – under pressure from an Islamic Iranian group. ("No worries, though," she says, "about the anti-Semitic scenes in the movie. Those remain.")<sup>111</sup> Such an omission in the pop culture may be more likely to sway American public opinion that honor killings are *not* a problem than an abstruse political argument on the virtues of U.S. ratification of CEDAW or the efficacy of the UN Convention on Women's Rights.

Cinnamon Stillwell is a San Francisco blogger who has focused on honor killings among Islamic immigrants in Western countries. She also laments the "Islamophobia" label that inevitably comes from the political left, the unwitting complicity of multi-culturalists who ignore the problem or seem to excuse it, and the inadequacy of feminist groups like NOW.<sup>112</sup>

Stillwell and others suggest that a primary reason the grave threat to women's human rights goes largely unaddressed is that liberal advocacy groups fear being branded "Islamophobic." Law enforcement officials, journalists, social workers, government officials and – most of all – Western feminists appear to have abandoned basic principles of human-rights principle in favor of political correctness. The purveyors of multi-culturalism – an ideology that holds that all cultures or religions are equivalent and none (save for the dominant, or Western, culture) worthy of condemnation – have rendered the West incapable of addressing evils where Third World cultures are culpable. Feminist groups such as the National Organization for Women, which put out an occasional press release decrying honor killings, need to make combating this practice as high a priority as defending "choice" and railing against "glass ceilings." Few confront the reality of the oppression of women in Muslim culture.<sup>113</sup>

Although the Internet contains a variety of valuable resources for learning about the objective realities of honor killing, it also has several sites for left-leaning organs and spokespersons that serve to apologize for Islamic radicalism and to place blame elsewhere.

For example Aimee Chew, placing the blame squarely on Western imperialism in Iraq, calls for "greater feminist intervention in the anti-imperialist and anti-war movement" and discusses how the US invasion and occupation of Iraq, instead of liberating Iraqi women, have resulted in the worsening of their living conditions. She argues that within two years of the 1958 revolution ending the British-imposed monarchy in Iraq, women's organizations achieved legal equality they never had under more than thirty years of British occupation. Moreover, Americans are said to be as much to blame as male Iraqis who kill in the name of honor:

Two years after the US-led invasion of Iraq, what are we to make of the Bush administration's alleged project to bring it democracy and raise the status of women? Early on following the invasion, mainstream US media such as The New York Times reported on growing insecurity, including the escalating rapes and kidnappings of women and girls. The media tended to frame this problem as caused by Iraqi men and indigenous patriarchy at its roots – with skillful US intervention needed to alleviate the situation. The international anti-war and anti-occupation movement was largely unable to deliver an adequate response to the immediate issue of daily sexual violence at the hands of Iraqis – how has it failed to tackle issues particular to Iraqi women, and what

is at stake?<sup>114</sup>

Similarly, the Left blames American foreign policy for the oppression of women in the Middle East. For example, a recent essay in *Revolution* ("The Voice of the Revolutionary Communist Party USA"), says that incidents of honor killings in Iraq have actually increased as Iraq under American "occupation." Moreover,

the practice of honor killings is far from confined to Islamic culture. It predates Islam and today spans religions, cultures, and countries, including Argentina, Bangladesh, Brazil, Ecuador, Egypt, Guatemala, India, Iran, Israel, Jordan, Lebanon, Pakistan, Palestine, Peru, Syria, Turkey, and Venezuela. . . . [T]he vestiges of these customs and the same property relations that still dominate the planet can also be found in the U.S. – they are called "crimes of passion" in U.S. legal code where sentencing is not based on the crime but the feelings of the perpetrator. And they have always worked to the advantage of men. For example, in 1999, a Texas judge sentenced a man to four months in prison for murdering his wife and wounding her lover in front of their 10-year-old child. As in an "honor killing," adultery was viewed as a mitigating factor in the case. Both the "crime of passion" and the term "honor killing" communicate the perspective of the overwhelmingly male perpetrators, and thereby carry an implicit justification.<sup>115</sup>

Some writers exonerate Islam and its principles altogether. For example Abu Abdur Rahman: "My belief, as a Muslim, is that Islam . . . and its divine origins ensure that it is completely fair and just towards everyone, in all instances -- men and women; workers and capitalists; the rulers and the ruled; and so on. Islam's justice and fairness would be absolute. Sad that the reality is so different - but then the blame for that is with us as Muslims, is it not?<sup>116</sup> Still others attempt to "dissociate honor killings from a particular religious belief system and locate it on a continuum of patriarchal patterns of violence against women."<sup>117</sup>

Such analyses from the Left have not come without strenuous rebuttals from the Right. Chesler is most notable, but others are not far behind. Christina Hoff Sommers likewise bemoans the failure of feminists adequately to confront the problem:

Accounts of lashings, stonings, and honor killings are regularly in the news, and searing memoirs by Ayaan Hirsi Ali and Azar Nafisi have become major best-sellers. One might expect that by now American feminist groups would be organizing protests against such glaring injustices, joining forces with the valiant Muslim women who are working to change their societies. This is not happening.<sup>118</sup>

Even more biting is Gabriel Garnica, who notes:

Any superficial review of feminist and liberal drivel regarding women's rights will reveal that they typically champion those rights as long as their efforts are consistent with their other agendas, including such things as attacking Christianity and defending abortion. As soon as defending women's rights crosses paths with some other liberal pet project, such as defending and favoring Muslims over Christians, these liberals and so-called women's groups will run like water in the opposite direction or close their eyes and usually active mouths.<sup>119</sup>

When will American feminists begin to speak out about "the creeping Islamism that threatens to steal if not their freedom, the freedom of their daughters and grand-daughters?", a

Canadian commentator asks. "My bet is never. The modern left, 'feminists' included, are so deeply enmeshed with Wahabbism that they'll gladly don Hijabs themselves, or force others into them. As long as they can fight 'the real enemy.'"<sup>120</sup>

### *The Mainstream Media*

Given the information explosion engendered modern telecommunications, reporting in the mainstream media on honor killings has been relatively sparse.

In the mid-1990's, the *Jordan Times* published an investigative report on such violence against women, which until then was a taboo subject rarely addressed by the Arab media. Although the report provoked severe criticism from conservative elements, it triggered a campaign to fight the killings. The royal family threw its weight behind the effort, and the religious establishment issued fatwas prohibiting the killing of women by male members of their families for alleged acts of dishonor. But the Jordanian parliament, still essentially traditional, aborted a government initiative to amend laws that were lenient to the perpetrators of these crimes.<sup>121</sup>

In 1999, *Time Magazine* reported on the cultural origins of honor killing and the situation in Jordan. For women under threat, there is little recourse. Running away is nearly impossible in view of the fact that Arab societies are close-knit and few women have the means to live alone. Jordanian authorities have a bizarre remedy: they jail endangered women. A woman named Rafa, 20, was locked up in an Amman prison after her uncles and brothers vowed to murder her for having had a three-day affair with a co-worker. At any one time, Jordan's prisons may house up to seventy such women. Sometimes they are released after their families promise not to harm them, though there is no guarantee.<sup>122</sup>

Women's rights are compromised further by a section in the Koran (*Sura* 4:34) that has been interpreted to mean that men have "pre-eminence" over women or that they are "overseers" of women. The verse goes on to say that the husband of an insubordinate wife should first admonish her, then leave her to sleep alone, and finally beat her. Wife-beating is so prevalent in the Muslim world that social workers who assist battered women in Egypt, for example, spend much of their time trying to convince victims that their husbands' violent acts are unacceptable.<sup>123</sup>

In 1999, in addition to the CNN report noted earlier, Diane Sawyer of ABC interviewed a Jordanian man celebrated in his village as a hero for shooting his sister four times in the head -- because she had been raped.<sup>124</sup>

The first published account by a survivor of an attempted honor killing, a book entitled *Burned Alive: A Victim of the Law of Men*, by Chelsea J. Carter, appeared in 2004.<sup>125</sup>

In August of 2005, a brief article on honor killing in Afghanistan appeared, recounting the story of an Afghan woman who'd been criticized for her career in television before she was fatally shot in her home.<sup>126</sup>

The honor killing in Dallas noted at the beginning of this article has occasioned some reporting by the mainstream press. A story in the Dallas Morning News highlighted relevant passages in the Koran 3:34:

Men are the maintainers of women because Allah has made some of them to excel others and because they spend out of their property; the good women are therefore obedient, guarding the unseen as Allah has guarded; and [as to] those on whose part you fear desertion, admonish them, and leave them alone in the sleeping-places and beat

them; then if they obey you, do not seek a way against them; surely Allah is High, Great.<sup>127</sup>

In 2005 both the *New York Times Magazine* and the *Wall Street Journal* published several stories on honor killings. The *Times* covered such acts in Germany<sup>128</sup> and Syria.<sup>129</sup> The *Journal* piece discusses honor killing worldwide but also emphasizes the need for action in the fashioning of the Iraqi constitution, where the U.S. and Britain have some pull, similar to the E.U. and the question of Turkish accession.<sup>130</sup>

In 2006, the case of Malak Ghorbany, a 34-year-old Iranian mother of two who was sentenced to death by stoning for having committed adultery, was featured in the *Village Voice*. “The size of the stones used during the execution,” wrote author Nat Hentoff, “are required to be . . . not so large that they would kill a woman too quickly, nor so small that they would fail to cause serious injury or pain.” Hentoff went on to wonder aloud whether the press would question this state-sanctioned honor killing during the then-impending visit to the United Nations by Iranian President Mahmoud Ahmadinejad: “There will be heavy press coverage. Will any reporter ask him about the stoning of women in his country, and the particular case of Malak Ghorbany?” Hentoff also noted that while former “moderate” Iranian president Mohammad Khatami had been in the United States, lecturing at Harvard, no reporter asked him to comment on the stoning of women under his successor.<sup>131</sup>

Only two articles about honor killings appeared in the mainstream media in 2007: the aforementioned piece in Britain’s *Weekly Standard* on the “fecklessness of American Feminism,”<sup>132</sup> and the editorial in the *Minnesota Daily* inspired by television reports on CNN and ABC.<sup>133</sup>

#### *Hotlines and Shelters*

Perhaps the most direct and salutary response to honor killings is the establishment of hotlines and shelters.

In the United Kingdom, in response to the high volume of calls (about fifty a month) to the authorities in Stoke-on-Trent, North Staffordshire, a hotline was set up for women being forced into unwanted marriages. Called Karma Nirvana, the service assists distressed women in finding new jobs and homes, getting legal advice, gaining access to healthcare, planning security, and claiming benefits.<sup>134</sup>

In April of 2008 Karma Nirvana launched the Honour Network (based in Derby, U.K.), which acts as a surrogate family and lends emotional and practical support to abused women. In the fall of 2008, the Forced Marriage (Civil Protection) Act was enacted enabling courts to prevent coerced marriages and adequately protect victims. Partially funded under that law, the Honour Network currently handles nearly four hundred cases a year.<sup>135</sup>

Women who call the hotlines often express fear for their own safety, as well as apprehension that reporting their abuse will shame their families. Many don’t comprehend that they are crime victims, because in their home country, physical punishment and murder of a woman by her husband or father for dishonoring the family is often legal and accepted custom.<sup>136</sup>

Around the U.S., many domestic-violence shelters have opened for Muslim women, mainly in large cities, advocating the fundamental human-rights principle that acts of domestic violence are unacceptable. Community support is often difficult to come by, especially in view of the fact that some religious leaders adhere to the cultural traditions instilled by their

homeland and refuse clearly to reject violent acts against women.<sup>137</sup>

Various advocacy centers around the country offer support for victims. Rafia Zakaria, a professor at Indiana University whose work is focused on educating Muslims about spousal abuse, has launched a legal defense fund. The Tahirih Justice Center in northern Virginia offers shelter for battered Muslim women; the Baitul Salaam shelter in Atlanta does the same. DAYA (“compassion” in Sanskrit) provides legal and financial assistance to abused families. In the last five years, it has reported an increase in distress calls about twenty times greater than when it began in 2003.<sup>138</sup>

The World Health Organization reports that one out of every three women in the world experience violence in her lifetime. The International Violence Against Women Act (VAWA), proposed in the Senate in 2007 and currently pending in the Senate Committee on Foreign Relations, would address various forms of gender-based violence, including: sexual violence, genital mutilation, forced and child marriage, “honor” killings, dowry related violence and human trafficking, rape, and domestic violence.<sup>139</sup>

In February of 2008, the United Nations launched a multi-year campaign designed to intensify action that would end violence against women and girls worldwide. Secretary-General Ban Ki-moon cited many statistics, including the fact that at least one out of every three women is likely to be beaten, coerced into sex, or abused in another way during her life: “Through the practice of pre-natal sex selection, countless other females are even denied the right to exist. Others suffer from trafficking sexual harassment, female genital mutilation, dowry murder, honor killings, and female infanticide.” Noting that in over 100 countries there are no specific legal provisions against domestic violence, Mr. Ban called for all governments to review their current laws and then enact, if needed, new ones to ensure that violence against women be treated as a crime.<sup>140</sup>

In May of 2008, a new advocacy group to empower women was publicly announced called “The One Woman Initiative: The International Women's Empowerment Fund for Justice, Opportunity, and Leadership.” The Fund is a public-private partnership that will mobilize \$100 million in its first five years to support existing initiatives in countries with significant Muslim populations.<sup>141</sup>

Though few protests against honor killings emanate from the Moslem community itself, there are exceptions. One is the Arab Women's group *Al Sisiwar*, which recognizes that the original problem of honor killings stems from a deep-rooted double standard in Arab societies involving premarital sex, which is forbidden for both men and women, and that men who engage in it are seldom punished.<sup>142</sup>

Nigeria's National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) has made human trafficking more difficult by hampering traditional transportation methods, but the more law-enforcement agencies perfect strategies to stop it, the more the traffickers find sophisticated ways of running their trade.<sup>143</sup>

### *The Clergy*

Religious leaders, who might condemn honor killings as morally wrong and not justified by any theological principle, would do well to go beyond those arguments and work directly with women's rights advocates if they perceive members of their congregations at risk.

Few do so, however: some because they are normally paid by the communities they represent, others because they tend to maintain conservative and patriarchal viewpoints. Unless

the state pays their wages -- an idea suggested by French President Nicholas Sarkozy -- it would be difficult to change the status quo.<sup>144</sup>

Some advocacy groups have pushed for a legal remedy: requiring clergymen who perform marriages involving underage or unwilling women, without having conducted private and non-coercive discussions to ascertain their willingness, to be prosecuted. Forced marriage, they argue, should be treated as a serious crime, utilizing if necessary charges of rape, child rape, abduction, or sex-trafficking.<sup>145</sup>

Such arguments to date have gained little traction.

### **Conclusion**

There is no justification for honor killings. Yet the practice, which can be traced to ancient tribal traditions, continues unabated to this day in much of the world. Though there is a clear moral imperative to combat violence toward women, local, national, and international responses to this phenomenon have been largely ineffective.

The best approach to combat honor killing worldwide would be substantially to raise public consciousness about it, to enact meaningful measures to prevent and punish it, and to enforce such laws swiftly and with certainty. It is particularly important that police, teachers, and social workers be aware of the connected phenomena of forced marriage and honor-related violence. When a potential case of honor killing is detected, it must be dealt with forcefully and publicly.

If and when the honor killing of young women like Sarah and Amina Said, the Moslem sisters from Texas, is solved, and the perpetrator apprehended and brought to swift, fair, and sure trial, modern justice will have been served.<sup>146</sup>

Only then can the murderous marginalization of women be ended, and can we be cleansed of this dishonorable stain on civilized behavior.

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<sup>2</sup> By early June, 2008, a \$20,000 reward for information leading to the arrest and indictment of Mr. Said, accused of killing his two daughters in January, had been extended six months. R. Dreher, *Was This An Honor Killing?*, Dallas Morning News, June 4, 2008 (highlighting relevant passages in the Koran 3:34). The popular prime-time television show *America's Most Wanted* brought the killing in Texas to the attention of millions of viewers, focusing its "AMW Fugitive Data File" on Yaser Abdel Said. But little more has been written or said about it. See "American Honour Killing," The Pakistan Newswire, July 24, 2008. See also <http://onthescene.blogs.foxnews.com/2008/01/05/another-honor-killing/>.

<sup>3</sup> Email correspondence with Joanne Payton, webmaster of an Internet site called International Campaign Against Honour Killings (available at <http://www.stophonourkillings.com/>), on file with author (hereinafter "Stop Honour Killings").

<sup>4</sup> Rebecca E. Boon, *They Killed Her for Going out with Boys: Honor Killings in Turkey in Light of Turkey's Accession to the European Union and Lessons for Iraq*, 35 Hofstra L. Rev. 815 (2006).

<sup>3</sup> Ferris K. Nesheiwat, *Honor Crimes in Jordan: Their Treatment Under Islamic and Jordanian Criminal Law*, 23 Penn St. Int'l L. Rev. 251 (2004) at 254. For an excellent introduction to the historical, social, and cultural issues, see also SHAHRZAD MOJAB, HONOR KILLING": CULTURE, POLITICS AND THEORY, Association for Middle East

Women's Studies, Vol xvii nos. 1-2 Spring/Summer 2002  
(<http://www.amews.org/review/reviewarticles/mojabfinal.htm>).

<sup>4</sup> See European Court of Human Rights website,  
[http://www.echr.coe.int/ECHR/EN/Header/The+Court/The+Court/Composition+of+the+Section  
s/](http://www.echr.coe.int/ECHR/EN/Header/The+Court/The+Court/Composition+of+the+Section+s/).

<sup>5</sup> Nick Gevock, *Under the Veil*, Montana Standard, Butte, May 3, 2008, available at  
(Westlaw) 2008 WLNR 8276556.

<sup>6</sup> See generally "Honour Killings of Women and Girls," Amnesty International Report  
2008, available at  
<http://www.amnesty.org/en/library/asset/ASA33/018/1999/en/dom-ASA330181999en.html>.

<sup>7</sup> Terri Judd, "Women Are Being Beheaded For Taking Their Veil Off": Honor Killings On  
Rise In Iraq, AlterNet, Apr. 30, 2008, available at <http://www.alternet.org/story/83710/>.

<sup>8</sup> *Sources of Islamic Law*, available at <http://islam.about.com/od/law/a/sources.htm>.

<sup>9</sup> See Andra Nahal Behrouz, *Women's Rebellion: Toward a New Understanding of  
Domestic Violence in Islamic Law*, 5 UCLA J. Islamic & Near Eastern L. 153 (2005-2006) at  
156.

<sup>10</sup> *Id.* at 156-159.

<sup>11</sup> See Susan Tiefenbrun, *The Semiotics of Women's Human Rights in Iran*, 23 Conn. J. Int'l  
L. 1, 6-7 (Winter 2007).

<sup>12</sup> *Id.* at 8-16. See also Suzanne Levi-Sanchez, Sophie Clavier, *Iranian Women's Rights  
Regress as Rift with West Heats Up*, San Francisco Chronicle, August 26, 2007.

<sup>13</sup> Koran 24:30.

<sup>14</sup> Tiefenbrun, *supra* note 11 at 25.

<sup>15</sup> *Id.* at 61-62.

<sup>16</sup> Behrouz, *supra* note 9 at 161. Contemporary scholars differ on their interpretation of the  
words *nushuz* and *daraba*. Many interpreters believe *nushuz* means "disobedience, disloyalty,  
dislike, ill-conduct or rebellion." Others define it as "refusal of sexual access." Classical jurists  
have interpreted *daraba* as giving a man the right "to hit or strike his wife." *Id.* at 170-3.

<sup>17</sup> Mazna Hussain, *Take my Riches: Give Me Justice: A Contextual Analysis of Pakistan's  
Honor Crimes*, 29 Harv. J. L. & Gender 223, 237.

<sup>18</sup> Asifa Quraishi, *Her Honor: An Islamic Critique of the Rape Laws of Pakistan From a  
Woman-Sensitive Perspective*, 18 Mich. J. of Int'l L. 287 (Winter 1997) at 288.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.* at 290.

<sup>21</sup> *Id.* See also Hussain, *supra* note 17 at 233.

<sup>22</sup> Hussain, *supra* note 17 at 233.

<sup>23</sup> Koran 24:2. See also Quraishi, *supra* note 18 at 293.

<sup>24</sup> See Quraishi, *supra* note 18 at 298.

<sup>25</sup> Manar Waheed, Note, *Domestic Violence in Pakistan: The Tension Between Intervention  
and Sovereign Autonomy in Human Rights Law*, 29 Brook. J. Int'l L. 937 (2004) at 943.

<sup>26</sup> (Christina A. Madek, *Killing Dishonor: Effective Eradication of Honor Killing*, 29  
Suffolk Transnat'l L. Rev. 53, 54)

<sup>27</sup> Ferris K. Nesheiwat, *Honor Crimes in Jordan: Their Treatment under Islamic and Jordanian Criminal Laws*, Penn St. Int'l L. Rev. 251 (2004) at 271-3.

<sup>28</sup> Jordanian Penal Code, Article 340(i) and (ii) Section (i).

<sup>29</sup> Nesheiwat, *supra* note 27 at 275.

<sup>30</sup> Seval Yildirim, *Aftermath of a Revolution: A Case Study of Turkish Family Law*, 17 Pace Int'l L. Rev. 347 (2005) at 351-365.

<sup>31</sup> Lama Abu Odeh, *Modernizing Muslim Family Law: The Case of Egypt*, Vand. J. Transnat'l L. 1051 (2004) at 1051-1055.

<sup>32</sup> That system is comprised of four principal Sunni schools of law: the *Hanafi*, the *Shafi'i*, the *Maliki*, and the *Hanbali*. Each school developed its own distinct legal doctrine, or *madhhab*, as well as its own gendarme of jurists, muftis, and students. *Id.* at 1062-65.

<sup>33</sup> For example, a working woman is no longer disobedient for leaving the house without her husband's permission. *Id.* at 1089-1128.

<sup>34</sup> "Stop Honour Killings," *supra* note 2.

<sup>35</sup> See Melissa Edler, *Serving a Just Cause: Professor Saves Immigrant Muslim Women from "Honor Killings,"* In Week, Jan. 29, 2007, available at <http://inside.kent.edu/PrintArticle.aspx?type=prn&id=80739>.

<sup>36</sup> Kathryn Christine Arnold, *Are the Perpetrators of Honor Killings Getting Away with Murder?*, 16 Am. U. Int'l L. Rev. 1343 (2001) at 1345-6.

<sup>37</sup> See [www.youtube.com/watch?v=sQQFjvcYefk&feature=related](http://www.youtube.com/watch?v=sQQFjvcYefk&feature=related). It should also be noted that CNN seems to have been the only English-speaking cable or broadcast television network to do so.

<sup>38</sup> See [www.youtube.com/watch?v=B7aLxywU-88&feature=related](http://www.youtube.com/watch?v=B7aLxywU-88&feature=related). CNN appears to have been the only English-speaking cable or broadcast television network to do so.

<sup>39</sup> See [www.youtube.com/watch?v=2rgSH0h45Eo&feature=related](http://www.youtube.com/watch?v=2rgSH0h45Eo&feature=related).

<sup>40</sup> See [www.youtube.com/watch?v=dIZJNrc8sKw&feature=related](http://www.youtube.com/watch?v=dIZJNrc8sKw&feature=related).

<sup>41</sup> See [www.youtube.com/watch?v=fTv6ZDRyqe8&feature=related](http://www.youtube.com/watch?v=fTv6ZDRyqe8&feature=related).

<sup>42</sup> See [www.youtube.com/watch?v=uGaXxtvf2bM&feature=related](http://www.youtube.com/watch?v=uGaXxtvf2bM&feature=related); see also Publius Pundit, "Have You Ever Seen a Woman Stoned to Death?," [http://publiuspundit.com/2007/04/have\\_you\\_ever\\_seen\\_a\\_woman\\_sto.php](http://publiuspundit.com/2007/04/have_you_ever_seen_a_woman_sto.php).

<sup>43</sup> See "Afghanistan: Muslim Honour Killings Increasing," Western Resistance, September 21, 2006, available at <http://www.westernresistance.com/blog/archives/003009.html>.

<sup>44</sup> See "Stop Honour Killings," *supra* note 2.

<sup>45</sup> See, e.g., "Jordanian court sentences student to 10 years in jail for killing sister," The Associated Press, May 13, 2008, available at, AP Alert - Crime 14:52:03 (Westlaw). One such example of harsher sanctions attached to honor crimes involved a twenty-three year old student in Amman, Jordan, whose sister (according to his brother-in-law) had had extra-marital affairs. Her brother stabbed her fourteen times and repeatedly shot her, until she died. While the criminal court originally sentenced him to life in prison, it later reduced the sanction to a term of ten years so that he'd have the opportunity to repent for his sins. *Id.*

<sup>46</sup> Madek at 61-63.

<sup>47</sup> "Jordan: Murder Charges Brought In Suspected 'Honor Killing'," Seattle

Post-Intelligencer, May 13, 2008, at A3, available at 2008 WLNR 9064332.

<sup>48</sup> Jordan man jailed for 6 months in daughter's honor killing, available at [http://news.aol.com/story/\\_a/jordan-man-jailed-for-6-months-in/n20080430075809990008](http://news.aol.com/story/_a/jordan-man-jailed-for-6-months-in/n20080430075809990008).

<sup>49</sup> "Stop Honour Killings," *supra* note 2.

<sup>50</sup> See Arnold, *supra* note 36 at 1345-6.

<sup>51</sup> Waheed, *supra* note 25 at 944-5.

<sup>52</sup> A human-rights report published in March 1999 stated that "honour" killings took the lives of 888 women in the single province of Punjab in 1998. Similar figures were recorded for 1999. In Sindh province, some 300 women died in 1997, according to Pakistan's independent Human Rights Commission. See [http://www.gendercide.org/case\\_honour.html](http://www.gendercide.org/case_honour.html). See also Salmon Masood, *Pakistani Inquiry Reveals Details of A Woman's Honor Killing*, New York Times, December 14, 2003.

<sup>53</sup> *Id.* at 945-46.

<sup>54</sup> Some modern Islamic scholars argue that the Koran itself does not advocate violence against women. These scholars contend the Koran has been interpreted by male Islamic scholars who created a patriarchal system of government. Waheed, *supra* note 25 at 965.

<sup>55</sup> Waheed, *supra* note 25 at 955.

<sup>56</sup> Edler, *supra* note 35. In July a man in a small Pakistani town killed his Danish sister-in-law because he suspected her of having a "bad character." See "Stop Honour Killings," *supra* note 2.

<sup>57</sup> Terri Judd, *Women Are Being Beheaded For Taking Their Veil Off: Honor Killings On Rise In Iraq*, AlterNet, Apr. 30, 2008, available at, <http://www.alternet.org/story/83710/>.

<sup>58</sup> The father was reportedly congratulated by the police for his deed; in response he was quoted as saying, "They are men and know what honour is." Caroline Davies, *My daughter deserved To Die For Falling in Love*, The Observer, May 11, 2008, <http://www.guardian.co.uk/world/2008/may/11/iraq.humanrights/>.

<sup>59</sup> See Judd, *supra* note 57 and Davies, *supra* note 58.

<sup>60</sup> Judd, *supra* note 57.

<sup>61</sup> *Id.*

<sup>62</sup> Since most women are too afraid to report incidents of rape, at least 25 rapes reported in 2007 were not included in the total. See "Stop Honour Killings," *supra* note 2.

<sup>63</sup> *Id.*

<sup>64</sup> Judd, *supra* note 57.

<sup>65</sup> *Saudi Honor Killing: Father Shoots Daughter for Using Facebook, Infidels Are Cool*, Mar. 31, 2008, available at, <http://infidelsarecool.com/category/womens-rights-in-islam/>.

<sup>66</sup> Julie Kirtz, *Abuse of U.S. Muslim Women Is Greater Than Reported, Advocacy Groups Say*, FOXNEWS.COM, Jan. 31, 2008, <http://www.foxnews.com/story/0,2933,327187,00.html>.

<sup>67</sup> Simon McGregor-Wood, *Despite Inroads Into Women's Rights Honor Killings Continue*, ABC News, Feb. 11, 2008, available at <http://abcnews.go.com/International/story?id=4271093&page=1>. Some critics believe and have accused the police of being unwilling to investigate these crimes too forcefully in an effort to avoid creating tension with the Israeli Arab minority. *Id.* In March of 2008, however, an Israeli

court sentenced a man to 16 years in prison on Tuesday for aiding in the honor killing of his sister. The case was unusual in that the women of the family broke their code of silence and testified against the brother. *16-Year Sentence in Honor Killing*, New York Times, March 5, 2008.

<sup>68</sup> *3 Brothers Charged With Honor Killing in Germany, Infidels Are Cool*, May 3, 2008, available at, <http://infidelsarecool.com/category/womens-rights-in-islam/>. In May of 2008, an Afghani woman named Morsal Obeidi was murdered in Hamburg by her brother, Ahmad, who stabbed her twenty times to “protect the family’s honor.” He said he felt no regret.” See “Stop Honour Killings,” *supra* note 2.

<sup>69</sup> *Teenagers Fear Being Forced into Marriages*, Sentinel, Stoke, U.K., Northcliffe Newspapers Co., Jan. 28, 2007, available at 2007 WLNR 1679388. See also Iraqi Kurdish press highlights 11 May 08, World News Connection, May 12, 2008, available at, (Westlaw) World News Connection (Newswire) 13:42:17. Horrifically, in the UK, there exist “hitmen” who specifically target South Asian women on behalf of their families. “Stop Honour Killings,” *supra* note 2.

<sup>70</sup> *Id.*

<sup>71</sup> Julie Kirtz, *supra* note 66.

<sup>72</sup> *Id.*

<sup>73</sup> *Dad Charged With Murder in Bride’s “Honor Killing,”* CNN.Com/Crime, available at <http://www.cnn.com/2008/CRIME/07/08/honor.killing/index.html#cnnSTCText>. Police investigators said that Ms. Kanwal had been married to a man living in Chicago. At a preliminary hearing the father told a judge that he had done nothing wrong. See also “American Honour Killing,” *supra* note 1, and “Stop Honor Killings,” *supra* note 2.

<sup>74</sup> Edler, *supra* note 35.

<sup>75</sup> According to the Saudi Traffic Department, during 2007, there were around six thousand people who died in a traffic accident in Saudi Arabia, a country with about 27.6 million people. Thus, there were about 21 deaths per 100,000 people, compared to the 14 traffic related deaths per 100,000 people that occurred in the United States in 2006. In November of 2007, six female teachers were killed in a single accident, as well as the family of four in the car they hit. Female teachers who commute to their jobs are fifty percent more at risk of being injured or killed in car accidents than average Saudi citizens. Associated Press, *Female Teachers Dying in Large Numbers on Dangerous Saudi Roads*, FOXNEWS.COM, Apr. 29, 2008, <http://www.foxnews.com/story/0,2933,353125,00.html>.

<sup>77</sup> For example, NAPTIP took custody of two girls who had been raped by their masters. One of them was four months’ pregnant; the other had ground chili pepper poured inside of her private parts by her mistress, because she had not washed a plate well enough. *Id.*

<sup>78</sup> *Correspondents in Afghanistan, Women Raped, Saw Son Die- Then Jailed*, The Daily Telegraph, May 1, 2008, <http://www.news.com.au/dailytelegraph/story/0,22049,23626338-5006003,00.html>.

<sup>79</sup> *Id.*

<sup>80</sup> *Iran Launches New Crackdown on Dress Code Offenders*, Yahoo! News, Apr. 30, 2008, [http://news.yahoo.com/s/nm/20080430/wl\\_nm/iran\\_morality\\_dc\\_1;\\_ylt=Av\\_jv.upusr01Hw78L3EhphSw60A](http://news.yahoo.com/s/nm/20080430/wl_nm/iran_morality_dc_1;_ylt=Av_jv.upusr01Hw78L3EhphSw60A)

<sup>81</sup> Helen Elizabeth Hartnell, *Belonging: Citizenship and Migration in the European Union*

and in Germany, 24 Berkeley J. Int'l L. 330, 339-340 (2006). Cf. recent articles in the German press, including Sebastian Fischer "Ehrenmord"-Prozess. "Ich bin sehr froh, dass ich die Tat begangen habe", Spiegel Online, 10 October 2007; <http://www.spiegel.de/panorama/justiz/0,1518,510671,00.html> (an Iraqi man burns his wife to death and shows no remorse; state prosecutors asks for life in prison); Costanze von Bullion, "Ehrenmord". In den Fängen einer türkischen Familie, Sueddeutsche.de, 25 January 2005; <http://www.sueddeutsche.de/ausland/artikel/506/48458/> (one of many honor killings in Berlin's large Turkish immigrant and the collision of modern German and ancient Islamic cultures); Jorg Lau, Brutale Prinzen, Die Zeit Online, 15 December 2005, <http://www.zeit.de/2005/51/Moabit> (Muslim youths attack a pregnant teenager and trample her unborn child to death); When Freedom Gets the Death Sentence, Deutsche Welle, 24 February 2005; [http://www.dw-world.de/dw/article/0,1564,1499191\\_0,00.html](http://www.dw-world.de/dw/article/0,1564,1499191_0,00.html) (a Turkish woman is murdered and Muslim students applaud the crime; Berliners are stunned and government officials are calling for ethics class). For the worsening situation in Italy, see Franz Haas, Don Camillo und der Imam Kopftuch und Moscheen û die dämmernde Islamismus-Debatte in Italien; Neue Züricher Zeitung Online, 19 November 2007, [http://www.nzz.ch/nachrichten/kultur/aktuell/don\\_camillo\\_und\\_der\\_imam\\_1.586501.html](http://www.nzz.ch/nachrichten/kultur/aktuell/don_camillo_und_der_imam_1.586501.html)

<sup>82</sup> Rebecca E. Boon, *They Killed Her for Going out with Boys: Honor Killings in Turkey in Light of Turkey's Accession to the European Union and Lessons for Iraq*, 35 Hofstra L. Rev. 815 (Winter, 2006) at 816-817.

<sup>83</sup> *Id.* at 826.

<sup>84</sup> *Feminist Majority Foundation, Turkish Government Taking Unprecedented Steps Against "Honor" Killings of Women*, Feminist Daily News Wire (January 11, 2007); <http://feminist.org/news/newsbyte/uswirestory.asp?id=10089>. The same source notes that in 2005 the Turkish government opened "the first legitimate women's shelter" and that in 2006 it increased jail sentences for honor killing and made it more difficult to get such sentences reduced.

<sup>85</sup> CEDAW, Part One, Article 1.

<sup>86</sup> The other seven are Iran, Tonga, Qatar, Somalia, Nauru, Sudan and Palau. See "The Importance of U.S. Ratification," Center for Reproductive Rights, January 2004, available at [http://www.reproductiverights.org/tools/print\\_page.jsp](http://www.reproductiverights.org/tools/print_page.jsp).

<sup>87</sup> Todd Howland, *Obama Can Affect Global Women's Rights*, The Huffington Post, June 18, 2008. Of particular note is a 2000 report which said that in Belarus, "the Committee is concerned by the continuing prevalence of sex-role stereotypes and by the reintroduction of such symbols as a Mothers' Day and a Mothers' Award, which it sees as encouraging women's traditional roles." See <http://www.un.org/womenwatch/daw/cedaw/reports/a5538.pdf>. That same year a report on Austria linked privatization with "right-wing extremism." See CEDAW 23rd Session-12 - 30 June 2000.

<sup>88</sup> Among them are the International Convention on the Prevention and Punishment of the Crime of Genocide (1988), the International Covenant on Civil and Political Rights (1992), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1994), and the International Convention on the Elimination of All Forms of Racial Discrimination (1994). Most recently, the U.S. ratified the International Labor Organization

Convention on the Worst Forms of Child Labor (1999). *Id.*

<sup>89</sup> See Harold Hongju Koh, *Why America Should Ratify the Women's Rights Treaty (CEDAW)*, 34 Case W. Res. J. Int'l L. 263 (Fall 2002).

<sup>90</sup> Rebecca L. Hillock, *Establishing the Rights of Women Globally: Has the United Nations Convention on the Elimination of All Forms of Discrimination against Women Made a Difference?*, 12 Tulsa J. Comp. & Int'l L. 481 (Spring 2005).

<sup>91</sup> See, e.g., Valerie Plant, *Honor Killings and the Asylum Gender Gap*, 15 J. Transnat'l L. & Pol'y 109 (Fall 2005).

<sup>92</sup> *If Not Now, Then When?*, editorial, San Francisco Examiner, July 17, 2002, available at <http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2002/07/17/ED210722.DTL>.

<sup>93</sup> Penelope Andrews, *Conceptualizing Violence: Present and Future Developments in International Law: Panel Iii: Sex and Sexuality: Violence and Culture in the New International Order: Violence Against Aboriginal Women in Australia: Possibilities for Redress Within the International Human Rights Framework*, 60 Alb. L. Rev. 917 (1997). See also Kimberly Younce Schooley, *Cultural Sovereignty, Islam, and Human Rights: Toward a Communitarian Revision*, 25 Cumb. L. Rev. 651 (1994-1995).; and ADETOUN O. ILUMOKA, AFRICAN WOMEN'S ECONOMIC, SOCIAL, AND CULTURAL RIGHTS - TOWARDS A RELEVANT THEORY AND PRACTICE, IN HUMAN RIGHTS OF WOMEN: NATIONAL AND INTERNATIONAL PERSPECTIVES 307 (Rebecca Cook ed., 1994).

<sup>94</sup> Andrews, *supra* note 93.

<sup>95</sup> *Id.*

<sup>96</sup> See Peter Rosenblum, *Teaching Human Rights: Ambivalent Activism, Multiple Discourses, and Lingerng Dilemmas*, 15 Harv. Hum. Rights Journal 301 (2002).

<sup>97</sup> See Kenneth Lasson, *Scholarship Amok: Excesses in the Pursuit of Truth and Tenure*, 103 Harvard Law Review 926 (1990).

<sup>98</sup> See <http://www.stophonourkillings.com/index.php?name=News&file=article&sid=1677>. The ICAHK routinely reports on honor killings around the globe, and on responses to them. A recent posting described a heroic act in Yemen ("Tiny Voices Defy Child Marriage in Yemen"): One morning last month, Arwa Abdu Muhammad Ali walked out of her husband's house here and ran to a local hospital, where she complained that he had been beating and sexually abusing her for eight months. That alone would be surprising in Yemen, a deeply conservative Arab society where family disputes tend to be solved privately. What made it even more unusual was that Arwa was 9 years old. Within days, Arwa – a tiny, delicate-featured girl – had become a celebrity in Yemen, where child marriage is common but has rarely been exposed in public. She was the second child bride to come forward in less than a month; in April, a 10-year-old named Nujood Ali had gone by herself to a courthouse to demand a divorce, generating a landmark legal case.

"Stop Honour Killings," *supra* note 2.