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# WHAT DO WE KNOW?

Facts and figures on the circumstances  
affecting Muslim girls and women in the  
United States

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## *Introduction*

Muslim girls and women in the United States face unique obstacles and challenges as a result of their cultural and religious background.

In European countries, governments, social workers, and teachers have increasingly devoted attention towards helping girls and women from an Islamic background. By contrast, efforts in the United States are lagging behind: because of a lack of awareness and lack of access to basic information many social workers, teachers, educators and law enforcement officials do not recognize the specific circumstances and violations affecting girls and women from Islamic communities.

Following almost a year of information collection and analysis, the AHA Foundation has found that forced marriages, female genital mutilation, and acts of honor violence and honor killings take place in the United States more often and with a greater degree of severity than is commonly assumed. Acts of violence are often dismissed as isolated, unfortunate events even when they fit into a broader pattern of abuses of women's rights in the name of fundamentalist Islam and tribal customs.

In many cases, culture and religion are difficult to disentangle. Often, however, religion is invoked to defend intolerable practices involving girls and women in Islamic communities.

Social workers and educators—relying on procedures, standards and guidelines normally developed for *Western* women

in a *Western* context—often miss warning signs that indicate something is going wrong in Islamic families and Islamic communities. This document contains information meant to raise awareness of the issues that girls and women from an Islamic background in the United States may face – issues and actions that are in violation of U.S. laws.

Criticizing abuses committed in the name of Islam is not the same as criticizing Muslims. All that is possible ought to be done to empower Muslim moderates, to permit them to speak out without fearing a climate of intimidation created by the fundamentalists in their communities.

A growing number of reformist Muslim women and men, in the United States and elsewhere, are in fact calling for a re-interpretation of certain Qur'anic verses used to sanction the subjugation of women<sup>1</sup>. In many ways, these reformers are the successors of previous generations of progressive Muslims and Muslim feminists<sup>2</sup>, but their task is being rendered extremely difficult by the pressure exerted on them by fundamentalists.<sup>3</sup>

America's Muslim community is extremely diverse, and the vast majority of Muslims wish to integrate into American society.<sup>4</sup> The problem lies with the fundamentalists and the extent to which they exert social and religious control in their communities, and the extent to which they control or dominate U.S. organizations deemed to represent all Muslims.

### *What we know*

- *Child Brides: minors married off to older men.*
- *Forced Marriages: Sometimes described as an "arranged marriage". The difference is not always clear, depending on how much pressure is put on the girl to accept the arrangement. Sometimes, however, girls take steps to avoid the marriage or get out of it. Resistance to this sort of marriage very often leads to severe beatings and the punishment can go as far as to lead to an "honor" killing.*

In homes throughout the metropolitan New York area, thousands of young women of Pakistani origins are forced to go back to Pakistan for forced marriages.<sup>5</sup> According to Bazah Roohi of the Asian American Network Against Abuse of Human Rights (ANAA) the problem is widespread: "Women don't have their own choice. They try to fight. They are unsuccessful. Parents are very strict. They just beat them and take them to Pakistan. Their fathers and brothers say, 'This is [a] family problem.' Then [the girls] disappear."<sup>6</sup>

A girl from Queens, NY, now 31, recalls: "My father said, 'You're going to get married. I have a gun in my bag. I'm going to use it.'" Throughout her youth, it was determined that the girl would not be free to choose her husband. When she was 5, her father beat her when she wrote a note to a boy. "You will never have a boyfriend," he fumed. "You will have an arranged marriage!" In 1995, when she was a 12th-grade honors student, her parents took her to Pakistan and secretly found her a groom. At 17, she had to

agree to get engaged or lose her chance to go to college. He was her 24-year-old cousin. Despite offering resistance, she was forced to marry and live in Pakistan.<sup>7</sup>

Similar situations face girls in Lodi, California. A decade ago many girls in Lodi, California, were simply shipped back to their villages to be married once they reached adolescence. Nowadays, as soon as they finish their schooling, the girls are married off, often to cousins brought in from their families' old villages. Aishah Bashir, now an 18-year-old student, was sent back to Pakistan when she was 12 and stayed till she was 16. She had no education there.<sup>8</sup>

In Fayetteville, North Carolina, recent college graduate Rahila Muhibi has no intentions of wedding her Afghan cousin, betrothed to her when she was 7. Her decision to refuse the marriage is now leading to severe tensions within her family. The girl's father, Ghaffer Muhibi, says "This is not just a problem for me if my daughter does not marry, but it would be a problem for the rest of the family too." Muhibi might be in the United States for now, he said, but her home is Afghanistan. "And Afghan custom," her father said, "is different from any other custom."<sup>9</sup>

If Great Britain is a guide, cases of forced marriage in the United States are significantly underreported. A British study conducted for the government there revealed that the number of young British Asians being forced into arranged marriages abroad could be as high as 3,000 a year - ten times prior official estimates. Noting that in cases of rape and domestic violence only 10 to 12 percent of

all cases are thought to be reported, Dr. Nazia Khanum, author of the latest study said: "it's a reasonable assumption that it is the tip of the iceberg."<sup>10</sup> In the first half of 2009 alone, the British government's Forced Marriage Unit—which deals with honor violence because of its frequent links to forced marriage—had received more than 2,000 calls of persons in need.<sup>11</sup>

- *Concept of Guardianship: This is the idea that a woman must always have a male guardian from whom she needs permission for all her activities. This ranges from asking permission to leave the house to seeking permission to sign contracts, accept jobs, etc. This concept applies to all women, and the legal age of maturity in the West is not recognized.*
- *House Arrest (see also guardianship): Girls and women who are seen to be too liberal or westernized are forbidden to go out of the house without a male escort; resistance to this often leads to punishment and, in the worst cases, to an "honor" killing.*

In Lodi, California, dozens of Pakistani-American girls stop attending the local public school when they reach puberty. Boys, by contrast, remain in school. Of more than 90 Pakistani or other South Asian girls of high school age who are enrolled in the Lodi district, 38 are being home-schooled. By contrast, just 7 of the 107 boys are being home-schooled, and usually the reason is that they were falling behind academically.<sup>12</sup> The New York Times reports that "In some cases, home-schooling is used primarily as a way to isolate girls like [Hajra] Bibi."<sup>13</sup> In

withdrawing her from school, her family wanted her "to clean and cook for her male relatives." Some 80 percent of Lodi's 2,500 Muslims are Pakistani, and many are interrelated villagers who try to recreate the conservative social atmosphere back home.<sup>14</sup>

- *Female Genital Mutilation: This practice is often inflicted upon girls between the ages of 4 and 14. FGM has no foundation in Islamic scripture or law. It is however widely practiced among some Muslims and attempts have been made to justify it in Islamic terms. Female genital mutilation is not in the Koran, but it is included in a Hadith (a saying of the prophet) that is controversial. The fact is, in the West, Muslim communities are almost the only ones that practice it. It is to ensure virginity until the girl's wedding day. The ritual may not be Islamic, but it serves the Islamic purpose of ensuring that a girl remains a virgin till she is married. In 1994, the Sociologist Farida Shaheed observed that "[the] interlocking of customs and religion is such that the average Muslim woman in Sudan, Somalia, and parts of Egypt cannot conceive of being able to retain her Muslim identity if she rejects circumcision."<sup>15</sup> Such circumcision was made illegal in the United States in 1996.<sup>16</sup>*

In November 2006, Khalid Adem of Atlanta was convicted by a jury of performing FGM on his own daughter. At the trial, defense attorney Mark Hill made a cultural argument: "We don't quite understand it here, but in Ethiopia, it used to be the normal thing."<sup>17</sup>

Most cases involving FGM, however, remain hidden in obscurity and never make it to trial. According to Wanda Jones, Director of the Federal Office on Women's Health: "The United States has fallen behind many European and African countries in addressing female genital mutilation. There is a fundamental ignorance on the issue and a limited political will to recognize that girls are at risk here."<sup>18</sup>

The African Women's Center at Brigham and Women's Hospital in Massachusetts finds that more than 228,000 women and girls in the United States are with or at risk for female genital cutting: 27 percent of the women who have undergone FGM or at risk are under the age of 18.<sup>19</sup> This is an estimate and not a certain fact because, as Celia Dugger reported in 1996, "Experts say there is no way of knowing how many girls are being genitally cut in the United States since the rite is usually performed privately."<sup>20</sup> Rebecca Tubus-Dubrow, in the *Boston Globe*, writes: "Some experts who work in the communities, including Nour and the staff at Sauti Yetu Center for African women in New York...believe...that some immigrants might send their daughters back to their native countries for the procedure."<sup>21</sup>

The AHA Foundation rejects FGM in principle as a violation of bodily integrity and is particularly concerned over the number of girls undergoing FGM in Western countries, including the United States, at the hands of amateur cutters<sup>22</sup>.

Washington State, which has seen a large influx of Somali (Muslim) refugees

in recent years, has seen the effects of FGM on the health of women up close: a team of doctors working there reported in 2005 on the unusual physical symptoms displayed by women who have undergone female genital mutilation. Estimates are that "up to 80% [of Somali women] undergo the most extensive form known as infibulation, which involves partial or total excision of the clitoris, as well as removal of the labia minora and the inner side of the labia majora."<sup>23</sup>

Doctors Johnson, Reed, Hitti and Batra (2005) write: "reported obstetric complications from female circumcision include cesarean delivery, prolonged labor, perineal lacerations, hemorrhage, and febrile illness."<sup>24, 25</sup> The team of doctors conclude that "it is likely that the increased risk of significant perineal lacerations among all Somali women is a direct consequence of female circumcision."<sup>26</sup>

Doctors at Seattle's Harborview Medical Center devised a "compromise" in 1996, when Somali mothers giving birth there requested that their daughters be circumcised as well as their sons: the girls would be "nicked" on the clitoral hood in a manner just enough to draw blood, in a symbolic gesture meant to deter the families from performing the traditional practice. Following protests by human rights advocates, who insisted the practice should not take place at all, the hospital ended the practice.<sup>27</sup>

Polygamy: *Polygamy is a part of Shari'a law. Those men who practice it may have one civil marriage and, in addition, two or three Shari'a marriages.*

In Great Britain, a number of these polygamous marriages are "legally recognized"<sup>28</sup>. Husbands with more than one wife may derive greater public benefits or welfare payments as a result of having more dependents.<sup>29</sup>

While polygamy is currently illegal in the United States, some men get around the law by marrying one woman under civil law, and then one, two or three others in religious ceremonies that are not recognized by the state. In other cases, men marry women in both America and abroad.<sup>30</sup> While precise figures are impossible to obtain, estimates of the number of people living in polygamous marriages in the United States indicate the numbers are far from insignificant.<sup>31</sup>

One woman, Sarah, from Ivory Coast, said when she arrived in the U.S., her husband and his new wife put her in the basement. "They told me to cook, clean, do everything. I didn't speak English. And he told me, 'Don't say nothing. You say something, she's going [to] make you deported. And me, I'm going to be in jail.'" Sally has since left the house and works at a hair-braiding salon, but fear of deportation prevents many women from leaving their polygamous relationships.<sup>32</sup>

In addition to polygamy being sanctioned by Shari'a law, Islamic leaders say the religion designates the man as the head of the household. "The big decisions are from the husband. Actually, we have to discuss everything with them," says

Umia Mustafa, who moved to the U.S. from Pakistan 10 years ago, after her parents arranged her marriage to a Pakistani man already living here. She says in her religion, no matter where it's practiced, there's no question who is in charge.<sup>33</sup>

- Honor Beatings: *This is a beating of a girl or a woman for refusing to comply with the family code of honor and engaging in behavior deemed by the family to be shameful. Ignoring the rules of house-arrest; resisting a forced marriage; seeking a divorce; dating; dressing in western attire; wearing make-up; or simply taking non-Muslims as friends; these and a whole series of activities are seen as an invitation to be beaten. The beatings are intended to be corrective. If the girl complies, normally punishment ceases.*
- Honor Killings: *Sometimes a beating ends up in murder because the perpetrator goes too far. Honor-killings are mostly pre-meditated, however, and are often carried out with the knowledge and help of a number of family members and other relatives. When the corrective beatings fail to dissuade a girl/woman from complying with the wishes of her family or giving up the behavior they consider shameful, the family may conclude that the only way they can regain the 'honor' lost through the girl's 'shameful' behavior is to kill her. The plotting can take days, weeks, months and even years. Honor killing is a perversion of Islamic laws intended for the protection of women. It has*

*been perverted into a device for incriminating them. The underlying assumption of practice, though not of law, is that in any sexual offense the woman is the prime culprit, even if the "woman" is a child.*

In Irving, Texas, Sarah and Amina Said (17 and 18 years old, respectively) were shot to death by their father on New Year's Day 2008.<sup>34</sup> Their father was enraged by the Western lifestyle of his daughters. During the vigil held for the girls after their deaths, their brother took the microphone, saying his father did not "kill" his sisters: "They pulled the trigger, not my dad," the brother said, insinuating his sisters were responsible for what happened to them.<sup>35</sup> His mother asked the audience to forgive her son for the outburst.

The FBI has referred to the case as an "honor killing" in the past but retracted the use of that term just days after it did so, under pressure from advocacy groups.<sup>36</sup> The great aunt of the girls Gail Gartrell, however, has repeatedly referred to the murder of the girls as "an honor killing" – a description she has refused to retract. To this day, neither the FBI nor local police have been able to find or arrest Yasser Said for the honor killings.

In January of 2009, an Afghan refugee in Henrietta, NY, admitted that he stabbed and seriously wounded his sister during an argument that began when she tried to leave her family. The refugee told sheriff's investigators that his sister was a "bad Muslim girl" because she wore immodest clothes and went to clubs, according to court documents. Although the refugee hinted to investigators that his

family's honor was at stake, Assistant District Attorney Joseph Waldorf declined to characterize the stabbing as an honor attack.<sup>37</sup>

On February 12, 2009, Aasiya Hassan was found beheaded in the office of Bridges TV in Orchard Park, NY. Her husband, Muzzammil Hassan, the chief executive officer of the television channel, has been charged with her slaying. When Marcia Pappas, the NY state leader of NOW (National Organization of Women) denounced the murder as an "honor killing", a coalition of women's rights groups pressured her to retract her statements, with the member of one group attributing the incident to "just domestic violence".<sup>38</sup>

On October 20, 2009, Faleh Hassan Almaleki of Glendale, Arizona ran his 20-year-old daughter over at an Arizona Department of Economic Security Parking Lot. Police say she was run over because she had become too "Westernized".<sup>39</sup> "It occurred because [of] her not following traditional family values. We've been told that by everybody," Peoria Police spokesman Mike Tellef told ABC News in October 2009: "He felt she was becoming too westernized and he didn't like that."

The girl's brother said "that for years his father and sister have been at odds." The brother told KPHO Arizona that "much of the conflict stems from his sister choosing to not follow in the family's Muslim traditions... 'Different cultures, different values. One thing to one culture does not make sense to another culture.'"<sup>40</sup> He said that while his sister has undergone spinal surgery, there is a chance she may never recover: "Just

seeing her in the hospital just broke my heart," he said. "Nobody should have to go through that."<sup>41</sup> On November 3, 2009, Faleh Almaleki died of her injuries following a two-week battle for survival in the hospital.

Niki Nia, 18, of Scottsdale, was a friend of Noor Almaleki. Following her passing, she said Noor might be in a better place now, adding: "She never would have been able to escape."<sup>42</sup>

Apostasy, or changing one's religion, can be especially dangerous. When apostate Ayaan Hirsi Ali traveled to speak at the University of Pittsburgh at Johnstown in April of 2007, Imam Fouad El-Bayly, then-president of the Johnstown Islamic Center, was among those who objected to Hirsi Ali's appearance: "She has been identified as one who has defamed the faith. If you come into the faith, you must abide by the laws, and when you decide to defame it deliberately, the sentence is death," said El-Bayly, who came to the U.S. from Egypt in 1976. El-Bayly argued a death sentence is warranted for Hirsi Ali, and said she should be judged in a Muslim country after being given a trial.<sup>43</sup>

Harvard University Islamic chaplain Taha Abdul-Basser sparked controversy in April 2009 when a private e-mail discussing punishment for leaving Islam was made public. Referring to apostasy, Mr. Abdul-Basser wrote: "There is great wisdom (hikma) associated with the established and preserved position (capital punishment) and so, even if it makes some uncomfortable in the face of the hegemonic modern human rights

discourse, one should not dismiss it out of hand."<sup>44</sup>

*Deportations/Kidnapping: Some families or husbands will not go so far as to kill a disobedient daughter or wife. Instead they trick her into going back 'home' (native country) on vacation; then they confiscate her passport and force her into marriage or whatever it is they want her to do. Some families prefer to take a disobedient girl to the country of origin and kill her there, as they can escape punishment for the murder or get a low prison sentence for their action.*

This is what happened to the girl from Queens mentioned above.<sup>45</sup> After being flown from the U.S. to Pakistan for the arranged marriage, her U.S. passport was confiscated. As a last resort, she called the U.S. embassy in that country: "The officer said, 'I'll give you a new passport. But you must promise you'll never come back to this country. Next time, you might not be so lucky,' she recalled. 'I'm very lucky,' she said. 'It's all about the honor of the family. Other girls? They don't have a story to tell because they didn't make it back.'"<sup>46</sup>

## Relativism and the Law

American educators, social workers, law enforcement officials and lawmakers are not alone in confronting a new set of challenges affecting women and girls from an Islamic background. Across Europe, fierce debates are being held on how best to help girls and women in distress.

Some analysts have the urge to make the challenges facing girls and women from an Islamic background *relative*, describing abuses and violations of basic rights as “part of their culture,” and for that reason not proper to combat: attempts to extend Western individual rights to women in Islamic communities are therefore condemned, in the words of the Harvard Chaplain, as “hegemonic human rights discourse”.<sup>47</sup>

The AHA Foundation finds that view condescending to millions of moderate Muslims who live in America. Fundamentalists have made it a habit to intimidate and crowd out moderate voices in the United States and in U.S. based organizations that claim to represent American Muslims.

The scholar Hillel Fradkin observed in 2004 that “due to intimidation and the greater public standing of the ‘official’ Muslim organizations, which are unsympathetic to the reformers’ efforts, their voices have had to struggle to be heard and lack public validation.”<sup>48</sup> “Since the Muslim American community takes its cues at least partially from the opinions of non-Moslim American society,” Fradkin argues, “this is a major problem.”<sup>49</sup>

Examples of relativism in the West—and the United States in particular—abound. In a number of criminal cases in the United States, the defense has invoked—sometimes successfully—a defendant’s “culture” as a mitigating circumstance that reduces the warranted punishment for a crime.<sup>50</sup> In such cases, the defense assumes that “someone raised in a foreign culture should not be held fully accountable for conduct that violates United States law... [if that conduct] would be acceptable in his or her native culture.”<sup>51,52,53</sup>

The risk exists that perpetrators may be given lesser sentences due to “mitigating circumstances” as explained by the advocacy groups that support Shari’a law. In recent years, calls for the use of Shari’a law in Western countries have multiplied: in the United Kingdom<sup>54</sup>, Canada<sup>55</sup>, and Australia<sup>56</sup>, organizations have called for the use of Shari’a law to adjudicate family disputes.

The AHA Foundation rejects the use of Shari’a law as a system of adjudicating disputes because it often puts women at a marked disadvantage and because the system contradicts existing U.S. laws.

Presumably with the best of intentions Western scholars have defended practices injurious to the well-being of women. “Polygamy can be liberating and empowering,”<sup>57</sup> said feminist Miriam Cooke, head of Middle East Women's Studies at Duke University.

Anthropologist Richard Shweder of the University of Chicago has called the term female genital mutilation “an invidious and essentially debate-subverting label,”<sup>58</sup> and instead

euphemistically refers to FGM as “genital modification”: contradicting numerous medical studies, Shweder argues evidence is emerging that FGM is “not all *that* dangerous and can in any case be done safely.”<sup>59</sup>

Cultural relativism that condones intolerable practices in the name of cultural equality remains strong, to the detriment of women in distress. Feminist author Azar Nafisi has said: “In the strange world of Middle Eastern Studies, any attempt to condemn gender apartheid is branded an imposition of Western values.”<sup>60</sup>

The American anthropologist Henry Munson has argued that some Western scholars “seem willing to go to virtually any length to explain and at least implicitly condone the violence of the ‘Islamists,’ while remaining utterly uninterested in trying to understand its victims.”<sup>61</sup> Munson calls for a factual reporting of abuses that are committed against women and religious minorities in the name of Islam: at the same time, Munson warns strongly against maligning whole communities or condemning an entire religion.

The AHA Foundation is opposed to relativistic rejection of human rights legal protections for one specific group of women and girls. Whereas a number of European governments have stepped up efforts in recent years to support the protection of Islamic women and girls from violations of human rights laws – setting up hotlines for women in danger, keeping track of honor killings, and enhancing prosecutions of the guilty – the U.S. lags behind in both the creation of

such support systems and the recognition of the nature of such crimes.

### *Taking Pleas for Help Seriously*

Many girls from Islamic communities who cry out for help in Western countries are not effectively helped by authorities. In Great Britain, Banaz Mahmud, a Kurdish girl, was murdered by family members at her home in Mitcham, Surrey in 2006. She had made contact with police *five times* to say she thought her life was in danger but always drew back from pressing charges.<sup>62</sup>

In Court, Banaz Mahmud's sister Bekhal testified that, prior to the murder, her father "had also beaten, threatened and called her [sister] a whore for becoming too Westernised."<sup>63</sup>

Following the murder of Banaz, Detective Chief Inspector Gerry Campbell of the Metropolitan Police says his task force has learned some painful lessons from the mistakes made in the case: "I'm confident that no victim will ever be turned away in London and that officers know that to do nothing is not an option."<sup>64</sup>

Aisha, a 14-year-old girl born of immigrant parents living in Norway, contacted authorities multiple times in an effort to escape a forced marriage. After numerous pleas for help, she was placed in a foster family, but against her strongest protests, social services, "convinced that children should remain 'in their culture'" decided to place her back with her own family".<sup>65</sup>

Within two days of Aisha being forcibly returned to her biological family, the family was out of Norway, and while the parents came back from time to time, Aisha was gone. Social workers refused to

understand *why* she did not want to be returned to her family.

In a letter sent to teachers and trusted friends before her family took her from Norway, Aisha wrote: "Do they think I'm lying?...I hate the child authorities! I thought they were there to help children. But *I've* been betrayed!"<sup>66</sup> In despair: "Can't they understand that I can't move home again? They said I needed help! Then for what? I don't understand!! Do they think I'm crazy?! I feel deceived, I'm afraid to move home again!"<sup>67</sup> In effect, child services colluded with the parents and with a culture that oppressed Aisha, all the while believing they were doing a good thing by "re-uniting" a family.

Why did social services ignore the pleas and testimony of the girl in question, and put their faith in the assurances of her parents, who told child services she had nothing to fear? According to Norwegian anthropologist Unni Wikan, in Norway "in child welfare cases 'culture' often wins out even when there is overwhelming evidence that the child is suffering abuse in the home...For fear of not respecting 'their culture' and hence being labeled racist, the authorities have been reluctant to intervene with immigrants—although, since the late 1990s, there is finally some evidence of change."<sup>68</sup>

After several years abroad, Aisha was able to return to Norway, but a tremendous amount of human suffering could have been avoided had child services and social workers *listened* to Aisha and taken her concerns seriously.

In the United States, Rifqa Bary, a 17-year-old girl from Ohio, fled to a couple

of Florida pastors in July of 2009 claiming her parents threatened to kill her for converting to Christianity. Bary says her father “ ‘said he would kill me or send me back to Sri Lanka,’ where she said ‘they have asylums where they put people like me.’”<sup>69</sup>

She said that her father, upon discovering her Facebook profile and its declarations of her Christian faith, told her, “If you have this Jesus in your heart, you're dead to me, you're not my daughter.”<sup>70</sup> A Judge in Florida ordered Rifqa Bary returned to Ohio, albeit in a foster family.

In Ohio, the Judge reviewing the case imposed limits on Rifqa Bary's ability to use her cellphone and the internet, not out of concern for *her* well-being but rather to prevent the “interference” of outside groups. And, much as in the Norwegian case involving Aisha, child services in Ohio do not seem to give the girl in question the benefit of the doubt. Franklin County Children Services executive director Eric Fenner has told the *Columbus Dispatch* he has no reason to believe the teen would be unsafe with her parents.<sup>71</sup>

Jim Zorn, the children's services attorney in Rifqa Bary's case, asked the Judge to impose restrictions on Rifqa Bary so severe that she would have been barred from using the Internet and her cell phone entirely. In Zorn's words: “What we want to restrict is the other people, the other organizations, the other forces, that have interjected themselves into this case inappropriately, and has caused the additional problems that we've seen.”<sup>72</sup>

Rifqa Bary's Ohio attorney observed: “If the goal here is normalcy and reunification or whatever, this is not the way to go.” The attorney who had helped her in Florida, John Stemberger, said: “They're treating her like she's an inmate. She's a 17-year-old girl”.<sup>73</sup>

The problem, in the view of Ohio's child services, does not lie *within* Rifqa's family: rather, it is the “inappropriate interference” by “the other people, the other organizations, the other forces” that have “interjected” themselves in the case “inappropriately”. If only others had not interfered, this line of thinking goes, all would have been well.

Such a line of thinking places girls like Rifqa Bary at risk. What may be a desirable goal in most situations involving “normal” family disputes in a Western context—re-unifying the biological family followed by loose supervision of a social worker—may have disastrous consequences for a girl if the family's values fall under an honor-based Islamic or tribal tradition.

In such a case, when a girl is forcibly re-united with her biological family, male members of the family may feel compelled to restore the “honor” of the family by engaging in acts of violence against the girl who has brought “dishonor” on the family.

In Norway, Nasim Karim commented: “They [social services] must understand that once they have taken us away from our families because we could not live with them, there is no going back.”<sup>74</sup>

The AHA Foundation believes that “culture” ought not be used as an excuse for unethical and illegal actions. When confronted with a crisis situation (i.e. a looming forced marriage), the risk of saying “We should not intervene, that is their culture” is that the price of non-intervention will be borne by the weakest members of that group. In many cultures where ancient tribal customs or Shari’a law holds sway, the most oppressed members are likely to be women, particularly young daughters.

As the late political theorist Susan Okin wrote: “Establishing group rights to enable some minority cultures to preserve themselves may not be in the best interests of the girls and women of those cultures, even if it benefits the men.”<sup>75</sup> Brian Barry, the late political theorist, echoed the same concerns when he warned of the danger of being a member of a minority *within* an oppressive minority.<sup>76</sup> Women and daughters in cultures governed by Shari’a law or ancient tribal custom are considered to embody a family’s “honor” through their virginity and—following marriage—unblemished conduct by staying away from men who are not relatives.

U.S. educators, social workers, and law enforcement personnel ought not contribute—passively or actively—to the oppression of women within “other” cultures, and ought to intervene where they can to help. Even when intervention is met by protests on cultural grounds—one could say, *especially* if intervention is met by protests on cultural grounds—social workers, educators or law enforcement personnel ought to not lose focus of the weakest member of the group, usually but not always the

daughter. So long as the weakest person, she who is most in need, is protected, objections from other members of the group *on cultural grounds* are not relevant.

The AHA Foundation argues that the laws of the United States supersede, and *ought to supersede*, whatever tribal custom or religious justification exists in favor of this practice. The AHA Foundation believes that Western laws, in Western countries, ought to supersede those that may be customary elsewhere.

The AHA Foundation holds the view that issues facing Muslim women ought to be discussed openly. There is an urgent need for having candid discussions about the issues described above because, as Muslim feminist Fatima Mernissi wrote in 1988, “We are definitely in a situation where fundamentalist men and non-fundamentalist women have a conflict of interest.”<sup>77</sup> Moreover, as Nicole Fayard and Yvette Rocheron argue: “When one accuses [Muslim] women who speak about their abuse of stigmatizing men [in their community], one risks fudging the issues and condoning the established hierarchies of violence”<sup>78</sup>.

Educators, social workers, and law enforcement personnel in the United States ought to take seriously the unique obstacles and challenges Muslim girls and women face as a result of their cultural and religious background. They ought not be intimidated by cultural deference or by protests by fundamentalists on religious grounds and instead intervene to help girls and women in need whenever—and wherever—they can.<sup>79</sup>

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razor blade, [and] I said, 'What am I going to do about this?' All my staff advised me to stay away from it. You have to be very careful on issues like this. Is this something a man should be involved in?" said Reid. Eventually, Reid's efforts paid off, and the House, pressured by Rep. Pat Schroeder, voted to outlaw the practice as well. See Dugger, Celia. "New Law Bans Genital Cutting in United States." *The New York Times*. October 12, 1996.

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