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# The Honor Code

HOW MORAL REVOLUTIONS  
HAPPEN

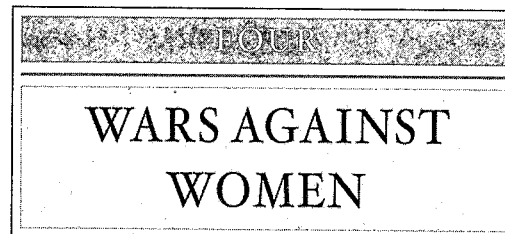
Kwame Anthony Appiah



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the 3 million American slaves, struggling together for the dignity of labor. In a room where Boswell and Johnson had quaffed their liquor, the earnest assembly of teetotalers listened as Vincent—whom Sir Henry Molesworth had called “the Demosthenes of the new movement”—brought the six-hour-long meeting to a close with a speech about the shared cause of the slaves and the British working class. One of Douglass’s biographers writes wistfully of the failure of the Anti-Slavery League to create an international movement of working people as “one of the great missed opportunities of Douglass’s life.”<sup>55</sup>



What sort of honor is it to open fire on an unarmed woman?

—Asma Jahangir<sup>1</sup>

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## SEDUCED AND ABANDONED

In Pietro Germi's film comedy *Sedotta e Abbandonata* (1964), which is set in a small town in Sicily, fifteen-year-old Agnese Ascalone is "seduced and abandoned" by her sister's fiancé, Peppino Califano.<sup>2</sup> When her father, Don Vincenzo, finds out, he rushes over to the Califano family home, hoping to persuade them that the families must make a small alteration in their plans; rather than marrying the older sister, Peppino should marry the younger one. Eventually, the young man's father, Signor Califano, gives his word. He understands that Don Vincenzo has his family honor to defend. But Peppino is unwilling, and runs off (with his parents' blessing) to hide out with one of his cousins.

In the ensuing brouhaha, Agnese's brother is sent to find and shoot Peppino, fails, and is caught. The judge charges him with attempted murder, and Peppino with corrupting a minor; the only way the two young men can avoid prison is for Peppino and Agnese to get married. Local custom offers a simple solution: Peppino and a few of his friends must stage a very public kidnapping of Agnese. That way, his private seduction, which cannot be publicly acknowledged, can be replaced with this public pretext for the wedding. Everyone assumes that the community will agree, after the kidnapping, that the two young people have to get married to preserve the honor of Agnese and her family.

From time to time, in the course of the film, we see Police Chief Polenza, a mainland Italian, expressing his exasperation

at the to-ing and fro-ing of the Ascalones and the Califanos and bemoaning the crazy world of Sicilian honor. (In one scene at the police station, he looks at a map of Italy and covers the island of Sicily with his hands, muttering, "Better, much better," imagining how much his homeland would be improved by the disappearance of this annoying excrescence.) When he gets wind of the kidnapping plan, Polenza knows what to do. He decamps with the young policeman who shares his responsibilities for maintaining the law, leaving town so they can avoid the whole messy business.

On a blistering afternoon, they lie in the shade of an olive tree in the hot Sicilian sun, and the older man tries to explain what is going on to his young assistant, Bisigato (who is played by an actor whose striking blondness underlines the fact that he, too, is not Sicilian).

POLENZA: He's kidnapping the girl today. What would you do?

BISIGATO: Arrest him immediately.

POLENZA: Great. So he can marry her tomorrow and go scot-free, while you look like a fool. Get it through your head. Marriage nullifies it all: kidnapping, rape, corruption of a minor. It's all in Article 544. Marriage wipes the slate clean. Better than an amnesty. You didn't know? Kids around here learn it with their catechism.

BISIGATO: Why not just marry her?

POLENZA: He doesn't want her.

BISIGATO: Then why kidnap her?

POLENZA: So he's forced to marry her. They're all in on it.

BISIGATO: But not him?

POLENZA: Yes, he's in on it too.

BISIGATO: With all due respect, sir, I don't understand.

POLENZA: You can't, Bisigato. It's a question of honor. It's always a question of honor.

*Sedotta e Abbandonata* is a funny film about a very serious business. Don Vincenzo's obsession with the good name of the Ascalones presupposes one of the commonest ideas about honor across the globe: in many, many, societies, if a young woman has sex before she is married, not only her honor but that of all her family is besmirched.

This is not just a matter of their sentiments, of the pride and shame of the Ascalones. If Don Vincenzo doesn't solve the problem in a way that recovers his family honor, his other daughters and his son will not be able to have respectable marriages, he himself will be mocked, his wife will be pitied. He will not be able to stand tall in his community. He will have lost the respect of all his peers. In his world, there is only one way out: the seducer must marry his younger daughter (and Don Vincenzo must look for another husband for her elder sister). When Peppino tries to escape this fate, the same code then requires one of the Ascalone men to kill him.

The level of paternal violence in the Ascalone family will startle some contemporary viewers. Don Vincenzo beats his daughters and his son; he bullies his wife. Mostly, she does not try to stop him beating their children. Mostly, they seem to take it for granted that their father's authority must be maintained with his angry tirades and his brutal fists. Masculinity in this world is defined by the capacity for violence. Even Agnese's mildly effeminate brother is required to go after Peppino, however reluctantly, with a rifle.

To insist on the obvious: the code that Don Vincenzo lives by makes very different demands of men and of women. The double standards of this system are nicely exposed in a scene around the Califano dinner table, where Peppino begs his parents not to make him marry the young woman who is carrying his child.

PEPPINO: Answer me this. In all honesty, would you have married

Mama if she'd done what Agnese did with me?

FATHER: What's that got to do with it?

MOTHER: You tried to get me to.

FATHER: So? It's a man's right to ask and a woman's duty to refuse.

PEPPINO: Exactly. Agnese didn't refuse, did she? . . . I won't marry that whore.

FATHER: I gave Don Vincenzo my word!

MOTHER: You didn't answer his question. If I'd given in, would you have married me?

FATHER: Certainly not!

The code assumes any man is always free to seek sex with women to whom he is not married and that it is the woman's "duty to refuse." That is why, if the man succeeds, the dishonor attaches to the woman: only she has broken the rules. Peppino desires the beautiful Agnese. He desperately wants to have sex with her. But if she agrees to sex outside marriage, she is a "whore"; and so he cannot marry her, even if she has had sex only with him, even if she is carrying his child.

In those days, Article 544 of the Italian criminal code, which the chief of police mentions, recognized a kind of marriage—the *matrimonio riparatore*—that "repaired" the wrong done by rape,

even of a minor. (This is an old idea, which you can find in Deuteronomy [22:28–29]:

If a man find a damsel that is a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found; Then . . . she shall be his wife; because he hath humbled her, he may not put her away all his days.)

And the *matrimonio riparatore* was not just a plot device in the movies. The day after Christmas of 1965 (a little more than a year after *Sedotta e Abbandonata* first appeared), a young woman named Franca Viola, who was just seventeen years old, was kidnapped and raped by Filippo Melodia, a petty crook, in the small Sicilian town of Alcamo. Her attacker was assisted by a dozen of his male friends. She had repeatedly rejected his advances in the past. But, as Signor Polenza anticipated, Melodia had learned "with his catechism" that, once they had sex, she would recognize that the only way to save her family honor was for her to marry him. And, once they married, Article 544 would protect him from any legal consequences of the rape.

Filippo Melodia turned out to have underestimated Franca Viola. She told her family she would not marry him and, with the support of her father, she insisted on pressing rape charges. Her family endured ostracism and exactly the sort of loss of respect that is the price of diverging from the codes of honor. Because they contested the code, her father also faced death threats and the family's barn and vineyards were set aflame. Nevertheless, the prosecution went ahead and Melodia and seven of his confederates were imprisoned. Three years later, Ms. Viola married Giuseppe

Ruisi, her childhood sweetheart, the man she had been engaged to since the age of fourteen: at the wedding, he had to carry a gun to protect them.<sup>3</sup>

The larger reverberations of the event cannot be doubted. The national media covered their ceremony. The president of Italy sent them a wedding present. Pope Paul VI gave them an audience.<sup>4</sup> The young couple moved away from Alcamo for the first few years of their marriage, but in the early 1970s Franca Viola and her husband Giuseppe returned there. She has largely stayed away from the limelight in the ensuing years, living a normal life in Alcamo; but in 2006 she told an interviewer that her advice, when faced with an important decision, was “to follow always your own heart.”<sup>5</sup>

Franca Viola was raped at the age of seventeen; she was almost twice that age when Article 544 was finally repealed in 1981.

### MURDEROUS FAMILIES

Elsewhere in the world (as in earlier times), the penalty for the dishonor that comes with the loss of female virginity before marriage is often much more severe. In the film, Agnese accepts the fate that Franca Viola escaped: she is forced into a marriage with a man who has treated her with contempt. But in many places and periods, restoring the family honor would have required killing not only the man who seduced her but the girl herself as well. Indeed, in Sicily, as in many other societies, both Christian and Muslim, in the Mediterranean world, that was—and in some of those places still is—what the code requires. In certain communities, a young woman loses her honor and earns this murderous penalty, even if, like Franca Viola, she was raped.

Now, the code that governs these so-called honor killings has elements that are surely recognizable to most people around the world. Even in the industrialized West, in the United States and in Europe, it has taken an enormous amount of work to persuade women and men that rape should not be treated as a source of shame for the victim. It's not that women who have been raped believe deep down that they were “asking for it”; the shame has, instead, to do with the powerlessness of being a victim. It is not guilt—the thought that they have done something wrong—that haunts them, it is the reminder of their humiliation. And that humiliation—the fact that, as Deuteronomy puts it, the rapist has humbled his victim—makes it possible that she will lose the respect of those who know she was raped, however unreasonable this may be; indeed, it may undermine (once more, for no good reason) her respect for herself.

The assumption that because you cannot resist the physical imposition of another you have been shown to be inferior in some more general way is very widespread (and not just in connection with sexual assault). Within this system of attitudes and feelings is the trace of the idea that women who have been raped, like men who have been bested in an assault, have lost their honor. Weakness—even in the face of iniquity—is a source of shame.

In the United States, it is also true to this day that many parents and families worry more about the sexual adventures of unmarried daughters than of sons. This is rationalized by pointing out that the girl has more at stake—pregnancy changes the life of a girl in ways it doesn't change the life of the boy. I suspect that what many people really think, though, is what Peppino and his father thought: “It's a man's right to ask and a woman's duty to refuse.” Self-restraint is unmanly; resistance is appropriately feminine.

But whatever our thoughts and feelings about sex outside marriage, most of us cannot make sense of someone who thinks the right response to an unmarried daughter who chooses to have sex, or a married daughter who commits adultery, is to kill her; least of all can we understand someone who kills a daughter or sister, married or not, who has been raped.

And yet, according to an estimate in a UN report in 2000, as many as 5,000 women and girls are murdered each year by relatives for just such reasons.<sup>6</sup> These murders are called “honor killings” because they are seen by their perpetrators as ways of reestablishing the family’s honor, which has been lost by extramarital sexual activity, willing or unwilling, on the part of one of its female members. In Pakistan in 2003, according to an adviser to the country’s prime minister, as many as 1,261 women were murdered in this way. (There is widespread agreement that these official figures understate the extent of the devastation.)<sup>7</sup>

So far we have been exploring revolutions that are over. In this chapter I turn to the present and to an honor practice where change is desperately needed. The search for an understanding of honor killing requires, like the understanding of any honor world, an attempt to make sense of its codes. And while there is a general pattern to honor killings across cultures, it is in the specifics of particular place and time that we will be able to see best what is at stake. But we can also learn something, as we’ll see, from the histories we have already explored. So I aim here to put our new understanding of honor in the service of a proposal as to one way we might make progress against honor killers. Pace that cynical French maxim, *tout comprendre* is not always *tout pardonner*.

## THE LIFE AND DEATH OF SAMIA SARWAR

In 1989, Ghulam Sarwar Khan Mohmand, one of the most successful businessmen in Peshawar, capital of Pakistan’s North-West Frontier Province (NWFP), threw a grand wedding for his daughter Samia. Over a thousand guests gathered for the celebration, among them three of Pakistan’s provincial chief ministers, one federally appointed governor, and much of the city’s business elite. The bridegroom, Imran Saleh, was the son of his wife’s sister. This was a modern, successful Pashtun family: Ghulam Sarwar Mohmand’s wife, Sultana, was a doctor, as was her nephew Imran. Samia Sarwar studied law later; her sister went on to study medicine. In 1998, Sarwar himself was to be elected to the first of two terms as president of Peshawar’s Sarhad Chamber of Commerce and Industry.<sup>8</sup>

Despite these auspicious beginnings, the marriage was not a success. Samia Sarwar told her lawyer later that her husband was extremely abusive, and her parents eventually accepted that she should leave him, allowing her to move back in with them in 1995, when she was pregnant with her second son. Dr. Saleh called sometime later to say that he did not want her to come back. She never saw him again. But her parents were adamant that a divorce was out of the question. “You can get anything you want here,” she said they told her, “except a divorce.”<sup>9</sup> The reason was straightforward: a divorce would threaten their *ghairat*, the family’s honor.<sup>10</sup> As in Sicily, the practical consequences of a loss of honor here in northern Pakistan would include difficulty in arranging a marriage for her sister and her cousins, and social difficulties for her parents and her aunts and uncles.

Sometime in the years that followed—with her husband long out of the picture—Samia Sarwar apparently fell in love with another man. She was now a law student and so she certainly knew that she had the legal right to petition for divorce from a husband who had first abused and then abandoned her. In March 1999, while her parents were away in Mecca, making the Hajj, she fled to Lahore. She moved into Lahore's only private refuge for battered women, Dastak, and made arrangements with the Pakistani human rights lawyer Hina Jilani to begin divorce proceedings against her husband.

Over the next few weeks, the Sarwars persuaded their daughter and her lawyer that they were finally willing to agree to the divorce, showing the necessary papers to a prominent opposition politician, who passed on the good news. And so, on April 6, 1999, she agreed to meet with her mother—she was not willing, she said, to deal with her father—at her lawyer's office. Her mother was supposed to come alone, but when she arrived she was on the arm of a stocky, bearded man. According to Hina Jilani, Mrs. Sarwar said this was her driver, whose help she needed because she couldn't walk on her own.<sup>11</sup>

Once the two of them entered the office over the lawyer's objection, the driver, Habibur Rehman, pulled out a gun and shot Samia Sarwar in the head. In the ensuing panic, Rehman was himself shot dead by a security guard, and Samia's uncle, Yunus Sarwar, who had been waiting outside, kidnapped one of the paralegals in the office, and drove off with her and Samia's mother in a taxi. The paralegal said later that Mrs. Sarwar was "cool and collected during the getaway, walking away from the murder of her daughter as

though the woman slumped in her own blood was a stranger."<sup>12</sup> In Pakistan, alas, you would do best not to listen to Franca Viola's advice about "following your heart."

The protagonists in this drama were all prominent Pakistanis. Hina Jilani, one of Pakistan's leading human rights lawyers, shares her legal practice with her sister, Asma Jahangir, head of Pakistan's Human Rights Commission and Special Rapporteur of the UN Commission on Human Rights on Extrajudicial, Summary or Arbitrary Executions. (Ms. Jahangir apparently had to delay her departure for a meeting in Geneva to help deal with the consequences of this extrajudicial killing in her own office.) The intermediary whose review of the supposed divorce papers had led Ms. Sarwar to agree to the meeting was Aitzaz Ahsan, a distinguished lawyer and former minister of justice, who was at the time the Leader of the Opposition in the Senate.

Since Samia Sarwar was exercising her legal right to seek a divorce when she was murdered in front of witnesses, and since murder is, of course, illegal in Pakistan, you might have expected universal condemnation. Benazir Bhutto and a number of Pakistan's other progressive political leaders did speak out against it; and there were public protests by human rights organizations the next day in several of Pakistan's major cities.<sup>13</sup> But when a member of Pakistan's Senate moved a resolution to condemn the family, the response was not what he must have hoped for.

The senator in question—Iqbal Haider, the lawyer and human rights activist, of the progressive Pakistan People's Party—was condemned by his parliamentary colleagues from the NWFP, especially by members of the Awami National Party (ANP), which



draws its strength from the Pashtun areas of Pakistan, whose capital is Peshawar, home of the Sarwars. A defense of Pashtun traditions of honor might have been expected from that direction, except that the ANP was far from traditionalist: it was toward the secular end of Pakistan's political spectrum and it had been consistent in its opposition to the Taliban in the North-West Frontier Province. Senator Ajmal Khattak, who was at that time the party's president, is a leading Pashto intellectual and poet. He once had a reputation as a progressive figure, having supported leftist revolutionaries like Castro and Che Guevara.<sup>14</sup> Nevertheless, Khattak lectured his colleagues on Pashtun ideas of honor and appeared to defend honor killings.<sup>15</sup> Of only four senators who supported the motion, one was Aitzaz Ahsan, the senator who had been drawn into the affair when he agreed to mediate between Samia Sarwar and her family.<sup>16</sup>

In Peshawar, there was indignation at the fact that outsiders had interfered in the affairs of a local family: Pashtun honor had been impugned by meddling strangers. The chamber of commerce of which Samia's father was the president issued an attack on Hina Jilani and Asma Jahangir, urging that they be punished under "tribal and Islamic law" for "misleading women in Pakistan and contributing to the country's bad image abroad." Several religious leaders in the NWFP issued fatwas declaring the two women to be infidels.<sup>17</sup> No one has ever been convicted in connection with Samia Sarwar's murder and her father remains a prominent figure in Peshawar. In November 2009, Pakistan's Ministry of Commerce appointed him to a committee to advise them on a new trade agreement with Afghanistan.<sup>18</sup>

### THE WAY OF THE PASHTUNS

More than 40 million Pashtuns live in Pakistan and Afghanistan, most of them in the regions on either side of the border. Pashtuns think of themselves as the descendants of a single common ancestor, and their tribal organization is what anthropologists call a "segmentary lineage system," in which people act in solidarity with closer relatives against more distant cousins, according to the formula in the Bedouin proverb: "Me against my brothers, me and my brothers against my cousins, me and my brothers and my cousins against the world." The further back the common ancestor, the larger the group, of course, and the Pashtun kinship system has many levels of various scales that are important for practical life.

The four main tribal groupings derive, tradition asserts, from the immediate descendants of Qais Abdur Rashid, the man all Pashtuns claim as their forefather. Qais was apparently a contemporary of Muhammad's, who traveled to Mecca and brought Islam back to Afghanistan. The many immediate subdivisions of these four groups usually have a notional genealogy that goes back to one of Qais's descendants in the first few generations. At the bottom of this hierarchy is the smallest family group consisting of a man and his sons, their wives and their children and grandchildren.

In the countryside, the Pashtuns have traditionally lived by farming in small villages of a few score people, often belonging to a few such extended families. In the country and in the city, they live by a code of life they call the "Pashtunwali," or the way of the Pashtuns. Like many such tribal codes, it lays great stress

on maintaining one's honor by loyalty to one's kin, bravery in battle, hospitality to guests, retaliation for insults, and revenge for injury, whether against oneself or against members of one's family or tribe.<sup>19</sup> One's own good name and that of one's family or tribe, captured in a rich vocabulary of terms for honor, some borrowed from Arabic, are at the heart of the Pashtunwali.

These ideas, which developed in a rural tribal culture, have been taken into contemporary urban life. After three decades of warfare in Afghanistan—beginning with the Soviet invasion at the end of 1979 and continuing with the American-led war against the Taliban—many Pashtuns in Pakistan identify strongly with their kinsmen across the border. And the presence of foreigners—both soldiers and civilians—apparently intent on reshaping the life of the region has produced an entirely predictable nationalist response. There is a great deal of insistence on the threat to the Pashtunwali posed by foreign pressure. In Pakistan, this pressure is seen, as well, in the activities of human rights groups that campaign for women's rights and oppose practices like honor killing. The result is a situation where criticism of the killing of Samia Sarwar even by homegrown Pakistani human rights activists, like her lawyer, Hina Jilani, produces a torrent of complaints about Western interference, at the heart of which is an insistence that Westerners are *bay ghairat*, lacking in a sense of honor.<sup>20</sup>

Samia Sarwar was Pashtun; but her murder could have occurred in any region of Pakistan. Among Urdu and Sindhi and Punjabi speakers, as with those who speak the smaller languages of the country, there are similar traditions. In the language of Sindh, the province that contains Karachi, Pakistan's financial capital and largest city, the word *karo* literally means "black man," and its

feminine, *kari*, "black woman"; and these words are used to refer to people who have sex outside marriage. So *karo-kari* is one of the commonest names by which honor killings—which occur all over the country, as I say—are known in Pakistan; though the equivalent term in Pashto is *tor-tora*.<sup>21</sup>

We face here what is by now a familiar paradox. Pakistan is an Islamic republic, created to be a homeland for the Muslims of India after the communal conflicts prior to Indian independence. And there is almost universal agreement among qualified interpreters of Islam that honor killing is un-Islamic. Like dueling at its apogee, which ran contrary to law and religion in Christian Great Britain, honor killing is not only illegal in Pakistan, it is contrary to the official religious traditions of a country which, like Britain, has an established faith. One reason is that Islamic law has its own ways of regulating sexual modesty, and families who enforce their codes without going through the sharia courts, like the gentlemen who engaged in duels, are declaring their independence from the state's rules and from organized religion. Of course, Islam, like other world religions, has adopted particular inflections in the varied societies into which it has traveled. In the minds of its adherents, the Pashtunwali is completely compatible with Islam; indeed, they are inclined to think of Islam itself as one of the ways of the Pashtun, since they believe their founding ancestor brought the faith back from Mecca. But, as I say, it is widely agreed across the world of Islam that neither the Koran nor the Sunnah (the Prophet's usages) nor the hadith (the authoritative accounts of Sunnah that provide an additional source for teaching) endorse the killing of women by men in their own family.

There can be no doubt that this is well understood in Pakistan, in particular. In the summers of 2001 and 2002, Amir H. Jafri, a Pakistani graduate student working on a dissertation in communications, conducted a series of interviews in English and Urdu aimed at placing the killing of Samia Sarwar and the response to it in its fullest cultural context. He reports a fascinating conversation with a mullah named Abad at a mosque in Islamabad. To begin with, this religious teacher surrounded by his students admits that when he sees women who are not totally veiled, "I just want to cut them into bits or betroth them to someone . . ." When the startled Jafri asks if this is consistent with Islam, the mullah blushes and falls silent for a moment. Then, he looks around at his students and mumbles, "Islam does not allow it but sometimes you have to do it to set an example."

This interview was the only occasion over two summers of research in Pakistan in which Dr. Jafri was able to find a scholar of any of the sects of Islam who "overtly condoned" anything like honor killing.<sup>22</sup> The reality was nicely summarized once by a Pash-tun taxi driver, in a discussion of women's education with an educated woman passenger: "I said, babaji, in Islam women and men are supposed to gain education, it's required for them. He said, yes, but who cares about Islam when it comes to *ghairat*?"<sup>23</sup>

Samia Sarwar's murder was not officially sanctioned by any authority outside her family. But in the North-West Frontier Province, honor killings are quite likely to be the results of decisions made by the *jirgas*, traditional courts that have extensive practical authority in the tribal areas, where the government of Pakistan's writ barely runs. A couple of weeks before Samia Sarwar was murdered, a sixteen-year-old mentally disabled young

woman, whose name was Lal Jamilla Mandokhel, was executed after a "trial" by a *jirga* in her village. She had been raped repeatedly over two nights by a man in a nearby town. When she came back to her village, the elders of her community decided she had brought dishonor on her people. She was dragged from her home and shot, as a large crowd looked on.<sup>24</sup> Whether or not it is consistent with Islam, honor killing is, in many places, part of the way of the Pashtuns.

### THE LAWS OF PAKISTAN

Pakistan's modern legal system began as a colonial inheritance. Muhammad Ali Jinnah, the founder of Pakistan, was a British-trained lawyer and he was probably himself in favor of a secular constitution. But Jinnah died soon after the British recognized the Partition of India in 1947, granting India and Pakistan their separate independences. Pakistan consisted, at first, of two geographically isolated parts, one in the west and a culturally rather different region in Bengal, far to the east. It took nearly a decade for the Constituent Assembly that was effectively the parliament of Pakistan during this period to agree on a constitution, and when it did, in 1956, it was the constitution of an Islamic republic. In the decades that followed, through a series of coups and a war in which the two halves of Pakistan became the two independent states of Pakistan (in the west) and Bangladesh (in the east), the fundamental law of Pakistan was always officially Islamic. The current constitution, ratified in 1973, borrows its preamble from earlier constitutions, which state that the fundamental law aims to "establish an order" wherein

the Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set out in the Holy Quran and Sunnah. . . .<sup>25</sup>

The constitution also creates a federal Shariat Court, composed both of traditional Muslim legal scholars, or *ulema*, and of regular high court judges, which has the power to review large areas of legislation and to strike them down if they are "repugnant to Islam."

In 1979, the military ruler of Pakistan, General Zia-ul-Haq, took the matter further, enacting the so-called Hudood Ordinances, as part of a policy of increasing Islamization. Among other things, the new laws aimed to align Pakistani practice with the general's conception of sharia, in particular as it related to *zina* or sex outside marriage. One effect of this was to bring into play provisions of sharia that significantly reduced existing legal protections for women. For example, a woman who made an accusation of rape was now required to provide four adult male witnesses to the act. If she failed to do so, the accused must be found not guilty. However, since, in reporting the rape, the woman had admitted to sex outside marriage, she was now liable, on the basis of her own accusation, for the penalties of *zina*: and that meant she might be given a hundred strokes of the lash or stoned to death for adultery.

It is important to say that, in the few cases where lower courts have passed sentences in circumstances like these, the federal Shariat Court has reviewed them and set them aside. But there is little doubt that the Hudood Ordinances made accusations of rape much riskier for the women of Pakistan.

General Zia's successor, President Ghulam Ishaq Khan, moved

further with the implementation of a conception of sharia law by promulgating a *Qisas* and *Diyat* Ordinance, which replaced large parts of the criminal code that Pakistan had inherited from English common law. The effect of these changes was to treat murder and other less serious bodily harm as offenses against a person and his or her family rather than against the state. Under the ordinance, victims or their heirs were entitled to ask for *qisas*, where the offender is subjected to a harm equivalent to the harm the victim has suffered. In the case of murder, then, the heirs of the victim may ask for the death of the offender.

Now, the *Surah Al Ma'ida* of the Koran, from which this area of sharia derives, says, in verse 45:

We ordained therein for them: "Life for life, eye for eye, nose for nose, ear for ear, tooth for tooth, and wounds equal for equal."

But if any one remits the retaliation by way of charity, it is an act of atonement for himself.

And so the ordinance allows the victim or the heirs to waive the *qisas* and accept compensation by way of what is called *diyyat*. The process by which the victim or the heirs negotiate a settlement is called "compounding."

Not everyone agrees that this is the right way to implement sharia. In particular, Pakistan's National Commission on the Status of Women (NCSW) has argued that the proper interpretation of the tradition gives the right to the *qisas* penalty not only to victims or their heirs but also to the state. If that were right, of course, then not only the family but also the government would have to waive the penalty. This would allow the state to decide to punish

someone whose offense had been “compounded” by the heirs of a victim, if there was a reason of justice to do so. The members of NCSW are mindful that the victim’s heirs, in cases of honor killing, are very often the perpetrators of the crime. And, indeed, in the Sarwar case, they say, Samia’s brother, as heir, waived the penalty for his own parents.<sup>26</sup>

The *Qisas* and *Diyat* Ordinance should have led to two major improvements in the legal situation for women in Pakistan. First, it replaced an English common law tradition that had allowed for a plea of “grave and sudden provocation,” which had long been interpreted in Pakistan as requiring courts to display especial leniency to those who killed in the name of honor. Unfortunately, the Supreme Court of Pakistan has declined to take notice of this change. In a 1995 decision, the Court said that the court below had been wrong to ignore the defendant’s claim that the murder “was done under grave and sudden provocation as he had found the deceased in a compromising position with his wife in the early hours of morning,” and ordered the murderer to be released.<sup>27</sup>

In a second major change, the law explicitly forbade one of the traditional forms of *diyat*, the giving of a woman from the family of the murderer as wife to a man in the family of the victim as a form of “replacement.” Unfortunately, this practice seems to have continued, however, especially in rural areas away from the view of the government. Even a 2005 law that made these marriages a crime does not seem to have had a great deal of impact. These facts should remind us that changes in the law, by themselves, do little to improve the situation unless they are actually implemented: and this, of course, is not likely without changes in public attitudes. As with dueling, getting the law right is only a beginning.<sup>28</sup>

The most controversial cases brought under the Hudood Ordinances created an uproar inside and outside Pakistan. When, for example, Safia Bibi, a thirteen-year-old blind maid, was raped by her employer’s son in the Punjab in 1983, he was acquitted because she was unable to identify him by the sharia standard; since, however, she was pregnant and unmarried, there was irrefutable evidence of *zina*. The judge ordered the pregnant girl a mere thirty lashes . . . out of compassion, he said, for her as a blind person. (In the wake of the outcry, the federal Shariat Court eventually reviewed and reversed the decision.) Naeem Shakir, a Pakistani lawyer, has rightly insisted that “Safia Bibi’s case brought shame to the whole nation when the world media flashed the news” of her conviction.<sup>29</sup>

And that, of course, is the point. There is no doubt that a strategy we can call “collective shaming” has brought pressure on the government of Pakistan, in general, and on its political authorities, more particularly, to mitigate the more egregious abuses of women’s human rights. In 2004, the Parliament of Pakistan passed a law amending the criminal code to make explicit the fact that honor killings were crimes and setting minimum sentences for such offenses. This law did not, however, alter the fact that honor killings can still be compounded by *diyat*. Then, on November 15, 2006, after many years of pressure from human rights activists at home and abroad, the Parliament of Pakistan amended the Hudood Ordinances by way of a Women’s Protection Bill, which removed the requirement for four male witnesses. (Predictably, this did not please the fundamentalists.)<sup>30</sup>

But the same legal system regularly treats the fact that murders have taken place in the name of honor as grounds for commuting death sentences; and in many cases, honor killers or those who

assist them continue to go unprosecuted.<sup>31</sup> In August 2008, in the remote village of Baba Kot in Balochistan, three young women who wanted to marry against the will of their families were sentenced to die by a gathering of elders. When two of their older women relatives protested, they were added to the execution list. The five bodies were thrown into an unmarked ditch. It is not certain that they were all dead when the earth was piled on their bodies.

In a scene reminiscent of the debates over Samia Sarwar nearly a decade earlier, Senator Israrullah Zehri, who represents the region, rose in Pakistan's Senate to defend these "centuries-old traditions."<sup>32</sup> (I am reminded of the—perhaps apocryphal—story of the British colonial official who ordered an Indian family not to allow a widow to be burned on her husband's funeral pyre. "But sir," the Indians protested, "it is our custom." "And it's our custom," the official replied, "to execute murderers.") So the combination of appeals to national honor from Pakistani human rights activists and complaints about the treatment from people outside needs to continue.

One response from within Pakistan is to complain, as that Peshawar chamber of commerce did, that people like Hina Jilani, who draw attention to these problems, are damaging the country's good name. But when a nation is doing something profoundly wrong, showing it up in the eyes of the community of nations is exactly what the patriot who cares for justice and the nation's honor *should* be doing. Beena Sarwar, the Pakistani artist, journalist, and documentary filmmaker, tells those who want the protestors to fall silent that they "need to ask themselves who is responsible: those who perpetuate the violence, or those who are its victims? What

would make us a better, stronger nation: dealing with the issue, or burying it in the sand?"<sup>33</sup>

## LIVE ISSUES

Can we learn something about the prospects for change in Pakistan from the three moral revolutions we have already explored, in which changing ideas about honor steered societies in the direction of moral progress? Dueling, Atlantic slavery, and Chinese footbinding have each been abandoned for many generations. But, as we have seen, what transpired was not so much a change in moral beliefs as a revolution—in which honor was central—in practices. It wasn't the moral arguments that were new; it was the willingness to live by them.

Of course, honor works differently in these three moral revolutions, and so we have learned that there is more than one mechanism connecting honor and moral progress. But let's begin by noticing some features that these widely disparate moral revolutions share.

First of all, the old immoral practice itself depended on a set of codes of honor. This is obvious in dueling. But remember that footbinding was an honor practice originally, guaranteeing not only the social status but also the chastity of the women of the Han elite; and recall that plantation slavery in the Atlantic world was not just an economic institution—a source of labor—but also an honor system, in which manual labor was assigned to a dishonored race, and the honor of white people, even those of the very lowest social standing, was enhanced by their identity as members of a race that could not legally be enslaved. One key element, then,

in all the cases is that codes of honor had to shift if the practice was to disappear. Dueling had to cease to be a way of sustaining a claim to gentlemanly honor; footbinding had to cease to be a mark of higher standing; labor and African descent had to be dissociated from dishonor. (This last process is still underway.)

A second common feature is that the code of honor faced moral and religious challenges long before the revolution. And finally all three cases have in common that, at the end of the revolution, honor was successfully recruited to the side of morality. Dueling became ridiculous, an object of mockery, and so even a source of shame. Individuals who once would have sought honor by binding their daughters' feet now displayed it in refusing to have them bound. And Britons derived a sense of national honor from their nation's role in ending a vast tri-continental system of enforced labor.

But, as I said, the cases are importantly different, too. To see why, remember, to begin with, something I pointed out in chapter 2: identity matters to honor in two different ways. First, a code of honor shapes your options by fixing what they require a person of your identity to do. It determines a set of honor practices. And second, a code allows you to share in honor deriving from the achievements of others whose identity you share.

This second connection between identity and honor—the sharing of respect through shared identities—played no major role in the abandonment of dueling. Gentlemen in England didn't try to persuade other gentlemen to cease dueling because they thought dueling brought dishonor to all English gentlemen. The reason they changed their honor practices was that they no longer worked, in part because the honor world of mid-nineteenth-century Eng-

land had been democratized and the claim of gentlemen to be entitled to this special institution now produced not respect but scorn. So they were responding to changes around them. They didn't abandon honor. They redefined their honor codes to adjust to new social conditions.

But the Chinese anti-footbinding literati did try to get their fellow literati to cease footbinding because they thought the practice brought dishonor on them all: so that is one way in which honor practices, indeed norms of many kinds, can be revised. People of a certain identity (Chinese, in this case) can decide to try and stop everyone of their own identity doing something because it brings dishonor to them all. They can also be motivated by their collective honor to want people of a different identity to stop some practice, as the British working classes wanted colonial slaveholders and the United States to abandon slavery. The anti-slavery working classes, none of whom had ever been involved in slavery, wanted these other people to end slavery because slavery itself implied a lack of respect—a source of dishonor—for them. The same democratization of culture that undermined dueling undercut slavery, too. So in these last cases it was a sense of collective honor, as Chinese or as workingmen, that helped the movements to take hold, but by two rather different mechanisms.

This is just a set of abstract historical observations. But suppose you wanted to draw lessons for honor killing, which like dueling, footbinding, and slavery is an immoral honor practice. One route to change, which we learned from the footbinding saga, meant persuading people that their honor practice brought collective dishonor on them, in the face of a wider honor world. This is the strategy of collective shaming, which we have just seen at work in

Pakistan. Collective shaming was successful not just in China but also in the first stage of British anti-slavery, when it was a middle-class patriotic movement in defense of British honor as well.

Let's recall how it works. People at home draw the attention of their countrymen to the way an honor practice harms their national reputation abroad. The strategy requires careful application because it can produce a defensive nationalist backlash, in which the practice under criticism is taken up and defended with renewed vigor precisely because uncomprehending foreigners have declared themselves against it. That is one reason why it is important that the contributions of outsiders should not be uncomprehending. Insisting that honor killing is un-Islamic—that the shame attaches not to Islam but to Pakistan and its failure to enforce the very Muslim ideals that its constitution claims are at the heart of the nation's project—is, for that reason, crucial. In the struggle against honor killing, Islam is an ally.

Honor killing is not just a problem in Pakistan, of course. It can be found in its neighbors Afghanistan and India, too. In Turkey, where the laws against it are actually enforced, it remains common, especially among the Kurds, in their enclaves within cities like Ankara and Istanbul, in those towns where they are in a majority, and in the countryside. Women are killed or scarred with acid in the Arab world—from Egypt to Saudi Arabia, from Jordan and the Palestinian territories to Iraq—in the name of honor. And they face the same threat in Iran. These are all Muslim societies where the killing is illegal, even if the law is sometimes excessively lenient when honor is offered as an excuse.

As migrants from these places settle in Europe and North America, they have brought the norms of honor killing with them;

and, as immigrant families face the challenge of adjustment to new societies with very different ideas about how young women should act and how they should be treated, the threat of honor killing has become one of the means by which fathers and brothers control daughters or sisters who resist what these men claim are the ways of their ancestral homes.

In all of these places, the challenge is to protect women from these dangers while revising the codes of honor that are the source of the threat. Not all the perpetrators of these crimes are Muslims: there have been cases among Sikhs (both in South Asia and in immigrant communities) and among Christians in Palestine. But very often they *are* Muslims: and *when* they are, we can begin the conversation by pointing out that they are contravening and dishonoring their faith.

It would be foolish, however, to ignore the fact that there are other aspects of the treatment of sexuality in law and society in a country like Pakistan that both violate human rights and have a solid foundation in Muslim traditions. Whereas with honor killing we do not have to argue against traditional Islam, there are other issues where we cannot avoid that difficulty. There are ways of interpreting the Prophet's demand that evidence of *zina* be provided by four male witnesses (or by a confession) as creating a standard of evidence so high that it will very rarely be met. And it is, I think, a plausible hypothesis that in setting these demanding standards the Prophet was trying to moderate the severer penalties of earlier Arab codes of sexual honor. After all, every chapter of the Koran save one begins by addressing God as "the most compassionate, the most merciful."

Nevertheless, Muslim societies, on the basis of unforced interpre-



tations of passages in the Koran and the hadith, have stoned women and men to death for adultery. If an Islamic republic is to recognize the human rights of its citizens, it will have to repudiate this element of Muslim tradition. But we know that religions can find ways to do these things. The Hebrew Bible says, in Leviticus 20:10,

And the man that committeth adultery with another man's wife, even he that committeth adultery with his neighbor's wife, the adulterer and the adulteress shall surely be put to death.

And Mosaic law, like sharia, contemplated stoning as the proper method for carrying out this sentence. But no mainstream contemporary Christian or Jewish sect wants any state to carry out this policy.<sup>34</sup>

### CHANGING THE GROUNDS OF HONOR

Collective shaming requires a coalition of insiders and outsiders if it is to work, as we saw especially in China. In seeking to build that coalition, we can draw on the analogy with working-class anti-slavery, which mobilized a group of people by getting them to see that an honor practice in another part of the world, a practice that they themselves did not engage in, implied disrespect for them. I shall call this strategy "symbolic affiliation": you get people involved in the struggle against a practice by getting them to see it as presupposing that they themselves are dishonorable. And one of the main ways in which the outsiders have been mobilized is by way of exactly this strategy. For among the most substantial allies of those who are fighting against honor killing

within Pakistan (as elsewhere) are international feminist organizations brought to the issue in large measure because they understand that the practice of *karo-kari* treats women as less worthy of respect—less honorable—than men. They care about the issue as an issue of justice, no doubt. But they are also motivated to a significant degree by the symbolic meaning of honor killing as an expression of women's subordination. It implicates, in an obvious way, the honor of women everywhere. It reflects a conviction that they are not entitled to a very basic kind of respect.

The practice of honor killing, which—despite its theoretical applicability to men—is most often carried out against women, serves not only to terrify many women into accepting marital abuse but also to provide a route by which men can rid themselves of inconvenient women with impunity. The annals of Pakistan are filled with cases where ordinary murder is disguised as honor killing.<sup>35</sup> A woman is therefore always open to threat from her husband, her brothers, her parents, and even her sons. Do what we want, they can say, or we will accuse you of *zina* and kill you, and we are likely to get away with it. Samia Sarwar wanted to divorce her husband—a man from whom she had parted many years before—in order to marry a man she loved. She had the right to do so under ordinary morality, Islamic law, and the laws of Pakistan. But because the divorce would have threatened the honor of her family, she was gunned down in public by a murderer brought by her mother. Worse, the fact that the family evidently connived at her death actually did salvage their honor. Though her murderer was killed in the melee after her death, there is reason to doubt that he would have been executed for murder if he had survived.<sup>36</sup> Politicians in the Senate of Pakistan praised her family's sense of

honor, called Samia Sarwar (a married woman of twenty-nine) a *bachi*, a little girl, and described the battered women's refuge where she was staying as a "den of prostitution."<sup>37</sup> They sought to shame the dead woman and poured honor on her family.

Ordinary women have always worked in Pakistan, in agriculture and in domestic service. Now women of higher status are increasingly at work, too. Like Samia Sarwar and her mother, they are getting professional qualifications. They are contributing to the national economy. They are also increasingly in the habit of speaking in public and being heard. Women like the late Prime Minister Benazir Bhutto or Samia Sarwar's distinguished lawyer Hina Jilani have made their contributions to public life in Pakistan only because they were freed from a code of honor that idealizes female public invisibility. And women with these experiences will not sit silent when their sisters are murdered, as the widespread protests immediately after Samia Sarwar's killing showed. While women in rural Pakistan usually lack local organizations to support them and have few places to run to, urban women can escape to shelters like Dastak, and find the support of feminist and human rights organizations.<sup>38</sup> In these circumstances, the codes of honor that are used to keep women in place are increasingly under pressure.

Here we can learn from the story of the end of the duel, where an honor world was persuaded that its honor codes no longer worked. There was a revision of honor practices, from those of a military nobility to the new, more civilian codes of Newman's modern gentleman, which fitted better with the way the world now was. New conceptions of *ghairat*, which see real respect for women as central to male honor, are no doubt as hard for many

contemporary Pakistanis to imagine as a gentlemanly code organized around avoiding harm to others would have been in early nineteenth-century England; or a marriage code that disadvantaged the footbound woman would have been in China in 1880. But they are already being imagined. After Samia Sarwar's murder, Asma Jahangir asked, "What sort of honor is it to open fire on an unarmed woman?"<sup>39</sup> The slogan across the Web pages of the site [www.nohonor.org](http://www.nohonor.org), which advertises itself with the words "Arabs and Muslims against 'Honor' Crimes," gets it exactly right: there is no honor in honor killing.

In all the earlier revolutions, the motivating power of honor was channeled not challenged. The right way to proceed, it would seem, is not to argue against honor but to work to change the grounds of honor, to alter the codes by which it is allocated. Asma Jahangir was asking the right question. And, as she would be the first to insist, she is one among very many Pakistanis who have posed it. In chapter 1, I cited William Godwin's analogous question about the duel. He asked, you will recall, whether it was not more courageous to resist the social pressure to duel than to give in to it. He was trying to align honor against the duel, just as Asma Jahangir and her fellow activists are trying to align it against *karo-kari*.

Violence against women is a pervasive problem across the globe. Honor killing is only one of its many modes. But reforming honor is relevant, I believe, to every form of gendered violence; and, in particular, every society needs to sustain codes in which assaulting a woman—assaulting anyone—in your own family is a source of dishonor, a cause of shame.

## HONOR AS PROBLEM AND AS SOLUTION

The three very different cases we have already considered show how changes in honor codes can reshape honor, mobilizing it in the service of the good. With the duel, the revisions in notions of gentlemanly honor in Britain in the mid-nineteenth century produced a new culture in which the central threat to gentlemanly honor—the possibility of loss of respect and shame—turned from being a reason to duel to being a consideration against dueling. In China at the turn of the last century, the honor of women of the Chinese cultural elite required them to bind their feet. Yet changes in the perception of the nation's honor among the literati led to the mobilization of one kind of honor—national honor—against the old system of aristocratic honor whose codes demanded foot-binding. Intellectuals who wanted their country to find its place in the modern world reshaped the culture of honor so that in a generation, bound feet came to be a source not of honor but of embarrassment, even of shame. In the late nineteenth century, a family of the Han Chinese elite would have had great difficulty finding a suitable husband for a girl with natural feet; by the 1930s, in most places, the opposite was true. And in finding their own honor as working people, the English working classes in the mid-nineteenth century allied themselves against the culture of slavery, which associated freedom (and whiteness) with honor and slavery (and blackness) with dishonor.

There is one other thing that is striking about each of our three examples: they were revolutions. They came, as the end of footbinding came, with astonishing speed. The movement for the abolition of the slave trade began in the decade of the 1780s and

took hold in the 1790s, the two decades in which the centuries-old English slave trade reached its height.<sup>40</sup> In historical terms, each of these moments looks like one of those high school lab experiments, where a crystal spreads swiftly through a fluid from a tiny seed. Dueling's apogee, too, isn't far from its death knell. Looking at honor killing, a practice that is older than Islam and still pervasive in large parts of Africa and Asia, we should remember that these other ancient customs that seemed immense and enduring and immovable burned, in the end, like flash paper.

In the finale of *Sedotta e Abbandonata*, Don Vincenzo Califano collapses from the strain of organizing his reluctant younger daughter into a marriage with Peppino. As he lies dying, he makes his lawyer and his doctor promise to tell no one until the wedding is over. In the last moments of the film we see an impassive and resigned Agnese at the altar, and we see her sister, as her hair is cut off and she becomes a nun—a bride of Christ. Then, a moment later, in the final shot, we see a bust of Don Vincenzo on his grave, with the inscription: "Honor and Family." Three Ascalones have made their sacrifices to honor. But the film, however bleak, is a comedy, a satire. It was a reflection of the processes in Italian culture that made it possible for Franca Viola to resist her society's culture of honor. And the argument the film makes is not just that these practices are wrong—producing loveless marriages, thwarted dreams, suffering, even death—but that they are absurd, ridiculous; that they make Sicily a laughingstock. *Solventur risu tabulae*. The case is dismissed with laughter.

The lesson I draw is that we may have more success with the emancipation of women from honor murder in Pakistan if we work to reshape honor than we will if we simply ring the bell of

morality. Shame, and sometimes even carefully calibrated ridicule, may be the tools we need. Not that appeals to morality—to justice, to human rights—are irrelevant. For the aim of anti-honor-killing activism should be to encourage more of the people of Pakistan to realize that their country is disgraced by allowing these wrongs. The wrongness of these killings is essential to the explanation of why they are shameful; as were the wrongness of footbinding and slavery to the arguments that they were sources of Chinese and British shame. And the hope I see is that when the moment comes, the change will be a revolution: a large change in a small time.

Already, as we have seen, women—and men—in Pakistan ask the question: How can a man claim to be honorable who kills a woman of his own family? Already modernizing intellectuals ask the question about honor killing that Kang Youwei asked about footbinding: How can we be respected in the world if we do this terrible thing? And they ask this question not just because their honor world has expanded to include the rest of humanity but also because they want their nation to be worthy—in their own eyes—of respect. Honor must be turned against honor killing as it was turned against dueling, against footbinding, against slavery. Keep reminding people, by all means, that honor killing is immoral, illegal, irrational, irreligious. But even the recognition of these truths, I suspect, will not by itself align what people know with what people do. Honor killing will only perish when it is seen as dishonorable.

FIVE

LESSONS AND  
LEGACIES

What our fathers called the archetype of honor was, in reality, only one of its forms. They gave a generic name to what was only a species. Honor is to be found therefore in democratic centuries as well as in aristocratic times. But it will not be hard to show that in the former it presents a different face.

—Alexis de Tocqueville, *Democracy in America*<sup>1</sup>