

Is There a Legal Problem with \223Hate Crimes?\224  
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The definition of \223hate crime\224 is one of those overkill legislative initiatives with unforeseen consequences. It is noble to recognize that some people commit crimes out of hate, but a murder is a murder, and this should be enough.

How can we possibly know a criminal\222s inner thoughts (his hatred for his victim); furthermore, even if we can know this for certain, what difference does it make to the victim? The hatred of the murderer should only reflect upon the ultimate sentencing: premeditated and aggravated murder.

I recall a case last November in El Cajon, California, in which an Iraqi woman immigrant was found in her home, beaten to death, with a note beside her that warned all \223terrorist Arabs\224 to go back to their countries. This crime was immediately snatched up by the legal arm of the Muslim Brotherhood, CAIR, as an illustration of \223Islamophobia.\224 Their outrage at how badly Muslims are treated in the United States accompanies their ongoing campaign against national security officials spying on Mosques and Muslim student clubs in universities. Surveillance should be conducted where there is likelihood of criminal activity and where one follows the numbers.

Now, it seems that the El Cajon Iraqi woman was not killed by an Islamophobe at all. She was killed, as are so many Muslim women, by her near and dear. This was an \223honor killing\224 against a woman who was seeking a divorce (dishonoring her abusive husband, no doubt). One other member of that benighted family also needs protection: the murdered woman\222s daughter, who refuses to marry a cousin selected for her. She has the temerity to want to have her own choice of spouse, and I hope she has police protection and a women\222s shelter in which to hide.

Honor killings are indeed hate crimes (the obvious underlying disdain leveled at women in pious families, not just Muslim families). However, it is mostly in traditional Muslim families that the hatred is acted upon and wives and daughters murdered. Perpetrators of such crimes must be convicted as murderers, and their honor-killing motives indicate premeditation.

In the past and in certain places (France, for one), a man who found his wife in bed with a lover could kill her in an \223act of passion,\224 in which premeditation was not a condition and his legal punishment mild. Honor killings are not in this category.

Gathering statistics on this horror is difficult because officials tip-toe around something that might be considered Islamophobic. However, there are significant differences between husbands murdering wives, still too frequent in America, and honor killings, which is a premeditated family collaboration. Murder by the family of origin is estimated at 72 percent in the Muslim world\222s honor killings and at 49 percent among North America honor killers. European families, immigrants from the Muslim World, have numbers similar to their countries of origin. The victims of honor killings were by far younger than western victims of wife abuse and fathers were involved more than 1/3 of the murders in North America. Worldwide, 42 percent of these murders were carried out by multiple perpetrators. (See Worldwide Trends in Honor Killings: Middle East Quarterly.)

Worldwide, more than half the victims were tortured before dying. In North America, over 1/3 were tortured; in Europe, 2/3 were tortured; in the Muslim world, half were tortured.

Motives for these murders include: the victims were \223too western\224 and/or they resisted or disobeyed cultural and religious expectations. \223Too western\224 means independent, not subservient enough, refusing to wear veils, wanting to advance education and a career, or having friends or dating young people of another religion.

Violence against women and children in our own country often escalates to murder, but they are not called \223hate crimes,\224 and certainly not \223honor crimes.\224 These are murders---some premeditated, some not, and are not excused because of drugs or alcohol. Murder is murder. Domestic violence is violence. Incest is rape. We need to get back to recognizing crime as crime without looking for excuses for these offenses. And for those states with death penalties, honor killers should qualify.

679 words

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