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Ruling Jolts Even Saudis: 200 Lashes for Rape Victim

By RASHEED ABOU-ALSAMH

JIDDA, [Saudi Arabia](#), Nov. 15 — A Saudi court on Tuesday more than doubled the number of lashes that a female rape victim was sentenced to last year after her lawyer appealed the original sentence. The decision, which many lawyers found shocking even by Saudi standards of justice, has provoked a rare public debate about the treatment of women here.

The victim's lawyer, Abdulrahman al-Lahem, a well-known human rights activist, drew the court's ire because of his strong public criticism of the handling of the case. He has called his client's conviction unjust and said the sentences of the seven men who raped her were too lenient.

He is also known for his past defense of critics of the monarchy.

The victim's name has not been released. She was raped about 18 months ago in Qatif, a city in the Eastern Province, and has become known in the Saudi media as "the Qatif girl." She was 19 years old at the time of the assault.

Her case has been widely debated since the court sentenced her to 90 lashes a year ago for being in the same car as an unrelated man, even after it ruled that she had subsequently been raped. For a woman to be in seclusion with a man who is not her husband or a relative is a crime in Saudi Arabia, whose legal code is based on a strict Wahhabi interpretation of Islamic law.

Adding to the charged political nature of the case, the victim is a member of the kingdom's Shiite Muslim minority.

Mr. Lahem's license to practice law has been suspended and he is facing a hearing before a Ministry of Justice disciplinary committee on Dec. 5 in Riyadh for appearing regularly on television and talking about the case.

Judges of the Qatif General Court have accused him of trying to tarnish the court's image by talking to the media.

The young woman's offense was in meeting a former boyfriend, whom she had asked to return pictures he had of her because she was about to marry another man. The couple was sitting in a car when a group of seven men kidnapped them and raped them both, lawyers in the case told Arab News, a Saudi newspaper.

The woman and the former boyfriend were originally sentenced to 90 lashes each for being together in private, while the attackers received sentences ranging from 10 months to five years in prison, and 80 to 1,000 lashes each.

Mr. Lahem appealed the attackers' sentences, saying that they were too lenient and that the treatment of the victim was too harsh. In its new decision issued Tuesday, the court increased the victim's sentence to 200 lashes and six months in jail. It also increased the sentences of her attackers to prison terms of two to nine years.

The woman remains free for the time being and has not yet been lashed.

Lashing is a common sentence under the Saudi penal code, applied for crimes ranging from homosexuality and drinking alcohol to theft and adultery. Usually, lashes are meted out in increments because offenders could not survive hundreds of lashes at once. The administrator of the punishment is supposed to hold a Koran under his arm so he cannot swing the whip too fiercely; lashes are not supposed to leave permanent scars. The sentence is frequently delivered in public, often at the entrance to a jail.

"I don't agree with this judgment," Bassem Alim, a lawyer in Jidda, said of the woman's sentence. "I think it's overly severe. She should not be punished for going to the media and explaining her case."

Mr. Alim, a friend of the victim's lawyer, said the standard punishment for adultery is 60 to 80 lashes, so the sentence was unusually harsh, even for Saudi Arabia.

“I don’t think she was committing adultery in that car,” Mr. Alim added.

Some liberal commentators said her sentence highlighted the justice system’s failure to treat women fairly.

Abeer Mishkhas, a columnist who writes frequently about women’s rights, wrote in Arab News that the woman seemed to have been singled out for particularly draconian treatment. Ms. Mishkhas noted that a Riyadh court sentenced a Nigerian man to six years in prison and 600 lashes for rape, and an accomplice who filmed the offense was sentenced to 12 years in prison and 1,200 lashes.

“What is the difference in the two cases?” Ms. Mishkhas wrote. “The girl in the Riyadh case was not punished though she had been involved earlier with one of the men. The Qatif girl was sentenced to 90 lashes because the court suspected the ‘intention of doing something bad.’”

Mr. Lahem told Agence France-Presse that the court might be subjecting him to pressure because of his past criticism of the judiciary.

He declined to be interviewed for this article. In the past he has occasionally refused to speak to the news media because he said he had been ordered not to by the government.

Mr. Lahem has had run-ins with Saudi authorities since he represented three Saudis who were jailed in 2003 for calling for a constitutional monarchy, a severe crime in a country where the power of the royal family is absolute. He was also jailed at one point for several months and his passport was removed to prevent him from traveling abroad after he criticized the judicial system on [Al Jazeera](#), the television network.

“I am skeptical of the reasoning used by the court in seeking to punish Al Lahem,” Mr. Alim said. “He’s a good friend of mine and I know it is not in his nature to make fun of or belittle the courts. I hope he is cleared at the hearing.”

The victim is now married, and her husband told local reporters that he planned to appeal the verdict.

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