

HONOR, THE STATE, AND ITS IMPLICATIONS: AN EXAMINATION OF HONOR
KILLING IN JORDAN AND THE EFFORTS OF LOCAL ACTIVISTS

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HONOR, THE STATE, AND ITS IMPLICATIONS: AN EXAMINATION OF HONOR
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THESIS ABSTRACT

HONOR, THE STATE AND ITS IMPLICATIONS: AN EXAMINATION OF HONOR KILLING IN JORDAN AND THE EFFORTS OF LOCAL ACTIVISTS

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The topic of honor crimes is a controversial one that has gained a great deal of attention over the years. There are many countries such as Jordan that grants leniency to honor crime perpetrators by providing them with prison sentences that are as little as three months. Even though Jordan has made great strides in woman's issues, such as combating illiteracy, citizens continue to face many obstacles that prevent women from attaining their rights. This study examined the social context of patriarchy, women's rights in Islam, theoretical notions of honor, and the perspectives of local activists and their efforts in combating this phenomenon. This research resulted from fieldwork conducted in the summer of 2007 in Jordan, during which the author accumulated qualitative data on honor crimes from interviews of local activists. Data collection

ncluded semi-structured interviews with the activists as well as participant observations in local mosques throughout Amman. The leaders of these mosques requested anonymity in reference to the names and locations of the mosque. In addition, there is particular emphasis on elucidating this social phenomenon with excerpts from the author's transcriptions while integrating sociological theory. The social, cultural, and political ramifications of this study provide a thorough insight into the factors contributing to honor crimes. There are many issues the Jordanian government should address in order to eradicate this phenomenon. These issues include repealing articles 98 and 340 of the Jordanian constitution and educating the public on the issue of women's rights; local imams need to address this issue and honor crime victims need to be taken out of prisons and placed in shelters away from harm.

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I. INTRODUCTION

Over the last few decades Jordan has made progress enhancing women's status in society. Jordan has witnessed tremendous progress in the area of female education and employment rates (CIA, 2007). However, Jordan continues to lag behind in the social equality of women when criminal laws that are pertinent to the treatment of women and cited in the criminal code are considered. The laws of Jordan continue to permit reduced punishments for brutal honor crimes. According to the United Nations, as many as 5000 women and girls are murdered annually by family members in honor killings around the world (UNPF, 76). In Jordan, it is estimated that 19 to 100 or more women are killed per year in honor killings (Shelley, 2007). The numbers are grossly underestimated given that many of these murders are covered up as suicides or accidents.

In countries where the "honor" of women in a man's life is intertwined in the evaluation of a man's integrity and social status, consequences can be fatal. Violations of honor usually involve a girl or woman's use of her sexuality in a manner that is deemed inappropriate. Research shows that honor violations have included eloping, being raped and/or sexually abused, seeking divorce, or even being alone with a male in an innocent encounter. Most frequently, male family members tend to be the people who carry out honor crimes. However, there have been known cases where a female family member murders another female in an honor killing (Husseini, 2006).

Research Question and Objectives

Honor Crimes are a controversial topic that has gained media attention over the years. However, the phenomenon is still widely practiced all over the world (Shelley, 2007). Currently, there are laws that continue to grant leniency to honor crime perpetrators. The question addressed in this study asks why these crimes are still prevalent in modern societies. This creates a cause for examining the factors that attribute to these crimes, the impediments of the key advocates and the state's role in curtailing these crimes. The scarce research that has been conducted on honor crimes has examined autopsy reports and court files.

The objectives of the research are to collect qualitative data from the key informants that have advocated for the victims of honor crimes in Jordan. These data were collected by semi-structured interviews. Semi-structured interviews are more flexible forms of interviewing and are conducted with an open framework suitable for conversational and two-way communication. . Currently, there is a lack of thorough ethnographic data on this topic. The researcher has interviewed the key advocates and reported on the obstacles they have confronted when reporting and/or advocating for the victims of these crimes.

The researcher also engaged in participant observation in an attempt to collect social, cultural, religious and demographic information affecting the phenomenon of honor crimes. The observations took place in various mosques throughout Amman, Jordan. This participant observation provides a window into the social beliefs of the greater Jordanian population.

These observations at the mosque examine the religious teachings that are conveyed to the greater public. This part of the study is fundamental to the understanding of honor crimes since the mainstream media has led to the misrepresentation of Islamic beliefs (Golley, 2004). *Duroos* or religious lessons are lectures organized by women for women. However, discourse and debate are a vital component of these lessons. Although one woman may lead the discussion, the group members frequently interject their comments, questions, and anecdotes.

Study Background

It is complex to determine the number of honor killings committed annually in Jordan. Many countries do not track or report such murders, and even in cases where official statistics are available, it is widely believed that countless murders go unreported. Currently, there is only one journalist in Jordan who reports on honor killings. Rana Husseini of *The Jordan Times* has been reporting for thirteen years in Jordan. The newspaper for which she reports is printed in English. The official language of Jordan is Arabic but English is widely understood among the upper and middle classes of society (CIA, 2007).

Jordan is located near the southeastern coast of the Mediterranean. Jordan shares borders with Syria to the north, Iraq to the east, the West Bank and Israel to the west, and Saudi Arabia to the east and south. The kingdom of Jordan and its people have been shaped by centuries of ephemeral civilizations. For much of its history, Jordan has been a crossroad between east and west.

According to the *CIA World Factbook* the population of Jordan is 5,906,760 (July 2006). The World Bank categorizes Jordan as a "lower middle income country." The per-capita GDP was approximately \$1,817 for 2003 and the unemployment rate in 2003 was 14.5%. The literacy rate in Jordan is 91.3% for the entire population, 95.9% for males and 86.3% for females in 2003 (CIA, 2007).

Jordan is officially called the Hashemite Kingdom of Jordan (المملكة الأردنية الهاشمية). Jordan is a constitutional monarchy based on the constitution which was approved on January 8, 1952. The King has executive power. Among his powers include: signing and executing all laws (his right to veto may be superseded by a two-thirds vote of both houses of the National Assembly), appointing and dismissing all judges by decree, approving amendments to the constitution, declaring war, commanding the armed forces, dismissing cabinet members at the prime minister's request, appointing the council of ministers and issuing cabinet and court judgments. (CIA, 2007).

A bicameral parliament consisting of the Chamber of Deputies and the Senate has legislative power. The members of the Chamber are elected to a four year term by popular vote on the basis of proportional representation. However, the Chamber is subject to dissolution by the king. The Senate consists of fifty five members and is appointed by the king for an eight year term. The king also appoints the prime minister, appoints the Council of Ministers and is responsible for leading the Council. The approval of the Council is subject to a vote of confidence by the Chamber of Deputies. The Council of Ministers implements policy and coordinates the efforts of various departments (U.S. Department of State, 2006).

Throughout the history of Jordan governmental positions were traditionally occupied by men. This continued until 1979, when In'am al-Mufti was appointed to lead the newly created Ministry of Social Development. She was the first female cabinet minister in the history of the Hashemite Kingdom of Jordan. Women were granted the right to vote in 1974. Under the leadership of King Abdullah, the election law was amended in 2003 to include a quota for women consisting of six parliamentary seats. Women's political participation in the elections held in June 2003 increased significantly from the previous election held in 1997. The figure of women candidates almost tripled from 17 in 1997 to 54 in 2003; women candidates received 40 percent more votes than in 1997. Another astonishing accomplishment was that the voter turnout for females was higher than males (US Embassy of Jordan, 2007).

II. HONOR, PATRIARCHY AND THE STATE

When a male dominated government conceals the purpose of religion for its own benefit, what remains is a system exploiting religion to justify patriarchal laws. A prime example of this occurrence can be found in the *Jahilliya period*¹, the time period before Islam when cultural practices were superseded by Islam. Despite the great accomplishments that have occurred in the Middle East, in many ways Muslims have reverted to the days of the *Jahilliya* when the status of gender laws in the Middle East are considered. The status of women in Islam has been an issue of contention for several decades.

In order to shed light on the current social problems of women in Jordan this review of the literature will emphasize the social context of patriarchy, women's rights in Islam, theoretical notions of honor, the rise of Islamic feminism, the global and Jordanian context of honor crimes, and case stories of honor killings in Jordan. Frequently, the international media reports on the oppression of women in Islamic countries. These reports can limit the greater understanding of these issues by confining them to one region (Hutcheon, 2004). Furthermore, these challenges can create isolation which in turn creates a greater divide capable of strengthening the schema of the tyrants.

An evident divide between Jordan's public and private spheres significantly affects the progression of women's rights and elucidates the gender disparities that exist.

¹ Refer to Appendix 1 for all Arabic terms, which are italicized

The societal perception concerning women's rights and family obligations continues to obstruct the advancement of women's status. Several Jordanians believe that women's equality and independence will lead to the destruction of the family structure. In view of these social attitudes, Jordanian women face complex challenges in achieving social and economic rights (Abu-Hassan, 2005).

Even though many feminists are associated with western society, Muslim feminists differ since the movement emphasizes the profoundly ingrained teachings of equality in Islam. In addition, the Islamic feminist movement evaluates the principles of Islam in comparison to the patriarchal societies in the Middle East. Throughout this study it is imperative to highlight the significance of feminists' movements in the west and Islamic countries in order to assess the obstacles they have overcome in an effort to combat change in the world.

Gender Oppression and Patriarchy

Ann Oakley is best known for her work on sex and gender, housework, childbirth and feminist social science, and more recently for her work on evidence-based public policy and methodologies of research and evaluation. Oakley (1972) accepts the basic biological differences between males and females, but views an upbringing that prepares young women exclusively for the role of wife and mother as a crippling process, obstructing a girl's development as an individual of diverse aptitude. She suggested that the 'gender' of an individual was social and cultural. Oakley put forth the idea that a 'socially constructed' gender was built on a more fundamental sex which was

biologically based. This 'gender' had to be learned by (younger) individuals and taught by (older) individuals (Oakley, 1972).

Gender oppression theories portray women's circumstances as the outcome of a direct power correlation between men and women, where men have fundamental interests in controlling women; in essence this is the practice of domination. In the scheme of domination, a relationship exists in which one party thrives in constructing an inferior role for the exploited party. This is a mechanism of the superior's coercion and essentially the refusal to recognize the subordinate's autonomy. Gender oppression theorists argue that women's situation is centrally that of being dominated and oppressed by men (Ritzer and Goodman, 2003).

A pattern of gender oppression is integrated into an invasive approach into society's organization of patriarchy. Patriarchy is the anthropological term used to define the situation in which fathers have supreme authority within families and male members of a society tend to prevail in positions of power; with the more powerful the position, the more likely it is that a male will hold that position. French (1986) has asserted that women's oppression is an inherent part of the male-dominated global culture.

Goldberg (1993) characterizes patriarchy as a structure of organization (political, economic, industrial, financial, religious or social) in which the vast majority of high ranking positions in hierarchies are occupied by males. Gender differences and gender inequality comprise the central tenets of patriarchy. Patriarchy is not the inadvertent consequence of some other set of factors—be it biology or socialization--rather it is a primary power arrangement sustained by strong and deliberate intention. Undoubtedly, it is evident that gender oppression and gender inequality are derivatives of patriarchy.

Additionally, patriarchy is not limited to a particular region rather it is a global phenomenon.

Global Context of Honor Crimes

Honor killing is a global phenomenon and has been reported in countries such as Iran, Turkey, Afghanistan, Iraq, Saudi Arabia, Egypt, Palestine, Jordan², Bangladesh, Algeria, Brazil, Ecuador, Morocco, India, Israel, Ethiopia, Somalia, Uganda, the Balkans, Sweden, Holland, Germany, Italy, Yemen and many more countries. The belief that a husband had the prerogative to murder his adulterous wife can be traced back to the codes of Hammurabi, Nesilim, and Assura.

Laws and traditions in the United States are also included in this global phenomenon. The US adopted the heat-of-passion defense from English common law. Many states have codified the defense as constitutive of the lower offenses of second-degree murder or manslaughter while others uphold a single offense allowing common law interpretations of mitigating factors to reduce sentences. Regardless of their form, American heat of passion defenses pursue the fundamental rationale that rational logic is absent when a husband discovers his wife committing illicit affairs, and that he acted on evidence supporting a belief that adultery was committed and there was no time to regain sensibilities (Goldstein, 2002).

² Refer to Appendix 4 for a graph showing the victims of Honor Killings in Jordan 1997-2007.

In 1999, a man in Texas murdered his unfaithful wife and her lover in front of their 10-year old child and was sentenced to four months in prison for the crime. This case was similar to an honor killing in the sense that adultery was considered a mitigating factor in the case. However, while individualistic societies such as the US tend to establish honor in the individual, communities that condone "honor killings" trace honor in the family or tribe (Warrick, 2005).

Although thousands of women are murdered by their families each year in the name of honor, it is not possible to have verifiable statistics of the number of victims of honor due to the lack of information and availability. The murders frequently go unreported and often remain a private family affair; no truthful official statistics are available on the practice or its frequency. It is estimated by the United Nations Population Fund that as many as 5000 women and girls are murdered by family members each year in so-called "honor killings" around the world (UNPF, 2002). Human Rights Watch (2004) defines honor killings as:

"Honour crimes are acts of violence, usually murder, committed by male family members against female family members, who are perceived to have brought dishonor upon the family. A woman can be targeted by (individuals within) her family for a variety of reasons, including: refusing to enter into an arranged marriage, being the victim of a sexual assault, seeking a divorce — even from an abusive husband — or (allegedly) committing adultery. The mere perception that a woman has behaved in a specific way to "dishonor" her family, is sufficient to trigger an attack."

In various countries a husband has the right to “discipline” or “correct” a disobedient wife, or even kill her if he suspects she has committed adultery. Several countries still sanction legislative provisions allowing for partial or complete protection which can be found in the penal codes of Argentina, Bangladesh, Ecuador, Egypt, Guatemala, Iran, Israel, Jordan, Lebanon, Peru, Syria, Venezuela and the Palestinian National Authority (Shesler, 2005).

In Morocco Article 418 of the penal code states "Murder, injury and beating are excusable if they are committed by a husband on his wife as well as the accomplice at the moment in which he surprises them in the act of adultery." On the contrary, if a wife kills her unfaithful husband she would be charged with murder in Morocco (Neft, 2007). Likewise, in Brazil and many other countries in Latin America, a man may be excused if he catches his wife in flagrante delicto with another man.

In Haiti, Article 269 of the Penal Code states that "in the case of adultery the murder by a husband of his wife and/or her partner, immediately upon discovering them in flagrante delicto in the conjugal abode, is to be pardoned." Furthermore in Syria, Article 548 states that, "He who catches his wife or one of his ascendants, descendants or sister committing adultery or illegitimate sexual acts with another and he killed or injured one or both of them benefits from an exemption of penalty." These crimes are acknowledged as a defense of honor and are often successful in cases where the husband can prove he acted spontaneously in order to defend his honor. Occasionally, the husband may only presume his wife's infidelity to meet the criteria for a defense of honor (Neft, 2007).

Honor killing is most often the killing of a female, but in many cases also a male, and sometimes his/her family members, or love-interests for supposed sexual or marital offenses, typically by his/her own relatives or relatives of a purported romantic interest, with the justification being that the "offense" has brought "dishonor" to the family. These crimes are socially sanctioned in many countries and the killers are treated with lenience. Although it may be noted that so-called "honor killings" tend to be prevalent in countries with a majority Muslim population, many Islamic leaders and scholars have condemned the practice and denied claims that it is based on religious doctrine.

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Shari'a Law

Shari'a is believed to be God's law for the Islamic community or *umma*. The term means "way" or "path"; it is the legal framework within which public and some private aspects of life are regulated for those living in a legal system based on Muslim principles of jurisprudence. Islamic law is a system of ethics as it is law, for it is concerned with

what a Muslim ought to do or ought not to do. Shari'a is a collection of sources which includes the Qur'an and Hadith (traditions relating to the words and deeds of the Prophet Muhammad) and a series of procedures for elucidating them. It is essential to consider that most Islamic countries are not based on Shari'a with the exception of Saudi Arabia and Iran. A fundamental ultimatum of the Islamist opposition is that Shari'a should be "the" instead of "a" source of law.

Most Muslims to a degree of personal conscience adopt this law, but it can also be formally instituted as law by certain states and enforced by the courts. Islamic law is also egalitarian; it surpasses regional, family, tribal, and ethnic boundaries. It does not recognize social class or caste differences. The belief that Islamic law was a comprehensive social blueprint was reflected in the organization and content of law. Legal rights and duties are divided into two major categories. The first category is duties to God; such as prayer, almsgiving, and fasting. The second category is duties to social transaction; which include penal, commercial, and family laws (Esposito, 1998).

Women's Status in Islam

Islam condemned many pre-Islamic customs that permitted female genocide. These pre-Islamic rituals provide an evident example of the oppositions that women face in their daily lives. Regrettably, the message Islam brought by prohibiting female genocide appears to have been forgotten with today's escalating violence against women (Barlas, 2002). The message of the Qur'an entails honor and the absolute prohibition of

female genocide, which is itself forbidding of the views toward women that regard them as a source of dishonor.

Islam presented women with an independent identity and declared that their moral and spiritual gains depend solely on their own performance. Like man, a woman's failure or success rests on her own beliefs, attitude, behavior and conduct. She is a responsible being in her own right and carries the burden of her moral and spiritual obligations. Muhammad said, "'It is the generous (in character) who is good to women, and it is the wicked who insults them" (Al-Timmini, 2003).

In the U.S., while the vast majority of Muslim leaders are men, the voices of American Muslim women are emerging as important contributors to discussions of Islamic law, health care, domestic violence, and education. American Muslim feminist scholars are, for example, playing imperative roles in exploring the Quran's views of women. Some argue for changes in Islamic Shari'a regarding women, in favor of laws that better capture Quranic views of justice and kindness.

At the time of its establishment, Islam constituted a truly progressive force regarding women's rights, including ending the practice of female infanticide. Many of the rights granted to women in Islam were not granted to Western women until the late nineteenth and early twentieth centuries. For example, as late as the mid 1970s, state law in Alabama prohibited women the right to make contracts, sell property, engage in business, control their own earnings, and make wills (Digital History, 2006). Under Islamic law, women have always held the right to own property, enter contracts, and conduct business independently of men, although the patriarchal nature of society in

some Muslim countries may limit the extent to which women actually exercise their rights (Faqir, 2001).

The Islamic Shar'ia recognizes the full property rights of women before and after marriage. A married woman may keep her maiden name. They are entitled to receive marital gifts, and keep present and future properties and income for their own security. No married woman is required to spend a penny from her property and income on the household. She is entitled to full financial support during marriage and during the waiting period (*'iddah*) in case of divorce. She is also entitled to child support. Generally, a Muslim woman is guaranteed support in all stages of her life, as a daughter, wife, mother, or sister. These additional advantages of women over men are somewhat balanced by the provisions of the inheritance which allow the male, in most cases, to inherit twice as much as the female. This means that the male inherits more but is responsible financially for other females: daughters, wives, mother, and sister, while the female (i.e., a wife) inherits less but can keep it all for investment and financial security without any legal obligation to spend any part of it even for her own living expenses (Baadawi,18).

Shari'a does not only grant women their rights in their day to day affairs; it also places women in a desirable position, a status that demands respect and veneration: "O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife (Eve), and from them both He created many men and women and fear Allah (God) through Whom you demand your mutual (rights), and (reverence) the wombs (that bore you). Surely, Allah is Ever an All Watcher over you" (Quran:4:1).

Also, a woman has the basic freedom of choice and expression based on recognition of her individual personality. First, she is free to choose her religion. The Qur'an states: "There is no compulsion in religion. Right has been made distinct from error" (2:256). Women are encouraged in Islam to contribute their opinions and ideas. There are many traditions of the Muhammad which indicate women would pose questions directly to him and offer their opinions concerning religion, economics and social matters. A Muslim woman chooses her husband and keeps her name after marriage. A Muslim woman's testimony is valid in legal disputes. In fact, in areas in which women are more familiar, their evidence is conclusive (Treacher, 2001).

Muhammad said: "Seeking knowledge is a mandate for every Muslim (male and female)." Men and women both have the capacity for learning and understanding. While maintenance of a home, providing support to her husband, and upbringing of children are among the highly regarded roles for a woman, if she has the skills to work outside the home for the good of the community, she may do so as long as her family obligations are met. Islam recognizes and fosters the natural differences between men and women despite their equality. Some types of work are more suitable for men and other types for women. However, this in no way diminishes either's effort. God will reward both sexes equally for the value of their work, though it may not necessarily be the same activity. Concerning motherhood, the Prophet Muhammed said: "Heaven lies under the feet of mothers." This implies that the success of a society can be traced to the mothers that raised it. Another implication from this hadith is that women are regarded with the utmost respect and deserving of it as well. The most paramount influence on a person comes from the sense of security, affection, and training received from the mother. Therefore, a

woman having children should be educated and conscientious in order to be a skillful parent (Afkhani, 1995).

Shari'a recognizes the inherent dignity granted by God upon all human beings regardless of race, ethnicity, gender or religion. The Qur'an is explicit in its emphasis on the equality of women and men before God: *And their Lord has accepted of them and answered them, "Never will I suffer to be lost the work of any of you, whether male or female, you are members, one of another..."* (Qur'an 3:195; see also 33:35).

Individual accountability before God is stressed throughout the Qur'an, beginning with the story of Adam and Eve: as a result of their transgression (committed together and simultaneously) they were banished from Paradise and made to toil on Earth. God chose to forgive them both and so their sin is not inherited by subsequent generations. Similarly, as exemplified in the following verse: *Whoever chooses to follow the right path, follows it but for his own good; and whoever goes astray, goes but astray to his own hurt; and no bearer of burdens shall be made to bear another's burden* (Qur'an 17:15). It is clear that one individual, no matter how guilty, cannot transfer that guilt to another. So for a woman who engages in *zina* (adultery), she and she alone bears the consequences as determined by God.

The Qur'an averts people from spreading false rumors of a person by implementing a harsh penalty. A verse in the Qur'an regarding false rumors states: "And those who launch a charge against chaste women, and produce not four witnesses (to support their allegations), flog them with eighty stripes; and reject their testimony ever after: for such men are wicked transgressors;- Unless they repent thereafter and mend (their conduct); for Allah is Oft-Forgiving, Most

Merciful” (Qur’an 24: 4-5). It is evident that the Qur’an placed specific requirements in place to uphold the privacy of individuals in society. The requirement of having four witnesses to an illicit affair is proof that such an act is nearly impossible to prove.

Among the protections and rights the Qur’an has granted women is the right to vote, which was given to Muslim women by God 1400 years ago. On any public matter, a woman may voice her opinion and participate in politics. One example, narrated in the Qur’an (60:12), is that Muhammad is told that when the believing women come to him and swear their allegiance to Islam, he must accept their oath. This established the right of women to select their leader and publicly declare so. Finally, Islam does not forbid a woman from holding important positions in government (Meriwether, 1999).

Islamic Fatwas Concerning Honor Killing

Several Islamic religious leaders have issued fatwas denouncing the practice of honor killing. Often, people assume honor killings to be sanctioned in Islam. However, it is apparent that this practice is condemned by Islam. Sheikh Ahmad Kutty, an Islamic scholar at the Islamic Institute of Toronto, Ontario, Canada, states: “There is no such concept in Islam that is called “honor killing”. Islam holds every soul in high esteem and does not allow any transgression upon it. It does not allow people to take the law in their own hands and administer justice, because doing so will be leading to chaos and lawlessness. Therefore, based on this, Islam does not permit such killings. First of all, in order to sanction killing, it must be through a binding verdict issued by an authoritative law court. Individuals themselves have no authority either to judge cases or pass

judgments. Therefore, a Muslim should not sanction such killing because doing so will be leading to the rule of the law of the jungle. A civilized society cannot be run by such laws” (IslamOnline, 2002).

Sheikh `Atiyyah Saqr, former head of Al-Azhar Fatwa Committee, states:
“Like all other religions, Islam strictly prohibits murder and killing without legal justification. Allah, Most High, says,

“If a man kills a Believer intentionally, his recompense is hell, to abide therein (forever) and the wrath and the curse of Allah are upon him, and a dreadful chastisement is prepared for him.” (Quran 4:93)

Additionally, Sheikh Muhammad Al-Hanooti, member of the North American Fiqh Council, adds: “In Islam, there is no place for unjustifiable killing. Even in case of capital punishment, only the government can apply the law through the judicial procedures. No one has the authority to execute the law other than the officers who are in charge. Honor killing could be a wrong cultural tradition. It is unjust and inhumane action. The murderer of that type deserves punishment” (IslamOnline, 2002).

Theoretical Concepts of Honor

In traditional Arab societies, a distinction is made between two types of honor: sharaf and ‘ard. Sharaf refers to the honor of a social unit, for instance a tribe, family and individuals. Sharaf is not a stable indicator; instead it may fluctuate up or down. Once an individual fails to conform to the moral standards of the family or tribal unit, his or her

social status may be weakened. Alternatively, the family or tribal unit's sharaf may be strengthened by well mannered conduct such as hospitality, generosity, kindness, and charity. Generally, sharaf is comparable to the Western concept of "dignity" (Dodd, 1973).

On the contrary, 'ard is related only with the honor of women and its value can only decline. For comparison value, it can be related to the Western concept of "chastity" or "purity." Additionally, as with chastity or purity, commendable moral behavior cannot increase a woman's 'ard but transgression reduces it. Also, 'ard impedes sharaf; the honor of the family or tribe can be gravely impaired when a woman's chastity is violated or when her reputation is ruined (Dodd, 1973).

The Rise of Islamic Feminism

Islamic feminism, which derives its understanding from the Qur'an, seeks rights and justice for women and for men, in the totality of their existence. Islamic feminism is both highly contested and firmly embraced. There has been much misunderstanding and misrepresentation concerning Islamic feminism. This new feminism has given rise simultaneously to hopes and to fears (Moghadam, 2003). In the next section, the focus draws upon highlighting the achievements of Muslim feminists worldwide.

Over the past century, in every Muslim country, women's movements have covered a wide range of issues. Recently in Morocco, a feminist union gathered a million signatures in a petition to reform family laws governing divorce, child custody and inheritance. In Egypt, women of the Cairo Family Planning Association have fought

against female circumcision for the past 30 years. In Kuwait in the 1990s, women launched a literacy campaign for poor and underprivileged women. Women in Iraq have operated a training program for women farmers. Ten years ago in Saudi Arabia, women staged a protest appealing to the Saudi royal family to lift their ban on women drivers. However, the protest was unsuccessful, though other struggles there were; over time women have attained greater access to education and civil-service jobs (Barlas, 2002).

The Muslim feminist movement was born in the early 20th century and has been heavily influenced by Western European feminist ideology. It began in Egypt, a nation considered the cultural center of the Arab world, where European ideas influenced upper-class, educated women. Muslim feminists have lobbied governments and religious leaders alike for better opportunities in Muslim nations around the globe. Many of these early 20th century feminists looked upon religion as a force that constrained women and limited their rights (Chesler, 2005).

Religious women have also organized movements to improve women's access to health care, jobs and education. Such activists continue to declare that Islam protects women's rights and that Muslims need not abandon their religious principles in the pursuit of greater opportunities for women. Today, such women's movements — frequently called “Islamist” — are at the front line of change in many Muslim nations. Progress is often slow as women confront repressive governments, monarchies or patriarchal societies that dominate Muslim political life, but the movements continue to thrive (Afkhami, 1995).

Saddawi (1980: 110) finds that the oppression faced by women is “not essentially due to religious ideologies but derives its roots from the class and patriarchal system.”

Islamic history paints a picture of pre-Islamic society where women's sexuality is "chaotic, all-embracing, rampant promiscuity whose essence is woman's self determination". The male is left with a lack of initiative, and is unable to control relationships through a position of privilege. Such fears are behind the construction of Muslim sex roles, which find their basis in the assumption that proper social order relies on the curtailment of female sexuality (Saadawi, 1980).

Several Muslim feminists have been striving to rectify the image that is depicted by Middle Eastern patriarchal governments by overcoming their stereotypical images. These scholars and activist attest to the fact that in order for regimes to transform they must begin with the people. Leila Ahmed is an Egyptian American professor of Women's Studies and Religion at the Harvard Divinity School. Prior to coming to Harvard, she was professor of women's studies and Near Eastern studies at the University of Massachusetts Amherst. She earned her undergraduate and graduate degrees from the University of Cambridge before she moved to the United States to teach and write. In 1999, Ahmed published her memoir, *A Border Passage*. In it, she describes her multicultural upbringing and her adult life as an immigrant in the West. She tells of how she was introduced to Islam through her grandmother during her childhood, and how she came to distinguish it from "official Islam" as practiced and preached by a male religious elite. This insight gave her inspiration for her first acclaimed book, *Women and Gender in Islam* (1993), a seminal work on Islamic history, Muslim feminism, and the historical role of women in Islam (Ahmed, 1992).

She speaks of her experience in Europe and the United States as one that was often fraught with tension and confusion as she attempted to reconcile her Muslim

Egyptian identity with Western values and beliefs. Faced with racism and anti-Muslim prejudice, and after deconstructing traditionalist male-centered beliefs in her own culture, she set out to dispel equally detrimental myths and misconceptions held by the West about Islam and Muslim women. Today, Ahmed is known for her groundbreaking work on the Islamic view of women and their historical and social status in the Muslim world (Ahmed, 1992).

Huda Sha'rawi founded the Egyptian Feminist Union in 1923. She is considered to be the mother of the Egyptian feminist movement, although Egyptian women established associations aimed at advancing women's educational status earlier in the 20th century. A member of the upper class, she campaigned for women's voting rights, equal access to education and reform of Egyptian marriage laws. Her own experience with marriage was a painful one; forced to marry at age 13, she defied her family and left her husband. Sha'rawi stopped wearing her face veil in 1923 after she returned from an international women's conference in Rome (Spatz, 1996).

Sha'rawi was involved in charitable projects throughout her life. In 1908, she created the first philanthropic society run by Egyptian women, offering social services for poor women and children. She argued that women-run social service projects were important for two reasons. First, by engaging in such projects, women would widen their horizons, acquire practical knowledge and direct their focus outward. Second, such projects would challenge the view that all women are creatures of pleasure and beings in need of protection. Embracing a somewhat romanticized view of poor women's lives, she viewed them as passive recipients of social services, not to be consulted about priorities or goals. The rich, in turn, were the "guardians and protectors of the nation" (Spatz,

1996). Western feminists criticized the veil as a symbol of women's lower status in Egyptian society. Her move, while controversial, was neither illegal nor a total abandonment of Islam. Islam does not require a woman to wear a face veil; instead it is a personal preference. She continued to wear a scarf covering her hair in accordance with Islamic beliefs (Spaatz, 1996).

Fatema Mernissi was born in Morocco in 1940, studied political science at the University of Rabat, the Sorbonne in Paris and Brandeis University (Massachusetts). She published several books on the position of women in the rapidly changing Muslim communities in Morocco. In 1975 she published the result of her first fieldwork: *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society*. The dominant theme of her fieldwork was the emancipation of women (Mernissi, 2004). Mernissi contends that Arab governments claim to follow religious teachings. However, the leaders of these regimes manipulate religious beliefs for the sake of their own interests. Mernissi points out that the manipulation of religious beliefs often leads to the misrepresentation of women's rights in Islam.

In the 1980s she directed sociological research for UNESCO, ILO and UNFPA (Population Fund). In the mid 1990s Fatema Mernissi stopped working on women's issues and switched to civil society as her major topic. She has served as a member in many national, pan-Arabic and international forums on women and development in the Islamic world. Currently, she is a lecturer of Sociology at the Mohammed V University of Rabat, and Research Scholar at the University Institute of Scientific Research (Mernissi, 2004).

Asra Q. Nomani is an Indian-American Muslim journalist, author, and feminist, known as an activist in the Muslim reform and Islamic feminist movements. Nomani was born in Bombay, India and when she was four years old moved to the United States with her older brother to join their parents in New Jersey, where her father was earning a PhD at Rutgers University. She is the granddaughter of the Indian Muslim scholar Mowlana Shibli Nomani, known for writing a biography of Muhammad (Nomani, 2005).

Nomani received her BA from West Virginia University in 1986 and an MA from American University in International Communications in 1990. She is the author of the following books, *Standing Alone in Mecca: An American Woman's Struggle for the Soul of Islam* and *Tantrika: Traveling the Road of Divine Love; the Islamic Bill of Rights for Women in the Bedroom, The Islamic Bill of Rights for Women in the Mosque*, and *99 Precepts for Opening Hearts, Minds and Doors in the Muslim World* (Nomani, 2005).

In November 2003, Nomani became the first woman in her mosque in West Virginia to insist on the right to pray in the male-only main hall, defying the centuries-old gender barriers of Islamic tradition. Later, she organized the first public woman-led prayer of a mixed-gender congregation in the modern day. On that day, March 18, 2005, she stated:

"We are standing up for our rights as women in Islam. We will no longer accept the back door or the shadows, at the end of the day, we'll be leaders in the Muslim world. We are ushering Islam into the 21st century, reclaiming the voice that the Prophet gave us 1400 years ago" (Nomani, 2005).

Jordanian Law

Jordanian law is a mixture of Napoleonic code (rooted in Ottoman and Egyptian legal systems), Shari'a, and influences of tribal traditions (Abu-Hassan, 2005). The Jordanian constitution was adopted on November 28, 1947 and ratified on January 1, 1952. The constitution's fundamental principles call for equal rights for men and women. Yet particular laws question the fundamental intentions of the key principles of the constitution.

The Ottoman Civil code of 1867-1877 replicated after European codes created the foundation of the Egyptian Civil Code. This code was later implemented by Syria and Jordan as the paradigm for their codes. Furthermore, examples of cases from European courts were utilized for legal judgments in new Arab courts. European laws were also introduced into personal status matters. The Ottoman Family code conveyed a new perspective toward gender and its legal paradigms. The idea of family became the central construct of the new society, rather than the individual, clan, or tribe, as was the case beforehand (Sonbol, 2003).

According to the 1869 Firman Ottoman imperial laws, a woman's nationality was defined as "following that of her husband." Children from a mixed-nationality marriage were identified as following the nationality of the father (Sonbol, 2003). The Jordanian nationality law has its roots embedded in Ottoman laws which do not differ in their applications. The Jordanian constitution article 6 states, "Jordanians shall be equal before the law. There shall be no discrimination between them with regards to their rights and duties on grounds of race, language or religion." The Jordanian nationality law states that

all Jordanian men and women are entitled to citizenship. Article 3(3) of Jordan's Nationality Law (No.6 of 1954) states that, "Any child born of a father with a Jordanian nationality shall be Jordanian wherever born." In addition, the Law of Residency and Foreigners' Affairs (No.24 of 1973) does not facilitate residency for foreign men married to Jordanian women nor to their children, even though this law grants foreign wives of Jordanian men preferential treatment (Abu-Hassan, 2005).

This indicates only a Jordanian male may pass his citizenship on to his children. A non-Jordanian woman who marries a Jordanian is eligible for citizenship after three years if she is an Arab and after five years otherwise. On the contrary, a non-Jordanian husband (married to a Jordanian woman) is not eligible to obtain Jordanian citizenship. Similarly, women and their children may obtain separate passports only with the agreement of the husband/father. However, this situation is not exclusive to Jordan it is also common in Egypt, Syria, Iraq and numerous other countries (Brand, 1998).

The term "personal status law" was borrowed from the Italian language and has been applied since the thirteenth century. These laws were established to distinguish between property laws and laws concerning human relations. Since being applied in the twentieth century, the term also became associated with a theoretical approach concerning gender relations. A court case in Egypt has defined the term personal status:

"By Personal Law is meant the totality of what differentiates one human being from another in natural or family characteristics according to which the law based legal principles in regards to his social life such as if the human being is male or female, if he is a husband or widower, a divorcé, a father, or legitimate son, or if he is a full citizen or less due to age or

imbecility or insanity, or if he is fully civilly competent, or is controlled in his competency as per a legal reason” (Sonbol 2005: 202).

Jordanian Personal Status Law³ originated from Shari’a and several opinions from jurisprudential schools. When there is an absence of a stipulation in the law, the courts examine the most reliable opinion in the Hanafi School. The Jordanian Personal Status Law comprises family matters such as marriage, polygamy, divorce, child custody and inheritance (Abu-Hassan, 2005).

The Jordanian National Commission for Women has proposed numerous amendments to legislation to eradicate legal discrimination against women. The laws that have been successfully amended include: Article 5 which states “in order for the marriage to be valid, the prospective husband and wife must be of sound mind and have reached the age of 18.” Previously, Article 5 permitted the husband to get married at the age of 16 and the wife at 15. However, the judge can give special permission for the couple to get married under certain circumstances.

Jordanian Laws Pertaining to Honor Crimes

The Jordanian Constitution lays down the basic principle that Jordanians are regarded as equal without distinction among them. Article 2 states that Jordanians are equal before the law and that there is no discrimination between them as regards their rights and duties on grounds of race, language or religion (Sonbol, 2003).

³ Refer to Appendix 3, which includes the personal status laws and their impacts on gender.

Law 340a of the Jordanian Penal Code states that, “he who discovers his wife or one of his female relatives committing adultery with another, and he kills, wounds or injures one or both of them, is exempt from any penalty”. Law 340b states that, “he who discovers his wife, or one of his female ascendants or descendants or sisters with another in an unlawful bed and he kills, wounds or injures one or both of them, benefits from a reduction of penalty.” Yet this article contradicts Article 6 of the Jordanian Constitution that guarantees the rights of all Jordanian citizens regardless of their gender (Faqir, 2001).

Article 98 states, “He who commits a crime in a fit of fury caused by an unrightful and dangerous act on the part of the victim benefits from a reduction of penalty.” Thus, “honor” killers may receive sentences of six months—and often do. If a killer has served that much time awaiting trial, the sentence may be commuted to time served and he may walk away a free man. In addition, some families assign the task of honor killings to a male relative under 18 years of age, being fully aware that he would be dealt with as a minor by the criminal justice system and consequently would receive the reduced penalties applicable to juvenile delinquents. However, if a woman becomes aware of her husband committing infidelity she has no recourse in the law (Faqir, 2001).

Tribal Law (*‘urf ‘asha’iri*)

After the termination of tribal law in 1976, certain aspects were codified into Jordanian law. The tribal outlook towards gender continues to form the fundamental outlook with regard to gender in Jordanian society and is therefore a basic part of *‘urf*

(tribal) traditions. Within urban areas, the honor of the individual is related to that of the family, but in rural regions the honor of the family has broader connotations and is related to that of the family, clan, community and tribe. Tribal Law or *'urf 'asha'iri*, considers honor as something that does not belong to one individual, but to the whole community. This honor of the females (and males) of the tribe has to be safeguarded through the following measures: the protection and defense of the honor of all members and the imposition of serious penalties on those who threaten the honor of the tribe and its members.

Tribal law stipulates the killing of the male rapist or one of his male relatives and the pillaging of his tribe's property. The tribe may also seek the advice of an established tribal judge, who usually imposes a high financial fine on the rapist's tribe. If the woman consents to sexual intercourse, then her tribe must kill her, but the perpetrator must also be killed by his tribe. Hence, the penalty imposed on consensual sex is equal for males and females according to *'urf 'asha'iri* (Faqir, 2001).

According to tribal law a woman who stays out by herself or with the flocks at night, far from any campsite, without an excuse was called a 'strayer after' (in Arabic *aqibatul sarih*). Also, if she was considered to be flirting or 'inviting men', this is a punishable act by her family. However, if the woman was married and committed these acts (and didn't have permission from her husband or father), she would be undermining tribal solidarity, which is the cardinal rule for life in the desert (Muhammad, 1999).

Tribal laws comprise an imperative source for the manner in which judges rule in Jordanian courts. This is apparent in matters where there is a requirement for a *waliyy* (male guardian) to approve of his daughter's marriage (even if she is an adult) based on

the assumption that a daughter carries her family's honor. The same reasoning can be applied to the reduced sentences allowed by judges, even though the vast majority of the victims are innocent of the "crimes" for which they were killed. When the legal system allows for reduced sentencing, this only encourages others to commit honor crimes and gives judges credibility to the act by legitimating it.

Incarceration of Honor Victims in Jordan

The Jordanian Women's Union (JWU) runs a crisis hotline and a small, six-bed shelter in Amman. However, they are not up to par with the requirements of women who are victims of domestic violence and honor crimes. Women's rights activists have lobbied for a safe shelter since their first conference on "honor" crimes in 1998. Although, the Jordanian government has made promises to establish a shelter, none yet exists. Many activists believe that the shelter issue has been politically charged. The traditional elements of the Jordanian government and parliament tend to sympathize with the murders and accuse the victims (HRW, 2004).

Legislation in the Jordanian parliament to create a shelter for victims of domestic violence has been pending for many years. The secretary-general of the Islamic Action Front and Jordan's Minister for Islamic Affairs both denied the accusation to Human Rights Watch that they lacked compassion for the victims of "honor" crimes. Government officials frequently send women threatened with "honor" crimes to prison "for their own safety". When a woman is incarcerated, she is obligated to remain in prison until a male family member claims that he will guarantee her safety. However,

these claims can not be substantiated nor held against the male family member if he were to commit murder (HRW, 2004).

According to Jordanian press reports, as many as forty victims of "honor" crimes and women threatened with such crimes are being held in protective custody. One example of an incarcerated honor victim was R. Ahmed. She was 28-years old at the time of her interview and has been in prison since 1994. At 18, she was forced to marry her cousin in an arranged marriage. However, she fell in love with her neighbor and made plans to take off with him to Syria. When confronted she refused to go home with them and they shot her multiple times and left her to die. The serious injuries required her to remain in the hospital for five months to recover (HRW, 36).

In the hospital, guards protected Ahmed and her uncles were not permitted to see her. Nevertheless, through an aunt, they convinced her not to press charges against them. Ahmed believed that, if she decided not to press charges, they would relent. Nonetheless, when she recovered and was sent to meet the administrative governor of al-Salt (her hometown), her uncles' continued with death threats. The governor deemed that her only choice was to go to prison and her lover was later deported to Lebanon (HRW, 2004).

Case Stories: Honor Killings in Jordan

The following is a collection of press reports from the Jordan Times. On July 31, 2006 a Jordanian woman hacked her 26-year-old daughter to death in her sleep with an axe for giving birth out of wedlock. The 69-year-old mother and another daughter turned themselves in to police after the killing, claiming they had acted to cleanse the "family

honor." They were charged with premeditated murder and are currently awaiting trial. The victim had been divorced for the past seven years and had given birth to a boy on the day she was murdered. The mother and daughter waited until the victim went to sleep, took an axe and hacked her repeatedly until they made sure she was dead (Husseini, 2006).

On September 30, 2006 authorities said two brothers confessed to murdering their sister for reasons related to family honor, and then dumped her body in a canal in Karak. A shepherd discovered the victim's badly decomposed body in a canal. Coroners detected light burn marks on her body and traces of gasoline. Initial investigations indicated that the two brothers drove their sister from Irbid to a deserted area near the Queen Alia International Airport, beat her up, and then strangled her. The suspects then drove to Karak and dumped their sister's body in the canal and tried to set it ablaze to conceal their actions and get rid of the body. "The suspects claimed they were cleansing their family's honor because their sister often left the house without their permission and her behavior brought them disgrace" (Husseini, 2006).

On October 29, 2006 a 21 year old man shot and stabbed his 31-year old sister. The suspect claimed he shot then stabbed his sister 14 times in a car he had rented for the purpose to cleanse his family's honor. Initial investigations indicated that the suspect plotted to murder his sister after hearing from someone that she was involved in immoral relationships. The 21 year old man rented a car and invited his sister to go for a drive with him. Then, he parked the car in a remote area in Amman, Jordan and without uttering a word he shot his sister four times and then stabbed her repeatedly (Husseini, 2006).

Jordan's prosecutor charged a father with murdering his 17-year-old daughter by electrocuting her. The father's 15-year-old son was also charged in the incident. Most families expect daughters to remain virgins until they are married and some believe girls who mix with men who are not relatives bring dishonor to the family. The men repeatedly hit the girl on the head with a club, and then administered an electrical current to her after she ignored her father's orders not to leave their home. The 44-year-old man and his son surrendered to officials and confessed to having hit the girl several times then shocking her to ensure that she had died, claiming they killed her to protect the family's honor. Under orders from Jordan's King Abdullah II, the state scrapped lenient six-month penalties for men who commit honor killings, replacing them with prison terms of up to fifteen years. However, government efforts to introduce harsher laws have been blocked by a conservative, tribal-dominated parliament that regards the tougher penalties as encouraging women to engage in illicit behavior. This is a classic indication of the effect tribal law has on the Jordanian government (Husseini, 2006).

In summary, the status which women have reached during the present era was not achieved due to the kindness of men. It was rather achieved through a long struggle and sacrifice on women's burden and only when society needed her contribution and work, more particularly during the two world wars. History has illustrated that for laws to change and cultures to be transformed, existing conditions must first bring about new historical blocs with new concrete realities. This fact has been particularly valid in the experience of women and minorities. Research reveals that women in the Arab region are on average more disadvantaged economically, politically and socially than other women around the world.

It is peculiar that Muslim women have to strive harder each day, merely to retreat back to the rights that Islam granted them 1400 years ago. Islamic texts and the rights given to women in the Qur'an are strong tools needed to fight the misogynist views now promoted to serve political and cultural agendas that are at odds with the intentions of the Qur'an. The universal process of modernization has demanded that the Islamic world face these issues presented to them by its feminist reformers. In accordance with most other parts of the world, reform is most likely to occur when economic pressures demand some form of action, though Islam has managed to keep such reforms within an Islamic framework. Furthermore it is evident that the real conflict lies between traditional values and modernization, rather than the pure 'religious values'.

Islam and modernization are capable of co-existing where there is an acceptance of Islam's dual role as a provider of a framework in which society can function, and a subset of culture that is capable of being influenced by non religious factors. Globally, women continue to have many hurdles to overcome. Whether the issue is equal pay, the rights to vote, drive, run for political office or even the right to live one's own life in the matter they deem suitable. People who commit honor crimes do not have an understanding of the genuine Islam which protects women and their rights.

III. METHODOLOGY

The strength of ethnographic research originates in the abundant description it offers, established through interpretive and discourse analysis and participant observation. This study has been conducted by utilizing the case study approach. The methods selected for this study attempt to elucidate the social practices of honor killing in Jordan. Further, this study adds to the case study approach through the participant/observer process. The case study approach is unique since it focuses on selected informants rather than on a random sample of the population. Even though these studies are not representative of an entire society or culture, they permit the researcher to achieve an up close and in-depth examination of a particular life problem. Case studies provide a methodical approach to collecting, analyzing, and reporting data, thus allowing the researcher to obtain a comprehensive understanding of the factors that contribute to the occurrence of particular incidents. The purpose of this research is to collect qualitative data relevant to the Jordanian culture and the attempts the government, society, culture, or individuals in various positions have made to eradicate the practice of honor killings. Currently, there is a lack of a thorough compilation of ethnographic data on this topic.

An exceptional example of a case study approach in anthropology would be *Nisa: The Life and Words of a !KUNG woman* by Marjorie Shostak. Shostak was mainly interested in learning about the domestic lives of the !Kung people. Shostak was

particularly interested in studying the women of the !Kung tribe. She learned the language and interviewed several women (Shostak,1981).

Another example of a case study approach is *The Women of Deh Koh: Live in an Iranian Village* by Erika Friedl. Friedl depicts the lives of women in an Iranian mountain village. Friedl observed the lives of women in Deh Koh and the obstacles they faced in their daily lives. This book is the result of five years of fieldwork in Iran (Friedl, 1989).

An additional example of a case study approach is *The Rashaayda Bedouin: Arab Pastoralists of Eastern Sudan* by William C. Young. Young studied an Arab Bedouin society and focused on gender and race throughout Eastern Sudan. The author explored associations between the cultural organization of space, the sexual division of labor, and gender identity.

Case Study Selection

The researcher chose to interview human rights activists that have investigated this phenomenon first hand. Jordan is a particularly interesting environment in which to conduct such research since it has gained global media attention and still has laws bestowing lenient sentences to honor crime perpetrators. The phenomenon of honor killings has also gained awareness worldwide since honor crime victims are incarcerated for their own safety rather than placed in a shelter.

The individuals the researcher has interviewed for this study include key informants in Jordan who have been advocating for the eradication of honor crimes in Jordanian society. These informants are: Rana Hussein, Reem Abu Hassan, Isra

Tawalbeh, Nadia Shamrouckh, and a few others who struggle to eradicate this phenomenon.

In addition to these interviews the researcher has participated in and observed *duroos* in various mosques in Jordan. This segment of the fieldwork allowed the researcher to identify potential factors that are attributed to socio-cultural expectations of women throughout society. For the period of observation during the *duroos*, the researcher remained as a participant. The participant role provides insight into a group's activities from the standpoint of an insider. Through participation, the researcher can observe and explore the meanings and interactions of people from the role of an insider (Jorgensen, 1989). The research aims are unknown to those being observed, and the researcher strives to become a member of the group under observation (Frankfort-Nachmias and Nachmias, 2000). However, it was necessary for the researcher to reveal her identity at the last session in order to evoke a discussion of questions with regard to honor crimes.

Data Collection Method

The method of these interviews included contacting Rana Husseini, Nadia Shamrouckh, Reem Abu Hassan, and Dr. Isra Tawalbeh while still in the U.S. and arranging appointments to meet with them while in Jordan. The participants agreed to be interviewed by the researcher. The researcher audio taped the interviews. Also, the researcher obtained verbal consent from the interviewees prior to conducting the interviews.

The researcher interviewed the participants by utilizing the focused (semi-structured) interview approach. The characteristics of this type of interview are: the respondents are known for being involved in a particular experience, the situations have been investigated preceding the interview, the interview proceeds on the basis of an interview guide specifying topics related to the research hypotheses, and is focused on the subjects' experiences regarding the situation being studied (Frankfort-Nachmias and Nachmias, 2000).

Although the interaction between the interviewer and respondents is structured and the key aspects of the study are explained, respondents were given substantial freedom in expressing their description of a situation presented to them. The focused interview allows the researcher to acquire details of personal reactions and specific emotions. Hence, the researcher is watchful for inconsistencies and omissions of data that may be needed to clarify the problem (Frankfort-Nachmias and Nachmias, 2000).

The methods that were utilized in the interviews include probing, open-ended questions, and triangulation. In the *Interviewer's Manual* of the University of Michigan Survey Research Center, probing is defined as:

“The technique used by the interviewer to stimulate discussion and obtain more information. A question has been asked and an answer given. For any number of reasons, the answer may be inadequate and require the interviewer to seek more information to meet the survey objectives. Probing is the act of getting this additional information” (Interviewer's Manual, 1976).

Probing allows the researcher to motivate the respondent to elaborate or explain the rationale of an answer. It assists the researcher in focusing on the specific topic at hand. Probing is imperative in interviews that are less structured, such as the focused interview (Frankfort-Nachmias and Nachmias, 2000). Triangulation was also employed during the course of this research in order to serve as a basis of corroboration for each key advocate. By employing triangulation, this also allowed the researcher to ensure that if one source proves to be incomplete others would suffice to provide the necessary data required (LeCompte and Schedules, 1999).

During the participant observations of the *duroos*, the researcher's identity remained concealed until the last *dars* session. This allowed the researcher to freely ask the participants questions about social attitudes towards honor crimes. In addition, during the *duroos* the researcher posed discussion questions for the *daeeya* with an alias. Each *dars* has a box in which participants may submit questions (pertaining to *Shari'a*, *sunnah* or *hadith*) for the *daeeya* to address during the *dars*. The questions were written on paper and submitted to the *daeeya* in a box before each *dars*. The *duroos* was audio taped.

Data Analysis Methods

The interviews were analyzed using interpretive and discursive approaches. An interpretive approach is utilized to comprehend individuals and analyze their behavior within their socio-cultural context. This is a central theme applied in anthropology to analyze social situations within the context of a greater phenomenon (Maanen, 1988).

When an ethnographic perspective is applied to conduct discourse analysis, the observable incident is the dialogue of action and interaction (Spindler & Spindler 1987).

Ethical Considerations

Since the Internal Review Board would not grant me access to interview the women that were victims of honor crimes (since they are part of a “vulnerable population”), I had to formulate a way to gain access without losing the substance of the data. I decided to conduct interviews with the activists that understood this issue entirely and had direct experience with victims.

The researcher did not encounter any risks or discomforts in this study. In addition, the researcher submitted the IRB protocol and received comments from the IRB reviewer. The IRB reviewer’s comments stated:

“This does not constitute Human Subject Research. The interviewer’s questions are to gather information from people who study this issue ABOUT the issue.....not about the interviewees’ personal characteristics. There is no reason for the IRB to review this research and no need for IRB approval” (Human Subjects Research, 07-062).

The Internal Review Board has been associated with the fieldwork of anthropologists in a negative manner, since there are many hurdles to overcome when dealing with human subjects and clearing the protocol with the IRB. Given that fieldwork relies heavily on the unpredictability of the field and its subjects, IRB protocols have

become problematic. When researchers participate in the field, they often stumble upon unexpected people and behavior. The distinct advantage of ethnographic research is through interaction, which encompasses the behaviors of the people with whom the research subjects interact (Stinchcombe, 2005). Therefore, the limitations of IRB create a tension between the researcher and conditions of the field that do not always have a resolution.

While conducting the interviews, I faced a unique set of identity issues. Even though I was born and raised in the United States, my heritage is deeply rooted in Arab culture. Despite the fact that the State Department has relentlessly been trying to improve the image of the United States worldwide, its role is despised in many countries across the globe. During the majority of my interviews, I had to choose whether to be an American or Arab in order to gain the trust of the interviewee.

When I began the first interview, the interviewee immediately asked, “Are you an Arab or American?” I stood in silence and she quickly realized I was stunned by the question. At that point I knew if I wanted to conduct this interview, I had to become a hybrid against my deep conviction of pride as an Arab American, and answered “Arab.” She then said, “Good, because I have a policy not to speak to Americans.” Lucky for me I chose the suitable identity for this interview. After this interview, I learned to scope out the environment in which I was conducting the interview. Since I conducted all of the interviews at the workplaces of interviewees, I could acknowledge through practice, the right fit.

IV. INTERVIEWS

The following are interviews the author has conducted in Amman, Jordan over a period of two months in the summer of 2007. The primary data were obtained through semi-structured interviews and participant observation. The data acquired through participant observation were based on bi-weekly meetings of religious lessons given in local mosques in Jordan.

Interview with Nadia Shamrouckh (Director of Jordanian Women's Union)

Since this interviewee spoke English fluently, this interview was transcribed with direct quotes.

Biography

Nadia Shamrouckh is the director of the Jordanian Women's Union. Shamrouckh started out as a volunteer in the organization and worked her way up the ladder.

The Jordanian Women's Union (JWU) started functioning in 1945. After the emergency law in 1957 dissolved all civil society organizations and political parties, the JWU was forced to stop its activities for years. The Union was re-established under the name of "The Women's Union in Jordan" (WUJ in the year 1974).

Again, in 1981, the Minister of Interior gave instructions to dissolve the Union. However, during its active period (1974-1981), the presence of the WUJ was very important because it was the only body that represented women in Jordan. The objectives of the WUJ are to merge the efforts of Jordanian women to defend their rights and their earnings, to tackle any form of discrimination against women, and to support the status of Jordanian women and their role in society and enable them to exercise their rights as citizens based on the principles of equality, justice and equal opportunity, participation and respect for human dignity.

How do women learn about available programs?

“We have a long history. Sometimes we announce about our programs. We are a grassroots organization and have 10 branches all over the country. Our headquarters are in Amman. We rarely make announcements. Women tell each other about the organization. The women who need our help don’t know about conferences.”

What services does the “Jordanian Women’s Union” provide for women?

We have branch and center programs. They are different based on where the centers are located. I will mention the center programs, we give courses. Like, we educate women about the law. We also help women, provide aid for the women. We have a hotline. We also have a guesthouse, which is for divorced families. The parents come here and see and meet their children. Since this is a neutral place for both parents. This eliminates a lot of arguments between the parents. We work with children, equality to girls and boys. We have children programs.

Have you received financial support from international organizations?

“We accept aid from European countries. I want to mention, we boycott any American funding. We don’t deal with USAID, American embassy and we added the British embassy—after they invaded Iraq. I want you to mention this. We know America from the beginning and how they support Israel. We are always invited to events in the American Embassy in Jordan. However, we don’t go. We do receive support from UNRWA and other UN organizations.”

Why did you begin campaigning for women’s rights issues?

“I am Palestinian and was living in camps. I was suffering from political and social issues. You are living in a model society and you found yourself thrown in a camp. For me the political and social issues were not separated and that is why I believe in this union.”

Is the location a secret?

“We tell the women not to tell anyone, but they tell the husband. We don’t talk about it in the media. We don’t want people knowing where the shelter is—to keep the women safe.”

How many women are in the shelter (on average)?

“About 15 women at a time.”

What is the average stay?

”Some women stay for a night, some for months or years.”

What other services are provided in the shelter?

“We have psychologists, social workers, and lawyers. We also help women to become employed—by training them. We have programs that teach women computer skills, hairstyling and cooking. Anything to get them on their feet and independent.”

Why are honor victims put in jail?

“To protect them.”

Women who are threatened with honor crimes, are they welcome in this shelter?

“If we can help them, yes. Honor crimes are a crime not done by the father or brother. It is a crime done by the culture. When someone knows about the girl then everyone knows and she was in the police station. The police catch her. If she comes to us, we try to solve the case within the family. It’s not good for the reputation of the family to go to the police station. We deal with the women, so she doesn’t have big problems. Our shelter provides protection.”

Did your childhood affect your perspective today (living in refugee camps)?

“I lived in a family where the girls were separate from boys. When I was a child this affected me a lot. When I left Palestine, the main issue was how to get back. I thought about this even from the first day I was in Jordan. I left the house to be a commander in the PLO, at 11 years old. I left without telling my family. This give me power. So I was

active in school. I was in demonstrations. All this time my family was telling me you are a girl and you are old now and you don't do these things. So what I am a girl? I still have to do this. So, of course this affected me.”

Closing Remarks

“When women are killed everyday in Palestine and Iraq. So what if a woman is killed in Jordan, it is only about 20-25 women. It should be a crime that shakes society today. Every day 100-200 are killed in Iraq. Every day many people are killed in Palestine. For that the Americans are responsible. The Americans announce that they want to liberate women. They are big liars! They don't. They are killing women. Let them stop their killing and we are good. We will take care of our 10 women. We can face violence here. But we can't face violence against America or Britain. When Americans come and talk to me—I won't talk to them. Withdraw your troops from Iraq and stop killing in Palestine. You (America) can't tell me that we are doing something horrible. When you (America) kill hundreds of people a day.”

Transcript of Rana Hussein (Journalist for the Jordan Times)

Since this interviewee spoke English fluently, this interview was transcribed with direct quotes.

Biography

Rana Hussein began her job at *The Jordan Times* assuming that she would be reporting on art, literature and music. However, Hussein's interest in reporting honor killings was first motivated in 1994 by the case of a 16-year-old girl who was murdered by one of her brothers after she had been raped by another brother. "The family blamed her, saying that she had seduced the brother," Hussein recalls. It was then she realized what she actually wanted to report on (Broder, 2007).

Hussein was born in 1967 in Amman, Jordan. She attended Oklahoma City University, where she studied journalism and art. The first lesson she learned as a journalist in Jordan was that "a woman's life is not worth very much," and that the victims of sex crimes were "always punished twice over." Hussein has been reporting on honor killings for the last 13 years. "There are about 25 cases each year," she says, and the police and courts almost always tend to "value the honor of the family more than the life of the victim." According to Hussein, the authorities are "part of society." Because it is illegal in Jordan to openly criticize the judges, she writes about the cases from the viewpoint of the assaulted woman (Broder, 2007).

Hussein has been interviewed by numerous American, British and international media such as CNN, ABC, BBC and the Chicago Tribune, as well as many Arab media

networks. Furthermore, she is a member of the Jordan Press Association, Jordanian National Committee for Demining and Rehabilitation, Forefront Organization, Jordanian National Committee to Eliminate so-called Honour Crimes.

Do other newspapers pick up your reports and include them as a newsworthy story in their paper?

Sometimes certain papers report it but not everyone. They might put it in a hidden place in the paper—only include part of the story. “El Ghad” which is online, sometimes they report it as well.

Since your reports are available only in English, do you feel that your stories have gained national awareness?

“Over the past 13 years, I have been trying to raise awareness. When I started in 1994, no one wanted to talk about the issue. However, I know they have an idea about the issue and the laws surrounding this phenomenon. Even though the audience of the Jordan Times is limited, I felt like it had to start somewhere. She believes it is important to document these cases to give the victims a voice and recognition to the rest of society—“letting society know that the victims lived sometime on this earth and their death needs to be reported.”

How did you first become interested in reporting honor killings?

“I finished my master’s degree in 1993 (studied in the US). Then, I came back to Jordan to begin my career. I got my job at the Jordan Times as a crime reporter. At this point I

knew that I was interested in women's rights, but didn't know where to start. In May, 1994—I came across several crimes committed against women, including a sad story of a 16-year-old girl, who was killed by her older brother because her younger brother raped her. This girl was a victim several times because she was raped, then her brother threatened to kill her if she told her family, and she had to tell them because she became pregnant. He tried to kill her but she survived, she underwent an abortion and was married to a man that is fifty years older than her. Six months later she was divorced. The day she was divorced a second brother killed her blaming her for being raped. This story really shocked me a lot, and when I went to talk to her family I asked them--why did you kill her? It is not her fault. She was raped by her brother, and they told me it is her fault because she seduced her brother to rape her. At this point I came to the realization that the society tend to blame women for many of the problems that occur. The newspaper was very supportive. Maybe the good thing about it all is that my editors believed that this was something wrong and that something needed to be done to stop such a practice. I was never discouraged because I knew I was doing the right thing. Some people did make fun of my reporting and kept telling me that my stories will never change anything. But I never gave up and I knew that someone will hear me one of these days and I believe I am being heard. Sometimes it could be dangerous and I have faced some difficulties”.

How long have you been reporting on honor killings?

“13 years”

Are there shelters available for women whose lives have been threatened (with an honor crime)?

“Women whose lives are under threat—that the government decides to lock them behind bars to protect them. I felt this is not fair because in any country in the world, if someone threatens someone’s life they should go to prison and not the other way around.”

Do these women stay in the same area as the criminals in the women’s prison?

“They have a separate floor but eventually they are going to end up mixing with others, because of the recreational areas, they teach them embroidery, when they eat—they eat together. They do mix with other inmates and that’s a problem. Even if they don’t mix—I don’t believe that they belong there, regardless. If they mix or they don’t mix—they are stealing their freedom, this is something that’s unfair. I have met several women in jail. They wasted their youth, their life. There is one woman that has been there for over fifteen years. She is just in prison, she can’t be released, and no one wants to release her.”

Who can release her from jail? Can she leave voluntarily?

“Only her family can release her and usually they kill her. Usually the family member is a male—I have never reported a case where a female was allowed to release her family member from jail.”

Does the family member who tries to get her released from prison have to make any kind of promise? If they break their promise—is it held against them in any way (financially, criminally, etc.)?

“Yes, but they always violate the promise. No, it doesn’t matter if they break their promise.”

Why do honor crime perpetrators receive such light sentences?

“Perpetrators usually receive 3 months, 6 months or one year.”

Currently, are there any shelters in Jordan for women?

“We have been nagging and nagging the government to open up a shelter for abused women and for these women (victims of honor crimes), but that was like ten years ago and you know because it is supposed to be run by the Ministry of Social Development—so it went back and forth—they have like seven or eight months. One minister was afraid because he said he didn’t want to open up a “prostitution house.” This is unfortunate but this is how they think. Unfortunately this is how some conservative people are labeling it.”

In Islam, there has to be four witnesses in order for a person to be brought before a court of law—before they can be labeled as an “adulteress?”

“Listen, this has nothing to do with Islam. Because Christians also kill (commit honor killings) in Jordan. I think many people when they kill they know they are violating their religion, but they don’t care. They care more about traditions—they care more about

wrongful traditions, because our true traditions does not say kill. People in this part of the world are so afraid of what others think of them. It is always about what car I'm driving, what I'm dressing, what do people say about me. When these families kill, do you think they solve the problem? They don't solve the problem—who cares. The problem starts once they kill—people will never forget the crime.”

How does the “problem” usually start?

“Different reasons, it varies from gossip, rumors. Women choosing to be married to her own husband, incest, rape, inheritance, being pregnant, being seen with a man and being in a relationship with a man. There are many many reasons.”

Do men of a particular social class or age usually commit these crimes?

“Honestly it's mostly poor and uneducated people—where they live in areas of poverty. I like to think that some of them are not religious believers. Because anyone who understands religion really well would not commit such a crime. Everyone knows that all religions are against these killings.”

How many women are killed a year in Jordan due to honor killings?

“About 20-25 women are killed per year--- I try my best to get the most accurate number. It could be more—but not humongous. Could be more but not a very high number.”

How do you find out about these crimes?

“Word of mouth, sometimes they are in the paper—it's a combination of things.”

Why do you think honor crime perpetrators receive such lenient sentences? What is the big obstacle to get these laws overturned?

“The problem is that we are always focusing on the laws. The laws will not solve the problem. The problem is not going to be solved by changing laws alone. It is a combination of things. Ok? One of them is the laws. There are many reasons why men get away with killings. The judges are male—they sympathize with the killers, even if they don’t say it. It’s not only the law, it’s also the lawyers. They tell the killers what to do and say in court. They use the same story—usually it is premeditated murder. Then when it goes to court they (the lawyers tell their clients) tell them say that you were away and you saw your sister and she said that it is none of your business. You know this issue of it is none of your business, this is my body—it’s not accepted in our culture. That is how they get away with it. You have judges that have very closed minded ideas. They use the issue of honor crimes to pretend that they are defending our honor of the nation and all of that. At the same time they pass many laws that are against people. At the same time when we did our movement back in 1999, they used it against us saying we are backed by the west and our aim is to destroy the morals of women in our society and all of that. They used these tactics to fight against us.”

How can they make such claims against you? Especially since you are trying to improve the image of your country (Jordan)?

“I go to many conferences and all of the activists always say the same thing. That the conservative power in their society they always accuse them of the same thing – they

charge them with being western agents or Zionist agents or you know stuff like that. If you go to the Islamic ministry in Jordan, you will fight with them. It's unfair how people twist the religion to serve their own personal agendas and they claim that we are with agendas. As if I need someone from the west to come and tell me that killing a woman is wrong, you know—I don't have brains! Like God created me without brains! It's just them that have brains!"

You indicated that laws are not the only problem. What else can help to decrease or eliminate these crimes?

"Changing the laws, passing articles that preserve women's dignity, opening more safe houses for women, religious leaders have a major role in preventing these crimes. Religious leaders that speak against these crimes are very few. This is something that is one of the most major violations of our religious teachings and nobody talks about it."

Have you faced any obstacles while reporting these crimes?

"Obstacles, no. Sometime it is dangerous to go and investigate. I talk to relatives, neighbors, *ducanat* (nearby neighborhood stores). Usually they kill because they don't want anyone to talk about it. When they kill, they think *khalas* (in Arabic meaning that's it) people will stop talking about it. So the last thing they want is for someone to come and report it. We are way more advanced than 11 years ago."

Since there are still many people who do not support your efforts, have you ever been threatened by anyone?

“Once I received an email, back in the 90’s when we were very active about the issue. There was this Arab man and he was upset, that was living in the US. Some people get annoyed with what we are doing, but haven’t received anything on the personal level.”

In Jordan, there is a huge difference in socio-economic classes. The majority of the population is either grouped in the lower class or upper class of society. How do you think this affects the greater population of Jordan (especially since you indicated earlier that these crimes affect the lower socio-economic class of society)?

“I think that the majority of our problems on this side of the world is poverty. Always, poverty drives people to do things. If you end poverty—if you make people more relaxed. I think many of the social problems we see, will not happen. But, all of these things they happen for a reason. It will not end, because violence is not exclusive to Jordan. If you look around the world, you have all of these conferences taking place all over the world. You have NGO’s that are trying to make abuse less, less frequent. But it’s still happening. So we are not different. We are a society that is developing. Because things are changing and women are becoming more liberal. They are going out, they are working, they are starting to know their rights, and they are making money. They feel now they can make more choices. Not everyone will accept that, you know. Not all families will accept that. Families are all acts of power. Males—they want to be in control, they want to dominate. You have the education system, it is still views the woman’s role as being a very limited role. There are many girls who are dominated by

their younger brothers. Stuff like this will usually take time, it's not something that you change overnight, you know.”

What is the perspective of those that kill in the name of honor? What are they trying to achieve?

“To them—the woman is a source of shame. They want to eliminate the source of shame. At the same time she would be a lesson to others. That is if they did this—they would have the same fate. Also, they think if they don't do it people will not come and marry their daughters. It is a combination of things.

Have you ever reported of an honor killing occurring in the upper socio-economic classes of Jordan?

“Not to my knowledge.”

Have there been any efforts of the royal family to bring awareness to this issue?

“Yeah sometimes they talk about it when they are asked. They tried to change the laws. I think they genuinely want to see an end to the laws. They can't, they can't—they can't come and interfere with everything.”

Why is it that when a family suspects their female relative is not a virgin—they insist on virginity exams?

“The problem is any woman who goes missing in Jordan, or is found in a brothel, or her family suspects she lost her virginity. They take her to undergo a virginity test. These

doctors they don't like it—but they have to do it. They will tell you that. The family is trying to prove that woman was not sexually active. That she still has her virginity. This is against something I argue in my book that these things are no longer, you know the virginity issue is no longer important. Because first of all a woman can have a restoration operation, some women are born with a thick hymen, a very elastic one, and even some or born without anything (hymen). Plus, a woman can do anything without having penetration. It's not an indication—it used to be maybe in the past. But it's no longer an indication to anything.”

Transcript of Dr. Isra Tawalbeh (Forensic Pathologist)

Since this interviewee did not speak English fluently, the interview was paraphrased.

Given that this was a five hour interview with open ended questions, the author chose to place thematic markers in order to highlight the themes of this interview.

Biography

Dr. Isra Tawalbeh was appointed as the first female forensic resident forensic medicine specialist at the National Institute of Forensic Medicine (NIFM) in January 2003. She earned her medical degree from a university in Libya in 1998. She has worked at several hospitals, which include the Jordan Hospital, Fuheis Medical Center, and Al Bashir Hospital. Dr. Tawalbeh has performed over 500 autopsies, visited dozens of crime scenes and has attended two executions. She examines all of the female sexual assault cases. Dr. Tawalbeh's work in this field is vital since female patients have a strong preference towards a female doctor in Jordan.

She examines all of the female sexual assault cases. Female patients have a strong preference towards a female doctor in Jordan. Originally, Tawalbeh had the desire to study foreign languages in school but her parents suggested that she should choose a major that will help her achieve a good career in the future. Therefore, she ended up studying foreign languages and later went to medical school. While growing up she knew that she was meant to do something important since she always questioned her parents and would always do things her own way.

The following is the interview that the author conducted. The interview below is paraphrased (since Tawalbeh speaks both Arabic and English, it would be quite difficult for the reader to understand) and divided by subtitles for practical purposes.

Virginity Exams

During this exam, the hymen is examined. The females come to the hospital by themselves. An ideal case would be when a woman gets married and comes to see Tawalbeh to undergo a virginity exam since she didn't bleed on her wedding night. The husband has suspicions if she was truly a virgin upon getting married. When this woman came to be examined, she has to arrive with her husband and the proper documentation.

The forensic pathologists only examine cases that help serve society to protect the victim. Tawalbeh indicates that the occurrences of virginity exams are very common after the wedding night. When the woman comes to seek confirmation of her virginity, she always comes in a very shy and depressed state. In all the cases that Tawalbeh has examined, all of the women were virgins. She indicates that this is the fault of the educational system since sexual education is not taught in Jordanian schools. She argues how it would make a world of difference for society. Tawalbeh indicates that this phenomenon affects mainly the low-socioeconomic class.

Sexual Assault Cases

In sexual assault cases involving children(during the trials) the child is not present in the courtroom but rather in a secluded room and there is a camera and video system in the room. For example, when the case is interfamilial, since the child is usually afraid to speak in the presence of the offender.

In sexual assault cases, there are 3 types: sexual harassment, indecent assault, and rape. They are different since the rape is only a term used for females and it has to be complete intercourse. Indecent assault includes any touching of the body except for the “private parts.” Sexual harassment includes indecent exposure, hand signs, talking, etc. This is very common for women in Jordan. Among the sexual harassment cases, the crimes committed upon women account for 85% of the sexual harassment occurrences.

Human Rights Issues

Schools are adding courses on human rights to the curriculum. Also, they have lectures in school about different social issues. Tawalbeh hopes that honor killings will eventually be eradicated in the region through education. Each generation is better than before due to the media, raising awareness, and school curriculum. It is crucial that the schools start this social awareness at a young age. Therefore, creating a new and improved society. Tawalbeh recommends this in their workshops, lectures, and seminars (National Institute of Forensic Medicine). Tawalbeh stresses that all sectors of society

must take part in this holistic approach to eliminate honor killings from society. The whole country has to pool resources to help eliminate this problem in society.

Honor Crimes

In society, honor crime perpetrators have to be dealt with as a criminal and not as a hero. These acts are more prevalent among the lower class. Currently, honor crime perpetrators are being viewed as heroes. Instead she argues they must be dealt with in society as criminals. Even though there are about 18 cases of honor killings a year in Jordan it is still a phenomenon. Tawalbeh uses the example of having one case of cholera. People criticize the National Institute of Forensic Medicine for labeling honor killing as a phenomenon. However, Tawalbeh argues that even if this is only one case of cholera it is enough to say that we have an epidemic disease.

Tawalbeh stressed that the term itself needs to be changed and is problematic. By using the term honor one grants authorization indirectly to the perpetrator to commit the crime. Rather the term should be replaced from “honor killing to interfamilial homicide. Honor crimes are acceptable in Jordanian culture. Nevertheless, honor crimes are not permissible in Islam. When speaking in lower class areas in Jordan, she approaches the issue from a religious perspective. She emphasizes that men are supposed to take care of women in every aspect. That is how she grasps their attention.

Honor killings originated in Judaism. In the torah (the old testament). On the wailing wall, women are not allowed near the wall. As Jews consider their women to be impure. In Judaism, religious law allows women to be punished but not men for the same

crime. Orthodox Jews believe they can't touch women's hands even after she has a baby. When she learned that women were punished but men weren't in Judaism she realized how fair Islam really is towards women.

It is difficult for men to change their perception towards honor killings because they are living in the Jordanian society. During honor killing trials—the judge has stated that the victim deserves what is done to her. Since she is going out, and doing whatever she wants.

Jordan has never tried honor killings as pre-mediated murder. Pre-mediated murder is punished by the death penalty (hanging). However, when cases are read thoroughly it is clearly a case of pre-mediated murder but the defense always uses the scenario of “fit of fury” (*uthur al-mukhafaf or uthur muhail*) which falls under article 98 of the Jordanian constitution. Almost all honor killings are pre-planned. The cases are not death with as a typical murder case since the court system gives the judge the “lower limit” since they give them the excuse of hearing about their female relative which excuses from him from thinking logically. The majority of honor killers go to jail for 3-6 months. In 9 out of 10 honor killings the victim was a virgin. The girls were not committing any sexual acts. In most cases rumors begin with gossip and it only gets bigger.

For the majority of the time it is woman who is behind these crimes. Women (such as the mother, aunt, wife of uncle, girlfriend of the brother) are motivating factors in honor killings since it is they who convince their male relative (whether it be son, brother, cousin, etc.) to murder the female relative who is suspected of immoral conduct.

Sometimes it is even the girlfriend of the brother that convinces him to kill his sister. In many cases the families allow the son to have a girlfriend but the sister can't.

Tawlabeh agrees with that the judicial system should provide a minimal punishment in the matter of *talabus*, which is when a spouse walks into their house to find their spouse committing adultery. She believes this way because you never know what a person's reaction might be. She then mentions how American law has a lesser punishment for those committing adultery and killed in the act by a spouse. In the quran, it also indicates there needs to be four witnesses to the act of fornication. Tawalbeh stresses how difficult it must be to witness your spouse committing such an act.

Lenient Sentences in Jordanian Courts

Tawalbeh believes that if Jordan applied the death penalty to honor killing perpetrators then the number of honor killings would greatly decline. Jordanian society is well aware that there is a lenient sentence for honor crime perpetrators. Therefore, she believes that if Jordan had harsher penalties then honor killing perpetrators would be less likely to kill their victims. Tawlbeh believes that in spite of everything honor crimes still occur since the perpetrators are Arab men. In the majority of households women are treated as lower than the man. Even though the quran holds women in such high regard. Tawalbeh asserts that some women might be engaging in pre-marital affairs. However, the vast majority of honor killing victims are innocent.

Seminars

She notices when she speaks from a religious perspective and reveals to women their rights through Islam, this is where attention is grasped. She realizes that in order for society to change, it starts with women first. Frequently she gives seminars with Dr. Nawal Fourai , who is a Jordanian cabinet member, and they agree that they prefer to have mainly women in these seminars to enable them to speak freely.

Marital Rape

She discussed this topic with the police department and the possibility of prosecuting husbands for marital rape and the police officers, even the lieutenant just laughed at her. He said “What do you want me to do—ask the husband to sign a written request before having sex with his wife”? Tawalbeh stressed that “If people in power have this attitude, what about the average person on the streets?” There are known cases in Jordan where the woman was raped and the family killed her under the umbrella of honor killing. However, the courts don’t deal with this matter as a murder. It is still viewed as an actual honor killing since the family believed that their honor was inherently lost.

Victimization of the Family

In some communities, the perpetrator is viewed as a hero after committing such a heinous crime. Afterward, the remaining female members of the family who are not married become indirect victims of the crime. Not only do the female relatives feel helpless, they also are judged harshly in the community. Community members usually spread malicious gossip, which will cause potential male suitors to avoid marrying any unwed female relatives of that family. The harm not only impacts immediate family members but extends to reach other extended single female relatives of that family. Male suitors become weary of marrying any female relatives of that family due to a tarnished family name. The same also applies towards women marrying men from the same family. Therefore, the “problem” was not solved it has just spread like a wildfire throughout the community.

Environment

Tawlabeh stresses the importance of treating the cause and not the effect. She believes that some of the girls who commit adultery or have pre-marital sex are doing so out of rebellion. She observes that boys are very much preferred in many aspects of society. When it comes to dinner time, for example the best piece of the chicken is usually given to the boy in the family. She believes that the female members of the family long for love and respect that they do not receive in their homes, causing them to seek it elsewhere.

TawlabeH believes when girls grow up in a household that has such strong preferences towards males, one of two things happen to her character. When she leaves her parents home, she will become very weak and succumb to another man's guiding principles or to awaken to the unjust means of her upbringing and retaliate. Naturally, every person retaliates in a different way. Hence, the environment should hold accountability (including family members) instead of pointing the finger at the women that were mistreated.

Gender Discrimination

In the Qur'an it clearly states that there is no difference between men and women. The only difference among people is their level of *taqwa*. *Taqwa* is an Islamic concept which means God's consciousness. Possessing *taqwa* is when a person is regularly aware of God's omnipresence in every aspect of life.

Case Stories: Stories told by Dr. Tawalbeh

The morning after her wedding night Meha was forced to go to a nearby hospital to undergo a virginity exam. Her husband, Ameer doubted her virginity on their wedding night. Ameer quickly phoned his parents and relatives to spread the rumor that Meha was not a virgin. Shortly after, the rumor quickly spread to her family and they were skeptical of the rumor. As a result, Meha was coerced by Ameer and his family into undergoing a virginity exam at the hospital. When Meha arrived with her husband, family, and in-laws

she was very much ashamed of herself. The pressure was so great that she even began to doubt herself. After the exam (which proved that she was still a virgin) the doctor went to the waiting room to tell her husband that she was still a virgin and that it was his fault and not hers, since he didn't know how to have relations with his wife. The doctor felt that was important to do since he shamed her in front of her family and in-laws. The shame was quickly transferred from Meha to Ameer and he felt quite embarrassed.

One day Basma and her six brothers stormed into a local hospital and threatened to kill her. The brothers suspected she wasn't a virgin since one of her brother's girlfriends told her brother that she was on the phone with a guy and she called Basma a whore. They ordered the doctor to perform a virginity exam on her. One of Basma's brothers, Louai said "I swear to God, I will kill her if she is not a virgin." The doctor was shocked and believed them after taking a glance at their concealed weapons. Shortly after the doctor performed the exam which concluded that she indeed was still a virgin. When the doctor went out to the lobby to inform the brothers, she thanked them for bringing Basma in and not killing her before they learned the truth in the matter.

Areej, 55 who was a hard worker who worked her entire life in a bank in Jordan. Throughout her life she put aside money with the goal of building a house for her kids and putting the house deed in their name. When her husband Ghalib found out about her plans, he was furious. He demanded for the deed to be in his name. However, she refused and this caused much conflict among the couple. Several weeks had passed and suddenly Ghalib threatened Areej again. But this time Ghalib told Areej if she doesn't do what he asks then he will kill her. Areej didn't take his threat seriously and she said do whatever you have to do.

One day Areej was cooking dinner and heard someone walk in the front door. She didn't pay any attention because she heard Ghablib's voice and she knew it was him. He entered the kitchen (while she had her back to him) and he knocked her unconscious with a blow to her head. He continued to brutally clobber her head with his axe. Areej's lifeless body lies helplessly on the floor while the blood drained from her. Ghalib didn't express any remorse for his actions. Instead, he picked up her body and kept hammering it against the wall. After he confirmed that she no longer had a pulse, he put out his cigarette in the pool of his deceased wife's blood. Ghalib was sentenced to 5 years in prison.

After this horrible event her family had the horrid task of defending themselves within the community. There was dreadful gossip that Areej was a victim of an honor killing. Consequently, Areej's family had the atrocious task of setting the record straight during this very emotional time for them. Not only did they just lose their daughter but they also lost their reputation in a community formed upon honor.

Transcript of Sheikh Mohammed Abueida

Since this interviewee did not speak English fluently, the interview was paraphrased.

Biography

Sheikh Mohammed is a religious leader (*imam*) in a local mosque in Amman, Jordan. He also holds weekly religious lessons.

The following is the interview that the author conducted. The interview below is paraphrased and divided by subtitles for practical purposes.

He started by comparing the European countries in which women have more rights. Then he indicated that European women are still oppressed. Oppression stems from the lack of enforcement in private spheres of life. Since Islam is not only a religion but a way of life, it gives people faith to do the right thing. For the cause of liberating women, nations are facilitating the platform.

In the name of liberation—nations are causing women to stray from religion. If a woman is allowed to have sex with whomever she chooses, who ensures the rights of her children (if she should become pregnant)? There is no religion that ensures equality for women except for Islam. Islam carefully details the rights of women to be financially taken care of throughout her life, and even though Islam still ensured her rights.

Since the laws of nations only govern public life—people are able to conduct private behavior as they choose since they don't have (faith) iman—they are capable of doing whatever to women.

Story of Prophet Muhammed's companion:

A man came to El-Imam Hassan bin Ali and asked “Who should I allow my to marry my daughter?” To the person who that fears (*yateeke* means to have fear) and worships Allah. If he loves her and he will be *kareem* (generous and respect her) and if he didn't love her he won't be unjust since he fears Allah. He talked about the example of the woman who cheated and the prophet Muhammad taught people—to treat her better, not to kill her. What was the reason that she went to the prophet and told him of her own sin? She went to the prophet to seek forgiveness for her sin.

Honor crimes

If a woman committed adultery, does her family have a right to kill her—if they kill her in the same instance—in a situation of temporary insanity—he has an excuse but Islam doesn't encourage it anyway. As far as witnessing is concerned—if a wife sees her husband having sexual intercourse with another woman—her witnessing the act doesn't have to be four women—her testimony is sufficient, as well as the husband by himself. This is only allowed in the manner of husband and wife in shari'a, law no other person is allowed to be the only witness to an act. If I knew that my *maharam* (female relative) had

illegal sexual intercourse—even if she is pregnant—the family is still not allowed to kill her. Only judges and courts are allowed to deliver laws, people are not allowed to take the law into their own hands.

Closing Remarks

In America, they tried to make laws to outlaw alcohol but they are still capable of doing whatever they want inside their own homes. If you don't have morals or a strong religious background to prevent you from doing something wrong, people will still be able to do what they choose regardless of laws. Sheikh Abueida was referring to people who commit honor killings, claiming to be part of Islam when it really is a sin in Islam.

Transcript of Reem Abu Hassan (Attorney in Jordan)

For part of this interview I chose to quote the interviewees statements. However, there are sections of the interview where there were many open ended questions which were paraphrased.

Biography

Reem Abu Hassan is a practicing attorney in Jordan. Currently, she is the President of the Arab Center for the Development of Rule of Law and Integrity/Jordan chapter, Vice-President of the Society for Protecting Victims of Family Violence, co-Vice President of the Partners for Change Society, Vice- President and Founding Member of the International Women's Forum (IWF) and a member of the Board of Trustees of the International Leadership Institution, the Academic branch of the IWF. She is also a member of the Council for Higher Education and a member of the Anti-Corruption Committee under the Jordan First Initiative. Mrs. Abu Hassan has worked on legislation related to family issues, judicial reform, case management and mediation. She authored the Jordan Report as part of a recently published compilation of reports on Women's Rights in the Middle East and North Africa for Freedom House (Abu Hassan, 2005).

Were you interested in the issue of honor killings while in law school?

While working on this Abu Hassan became interested in women's issues and was influenced by Fatema Mernissi's *Beyond the Veil* during the 2nd year of law school. Mainly, while working with the JNCW (Jordanian National Commission for Women). That is when she really had to study article 340 that has to do with honor killings.

(Article 340 of the current Jordanian penal code states: "he who discovers his wife or one of his female relatives committing adultery with another, and he kills, wounds or injures one or both of them, is exempt from any penalty".)

Was there a particular case that has gained your empathy and motivation over the years?

Abu Hassan tries to read every single case that comes out of the court that deals with honor killings. The reason behind this is that there is a need to understand how it happened, what are the family dynamics behind committing this crime and what rationale the family reaches to make this decision. Abu Hassan said, "I do not believe this is a spontaneous decision, rather in most cases this is a calculated decision (made on the part of the family) in which the perpetrator is chosen in a way that will not harm the family's interests." In most cases you will see it is the son (brother) that is not educated, i.e. does not have a high school diploma or college degree. The family did not waste any financial resources on the person that is chosen to commit the crime. That is important since most

families in Jordan rely on their male counterparts for income. Therefore, if the perpetrator is sentenced to jail (for a few months) that can be a financial burden on the family.

Throughout the years, the story that sticks out in her mind until today is a case where the family chose to kill a female—because she had on gold earrings and they didn't know where she bought them. Abu Hassan said, “How can the public prosecution, police accept this absurd assertion? How can our system (which should uphold the rule of law) accept such assertions?”

Abu Hassan said, “Maybe the reason the court system accepts such assertions, is so they don't have to research the case. They accept this claim since it is easy and they are ready to accept the claim and they don't like to get involved in family matters. Also so they don't have to investigate and divulge in family affairs.”

Why do you think honor killing still occurs in a contemporary society?

Abu Hassan said “Because people feel that it is tolerated by the system. We know that honor killing is not tolerated by Islam. This argument has been well thought out, researched and discussed and is not tolerated in Islam. Once the public realizes through harsher court judgments then we will see a decrease in the numbers. The system never really looks into these cases as premeditated murders.”

She is an advocate of investigating the cases to see if article 98 is applied to these cases. *Article 98 states: “He who commits a crime in a fit of fury caused by an un-rightful and dangerous act on the part of the victim benefits from a reduction of penalty.”*

Abu Hassan expressed that in order for laws to change the government needs to, “Push the police and public prosecutor to investigate these cases to see the claims that are given by the family and perpetrator. Research if the claim is valid, not to follow mere gossip. Since honor is very important in this society and therefore the rumors are accepted rather than researched.”

One of the arguments—the prosecutor might use in the courts is that if the family knew of the girls’ acts before the crime was committed than obviously it wasn’t committed in a fit of fury. Jordan needs to focus on making sure that these cases in courts are tried and making sure that the requirements of article 98 are met or not.

Do you believe the courts hand out lenient sentences to honor killing perpetrators?

“Once the public realizes through severe court judgments that this is not tolerated perhaps we will see a decrease in the numbers. We are starting to see it in the courts, but there is a light decrease but not noticeable in numeric numbers. But the fact remains that the system never really looks into these cases as premeditated murder. The laws of honor killings were taken from the Lebanese system which was adopted from the French. People see that the system tolerates it and once the public realizes through severe court judgments and then maybe we will see a decline.”

Is there a difference in punishment when the perpetrator is a female?

When a woman kills another woman in an honor crime (versus man killing woman) than her sentence is for a longer period of time. The cases that she has read, usually woman were imprisoned for about 1-2 years.

Why are victims of honor crimes incarcerated?

Honor victims are kept separate in the prison from other criminals. The Ministry of Social Development has the authority to license other NGO's and civil society organizations to open shelters. Therefore, she anticipates women who are detained in prison will eventually move into one of these shelters.

There is a new shelter that has been opened up (in March 2007) that shelters battered women. However, they do not accept women that have received honor threats. Abu Hassan advocated for the battered women and domestic violence shelter. She has fears that the focus will be lost if the two issues are mingled.

Women in the prisons (honor victims) engage in vocational training, take classes and at the same time they are waiting for a male guardian to take them out of the prison. Even though the honor crime victims are separated in the prison from the criminals they see each other on a daily basis. Abu Hassan believes they should never be in the prison and it is about time to have a shelter and policies to help decrease the issue.

When a male guardian comes to the prison to take custody of his female guardian he has to make a financial commitment that he will not harm her. The financial guarantee can range from 20,000 JD-50,000 JD (\$29,000-72,000). However, even though women have been killed after the male guardian relinquishes custody of his female relative—the

financial guarantee has never been collected. Abu Hassan believes the monies should be collected and put into a fund that helps other women in a similar situation.

Closing Remarks

Honor killings occur all over the world. Since Jordan is open about this topic, people are furious that Jordan got labeled for this phenomenon. Sometimes the crimes that are committed have ulterior motives rather than the preservation of honor. Some of these motives include inheritance, or if she is merely viewed as a nuisance. The perpetrators feel that this will give them credibility in society. This will give them a sense of worth since most of them are uneducated and unemployed. Moreover, women's issues are not just about honor killings there are other aspects. If we focus on these aspects then we will lose sight of all the other important issues.

Duroos or Religious Lessons

Since the attendees in this group spoke Arabic, the group discussion was paraphrased.

This group discussion was held during June and July of 2007. Attendees range from fifteen to twenty every other week, with little variation in the form of new and old attendees. Although, new participants are encouraged and welcomed. The ages of the attendees range from 25 to 65. During the religious lessons the themes that were explored included responsibilities of the family unit in society, the mother's role in raising her children, Islamic principles in regards to the family unit, how women were treated in the days of the Prophet Muhammed in comparison to contemporary society. The following are case stories that were mentioned by various attendees. Even though, I attended many religious lessons at this mosque, I felt it was pertinent to include only the data that is relevant to this topic. Some women chose not to say anything, while others were very vocal in their opinions. The following questions were brought up to the group as a whole.

What do you think about honor crimes?

Most of the women agreed that society is to blame for honor crimes. Society is a major factor since it is society who causes the women to stray or to follow moral principles. Much emphasis was placed also on the upbringing of the female. Many of the attendees also agreed that the women should be given the benefit of the doubt and men should not be quick to point the finger since it is both parties who are responsible for this action (illicit sex). Many of the attendees also chose to implicate women for their ability or lack of managing their family and their issues. When many of these questions were

brought up, many people would say “*El hak al ma’raa.*” Which essentially means it is the women’s fault.

Is there anyone to blame?

Again they believe that society is a major component to this problem. They said if the women took care of her family and their problems than these issues wouldn’t occur. They also asserted that women make up at least half of society. This means that generally since women are care givers, they influence the majority of people in this world.

What does religion say about honor crimes?

Islam gives the benefit of the doubt and made these matters private. Honor killings only cause these issues to become public matters since the authorities get involved. Also, once the woman is killed this does not eliminate the problem only causes the rumors and news about the matter to spread like a wildfire. Islam made it clear that there has to be four witnesses to the act in order for the parties to be brought before justice but nobody should take matters into their own hands.

However, there were a minority of the women present that felt that the women should be punished for their actions. Some of the women even said that women are *fitna*, which means one who creates mischief. In other words, they explained that women should be able to control themselves and not succumb to such actions.

V. THEORITICAL DISCUSSION

The following are common findings that are represented within the texts of the interviews. One of the themes common in all of the interviews included discussions of the reasons for committing honor crimes. Rana Husseini of *The Jordan Times* said,

“To them—the woman is a source of shame. They want to eliminate the source of shame. At the same time she would be a lesson to others. That is if they did this—they would have the same fate. Also, they think if they don’t do it people will not come and marry their daughters. It is a combination of things.”

Another theme that was frequently addressed within the interviews was the shelter issue and incarcerating honor victims in Jordan. Rana Husseini of *The Jordan Times* said:

“Women whose lives are under threat—that the government decides to lock them behind bars to protect them. I felt this is not fair because in any country in the world, if someone threatens someone’s life they should go to prison and not the other way around. We have been nagging and nagging the government to open up a shelter for abused women and for these women (victims of honor crimes), but that was like ten years ago and you know because it is supposed to be run by the Ministry of Social Development—so it went back and forth—they have like seven or eight months. One minister was afraid because he said he didn’t want to open up

a “prostitution house.” This is unfortunate but this is how they think. Unfortunately this is how some conservative people are labeling it.”

An additional theme represented in the interviews deals with male guardians making false promises to prison officials. This is apparent when dealing with the release of honor crime victims from prison. A prominent attorney and human rights activist in Jordan, Reem Abu Hassan said:

“When a male guardian comes to the prison to take custody of his female guardian he has to make a financial commitment that he will not harm her. The financial guarantee can range from 20,000 JD-50,000 JD (\$29,000-72,000). However, even though women have been killed after the male guardian relinquishes custody of his female relative—the financial guarantee has never been collected. Abu Hassan believes the monies should be collected and put into a fund that helps other women in a similar situation.

Another topic that was frequently addressed in the interviews includes the effect of social class on honor crimes. Rana Hussein of *The Jordan Times* said:

“Honestly it’s mostly poor and uneducated people—where they live in areas of poverty. I like to think that some of them are not religious believers. Because anyone who understands religion really well would not commit such a crime. Everyone knows that all religions are against these killings.”

An additional theme explored in the interviews includes the societal toleration of honor crimes. Dr. Isra Tawalbeh who is the first female forensic pathologist in Jordan said:

“In some communities, the perpetrator is viewed as a hero after committing such a heinous crime. Afterward, the remaining female members of the family who are not married become indirect victims of the crime. Not only do the female relatives feel helpless, they also are judged harshly in the community. Community members usually spread malicious gossip, which will cause potential male suitors to avoid marrying any unwed female relatives of that family. The harm not only impacts immediate family members but exceeds to reach other extended single female relatives of that family. Male suitors become weary of marrying any female relatives of that family due to a tarnished family name. The same also applies towards women marrying men from the same family. Therefore, the “problem” was not solved it has just spread like a wildfire throughout the community.”

The Exploitation of Social Capital: The Notion of Honor

The key themes can now be analyzed using several theoretical approaches. Social capital refers to the collection of resources that accrue to a person or group by the merit of acquiring a secure network of customary relationships of mutual recognition. In traditional Arab societies, a distinction is made between two types of honor: *sharaf* and

'ard. Sharaf refers to the honor of a social unit, for instance a tribe, family and individuals. *'Ard*, however, is related only to the honor of women and its value can only decline. *Ard* and *sharaf* denote the social capital that a community exploits to influence the members of society.

According to Bourdieu, social capital is “made up of social obligations or connections.” It is the combination of “actual or potential resources which are linked to possession of a durable network of institutionalized relationships of mutual acquaintance and recognition—or in other words, to membership in a group” (Bourdieu, 1983). The notions of honor trigger a sense of justification among the members of a community to carry out extreme measures to protect their honor. The following is a case narrative from my interview with Dr. Isra Tawalbeh which reflects the theory of social capital:

One day Basma received a phone call from her brother Louai who threatened to kill her. One of her six brothers suspected she wasn't a virgin since Louai's wife, Amal told her husband, “Your sister is a whore and is not a virgin.” Amal told her husband that if people find out their reputation will be tarnished and their family business will go downhill since people will refuse to buy anything from them. Later that day, Basma's brothers stormed into a local hospital and ordered the doctor to perform a virginity exam on their sister. Louai told the doctor, “I swear to God, I will kill her if she is not a virgin, right here, right now.” The doctor was shocked and believed them after taking a glance at their concealed weapons. Shortly after the doctor performed the exam which concluded that she indeed was

still a virgin. Then the doctor went out to the lobby to inform the brothers, she thanked them for bringing Basma in and not killing her before they learned the truth in the matter.

It is apparent to honor crime perpetrators that the members of a community value the notion of “honor” more than life itself. Basma’s brothers were willing to kill her to uphold the honor of the family. However, Basma is considered to be very lucky since many families would not even give her the benefit of the doubt. A rumor such as this is enough to ruin a woman’s reputation in her community. In another situation as described, a father killed his daughter and claimed that he was “cleansing the family honor.” However, once the medical examiner did an autopsy, the evidence proved she was still a virgin. When the father was confronted with the proof, he admitted that he was provoked by members of his community. Members of the community spread ill rumors about his family and felt that he had no other alternative to regain his honor in the community than to eliminate the source of shame. For that reason once a rumor is out it is likely to spread like a wildfire.

When a woman is accused of sexual misconduct there is very little a family can do to purge the rumor. From the perspective of the family and the local community, sexual misconduct is the most serious offense to a family’s honor which can be the basis of dire consequences. In such cases, many families can not grasp any other recourse other than murdering the female family member in order to regain respectability in their community. In a recent documentary film in Amman, Hutcheon (2003) reported that a woman, Hanan who had two children was killed when her husband accused her of

adultery. When Hutcheon questioned Hanan's sister in law concerning Hanan's brutal murder she said "It's not only good for us, it's the same for all the people who have an honor case. It's great to kill that which does wrong things. It benefits everyone and according to our customs, all people say it's great. We say that when your finger becomes full of puss you cut it off".

This response shows that some people believe that honor killings are a legitimate means to curtailing sexual misconduct. In Jordanian society, a woman's conduct is perceived as an expression of her family's reputation in the community. In Jordanian society, people are not only judged by who they but also who their female relatives are. In view of the fact that women's actions are not only indicative of her character, sexual misconduct is perceived as the most serious offense to a family's honor. Therefore, some families feel the women's actions require redress since the community ostracizes those who don't adhere to the social mores.

Penal Codes: Techniques of Social Control

Laws regulate the actions of people through the course of their daily lives. The purpose of the law is to prevent injustices from dominating society and upholding its mores. These mores reflect a society's traditions and customs, which represent what the people as a whole deem precious. Laws have greater social influence than any other aspect of political affairs, since it is perceived as being impartial. Law is a manifestation of fundamental social values and it also helps form these values. Laws have such influence over people since they are perceived as boundaries for social interactions.

Moreover, law is not only a process in which the state fulfils its own interests, but it also enables it to pursue its own agenda.

In Durkheim's early work, *The Division of Labour*, he studied the disparities between law in societies with mechanical solidarity and law in societies with organic solidarity (Cotterrell, 1999). Durkheim contended that a society with mechanical solidarity is distinguished by repressive law. Since people are alike in this type of society, they tend to cultivate a common sense of morality. Any opposition against their shared value system is interpreted as a threat to society as a whole. Given that the offense is perceived as a threat to the entire society, the wrongdoer is likely to be punished harshly. Durkheim's ideas of mechanical solidarity are being used to describe Jordanian society since most communities are tightly knit and opposition by its members is viewed as divergence from social norms.

Durkheim expressed that all laws implicate the utilization of sanctions. Sanctions convey the compulsory moral fiber of society. According to Durkheim, we observe two distinct types of sanctions included in legal regulations. Repressive sanctions are those related with penal law. These include the imposing of some form of affliction, such as an eye for an eye. The second type, restitutive sanctions are typical of mainly civil and commercial law. They involve the restitution of the conditions which existed prior to the offense of the law (Giddens 1972: 23).

Examples of repressive laws are embedded within the Jordanian constitution. These laws in particular are article 340 and 98 with reference to honor killings. Article 340 allows a man to murder his wife or female relative without any penalty, whereas article 98 (commonly used in the Jordanian legal system) permits a reduced penalty for

men who murder their wives or female relatives in a “fit of fury.” However, these articles contradict Article 6 of the Jordanian Constitution which guarantees rights to all Jordanian citizens regardless of their gender (Faqir, 2001). Even though Jordanian society clearly reflects mechanical solidarity its repressive laws do not embody repressive sanctions onto the perpetrator by means of punishment. Instead, the victims of honor crimes suffer multiple times. These victims undergo endless suffering at the hands of their family, as outcasts of society, and as prisoners for the government failing to protect and provide them with suitable shelter. Instead, the victims are incarcerated for an infinite amount of time in lieu of their perpetrators.

Giddens (1972) emphasizes that the collective conscience in the two types of societies can be distinguished by four dimensions. These dimensions are volume, intensity, rigidity, and content. Volume refers to the number of people encircled by the collective conscience. Intensity concerns the deep feelings a person has about the collective conscience. Rigidity refers to how clearly the collective conscience is defined. Content is concerned with the shape that the collective conscience takes in the mechanical and organic solidarity. In a society distinguished by mechanical solidarity, the collective conscience includes the entire society and its members. The collective conscience is understood with great intensity, it is exceptionally rigid and its content is comprised of a religious character (Ritzer and Goodman, 2003). This is a classic representation of the tight knit society that embodies Jordanians.

During this study, I explored the notion of repressive laws while interviewing Rana Husseini of *The Jordan Times*. I asked Husseini “Why do you think honor crime

perpetrators receive such lenient sentences? What obstacles do activists and attorneys face while trying to overturn these laws?” Hussein’s response was:

“The problem is that we are always focusing on the laws. The laws will not solve the problem. The problem is not going to be solved by changing laws alone. It is a combination of things. One of them is the laws. There are many reasons why men get away with killings. The judges are male—they sympathize with the killers, even if they don’t say it. It’s not only the law, it’s also the lawyers. They tell the killers what to do and say in court. They use the same story—usually it is premeditated murder. Then when it goes to court they (the lawyers tell their clients) tell them say that you were away and you saw your sister and she said that it is none of your business. You know this issue of it is none of your business, this is my body—it’s not accepted in our culture. That is how they get away with it.”

“You have judges that have very closed minded ideas. They use the issue of honor crimes to pretend that they are defending our honor of the nation and all of that. At the same time they pass many laws that are against people. At the same time when we did our movement back in 1999, they used it against us saying we are backed by the west and our aim is to destroy the morals of women in our society and all of that. They used these tactics to fight against us.”

Husseini claims that laws should not be the main focus when grasping the notion of honor killings in society. Rather, it is the community's perspective of these crimes that creates a rift within society. Even though laws differ from social mores, they are indicative of social principles. The existence of repressive law thus reveals the observance of firmly held collective moral beliefs, otherwise known by Durkheim as the "collective conscience." Durkheim acknowledged that "primitive societies" possess a solid collective conscience. Durkheim also contended further that the greater the prevalence of repressive law over restitutive law, the more cohesive the collective conscience is (Giddens, 1978).

Even though some activists believe that laws should not be the key focus when attempting to revolutionize society's principles, it is still considered the cornerstone to change in a society. The following is an excerpt from an interview with a Jordanian attorney, Reem Abu Hassan "Why do you think honor killings still occur in Jordan? She quoted:

"Because people feel that it is tolerated by the system. Once the public realizes through harsher court judgments then we will see a decrease in the numbers. The system never really looks into these cases as premeditated murders."

"Push the police and public prosecutor to investigate these cases to see the claims that are given by the family and perpetrator. Research if the claim is valid, not to follow mere gossip. Since honor is very important in this society and therefore the rumors are accepted rather than researched."

Abu Hassan acknowledged that there is a tendency for the prosecutors and public officials to accept the family's allegations. The manner in which the laws are phrased can allow a judge to let a murderer go free or with a minimal sentence that amounts to a mere six months. Since the laws permit room for interpretation, the definition of an honor crime is open to include roughly any form of violence against women by a male family member. This is particularly dangerous since it can erode the efforts of the prosecutors and public officials. When officials in the system do not look into these cases as premeditated murders, this allows the perpetrator's cause to be promoted. Nevertheless, this is a slippery slope which allows for people to construe the laws to their own advantage.

Symbolic Capital and Symbolic Violence: The Implications of Honor

Bourdieu (1977) depicts power in terms of symbolic capital, which develops with social position and leads to prominence. When notoriety is ascribed to a family name, it becomes one of the most precious forms of capital in a society. In Jordanian society, people are often judged by their family name. The family name is more than an identity; it is a means to judge the status of an individual by relating their past with their future. This concept draws vast similarities to the Indian caste system. In caste societies, social systems are characterized by family units. One can not ignore the undeniable resemblance of caste systems and the notion of a family's reputation in Jordanian society.

Exercising symbolic power against another implies symbolic violence. This power may be dispensed without words, by using physical symbols and behaviors.

Symbolic behaviors can be identified in cases of honor crimes by death threats to female relatives. Symbolic capital results in a sense of duty and inferiority in others who look up to those who have that power. Symbolic capital also results in relationships of fear among female relatives vis-à-vis their male relatives.

Bourdieu (1997) asserts that symbolic violence is the duress of classifications of symbolism and connotations bestowed upon groups by means experienced as acceptable. These customary means complicate the power relations which permit that imposition to be successful. To the extent that it is accepted as customary, culture adds its own strength to those power relations which sanction that imposition. For example, when a person deviates from societal norms they are ostracized by the entire community and deal with consequences to serve as an example to all. Therefore, symbolic violence is utilized as a means of strengthening the power relations of male relatives in the family.

During the study Rana Husseini (journalist of The Jordan Times) was asked, “What is the perspective of those that kill in the name of honor? What are they trying to achieve?” Husseini answered:

“To them—the woman is a source of shame. They want to eliminate the source of shame. At the same time she would be a lesson to others. That is if they did this—they would have the same fate. Also, they think if they don’t do it people will not come and marry their daughters. It is a combination of things.”

This explanation by Husseini is indicative of the symbolism that virginity plays in these societies. Proponents of this argument believe that when virginity is lost (during

illicit affairs), honor is lost. In this context virginity is not a condition, but an imposed societal value that imposes a code of conduct among the members of society. This code is adopted by the majority of society and divergence from this code carries a harsh penalty, in order to preserve the integrity of a society.

Husseini also referred to the importance of a family's reputation when she said:

“I think many people when they kill they know they are violating their religion, but they don't care. They care more about traditions—they care more about wrongful traditions, because our true traditions does not say kill. People in this part of the world are so afraid of what others think of them. It is always about what car I'm driving, what I'm dressing, what do people say about me. When these families kill, do you think they solve the problem? They don't solve the problem—who cares! The problem starts once they kill—people will never forget the crime.”

In traditional societies female chastity institutes respect in a family, while lack of it instigates shame upon the entire family (Jehl, 1999). For this reason, honor is among the most valued concepts in society. Families are not only judged by the chastity of their female relatives, but they are also viewed as protectors of women. Hence, if the family's female relatives were believed to be unchaste (even through rumors), this is a reflection of the family's values and character. Emphasis is drawn upon the family's values since the entire family can quickly become marginalized in society along with the accused party.

Displacement of Responsibility

While conducting participant observation during religious lessons in local mosques, (which were led by women in local mosques) the word *fitna* (one who makes mischief) came up frequently. The context was generally associated with women and their actions. Various participants in the religious lessons would make remarks concerning women's actions, to the extent that blame was placed on a woman for any family related problems. Their perception included one where the woman was an alluring individual who is responsible for any ill events that befall her. For example, the women in the religious lessons mentioned an incident where a female student was raped in the middle of a classroom in a university in Lebanon. Even though the women of these lessons condemned the rapist's actions, they proceeded to frown upon the matter in which the victim was dressed.

This denotes the implication that a woman gets what she deserves. Even to the extent that rumors are spread about her and she is murdered for suspicious behavior, the actions justify the means. The gloomy notion that opening a shelter would give leeway to transgression in society is itself preposterous. Women within this socio-cultural context are portrayed as agents in these narratives. When women blame others and label each other as *fitna* this creates an ambiance of fear within the social sphere. Women are quickly judged by others and by each other while they hold on to the notion that it can't happen to them. Therefore, the insinuation that women are agents of *fitna* is not limited to male perceptions but is also a part of the way women examine other women and avoid accusations of *fitna*.

VI. CONCLUSION

During this study, the researcher became acquainted with the Jordanian culture through multiple visits. Essentially, the researcher came in contact with two different cultures living alongside each other. Even though their nationalities were the same, they who?? were some how divided. The rift became noticeable while traveling throughout different areas in Jordan. In the affluent areas of Jordan, it is as if one were in the US. However, in the disadvantaged areas it was quite apparent that this was a third world country. The lines between upper and lower socioeconomic classes have been clearly drawn. Evidently, this affects everything from social attitudes to values. Honor crimes are predominantly apparent in lower divisions of society.

In order to revolutionize the issue of honor crimes in Jordan, numerous concerns must be addressed. First, the articles of the Jordanian penal code (articles 98 and 340) must be overturned. If these articles remain in the Jordanian constitution, the message to women is straightforward: The life of a woman has little or no value. This message should not be tolerated by over half of the population. The legislators need to be lobbied efficiently and held accountable for any effort to repudiate legal reform on this topic.

One of the most daunting tasks includes altering the attitudes and behaviors of those who still believe in honor killing. Recognizing that this is not a simple task is the first step in this multifaceted approach. The most crucial step in combating this issue lies with the officials in the Ministry of Social Affairs in Jordan. Despite, many years of hard

work on behalf of the local activists in the ministry of social affairs, nothing has been done to establish a women's shelter to house victims of honor crimes. Instead, the victims suffer twice, once from their family's accusations and another from becoming outcasts in society. Many international organizations yearn for the green light to pour money into this cause, yet the government has hindered their abilities. It is appalling to know that public officials take this matter with a grain of salt.

Although the phenomenon of honor killings has occurred in several countries, the scope of this study is limited to the occurrences in Jordan. This study could be improved by comparing and contrasting various countries and their efforts in eradicating this phenomenon. In addition, this study is not representative of the entire Jordanian population since key informants were interviewed. If the Internal Review Board had allowed it, the study could have been expanded to include interviews with the women that are being "protected" in local jails in Amman, Jordan.

If you want to witness first hand how women are treated in Jordan, just walk along a street and the behavior of men will be astonishing. Even though many women are covered from head to toe, it doesn't matter. They are still harassed by men. This takes place even when police and security forces are present as eyewitnesses. This type of disrespect cuts away at the value of human beings and causes murder to become accepted as a way of dealing with tribulations.

Another critical step in transforming societal beliefs begins with local imams. It is preposterous for many people to believe that honor killings are permitted in Islam to deal with sexual improprieties. In cases of illicit sexual affairs, Islam clearly states that one must have four witnesses in order to be brought forth in a court of law. Islam does not

state that when one thinks his female relative is guilty of such affairs to kill her. This claim is an ignorant one that is used by many to further their own agenda. Imams have a societal responsibility to inform the public of such occurrences within the private and public spheres of society.

Additionally, it is essential to begin the platform of change in local schools in Jordan. It is nearly impossible to alter the attitudes of adults, but more promising would be efforts to educate young minds. At the age of six, children are taught French, English, and Arabic in elementary schools. However, the topic of human rights is rarely addressed in schools. In order to bring about change, one must first begin with the youngest members of society, for they are our promise to a better tomorrow.

Honor is a behavioral attribute that compels certain conduct within the private and public realm of society. Honor is not constructed but rather determined through the conformity of certain behaviors. The vicious phenomenon of honor crimes is a means of compelling women to behave in a manner that is pleasing to a man. In societies where these crimes are still committed it is an atrocity for governments to bestow lenient sentences to perpetrators. This is a tactic of permitting the perpetrators to literally get away with murder. States which have such lenient sentences should eradicate them from their books without delay. When honor is a belief held higher than the sanctity of life, then we find a genuine loss of the human value upon which honor is based.

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APPENDICES

APPENDIX 1

Arabic Terms

Bayt at-ta'a- house of obedience

Daeeya- Muslim female scholars who are highly knowledgeable in Shar'ia law and hold meetings in mosques to teach other women

Dars- religious lesson given by a *daeeya*

Duroos- Religious lessons given by female Muslim scholars, otherwise known as *daeeyas*

Fatwa- formal legal opinion or pronouncement of a mufti on a matter of Islamic law

Ightisaab- rape

Imam- Muslim prayer leader

Jahiliya- period of ignorance, pre-Islamic time period

Jarimat al-Sharaf- honor Crime

Khul- Divorce initiated by the wife

Khutba- Friday sermon

Hadith- an account of the Prophet Muhammad's sayings and actions

Mufti- Expert on Islamic law qualified to deliver a fatwa

Shari'a- Islamic Law

Sunnah- Prophet's Muhammed's actions and practices

Ta'a- obedience

Talaq- divorce

Wali-al amar- parent or guardian

Wazir -governor

Uthur Mukhafif- mitigating excuse

‘Urf ‘asha’iri- Tribal law

Zina- adultery

APPENDIX 2

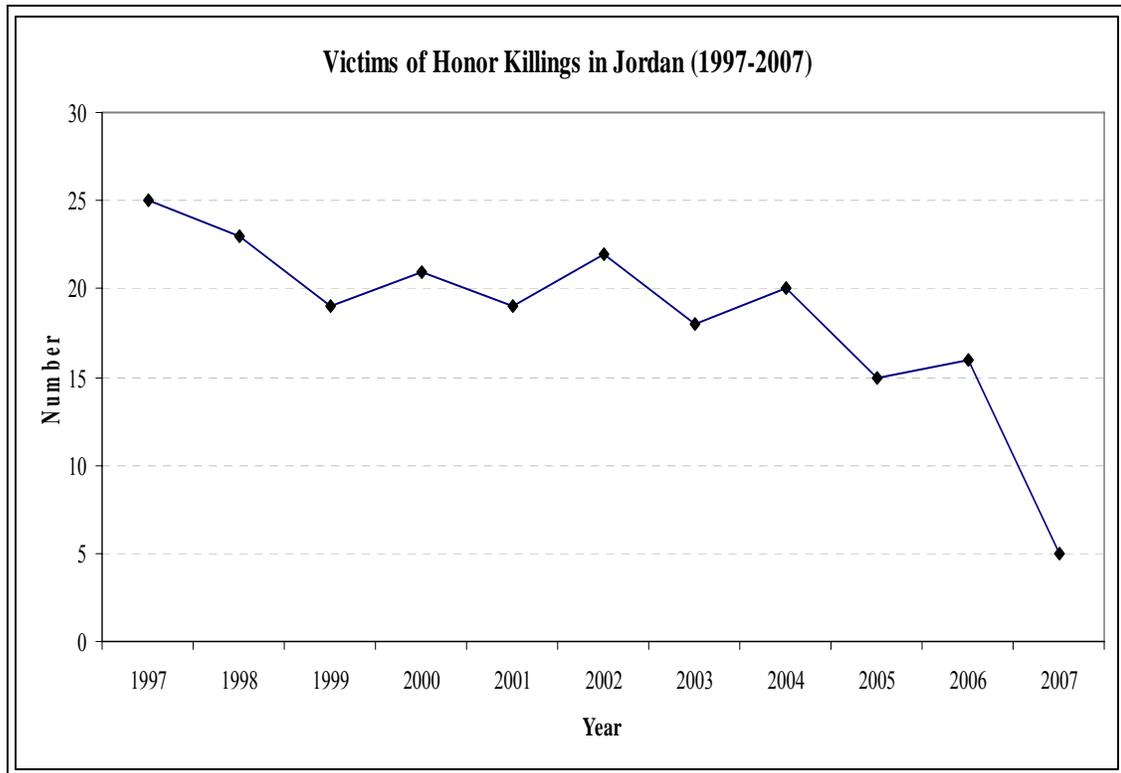
Jordanian Personal Status Laws and their Impacts on Gender

Gender Relevant Issues	Legal Provisions	Impacts on Gender
Legal Consent for Marriage	<i>Personal status laws</i> provides that legal consent of a guardian is required	<ul style="list-style-type: none"> ◆ Facilitates forced marriages
Age of Marriage	According to the new <i>Personal Status Provisional Law</i> , the age of marriage has been raised to both 18 for males and females.	<ul style="list-style-type: none"> ◆ The previous law, by setting the legal age of marriage at 16 for boys and 15 for girls, promoted early marriages for girls and early secondary school dropout for married girls
Obedience	The institution of the <i>bayt at-ta'a</i> obligates the wife to obey the husband in return for maintenance.	<ul style="list-style-type: none"> ◆ May force wife to stay with husband, even under violent circumstances
Divorce	<p>Upon divorce, women are entitled to one year of maintenance and to child support, but they are not granted half of the wealth accumulated during the marriage to compensate for their productive and reproductive labor during marriage.</p> <p><i>Personal Status Provisional Law of 2001</i> sanctions Khul' law, which grants women the right to divorce that are similar to (but not equal) a man's right to divorce.</p>	<ul style="list-style-type: none"> ◆ Discriminates against women ◆ Maintenance provisions are not uniformly enforced ◆ Child support provisions are not uniformly enforced ◆ Operates as a disincentive for women to work
Polygamy	<p>Polygamy is allowed with some conditions (the husband is required to treat all wives equally and disclose his social status to the prospective new wife).</p> <p>Under the <i>Personal Status Provisional Law of 2001</i>, the first wife is entitled to be notified by court order of husband's polygamous marriage.</p>	<ul style="list-style-type: none"> ◆ No information about enforcement of these conditions

Source: United Nations Development Programme Arab Fund for Economic and Social Development, 2002

APPENDIX 3

Victims of Honor Killings in Jordan 1997-2007



Source: Rana Husseini personal communication March 6, 2007