

Subverting the *Ird* Code

A Framework for Examining the Efficacy of Religious, Legal, and Social Policies to Tackle 'Honor Killings' in Southern Israel's Bedouin Society

Introduction

The practice of 'Honor killings'¹ leads to the murder of thousands of women around the world every year.² This essay is focused on identifying potential policy guidelines to address this problem. Our particular focus is on southern Israel's Bedouin community.³ While there is only sporadic data regarding the exact scope of the killings among Israel's Bedouin community, there is ample evidence that this human rights violation continues to occur on a regular basis.⁴

What are the challenges in proposing policy guidelines? We believe that the key challenge is to succeed in clearly identifying the root cause of the problem. An effective policy should be derived from a precise understanding of what drives husbands, fathers, brothers, and cousins to burn, stone, or stab their closest female relatives. Scope-wise, our analysis framework is designed to contribute to the global challenges of tackling this problem. However, it also draws on research and observations that are specifically relevant to the Bedouin society. In addition, we will examine the plausibility of our main policy findings against data that was collected on Israel's Bedouin population.

¹ The term 'honor killings' refers to the practice of killing a female family member who is suspected of sexual misconduct that may damage the family honor. See: Mayell, Hillary, "Thousands of Women Killed for Family 'Honor,'" *National Geographic News*, February 12, 2002. Available online at: http://news.nationalgeographic.com/news/2002/02/0212_020212_honorkilling.html

² "The United Nations Population Fund estimates as many as 5000 females being killed each year." In terms of geographic diversity, "honor killings have been reported in Bangladesh, Brazil, Ecuador, Egypt, India, Israel, Italy, Jordan, Morocco, Pakistan, Sweden, Turkey, Uganda and the United Kingdom." See: Katz, Nikki, *A Guide To Women's Issues*, Online Publication of About, Nov 2003. Available online at: <http://womensissues.about.com/cs/honorkillings/a/honorkillings.htm>

³ The Bedouin population of Southern Israel amounts to approximately 50,000 citizens, who constitute roughly 5% of Israel's Muslim population.

⁴ For example, "this past January, for example, four relatives of a young Bedouin woman were arrested for shooting dead a 19-year-old girl who was "leading a modern lifestyle." See: Alpert, Carl, "Honor killings plague Israeli Muslims," *Jewish News of Greater Phoenix*, August 22, 2003. More accurate data, however, is available for Israel's Arab population as a whole. "Women's groups have recorded 66 cases of murder in the last seven years." Moreover, hundreds of additional murders take place every year in the West bank and Gaza. See: The Arab Association for Human Rights, *A Report on Palestinian Arab Women in Israel*, Israel, Nazareth: 1999. Available online at: <http://www.arabhra.org/article26/factsheet5.htm>

Three general explanations are usually employed to account for the root cause of the problem. While they are not necessarily mutually exclusive, they have a different focus. The first identifies the cause within Islam itself. Policy-wise, if Islam is the cause the problem; we should either clash with it or find a solution within it. The second explanation views honor killings as an 'oriental form' of domestic violence. The concept of honor is supposedly cynically used to legitimize the exploitation of women. As we will see, the policy implication of this approach is that Western tools such as legislation and enforcement should dominate the prevention effort. The third approach interprets honor killings primarily as a secular phenomenon with cultural and tribal characteristics. An effective policy, thus, should be driven by social and cultural goals.

In the first section of this essay, we will introduce and critique the logic and policy implications of each of the three explanations. I will argue in favor of the third explanation. Namely, that honor killings in Bedouin society are primarily driven by social, cultural, and tribal factors. Accordingly, in the final section, we will propose policy goals and guidelines that are focused on addressing the social and cultural aspects of the problem.⁵

To understand the workings of those non-religious and non-Western factors, one should be aware of the distinction between *ird* and *sharaf*.⁶ "*Ird* ...is used only in connection with female chastity, prudence, and continence."⁷ At the same time, "*Ird* differs from *sharaf* in that *sharaf* can be acquired and augmented thru right behavior and great achievements, whereas *ird* can only be lost by the misconduct of the woman. And once lost, it cannot be regained."⁸ Thus, the major long-term policy challenge, as we will discover, is to identify possible methods for subverting the *ird* code. This may be possible either by 'exchanging *ird* for *sharaf*' or by minimizing the adherence to its strict behavioral imperatives.

⁵ This essay does not attempt to make an exhaustive case for or against each of the explanations. Nor does it attempt to document and classify the range of human rights violations that this practice generates. Instead, we intend to map out the key causes and policies that are routinely proposed to tackle this phenomenon. Our methodological motivation is to emphasize the importance of properly aligning policy and cause. In addition, such a framework may help us prioritize between available policies. Today, it seems that some of the popularly endorsed measures have little long-term effects. So hopefully, this essay can suggest policies with more sustainable results.

⁶ Both are words in Arabic that could be translated into *honor* in English.

⁷ Dodd, Peter C., "Family Honor and the Forces of Change in Arab Society," *International Journal of Middle East Studies*, Vol. 4, No. 1. (Jan., 1973), p. 41.

⁸ Dodd, 42.

Honor Killings as an Islamic Phenomenon

The Claim. Islam contains religious directives that constitute the primary cause of honor killings. Furthermore, the fact that the practice of honor killings is prevalent primarily in Muslim societies seems consistent with this claim.⁹ However, this fact alone does not prove the existence of a necessary causal relationship. Namely, it is not necessarily true that: if all those who engage in honor killings are Muslim, then Islam is the cause of honor killings. The proponents of this view need to offer a causal mechanism. And some of them do.

In a publication sponsored by the Institute for the Secularization of Islamic Society, Ibn Warraq asserts, “Islam is the fundamental cause of the repression of Muslim women and remains the major obstacle to the evolution of their position.”¹⁰ Ibn Warraq addresses specifically the causal mechanism that is at play.

“Islam has always considered women as creatures inferior in every way: physically, intellectually, and morally. This negative vision is divinely sanctioned in the Koran, corroborated by the hadiths, and perpetuated by the commentaries of the theologians, the custodians of Muslim dogma and ignorance.”¹¹

How does Ibn Warraq, however, link between the Koran’s general statements regarding the inferiority of women and its direct responsibility for honor killings? The answer lies in Islam’s inherent gender inequality in matters of testimony. The Koran stipulates that one man’s

⁹ The killings “tend to be prevalent in countries with a majority Muslim population.” Otherwise, they tend to occur among minority Muslim populations around the world. From: Katz.

¹⁰ Ibn Warraq, “Islam’s Shame – Lifting the veil of tears,” Online Publication of the Institute for the Secularization of Islamic Society, Excerpts from *Why I Am Not a Muslim* by Ibn Warraq (Prometheus Books, 1995). Available online at: <http://www.secularislam.org/women/tribalism.htm>

¹¹ In other words, the teachings of the Koran and the hadiths as well as the ongoing practices of the clergy lead to the repression of women. Ibn Warraq supports his argument with several examples from the Koran that emphasize the inferior status of women. He adds that Islam, by its nature, stifles the practice of critical and open thinking since “every problem is seen as a religious problem rather than a social or economic one.” See: <http://www.secularislam.org/women/tribalism.htm>

testimony is equivalent of that of two women.¹² Beyond that, the rule in Islam “is not to accept the testimony of women alone in matters to which men theoretically have access.” Thus, “in matters of marriage, divorce, and *hudud*”¹³ a woman’s testimony is insufficient. Accusations of honor killings fall under the category of *hudud* and this is why women are discriminated against in this justice system. Consequently, even if The Koran states that men who commit adultery are criminals, the discriminatory testimony processes ensure that usually women alone would be punished.

The Rebuttal. Islamic law can be interpreted in a manner that is conducive to the practice of honor killings. However, this is not a necessary outcome. Different interpretations – for example, those that would forbid honor killings – may be just as consistent with the letter of the Shariah, the Islamic law. One of the advocates of this approach is Christina Jones. After reviewing a series of cases that were tried under Islamic law, Jones concludes, “it is possible to use Islamic law in the interests of women's rights. It is possible to combine the very best for women from all of the interpretations of the Quranic text. The decision to do this is political. We lawyers are not political scientists. But we can open new directions for political decisions.”¹⁴

Jones’ argument may be strengthened by developments of the Amina Lawal case in Nigeria. Lawal was convicted for adultery and was sentenced to death in stoning.¹⁵ Later, in

¹² The testimony of a male is considered twice as credible. See The Koran, Sura 2.282: “But if he who oweth the debt is of low understanding, or weak or unable himself to dictate, then let the guardian of his interests dictate in (terms of) equity. And call to witness, from among your men, two witnesses. And if two men be not (at hand) then a man and two women, of such as ye approve as witnesses, so that if the one erreth (through forgetfulness) the other will remember.” From: <http://www.secularislam.org/women/shame.htm>

¹³ “Hudud are the punishments set down by Muhammad in the Koran and the hadith for,” among other matters, adultery, fornication, and false accusation of adultery against a married person. From: <http://www.secularislam.org/women/shame.htm>

¹⁴ Jones, Christina, “The Status of Woman in Islamic Law,” Lecture, Meeting Arabia Conference, Germany: Göttingen, June 14th, 1998 (translation from German). Available online at: http://www.sub.uni-goettingen.de/ebene_1/orient/womnislam.htm

¹⁵ The details of the Lawal case are available at: Adamson Rondi, “Standing up for Amina Lawal,” The Christian Science Publishing Society, Boston, MA, September 25, 2003. And in: Sengupta, Somini, “Facing Death for Adultery, Nigerian Woman Is Acquitted” The New York Times, September 26, 2003.

September 2003, she was acquitted by the higher Islamic court of appeals in her state in northern Nigeria. The reversal of the initial decision demonstrated the potential flexibility within the Shariah. As Asra Nomani reports, "Islam has a strong tradition of humane judicial reasoning, or *ijtihad* in Arabic, which is used to mediate questions of law. It is based on *istihsan*, equity, and *istihsal*, the needs of the community."¹⁶ The Shariah, thus, does not mandate the exploitation of women and their killing, in extreme cases, but it can be used to promote such an agenda.¹⁷

Hence, for policy purposes, I believe that it would be safe to assume that honor killings are not a necessary outcome of Islam. As we have seen, Islam can be interpreted and exploited to promote both sides of the argument. What, then, are the policy implications of Islam's apparent 'neutrality'?

Policy Implication – is secularization the solution? One logical extension of the premise that Islam is the source of the problem is to call for a legal and political 'separation of mosque and state' in Muslim societies. In this way, we would eliminate a legal system that permits, and even advocates, the murder of women. Another policy derivative arising from this premise would be that the prevention of the rise of political Islam should become a priority for those who want to overcome the problem of honor killings. And indeed, Azam Kamguian asserts,

*"The emergence of political Islam and the coming to power of Islamic regimes in the Middle East in the last two decades has unleashed a wave of state sponsored terrorism against women. Countries such as Iran, Algeria, Morocco, Afghanistan, Pakistan and the Sudan further constrained the lives of women by introducing more and more aspects of the Shari'a into their legal systems. A century of struggle for the separation of state from religion came under constant attack, being seen by Islamists as a conspiracy against Islam and the East. Women were the first targets."*¹⁸

¹⁶ Nomani, Asra Q., "She Shouldn't Be Stoned to Death. None of Us Should," The Washington Post, June 1, 2003.

¹⁷ This view was reinforced in a New York Times Editorial that followed the decision to acquit Lawal: "When it was introduced 1,400 years ago, much of Shariah was more progressive than the legal cultures it replaced. Parts of it -- letting women inherit property and keep their property after they marry -- still are. Yet extreme versions are spreading, especially where literacy is low. They are often less reflective of the Koran than of local cultures." From: "Saved From Stoning," Editorial, The New York Times, September 27, 2003.

¹⁸ Kamguian, Azam, "The Lethal Combination of Tribalism, Islam & Cultural Relativism," Adapted Speech, *Conference on Honour Killing and Violence Against Women*, 17-19 January 2003, Sweden: Stockholm. Made available online by The Institute for the Secularization of Islamic Society at:

<http://www.secularislam.org/women/tribalism.htm>

Kamguian's conclusion is, then, that the struggle against the emergence of political Islam and the struggle against the practice of honor killings are one and the same. However, I believe that the fact that honor killings occur in countries where Shariah is not applied severely weakens his case. As we have seen, honor killings occur in the West as well as in Israel. And yet, all of these countries have a civilian (non-religious) criminal justice system, which is not able to prevent the murders.

One could still argue that the actual practice of honor killings stems from the law of Islam even if Shariah is not formally applied as a state law. However, that would mean that the struggle against political Islam is insufficient. To eliminate honor killings, one would need to promote the secularization of Muslim societies.¹⁹ I believe, however, that taking on a humongous secularization task is unrealistic and unnecessary. For one thing, it may prove to be such a large and complex task that women, in the foreseeable future, would not benefit from it. Beyond that, the above analysis demonstrates that Islam does not the cause the problem. Instead, it seems that it is instrumentally employed to promote this practice. Thus, a better policy may be to seek the instrumental use of Islam to discourage such practices.

Honor Killings – An ‘Oriental Form’ of Domestic Violence?

The Claim. The concept of family honor and the sanctions for failing to preserve it define a behavioral code that, in fact, was created to perpetuate the inferiority of women. What is really at play, according to this view, is a power struggle between men and women. Men use the honor code to legitimize and perpetuate the subservient position of women.²⁰ The preservation of power is, thus, the underlying motivation. Honor killings, then, are simply the Oriental equivalent of an extreme form of what is called domestic violence in the West.

¹⁹ Sadik J. al-Azm argues that such a task is possible and consistent with Islam's nature as the world's most adaptable religion. See: al-Azm, Sadik J., "Is Islam Secularizable?" Available online at: <http://www.secularislam.org/separation/isisislam.htm>

²⁰ For one such argument, see: Al-Fanar, "Developments in the Struggle against the Murder of Women against the Background of so-called Family Honor," *Women Against Fundamentalism Journal*, No. 6, 1995, pp. 37-41.

The Rebuttal. Honor killings, according to the above claim, are the equivalent of domestic violence cases that end up in murder. According to this logic, Western policies that effectively reduce domestic violence could be employed to combat domestic violence in the Muslim world. Nadera Shalhoub-Kevorkian, an Israeli-Palestinian scholar, examined this assumption. Specifically, she set out to evaluate the efficacy of ‘The Israeli Law Against Family Violence’ in combating domestic violence (honor killings are a subset of that) among minority Muslim groups (including Bedouins).²¹ The law, which was passed during the early 1990s, produced positive results in the combat against violence in Israel’s Jewish population. Assuming the desire to dominate women results from similar motivations in both societies, we would expect the new law to prove as effective among Israel’s Muslim population. In fact, Shalhoub-Kevorkian found that the law exacerbated the abuse and re-victimization of Muslim women.

The failure of the law stemmed from the fact that the adopted legal strategy did not properly account for cultural pressures.²² Shalhoub-Kevorkian presents ample evidence to the pressure that the Israeli Muslim society puts on its women to accept their inferior status.²³ Beyond that, she points to a clear distinction between domestic violence, which arises from women’s inferior status, and honor killings, which result from the honor code. The negative outcomes of ‘The Israeli Law Against Family Violence’ demonstrate the potential costs of misaligning cause and policy.²⁴

Policy Implication. A Western-like problem would require Western-like remedies. Thus, if we assume that honor killings are a part of the broader Western problem of domestic violence, we

²¹ Shalhoub-Kevorkian, Nadera, “Law, Politics and Violence Against Women: A Case Study of Palestinians in Israel,” *Law & Policy*, Vol. 21, No. 2, April 1999, pp. 189-209.

²² Power struggles also contributed to its failure. Specifically, the law was perceived as an artifact of the Jewish establishment and this triggered alienation. Thus, women were pressured to avoid ‘telling on their husbands’ to the largely Jewish authorities.

²³ For example, “divorce or violence against them [the Muslim women] are perceived as a reflection of their failure and inability to manage their private lives.” See: Shalhoub-Kevorkian, p. 194.

²⁴ Another example of a legal remedy that failed to produce results because it did not address cultural sensitivities is the 1926 introduction of a Turkish Civil Code. A 1998 study discovered that although women were granted equal rights in family law matters, their rights were in fact heavily violated. Honor killings are prevalent in Eastern Turkey and polygamy, although outlawed, is common practice. The lesson is that a law that is not suited to the cultural values of the population is much less likely to succeed and to solve the human rights violations. See: Ilkkaracan, P., “Exploring the Context of Women’s Sexuality in Eastern Turkey,” *Reproductive Health Matters*, 6(12), 1998, pp. 66-74.

would stand to benefit from relying on Western remedies. Western policies, in turn, are usually focused on legal and enforcement measures.

In 1999, Human Rights Watch, an NGO, published a report on honor killings in Pakistan. This report illustrates the practice of a Western 'legalistic approach'.²⁵ The recommendations section calls for very specific reforms in the following areas: regulation and legislation, police practices and rules, and medico-legal system. In my view, the implicit assumption of the authors was that the Western legal and enforcement model should be used as an ideal for the Pakistani system to mimic. However, if we assume that the problem is essentially cultural and social, then the use of legal and enforcement means alone may adversely affect the actual rights of women.

Are Honor Killings a Tribal and Cultural Phenomenon?

The Claim. The practice of honor killings pre-dates Islam and is deeply rooted in the belief systems of Bedouin societies.²⁶ Azam Kamguian maintains that although "Islamic religion attempted to regulate sexual relationships and transgressions... the pre-Islamic code of conduct survived, creating a powerful value system, parallel to Islam."²⁷ This value system assumes that the preservation of honor depends on society's perception of each woman's sexual behavior. The concept of honor is not merely individual. An individual's honor, or lack thereof, projects on the respect that his immediate family, extended family, and tribe should expect from their surroundings. This means that a women's sexual behavior can determine the status of a family, a tribe, and sometimes even of a nation.²⁸

Corroborating Evidence. Is there any evidence that honor killings in Bedouin societies result primarily from tribal and cultural norms? Lila Abu-Lughod, an anthropologist, studied the role of

²⁵ Burney, Samya, "CRIME OR CUSTOM? Violence Against Women in Pakistan," Regan E. Ralph and Brown, Cynthia (Eds.), Printed in the USA: Human Rights Watch, August 1999. Available online at: <http://www.hrw.org/reports/1999/pakistan/index.htm#TopOfPage>

²⁶ Dodd supports this claim: "among modern Bedouins we still find *ird* with all its pre-Islamic force." See: Dodd, P. 41.

²⁷ Kamguian, Azam, "The Lethal Combination of Tribalism, Islam & Cultural Relativism," available online at: <http://www.secularislam.org/women/tribalism.htm>

²⁸ There is evidence that in cases of conflict the honor of women reflects on the honor of their nation. Thus, preserving their honor becomes a pre-condition to success in a national struggle. See: Warnock, K., *Land Before Honor: Palestinian Women in the Occupied Territories*, London: Macmillan, 1990. pp. 19-34.

honor in Bedouin societies.²⁹ She maintains, “The roots of sexuality’s negative value in Bedouin thought lie primarily in the social order... The sexual bond is a threat in that it unites individuals outside of this conceptual framework of social relations.”³⁰ Thus, a women’s perceived sexual openness is at the foundation of the *ird* code, which, in turn, is at the foundation of the social order. The social order, finally, is a key determinant of an individual’s social status, access to economic opportunity, authority, and even security. This is how the perceived sexual behavior of females becomes so important to society at large. Abu-Lughod summarizes this process, “the modesty code is the final strategy for undermining the bond of sexuality. If the threat to the social system can be experienced as a threat to individual respectability, then the social order will be reproduced by the actions of individuals in their everyday lives.”³¹

Clinton Bailey, a scholar of Bedouin culture, further elaborates on the dependence of the social order on honor and female chastity.³² The amount of respect that is paid to an individual in society can serve as a gauge for his status. In a rural nomad society that relied on self-administered justice systems over the past hundreds of years, there is a direct link between an individual’s honor and personal security. Lack of respect projects weakness and this is intolerable in the desert. Bailey explains that since women remain alone in the tent for many days, the temptation to harm them is high. Moreover, there is nothing aside from reputation that can protect the Bedouin’s tent and assets while he is away. Also, since women tend to remain alone for many days, their temptation to commit adultery may be high. The honor code, then, is designed to fulfill a social function. It should provide stability by reconciling two conflicting views of women. On the one hand, women are perceived as extremely valuable (both economically and for family and household purposes) so the honor code offers them protection. On the other hand, women have a reputation for disloyalty. The honor code, then, is there to restrict them.

²⁹ Abu-Lughod, Lila, *Veiled Sentiments – Honor and Poetry in a Bedouin Society*, Berkeley: University of California Press, 1999.

³⁰ Abu-Lughod, 143-4.

³¹ Abu-Lughod, 150.

³² Bailey Clinton, *Phone Interview*, December 2003.

Bailey accumulated ample evidence that demonstrates the deep-rooted conflicting views of Bedouins vis-à-vis women. For that, he documented and investigated hundreds of proverbs and common Bedouin expressions pertaining to women.³³ For instance, to emphasize the value of women to society Bedouins typically say, “The Life of the tent comes from the women.” To emphasize the commitment to the protection of women, “every woman has a shepherd behind her.” Finally, there are numerous proverbs that emphasize various aspects of women’s evil nature. Women are portrayed as jealous, disloyal, thankless, and as drivers of wedges within families and in particular between brothers. Therefore, the general recommendation for Bedouins is not to engage their wives too closely in their affairs. It is said that, “What you give a man, you'll yet see. What you give a woman is a loss.”

How is this relevant to the prevention of honor killings? To understand the importance of proverbs in Bedouin society, it should be noted that they are commonly used in virtually every conversation. In this sense, they strongly reflect the Bedouin culture and psyche. The sheer amount of women-related proverbs combined with their frequent use lends support to the assumption that the honor code is a cultural phenomenon. It probably does not represent some one-off control mechanism that was invented to legitimize the abuse of women. Instead, it is deeply rooted in the culture and identity of each individual Bedouin. This is why secularization or better laws and enforcement may help deal with the symptoms of the problem but would probably fail to address the underlying causes of honor killings. If we accept this premise, our main challenge would be to develop a policy for eliminating the practice of honor killings without eradicating the core Bedouin values. Is it possible to eliminate this practice without completely crushing the unique Bedouin sense of identity?

³³ Bailey, Clinton, “Attitudes to Women,” a chapter in a forthcoming book by Bailey on Bedouin Proverbs, To be published by Yale University Press, 2004.

What are the available policy remedies?

Option 1 – Do nothing: As we have seen, honor killings are an inherent part of the ancient Bedouin culture. Thus, a ‘cultural relativist’ would probably argue that taking a stance towards the abolition of this practice would mean that we are interfering with a system of values that have been in tact for many hundreds of years. Moreover, it could be argued that we would probably not be able to offer a viable alternative. Thus, we would replace this system with some hybrid approach that would leave Bedouins stranded with neither the benefits of abolition nor the stability and security of their age-old customs.

In my view, this approach is unacceptable. As long as women are being systematically murdered questions of identity seem secondary. In addition, one could argue that Bedouin society needs to adapt itself to many changes that are introduced to it by the modern world. In this sense, the challenges that cars and cellular phones introduce to their traditional ways of life are just as distortional. The challenges of progress, then, cannot be avoided. They should be integrated into an evolving Bedouin social order.

Option 2 – Introduce Legal and enforcement measures: While legal and enforcement measures seem important in the short-term, they may merely function as a ‘painkiller’ and not as a long-term solution to the problem. As we have seen, at worst legal sanctions that are not culturally sensitive can even exacerbate, rather than improve, the situation. Curiously, a comparison of southern Israel’s Bedouin population with the Bedouins of Egypt (both in Sinai and in the desert west of Alexandria) reveals that there is little difference in attitude towards honor killings.³⁴ This is telling because after more than fifty years of legal separation, this practice continues both in Israel and in Egypt.³⁵ Clearly, legal and enforcement measures alone do not change attitudes. Apparently, the root cause of the problem should be treated as well.

³⁴ While there is evidence that honor killings take place in both societies, it is difficult to come across accurate data that would allow for a precise comparison. Bailey’s research was conducted with Bedouins in Sinai and in the Negev desert and Abu-Lughod studied the Awlad Ali Bedouin families in the Western Desert of Egypt. There are no apparent major differences in attitude towards honor killings. Unfortunately, precise comparative statistics regarding murder rates is unavailable.

³⁵ The Israeli law contains no clauses that reduce sentences for honor killings but the practice continues.

Option 3 – Eliminate honor killings while preserving the core Bedouin identity: To develop a policy that will achieve this vision, we need to neutralize the specific cultural mechanism that mandates the killings. By employing such a ‘surgical approach’ we would minimize the overall impact on the Bedouin culture and identity. Of course, we do aim to change a certain aspect of Bedouin culture. But a rights-respecting policy should not aim to transform the entire culture into something new and alienating. The mechanism that should be targeted is the *ird* code. Below are two broad policy goals that are aimed at neutralizing the negative human rights consequences of this code. They do not constitute a specific action plan. Instead, they provide guidelines that can serve as a basis for an effective future policy.

The first broad policy goal is to ensure that the *Bedouin honor would no longer depend on a women’s sexual behavior alone*. In other words, we would recommend to work towards the reduction of the centrality of the *ird* code. Instead, the sources of *sharaf* should be strengthened and diversified. Our implicit assumption is that, to a certain extent, *ird* can be exchanged for *sharaf*. The advantage of this approach is that whereas *ird* depends completely on the perceived chastity of women, the sources of *sharaf* are far more diverse. In this way, we would minimize the existing strong link between a women’s sexual behavior and society’s perception of honor. In fact, this approach challenges the notion that a woman’s sexual behavior supplies the most credible way to gauge an individual’s honor. An increased focus on *sharaf* would mean that a broader set of parameters might be used to gauge a person’s honor. Thus, we are not challenging the importance of honor in society. However, we are calling for a gradual change in its composition.

Are there any precedents that prove that the definition or composition of honor in Bedouin society could indeed evolve overtime? A research that was conducted in an Arab tribe in Eastern Morocco indicates that it is possible. Marcus concludes that the social definition of honor may evolve overtime in accordance with its social purposes.³⁶ Dodd too presents evidence

³⁶ Accordingly, following economic changes that occurred during the 20th Century, Marcus reports that the Ghiyata tribe adjusted their concept of honor to emphasize moral imperatives that were deemed irrelevant in the past. Marcus, M., “Horsemen are the Fence of the Land: Honor and History among the Ghiyata of Eastern Morocco,” in Gilmore,

that the *ird* code does not necessarily require an all or nothing approach: “Elopement, marriage, hushing up of violations, compensation and banishment, or any combination thereof are the usual and preferred solutions for cases of honor.”³⁷ Evidently, pragmatism is already practiced. It seems that by creating opportunities for *sharaf* to flourish we could further encourage such pragmatism.

A transformation in the composition of honor seems to have occurred in Qatar as well. Qatar’s total population is 817,000³⁸ and the number of Qatari citizens (which does not include foreign residents) is in the range of 200,000. The vast majority of the country’s citizens are of Bedouin origin. Thus, we would expect that the honor code would be enforced in much the same way as it is enforced in Israel and Egypt.³⁹ However, the USA Department of State reports:

*“The legal system allows leniency for a man found guilty of committing a ‘crime of honor,’ a euphemism that refers to a violent assault against a woman for perceived immodesty or defiant behavior; however, **such honor killings are rare.**”* [Original text not in bold]⁴⁰

Gog Al-Meer, a Qatari citizen and a women’s rights advocate, confirms that she cannot recall the occurrence of honor killings in Qatar.⁴¹ Al-Meer’s explanation is that while honor remains important in Qatari society, the ways to secure it are more diverse. One can achieve an honorable status by obtaining a respectable profession or by accumulating wealth. At the same time, this ‘diversification’ does not indicate that a woman’s chastity is no longer a concern for society. It simply implies that ‘creative’ and non-murderous means are employed to restore the family’s honor in such cases. Al-Meer concludes that poor Bedouin tribes that have not undergone extensive modernization tend to have a less ‘diversified pool

D. D. (Ed.), *Honor and Shame and the Unity of the Mediterranean*, Washington DC: American Anthropological Association, 1987, No. 2, 49-59.

³⁷ Dodd, 43.

³⁸ Source: CIA Factbook. Available online at: <http://www.cia.gov/cia/publications/factbook/geos/qa.html>

³⁹ Our implicit assumption is that for the purposes of examining the Bedouin honor code we can assume that similar broad parameters exist across Bedouin societies. Abu-Lughod’s research approach seems to confirm this assumption.

⁴⁰ USA Department of State, Country Reports on Human Rights Practices, Released by the Bureau of Democracy, Human Rights, and Labor, February 23, 2001. Available online at: <http://www.state.gov/g/drl/rls/hrrpt/2000/nea/815.htm>

⁴¹ Al-Meer, Gog, *Interview*, MA: Cambridge, held in December 2003.

of honor.’ This forces them to resort to a woman’s sexuality as the only available gauge for their status.⁴²

The second broad policy goal is to ensure that *there would be a smaller correlation between the ird norm and the actual adherence to it*. In other words, to balance the strict requirements of norms with the basic needs of human rights, we propose to encourage the emergence of a ‘normative dissonance.’ As we have seen in the Qatari case, some of the values regarding the sexual behavior of women can be less strictly enforced.

A research that compared the adherence to the honor code in Latin America and in the Middle East discovered interesting variations. Nadia Youssef, an anthropologist, reports that *notions* regarding the importance of the preservation of family honor in Latin America are just as strict as in the Middle East.⁴³ However, while in the Middle East the actual behaviors of women conform to those ideals, in Latin America they do not. One of Youssef’s explanations is that in Latin America religious institutions compete with family institutions over their dominance in society. And since many women tended to side with the local priests, they gained the protection of the church. By contrast, in the Arab world there was no alternative institution that could contravene the influence of the immediate family, the extended family, and the tribe. Thus, the most powerful social institutions in Bedouin society usually work together to ensure compliance to the *ird* code. One policy conclusion could be that an effective solution should aspire to offer a broad range of civil institutions for Bedouin women to participate in and belong to. This, in turn, would reduce the influence of the family as the sole source of authority and identity.

⁴² This may be true of other Muslim societies as well. Perhaps it may explain the high prevalence of honor killings in Pakistan: a poverty stricken rural society that has no alternative sources of honor to cling to.

⁴³ Youssef, Nadia, “Cultural Ideals, Feminine Behavior and Family Control,” *Comparative Studies in Society and History*, Vol. 15, No. 3, June 1973. pp. 326-47.

From Broad Policy Goals to Guidelines

As we have seen, the first policy goal is aimed at shifting the focus away from the *ird* code towards a stronger emphasis on *sharaf*. The second goal is aimed at reducing the level of compliance to the *ird* code. To achieve the first, we should encourage and facilitate men's acquisition of *sharaf* thru a diverse set of measures. To achieve the second, we should encourage and facilitate the participation of women in multiple civil institutions. This may increase their independence and weaken the grip of men on their daily behavior. Curiously, the same activities that may increase a male's *sharaf*, if exercised by a woman, may increase her independence from the *ird* code. For instance, while a man can gain more social respect by earning an engineering degree; a woman would gain more economic and social independence by earning the same degree. Therefore, the two goals (i.e. to generate more respect for men and more freedom for women) may, in fact, require similar policies.

Which specific policies are most likely to enable the achievement of those goals? A research conducted by Peter Dodd, a scholar of Arab societies, may guide us in the right direction.⁴⁴ Dodd examined the impact of three types of processes of change on the weakening of the *ird* code: urbanization, war or revolution, and education.⁴⁵ His findings are that neither urbanization nor political transformations (such as a war or a revolution) lead to a reduction in the observance of the *ird* code.⁴⁶ At the same time, Dodd discovered that an

⁴⁴ Dodd, Peter C., "Family Honor and the Forces of Change in Arab Society," *International Journal of Middle East Studies*, Vol. 4, No. 1. (Jan., 1973), pp. 40-54. Note that Dodd's research was conducted about 30 years ago. However it seems to remain relevant since, as we have seen, similar change processes and similar underlying social values continue to characterize Arab societies today.

⁴⁵ Dodd's assumption is that such processes may reduce the adherence to the *ird* code. He does not consider the *sharaf* substitution goal but his findings can be used to guide the achievements of both goals.

⁴⁶ Dodd explains that urbanization does not lead to anonymity but rather to closely connected urban communities. Therefore the *ird* code remains a common practice. Regarding wars and revolutions, Dodd notes their impact seems to be short-term. Women may participate in the war effort but after the hostilities are over, they return to their pre-war status. A research by Shalhoub-Kevorkian also confirms this point. She examined the post-conflict status of Palestinian women who participated in the first Intifada. Upon their return from conflict the women were treated

improvement in women's access to secondary and academic education was highly correlated with a weakening of the *ird* code. According to Dodd, three factors seem to drive this process. First, women's values are affected as they are exposed to new ideas and norms. Second, research reveals that the children of more educated women tend to care less about the *ird* code. Third, by equipping women with the skills necessary for acquiring an occupation, they gain more economic and social independence.⁴⁷

Therefore, it seems that a constructive cultural change process could be triggered by an improvement in women's access to education. At the same time, males should also be encouraged to enhance their education. This would enable them to decrease the dependence of their reputation on the perceived sexual behavior of their female family members. In addition, as Bedouins from both gender groups would increase their engagement with the general society, they might feel less of a need to rely on their ancient self-administered systems of justice.

Can such Policies be implemented among Israel's Bedouin Population?

Data published by Israel's Central Bureau of Statistics confirms that there is a high correlation between women's acquired level of education and their rates of participation in the workforce.⁴⁸ Unfortunately, Bedouin women from southern Israel have both the lowest rates of education and the lowest rates of participation at the workforce.⁴⁹ Whereas 15% of Israel's Muslim women participate in the workforce, only 6% of Bedouin women are employed. There is

very cautiously by a suspicious Palestinian society. See: Shalhoub-Kevorkian, N., "Crimes of War, Culture and Children's Rights: The Case of Female Palestinian Detainees Under Israeli Military Occupation," In Douglas G., and Sebba, Leslie (Eds.), *Children's Rights and Traditional Values*, Dartmouth: Ashgate, 1988. pp. 230-250.

⁴⁷ Dodd, 52-54.

⁴⁸ Central Bureau of Statistics (CBS), The Government of Israel, *A Report on Israel's Arab Population*, July 2002. Available online at: http://www.cbs.gov.il/statistical/arabju_h.pdf

⁴⁹ A survey of 55 Arab Bedouin women in the Negev, aged 15-65, found the following: 43% of the women interviewed were illiterate; Only 16% of the women interviewed had completed high school; Only 4.5% had passed their Bagrut school matriculation exams; Only 2% had begun some form of further education. See: The Arab Association for Human Rights, *A Report on Palestinian Arab Women in Israel*, Israel, Nazareth: 1999. Available online at: <http://www.arabhra.org/article26/factsheet5.htm>

also a high correlation between education and birth rates. Accordingly, whereas a Muslim woman with more than 12 years of education would on average give birth to 3.5 children, uneducated Muslim women would have an average of 6 children. Among the Bedouin women of Southern Israel, however, the average number of children is 9.1. As a result, the population growth rate of Bedouins in Southern Israel is one of the highest in the world and is estimated at 6.3% per annum. By contrast, the levels of education, the rates of participation in the workforce, and the fertility rates of Israel's non-Bedouin Muslim women have dramatically changed over the past 30 years. Unfortunately, the status of Bedouin men is not much better. Only 49% of them formally participate in the workforce and their education levels are low in comparison to other Arab citizens.

What are we to make of these figures? This essay suggested that the single most important factor that can help weaken the long-run adherence to the *ird* code is improving the access to education for Bedouins in general, and in particular for Bedouin women. Unfortunately, the Bedouins of Southern Israel are the least educated group in Israeli society. If the *ird* code is to change and the human rights status of Bedouin women to improve, dramatic reform is necessary. At present, Israel can serve as an example for the fact that legislation and enforcement measures are insufficient. Overcoming the problems of honor killings and their associated human rights violations would require a long-term effort of social reform. For that to occur, a specific plan should be developed. Based on the broad goals that were proposed above, it should outline the steps, budgets, duty holders and timelines for implementation.

From a theoretical perspective, it would be beneficial to gather data that would help confirm or refute this hypothesized relationship between compliance to the *ird* code and education. In addition, the identification of additional change processes that may either weaken the *ird* code or strengthen an individual's *sharaf* may contribute to the formulation of policies that would secure the rights of women.

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