



AL-Raida

Lebanese American University

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ON VIOLATIONS

The Arab Women's Case

ABOUT IWSAW

The Institute for Women's Studies in the Arab World (IWSAW) was established in 1973 at the Lebanese American University (formerly Beirut University College). Initial funding for the Institute was provided by the Ford Foundation.

OBJECTIVES: The Institute strives to serve as a data bank and resource center to advance a better understanding of issues pertaining to Arab women and children; to promote communication among individuals, groups and institutions throughout the world concerned with Arab women; to improve the quality of life of Arab women and children through educational and development projects; and to enhance the educational and outreach efforts of the Lebanese American University.

PROJECTS: IWSAW activities include academic research on women, local, regional and international conferences; seminars, lectures, and educational projects which improve the lives of women and children from all sectors of Lebanese society. The Institute houses the Women's Documentation Center in the Stoltzfus Library at LAU. The

Center holds books and periodicals. The Institute also publishes a variety of books and monographs on the status, development and conditions of Arab women, in addition to *Al-Raida*. Twelve children's books with illustrations, and two guides, one of which specifies how to set up children's libraries, and the other which contains information about producing children's books, have also been published by IWSAW. In addition, the Institute has also created income generating projects which provide employment training and assistance to women from war-stricken families in Lebanon. The Institute has also devised a "Basic Living Skills Project" which provides a non-formal, integrated educational program for illiterate and semi-literate women involved in development projects. Additional IWSAW projects include: The Rehabilitation Program for Children's Mental Health; Teaching for Peace; and the Portable Library Project. The latter project was awarded the Asahi Reading Promotion Award in 1994. For more information about these or any other projects, write to the Institute at the address provided below.

ABOUT AL-RAIDA

Al-Raida is published quarterly by the Institute for Women's Studies in the Arab World (IWSAW) of the Lebanese American University (LAU), formerly Beirut University College, P.O. Box 13-5053/59, Beirut, Lebanon; Telephone: (01) 867-618, ext. 288; Fax: (01) 791-645. The American address of LAU is 475 Riverside Drive, Room 1846, New York, NY 10115, U.S.A.; Telephone: (212) 870-2592; Fax: (212) 870-2762. e-mail: al-raida@beirut.lau.edu.lb

PURPOSE AND CONTENT: *Al-Raida's* mission is to enhance networking between Arab women and women all over the world; to promote objective research on the conditions of women in the Arab world, especially conditions related to social change and development; and to report on the activities of the IWSAW and the Lebanese American University. Each issue of *Al-Raida* features a

File which focuses on a particular theme, in addition to articles, conference reports, interviews, book reviews and art news.

REPRINT RIGHTS: No unsigned articles may be reprinted without proper reference to *Al-Raida*. Permission to reprint signed articles must be obtained from the IWSAW.

SUBMISSION OF ARTICLES: We seek contributions from those engaged in research, analysis and study of women in the Arab world. Contributions should not exceed ten double-spaced typed pages. Please send a hard copy and a diskette. We reserve the right to edit in accordance with our space limitations and editorial guidelines. Submissions will not be published if they have been previously published elsewhere.

S U B S C R I P T I O N

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A Tribute Women

By Samira Aghacy

Chairperson, Humanities Division, Lebanese American University

After twenty-five years of armed struggle against Israeli occupation, Lebanon has finally been liberated through the sacrifices of the Lebanese resistance and the Lebanese people. In this context, one could say that the role of women in the resistance cannot be underestimated. In a film entitled *Zahrat al-Kandoul* ("Women from South Lebanon") directed by May Masri and Jean Chamoun on the Lebanese resistance activist Khadija Herez, the latter tells us that there was no way women could have extricated themselves from the conflict. With the enemy at their doorsteps, Lebanese women had no choice but to act and react and be in the forefront of the resistance. As a result many women were injured, killed or arrested. Israeli soldiers were often seen in the villages rounding people up, breaking into houses in the middle of the night and turning their dogs on women and children, or hitting them with their guns. Accordingly, many others, like Khadija, became involved in the resistance. Far from being viewed as victims at the mercy of the invader, Lebanese women particularly women from the South refused this passive role and became intent on confronting Israeli aggression in various and manifold manners. The role of many women was developed primarily in areas of service and support to men fighters. For instance, some women gave sanctuary to men who had managed to escape captivity at the risk of their own lives. When the Israelis broke into a house looking for prisoners who had escaped, a young woman claimed that the man in the house was her fiancé, but when the enemy discovered the trick, the young woman was detained for one year. [See Munzer Jaber, "An_Nisaa...Aydan Nawaqes al-Huzuz fi al-Muqawama," *Nour*, 15 (Winter 2000), 26-31]. Other women staged demonstrations demanding the release of prisoners and the withdrawal of Israeli soldiers from Lebanese lands. Some women took it upon themselves to rouse people against the occupation and convince them to demonstrate against the occupation. In some villages, women went out into the streets armed with wooden kitchen spoons to confront troop carriers that had come to arrest the men. In some cases, they succeeded in stopping Israeli armed vehicles from entering their villages by confronting them with their own bodies or fighting them with stones and sand. Other women had individual fights with the enemy where one woman in a desperate attempt to protect her own children, stabbed a soldier to death; while others refused to succumb to intimidation or divulge information in return for the release of a father, brother or husband.

If the contribution of many women to the resistance came on the spur of the moment, a spontaneous reaction to a particular situation, others took part out of a strong sense of responsibility and conviction. As a matter of fact, the involvement of women has given the resistance force and momentum. Women were involved in a variety of missions including smuggling messages secretly to the press and other groups, making explosives, planting mines, and carrying bombs from one place to another. A few women went as far as to launch suicide attacks on enemy positions. Among those who opted for martyrdom is Yassar Mroueh who was killed in 1983 on a military mission in the Zrariyyeh village in South Lebanon. Sanaa Muhaydleh, Ibtissam Harb, Norma Abou Hassan were killed in suicide car bombs and Lola Aboud, Maryam Fakhreddine and Wafaa Noureddine died in suicide attacks on enemy troops. Other martyrs include Zahra Abou Assaf, Inaam Hamze, Yussra Ismail, and Fadwa Ghanem.

In their resistance to the Israeli occupation, women went through detention, interrogation, incarceration, solitary confinement, physical torture, and rape. At one point, the number of women prisoners in the Khiam prison reached 500. Many of them were detained without charge at a prison where human rights groups, including London-based Amnesty International, say there have been many cases of torture and ill-treatment. For instance, the prisoner Suha Bshara was detained in 1988 and was never tried. According to The Follow-up Committee to Support the Cause of the Prisoners, women were apprehended regardless of their physical state. Pregnant and lactating women were seized, while other women were detained in conjunction with their husbands and brothers. One prisoner, Najah Ullayq, was arrested with her 65 year-old mother and father. Another two sisters were detained with a four-year old child, while a third woman gave birth in prison, and the newborn baby was kept in the cell.



to Lebanese Resistance Fighters

At the time the Israeli troops finally began withdrawing from Lebanon, there were seven women prisoners in the Khiam prison including the journalist Cozette Ibrahim, Najwa Samhat, Asmahan Al-Khalil, Shamlakan Assaf, Samiha Srur, Sawsan Khazaal and Samira Atiyya. With the exception of Khadija Al-Asmar who was seventy years old, the ages of women prisoners ranged from fourteen to sixty-five. These women were subjected to rape attempts and to all forms of torture to the extent that many of them had to be rushed to hospital several times.

Suha Bshara was the most famous prisoner at Khiam where she spent ten years in detention, six of them in isolation for attempting to assassinate the Commander of the South Lebanon Army, Antoine Lahd. During the first months of her detention, she was deprived of blankets or mattress and was not permitted to bathe. She was given one meager meal a day, and the first time her family was allowed to see her was seven years later in 1995. In prison she was whipped, beaten and exposed to electric shocks. In order to force her to confess and reveal the names of those who collaborated with her, Suha was exposed to blackmail and was threatened with alleged danger to her mother. As a matter of fact, she was given the chance to meet her mother when the daughter was in chains and lying on the floor with a bag on her head, "the formal dress in prison" as the prisoners referred to it. (See interview with Suha Bshara, *Nahar Al-Shabab*, September 15, 1998). Nevertheless, her situation improved when she was transferred to a new cell with other women prisoners. In the new cell, she managed to form new friendships with other women. This collective solidarity sustained the individual women and created strong bonds between them. Even when Suha was finally released, the women friends she had left in prison remained very much in her mind. In an interview with the *Daily Star* (September 4, 1998), Suha asserts: "I'm still with mother Fatima and Intisar, and I hope that efforts by the resistance and people on the political and military levels will release them."

Another resistance fighter and one of the first women prisoners was Khadija Herez. She was dragged barefooted from her home where she was placed in a cell where there were no lavatories or electricity. In an interview with *Al-Raida*, she asserts that in prison "they work on weakening the nerves and breaking you." She was submitted to interrogation and torture for two weeks and was threatened with rape: "Of course when they threaten and your head is in a plastic bag and your hands are tied, you don't think, impossible, they won't rape me. Also because he would pull my shirt off." Other forms of torture perpetrated by the male torturers included being dragged and lifted by the hair, and beaten with "big army boots". She would also be beaten on the back of her head until she passed out. Then "he [the male torturer] would throw water on me, and he would talk dirty to me." (Fall/Winter 1998-1999, p. 45).

Despite the ordeals that many women have been subjected to, it is rather curious that this has not been reflected in the Lebanese media. In the press, news of the traumatic experiences of women in Israeli prisons have been marginalized and handled with timidity, hesitation and unease. As for television, it has been virtually overlooked. Perhaps this reluctance to deal with women in captivity is due to the sensitivity of the issue of rape and the negative repercussions of it on the woman herself. Nevertheless, it is clear that some women have started talking more freely about their ordeal in an attempt to overrun social boundaries that have left them alone to fend for themselves, and have privileged male fighters and kept them in the limelight. The sacrifices women were making when they opted for resistance are unbounded and should be recognized in the same manner that male resistance fighters have been recognized.

Now that our country has been liberated, we would like to pay tribute to women who have entered the male arena - having suffered from patriarchal hegemony in prison with male interrogators and torturers - and who regardless of the dire consequences have opted for arduous struggle in order to save their country.



*Prison
dress code:
in chains,
lying on the
floor, with
a plastic
bag on
one's head*



I had a Dream!

Three weeks ago, I had a dream. In the dream, I gave birth to a bunch of baby girls...I am not pregnant. I am not even married...the dream baffles me.

I try to describe the dream to my mom. She does not want to hear it...my dreams give her the creeps. They always come true. I call my aunt and tell her about my dream...I am obsessed with interpreting this dream. My aunt says baby girls in dreams are a good omen. I wonder what good omens are in the horizon. I do not wonder for long...When you live with the fear of war, you stop wondering about good omens.

Three weeks ago, I had a dream. In the dream, I heard Oum Ahmad, our janitor, singing... Oum Ahmad never sings... She says she lost the music when they took her house. She says she forgot the tunes when they kicked her out of her home. I ask Oum Ahmad why she's singing. She does not answer. She continues to sing. The old woman sings of a people who dreamt of going home...of men who gave them back their home...of children who grew up away from home. Oum Ahmad sings beautifully. I wish I could sing the way she does...I sing with her.

Three weeks ago, I had a dream. In the dream, I saw Abu-Khalil, our neighbor, dancing...Abu Khalil never dances...He says when you have rheumatism and your knees buckle every time you stand up, you cannot dance. I ask Abu-Khalil why he's dancing. He does not answer. He continues to dance. The old man dances for the years he spent without dancing...for the days he wished he could dance...for the boys who couldn't learn how to dance. Abu-Khalil dances beautifully. I wish I could dance the way he does...I dance with him.

Three weeks ago, I had a dream. In the dream, they told me the villages of the south have been liberated...the villages are occupied by the Israelis...They have been occupied since the day I was born. I ask them how they liberated the villages of the south...they do not answer. They tell me of landscapes I have never seen...of places I could never visit...of names I have almost forgotten how to pronounce. Everyone goes to the south. I wish I could go with them...I go to the south.

Three weeks ago, I had a dream. In the dream, I saw my baby girls growing...I hold them close. I feed them... My babies are very beautiful. They melt my heart. I try to name my baby girls...they say each child has a name written in heaven. I search in books, magazines, encyclopedias. I search among the names of queens, princesses, fairies, heroines...I search for names to fit my baby girls. I finally find the names. I find Bint Jbeil, Marjayoun, Shamaa, Inata...I find the names written in heaven.

Three weeks ago, I got rid of the fear of war and felt the relief of not witnessing war ... my dreams have become a reality!

By Abir Hamdar
Journalist

Recent Publications

Agosin, Marjorie. *A Map of Hope: Women's Writing on Human Rights*, Rutgers University Press, 2000.

Deutsch, Francine M. *Halving it All: How Equally Shared Parenting Works*. Cambridge, MA: Harvard University Press, 2000.

Ross, Pat. *Mother and Daughter Reflections: A Celebration of a Special Bond*. Kansas City, MO: Andrews McMeel Publishing, 2000.

Shevory, Thomas C. *Body/Politics: Studies in Reproduction, Production and (Re) Construction*, Westport, CT: Praeger Publication, 2000.

Conferences

The Ms. Millenium Conference on "Achieving Social, Political and Economic Equality" will take place on October 21, 2000 at the Grand Hyatt Hotel, New York City. You are all invited to celebrate the event with Maya Angelou, Gloria Steinem and Marcia Ann Gillespie. For more information contact

Ms. Magazine

20 Exchange Place 22nd Floor

New York, NY 10005

Attn: Ms. Millenium Registry

Call for Papers

The 3rd Bangkok Gender and Equity Conference will take place from 5-7 January, 2000 in Bangkok, Thailand. Among the topics to be dealt with are American Studies, Feminist Studies, Gender Studies, History, Social Sciences, Healthcare, Art, Theatre, and Film.

Send a 200-word proposal by 30 September to Dr. Amporn Srisermbhok, Faculty of Humanities, Srinakharinwirot University, Sukhumvit, 23, Bangkok 10110, Thailand. email: ampornsr@psm.swu.ac.th Fax: (662) 260-1914 or 258-4118. For more information visit web site: www.ssu.edu/intl/genderequity/

Films

Planting of Girls

"The season for planting girls passed with betrayal ..." With this and other lines the poet Kawthar Mustafa tries to express what words cannot carry: the experience of female

genital mutilation. Without stirring false emotions or serving any audiovisual spectacularity, Viola Shafik, in her film, tries to document the discussion for and against Female Genital Mutilation in Egypt through the eyes and words of the affected themselves. It traces, moreover, the cultural and historical roots of the practice in Egypt contradicting some of the most recurrent misunderstandings about the wrongly assumed positive role of the religions in backing it.

Sinbad Is A She

"To dream of being some where or somebody else." This is what Shaharazad did in the darkness of her lonely nights, as she tried to survive the sword of her husband the king. But was she able to change reality by dreaming of other places and other characters?

Shahrazads' dream of adventures won by her fictional character Sinbad becomes an invitation for five people to talk about their own dreams in "Sinbad is She". Shereen, Fareed, Tameer, Hanan and her twelve-year old daughter Samah are people who live in one country but who are isolated from each other by background, gender, and life. When each of them talks about his or her relationship with Sinbad they tell you about their relationship with the world around them and how they perceive their inner selves. The film is directed by Azza El-Hassan.

Women in the Sun

The film directed by Soubhi Al-Zoubaidi articulates some events in the lives of Palestinian women. Women who confront, and women who work to eliminate violence against women in society. The film combines personal narratives with larger debates. A conference on "suicide" in Gaza, in June 1997 brought to the forefront the issues of honor killings, covered up as suicide. The "Women's Model Parliament" which ran through the spring of 1998 in the West Bank and Gaza, initiated a discussion and ways for Palestinian women to engage actively in eliminating violence and discrimination against women. The Parliament and its daring approach caused a fundamentalist backfire.

A local Islamic leader organized meetings for Muslim women to warn them against all what the Parliament calls for. Two young men speak from behind prison bars in Ramallah about their motives for killing their relative: she dishonored the family. Mixed with these events, is a panorama of voices. Four Palestinian women share their most inner fears and frustrations. Tales of unspoken terror, broken hearts and bodies speak to anyone who dares listen.

“... a woman is deprived of her genitals and denied the most basic element of life. Her life becomes one complex on top of another ... Denying a woman the ability to share the pleasure makes her more negative. Denying her relaxation of nerves which accompanies proper sexual intercourse creates in her feelings of great anxiety and loss. In turn, such ... feelings ... give rise to psychological, physical and sexual disorders. An inferiority complex ... and an awareness that the man is the dominant master, ... gradually cancel her role in society. At the same time, feelings of weakness, negativity and pain in the marital bed are certain to make her experience various sexual problems, such as sexual frigidity, which is nowadays a real crisis and the root of many domestic problems.” (*Gender and Development Training Source Book*, p. 24)

“They made all the other girls leave and the terrorists came in with me carrying their arms. One ordered me to take off my pants. I refused, saying that what he wanted to do was not good and that God condemned it and we were not married. He threatened me with his knife saying that he would slash me and that he would do whatever he wanted to as God would permit him because he is a mujahid and he would marry me later ... I was really afraid when he placed the blade of his knife against my cheek. I took my pants off, crying. He told me to take off my underpants. I screamed and refused. I begged him, saying that this was shameful in God’s eyes but he took a cigarette and lit it and began burning me on the thighs. I screamed and closed my eyes with my back to the wall. He burned me again and I fainted. I did not feel anything else. When I regained consciousness, I was on the ground covered in blood.” (*Women Living Under Muslim Law*, Dossier 18, July 1997, p. 36)

“One night he severely beat me, so I tried committing suicide. Instead of driving me to the hospital, he made love to me while I was close to a coma. Soon afterwards, he locked the bedroom and went back to the living room to resume drinking. It so happened that my parents came to visit me that night; they doubted the story of my sleeping early and saved me ... The court did not rule that I get an alimony, because my husband claimed to be poor, although he had already sold our house with all its furniture. My family and I cooperated in raising the kids for three years. However, when my eldest daughter reached the end of her nurture age, he took her and started setting her against me. He distorted her mother’s image, something that deeply hurt me.” (*Arab Public Hearing on Legal Violence and Equality in the Family*, p. 44)

“You see, I was brought up to see FGM [Female Genital

Mutilation] as a positive thing, my initiation into womanhood. One man held me down across my chest and four others held my legs and arms. Using a knife, the circumcision removed my clitoris, cleared the inside of my vagina and left it plain. I was made to do a vigorous dance to show that I was a brave girl and happy about the operation. I got infected and there was a ‘growth’ where my clitoris had been. I had to be cut again twice to remove it. Afterwards I had no feelings towards men at all. It took me a very long time to get pregnant - about six years. You see, I have never enjoyed sex because it was always so painful. When I got pregnant for the first time I had such a very difficult labor. The scar tissue made it so hard for the baby. The child did not survive. I am 35 now and I have three children, twin boys and a girl. I have suffered much and wouldn’t dream of even whispering the existence of this practice to my daughter.” (*Index on Censorship*, No. 2 March/April, 2000, p. 73)

“The tension between pleasure and danger is a powerful one in women’s lives. The exercise of our sexuality can be pleasurable, a joyous exploration; it can also be fraught with guilt, repression and sanction. The negative side of our sexuality is that which victimises us, which makes us vulnerable to all forms of sexual exploitation and abuse, such as rape and incest and bondage against our will. This vulnerability makes us aware, sometimes too aware, of the potential dangers of exercising our sexuality. The threat of sexual attack is one of the most powerful tools of control of women in contemporary society.” (*Women in Action*, 1999, p. 11)

“Someone called me a housewife recently and it was really shocking. But I guess I am - actually that’s why it was upsetting. You have to ask yourself why it is that perhaps the most worthy and necessary and admirable profession there is ... why doesn’t it command respect? Why do I not even feel good about it a lot of the time? I think traditionally people lived in extended families, so children were raised sort of communally. The nuclear family isn’t a viable unit. The two-parent or one-parent family doesn’t work, you need more support than that. I don’t regret doing this at all. I had a career I gave it up to stay at home with my kids because I thought that was important. Even if I never get that career back, I still think it was worth it. My kids aren’t always angels but they’re loud and lively and happy. And that’s because they’re around somebody who loves them all day. [laughs] Even if that somebody is kind of worn out” (*Ms. Magazine*, June/July 2000, p. 40)

From Iran Iranian Women Win New Legal Rights

Tehran: Iran will grant more rights to women in family courts, the official Islamic News Agency said on Tuesday. "The judicial procedure currently applicable in family courts will be reviewed in an effort to put an end to women getting tyrannized." IRNA quoted judicial head Ayatollah Mahmud Hashemi Shahroudi as saying "Women have for so long been ignored in society and this has nothing to do with Islamic jurisprudence but rather originated from the unhealthy norms prevailing in society," the ayatollah added.

Under Iranian civil law, men can divorce their wives any-time they want but women in the Islamic Republic have in principle no legal right to divorce without their husband's

approval. The law has been criticized by Iranian feminists. But the Parliament has recently approval laws upon which women have the right to divorce their husbands in case of addiction or sterility or when they leave their wives for more than six months. - DPA (Daily Star, July 26, 2000)

From Kingdom of Saudi Arabia Princess in Official Post

The Saudi News Agency reported that a Saudi Princess was appointed deputy assistant at the Ministry of Education. This position is the highest ranking administrative post ever given to a women in the Kingdom of Saudi Arabia. The appointment was announced at the end of a Cabinet meeting headed by King Fahed Bin Abdel Aziz Al-Sououd in Jaddeh. (An-Nahar, July 11, 2000)

Campaign to Encourage Breast-Feeding in Public By Suha Ma'ayeh

Amman - The Ministry of Health next week will launch a national campaign to promote breast-feeding among mothers to encourage them to nurse their children in public. "The objective is to motivate mothers to breast feed their children wherever they are," said Muna Hamzeh, chief of the ministry's health education department told [sic] the Jordan Times on Monday.

Relying on the support of the husbands, immediate family members and relatives, Hamzeh said society should encourage mothers to practice their right to feed their babies. She added assisting lactating mothers will allow them more time to nurse instead of rushing to complete their chores at home or work in order to find time to nurse. Hamzeh said "a baby friendly mother and child concept" will be institutionalized in the Health Ministry's maternal and child centers to prepare women for breast-feeding in their early months of pregnancy.

Many women shy away from nursing children in public. Socio-economic developments have discouraged women from the practice, as they have other priorities to tend to. Mothers are entitled to a three-month maternity leave in the private and public sector. When they return to work, they are entitled to a one-hour nursing leave each day, for several months.

The campaign does not provide a specific time as to when mothers should stop nursing, but emphasizes that mothers can breast feed the first six months without any supplements. According to Health Ministry sources, more than 40 to 50 per cent of mothers lactate for more than a year.

A study conducted by University of Jordan professor Mahmoud Alawi from the department of Analytical Chemistry and Environmental Analysis found high levels of dioxin in the breast milk in Jordanian women who lactate for long periods of time. He was quoted earlier this month as saying that he considers breast-feeding longer than a year "harmful" to the child.

The study, conducted in cooperation with the German Institute of Ecological Chemistry and Waste Analysis at the Technical University of Braunschweig, revealed that all samples of breast milk taken from women in five large cities were above the maximum tolerable level of dioxin per gramme of fat milk. Dioxin is one of the most toxic chemicals known to cause cancer, birth defects and damage to the immune system, liver, skin and neuromuscular systems. (previously published in the Jordan Times, Tuesday July 25, 2000)

On/By Women Documentaries and Videos from Lebanon, Palestine and Egypt

The Institute for Women's Studies in the Arab World, Lebanese American University hosted a one week film festival (27 June - 2 July, 2000) entitled "On/By Women: Documentaries and Videos". The screened films from Lebanon, Palestine, Egypt, and Australia tackled various themes related to women and touched upon discriminatory practices women suffer from. Three Arab film directors were invited to participate in this festival: Nabihah Lutfi (Egypt), Viola Shafik (Egypt) and Azza El-Hassan (Palestine).



Film directors and IWSAW staff



The Audience

New Appointment

IWSAW Director Mona Khalaf was appointed co-ordinator of the World Bank's Consultative Council on Gender for the Middle East and North Africa (MENA) region. The Council was established in 1999 and includes representatives from 11 countries in the region. The main purpose of the council is to gender sensitize the World Bank's projects in this part of the world.



IWSAW Director, Mona Khalaf

On Violations: The Arab Women's Case

Samira Aghacy

"[Aggression against women] have led feminists to locate male violence against women in the realm of the political. It expresses not purely individual anger and frustration but a collective, culturally sanctioned misogyny which is important in maintaining the collective power of men." Deborah Cameron and Elizabeth Fraser

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted by the General Assembly of the United Nations on December 18, 1979. Although eleven Arab countries have ratified the Convention, they have also expressed reservations pertaining to women's rights in the family. This hesitation or unwillingness to adopt the convention wholeheartedly is attributed to the incompatibility of these articles with the Islamic sharia and their non-conformity with national laws and legislation. Even though discrimination against women violates the principles of equal rights for all human beings, there is still a great deal of controversy in the Arab world regarding the issue, and thus women's rights are far from secure. As Laure Mughazel asserts in an interview with *Al-Raida*: "Women's rights are inevitably part of human rights. There cannot be human rights without women's rights, nor can there be women's rights outside the framework of human rights. All of the issues raised by women's movements are essentially humanitarian issues(*Al-Raida*, 74/75).

The laws governing the domestic private sphere - marriage, divorce, children, adultery, rape, battery, incest and killing - restrict women's priorities and rights and empower the man at the expense of the woman. The suffocating personal status codes are products of societies where the individual has no value apart from the general community which includes family, sect, and tribe that determine the thoughts and actions of the individual. Accordingly, Arab legislation reveals many violations against women particularly in the domestic sphere. Among the violations of human rights are laws that regard domestic violence whether physical or psychological as generally private issues to be dealt with within the boundaries of the family. The general view is that the home and the family are deeply entrenched and invincible structures in which outsiders must not meddle.

Even if the law prosecutes for domestic violence, the victim is required to bring charges, but women rarely file complaints since Arab societies do not give support to an oppressed or abused women. Furthermore, there is little to indicate that Arab governments are concerned with domestic violence against women particularly that women hide their plights for various reasons which include social pressure, shame, disgrace, the fear of being subjected to more abuse and ill-treatment if the issue came out into the open, divorce, or loss of economic support. Furthermore, married women are less likely to take action against their aggressors, mostly husbands, because of unfair divorce, alimony and custody laws. At the same time, when this form of barbarity takes place, it is hard to monitor or discover particularly that the police cannot interfere between a husband and wife. The laws that deal with rape and other forms of violence against women are lax and compromising. For instance, the law does not acknowledge marital rape and dismisses any charges that do not involve physical coercion. The belief is that men are entitled to have unrestricted sexual access to women- sometimes especially-against women's will. This male violence functions as a threat to the woman's autonomy, undermines her self - esteem and limits her freedom of action. She lives with constant fear of sexual violence, and society makes it her responsibility to prevent it. If the worst occurs it is the woman who is blamed and her suffering is often underestimated, questioned or ignored. Woman is expected to monitor her behavior and accept the idea that male sexuality is natural and could be controlled by female prudence and discretion.

It is widely acknowledged that cases of violence against women are under reported in official records and the media. It receives little attention in the formal as well as informal sectors, and it is clear that there is an evident shortage in valid and reliable data needed to endorse and bring about action. Given the general resistance to doing anything about women's ordeals and problems in a rigidly masculine society, the fight for legislative reform must be accompanied by an effort to educate people and raise awareness campaigns to the political and legal status of women.

The file in this issue includes several articles dealing with women's personal as well as political rights. One article presents the findings from a recent research on Beirut women's perceptions of rape. Another interesting study highlights how Arab societies deal with crimes of honor. The file also contains a report on crimes of honor in Jordan, two testimonies of honor crimes committed in Lebanon, and an article on the Kuwaiti woman's struggle for political rights. Moreover, the file includes a study on the Moroccan Government's intentions to advocate a campaign to uphold women's rights. The study presents the opposing points of view, and how the liberals and the conservatives view the issue of women's rights. Last but not least, the file contains a summary of a study revealing attitudes of the Yemeni police to domestic violence.

Perceptions of Rape: Insights from Women in Beirut

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Introduction

A review of Lebanese newspaper reports over a one year period (1993-1994) illustrates that rape was the most frequently reported crime against women, compared to kidnapping, battering, mugging, incest and murder (Abul-Husn, 1994). While rape has captured some media attention, this has been mostly restricted to coverage of cases involving children or where excessive force was employed. In fact, authors and activists have begun to argue for the need to conduct empirical investigations since not much is known about rape and other forms of violence against women that are increasingly being reported in Lebanese society (Abu-Habib, 1998; Abul-Husn, 1994; Faour, 1995; Lebanese Council to Resist Violence against Women, 1997; Maksoud, 1996; R.S., 1997; Tabbara & 'Assayran, 1994). This lack of research was confirmed in interviews I conducted both with Dr. May Majdalani, a psychologist and professor at Haigazian University (Beirut), and Dr. Bassima Al-Moulla, Chair of the Public Health Department at the Lebanese University (Beirut). Their own unique explorations of violence against women within the home have detected incidents of rape, but their studies have not been focused on this form of violence.

In addition to lack of research on the topic, there are currently no state policies that deal with rape or other forms of violence against women. However, unlike domestic violence, there is a law on rape covered under the chapter on "crimes against public morality" of the Lebanese Penal Code. Of particular relevance in this chapter are articles 503-506 and articles 511-512 (Qassim, 1999). Under the heading of *ightisab* (rape), article 503 which is the nucleus of the law states:

A person who forces by use of physical force or threats someone other than his spouse to have sex with him is punished by hard labour for a minimum of five years. The sentence shall not be less than seven years if the victim is less than 15 years old. (Qassim, 1999, p. 78)

As can be surmised from article 503, sentences vary according to the age of the victim and identity of

aggressor—articles 504-506 and 511-512 detail specific sentences. It is worth noting that the law does not acknowledge marital rape.

Clearly, an understanding of rape in the Beirut context is wanting. As Abul-Husn (1994, p.24) notes: "[t]here is an evident shortage in valid and reliable data needed to endorse and produce action" on the issue of violence against women including rape. This concern was the driving force behind a recent study I conducted in Beirut. Relying on 38 interviews, participant observation, and a review of newspaper articles from 1996-1999, this study sought to understand perceptions of rape held by women in the Beirut context. In this article, I present the methodology of the study, followed by a discussion of some of the main themes that emerged from the findings about rape perceptions. The article ends with suggested strategies for continued activism on the issue of rape.

Methodology

The study relied on the principles of grounded methodology (Glaser & Strauss, 1967; Strauss & Corbin, 1990), where the aim is not to verify theories but to generate theoretical concepts and build theories from empirical data. Grounded methodology was deemed to be appropriate for this study because of the lack of research on rape in Lebanon, thereby permitting the collection of salient concepts useful for building further quantitative or qualitative explorations.

Data for this study was derived from three main sources: interviews, participant observation, and a review of written documents. The first source of data is derived from interviews with 13 adult women who were not formally engaged in activism on the issue of violence against women. This was a highly diverse group of women between the ages of 24 and 42, from various ethnicities, classes, educational backgrounds, physical abilities and religious backgrounds. Table 1 presents selected characteristics of the participants quoted in this article.

In addition to women not formally involved in activism, I also interviewed a group of nine volunteers, eight women and one man, belonging to the Lebanese Council to Resist Violence against Women (LCRVAV). In this

Table 1: Selected characteristics of the women interviewed

Pseudonym1	Age	ET	RE	MS	DI	ED	OC
Anna	27	Yugoslavian / Lebanese	Muslim Sunni	SI		B.A.	Accountant
Josephine	43	Armenian	Christian Catholic	SE		Bacc II	Secretary
Lamees	34	Palestinian	Muslim Sunni	SI		B.A.	Recruitment Agent
Layal	24	Lebanese	Druze	M		Primary School	Homemaker
Magida	40	Lebanese	Christian Maronite	SE		Unknown	ESL Teacher
Salma	early 30's	Lebanese	Christian Roman Orthodox	SI		B.S.W	Social Worker
Samia	30	Lebanese	Muslim Shiite	SI	Motor	Bacc I	Unemployed
Zeina	late 20's	Lebanese	Christian	E		College Diploma	Public Relations Officer

ET = Ethnicity

RE = Self-reported religion

MS = Marital status: M = married, SI = single, E = engaged, SE = Separated

DI = Disability, if declared by participant

ED = Last educational level completed

OC = Self-reported occupation

article, I rely on quotes from Fitnat, a college professor, and Nila, a lawyer, who have been volunteers with LCRVAW since its inception.

The final set of interviews was conducted with 16 community professionals who had a direct or indirect relationship to the issue of violence against women, some of them actually being activists on related issues. This group included: a priest, a *sheikh*, social workers, a school principal, a psychologist, a psychoanalyst, a university professor, a *mukhtar*, an Internal Security Forces officer, a lawyer, as well as several coordinators of grassroots community organizations.

Another important part of data collection consisted of observations I recorded throughout my stay in Beirut within the following settings: social places or gatherings; community organizations; and public settings. Being of Beirut origin, my time in Lebanon was spent within pre-established extended family, neighborhood or friendship networks where I was able to conduct much participant observation. Moreover, I became heavily involved in the work of various community organizations dealing with issues closely touching the lives of women—e.g. prostitution, disability, poverty, etc. These settings provided me with informal contact with various community activists who were quite instrumental throughout the research process.

Other sources of data included a review of newspaper articles from three Lebanese newspapers (1996-1999) collected by the Institute for Women's Studies in the Arab World

(Lebanese American University) on violence against women. In addition, I also undertook a review of non-confidential documents from various community organizations.

Finding and Discussion: What Counts as Rape?

In what follows, I will illustrate that the boundary between what counts as rape and what counts as consensual sex is shaped by four central factors. Briefly stated, an event is more likely to be perceived as rape if it involves a child victim, if it occurs between strangers or within an arranged marriage, and/or if it involves the use of force. Throughout this examination, I will reveal that current perceptions conceal some instances of rape by placing the emphasis on others, and reinforcing the image of women as provokers of the rapes that they endure.

The Use of Physical Coercion

The only theme to emerge from the data that focus on the act itself is that of physical force. As the following excerpts illustrate, the use of force within a sexual relationship leads to an event being more readily defined as rape:

L: About a month ago, I don't know if you saw this on television, they raped a woman in Sidon. He is a mechanic, and she used to go back and forth to see him, in the end he raped her by force, meaning that he held her arms, meaning a man's force is stronger

S: You mean physical force?

L: Yes. He raped her and then he tied her up and set fire to her. This was in all the papers (Layal).

Sexual violence is mostly perpetrated by men because he [sic] possesses more force than a woman does. Sexual violence requires force. Force overcomes weakness (Sheikh).

Nothing happens against someone's will, unless of course by force, two or three [aggressors] (Samia).

[rape is] violent, for example, after the sexual relation, there are traces of bruises and scratches, if for example he's hit me here and bruised me there, that's violence (Nila, LCRVAW).

As the above excerpts illustrate, for an act to be perceived as rape, it has to constitute an extreme physical violation, evident in visible bodily damage such as bruises, scratches or blood. Apparent in the excerpts is the gendered belief that men are physically stronger than women and that rape requires physical force. This physical force is perceived to be necessary to overcome women's refusal to engage in sex.

A possible consequence of the association between rape and physical force is the over-shadowing of rapes that do not involve physical coercion. While some instances of rape do indeed involve physical force, an emphasis on such cases conceals rapes which occur through non-physical intimidation such as threats or through the woman believing it to be her marital duty to have sex. An exchange between Zeina and Salma illustrates this point:

Z: If he's married to her, it's okay, he has a right to rape her, in the true sense of the word, because he has the right. It's his right.

SW: Because he's her husband. What is the true sense of the word rape in your opinion?

Z: For me, rape is anything that the woman refuses but is obligated to do, even if she is obligated ...

S: She will get a beating

Z: Maybe she won't be physically obligated through a beating, maybe she may be obligated through threats or she's obligated because it's her husband and she has to put up with it.

While Salma refers to physical coercion ("a beating") as an enticement to engage in sex, Zeina refers to marital obligations as a possible source of coercion. Sex in marriage is an expected "obligation," even if it is unwanted by the woman. Put differently, this conjugal expectation is a form of non-physical coercion that conceals the existence of possible rape in marriage.

In addition to instances when a woman is coerced into engaging in unwanted sex because of marital obligation,

there are other instances when rape occurs through use of non-physical intimidation. My review of newspaper reports on violence against women in Beirut, yielded many pertinent stories that demonstrate the use of non-physical threats. In one article, a man sexually assaulted his wife's sister and her daughter who were living under his roof. He threatened his sister-in-law and her daughter that if they resisted or disclosed the deed, he would throw them out of his home ("Al-ashgal al-shaqa 6 sanawat limouttaham bil'ightsab", 1998). In another article, Haddad (1998) highlights the case of Umma, a live-in migrant domestic worker who was repeatedly raped by her employer until she became pregnant. When this happened, he threw her out his home. In this case, he used his authority as her employer to coerce her into having sex with him. Mirella Abdel Sater, a lawyer specializing in human rights and violence against domestic workers, confirmed during an interview that many rapes such as those endured by Umma are quite frequent yet remain hidden away.

A third newspaper story again reveals the use of non-physical threats. It concerned a woman whose husband was away on a trip. She was raped over a period of many months by a painter who was doing renovations in her home. The article states that he

had entered her home in the middle of the night through a window; "she did not want to cause a scandal so she surrendered to him" (Draqibl , 1994, p. 5). In this case, her fear of her neighbors finding out and her desire to keep her reputation intact prevented her from refusing the painter's advances.

Hence, by focusing on the use of physical force, the subtler forms of coercion—e.g. pressure put on women to have sex within marriage—are potentially kept out of view, and are therefore not challenged. Put differently, physical force is often perceived to be the only legitimate way by which women can be raped—or can be said to have been raped.

Stranger Rape

As alluded to in the previous section, an event is likely to be considered rape if it occurs between strangers. The following excerpts illustrate this point:

Rape is when someone she doesn't know and she has never seen accosts her and wants to, this happens against her will. It is done by force and he hurts her; horrible things happen, blood and such (Anna).

He rapes them without knowing, I mean, he doesn't know you and he just rapes whoever comes his way (Lamees). Imagine if a woman is wearing a short skirt and she was

Force is often perceived to be the only legitimate way by which women can be raped

crossing the street and some guy came and raped her because of the way she's dressed, he isn't seen to be guilty, she seduced him. Is it forbidden to wear a short skirt? What if she's dressed that way because she gets too hot? (Zeina).

Two points emerge from the above excerpts. First, stranger rape is sometimes associated with the element of force, but this is not always the case. Second, the woman is perceived to be at fault or to have somehow provoked the rape, i.e. through her inappropriate manner of dress. The theme of blame based on the woman's inappropriate dress is seen in other excerpts:

A grown man, if you show him a skirt this short [points to her upper thigh] will get sexually excited, why are you causing this trouble [rape] for yourself? (Anna).

Blame for [sexual] assault falls on two parties. First, society that has no censoring on fashion designers who create half-naked clothing for women (...) Second, the girl herself is to blame because she excites instincts with what she's wearing which causes assault. There are many people who can control themselves but some people can't. I shouldn't provoke others. That is my responsibility (Sheikh).

Lebanese law precludes from the definition of rape, sexual activity occurring between a husband and wife. In the absence of marriage within stranger rape scenarios, sexual activity is more likely to be perceived as rape. In such cases, sexual activity is sometimes linked to physical coercion, but more often attributed to provocation by the woman through her inappropriate manner of dress. Sexual activity is spoken of in terms of "rape" not "consensual sex". While the woman is to blame for provoking the attack by her attire, she is nonetheless still considered to have been a victim of rape.

Child Rape

In contrast to the blame and responsibility placed on the women's shoulders for provoking rapes, children are perceived to be blameless. While my research did not directly explore child rape, the following excerpts show how being a child victim of rape implied automatic blamelessness and perceptions that the event constituted rape:

There are no encouraging reasons if someone assaults a small girl. This man must be killed (...) This would be a lesson to others. Imprisonment is not enough (Sheikh).

This [rape] happens a lot, a lot. Sorry, but the father is raping his daughters (Josephine).

I think your research is quite important because your topic is so taboo here and needs to be talked about. I have seen so many cases, for example, this teenage boy

was raping his younger sister. We had to act quickly and find her a safe place (Internal Security Officer).

The above excerpts emanated from my requests to hear about stories of rape. Though I was exploring sexualized violence against women, interviewees provided stories of child rape. In these stories, children are assigned blamelessness. Blamelessness does not however imply that the sexual violation of children is readily acknowledged within Beirut society. Nonetheless, the gravity of child rape is recognized in Lebanese law; a person who is guilty of raping a child, under 14 years of age is sentenced more severely than someone who rapes an adult.

Hence in examining what counts as rape, the following can be summed up about situations involving children. Because children are innocent and above blame, they have no part in provoking an assault. This means that they were truly raped. In contrast, blame is placed on women who are seen to provoke assaults. In the case of children, I would argue that while they may be perceived as too young to be marriageable, they are nonetheless potentially marriageable and hence have much to lose by engaging in pre-marital sex—i.e. becoming non-virgins and hence possibly unmarriageable. Therefore, they are perceived to be victims of an act that has caused them much damage. An examination of the Lebanese Penal Code confirms this observation. As previously noted, sentences for rapes where the victim is virginal and under 14 are higher than other rapes because the victim is seen to have suffered a great loss.

Arranged Marriages

Marital rape was identified through my interviews and interactions. However, as will become clear in the following excerpts, marital rape is more likely to be applied as a label to sexual acts occurring in arranged marriages in which love is assumed to be missing.

Tonight I was invited to dinner at a neighbor's house. There was a group of us all in our thirties, and I was asked what my thesis was about. I told them and the immediate reaction was that this happened only with the older generation because so many of these marriages were arranged and hence not entered into by mutual choice for love (Journal entry: May 29, 1999).

Let me tell you about the cases [of sexualized violence] that I believe to be very frequent. (...) To abbreviate, I call them "armchair husbands." An armchair husband is the one who gets told that "so and so is really wonderful," he takes an appointment with her parents and he goes. They all line up, he's wearing his new pair of shiny shoes, etc. She, the poor thing, comes in, and plays hostess. They all ogle at her to see if she's good or not good, then she gets married. This is where violence starts I believe, why wait till she gets married. No, this is where it starts, because they were already forced to marry each other (Fitnat, LCRVAW volunteer).

Sexual violence isn't specific acts (...) If I don't want to have sex and someone is forcing me then that's sexualized violence. (...) As we know, an important aspect within marriage is sex. Many times, there are couples who are very compatible in terms of knowledge, education, culture, socio-economic class, but who are not compatible sexually (...) You get a lot of problems then. For example, she doesn't want to [have sex] and he does (Nila, LCRVAW volunteer).

I can't explain this to you, but I hear about this, sexual [violence]. They are married, of course not just a passing relation, but marriage. But there is no compatibility. (...) She's at fault because "you are supposed to be compatible in bed." You marry someone against your will, and you have to be compatible. For me, this is the ugliest form of violence, that she has to be a machine that just receives and she lives her whole life like this because she can't speak about it (Lamees).

Another one of my friends for example is a young 16 year old girl, Christian. (...) This friend of mine used to tell me that he [husband], sorry, used to sleep with her in a very savage way (...) and she would run away from him (...) And if she refused to sleep with him, he would beat her. (...) She got to a point where she couldn't handle it anymore. She told him "I don't love you.

I don't want you. My parents married me off against my will" (Josephine).

As evidenced by these excerpts, unwanted sex in marriage is acknowledged as a form of rape even though this is not the case in Lebanese law. References are made to the savagery and ugliness of these unwanted sexual relations, and to the expectation that women will be no more than "receiving machines" to their husbands' sexual advances. Also seen in these excerpts is the association of marital rape with sexual incompatibility between the partners. This incompatibility is often attributed to the nature of the marriage. More specifically, arranged marriages are seen to be hotbeds of sexual incompatibility that lead to rape. For some, it is possible that the very act of marrying someone in an arranged way is the beginning of violence.

In short, arranged marriages which are not seen to be entered into for love or by mutual choice are more likely to be perceived as fertile ground for marital rape. While arranged marriages may have their share of marital rape, rape may also occur in marriages emanating from love. By focusing on violence in arranged marriages, rapes that

occur in marriages that were entered into for love are concealed. In a sense, arranged marriages are scapegoated. Yet, as the stories of many women illustrate, violence of all forms can occur in marriages that were entered into for love. Magida's story provides a poignant example.

Magida described to me her eight year dating relationship with her husband before marrying him: "It wasn't set up. No. It was love, it was Romeo and Juliette." He literally used to stand underneath her balcony and serenade her. Immediately following their wedding, he began to be emotionally abusive. Magida gave an example of this type of abuse which occurred during her pregnancy. At that time, he constantly berated her for having morning sickness; he also refused to buy her the medicine.

Magida mentioned that he had been physically violent with her on two occasions but did not want to give details of those incidents. She described fear for her safety as one of the key consequences of living with his emotional and occasional physical abuse during their fourteen year marriage. This constant state of fear created tension in their sex life. "I hate sex because of him, because of what I went through with him. It [sex] was more than torture to me." She described the harsh consequences she suffered when she refused him sex:

You are supposed to be compatible in bed. You marry someone against your will, and you have to be compatible.

I was teaching that year and I had corrections to do. I had to give the grades the next day. I was up until 1:30, 2:00 a.m. I was correcting. (...) He comes in and he feels like it [sex]. (...) I said no, so we had a fight and he hit me (...) and kicked me out of the room. I started to sleep outside. I slept outside for a month and a half. And if I left the house, I had no key [he had taken it]. So, I had to wait for him on the stairs (...) until he would let me in.

While this story involves minimal physical violence and no forced penetration, Magida's account demonstrates an obligation to have sex in a marriage that was entered into after an eight year romantic courtship. Similarly, Josephine spoke to me about the physical, emotional, verbal and financial abuse that she endured at the hands of her husband when he left her for another woman. As with Magida, she described their long courtship and their nine years of marriage as "sweeter than honey." Indeed, their friends used to call them the "lovebirds."

Failing to listen to Magida's and Josephine's stories and to the stories of many others like them, hides an important reality. The idea of love and marriage as a necessary ingredient in determining consent and as a way of avoid-



ing rape or the possibility of it, is reinforced by commonly held beliefs that only arranged marriages could involve rape or violence.

Concluding Thoughts

In this article, I presented the findings from a recent research project on women's perceptions of rape in the Beirut context. I highlighted four themes from the data that spoke to the boundary between rape and consensual sex. I demonstrated that when a sexual incident involves strangers, child victims, the use of physical force, or occurs within the bounds of arranged marriage, it is more likely to be perceived as rape, not as consensual sex. Throughout this discussion, I argued that these perceptions of what distinguishes rape from consensual sex conceal the rapes that happen within intimate relationships, through the use of non-physical coercion, within marriages entered into for love or where the victim is a woman, not a child.

Knowledge of public perceptions is an important first step in confronting the issue of rape. It is such knowledge that lays the foundation for subsequent action. Therefore, in concluding this article, I would like to highlight some strategies for activism on the issue of rape, as suggested by participants in the study. In short, suggested actions include both a prevention and an intervention focus.

In terms of prevention, the central suggestion was for the development of awareness-raising campaigns. These campaigns would target three types of audiences: women, men, and community professionals, including clergy. The topics covered would be the following: general discussion of violence, making women aware of their rights, and information about current services that may be available. Various venues were suggested for these campaigns, including: television, newspapers and magazines, as well as specialized sessions integrated in school curricula.

It is important to bear in mind that increased prevention efforts in the form of awareness-raising tend to generate a demand for intervention services. Therefore, a second important strategy would be to focus on this aspect. More specifically, participants proposed the creation of a women's shelter that would provide services and safe refuge to women who have been raped or beaten. Also in terms of intervention, participants highlighted necessary changes to current laws that limit women's ability to respond to violence in intimate relationships. One poignant example is the preclusion of marital rape from Lebanese law.

In adopting an intervention or prevention focus, a common element would be to continue to foster and strengthen cooperation among local organizations to better respond to the multiple issues involved in rape. For example, collaboration could be enhanced between those work-

ing for the rights of migrant domestic workers, and others working specifically on violence against women. Indeed, the key to any successful resistance to rape lies in the strength and unity of the community's response. Only through such consolidated community efforts can women live safely in a society that would no longer blame them for the rapes that they might endure.

Endnotes

1. All names of participants have been changed to protect confidentiality.

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Crimes of Honor: Crimes of Horror

By Fadi Moghaizel, Ph.D in Law

By way of introduction, I would like to quote the Vienna Declaration adopted by the World Conference on Human Rights on 25 June 1993:

The human rights of women [...] are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community'.

This principle confirms that calls for equal treatment of women stem directly from the principle of equal rights for all persons. It does not have its source in an antagonizing view between two genders with conflicting interests, but rather in the principle of equality in enjoying human rights and fundamental freedoms without discrimination on the basis of race, color, sex, language, religion, political or other opinions, national or social origin, poverty, birth or other status, as stated in article 2 of the Universal Declaration of Human Rights and article 2 of the International Covenant on Civil and Political Rights and of the International Covenant on Economic, Social and Cultural Rights.

From this introductory statement, I would like to turn to another issue that is more specific to Lebanon. It concerns the dilemma as to whether changes in society can be activated and brought about by amendments in the law, or whether they can only be effected through awareness actions and cultural changes. The defenders of this latter point of view sustain that changes must not be imposed by texts of law; they should rather come as a natural consequence of understanding and appreciation.

It is true that legal provisions that clash with deeply rooted traditions are implemented with great difficulty. But on the other hand, the law should not be a mere reflection of society's practices and customs, in particular when such practices are in violation of human rights instruments, notably, for what concerns our topic, the Convention on the Elimination of All Forms of Discrimination Against Women adopted at the United Nations in 1979. The so called "crimes of honor" are a clear example of the need for change in the law to curb and hopefully bring an end to a deadly practice.

"Crimes of honor" are so called because they are committed by a person who slays or causes bodily injury to a female member of his family on the grounds that the victim has stained the honor of the family by having unauthorized sexual relations.

Such crimes are acknowledged by Article 562 of the Lebanese Criminal Code that was amended in February 1999. Article 562 of the Lebanese Criminal Code was "inherited" from the Ottoman Criminal Code of 1840 (Article 188) which itself was taken from the French Criminal Code of 1810 (Article 324). The French Criminal Code provided for an extenuating excuse (not acquittal) for the husband who surprises his spouse committing adultery at the marital home. Such provisions were removed in 1975 in the context of a global reform of French family law (pursuant to this reform, adultery no longer constitutes a criminal offence).

Prior to its recent amendment, Article 562 of the Lebanese Criminal Code stated the following:

A person who surprises his spouse, or any of his relatives in the ascending or descending lines or his sister committing adultery, or having unlawful intercourse and kills, or causes injury to any of them without premeditation, is acquitted.

The killer or person who caused injury is granted an extenuating excuse when he surprises his spouse or any of his relatives in the ascending or descending lines or his sister in a questionable attitude with another person.

Paying tribute to the memory of Laure Moghaizel on the first anniversary of her death in 1998, the Minister of Justice at that time, Dr. Bahige Tabbarah, proposed a significant amendment to Article 562. The proposed amendment became law (Law no. 7 dated 20 February 1999) and article 562 now reads as follows:

A person who surprises his spouse, any of his relatives in the ascending or descending lines or his sister committing adultery, or having unlawful intercourse, and kills or causes injury to any of them without premeditation, is granted an extenuating excuse.

This amendment is a first step in the right direction, by removing the murderers' acquittal and the reduction of his sentence



in the event of what is called questionable attitude. However, the ultimate goal remains the cancellation of Article 562 altogether.

Provisions similar to article 562 of the Lebanese Criminal Code are found in most Arab countries legislations. Some of them provide for lighter sentences, some for acquittal.

Jordan: Article 340 of the Jordanian Criminal Code provides for acquittal for males who kill their female relatives for being involved in illicit sexual relationships. Reduction of penalties is also granted in case of adulterous situation. Article 340 covers the killing and injuring of the killer's or aggressor's wife or female relatives ("maharem") and their partners. Jordan witnesses the highest number of the so called crimes of honor. Jordanian human rights activists have recently launched a nationwide campaign for the abolition of Article 340 and the reconsideration of Article 98 of the Jordanian Criminal Code providing for a reduction of penalty for a person who commits a crime in a fit of fury caused by an unlawful or dangerous act on the part of the victim. In certain cases of so-called crimes of honor, Article 98 is applied to grant the killer a lenient sentence. In July 1999, a special committee at the Ministry of Justice decided to cancel Article 340, but I understand that the decision still needs the endorsement of the Upper and Lower Houses followed by a Royal Decree.

Syria: Article 548 of the Syrian Criminal Code provides for acquittal. It covers the killing of the killer's wife, his female relatives in the ascending and descending lines, his sister and the partner.

Oman: Article 252 of the Omani Criminal Code provides for acquittal or reduction of sentence. It benefits the man who kills or injures his wife, sister, daughter or mother and the partner.

Kuwait: Article 153 of the Kuwaiti Criminal Code covers the killing of the wife, daughter, mother or sister and the partner. The penalty is reduced and cannot exceed three years of imprisonment and/or a fine.

Egypt: Article 237 of the Egyptian Criminal Code provides for a reduced sentence for the killing of the wife and her partner. In comparison with other similar provisions in the Arab countries, the Egyptian text is more advanced in that it restricts the benefit of lower sentences to the victim's husband only.

United Arab Emirates: Article 334 of the Federal Law no. 3 of 1978 (Criminal Code) covers the killing of the wife, daughter or sister (not the mother) of the killer and the partner. It is worth noting that Article 334 secures a sort of equality in granting the wife too the benefit of a lighter sentence for the killing of her husband who commits adultery at home (and the killing of the husband's partner).

Iraq: Article 409 of the Iraqi Criminal Code provides for a reduced sentence for the killing of the killers's wife or any of his female relatives, ('maharem') and the partner.

Morocco: The reduced sentence benefits the husband who kills, injures or beats his wife and her partner (article 418 of

the Moroccan Criminal Code). In addition, pursuant to Article 420 of the Moroccan Criminal Code, the head of the family who surprises persons involved in illicit sexual relationships in his home, benefits from a reduced sentence if he injures or beats any such persons.

Tunisia: The reduced sentence for the husband provided for in Section 207 of the Criminal Code has been abolished by Law no. 72 of 13 July 1993.

Turning back to Article 562 of the Lebanese Criminal Code, I would like to say a few words on the conditions of its application.

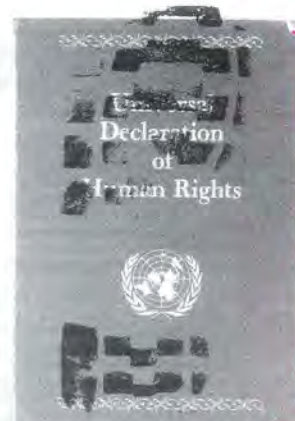
Those who benefit from the excuse of Article 562 are the victim's spouse, relatives in the descending line (son, grandson, grand grandson, etc.) and ascending line (father, grandfather, grand grandfather, etc), and brother. Because of the use of the word spouse (and not husband) in Article 562, there is a discussion as to whether the wife also benefits from the excuse if she kills or assaults her adulterous husband. This is very unlikely because the Ottoman and French original text benefited only the husband. In addition, the deadly tradition that the text aimed to cover involved a benefit to the husband only. It can thus be assumed that the intent of the legislator was that only the husband can benefit from the excuse.

It should be noted that the extenuating excuse is significantly more favorable to the killer or aggressor than the generally known extenuating circumstances, since the former allows a greater reduction of penalty. For instance, if the crime committed is normally sanctioned by the death penalty, the penalty is reduced to a minimum of one year imprisonment as a result of the extenuating excuse, while extenuating circumstances would reduce the penalty to hard labor for life or for seven to twenty years (Article 253 of the Criminal Code).

To benefit from the extenuating excuse of Article 562, the killer or aggressor must have been surprised by the illegal act. If he knew that a relationship existed between the victim and her partner, he does not benefit from the excuse.

In addition, the victim must have been caught "flagrante delicto" i.e., in the very act. This condition does not mean that the killer or aggressor must have witnessed the actual act. It is sufficient that he possesses evidence establishing with certainty that the act has been committed.

In view of the fact that the excuse is granted on the ground that the killer or aggressor acts in a sudden state of fury as a result of the surprise, the benefit of the excuse is granted only if the killing or assault occurs immediately when the act is discovered.



Source: Index on Censorship 3/1998

When the above conditions are met, it is assumed by law that the killer's or aggressor's will is neutralized and therefore his sentence should be reduced. It is as if he did not know what he was doing. In such a case, the court is bound to grant the benefit of the excuse; it has no discretionary power in this regard.

The reasons justifying the cancellation of Article 562 are numerous. I will briefly touch on some of them.

- Article 562 of the Criminal Code constitutes a gross violation of basic principles of equality, justice, dignity and personal freedom embodied not only in the Convention on the Elimination of All Forms of Discrimination Against Women, but in other international instruments such as the International Declaration of Human Rights and the Covenant on Civil and Political Rights as well as the Lebanese Constitution.

- In addition, by authorizing private justice, Article 562 circumvents the authority of the judiciary and encourages killing and assaults. While criminal laws aim at curbing criminal activities and deterring people from crime, Article 562 fosters them.

- Moreover, this article is often the cause of abuse by people who think that they can benefit from it. We witnessed several such cases in Lebanon during the last few years. Generally, the court disqualifies the crime by holding that it does not fall within the scope of Article 562 (for instance because there was no "flagrante delicto"). However, the mere existence of Article 562 creates confusion and leads to abuse.

- It should also be said that people who commit crimes in a fit of fury because of the victim's seriously wrongful act can benefit from an extenuating excuse pursuant to Article 252 of the Criminal Code. This confirms the redundancy of Article 562.

- The review of court decisions during the last few years confirms that Article 562 is generally no longer applied. When the killer claims that he should benefit from the excuses of Article 562, courts seldom concur with such a claim.

- Article 562 still encourages a tribal mentality which no longer fits into the much needed social and intellectual evolution on the eve of the twenty first century.

- By joining the Convention on the Elimination of all Forms of Discrimination Against Women, Lebanon has agreed to remove all discriminatory provisions from its Criminal Code (Article 2 of the Convention). Therefore, maintaining Article 562 constitutes a failure for Lebanon to abide by its international commitments.

The recent amendment of Article 562 of the Criminal Code in February 1999 is an important step forward, but comes short of the ultimate goal of human rights activists i.e. the cancellation of Article 562 altogether so that any person committing so-called 'crimes of honor' faces punishment like any other killer.

Also, the solution is not to secure equal rights to women by extending the extenuating excuses to them too, since this would promote private justice and encourage more violent

acts. It is time that crimes of honor be recognized as crimes of horror.

Other laws that are discriminatory against women still need to be amended or cancelled, notably the provisions of the Lebanese nationality law whereby men pass on their Lebanese nationality to their children, while women do not, save in exceptional cases, in addition to laws governing social benefits and allowances, freedom of employment, and the remaining discriminatory provisions of the Penal Code, notably those concerning adultery.

In this latter respect, there is a blatant discrimination against women. Men are guilty of adultery provided they commit the adulterous act at the family home, while women are guilty notwithstanding the place where the adulterous act is committed.

Moreover, the sanctions applicable to adultery are stricter for women than for men (three months to two years imprisonment for women and one month to one year for men). There is also a difference in the elements of proof whereby it is much easier to establish women's adultery.

I will now conclude by mentioning, very briefly, other measures that should be taken to contribute towards the elimination of gender discrimination in the laws:

- Waiving all the reservations made by Lebanon regarding the Convention on the Elimination of All Forms of Discrimination Against Women, notably in relation to Article 9 on equality with respect to nationality laws; Article 16 on equality in family law; and Article 29 regarding the submission of disputes on the interpretation or application of the Convention and their submission to the International Court of Justice.

- Working toward bringing local laws in compliance and conformity with ratified international instruments and implementing the rule of predominance of international conventions over domestic legislation.

- Ratifying all international agreements related to human rights.

- Enacting laws that provide protection to women from violence both at home and at the work place.

- Enacting special laws to speed up gender equality, promotion of women's conditions and full participation in public life. Legal provisions expressly prohibiting discrimination must be laid down with strict sanctions.

- Separating women from children in relation to protective measures in labor law. Women are not minors.

- Preventing the enactment of new discriminatory laws.

- Eradicating legal illiteracy and disseminating information in relation to legal issues and provisions affecting women.

In closing, I would like to point out that we should not expect changes in the law to be initiated by the government. They will only come about as a result of the unrelenting efforts of non-governmental organizations and human rights activists.

Crimes of Honor

By Rana Husseini, Journalist and Human Rights Activist

AMMAN - Amneh begged her brother: "Take good care of my mother", before he shot her to death in an Amman suburb for getting pregnant out of wedlock. But Amneh's mother supports her 19-year-old son's crime, saying "my daughter made a mistake and should bear the consequences." "I am calm about her death, but I am worried about my son and the kind of punishment he might get, but they tell me that he will get a reduced sentence and will be released soon," she says.

Amneh, 21, was shot four times in the stomach by her brother, who is now on trial. "I knew she was going to die. She deserved to die. She destroyed our family, our honour and did not think of us or her family's fate when she did it," said her 16-year-old sister. "But sometimes I miss her and feel bad about her death. I wish they had married her off to the man she had a relationship with, instead of killing her," said her sister. Amneh was one of 17 women reportedly killed in the Kingdom in the name of honor in 1999.

The story is the same from year to year, and in all cases of honor killings, the victims are women. Investigations and courts proceedings indicate that most of these crimes are committed to cover up other crimes, or to "solve" other family conflicts such as inheritance disputes or financial crises. Others are victims of rumors, suspicion or rape. Such was the case of 16-year-old Kifaya, a school girl who was killed in May 1994 by her brother because she was raped by another brother.

Her brother Khalid, 37, served six years for slitting his sister's throat after asking her to recite verses from the Koran. "I had to kill her to preserve the family's honor," says Khalid, a father of four. "Society imposes these rules on us, and I did it to please society." His sibling's only "mistake" was being raped by

her 21-year-old brother. She became pregnant, and survived an attempted murder by her rapist. Her family later married her to a man 50 years her senior, who eventually divorced her. The night Kifaya was divorced, she was killed. Her own family, who plotted the murder, blamed her for the rape and accused her of "seducing her brother." "If I go back in time, I would not kill my sister...I would lock her in the house until she either died or someone married her...I have wasted enough time of my life in prison," Khalid says.

Religious leaders such as Sheikh Izzedin Al Khatib Al Tamimi, His Majesty King Abdullah's advisor on Islamic Affairs, says that a man who kills a female relative is breaking Sharia. "Before a person is punished for adultery, four people must witness an act of adultery, and even when a transgression has occurred, Islam does not permit an individual to take the law into his own hands, but instead calls on the people to refer the case to the ruler or the law," says Sheikh Tamimi. But the Islamic Action Front (IAF), the political arm of the Muslim Brotherhood, takes a different position.

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ety from moral
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Recently, the IAF criticised a national drive to scrap Article 340 of the Penal Code, which promises to reduce or eliminate punishments for men who claim "honor" as their motivation for murdering a female relative. "This is a Western plot to destroy and corrupt our society. They (the West) have occupied us militarily and politically, and now they want to destroy society, which is the last remaining fortress," says IAF Secretary General Abdul Latif Arabiyat.

Over 5,000 people, led by Their Royal Highnesses Prince Ali and Prince Ghazi, demonstrated in front of Parliament and Prime Ministry on February 14 to protest against so-called "crimes of honor" and demand that Article 340 be removed from the Penal Code. Arabiyat, a former



deputy and speaker of the House from 1989 to 1993, claims the campaign to throw out Article 340 is misleading, since crimes committed in the name of honor are not dealt with in courts under that specific article. "Article 340 upholds our social values, and abolishing it means abolishing the last line of defence for our morals," adds Arabiyat, who was secretary general at the Ministry of Education in the 1980s. He says the IAF has issued a fatwa (Islamic edict) in support of Article 340. "We do not believe in killing women, but if a man surprises his wife while she is committing adultery and kills her, then he should benefit from a reduced punishment," he said. "If *Sharia* was implemented we would not see any of these crimes," adds the IAF leader.

One week before the end of the most recent ordinary session of Parliament, a petition signed by 55 deputies was presented to the Permanent Office calling for the implementation of *Sharia* in Jordanian legislation. But several deputies later withdrew their signature on the grounds

that the petition was "misinterpreted" by the media. In addition, several deputies accused Deputy Mohammad Bani Hani, who prepared the petition, of adding more text to the letter after they had signed it. Some of the deputies said the petition was an indirect protest against criticism levelled against the

"Society imposes these rules on us, and I did it to please society."

Lower House for refusing to throw out Article 340. Islamist Deputy Abdullah Akayleh said deputies were specifically indignant about the demonstration. Deputy Mahmoud Kharabsheh, a leading opponent of the anti-340 campaign who collected signatures in Parliament to defeat a move to scrap the article, says the article is a "preventive method to control society." "We are not against women's rights, but the existence of such a law is a factor to preserve them and preserve society from moral deterioration."

But campaigners insisted that this article and so-called crimes of honor violate the basic human rights of women, as well as their right to life. "Our fight against this article is clear," says Basel Burqan, a member of the National Committee to Eliminate the so-called Honor Crimes. "This article discriminates against women, violates the *Sharia* and the Constitution and does not allow women a fair trial," he says. The committee, which in August 1999 began collecting signatures to support abolishing the article, has called for the cancellation of Article 340 and other articles that discriminate against women. The committee managed

to collect more than 15,000 signatures over a four-month period.

The Jordanian National Commission for Women, chaired by HRH Princess Basma, was the first to suggest the cancellation of the article in a draft bill that was presented to the government in 1998. "I am going to vote in favour of the cancellation of Article 340 in the coming joint session," said Deputy Abdullah Jazi, who represents the southern Ma'an Governorate. Jazi says many deputies have become aware of the average Jordanian's increased consciousness of the article, and of the public's desire to see it abolished. "Deputies will think it over now, because many feel that their popular bases are in favour of the cancellation," says the parliamentarian.

The late King Hussein and Her Majesty Queen Noor began a campaign against so-called "honor crimes," several years ago describing them as foreign to Islam. Moreover, his Majesty King Abdullah and Her Majesty Queen Rania have stepped up the drive: "It is an issue we have to reflect upon, and we realise that something has to be changed ... The government and the officials are doing their utmost to discourage this practice," Queen Rania told a French television station in 1999. Tribal leaders, who have also realised the need for change, joined the February march and demonstration against Article 340. "During the past 40 years, I have never heard of an honor crime occurring in Jordanian tribes," said Sheikh Mit'eb Fayeze. "Instead, tribes cherished women and granted them full rights to become active individuals in their community," he added.

Tribal and religious Judge Mohammed Abu Sheikh says that the tribal and religious rulings are strict in cases of adultery and are not "subject to the moods, mentalities or beliefs of individuals." "In our religion and tradition, there must be four witnesses, of outstanding reputation, to an act of adultery, and it is the tribal judge that decides the punishment not the individual," says Abu Sheikh. "The problem with these crimes is that some people take what they want from religion and leave out what they do not want ... Religion should not be applied according to one's mood," he says. He maintained that tribes also try to ensure that a woman is not falsely accused. "If a woman is falsely accused, then the person who accused her will have to take three tribal delegations (*jaha*) to three different distinguished tribal leaders to cleanse the girl's reputation and honor," he said. He stressed that even if a case of adultery is proven among tribes, "which is rare," then the tribal leaders work to solve the problem by covering it up and marrying the two, or by finding other solutions in order to stop the story from spreading."

For social worker Ina'am Asha, who deals directly with "honour crimes," and with women as victims who have been taken into protective custody to save them from such



crimes, “these kinds of killings will only make things worse for the families.” “These families think that when they kill, the problem will end ... On the contrary, it is the beginning of their never ending problems,” says the social worker. “Killing will destroy the family, and all neighbours and relatives will never forget the incident.”

University of Jordan’s sociology professor Sari Nasir confirmed Asha’s theory, adding that these crimes are deeply rooted in the society and result from ancient unjust practices against women: “This problem is deeply implanted in the society...Its history goes back to the *Jahilyyah* (pre-Islamic) days, when female [infants] were buried alive,” says Nasir. With the dawn of Islam, women were granted some rights, says Nasir, but tradition, customs and social mores have remained strong, leading many individuals to interpret *Sharia* according to their beliefs and traditions. The family is considered to be the basic unit of the society, he says, “and if one of its parts is affected, then the rest of the parts are affected as well ... Therefore that part should be punished.” “From this, we can see that women’s conduct is controlled and monitored, because they are considered the ones who bring shame to the family,” says Nasir. He asserts that financial burdens play a part in the increase of “honor crimes,” particularly that the crimes happen mainly among society’s poor, unemployed and uneducated members.

In addition to legislation and social mores that discriminate against women in so-called crimes of honor, women who survive such murder attempts face a life in the protective custody of prison, since they have nowhere else to go. At any given time there are 40-50 women in protective custody at the government’s correctional facility. These women, who range in age from 15 to 30, stay indefinitely. Either they can accept marriage proposals from men who visit these prisons looking for wives, or they are eventually released. Most of the time they end up murdered after leaving prison. “These women tell me they are already dead inside prison ... They are frustrated since they have been forgotten by society and are left with no hopes and dreams. They do not know when they will be released. They know that if they are released, they will be killed,” says Asha ... On the day of her release, Jasmin, 16, was shot to death by her 29-year-old brother Sarhan as she walked into her house in an Amman suburb, even after her father signed a JD5,000 guarantee that he would not harm her. Jasmin was raped by a close relative, says Sarhan, who spent six months in prison for murder. “She did something wrong and she deserves to die ... If I had not killed her, I would have killed a 1,000 from my tribe. Our society does not have mercy,” he says. “If I hadn’t killed her, people would have looked down on me,” he explains. “Once she is raped, she is no longer a girl. My only alternative was to kill her. Death is the only way to obliterate shame.” Sarhan said he acted with the support of his father, mother, uncles and other family members:

“They all met and assigned the task of killing her to me. After killing her, my family and relatives visited me in prison and congratulated me,” says Sarhan. “I consider myself a victim, a victim who was forced to kill his sister whom he grew up with and loved.” Nasir says that changing laws like Article 340 is only part of a comprehensive process. Legislative reform must also be accompanied by an effort to educate people and raise their awareness of the situation, he adds. “The media should take responsibility of tackling this issue and delivering the truth to the people, by explaining to them that this is a backward behavior and a crime that is inflicted only on women,” says Nasir.

Source: Index on Censorship, 3/1996
Credit: Russian PEN/P. Shop



Testimonies on Honor Crimes

By Abir Hamdar

Ten years ago, a young girl from a small village in the Bekaa valley was shot to death to 'cleanse the family honor'. Twenty-five men from the victim's clan witnessed the scene. *Al Raida* meets one of those men – who happens to be the girl's uncle on her mother's side - and he recounts in detail what took place. This is what 75-year old Abu-Mufid (initials A.A) said.

It all happened when Najiyeh, my sister's daughter came to her mother and told her she was pregnant. The girl, who was nineteen at the time, told her mother that her first cousin, on her father's side, had raped her ... (pause). She said that he raped her when she went to visit his wife, who was not at home at the time. My sister lost her mind. The cousin Najiyeh was talking about was married and had three children. He was also twenty years her senior. But all that was not important. It was the girl's belly that had begun to show.

What month was she in?
(Laughs)... I don't know. As long as it takes for a pregnant woman's belly to show. You think that mattered? We are talking here of family honor. You understand what honor is ... don't you? (drinks tea, then continues). I tell you my sister lost her mind. She rushed to her husband, Abu Mohammed, who is also my cousin, and told him everything. You cannot imagine what happened to him when he heard the news. My sister told me it was like a horse had been whipped ... (asks his wife to fill his cup of tea again). And Najiyeh's brothers ... (shakes his head)

Najiyeh's cousin denied the story. He said he didn't know anything about it. A whole dispute broke out. Abu-Mohammed and his five brothers were screaming at one another. My sister had asked me to accompany Abu-Mohammed and his sons. She feared something would happen to them. Everyone was shouting at one another. Someone suggested we summon Najiyeh and ask her to recount what happened. We decided to meet the following day in a field adjacent to our homes. Abu-Mohammed and his sons went home. My sister said they didn't sleep all night. No one slept that night.

And Najiyeh?

She probably slept in the toilet. I don't know. That is not important. The next day...

What day of the week was it?

Ah, sister I don't remember... (Continues)

The next day I met Abu-Mohammed, his four sons and Najiyeh in the field. We were twenty-five men in all: Abu Mohammed's brothers, their eldest sons, and two of my brothers. The (accused) cousin didn't come, but his father asked Najiyeh to tell everyone what had happened. When Najiyeh said she was pregnant, blood rose in our eyes, and when she finished her story she left the gathering and sat aside.

Did Najiyeh cry or plead forgiveness?

I tell you there was blood in men's eyes.

Oum Mufid: You never utter a word when there is blood in men's eyes.

Abu Mufid: After the girl sat aside, we talked for a while ... (pause)

What did you talk about?

We wondered whether the girl was lying since Najiyeh's cousin was a very respectable man. But then we decided that even if he hadn't committed the rape, he should marry Najiyeh, since as her cousin he was supposed to save the family honor. The bridegroom's father asked one of his sons to slaughter a lamb for the occasion. He then invited us for lunch to celebrate the peace we had reached. Abu Mohammed asked Najiyeh to go home, but when she walked a few steps away from us, Najiyeh's eldest brother

The foolish woman shamed us ... Damn such sisters



Mohammed (36 years) took a gun hidden in the pocket of his *abaya* (points to the right side of his *abaya* to indicate where the gun was placed) and shot the girl thirty times. When Mohammed fired the last shot he said addressing the others, “you don’t have to slaughter a lamb. Have this one for lunch ...” (Abu Mufid laughs)

Didn’t anyone try to stop him?

We all wanted it to happen. We were all thinking about it. We were all happy. In our family we have a contract signed by all men in the family which says that if a girl taints the family honor her family has to ‘cleansed’ it. If they don’t do it, another relative will have to kill her.

You mean if Mohammed didn’t kill Najiyeh one of you would have done it?

Abu-Mohammed would never have let us reach this point. He was a very proud man. And if the girl wasn’t killed, her other sisters would never have married.

But Mohammed also killed an unborn child?

(Laughs sarcastically). Sister I tell you we are talking of honor.

What happened after that?

We went home.

And Najiyeh’s body?

I don’t remember who buried it, but it was not Abu-Mohammed or his sons. The family never touches the body after they have cleansed their honor.

Abu-Mufid’s wife interrupts. They also didn’t wash the body before burying it. It was so battered they couldn’t wash it.

What about Najiyeh’s mother and sisters?

Oum-Mufid: We didn’t scream or cry. It is *Ayb* (shameful) to cry when honor is cleansed.

Was there a funeral?

Oum Mufid: (Shocked at the question) How can you have a funeral? No one even pronounces the girl’s name after that. What happened to the cousin?

Abu-Mufid: He ran away, not because of Najiyeh. (Abu Mufid refuses to elaborate) I don’t know why he left.

Oum Mufid (excitedly): But Najiyeh’s brother Mohammed was killed in a car accident. It was a year after Najiyeh was shot. He was going to Beirut with his fiancée. (Asks her husband) Were they going to buy gold? (Doesn’t wait for Abu-Mufid to answer). Another man and his fiancée were in the car. They all died on the spot ... pause The family cried and wailed for months ... pause (Asks Abu-Mufid) Isn’t it *haram* in our religion (Islam) to kill Najiyeh? I mean the girl didn’t do anything. She was raped.

Abu Mufid: In religion maybe ...

Did the police arrest anyone after Najiyeh’s death?

Abu-Mufid (abruptly) What police? There was no government.

Now that years have passed do you regret that you didn’t stop them?

I don’t regret anything. Let me tell you something very important: “When one’s honor is tainted, blood is shed whereas when blood is shed, honor is not lost.

I don’t understand?

There is nothing to understand. It is like this.

Do you still believe in cleansing one’s honor?

Of course. If honor is not cleansed, people will point at you

Najiyeh’s eldest brother Mohammed shot her thirty times. When Mohammed fired the last shot he said addressing the others, “you don’t have to slaughter a lamb. Have this one for lunch ...”

all your life. If you are fighting with someone, the first thing he’ll bring up is this unfinished business.

But things have changed. There is now a government?

(smiles) Some still do kill ...

Oum Mufid: Everyone kills for honor. Najiyeh’s story is nothing. Abu-Mufid should tell you about Inaya. Maybe I can take you to her sister. (Looks questionably at Abu Mufid). She is still alive. She will tell you about Inaya.

Inaya’s sister, Oum Khairallah, is a 62-year old woman who lives alone with her daughter in a small house across Abu-Mufid’s house. On the way, Oum Mufid says Oum Khairallah is not originally from the same village as theirs. She says Oum Khairallah’s daughter is 35-years old and has not yet married. The old woman also says her brother’s wife had just died and she’s thinking of telling him about Oum Khairallah’s daughter. When we arrived, Oum Mufid told Oum-Khairallah that ‘Al-Raida’ is a magazine that likes to learn stories about women.

Oum Khairallah: Damn women and their stories.

Oum Mufid: “Tell them Inaya’s story?”

Oum Khairallah invites us to share with her the ‘boiled *Kishek*’ she is eating. She then recounts that “foolish woman’s” story, which according to Oum Khayrallah happened “15 or 17 years ago”. Here is what she said.

Oum Khairallah (initials Z.M): The foolish woman was forty years old. She was married to my cousin who was a very good man. They had two boys that were beautiful like the moon. The foolish woman looked at another man. He was the Mukhtar’s son who was also married. The cousin of Inaya’s husband – who is also our cousin- came to my brother-in-law and told him that Inaya’s conduct was not good. The poor man (*al muatar*) didn’t believe it at first and told his cousin



that he hadn't seen anything bad from Inaya. But the cousin told him that if he didn't divorce Inaya, he would kill him because he was tainting the family honor. Inaya's husband divorced her and she came back to our house. My father was deceased, and we had only one brother. We were seven girls. Inaya was the sixth. I was five years older.

Oum Khairallah: My brother and his wife lived with my mother. We had a big house. My brother couldn't stand the foolish woman's sight. Because he had three small babies to bring up and he couldn't always think of what Inaya had done, he asked my mother to poison her.

Where you with them at the time?

Yes ... I was married and had children. But when Inaya was divorced, all my married sisters came home to stay with our family. The family gathers to mourn the disaster in the same manner they do when someone dies.

How did Inaya behave when she came back?

Like a shameful woman. How do you want her to behave?

Did she try to explain things?

We didn't ask her. What is there to explain?

But maybe she was innocent of the accusation?

Oum Khairallah: Ah, no, no, she wasn't innocent!

How do you know, did you see her with the *Mukhtar's* son?

I would have killed her if I did ...

(pause). We told my mother to do what my brother asked her to do.

Where was your mother to get the poison?

I don't know about that ... But my mother told Inaya that her brother wanted to poison her. A few days later, Inaya ran off with the *Mukhtar's* son.

Oum Mufid interrupts: Her brother was so angry that he broke his mother's two legs.

Oum Khairallah: When Inaya ran away, some people tried to improve matters between the *Mukhtar's* family and ours. My brother was almost convinced. You know they are richer than us, but when they brought Inaya and her new husband to our place, my brother went mad and stabbed her in the back with a knife. The foolish woman didn't die. They took her to the hospital and she got better. At home, we prayed that she would die.

Did your mother share your feelings?

She cried all the time ... (pause) we didn't let people see her cry. A month later my oldest sister was passing by the house that Inaya and the *Mukhtar's* son lived in, after she left the hospital. My sister saw the foolish woman sitting on the terrace under the sun. She came home feeling very angry.

Why was she angry?

After all that happened you don't want her to be angry? (continues). Inaya was immoral. Sitting in the sun as if

nothing had happened.

Where did you want her to sit?

In the grave ... (pause. Oum Mufid shakes her head in agreement). We were having breakfast when my sister arrived. I was still at my parent's home. My sister didn't say a thing. She just removed my brother's headband and wore it.

Oum Mufid interrupts: When you remove the headband from a person's head it implies that he is not man enough.

Oum Khairallah: My sister then told my brother she would become the man of the family and would kill Inaya. My brother wouldn't allow that. He went to the field and dug a grave and put his headband in it.

Oum Mufid: A man who wants to cleanse the family honor always removes his headband and keeps it in the grave the girl is to be buried in, and does not retrieve it until the act is done.

Oum Khairallah: My brother then went to Inaya and stabbed her with a knife. I don't know how many times. When he came with the news we gave trilling cries of joy (*zalghatna*). But the police came and took my brother.

Oum Khairallah's daughter: One of the family members knew an influential man and he tried to help him. He knew the judge who was on the case. When my uncle went to court, the judge addressed him saying: "You didn't mean to kill your sister. You only lost your mind when you saw her?" My uncle didn't know that he

just had to agree and would be set free. Instead, he said he went to Inaya's house with the intention of killing her. The judge asked him again, you know to save his neck, but my uncle insisted. So the judge got angry because my uncle didn't understand that he was trying to help him and sentenced him to nine years imprisonment.

And after that?

Oum Khairallah: Nothing. Nine years later he got out.

Is he still alive?

Oum Khairallah: No he died two years ago. He was like the moon. And his sons are like the moon.

Didn't you feel anything when Inaya died?

Oum Khairallah: The foolish woman shamed us.

She was your sister...

spits ... Damn such sisters

Oum Khairallah's daughter: Our neighbor eloped a while ago. When I see her I feel so ashamed as if it is I who had committed the sin. You can imagine how they felt about what my aunt did.

Oum Mufid: Yes it is true. I cannot stand the woman. I feel like I have committed the shame.

We are talking here of family honor. You understand what honor is ... don't you?

Al-Raida thanked the three women for their cooperation and left them talking about the shame they feel when they see the neighbor who eloped.

.....

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Kuwaiti Women in the Line of Fire

By Lynn Maalouf

On May 16th, 1999, Sheikh Jaber Al-Ahmed Al-Subah, the Emir of Kuwait, issued a decree granting women the right to vote and run for public office, "in appreciation of the effective and important role played by Kuwaiti women." With Kuwait having the only elected parliament in the Gulf, this move heralded a substantial step in the process of "democratization". Nevertheless, the Kuwaiti experience with democratization took a different turn, on November 30th, 1999, when the Kuwaiti parliament rejected this decree, depriving women thereby from their full constitutional rights, the right to become first-class citizens in their own country. Talal al-Arab, a writer in the leading Kuwaiti newspaper *Al-Qabas*, commented on these decisions by asserting that "the freedom of half of Kuwait's population has been buried in the name of democracy." (Howard, Jon, "Democracy in Kuwait Not for Women," *PMA Newsletter*, December 2, 1999)

Although this issue has been hotly debated since Kuwait's independence in 1961 and its nascent parliamentary life soon thereafter, the Emir's move took the people by surprise. The Parliament's rejection came even more as a surprise, as it was an outright act of defiance to the Emir. These events have to be read in the light of the women's struggle to gain suffrage rights, the relationship between the Emir and Parliament and the power play between the different parties involved in the decision.

Kuwaiti women and their struggle for political rights

The Constitution of Kuwait states that "all people are equal in human dignity and in their rights and duties, irrespective of their being male or female or differing in nationality or language."

Although this provision is clear in its substance, it has been applied in a narrowly selective way, depriving thereby several groups of their rights. These include second-class or naturalized citizens, those known as *biduns*, people of nomadic origin who are classified as stateless because they cannot prove settlement requirements, women, and members of the military and the police. These groups have been granted their political rights by the Constitution, but have not been able to exercise them because of an electoral law barring them from their voting rights. As such, only men 21 years and above, and who can trace their Kuwaiti roots sev-

eral generations back can vote. This has left only 113,000 of Kuwait's 793,000 citizens eligible.

Women started claiming their rights since the beginning of parliamentary life, in 1963. They formed different movements and organizations, held numerous demonstrations, and attempted in vain, nearly at each parliamentary election, to include their names in the voting lists. According to Margot Badran, "from the very start of parliamentary life in Kuwait, women protested the withholding of their constitutionally granted suffrage rights. Women's associations began in the 1960s, simultaneously with the birth of their suffrage campaign." (Badran, Margot, "Gender, Islam, and the State - Kuwaiti Women in Struggle, Pre-Invasion to Postliberation", Yvonne Yazbeck Haddad and John L. Esposito ed., in *Islam, Gender and Social Change*, Oxford University Press, 1998, p. 190)

At the social and economic level, Kuwaiti women have successfully reached a privileged status. With a high level of education, (open to all Kuwaiti citizens), these women today represent 31 percent of the workforce, some holding respectable positions such as rector of Kuwait University, head of the Kuwait News Agency and Ambassador to Zimbabwe, while others run businesses and newspapers, and work in the oil industry. According to Badran, however, women's movements have been fraught with weaknesses preventing them from having an efficient lobbying impact: "The history of women's associations from the 1960s through the 1980s reveals the difficulties of women to form a broad united front. Kuwaiti scholar Hayat Al-Mugni has pointed out that women replicated societal divisions along class and kin lines. When women began to breach these barriers in the attempt to organize around a women's rights agenda, they met a counterthrust. The state, National Assembly, and Islamic groups, themselves composed of class and kin factions, each in their own way, operated to undo the nascent broadening gender base of feminists. Meanwhile, women themselves allowed their old antagonisms and rivalries to be rekindled." (Ibid, p.193).

In her paper, Badran describes the women's resistance activities during the Iraqi invasion of 1990, drawing a comparison between their remarkable organizational skills at



that time, whereby they were able to pull together and form a united base, and the postliberation period. According to her, these skills withered once the occupation drew to a close, as they did not manage to maintain their unity and use it to lobby for their political rights. As Badran puts it, "While women were rhetorically adept in exploiting their resistance experience to strengthen their call for political rights, they were unable to redirect the practical and organizational skills they had honed in resistance. It was not long before class, kin, ethnic, and sectarian divisions resurfaced, dissipating the cohesion they had achieved under occupation. What women could do for their nation under siege, they could not do for their gender in normal times." (Ibid, p.200.) Their resistance, however, gave them more legitimacy to call for their rights, as they had proven to be committed citizens, and had risked and given their lives for their country. As such, "if women's calls for the vote and the right to be elected could be ignored before the invasion and occupation of 1990-1991, in the postliberation era they could not be so cavalierly dismissed. Women (and second-class citizens and biduns) defended their country on all levels during the invasion and occupation. This defense, and the loyalty and practice of citizenship it displayed, has made women's demands for their full political rights more compelling, as well as claims of second-class citizens and biduns – and the withholding of them more egregious." (Ibid, p.193.)

Women's gaining access to their political rights would have been a momentous and revolutionary step: already, with Kuwait having the only elected parliament among the Gulf States, it would also have been the only one where women could vote and run for office. It is to note here that Qatar

allows women to vote, but only in municipal councils, which has only advisory powers, and in Oman, two women sit on the Consultative Council, but this body is elected indirectly.

Government and Parliament Discord

On November 23rd, 1999, the National Assembly (Majlis Al-Umma) rejected the Emiri decree, with a majority of 41 MPs against 21 who voted in favor of it. One week later, Parliament proposed a new law to give women the franchise, but this also failed, albeit narrowly, with 32 MPs against, 31 MPs in favor, and 2 abstentions. The vote needed 33 voices to pass.

The unicameral Parliament consists of 50 members, directly elected in 25 multi-member constituencies by majority vote. Its prerogatives, however, are limited: the Emir can cancel any decision taken in the Assembly, and dissolve Parliament, as he did on May 4th, 1999, just a few days before he passed his contested decree. This decision to dissolve Parliament is attributed by most analysts to a frustrating 2-year deadlock between the Assembly and the Government (which is mainly constituted by members of the Al-Subah family): "they (many Kuwaitis) say it reflects not only the Emir's frustration at the legislative standoff, but a decision to sideline, at least for now, the Crown Prince and Prime Minister, Sheikh Saad al-Abdullah, who is the Emir's brother and who has a reputation for indecisiveness." [Douglas Jehl, "Rest of Kuwait (the Women) May Soon Get Right to Vote"] *The New York Times*, June 18, 1999). According to the Constitution, this dissolution conferred upon the Government the role of custodian, until the

Obligations of Women

- Be virtuous, faithful, humble, kind and serviable
- Avoid being idle, be the first to rise and the last to go to sleep
- Avoid gossiping and do not step out of doors too frequently
- Merit the trust of your husband and guard it
- Concentrate all your efforts on procuring happiness for all those who are dear to you
- Have blind faith in your husband
- Be his support and his strength
- See through his eyes only - and confide all your thoughts in him
- Be indulgent when he is in the wrong
- Banish all sentiments of jealousy and resentment
- Produce lots of children (especially males)
- If it is a girl, bring her up in fear, submission and respect for males...
- Raise her to be the perfect housewife
- A good wife must be gratefully of her household
- She must not lend an ear to wicked tongues pushing her to revolt
- She must not leave the house without her husband's permission
- If he takes another wife, she must accept her rival and avoid making reproaches and quarrels

(To be continued...)

RIGHTS OF WOMEN

- Eating
- Drinking
- Sleeping
- The End.



Source: Daiffa, Women's Algeria (drawings)

following parliamentary elections, which were due in October. This role gives the Government the power to issue decrees that have full force of law. Once it is formed, however, the National Assembly can review and reject any of those decrees.

A review of the press following the Emir's decree shows how very few observers expected a parliamentary rejection. In fact, some did not even raise the issue. Shafeeq Ghabra, Director of the Kuwait Information Office in Washington D.C., however, was one of the very few to seriously question the parliament's reaction. In a Special Report, he wrote: "Although the elections resulted in a Parliament much more liberal than the previous one, it is no sure thing that the reforms will pass. There are still serious constitutional implications to consider. There is a group of liberal MPs who, despite their long support to women's rights, object to the manner the decrees were issued. This bloc fears that Parliament's acceding to these decrees, although they do not deal with "urgent" matters (as specified in the Constitution), will set a dangerous precedent that will undermine parliamentary authority in the future". (Kuwait Information Office, *Newsletter Supplement*, Vol. 7/99, Washington D.C.). In fact, Article 71 of the Constitution states that emiri decrees could be issued "should necessity arise for urgent measures to be taken while the National Assembly is not in session or is dissolved". But women's political rights were not perceived as "urgent" matters, nor were the other 60 or so government decrees, which related to drastic political and economic reforms.

So according to Ghabra, the majority of MPs who would have voted for the law in regular times, and who had long

What women could do for their nation under siege, they could not do for their gender in normal times

supported the women's cause, in fact rejected the decree mainly in protest against the procedural fashion in which these decrees were issued. Later on, however, during an open panel discussion, Ghabra stated that "although the relationship between Parliament and Government has often been seen as a hopeless stalemate, resulting in a

constitutional crisis that already brought on three parliamentary dissolutions in Kuwait's short history, this fresh new Parliament has a fair chance of constructively tackling these issues at hand and continuing on the path of democratization and liberalization". (Center for Contemporary Arab Studies, Georgetown University, "Open panel discussion on Kuwait's recent parliamentary elections," September 9, 1999). In line with

Ghabra's previous analysis, Howard Schneider from the *Washington Post* wrote: "It was assumed that once its Emir ruled last spring that women should have full political rights, Parliament would accept the decision as a logical step along the path of openness and participation. In a rebuff to the country's monarch and a reminder of how sensitive the issue of women's rights remains on the Arabian Peninsula, the Kuwaiti National Assembly last week narrowly rejected legislation that would have allowed women to vote and run for office." ("Kuwait at Odds Over Women's Rights," *The Washington Post*, December 2, 1999).

According to *The Estimate*, "The parliamentary maneuvering preceding the vote was not merely an exercise in procedure. In a sense, it was part of a continuing effort by Parliament to assert its rights vis-à-vis the Amir, although women's voting happened to be the casualty in this case." The article continues: "Given Kuwait's complex history of Parliamentary life, and the several dissolutions of Parliament by the Amirs, constitutional questions are not merely parliamentary procedure but a crucial part of the country's evolving democratic experience", ("Kuwait MPs No to Women," *The Estimate*, December 3, 1999, Volume XI, Number 25). It seems then that the Parliament's rejection of the emiri decree was mainly motivated by an attempt to safeguard democratic procedures, representing a stance against the government's intervention in parliamentary life, regardless of the decrees' substance, and what MPs traditionally stood for. Sadly enough, women's political rights, which would have been positively revolutionary, were scapegoats of the clash between Parliament and Government.

The Second Vote: Parliament's Own Bill Fails

The November 30th results of this second bill, which had an identical content as the emiri decree, bore a more truthful representation of parliamentary politics, and of the different groups existent there. The narrow outcome, compared to the outright rejection of the emiri decree, illustrates the real debate on this issue in Kuwait, with the latter standing on a tight rope.

The main groups that voted against the bill were the Sunni Muslim and tribal MPs, while those who were in favor were the Shi'ite Muslims and liberal MPs, along with the government ministers, who are ex-officio MPs. The divergence between Shi' and Sunni Muslims may be attributed to the interpretation of the Quran: "Sunni Muslims, prevalent in Saudi Arabia and Kuwait, cite a Quranic injunction against women holding leadership positions. In Iran, home of the Shiite branch, which has an influential minority in Kuwait, women can vote and hold office." (Douglas Jehl, op.cit.). Among the Shi'is, the prominent clergyman Husayn Al-Qallaf surprised many by voting against the bill, although he had strongly supported it during the debate that preceded the vote. In an interview with Reuters, he explained that "his abstention was due to lack of measures in the draft law to



Source: Daiffa, Women's Algeria (drawings)

A National Debate That Continues

According to the emiri decree, and to the parliamentary bill put forward thereafter, women would have been able to vote in 2003. The narrow margin, with which the parliamentary bill failed, however, leaves the issue open, with real expectations of a future reversal of outcome. These latest developments may nurture anger among women, and generate a unifying motivation, which would draw them together in a more efficient way, and perhaps allow them to lobby more successfully for the few decisive votes.

satisfy religious concerns before allowing women to take part in politics" (Ashraf, Fouad, "All-Male Kuwait Assembly Spurns Women Rights", *Middle East Times*, Issue 99-49).

Going beyond religious interpretations though, these stances may also be attributed to personal power games. For example, the *Arab Times* accused MPs of voting "with religious groups to secure electoral favor and personal gain" (Howard, Jon, *Ibid.*) Discussing the political atmosphere during the 1992 parliamentary elections, which also seems relevant today, Badran describes the hesitant and non-committal attitude of the liberals, compared to the firm stance of the Islamists: "Most Islamists meanwhile supported women's rights to vote, but stood firmly against women's right to be elected to Parliament. Less surprisingly, the Islamists, clearer and more consistent about their conservative approach to culture and society, did not admit women in their diwanias. In the male politics regarding political rights for women, the secular progressives appear reluctant to see a translation of their progressive rhetoric into reality because of the fear that Islamists might gain more power if women had the right to vote." (Badran, *op.cit.*, p.201).

Most Islamists were actually not hostile to the idea of women voting, but rejected totally the idea of being ruled by women. Moreover, as Shafiq Ghabra writes, some women have also been against the idea of female suffrage: "Some conservative women have opposed it as inconsistent with their traditional beliefs; but other liberal women have opposed it because they feared that the majority of conservative women would elect officials who might do away with the other rights women already had" (Ghabra, *op.cit.*).

While MPs cannot reintroduce the law during its current term, they could do so later on, after some lobbying. As for the government, it can propose a draft law again, but that is doubtful given its first failed attempt.

Once again, women's rights were drowned in men's politics. In 1999, their cause was the victim of the process of democratization, and its defensive attitude against the Emir and his government. The real issue, however, was able to transpire in the parliamentary vote, and the results have proved how close women are to acceding to their rights. On the other hand, this cause may be caught in a

deadlock of Kuwaiti traditional politics and the socio-cultural environment: "The politics of women's political rights is preventing women from gaining access to their constitutional rights. There are different layers to these politics. There are class and kinship interests at work which imply that these interests are best served through the preservation of the presently gendered political culture. There are patriarchal concerns operating that temper masculinist enthusiasm for political rights for women, especially the right to be elected." (Badran, *op.cit.* p.203)

Women started claiming their rights since the beginning of parliamentary life, in 1963.

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A Turbulent Morocco: A Khutta, A Mudawwana, A Reform Movement and Rivalry Frames

By Rania Al-Abiad, AUB Student

Morocco, March 13, 2000: Hundreds of thousands of women poured into the streets of Morocco's two main cities for rival demonstrations over government plans to bolster women's rights. In Casablanca, Islamic parties headed by the Party of Justice and Development (PJD) and Al Adl Wa Il Ihsan party, both of which occupy seats in Parliament, rallied with around 300 000 followers chanting slogans against the government's suggested reforms and calling for their repeal. In Rabat, a couple of thousand people from feminist groups and political parties such as Al Istiqlal and Al Taqaddom Wa Al Ishtirakiyya gathered in support of these reforms. With slogans such as "Yes for the emancipation of women and no for their alienation," "Men and women equal before God, equal before the Law," and "For the dignity of women," they hailed the complete adoption of the government's plan.

What is All this About?

It seems that ever since Mr. Abdel-Rahman Al-Yousoufi's government officially announced its intentions to advocate a campaign to uphold women's rights on March 19, 1999, strong reactions have been provoked from almost all the existing political, social, and religious groups in the country. Such outcries have also received international attention, as this is the first time this country witnesses such an aggressive debate over a national issue.

How has this been Brought Up?

Conforming to the conclusions of the Fourth World Conference on Women held in Beijing in 1995, governments around the world were expected to adopt the Beijing Platform for Action (BPA) aimed at promoting the rights of women. Morocco, having attended the Conference, and being a signatory of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), was no exception.

Despite the fact that the government began to revise the national personal status code (the *Mudawwana*) in 1993, many areas pertaining to women are still overlooked and unattended to. Al-Yousoufi's government, recognizing the urgency of the need to establish women as major players in the development process, was thus intent on initiating a plan that would finally give women what would enable them to occupy an active, equal, and important position in the

Moroccan society. This plan, "*Khutta*," however, was thought to be of little force if the revisions given to the *Mudawwana* remained uninitiated. With the help of professionals and researchers, as well as representatives of the World Bank and the United Nations, the *Khutta*, - aimed both at giving women more rights as deemed necessary and in line with the international standards, at integrating them into the development stream - was drafted. This *Khutta*, was entitled the "Plan of Action for the Integration of Women in Development."

Why is there a Need for this Khutta, and its Reform Suggestions?

The situation of women in Morocco is morbid. According to the 1994 Moroccan census, women constitute 50.3% of the population. Based on this census the figures related to the status of this majority are startling. 68% of the 55% illiterate populace are women. The majority of those reside in rural areas where one woman dies every six hours following a difficult birth situation.

The mortality rate for mothers following birth is 228 in every 100 000 births. As many as 28,000 cases of violence against women have been officially reported between 1994 and 1998, not to mention the ones not reported. 32.4% of the files of the Court of Appeal in Rabat deal with cases of reported rape.

Women enjoy a meager 0.6% representation at the Parliamentary level with two seats in the Representatives' Chambers and two others in the Counselor Chambers. This places Morocco in the last place among the countries that allocate parliamentary seats and public offices for women. There is only one woman counselor to HM the King. There are only two women occupying the position of Secretary of State. There are no females in the General Secretary post. Despite the fact that some professions are becoming increasingly womanized, yet the percentage does not exceed 30%.

What is this Khutta?

The *Khutta* is composed of three fundamental sections. The first presents the general framework within which it is to be implemented. The second offers a diagnosis of the current status of women and deals with the obstacles facing the

prospects of integrating women into the development process, the challenges that need to be overcome and the knowledge needed to do so. The third section defines the measures needed to be undertaken in order to implement the *Khutta*. This section distinguishes between four categories of action:

1. Education and abolishing illiteracy;
 2. Reproductive health;
 3. Contesting against poverty and improving the economic role of women;
 4. Improving the political and legal status of women.
- Together, the propositions of all four categories constitute 215 clauses that are to be addressed.

What are the Main Lines of Action of the *Khutta*?

In broad terms they are the following arranged according to the related categories:

1. In education and abolishing illiteracy, the ensuing propositions are made:
 - i. To organize a large campaign to raise awareness and sensitivity to the needs of women and to motivate them, as well as the community at large, in favor of educating women.
 - ii. To establish a precise and fixed quota of 250,000 women to be educated each year.
 - iii. To educate women who are employed in enterprises through special tailored programs.
 - iv. To educate unemployed rural and urban women in order to master reading, writing, and computation and to raise their awareness to their rights, to issues dealing with reproductive health, protection of the environment, etc.
 - v. To re-integrate into society young uneducated women who are either domestic or factory workers with the help of the Ministry of Education and Non-Governmental Organizations (NGOs).
 - vi. To create a better valued image of women through education and educational manuals that aim at eliminating gender stereotypes.
 - vii. To create an educational environment where gender equality would prevail.

2. In an attempt to improve the conditions pertaining to reproductive health, the following recommendations are made:
 - i. To create and implement a unique national program dealing with reproductive health.

- ii. To reinforce the professional background of general physicians and nurses.
- iii. To facilitate the reception of pregnant women in hospitals.
- iv. To recruit more midwives and improve their status, as well as to equally involve the traditional obstetricians.
- v. To improve the follow-ups of pregnant women both before and after delivery.
- vi. To improve the care provided to women and men, infected with sexually transmitted diseases.
- vii. To improve the system of distribution of condoms by diversifying the methods and regions of distribution.
- viii. To take charge of certain cases of miscarriage and extra marital pregnancy as well as abortion.
- ix. To take care, both medically and psychologically, of women who have menopausal and who have cancer.

3. In contesting against poverty and improving the economic status of women, the *Khutta* laid out the following lines:
 - i. To continue combating poverty with females as primary targets, with special emphasis on the most vulnerable ones, such as needy housewives.
 - ii. To provide female artisans with a status that would give them access to aids such as micro-credits and enable them to sell their products.
 - iii. To develop the integration of women and reinforce their professional formation by programs of alternation, especially in enterprises of the poor areas and the small urban centers.



Source: Daiffa, Women's Algeria (drawings)

- iv. To work on changing the prevailing mentalities by integrating women with university degrees into careers that are traditionally considered to be masculine such as medicine and education.
- v. To mobilize and aid women to recognize their rights in the hope of reducing their exploitation and the unstable nature of their work.
- vi. To reinforce the status of active women and understand the difficulties they face.
- vii. To provide women who work domestically or who are housewives with a status by declaring them artisans.

4. For improving the political and legal status of women, the following suggestions are seen as necessary and vital:

- i. To guarantee a visible representation of women in decision-making positions as well as in higher level public positions.
- ii. To create and implement special corrective measures to create a more equal representation of women in decision making committees.
- iii. To eliminate the imposed legal discrimination against women in accordance with the United Nations covenant of 1979.
- iv. To create special legal sanctions to protect women against all forms of violence.
- v. To take necessary measures outside the legal scope to protect women.
- vi. To appoint judges as well as auxiliaries dedicated to dealing with family issues.
- vii. To sort out the dispositions of the sanctions of the Family Code in cases of non-conformance and violation.
- viii. To create family tribunals.
- ix. To recognize the right of female judges to intervene in personal status matters.
- x. To diffuse all the legal decisions made by the Supreme Court in favor of women in all the media whether heard, read or seen.

In addition to all these lines of action, reforming certain articles in the *Mudawwana*, is recognized to be at the heart of the success of the *Khutba* Without such reforms, it is believed that all efforts would be in vain as the situation would remain essentially the same.

What are the Articles of the *Mudawwana* that are in Want of Reform?

Of all the articles of the *Mudawwana*, nine were perceived as requiring amendment, and six were to be made binding by the law. The nine proposed amendments are summarized as follows:

- i. To raise the marriage age from 15 to 18 years in confirmation with the Convention on the Rights of Children that Morocco had ratified in June 1993.
- ii. To give all females of marriage age, 18 years, the right to conclude their own marriage without the mediation of a matrimonial guardian.
- iii. To repudiate the right of the husband to divorce instan-

taneously and replace it by a judiciary divorce that can be obtained upon the request of either spouse or upon the joint request of both.

- iv. To establish an equal division of all acquisitions attained during marriage between the husband and the wife irrespective of the contribution of the wife as to their attainment.
- v. To include the marriage domicile as part of the divorce alimony.
- vi. To give tutelage over the property of minor children to the judge irrespective of the sex of the legal guardian.
- vii. To eliminate the right to polygamy, maintaining it only an exception as deemed appropriate by a judge and upon the consent of the first wife.
- viii. To unify the custody age of the children to 15 years regardless of their sex.
- ix. To provide the wife with full custody of her children upon divorce even if she marries again.

Beyond these proposed reforms of the *Mudawwana*, there are some legal aspects that have been suggested as equally necessary for the advancement of women. These articles that are made to be legally binding have caused much stir in the country and contributed to worsening the already existing opposition movement both in the official and the unofficial public representations. In brief they are:

- 1) granting the Moroccan nationality to a child of a Moroccan mother and foreign father,
- 2) granting a duplicate of the civil status identity card to the female divorcee having custody of her children and
- 3) providing an imaginary father's name to a child born to a Moroccan mother of an unknown father,
- 4) revising article 336 of the Code of the Penalty Procedure (CPP) in order to permit a domestically violated wife to prosecute her husband,
- 5) revising, or rather abolishing article 475 of CPP which would allow a kidnapper to escape litigation upon marrying the kidnapped, and
- 6) obliging political parties and syndicates to establish a minimum quota of 33% of female representation in their administration, as is the case to be in the government itself.

At face value these reforms seem plausible, appropriate, necessary and beneficial; and they may be so. Yet, and rather unfortunately, not all factions think alike. Like any country that is undergoing processes of change and advancement, opposition forces exist in Morocco to hinder the progress process. Although opposition may at times be beneficial, yet at others, it simply constitutes a hurdle to the smooth functioning of things.

In Morocco, a country in which religion and the religious establishments are extremely influential, a strong opposition movement emerged. This movement, constituted mainly of the extremist and less extreme religious factions in the country such as the PJD and the Al Adl Wa Il Ihsan movements, vigorously challenged the suggested reforms and called for their total abolition.



What are the Oppositions Arguments?

In the words of Harakat Al Tawheed Wa Al Islah, “the conflict does not revolve around whether or not it is necessary to integrate women into the development stream, as some would like to assume, but rather around the prospects for changing the *Mudawwana’s* articles that are primarily dictated by the Muslim *Shari’a* and particularly by the Maliki legal school (*mathhab*).” To them, the proposed amendments are in direct contradiction with the Muslim direction and should thus be contained.

To start with, they attack the proposed recommendation regarding the judicial divorce. They claim that incorporating an article that prevents the husband from instantaneously divorcing his wife as is dictated by the *Shari’a* clearly challenges it. In their argument, they attack the draftsmen of the reform by accusing them of ignorance of the *Shari’a*. They hold that the reformers are clearly unaware that a husband divorcing his wife is but one form of the divorce allowed in Islam (the others being that a wife can ask to be divorced from her husband and that a judge can annul a marriage when this is regarded as necessary). Despite the fact that each of these forms has its own guidelines and prerequisites, the fact remains that in Muslim marriages the wife is not at a disadvantage, as the reformers claim.

To further strengthen their argument, the opposition holds that the creation of only one form of divorce, that which is judicial, defies the purpose of discouraging divorce, if that is the intent of the government. They claim that it would create confusion in the family and ambiguity in the matrimonial life during the divorce process. In addition, they think that such a form of divorce would generate hostility between the spouses, which would completely destroy any possibility of marriage restoration. The opposition claims that this article would discourage marriage and encourage extra marital relationships. Its disadvantages are thus seen not only to contradict with its purpose, but also to outweigh its claimed advantages and as such it should be disclaimed.

The second objection deals with the marriage age. The opposition strongly holds that legally raising the marriage age to 18 years causes more harm than benefit in society. Though it does not clearly contradict with the *Shari’a*, it, nonetheless, is deemed unnecessary. The arguments advanced in support of this outlook revolve around the fact that the statistical data available points out to the increased presence of unmarried females rather than ones who are wed too young. They hold that the available data reflects a society in which the age of marriage has steadily increased to reach an average of 26 years. As such, they hold that it is unnecessary to legally restrict marriage options, given the status quo which disfavours early marriage.

The third argument is presented against the article that forbids polygamy. According to the opposition, such an article not only defies the recommendations of the Quran, but also

questions its wisdom for God has purposely sanctioned polygamy so long as certain conditions are met. Not only does abolishing this right mean disregard for sacred texts, but it also reflects the ignorance of the reformers as to matters concerning these issues.

As it is argued, God has dictated specific conditions for sanctioning polygamy and unless these are satisfied, there can never be endorsed polygamy. The fact that the reformers were unaware of the existence of such scriptures points to their ignorance in matters pertaining to social welfare. Legally restricting polygamy is not only not needed, but also irreligious.

A fourth argument that the opposition holds is against the equal allocation, upon divorce, of all acquisitions during marriage between both spouses. They claim that such measures present an expressed challenge to the recommendations of the *Shari’a* that maintain a specified distribution pattern.

Even though the reformers claim that such an article would safeguard the wife’s rights, it will curb her freedom and affect her interests negatively. Such a recommendation would permit the husband to have an equal share of his wife’s earnings just as it permits her to have of his. The *Shari’a*, on the other hand, in assigning fixed distribution channels, protects the finances of the wife in not giving the husband any right to his wife’s riches without her consent. Furthermore, such a binding constituency to a marriage is bound to create cases in which divorce is staged so that either spouse could gain financially from the other’s success. This is not to mention the fact that it would motivate either spouse to conceal her/his real wealth from each other. This would defeat the purpose and meaning of marriage and give women a weaker position than they already occupy.

A fifth argument is presented against the prospect of allowing females of marriage age to marry themselves without need for a matrimonial guardian. This prospect is believed to challenge the dictates and recommendations of the Hadith (Tradition of the Prophet) which clearly indicates that marriage can neither be binding nor can it be concluded without the presence of a matrimonial guardian and two witnesses. Moreover, the opposition holds that there is no evidence that supports the need to have a provision enforced by law that allows women to marry since there are no societal indications that females are being forcefully coupled or are being prevented from marrying whom they wish. Furthermore, the opposition maintains that the reformers are blind to the fact that a matrimonial guardian exists to safeguard females and to guide them in their choices rather than force and coerce them.

Notwithstanding these arguments put forward in defending the Muslim nature of the country, the opposition laid grounds for arguments against propositions that it thought



would inevitably lead to the break up of the country's traditional societal norms and encourage Western notions and modes of life.

... restricting polygamy is not only not needed, but also irreligious

In what relates to this, the opposition cites condom distribution through such channels as newspaper posts, telephone booths, and vending machines, as encouraging its use among the populace rather than its propagation as a prevention to sexually transmitted diseases. It is regarded that such a line of action fails to solve the problem at hand because it addresses its consequences rather

than its reasons. In addition, the prospect that the government would be willing to take care of certain cases of extra marital pregnancies would inevitably encourage the prevalence of such incidents, so that rather than providing solutions to existing problems, the *Khutta* is creating new problems that the country can do without. In addition, the fact that the *Khutta* has been laid out in co-ordination with and upon the recommendation of such foreign institutions as the World Bank and the United Nations clearly suggests that whatever has been proposed is aimed at projecting and popularizing Western ideas and manifestations.

What is the View of those in Favor of Adopting this *Khutta* with all the Reforms Needed to Guarantee its Success?

This team calls out for complete transformation of Moroccan society even at the expense of cutting the veins of tradition. The supporters argue that the texts laid down are not only a sign of development but are also an essential ingredient to achieve this change. They consider it high time that the government realized the pressing needs of society and launched a campaign in the direction of fulfilling them. They argue that the opposition's stance is not so much a matter of a religious fundamentalist clash as much as it is a political and cultural confrontation. What the opposition seeks to manifest is their resistance to the current state of affairs to strengthen their standpoint even in the absence of an alternative plan that they could rally for. In reality what they are calling for is the displacement of a perfectly worthy plan without having any other substitute with which to fill the thus created gap and to better the condition of women in the country. In effect, the reality remains that Moroccan women are exploited; they are deprived of their rights; they are oppressed; they live below acceptable sustenance levels and they are barred from decision-making spheres and economic and development arenas. What do the Islamists suggest to better this situation? Nothing.

In the words of Ismail Al-Olawi, Secretary of Al Taqaddom Wa Al Ishtirakiyya and the current minister for Civic Education, "the *Khutta* is not an end in itself, it is rather a means to achieving an end, a goal that all countries seek to witness happening to their societies which encompasses: an improvement in standards of living, sustainable development and a better future. The reforms of the *Mudawwana*, it should be kept in mind, are part of the overall Ministerial *Khutta* that was approved by a significant majority in Parliament including both opposition and support parties. It is thus surprising to see such loud debates as to its acceptance." The Minister adds, "the text of the *Khutta* is still in the planning phase. We, at the Parliament, are open to all discussions, suggestions and proposed revisions provided that those are in line with the overall projected objectives. I think that the distinct oppositions to the *Khutta* come from individuals and groups who are ill-informed and ignorant of the real motives behind its propositions."

The Minister goes on to say, that "the opposition claims that there are texts in the *Khutta* that contradict Islam and its *Shari'a*; to them I say that they are being misled into believing that. When was delaying the age of marriage into one more appropriate and in accordance with the international standards contradictory to Islam and the *Shari'a*? The *Shari'a* does not mention anything about the marriage age to start with. As to claims such as the ones against the distribution of condoms and encouraging reproductive health by taking care of miscarriages and abortions and ex-marital pregnancies, my response is that this is the least a government can do to its people in general and to its women in particular to ensure that they remain healthy. If the government does not take care of its citizens, who will? They will inevitably end up on the streets unattended to and this is what we do not want to see happening to our people. There are minimum requirements that a government should ensure and these are but a few of them. A lot remains to be done and this is the way to achieve what we have always hoped for. Finally, I say, when was Islam ever against the guarantee of a healthy life, and the improvement of women's status, and when did it stand in the way of development and equality?"

The *Khutta*, a Future of Execution or Elimination?

Morocco. The *Khutta* Two groups. Support and Opposition. Who will get his way? Will the *Khutta* be implemented or will it be eliminated?

Voices are still being heard until now. Cries of endorsement and cries of protest still echo in the streets. The issue remains unresolved. The government still has not chosen a course of action. Until it does, things will stay unchanged in the Moroccan society. It will remain divided by lines of difference and hostility, while women's status remains unchanged.

A Council Resisting Violence Against Women

By Myriam Sfeir

We are aware of the difficult tasks awaiting us because we fight for new relations and conceptions which negate the causes of human oppression, whether male or female. We seek a new understanding of human rights. We do not pretend having the solutions but we seek to find the appropriate ones ... We are still at the very outset, and we know that we are facing major obstacles and severe confrontation with the patriarchal societies, who attempt to keep us confined to the traditional role which has been historically designated as being ours since the dawn of time. What prompts us to move ahead with our struggle is the amount of suffering reflected in the looks of those many women, the victims of domestic and other forms of violence, who come to our centers asking for help; those lost and begging faces, searching for solutions which would be miraculous under given social circumstances. (Zoya Rouhana, Arab Public Hearing on Legal Violence and Equality in the Family, p. 90)

Myriam Sfeir: Why was the Council established and when? What are its goals?

Zoya Rouhana: The Lebanese Council to Resist Violence Against Women, founded in 1997, was established as a response to the alarming percentage of violent acts inflicted on women. As you know, during the Beijing conference the issue of violence received a great deal of attention and was one of the basic themes discussed. Among the recommendations proposed, in an attempt to break the silence surrounding the issue and to strengthen the role of NGOs in countering violence, was a public hearing on violence against women. At the Beijing conference a universal women's court was held and after that the first Arab hearing was held in Beirut in June 1995 and was called the "Women's Court: The Permanent Arab Court to Resist Violence Against Women." It was attended by 14 different Arab organizations and various Arab women. The court was a symbolic forum and it received a lot of positive feedback. It tackled real life problems that afflict women in their everyday life. In the wake of this unique experience we decided to form the LCRVAW.

The goals of the LCRVAW are similar to that of the Arab court. One of the main objectives of this council is to shed light on the concept of violence against women and bring it to the forefront. The council aims to dispel the stereotype that violence against women is a private matter. Among its other concerns is to raise awareness on the phenomenon of violence, its causes and different manifestations. The council also attempts to exert pressure on Arab governments and NGOs in order to take measures to protect and support women victims of violence. Besides, it offers direct help and support to women subjected to any form of violence. Among the work undertaken is to disseminate information at the local, national and international level, lobby for legal and social reform, and provide free legal aid and counseling to victims of violence and networking with affiliated groups and organizations.

MS: What are the reasons behind violence and why is it a taboo subject?

ZR: The basic reason behind violence, I think, is the unequal distribution of power within the family. Throughout history men strove to dominate women and they succeeded in discriminating against them. Since men are the heads of the household and the patriarchs, they control and dominate women who are usually assigned a lower status. Along with that, the legal system does not protect women. Women are at a disadvantaged position because they have no access to "legal information, aid or protection." Besides, absence of laws and lack of effort on the part of public authorities to enforce existing ones encourages men to perpetrate violence against women. This does not apply to all people but is one of the causes of violence. For all these reasons the council came about.



Despite the fact that some Lebanese women's organizations did broach upon the issue of violence it was still a taboo subject that was not discussed openly. Upon its inception, the Council triggered other organizations to speak out and denounce violence. The media also cooperated in the sense that all media bodies started paying attention to the issue in question. Newspapers and magazines featured articles on



the subject, and talk shows and interviews with specialists were aired on radio and television.

MS: How do you help these women? What alternatives do you give them?

ZR: We were the first to introduce a hotline where battered women can call, talk to someone, and report a complaint. We also opened a counseling and guidance office where women receive legal help. We have a number of lawyers who volunteer their legal services and handle these women's cases free of charge.



Yet I must admit that we are often faced with endless obstacles because there are no laws to protect abused women, and social services are not available. No ministry has taken upon itself the task of combating (fighting) such a problem. In fact domestic violence is not even considered a problem, so how do we expect governmental bodies to offer solutions? Once society begins to acknowledge such problems, change becomes inevitable.

MS: So basically you offer advise, but these women still lack legal protection?

ZR: We realized that without consciousness raising, legal protection, and demanding that laws be changed there are very limited possibilities for help. Many women remain ignorant of their rights. We do not promise change and immediate solutions, all we

do is help them make use of, and benefit from the available services.

A lot of the women who come to us suffer from low self-esteem and low self-worth. Most of them need someone to talk to. Once they open up and recount their story they feel purged and empowered and are able to grasp their current situation. Some women are subjected to all sorts of violations, and they are not even aware of it. What we help them do is resist violence and revolt against the oppressor.

The most basic problem that faces us is that of the personal status codes. As you know we have 18 different sects in Lebanon and each sect has its own laws. What all these sects

have in common is their biased perception of women. All sects believe that a woman under all circumstance ought to obey and follow her husband. We at the LCRVAW refuse this subordinate position. We are working on changing the laws pertaining to divorce, custody, guardianship, and compensation. We believe that:

- women should have the same right to divorce her husband
- custody age should be 15
- a viable home should be provided for women and her children if dispute is to take place

We chose these laws because they discriminate against women and force them to stay in abusive relationships. Most women refrain from taking legal actions and asking for divorce for fear of losing their children. Most abused women are abandoned by their parents because the latter, either for societal or economic reasons, fail to take these women in. As far as alimony is concerned even when a woman is entitled to a sum it is usually a small amount. Moreover, most men evade paying these women their entitlements and come up with all sorts of excuses.

What we the LCRVAW are asking for is the creation of a governmental fund. These women will receive their settlements from the fund and the latter in turn will reclaim (recover) the money from the husbands. In doing so we protect the woman and her children. We are also calling for quick measures and immediate action as well as the lowering of legal fees. A lot of cases take for ever to be resolved (many years) and cost a lot of money.

MS: What are your future plans?

ZR: We are hoping to establish a shelter for women victims of violence, however, it is a difficult endeavor because we still have no governmental recognition and we lack the permit needed to become an NGO. When we first submitted our request for a license the government was hesitant to accept our request; however, we are told that our license request is being studied. We are not well favored because we are accused of corruption and breaking down the family.

Last year we organized an awareness campaign in schools. We held workshops on violence against women in 45 private schools. Around 1150 secondary students attended these sessions. We received positive feedback from both schools and students. Many students later volunteered their services and currently help us at the LCRVAW. Working with secondary students is very important because they are the future generation.

Our long term plan is to fight all sorts of violations because as you know there are different kinds of violations other than battery that take place. For instance, sexual harassment is of interest to us yet we rarely receive cases of the sort. Incest is also on our agenda but it will have to wait for next year. Until now we have helped more than 300 women, and we are hoping to do more in the coming future.




Suad's Case

Suad, who suffered at the hands of her husband, is a woman in her forties. She has been married to a soldier for the past 27 years. Since the first days of her marriage, she was frequently beaten by her husband. Even though Suad was hospitalized several times owing to the severe beatings inflicted on her by her husband, none of her 9 brothers and sisters helped her. On the contrary, her mother and father were satisfied with the advice to be patient and stay with her husband. During one of her stays in the hospital she found out from her 15 year-old daughter that the father (Suad's husband) had molested and sexually abused her. Suad was hysterical, and immediately after her release from the hospital; she visited a religious figure in her village and told him what had happened. When her husband had found out he went crazy and beat her up. She later reported what had happened to the police who put her husband in jail for 15 days. Upon his release, her husband battered her so badly that she was hospitalized for a long period of time

Suad hesitated to go back to her house and visited her parents to ask their permission to live with them. They refused to take her in, and Suad had to go back to her husband's house for she had nowhere to go. The beating resumed and became more intense, but Suad's only worry was her daughter. In order to protect her abused daughter, she married her off to a relative, left home with the rest of her children and slept on the streets for three whole days. She was desperate, so she tried talking to her husband's brother who advised her to go back home. She knew that she had to go back; she had no money to feed her children. Once back, her husband tied her up in chains and beat her with the help of his parents.

When she could no longer take it, Suad left again but this time without her children. She complained to the military court about her husband's behavior and went to Beirut where she lived with her brother. She found a job in a clothes factory. Yet, this did not last long; she received a letter from her children telling her that her husband was sexually abusing her second daughter aged 15. Suad went crazy and took the letter and presented it to the military court and filed for a divorce. She was not able to obtain a divorce yet the military court sentenced him to 18 months in prison. Besides, he lost his pension because of his immoral behavior.

Suad has not been able to divorce her husband because divorce procedures take a lot of time, and she can't afford to pay for all the legal expenses. Lebanese law is on the man's side since we have no civil law, all divorce cases are referred to religious courts. Muslim women can't divorce their husbands except if they have asked for the right to divorce, and Christian women find it very difficult to divorce. Because of him she lost several of her jobs, since he used to make an appearance at work, beat her up and make a scene. Suad and her children have suffered a lot at the hands of her husband. She still awaits in fear her future and that of her children.



*All battered women who need help or just someone
to talk to can now call the Hot Line
[03 - 829809] of the Lebanese Council to Resist
Violence Against Women.*



Police Response to Violence Against Women Yemen as a Case Study

By **Dr. Mohamad Awadh Baobaid**

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Introduction

Violence Against Women is a subject of great interest to organizations and institutions concerned with human rights. The Fourth International Conference dealing with women's issues described violence against women as a form of human rights violations that is least discussed though widely prevalent.

Domestic violence usually occurs within families and behind closed doors. It is the result of the unbalanced power structure in a husband/wife relationship within the family and in society at large. Since men are the legislators, judges, officers of law, providers for health and family planning, educators, husbands and brothers, they play a major role in sustaining and emphasizing violence or in combating it. Men's positive efforts ought to contribute to changing stereotypical beliefs which allow leniency in matters pertaining to violence against women. Furthermore, such efforts will subsequently bring the issue of violence to the forefront where it will no longer be perceived as merely a private internal family matter. Since policemen play a very essential role in crime prevention, their positive interaction with reported or unreported cases, will contribute to the eradication of such a phenomenon.

Furthermore, in many Arab countries policemen and the judicial body fail to comprehend the ill effects of domestic violence. According to them it is a private matter pertaining only to the family involved. This attitude largely contributes to its widespread in our communities.

In this paper, the researcher will try to portray the mentality and attitude of Yemeni policemen when dealing with cases of violence against women. This will help in understanding the major factors which contribute to such a behavior and will in turn result in practical suggestions that will help to increase awareness, encourage the adoption of a positive approach to abused women, and put an end to such a practice.

The Role of the Judicial Body in Dealing with the Phenomenon of Violence Against Women

The Judiciary can play an important role in dealing with violence against women through the adoption of preventive programs. Given that the judicial body is in close contact

with the community, keeping abreast of all the reported cases of assault will enable it to either prevent or put an end to such human rights violations.

This effective role that could be adopted by the judiciary is hindered by the stereotypical belief that violence is a private matter that should not be discussed in public. Since the aggressors are mostly close family members namely husband, father, brother, etc. policemen refrain from taking the complaint seriously.

Attitudes of Policemen Towards Violence Against Women

The mere presence of women in police stations provokes different attitudes among policemen. Some develop a negative attitude towards these victims especially that in their opinion it is a daring step for a woman to come and report her husband or any member of her family. She is categorised as a bad example since tradition dictates that a woman should be patient and tolerant. Furthermore, policemen do not sympathize with battered women - who are expected to sacrifice their well-being for the sake of the family - because they believe in the stereotype that no woman is battered unless she asked for it. Other policemen feign compassion and mislead these women into believing that they sympathize with them. There are some cases where policemen hide ulterior motives and take advantage of the weakness of these women and often try to sexually assault them and harrass them. Nevertheless, the attitude of police officers towards assaulted women varies depending on the educational and social background.

It is important to note that in Yemen there are no set rules that protect battered women. Thus the proceeding of each case is left to the policeman in charge who deals with each case in his own way. All the factors mentioned reveal the need to investigate the attitude of policemen towards women victims of violence.

The Aim of the Research

The Researcher aims to answer the following questions:

1. Why are Yemeni policemen inclined to exercise violence against women.
2. Does rank and year of service affect this inclination?
3. Is age a factor in determining the level of such inclination?

4. Does the education level affect the degree of inclination?
 5. In the opinion of these police men, what are the main reasons which induce violence against women.

Sample and Methodology of the Research

The research was implemented on 120 police men working in the Department of Criminal Research and police stations in Sanaa, the capital. The period was very limited and extended only from mid September 1999 to mid October 1999. In setting the scale to measure the level of inclination, the researcher used the following tools: Review of literature on the same subject, interviews with police personnel and women, and a 30 item questionnaire. Statistical tools : Percentage, Standard Deviation, Mean and Corrolation. Out of the 120 questionnaires collected 6 were disregarded due to incomplete information.

The following tables 1-6 indicate the distribution of policemen by rank, age, level of education, area of residence, marital status, and years of service

Table 1. Distribution of Policemen by Rank

Rank	Number	Percentage
Soldier	36	34.6
1st & 2nd Lieutenant	28	26.9
Colonel	35	33.6
Not specified	5	4.8
Total	104	99.9

Table 2. Distribution of Policemen by Age

Age	Number	Percentage
19-24	8	7.69
24-29	19	18.26
29-34	22	21.12
34-39	25	24.4
39-44	18	17.34
44-49	5	4.8
49-54	3	2.88
54-59	4	3.84
Total	104	100

Table 3. Distribution of Policemen by Level of Education

Level	Number	Percentage
Elementary	8	7.69
Intermediate	11	10.57
Secondary	18	17.3
University	38	36.53
Graduate Level	16	15.38
No Answer	13	12.5
Total	104	100

Table 4. Distribution of Policemen by Area of Residence

Area	Number	Percentage
Rural	50	48.1
Capital	51	49
No Answer	3	2.8
Total	104	100

Table 5. Distribution of Policemen by Marital Status

Status	Number	Percentage
Married	84	80.1
Single	18	17.3
Divorce	1	1.3
No Answer	1	1.3
Total	104	100

Table 6. Distribution Policemen by Years of Service

Years of Service	Number	Percentage
2-7	25	24.1
7-12	26	25.1
12-17	21	20
17-22	25	24.1
22-27	3	2.88
27-32	3	2.88
32-	1	0.970
Total	104	100

Results

As Table 7 indicates, a high percentage of men in the police force have an average-strong inclination to exercise violence. Table 8 also indicates there is a direct link between their level of inclination and rank. Moreover, years of service and age had no direct effect on their inclination, but indicators used in the study clearly show that inclination increases with men who have lower levels of education and long years of service.

Table 7. Distribution of Policemen by Level of Inclination

Level	Number	Percentage
Weak (27-44)	5	4.8
Average (44-61)	55	52.88
Strong (61-78)	44	42.32
Total	104	100

Table 8. Distribution by Rank & Level of Inclination

Rank	Number	Level
Soldier	39	Average (56.35)
1st & 2nd Lieutenant	29	Strong (66.41)
Colonel	36	Average (58.05)
Total	104	

Finally, in answer to the most common reason justifying violence against women, 70.8 % of the policemen answered "a sick husband", Table 9. They believe that sick husbands usually exhibit violence to cover up their weaknesses. "Equality" was rated as the second most common reason. In their opinion, women who seek work outside their homes in search of equality tend to neglect their family duties.

Table 9. Reason % Justifying Violence

Reason	Percentage
Sick Husband	70.8
Equality	65.16
Working Woman	61.5
Husband's Revenge	60.6
A Way to get Divorce	56.1
Conflict with in-laws	53.5
Overspending	51.3
Jealousy	32.1



Source: Daiffa, Women's Algeria (drawings)

Domestic violence is the result of the unbalanced power structure in a husband/wife relationship

Recommendations

1. To incorporate human rights concepts in the program offered at the police academy and precisely those related to women's issues in Islam.
2. To establish a proper channel between civil society organizations, and the Ministry of Interior to protect victims of violence and prevent such crimes.
3. To establish a women police force specialized with victims of violence and women prisoners.
4. To establish a special department at the Ministry of Interior to work with the family at large acting as a counseling agent, thus protecting women and their children from any acts of violence..

Summarized and Translated by Anita Nassar

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Diana Moukalled Recounts

By Myriam Sfeir

Once every month Diana Moukalled appears on Future TV in a new episode of her program **Bil'ayn al Mujarradeh** (Through the Naked Eye). In each episode she embarks on a new journey to a different country and reports from there on the prevalent situation. I met Diana Moukalled at the Institute for Women's Studies, and we managed to have a quiet conversation something that would have proven very difficult had we chosen Future TV.

Diana was born in Saudi Arabia and lived there until 1986 the year her parents decided to return to Lebanon. She admits that at first she felt alien in the country: "I didn't know much about Lebanon for I had only visited the country twice when very young. Even though I am Lebanese by origin I was not familiar with the customs, traditions and environment."

Having studied at the Lebanese University and majored in Media Studies and Journalism, she maintains: "I didn't plan or dream of becoming a journalist. Throughout the four years I spent at the university the idea of media and

journalism was not yet clear. As time passed by and after putting my profession into practice I began to like it." Moukalled admits that working at Future TV, especially the first three years, made her understand the real meaning of media and journalism.

Moukalled maintains that she was always fascinated by the documentaries prepared by foreign channels such as BBC, CNN and the Discovery Channel. "We Arabs are still amateurs when it comes to documentaries; we concentrate on interviews and talk shows." Documentaries are important, Moukalled asserts, that is why after working for several years in television she decided to prepare a program of her own: "I drafted a proposal and presented it to the administration of Future Television. The proposal received a great deal of enthusiasm." Moukalled explained that she chooses her topics and tries to tackle the issue at hand from different angles in order to include the human element in it. She maintains: "On the surface my program is political yet it includes lived experiences. I love the camera and I believe that it is a means to dis-



Diana Moukalled at work

cover the world. Whenever I am witnessing something I feel an urge to film it. If I have no camera with me or camera man I get very agitated. "

Moukalled admits that when she first started working she was preoccupied with her appearance and obsessed with the way she appeared on television, a phenomenon common among most Lebanese female journalists. However, Moukalled asserts that things have changed since then. She maintains: "Do not underestimate the power of mass media in indoctrinating a certain image of women. Journalists are so preoccupied with the way they look that they dress and act in an inappropriate manner. They wear very sexy and dressy clothes and put on too much make-up. Besides, they are too friendly with politicians and flirt openly with them, and sometimes their relationship goes beyond friendship. Moreover, it is well-known that some newspapers hire beautiful women to draw information out of the politicians."

Moukalled was brought up in a very liberal environment where she was encouraged to pursue her education.

Moukalled's parents are very supportive and proud of what she does. Yet that does not mean that they do not worry about her. She admits: "My parents are my number one fans and critics. Even though they are proud of what I have accomplished, they still worry about me because I work late, travel regularly, sometimes to dangerous places, and take risks, etc."

Her first journey was to Iraq and Kurdistan. The two episodes were very successful, but they

needed some improvement. Moukalled asserts: "We had an agonizing experience in Iraq. We were able to film, by the second, a girl catching her last breath. It was a devastating and shattering sight. I stood there knowing that this girl was dying. I saw her parents standing next to her unable to do anything. I wanted to catch it on camera so that everyone would see what is going on. I knew that this shot would help the Iraqi cause."

Moukalled traveled to Jordan to cover the issue of crimes of honor. Given that the percentage of honor crimes is very high in Jordan, she wanted to learn more about the dynamics of such a crime namely the perpetrator, the reasons behind his actions, the instigators and the killer's feelings after he kills his sister/mother/relative? etc.

Moukalled admits that she tried to detach herself from the subject at hand in order to remain objective. She explains: "My role is to project reality and not judge." She met a lot of people, including young university students who strongly believe that women should die when they deviate from the norm namely upon losing their virginity.

Moukalled admits that she had some difficulty convincing a man who had savagely slaughtered his sister to appear on camera. "I will never forget the absurd justifications he gave me for killing her." Yet, she managed to meet others who were willing to talk: "I met a man, sentenced to 6 years imprisonment, who slaughtered his sister after she was raped by their other brother. According to my interviewee it was all her fault because she seduced their brother. In such societies the blame always lies on women. I also met a family whose daughter was murdered because she lost her virginity. The mother is living in such contradiction: she is brainwashed to believe that her daughter got what she deserved yet at the same time she is grieving the loss of a child (saddened by the death of her daughter). She cried throughout our talk. One of the younger sisters confessed that she wished they had not killed her sister yet when she said that, she lowered her voice. She was scared of expressing her opinions even when not surrounded by her parents."

Moukalled asserts that the issue is very complicated and the aggressors are numerous. There is a very powerful conditioning process going on in Jordan.

"I was very upset when I heard that two women were killed one week after the episode was screened. Even though I never expected an immediate change yet I felt as if my efforts were futile and felt very sad." Moukalled continues: "I feel sorry for those people because they live in such contradiction. I found out from one of the women I met that she started hating her baby girl after her neighbors began accusing her of infidelity and insinuating that her daughter didn't resemble her husband. Her hate developed to a point where she decided to get rid of the daughter. She put the baby in the oven and asked her other daughter to light it. The sister, upon hearing cries, told her mother that there was someone crying in the oven and so the mother broke down and rushed to remove her baby daughter from the oven." Moukalled admits that she can understand why the mother did what she did. She affirms: "I am not justifying her actions but one has to put oneself in this woman's shoes." Moukalled recounts that some families contribute (donate) money and others collect money from one another to buy a gun. It is a system and has nothing to do with one person. Although the law is instrumental in putting an end to such a harmful practice, it is not enough."

Moukalled also visited Algeria to cover the conflict between the Islamists and the government. She wanted to find out who the victims were in such a crisis? Moukalled

Documenting the horrors and recounting the atrocities people were and still are subjected to underline the real crisis.



A Funeral in Algeria
Source: Index on Censorship, 3/1997
Credit: Abbas Magnum

narrates the stories of two women, a widow who was raped by the Islamists because her brother is a police man and a journalist who received death threats because of her writings. She also recounts the ordeals of the families she met whose loved ones were slaughtered in the many massacres: "Documenting the horrors and recounting the atrocities people were and still are subjected to underline the real crisis. The picture becomes clear when one witnesses the sorrows and fears of people. I recall very vividly the terrified look of a young girl who mistakenly thought that the camera was a shot gun. She began crying thinking that we had come to kill her."

Her trip to Afghanistan and Pakistan was unique and enlightening. The purpose was to learn more about Taliban, their philosophy, and plan of action, and to investigate the living conditions of the Afghans in Pakistan: "I was neither very comfortable nor very free in Afghanistan. Most of the men I talked to refused to be filmed because they believe it is haram (a shame). I met several women and only a few accepted to be interviewed. I met a woman who was turned into a prostitute by Taliban. They raped her and forced her to work as a prostitute. She had her whole face covered throughout the interview." According to Moukalled it is very hard to make sense of a movement like Taliban. On the one hand, it calls for the chastity and purity of women, and

on the other hand it engages in rape and encourages prostitution."

When asked which episode she likes the most her answer was "all episodes are dear to my heart, and each journey had something special about it. Moukalled maintains: "I met very interesting women in most countries that I visited. I was very impressed by Iranian women who are very active and militant. Even though they are forced to abide by the dress code, they are able to make use of the negative barriers to bring about something positive. Perhaps this dedication stems from the strict circumstances they are living under. I met an Iranian athlete who fought hard to be able to cover male sports events. She is the only female journalist to do so and is highly respected in Iran." Kuwaiti women are not that devoted to their cause, despite the fact that they are calling for political rights. Even in countries where women are granted the right to vote they tend to vote for the candidates chosen by the family. Most Kuwaiti women belong to the privileged class. Given that their material needs are satisfied, they are under the impression that they are liberated. Many Lebanese women are no different; they claim to be modern when in fact they are leading a shallow life. They are neither interested in what is going on around them. Women should be more serious when they demand for their rights. They are neither conscious of the advantages nor are they utilizing them."

Beijing

+5

By May Farah*
Reporter, *The Daily Star*

After five days of marathon meetings, thousands of women - and a handful of men - managed to produce a new blueprint aimed at improving women's lives. But it was a close call. The majority of the 10,000 participants gathered had all but given up hope that an agreement would be reached. The occasion was a special session of the United Nations General Assembly, held June 5 to 9 in New York, and dedicated to assessing women's progress in the five years since the last major conference was held in Beijing, China.

The agreement concerned a document called Future Actions and Initiatives, which was likened to a "bill of rights" for women. It was finally in the late hours of Friday, the last day of meetings, when the details were hammered out, and an accord reached. Women 2000: Gender Equality, Development and Peace for the Twenty-first Century, known also as Beijing+5 - referring to the pivotal UN forum on women held in 1995 in the Chinese capital - gathered representatives from government, non-governmental organizations and UN agencies to examine women's progress and determine how to move forward in the quest for equality.

It was Yakin Erturk, the director of the Office for the Advancement of Women at UN Headquarters in New York, who dubbed the document "a bill of rights for women." Based on the results of a comprehensive questionnaire sent to governments asking them what they had done to promote equality since Beijing, Future Actions and Initiatives was compiled, that "reinforces and strengthens the Platform for Action," she said, referring to the impressive outcome of the Beijing conference. Noeleen Heyzer, the executive director of the UN Development Fund for Women, summed up the week-long conference: "the meetings are about commitment, accountability and transformation," she had told the media on the eve of the meetings. "The stakes are high because progress for women ultimately means progress for all," she stressed.

Throughout the week, already tight security measures at headquarters were beefed up because of the participation of many high-profile women, which included Queen Noor and

Princess Basma of Jordan, a number of First Ladies - Hillary Rodham Clinton, Andrée Lahoud, Suzanne Mubarak, and numerous ministers. Along with committee meetings on the various sections of the Future Initiatives document and member states addressing the Assembly on the status of implementing the Platform in their respective countries, the conference included panel discussions, film screenings, and endless, less formal discussions over coffee.

When Lebanon's own First Lady took to the podium, she spoke concisely, concentrating her address on recent events. As president of the Lebanese Commission on the Status of women heading Lebanon's delegation to New York, Lahoud had called on the international community to provide "further and immediate assistance" to the south. The aid, she stressed, would serve to alleviate some of the suffering of the region, and prevent "these pains from overflowing into new catastrophes and strife."

Appealing to the conscience of the world, Lahoud said the needs of the south were enormous. "There is no electricity, no roads, no water, not even any agriculture," she said, urging the international community to provide the necessary assistance. "The region of South Lebanon remains a witness to the ravages of occupation, and epitomizes backwardness and desolation." Meanwhile, by noon Friday, with 15 percent of the document still being debated, Erturk insisted that meetings would continue until the remaining issues of contention were resolved. "I don't even want to think of the alternative," she said then, noting that delegates had shown their commitment to finalizing the document, which calls on governments to take future initiatives and actions in implementing the Beijing Platform.

The dissension was over the wording on subjects considered "sensitive," including sexual orientation, reproductive and sexual health, and the family. Faced with growing speculation that the gains of Beijing would be lost in New York, Erturk swiftly dismissed fears that the Beijing Plus Five meetings would result in a "Beijing Minus Five" document. "All delegates have agreed that there is no going back to before Beijing," she said. "Some areas are stronger, than others, and the language of Beijing is being used because those issues are still delicate." One such case is abortion. During the meetings, liberal groups accused the Vatican and Islamic



The region of South Lebanon remains a witness to the ravages of occupation, and epitomizes backwardness and desolation.



countries of trying to erode gains made in Beijing. In the end, the wording of Beijing was maintained - calling for safe abortions in countries where it is legal.

Erturk admitted that, for such issues, new wording was problematic; but she stressed that, in other areas, the document had surpassed Beijing. "For example, in the area of violence against women, there is already more awareness and much more being done," she said, highlighting in particular the gradual elimination of honor killings, or which she dubbed "dishonor killings." Among a number of conservative nations, there was substantial concern that the language and norms of western nations were being imposed on countries still struggling to deal with the more basic issues of equality, such as economic independence, inheritance rights, and access to the decision-making process.

For all the controversy and exchanges surrounding a few points, however, delegates didn't want to lose sight of the significance of what had been achieved. "We have moved forward on so many points, even on new issues which were

raised, we shouldn't forget that," said Sofia Fuentes, a member of one of several Spanish NGOs attending the conference.

Among those issues to which Fuentes referred was the trafficking of women and children. The

subject was raised by a number of delegates, including Madeleine Albright, the US Secretary of State. Albright called for international efforts to stop this "rapidly growing criminal enterprise" which she stressed had "gone global." At the end of the week, and despite the many altercations and the need to revert to previous wording on a handful of issues, progress had been made. Women and men walked away with a new commitment to the struggle for equality. And, to many of the delegates, that certainly was not the only achievement. "This coming together of all these women and men from all over the world- that's also an accomplishment," observed Fuentes.

* May Farah attended the conference at the invitation of the United Nations Development Fund for Women in her capacity as a reporter for *The Daily Star*

In the House of Silence

(Autobiographical Essays by Arab Women Writers)

Editor: Fadia Faqir

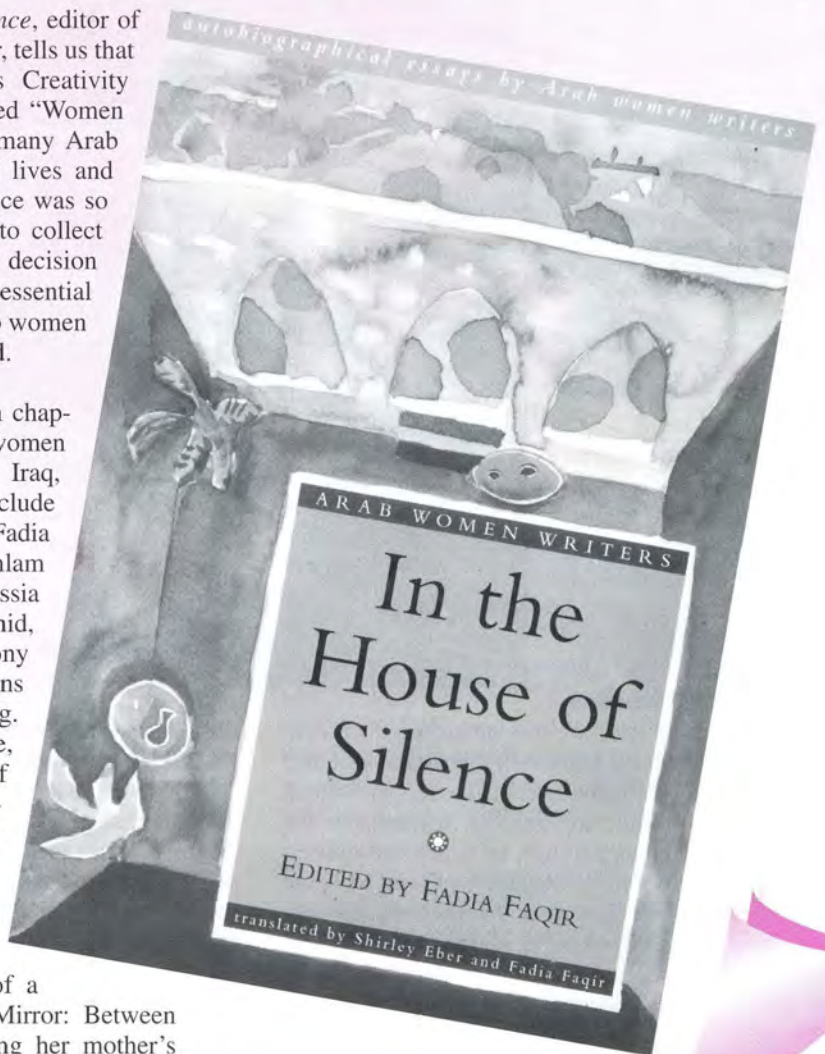
UK: Garnet Publishing Ltd., 1998, 1st ed.

Reviewed by Abir Hamdar

In the introduction to *In the House of Silence*, editor of the Arab Women Writers series, Fadia Faqir, tells us that on April 10, 1992, the Arab Women's Creativity Association organized a conference entitled "Women and the Novel." During the conference, many Arab women writers gave testimonies on their lives and writing. What they shared with the audience was so moving and poignant that Faqir decided to collect some of them in a book. The fruit of that decision was published six years later and is an essential reading book for all those interested in Arab women novelists and researches in the literary field.

The 181-page book is divided into thirteen chapters that include the testimonies of leading women novelists from Lebanon, Syria, Tunisia, Iraq, Palestine, Algeria, Bahrain. The writers include Liana Badr, Salwa Bakr, Hoda Barakat, Fadia Faqir, Alia Mamdouh, Samira Al Mana', Ahlam Mosteghanemi, Hamida Na'na, Aroussia Nalouti, Nawal El Saadawi, Fawzia Rashid, Hadia Said and Zhor Ounissi. Each testimony they share recounts the difficult conditions under which they found themselves writing. And while each experience is a unique one, almost all of them reflect the hardship of being a female in the Arab world, the struggle to gain an education, the drive to prove oneself, and finally what it means to be a woman writer in Arab society.

For instance, the Palestinian writer Liana Badr begins her testimony, "The Story of a Novel or Reflections of Details in the Mirror: Between Awareness and Madness," by remembering her mother's strict warning against standing too long in front of the mirror, because "desire is a dangerous thing for a girl in our society, as is exploring the coverings which shield the body



from the eyes and words of others that can so easily enclose it in their grasp”(p.27). And for years, Badr says that she was terrified of looking at that glass which “invariably undertakes a dialogue with the soul,” (p.28). Yet, the many private and public wars that the author lived through finally compelled her to take a deep glance, scrutinizing and searching. That same compulsion also drove her to writing.

For Alia Mamdouh, however, it is fear, which finds its roots in the cupboards of her childhood, that drives her to write. In her testimony “Creatures of Arab Fear,” the author describes growing up in a place where fear lived in everyone: “From the living room to the shared bedrooms, encompassing the school, the street and even public baths. Fear haunted every member of this family,”(p.68). This fear has accompanied Mamdouh through the different phases of her life, until it became difficult to even express the true nature of that fear. Mamdouh says: “One day, it felt as if it had replaced the very blood in my veins,” (p.69). The author also raises a number of questions about Arab women writers and the problems they encounter. For instance, she wonders: “Is female creativity still perceived as undesirable? Could this be the reason why they don’t reach the public?” (p.70).

Ahlam Mosteghanemi’s “Writing Against Time and History,” depicts writing as a process that enables one to open secret doors, to think against oneself, to argue and to take a risk. For Mosteghanemi, the main threat lies in the suppression of freedom that Arab writers suffer, especially Algerians. She says: “Whereas we used to dream of living one day with what we write, we now dream of not dying one day because of what we write,” (p.88). But that is not all. Mosteghanemi also describes what it means to be a writer and a wife. She explains: “I steal time to write, break into my son’s study to write and cheat on those around me to make a date with paper,” (p.86).

On the other hand, Hamida Na’na’s essay “Writing Away the Prison,” relives the journey of a girl who refuses to

surrender to any institution, including marriage. Na’na recounts her first day at school, which took on a “funeral character at home,” (p.93), her struggle to gain an education, joining a political party for the liberty of a nation, and later the dilemma of finding a place to belong. All of these recollections, however, do not explain the author’s reason for writing. Na’na says: “I used to think that I wrote as part of my battle to change what I had lived through as a child. Then little by little, I became aware of the simple truth: I write because I love writing,” (p.102).

Like Na’na, Nawal El Saadawi’s “Alone With Pen and Paper,” reflects the struggle of a rebel who refuses to settle into the passive role that society tried to instill in her and the consequences of that refusal. The essay is tinged with the sadness the Egyptian author feels at the life of exile she has sometimes gone through, in her fight for intellectual and social freedom. She says: “I am living in the whole world but I am completely alone; all I have with me is pen and paper,” (p.118).

In addition to the 13 testimonies, whose language varies according to each author’s style, a biographical note on the writers and their works precedes each essay. Also, the editor provides two in-depth analytical readings on women autobiography in the Arab world, drawing on the testimonies and the works of the writers themselves as examples.

Finally, *In House of Silence* is a rare collection of autobiographical writings that throbs with the hardships, burdens and pleasures of being a woman writer in the Arab world. While the editor stresses that the testimonies should not make us “draw conclusions about the authors,” (p.x), each essay is still an insight into the lives of the novelists, still a reflection on the conditions of women in our society and the changes taking place around us. This is a book about every woman in the Arab world.

Forthcoming in *Al-Raida*

Women Centers in the Arab World

Islam, Gender, and Social Change

Edited by Yvonne Yazbeck Haddad and John L. Esposito
Oxford University Press, 1998
Reviewed by Lynn Maalouf

About the editors:

Yvonne Yazbeck Haddad is currently Professor of History of Islam and Christian-Muslim Relations at the Center for Muslim-Christian Understanding, at Georgetown University. She is the former President of the Middle East Studies Association.

John L. Esposito is Professor of Religion and International Affairs at Georgetown University, and Director of the Center for Muslim-Christian Understanding. He is the Editor-in-Chief of *The Oxford Encyclopedia of the Modern Islamic World*.

As the title suggests, this book is an insightful study on how "Islam, Gender, and Social Change" interact in the contemporary Arab world, as well as other Muslim societies, such as Pakistan, Iran and the Philippines. The first part offers different perspectives on this issue, combining thorough historical and scholarly reviews, along with analysis of the current state of women in the region in general. The second part introduces case studies of India, Egypt, Jordan, Pakistan, Oman, Bahrain, Kuwait and the Philippines.

The debate involving the impact of political, economic and social changes on women's roles and status has been a heavily charged one, nurtured by the "challenge of contemporary Islamic activism" (Esposito) of the last decades. This debate has taken different forms, in accordance with the specific conditions prevailing in each country. According to Nadia Hijab, (p.48)

The debate on women's roles in the Arab world is not only a debate about women's roles within the family. It is also linked to the debate on the role of Islam in the state, and is closely bound with the Arab search for political independence, economic self-reliance, and an authentic identity. These are some of the reasons why the debate has remained fixed within the Islamic framework, like an old-fashioned phonograph needle stuck in a groove, etching the contradictions even deeper.

However, even this Islamic framework has evolved into a plurality of patterns, which according to Stowasser (p.42) is representative of contemporary Islamic thought. Basing her work on a crucial verse from the Quran, Sura 4:34, she offers an overview of the different interpretations of this verse and its effect on women, reflecting the diverse national, geographical, social and historical conditions specific to each of the Muslim societies. She discusses the stance of the reformers, such as the Egyptian Islamic modernist, Muhammad Abduh, as well as the traditional religious establishment, and the Islamists, pointing out the various Islamic discourses that may arise from the same verse.

As for Haddad, she delves into an overview of modern Arab history, and the corresponding role of women during this period. She draws a perceptive sketch of the conflicting expectations placed on women by nationalist and Islamic movements, and the changes and divergences brought about by the processes of westernization and Islamic revival. Speaking about improvement in women's education, she states: "It is clear that modernization in the Arab world has served to sharpen the conflict between traditional expectations of women and their role and the real demands of daily life in a developing society." (p.8). She concludes:

Debates over social and cultural values during this century have focused on the legitimate source of universal values. [] Muslims increasingly challenge the assumption that the Western experience is the only legitimate analytical framework for assessing the role of women, or that the Western family must serve as the universal model. Many have decided that Western values are to be avoided at any cost. Can the West, they ask, allow for other cultures and traditions to posit universals? (p.23).

This attack on the West, which has been conditioning the search for an authentic Arab identity, is blatantly apparent on the women's role demanded by their societies. They "are regarded as the primary culture bearers...the hijab has become not only a sign of modesty but also the symbol for the defense of Islam, for the preservation of the family, and thus the Islamic identity of Muslim societies." (Esposito).

As for the case studies, each is taken from a different perspective. For example, in "Feminism in an Islamic Republic: Years of Hardship, Years of Growth", Najmadi presents an extensive overview of the editorial women's press, in an effort to explain the sustenance of women in the public sphere, despite the social and legal restrictions that have arisen since 1979. Speaking of Zanan, one women's journals, she declares that "the authors not only assume the position of Quran commentators, but they do so in a different social space: in the printed pages of women's journal, that is, a public space, as opposed to the private chambers of a religious scholar." (p.71). The subsequent case studies of the countries mentioned above are concomitant with the debate discussed in the first part, and the status of women in the context of societal, economic and political and ideological changes that have taken place over the years and across the countries.