Last summer a rather kinky novel, named "*50 Shades of Grey*" was released, which is about a businessman, named Christian Grey, and his sadism/bondage obsession. His target was Anastasia Steele, who was required to sign a contract consenting to allowing Grey have complete control over her life, including fulfilling any of his sexual desires and fantasies. The book has been on the *New York Times'* best seller list for 32 weeks, and it is the U.K.'s best- selling novel ever. Apparently, some women like to escape into a sadistic and masochistic imaginary world.

It is, however, unlikely that the book will appeal to Muslim women. They get enough of that in the real world – not "grey", but rather "black and blue". Their "contract" was a marriage to someone they didn't know, unless he happened to be a cousin, which was sealed with an exchange of money between her male "guardian" and the groom per Sharia Law. It gets worse.

Islamic ideology supporting domestic violence against women

The Quran and Sharia Law provide the "boundaries" for marital sex and violence:

- "Women are your fields; go, then, into your fields whence you please." (Surah 2:223)
- It is obligatory for a woman to let her husband have sex with her immediately when a) he asks her, b) at home, c) she can physically endure it, and d) the husband has paid the marriage price. (*Reliance of the Traveler*, para. m5.1)
- A husband possesses full right to enjoy his wife's person in what does not physically harm her. (*R of T*, para. m5.4)
- The husband is entitled to insist that his wife undertake both the measures necessary for having sex (like bathing) and those necessary to the full enjoyment of her (like shaving her private parts). (*R of T*, para. m5.6)
- Apart from providing her husband full lawful sexual enjoyment, if the wife cooks food or washes clothes for him, that is merely considered a "voluntary charity." (*R of T*, para. m10.12(3))

A wife is in rebellion if she fails any of these obligations, and the sanction is first a warning, then banishment from the marital bed, and finally beating. This applies to daughters, as well. The Quran and Sharia Law are quite specific:

- "As for those [women] from whom you fear disobedience, admonish them and send them to beds apart and beat them." (Surah 4:35)
- "If she commits rebelliousness, he . . . may hit her, but not in a way that injures her, meaning he may not break bones, wound her, or cause blood to flow." (*R of T*, para. m10.12)
- "Umar reported the Prophet as saying: 'A man will not be asked as to why he beat his wife.'" (Hadith of the Sunan of Abu Dawud, Chapter 709 - On Beating Women, #2142)
- There is no retaliation for a father or mother for killing their offspring or their offspring's offspring. (*R of T*, para. o1.2(4))
- There is no indemnity for killing someone who has left Islam. (*R of T*, para. o4.17)

Violence against Women is a Crime

In most Western countries, wife-beating and sexual battery are against the law. Usually, the legal provisions are very specific and quite comprehensive. The California Civil Code, Section 1708, states:

Every person is bound, without contract, to abstain from injuring the person or property of another, or infringing upon any of his or her rights. A person commits a sexual battery who does any of the following: Acts with the intent to cause a harmful or offensive contact with an intimate part of another, and a sexually offensive contact with that person directly or indirectly results. For the purposes of this section "intimate part" means the sexual organ, anus, groin, or buttocks of any person, or the breast of a female. A person who commits a sexual battery upon another is liable to that person for criminal penalties as well as financial damages, including, but not limited to, general damages, special damages, and punitive damages.

Domestic violence includes injury, abuse, and offensive conduct and any credible threat to commit such acts. Injury or abuse includes a pattern of conduct by the abuser whereby the plaintiff reasonably feared for his or her safety, or the safety of an immediate family member. An immediate family means a spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any person who regularly resides, or, within the six months preceding any portion of the pattern of conduct, regularly resided, in the plaintiff's household. Offensive contact means contact that offends a reasonable sense of personal dignity. A credible threat means a verbal or written threat, including that communicated by means of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent and apparent ability to carry out the threat so as to cause the person who is the target of the threat

to reasonably fear for his or her safety or the safety of his or her immediate family.

The criminal sanctions in California for domestic violence are outlined in the table below:

Misdemeanor **(no injury involved)**

- 52 week domestic violence counseling
- 40 hours community service
- No contact order with victim
- Monetary fines determined by judge
- **Up to 6 months in jail**

Felony **(violence includes injury)**

- 52 week domestic violence counseling
- 40 hours community service
- No contact order with victim
- Monetary fines determined by judge
- **3 months to 3 years in**
- \\ase Study: Muslim-on-Muslim Domestic Violence in the U.S.

Set forth below are a number of case studies of domestic violence in the United States presumed or known to be perpetrated by Muslims against Muslims. What is common in all of the cases is that the alleged perpetrators have been protected by the Muslim community and have not been charged or punished for the crimes.

Amina and Sarah Said

Name: Amina and Sarah Said

Age: 18 and 17

Location and Date of crime: Irving, TX, January 1, 2008

Suspected perpetrator: Yaser Said, their father

Reason for the violence: Shamed their father by adopting Western clothes and attitudes

Injuries sustained: The sisters had been brutally murdered. Amina had been shot twice, and autopsy reports revealed that she died almost instantly from a shattered spinal cord. Sarah had been shot nine times, and her death had been slow and painful. Still, Sarah managed to place a 911 call to police an hour before she died. She told a police dispatcher that she had been shot and that the perpetrator had been none other than her own father.

Disposition: Murderer is still at large

Name: Fatima Abdallah

Age: 48

Location and Date of crime: Tampa, FL, August 16, 2009

Suspected perpetrator: One or more family members

Reason for the violence: Shamed family by having no children after marriages to two cousins

Injuries sustained: First responder Paramedic Lt. Scott Ashley with Tampa Rescue #21 stated that ‘someone had beat the crap out of her.’ She had been dead for several hours by the time he arrived. Her face was cut and bleeding from her head being smashed into a coffee table repeatedly... The left cheek was swollen and there was a 1.5 x 1.5 centimeter red abrasion that formed an “L” – possibly the impression made by being hit by someone wearing a ring. On her right side, ribs 4 and 5 were fractured, and in the posterior, ribs 5 – 9 were fractured. The intercostal muscles showed signs of hemorrhage in the area of these broken ribs, consistent with blunt force trauma.

Disposition: Due to the insistence of the family member witnesses and intimidation of investigators, the autopsy report ruled the death to be a self-inflicted accident.

Shaima Alawadi

Name: Shaima Alawadi

Age: 32

Location and Date of crime: El Cajon, CA, March 21, 2012

Suspected perpetrator: Kassim Alhimidi, her husband who had been unemployed for 18 years due to kidney failure.

Reason for the violence: Shaima, a mother of five, had just filed for divorce and planned to move out.

Injuries sustained: Her assailant shattered Shaima Alawadi's skull with a tire-iron-like weapon in the living room of her home. The autopsy noted that the assault was "extremely violent" and showed that Alawadi had suffered at least six hits to the head, with at least four skull fractures. She was taken off of life support on March 24.

Disposition: Police have not completed their investigations after 6 months

Name: S.D (name withheld in court records)

Age: 17

Location and Date of crime: Bayonne, NJ, from November 1, 2008, through January 24, 2009, when victim was granted a divorce

Suspected perpetrator: M.J.R. (name withheld in court records)

Reason for the violence: Sharia Law permits sex on demand and complete control of wife

Injuries sustained: (The following litany of physical abuse is from court records, viewable at http://www.judiciary.state.nj.us/mcs/case_law/sd_v_mjr.pdf .) S.D., age 17, was married in Morocco in an arranged marriage on July 31, 2008, to M.J.R., a man she did not know. In August, they moved to New Jersey where M.J.R. has employment. After being unable to prepare a meal for her husband and six invited guests on November 1, M.J.R. began pinching S.D. deeply with his fingers on her breasts, under her arms, and around her thighs, leaving bruises severe enough to be photographed by the police three weeks later. This abuse continued for approximately one hour.

A similar incident guest meal incident occurred on November 16. This time M.J.R. forced his wife to remove her clothes, pinching her breasts and grabbing her pubic hair. He told her, "You must do whatever I tell you to do. I want to hurt your flesh, I want to feel and know that you're still my wife." After that he forcibly raped her, even though her vagina very, very swollen and she was in pain.

On November 22, S.D. locked herself in the bedroom after another dispute, and M.J.R removed the latch from the door and engaged in non-consensual sex. Although she was crying, her mother-in-law and sister-in-law in the next room did not come to her assistance. When S.D. tried to escape from the apartment, M.J.R assaulted her by repeatedly slapping her face causing her lip to swell and bleed. She finally escaped through a broken window without shoes or proper clothing for the below-freezing temperatures and was rescued by a Pakistani woman who took her to the police. She found refuge with a Moroccan nurse from Christ Hospital. On December 22, S.D. learned she was pregnant.

On January 15, a reconciliation meeting was arranged involving the local mosque imam, the nurse, and the young couple. It was concluded with M.J.R. promising to stop mistreating and cursing his wife. The couple shared the same apartment that night, whereupon M.J.R. engaged in non-consensual sex three times and additionally in the following days. M.J.R. told his wife, "This is according to our religion. You are my wife. I can do anything to you. The woman, she should submit and do anything I ask her to do." S.D. was imprisoned in the apartment and deprived of food or use of a telephone. Finally, on January 24, the imam granted a divorce, but the divorce could not be effective until the child was delivered – some eight months in the future.

Disposition: S.D. filed a civil complaint charge of marital rape (sexual battery) and obtained a temporary restraining order on January 25, 2009. The same complaints were filed in Superior Court on January 29. The defendant did not testify in the subsequent trial, but both his mother and the Imam testified in his defense. While the fact that marital rape and the other acts of domestic abuse documented in the complaint were against the law was not in dispute, the case hinged on whether the defendant acted with "criminal intent" – a necessary element for conviction. The judge ruled, "The court believes that [M.J.R.] was operating under his [religious] belief that it is, as the husband, his desire to have sex when and whether he wanted to, was something that was consistent with his practices and it was something that was not prohibited." The judge found that the defendant did not act with a criminal intent when he repeatedly insisted upon intercourse, despite plaintiff's contrary wishes. The judge also ruled that a final restraining order would not be necessary, as the couple had separated. (While he did acknowledge that there would have to be further litigation over custody of the baby and child support, the judge did not see that as a possible cause for further threats or violence.)

The court's decision was appealed to the Superior Court of New Jersey, and on July 23, 2010, the court reversed the lower court's decision. (Considering that probably only 1 in 100 court decisions are appealed, this one case may represent hundreds of domestic violence cases that are ruled in favor of the violent husband behaving according to Sharia Law.) The Superior Court found that the First Amendment's guaranty of religious freedom was not intended to preclude compliance with statutes under State or Federal law. Quoting from Supreme Court decisions, "Laws are made for the government of *actions*, and while they cannot interfere with mere religious belief or opinions, they may with practices.. [Otherwise, it would] make the professed doctrines of religious belief superior to the law of the land, and in effect to permit every citizen to become a law unto himself. Government would exist only in name under such circumstances… Ignorance of a fact may sometimes be taken as evidence of a want of criminal intent, but not ignorance of the law… It matters not that his belief was part of his professed religion; it was still a belief, and a belief only. [The First Amendment] embraces two concepts, -- freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be. Conduct remains subject to regulation for the protection of society."

S.D. was finally granted a restraining order long after her baby was born, but as far as could be determined, M.J.R. was never charged with sexual battery.