

Sudan: Noura Hussein, teenager who killed husband after he raped her, is sentenced to death

Monday 14 May 2018, by [ABDEL-MAGIED Yassmin](#), [BEAUMONT Peter](#), [HELIE LUCAS Marieme](#), [JACOBSEN Scott Douglas](#) (Date first published: 13 May 2018).

Activists in last-ditch effort to save 19-year-old condemned to death for stabbing the man she was forced to marry as he assaulted her. A 19-year-old Sudanese woman has been condemned to death by a court in Omdurman for stabbing to death the husband to whom she was forcibly married, who she says raped her with assistance of his family.

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The death penalty for Noura Hussein was confirmed by a judge on Thursday after her husband's family rejected the possibility of financial compensation and instead asked for her to be executed.

The case has attracted widespread attention on social media, where a campaign Justice for Noura has been trending on Twitter.

Her legal team now has 15 days to appeal the sentence.

After her initial sentence, Hussein told supporters: "It was a shocking moment when the judge convicted me with murder. I knew then that I [would] be executed, leaving my dreams unfulfilled."

The case, which once again highlights the issue of forced marriage and marital rape in a number of countries, is striking for its shocking details.

Married by her family at 16, Noura fled to take refuge at an aunt's house for three years before she was tricked into returning home by her own family, who then handed her over to her husband's family.

According to her supporters - including the activist group Equality Now, which is backing a petition organised on her behalf - Hussein had been with her husband for six days when he raped her with the assistance of his brother, a relative, and a witness, who held her down.

When I left the court the rapist's family were clapping with joy and had smug looks on their faces - I was disgusted

Trial witness

"She would not have sex with the man," Sarah ElHasan, an activist supporting Hussein's case, told

al-Jazeera. "He recruited some of his cousins and brought them [to his] home where they held her down while her husband raped her."

When he attempted to rape her again the following day, she stabbed her husband to death before going to her own parents, who handed her over to police.

Muawya Khidir, a member of Hussein's defence team, told local media that the death penalty was not appropriate since Hussein was defending herself at the time of the killing and was mentally and psychologically disturbed as a result of rape.

One supporter, who attended the hearing, posted details on Twitter: "They allowed us to enter the courtroom and I got to sit in the front with a colleague of mine. We waited at least 20 minutes until the judge came and [asked] Noura to enter. Noura was alone [and] no one from her family came with her.

"There was a good amount of supporters that were on her side. They reintroduced the case and so the judge eventually asked the rapist's family what they want to happen. The judge also did mention that they should forgive her. But the family chose execution.

"When I left the court house the rapist's family were clapping with joy and had smug looks on their faces - I was disgusted."

Following confirmation of the sentence on Thursday, Equality Now, which has taken up Noura's case, said it would be writing to the Sudanese president, Omar al-Bashir, to ask for clemency.

"We are also calling on people around the world to sign the [change.org](https://www.change.org/p/stop-the-death-penalty-for-noura-hussein) petition in support of Noura," said Tara Carey of Equality Now.

"Noura is not a criminal, she is a victim - and should be treated as such. In other countries, victims of rape and domestic violence like Noura would be provided services to ensure that they overcome the trauma of their experiences.

"Criminalisation of Noura for defending herself from assault and, in particular, a death sentence, would violate her rights under the Sudanese constitution and international law.

"Noura has been subjected to both physical and mental abuse by her family and husband, and this is a violation of Articles 14 (protection of children) and 15 (no marriage without free and full consent) of the constitution.

"The constitution further provides that the 'state shall protect women from injustice and promote gender equality', and that 'all persons are equal before the law and are entitled, without discrimination, to the equal protection of the law.'"

Peter Beaumont

* The Guardian, Fri 11 May 2018 03.03 BST First published on Thu 10 May 2018 14.21 BST
<https://www.theguardian.com/global-development/2018/may/10/teenager-who-killed-her-husband-after-he-raped-her-is-sentenced-to-death-in-sudan-noura-hussein>

Online outrage at Sudan death sentence for girl allegedly raped

KHARTOUM (AFP) - The sentencing of a teenage Sudanese girl to death for killing her husband has sparked online outrage, as Amnesty International said she was defending herself against being raped.

Noura Hussein Hammad, 19, was handed a death sentence by a court on Thursday for the "intentional murder" of the man her father forced her to marry.

"Noura is a victim and not a killer. Noura has been raped by her husband," Sudanese novelist Hamour Zyada wrote on Facebook on Saturday (May 12), as part of a campaign tagged #justicefornoura.

"We have to come together to rescue Noura," Zyada added - a sentiment echoed by others.

"We all have to unite for rescuing Noura and to fight against marital rape," wrote prominent women's rights activist Amal Habbani on Facebook.

Several activists changed their profile pictures on Twitter and Facebook to a painting depicting a white veil and three clenched female fists, to show solidarity with Hammad.

"All Sudanese people, activists and women's organisations must unite to fight for justice for Noura," tweeted political activist Amani Ahmed.

Hammad was married against her wish to Abdulrahman Hammad at the age of 16, with the first ceremony involving the signing of a marriage contract between her father and her husband, Amnesty International said in a statement on Thursday.

In April 2017, the second part of the marriage took place when she was forced to move to her husband's home after completing high school.

When Hammad refused to consummate the marriage, her husband invited two of his brothers and a male cousin to help him rape her, the rights group alleged.

"On 2 May 2017, the three men held Noura Hussein down while Abdulrahman raped her," Amnesty International said.

"The next morning he tried to rape her again but she managed to escape to the kitchen where she grabbed a knife." In the ensuing scuffle, Abdulrahman sustained fatal knife wounds."

Hammad fled to her family home after the incident but her father handed her to the police, Amnesty said.

During her trial in July 2017, the court found her guilty of "intentional murder" after applying an outdated law that does not recognise marital rape, the rights group added.

"The way her family treated her is something that happens all the time in our community. We have to fight for her," said political activist Amjad Fareed in a Facebook post on Saturday.

In recent years, women and children's rights activists in Sudan have campaigned against forced unions and marriage of underage girls, a widespread phenomenon in a country where the law allows children over the age of 10 to marry.

* MAY 13, 2018, 1:01 AM SGT:

<https://www.straitstimes.com/world/africa/online-outrage-at-sudan-death-sentence-for-girl-allegedly-raped>

A Sudanese teenager killed her rapist, and Muslim women are fighting for her life

Islam is often blamed for violence towards 'oppressed women'. The case of Noura Hussein, who is sentenced to death, shows otherwise.

Violence against women does not discriminate. One in three women across the globe experience physical or sexual violence in their lives, regardless of race, age or income. Intimate partner violence is the most common form, with physical violence occurring to as many as two out of three women who have ever been in an intimate partnership.

This is not news, and yet, the difference in how this violence is discussed is stark, depending on where and by whom it has been perpetrated. When the violence occurs in majority Muslim countries, pundits are quick to blame Islam itself, instead of noticing the army of Muslim women who are fighting for their rights within the faith, and defending women - and themselves - at all costs.

Noura Hussein, a young woman from Sudan, provides an instructive and urgent example. At the age of 16, Noura was forced into a marriage by her father. She refused and escaped from her family home near Khartoum to stay with her aunt in Sennar, around 250km away. She lived there for three years, determined to finish her education, when she received word that the wedding plans had been cancelled, and she was welcome to come home.

On her return, it became apparent that she had been tricked. The wedding ceremony was underway, and Noura was duly "given" to the groom. Distraught, the 19-year-old refused to consummate the marriage for a number of days. Within the week, her husband's tactics became increasingly aggressive. Noura's husband raped her, with the help of relatives who pinned her down during the act.

When the husband returned the next day to repeat the crime, Noura retaliated. She stabbed her husband a number of times, ultimately killing her rapist. She thereafter returned to her family, who reportedly then disowned her and turned her over to the police.

Over a year later, on 29 April, 2018, Noura was convicted of murder. On 10 May, she was sentenced to death. Her family was offered the choice of either accepting monetary compensation for the crime, or execution. They chose the latter. Now the family and community have 15 days to appeal the sentence. They are hoping to overturn the decision to execute Noura for defending herself against physical and sexual violence, and navigating an impossible situation that no young woman should ever face.

Noura's story is perhaps not unusual in a world where intimate partner violence is rife. However, there is something about Noura's case that is indicative of a wider truth. The majority of people involved in raising awareness about this young woman's case are other Sudanese Muslim women. The lawyers working on the case in Washington DC are members of the Sudanese diaspora, and

word of the case reached me through another Sudanese writer's Instagram and blogposts. The majority of people fighting for Noura are women, Muslim women.

This reality flies in the face of those who claim that Muslim women are oppressed, submissive or believe in a religion that takes away their rights. It also stands in complete opposition to men who try to use a warped version of sharia to justify any part of such a situation - the forced marriage, the rape, the sentencing. The women arguing on Noura's behalf point to both law and theology: to be wedded without consent is forbidden in Islam. Child marriage is still practiced, although women continue to fight the laws and traditions that allow it.

However, as happens so often in cases like this, the story becomes an opportunity for the airing of grievances and prejudices about Islam, through the argument of advocating for women's rights. Islam is violent, people will say, because of how they treat their women - and look, here is an example that reinforces that argument!

Let the women who are advocates for #JusticeForNoura be an example of how that is fundamentally incorrect. The burden on Muslim women is impossibly heavy - to defend themselves against both the ignorance of non-Muslims with an Islamophobic agenda, and the deeply patriarchal norms that exist within interpretations of sharia around the world. To paraphrase Dr Susan Carland, Muslim women forever face a catch-22. However, when the fight truly is on, as in the case of Noura, they are the first to step up to fight for each other's rights and protection. Tell me, how is that oppression?

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* The Guardian, Thu 10 May 2018 16.52 BST Last modified on Fri 11 May 2018 09.58 BST:

<https://www.theguardian.com/commentisfree/2018/may/10/sudan-noura-hussein-murder-rapist-islam-women>

On Noura Hussein Hammad being sentenced to death

INTERVIEW WITH MARIEME HELIE LUCAS

Friday 11 May 2018, by Marieme Helie Lucas, siawi3

Source: <http://corneliuspress.com/2018/05/11/marieme-helie-lucas-on-noura-hussein-hammad/>

Scott Douglas Jacobsen: Cornelius Press is located in South Africa. It is the first progressive publication, as far I as I am told, in South Africa and Southern Africa for that matter.

Noura Hussein Hammad has been given the death penalty for murdering a husband who she was forced to marry and who raped her within the marriage. How common is this story the MENA region? Does this tend to extend within the fundamentalist religious group in general, e.g. those found in Southern Africa too?

Marieme Helie Lucas: First of all, it is not just a marital rape, it is also a gang rape insofar as she was held down by several of the husband's male relatives on the 5th day of their legal marriage, after steadily refusing first of all to get married to him and then to have sex with him.

She did not sign her marriage contract and was given in marriage by her matrimonial tutor or wali, in this case, her father. It is only the day after this first rape, when he attempted again to rape her that she stabbed him in self-defense. I think we need to spell out these horrendous circumstances.

Now, marital rape is common the world over and women and rights defenders - always - had to struggle for a long time before having it criminalized. It is neither specific to a region, nor to Islam or to a school of thought in Islam.

However, it is true that bad practices and ultraconservative interpretations of Islam that legitimize patriarchy in all its forms are on the rise everywhere and facilitate the extension of the worst cultural practices: for instance, the concept of wali, which was unheard of in many predominantly Muslim countries, is now being propagated in the name of Islam; so is FGM, an Egyptian practice of sexual mutilation of women that predates Islam (as it originates in Ancient Egypt), which fundamentalist preachers, right now, are trying to expand to South East Asia and the Maghreb in North Africa where it was unknown till recently.

Jacobsen: Hammad has less 15 days to appeal the case. What external pressure can come from other countries in order to change the highly punitive and gender discriminatory legal system found in many Islamic theocracies or Muslim majority countries for that matter?

Helie Lucas: First of all, there is internal pressure, both from within Sudan where women's rights and human rights defenders are on high alert and from within predominantly Muslim countries where progressives started defending Noura and her lawyers.

It is essential that external pressure come in support to those progressive forces from within, and in alliance with them. Ignoring the high level local protest would be totally counter productive, and will amount to putting such a blatant denial of fundamental human rights - self defense in a case of rape - into a political context of 'good West' against 'bad Islam'.

The so-called Muslim world is very far from being homogeneous, hence marriage laws range from granting no rights at all to women within the marriage to granting equal rights - and responsibilities - to both spouses in more democratic countries.

In all countries, whether predominantly Muslim, Christian, other or secular, democratic forces struggle long and hard in order to defend fundamental human rights - especially but not exclusively for women.

Jacobsen: If Hammad dies, what will this symbolize as with other potential tragedies in loss of life simply fighting for their well-being and dignity?

Helie Lucas: I do not want to believe for one second that we, the progressive forces the world over and especially those within Muslim contexts, will allow for death penalty to be applied to such a young woman, a victim of child marriage, forced marriage, rape, and many other violations of universal rights.

We should just keep actively fighting for her rights till her life is saved. Appeals for pardon have already been sent to the Sudanese president, petitions have popped out on Aawaz and on Change; they are massively signed. There is a very active and courageous Sudanese website in defense of

Noura.

Vocal progressive theologians of Islam started speaking up. Sudan's Constitution and international human rights treaties that Sudan signed should be called upon to protect Noura's life.

Jacobsen: Thank you for the opportunity and your time, Marieme.

Scott Douglas Jacobsen is the Founder of In-Sight Publishing and In-Sight: Independent Interview-Based Journal.

* Posted on May 11, 2018 by Cornelius Press:

<http://corneliuspress.com/2018/05/11/marieme-helie-lucas-on-noura-hussein-hammad/>

In Conversation with Marieme Helie Lucas on Noura Hammad's Death Penalty

Scott Douglas Jacobsen: Noura Hussein Hammad is a Sudanese woman up for the death penalty at only 19-years-old. Why?

Marieme Helie Lucas: She was given in marriage at age 15 by her wali (matrimonial tutor, as law permits in Sudan) against her expressed will, steadily reiterated during four years.

When she was finally taken to his house for the consummation of the marriage at age 19, she refused to have sex with him; on the 5th day, he called upon his male relatives to hold her down and raped her in their presence; the day after when he attempted to rape her again, she stabbed him in self defense.

She willingly went to the police station with her father to explain the circumstances. She is a victim of child marriage, forced marriage, rape and any other violations of her fundamental human rights.

However, yesterday, she has been sentenced to death by hanging and her lawyers have 15 days to appeal of the judgment. It is a very short time to try and save the life of this courageous young victim who never failed in her determination to be respected as a human being and to defend her dignity.

Women's rights and human rights defenders who are fighting on Noura's behalf in Sudan believe the case needs to be supported from outside. The Constitution of Sudan, the Human rights treaties Sudan signed should help protect her; but we need to coalesce protests from within and from outside the country.

Appeals have been sent to the President of Sudan. I encourage everyone to sign on the online petitions that are now widely circulated of Aawaz and on Change; to lobby their nearest human rights organizations; to call upon media to provide an accurate picture of the situation and not a biased or racist or ethnocentric one.

Jacobsen: What role do religion and some men's perception of their ownership of women play into this?

Helie Lucas: Marriage laws in Sudan are based on religious interpretations of Islam. This is the case

in many but not all so-called Muslim countries.

Even within the countries which expressly claim their choice of applying religious laws, those vary greatly from one country to another, in some cases granting no rights at all to women within marriage, in other cases granting equal rights and responsibilities to both spouses, with all the shades in between.

Various factors can explain these differences that include different interpretations of religion, of course, but also the incorporation of traditional practices into what is being propagated as religion itself (such as female genital mutilation), or simply the stage of democratic and progressive forces in a specific country.

To give you a graphic example, two neighboring countries such as Algeria and Tunisia, both culturally homogeneous as located in North Africa, and religiously homogeneous as both are following Maliki ritual, had opposite laws regarding polygyny: in Algeria it was legal as per the first part of the verse of the Koran which allows each man four wives and as many concubines he can support; in Tunisia it was banned as per the second part of the same verse 'provided he can treat them perfectly equally'—the Tunisian legislators, as early as 1956, immediately after independence, ruled that no human being can possibly treat his wives perfectly equally—he can give them same money, same dress, same jewelry but not same love, hence they concluded this was a deterrent regarding polygamy.

This debate about 'true' interpretation of religion is not specific to Islam: you can see something very similar in predominantly Christian countries whose laws, for instance on reproductive rights, vary greatly from one to the other. Similarly, even among Catholics views are different on contraception, whether one listens to the Vatican, to the Opus Dei or to liberation theologians in Latin America.

The fact is that patriarchy always made alliances with the most regressive forces within religions—we see that with Hinduism and even Buddhism which enjoys such a good reputation among westerners these days -, and that women's human rights are greatly affected in the process.

For the past few decades, the most conservative trends have been steadily growing within Islam; this entails, among other things, a tightening on democratic and progressive forces, on women's and human rights organizations, changes in laws that are reformulated in order to fit new regressive interpretations of religion, etc...

Jacobsen: What has been the outcry from the general public over this?

Helie Lucas: There is an outcry in Sudan itself, with human rights and women's rights organizations at the forefront. There is a very courageous website in defense of Noura, run by Sudanese from within Sudan. There are two online petitions on Aawaz and on Change being circulated. They are massively signed.

Opposition to the judgment grows also from within predominantly Muslim countries in Africa, in South Asia, in South East Asia. Now Europe and North America have joined in the worldwide protest. It is very important that efforts be made in support to one another. For this reason, it cannot be based on superiority and accusation of barbarity whether against Africans or against Muslims as such.

Our success in promoting a respectful coverage of the situation—with due credit to the courageous Sudanese fighting for rights from within -, the fact that Sudan's Constitution should allow for the protection of Noura's human rights, the fact that Sudan is a signatory to several human rights

conventions and treaties, may be crucial in preventing a defensive reaction from the Sudanese authorities, and could greatly affect Noura's fate.

This judgment is a blatant denial of fundamental human rights, it was a matter of self-defense in a case of marital rape; it should remain a human rights, women's rights and child rights issue and not be turned into a religious issue.

Scott Douglas Jacobsen is the Founder of In-Sight: Independent Interview-Based Journal and In-Sight Publishing. Jacobsen supports science and human rights.

May 11 2018 Marieme Helie Lucas is an Algerian sociologist, activist, founder of 'Secularism is a Women's Issue,' and founder and former International Coordinator of 'Women Living Under Muslim Laws.'

* Siawi, Updated September 28, 2016. Published on Siawi Saturday 12 May 2018:
<http://www.siawi.org/article17198.html>

Source:

<https://medium.com/@scott.d.jacobsen/in-conversation-with-marieme-helie-lucas-on-noura-hammads-death-penalty-fd6ded795137>

Petition: Justice For Noura | Don't execute Noura for self defense against the man who raped her!

* <https://www.change.org/p/justice-for-noura-maritalrape-deathsentence-sudan>
