

Yazidi Women:

The Concubines of the 21st Century

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Abstract

Throughout the centuries, the Islamic stance regarding slavery has been the subject of fierce debate. At the dawn of the 21st century, the subject of slavery is still at the heart of a significant discussion that promotes a hierarchical relationship between men and women. The sexual enslavement of Yazidi women by the so-called Islamic State of Iraq and Syria (ISIS) has once again proven the cyclical nature of time in dealing with women-related issues in societies undergirded by patriarchy. Deeply rooted in the political context, the system of slavery leads to many forms of gender-based discrimination, as well as the violation of women's rights.

Keywords: Slavery, gender, Iraq, Yazidi, Islamic state.

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With the US-led invasion of Iraq in 2003 and the subsequent economic, social, cultural, and religious consequences to the structure of society, women were among the first to be impacted. They suffered from severe forms of violence justified by extremist sectarian grounds. Years later, with the rise of ISIS, the sexual enslavement of Yazidi women has been condemned and considered a crime against humanity by the international community. Nevertheless, reactions have been ambiguous and unrealistic in terms of dealing with the misery of women who have been enslaved. Because they are not considered "people of the book" (*ahl al-kitab*), Yazidi women have been subjected to violence by extremists and have endured apathetic reactions from local Muslim communities that question their ordeal. Religious parties and scholars have neither adopted a clear stance nor issued a *fatwa* that overtly forbids the heinous crime of enslaving Yazidi women. Further, their reaction has been mostly limited to a verbal condemnation of this crime.

Some parties have denied the occurrence of this crime and were surprised by the existence of slavery in our time, assuming that Islam forbids such atrocities. These assumptions were based on the prohibition of slave markets in Muslim communities at the beginning of the 20th century. However, this prohibition has not been openly stated in a judgment issued by Muslim jurists, given the lack of clear Quranic texts on the topic. Instead of expressly forbidding slavery, Quranic texts approach it in a more "humane" manner when compared to the pre-Islamic era.

It is no longer possible to adhere to the initial interpretations of Quranic texts from the 7th and 8th centuries under the pretext that they are sacred and absolute. The strict meaning of the so-called “right hand possession” (*mulk al-yamin*) - the right to slavery - was the status quo at the time. With slavery having been historically abolished in all communities, Quranic texts related to “right hand possession” have become controversial. As a result, Muslim jurists face a serious challenge: the Quran might be subject to historical determinism if jurists continue to hold on to the initial interpretations of the text and its rulings (Shahrour, 2000). This inaction has enabled ISIS to take advantage of the principles of *fiqh* (Islamic jurisprudence) in concurrence with the ever-changing developments in the Middle East. The favorable political and social environment has not only contributed to the founding and expansion of the group in areas between Iraq and Syria, but also to the recruitment of fighters worldwide.

After ISIS utilized *fiqh* to justify the enslavement of Yazidi women, as well as the decapitations, mutilations, bombardment of civilians, and dissemination of panic and terror, opposing Islamic discourses emerged to prove that such practices have nothing to do with the traditions of Islam and *fiqh*. Many commentators explain that ISIS has erratically selected principles from the history of Islam without taking into consideration the interpretation and conclusions drawn by Muslim jurists who derived, at some point in history, the principles of *fiqh*. These commentators use evidence retrieved from the Quran and *sunnah*¹ to argue that ISIS is resorting to obsolete and partial opinions that are generally rejected by the traditional *fiqh* scholars.

The barbaric actions and violations committed by ISIS remain controversial. In fact, they are not limited to Yazidi women. Life under ISIS control deprives all women of their basic rights, such as access to the public sphere, access to education, and access to employment. Such rights are still debatable in some Islamic communities. Religious discourse in the *fiqh* tradition has not found any conclusive scriptural or jurisprudential evidence to prohibit ISIS’ abusive actions against women, namely Yazidi women. This is coupled with the indifference of regional political regimes that have conflicting stances concerning human (and women’s) rights and Islam. Unfortunately, this inconsistency has created a favorable environment for the development of extremist movements and has undermined efforts to establish states that promote gender equality and women’s full citizenship in the region.

ISIS and the Dualism of Religion and Politics

Many studies have tried to understand the nature of ISIS and the characteristics that differentiate it from other extremist groups. Most of the studies reveal that ISIS is an extension of Al Qaeda, dressed with a new identity and vision. ISIS emerged from Al Qaeda in Mesopotamia after the invasion of Iraq by the United States in 2003. Initially, both the internal situation and the sectarian tensions in Iraq shaped Al Qaeda’s path and orientation in Mesopotamia. This widened the gap between Al Qaeda’s objectives in Mesopotamia and those of Al Qaeda in general, whose targets were Western countries that supported totalitarian regimes in the Arab world. Sunni-Shi’a conflicts fueled the killings and suicide attacks that targeted unarmed civilians and crowded markets rather than the American or Iraqi army (Cockburn, 2015).

The ongoing sectarian tensions in Iraq, exacerbated by the Iraqi government’s policies,

were also impacted by the burden of sectarian and confessional tensions. Such tensions also intersect with the conflict in Syria. Both the Syrian and the Iraqi governments failed to establish legitimacy in their territories, which has led to the fusion of Al Nusra Front and the Islamic State of Iraq and to the establishment of ISIS on April 9, 2014 (Cockburn, 2015).

The establishment of ISIS did not lead the Iraqi government to abandon the policy of exclusion against the so-called "Sunni Triangle", where residents of the Sunni provinces especially Anbar and Mosul, took part in massive anti-government demonstrations that swept neighboring Arab countries (Abu Hinya & Abu Al Raman, 2015, p. 125). These demonstrations denounced the policies of the Iraqi military, arbitrary political arrests, demeaning checkpoints, the centrality of decision-making, financial and administrative corruption, and increasing poverty and demographic change. As for the government, it resorted to violence to stop the demonstrations and disperse crowds (Abu Hinya & Abu Al Raman, 2015, p. 125).

The fact that ISIS grew first in the governorate of Nineveh² is not a coincidence (Ali, 2015). In fact, the political developments, as well as the social, cultural, religious and demographic aspects of the governorate all contributed to the emergence of ISIS. The political and security situation of the governorate deteriorated after the US invasion in 2003. Most of the citizens of Nineveh, a Sunni-majority governorate, were involved with the Iraqi regime; they even held key positions in the Ba'ath party and one third of the population served in the former Iraqi army.

In 2003, the head of the Coalition Provisional Authority of Iraq, L. Paul Bremer, dissolved the army. Consequently, the majority of Nineveh's population lost their jobs. The Ba'ath party was banned and de-Ba'athification was adopted. Even civil employees lost their jobs if they had been party members before 2003.

Sectarian conflicts erupted in Nineveh in 2004 after a number of Sunni Muslim scholars, through the Association of Muslim Scholars, called for the use of violence and invited Sunni groups to fight the occupation and the national army and to boycott all political endeavors in Iraq. Such developments were associated with policies of discrimination and inequality adopted by the government. This fueled the escalating sectarian violence in Nineveh. After the Sunni majority boycotted the parliamentary elections of 2005, Kurdish parties took advantage of the power vacuum and took over the Provincial Council of Nineveh.

In 2009, the federal government regained control of the Provincial Council of Nineveh and the national army, with a minority of Sunni members, re-established control over the governorate. They relocated the Kurdish Security Forces and Peshmerga forces to the borders of the disputed territories between the Kurdish region and the federal government. Killings, kidnappings, and violence continued between 2005 and 2010. Conflicts over political and administrative powers in the disputed territories arose between Shi'a and Sunni politicians and political entities in Baghdad on the one hand, and Sunni and Kurdish political parties on the other. Administrative corruption contributed to the conflict between the local government of Nineveh and the federal government in Baghdad.

The key events that heightened tensions were the withdrawal of American troops from Iraq in September 2011 and the strict control that the national Iraqi army gained over the governorate of Nineveh. The population of Nineveh accused the national army of adopting policies of discrimination and torture against them; therefore, they considered ISIS' invasion of Nineveh an omen of victory (Activist from Mosul, personal communication).

Yazidi Women Under ISIS: The Challenge of Interviewing Survivors

While reading an article by a Yazidi writer and journalist, I felt the urge to explore the issue of Yazidi women who were killed, captured, raped and/or displaced by ISIS. The article reported that the Baba Sheikh – the Yazidi spiritual leader – “forgave” Yazidi women and girls who managed to escape from ISIS captivity. The Baba's forgiveness provoked me to ponder the status of Yazidi women. I considered the reasons that compelled women to withstand the consequences of the crimes, notably rape, perpetrated against them. Why were Yazidi women fortunate enough to have received forgiveness for what happened to them (abduction, rape, and sexual slavery) in a milieu where women in their situation are often disgraced and killed for having caused a breach in the community's honor?

These questions, which were the starting point for my study concerning Yazidi women, changed as I began interviewing escapees from ISIS captivity. I developed a better understanding of how the Yazidi community treated them and how Yazidi scholars and families welcomed and supported them. At the Baba Sheikh's request, all Yazidi women who had escaped from ISIS went to the Yazidi temple at Lalish³ to be re-baptized. The second baptism implied that escapees were welcomed back into the faith, which prevented their rejection, knowing that Yazidism does not tolerate the re-conversion of its former followers. This measure not only appeased Yazidi girls' fear of being rejected by their community, but also provided them with the needed support upon their arrival. Few families rejected escapees.

The majority of survivors live in refugee camps built to receive Yazidis in the suburbs of Dohuk in Iraqi Kurdistan (many ethnic groups – Arab, Kurd, and Turkomen – of different religions, Muslim, Christian, Assyrian, Chaldean, and Syrian live there). I visited three camps – the Shariya Camp, the Kadia Camp, and the Essian Camp – in order to conduct interviews with survivors. Shariya Camp was built to take into consideration the extreme climate conditions of winter. The camp is built on a sloping surface to avoid the accumulation of water, and the floor is covered with water-resistant concrete. Water containers and bathrooms with solar water heating systems are available in the camp. Gravel is laid to firm up muddy and dirt roads in winter. As for the Kadia Camp, it is made up of caravans. Each family lives in a small caravan that consists of a room, a kitchenette, and a bathroom. The camp is connected to water and electricity networks and the roads are covered with gravel.

At the entrance to the camps, there are small kiosks that sell food and cafes where men gather to drink coffee or tea, chat, or play billiards. It is obvious that no space is dedicated to women, neither for entertainment nor for providing psychological support. Their daily life revolves around carrying out domestic work, caring for children and visiting other women. One can see the sorrow and distress in their eyes and feel that

they are suffering from trauma. Most women still wear black or dark clothes and most families are desperately waiting for the return of a relative who disappeared after ISIS invaded their villages. A researcher who works with survivors told me that many women were pregnant when they escaped ISIS. When female captives began to escape and returned to their villages, female gynecologists were fetched to perform abortions and hymen reconstruction surgeries for those who needed them.

Regardless of the enormous difficulties I encountered, I insisted on working with a large number of women to achieve tangible results. Most of the women accepted that I keep a record of the personal communications; I have records for all the stories cited in this paper. I moved between Erbil and Dohuk for 15 days to conduct interviews with survivors. I carried out 12 interviews in total, one of them was conducted in the house of the Yazidi family that hosted me, three were conducted in the homes of the survivors, while the remaining ones were conducted in the camps.

Only one of the interviewed survivors had attended an intermediate school. The others were either illiterate or had only attended primary school. The reason behind this was that schools were situated far from the Yazidi villages, and the formal teaching language would randomly change from Arabic to Kurdish. This confused the residents of the Yazidi villages. All survivors interviewed came from villages in the districts of Shingal, Shekhan, and Bashiqa. Their ages ranged between 16 and 28 years and they were mainly housewives that worked in the fields or helped in the family business. One survivor had been a tailor specialized in sewing Kurdish traditional costumes and she was the sole breadwinner in the family.

I conducted two interviews with survivors who were 50 to 60 years old. One of them had managed to escape with her grandchildren after ISIS took her daughter-in-law along with her baby on the first day of the invasion. The second survivor had remained in Tel Afar with other captive women for months before she managed to escape. She lost her whole family except for one daughter, and her husband and two sons had disappeared. ISIS had assassinated her eldest son because he served with the Peshmerga force. Two of her daughters were still held captive. One of them was in Mosul and the second in Raqqa, Syria. Bizarrely, an extremist of Saudi origin calls the mother every day and allows her to speak with her daughter. Sometimes, he talks to her and complains about her daughter's bad behavior. She does not make him feel comfortable and is ill tempered, he says. When he asks the mother how she is doing, she wonders aloud how could she be well after having lost her family, her home, her health and everything else. In response, the extremist says: "God is good; things will get better in the future".

I insisted on clearly stating the objectives of the interviews to the survivors before conducting them. I explained that they were part of a research on the situation of female captives who managed to escape ISIS, that I do not belong to any organization or entity and that the results of this study would only be used for scientific purposes. I also told the survivors that they could refrain from providing an answer to any question that made them feel uncomfortable or evoked bad feelings and I asked their permission to keep a record of the interview. Some of the survivors refused to record the interview. They were actually worried that some information would be leaked since they were

secretly in touch with their relatives who were still held captive. Other survivors felt uncomfortable being recorded while telling stories about how they had been assaulted.

I used open-ended questions in my interviews. I tried to organize the survivors' ideas in a logical way, recalling every detail since the first day of the invasion and throughout their captivity. I felt the survivors' anxiety when they evoked painful experiences. I tried to explain to them that every detail was important to me, not only the details about rape, which was actually what many previous interviewers focused on. I believe that caring for every detail of their life makes the survivor feel more comfortable and less anxious. Details sometimes revealed information that the survivor had forgotten or ignored. When I asked one of the survivors about how the wives of extremists spent their days, she said they watched TV. When I asked about the channel they watched the most, she mentioned MBC2. When I asked her how they could watch such a channel while being married to an extremist, she explained that one of the wives once confessed to her that she did not believe in her husband's doctrines, but she was compelled to stay with him for the sake of her children.

Interviewing formerly enslaved women who had escaped ISIS was not easy for many reasons. First, Yazidi women and girls were transferred from Erbil to the refugee camps of Dohuk to ensure their security. Before the invasion of Mosul, it was easier to get to Erbil than to other cities in Kurdistan. After the invasion, getting to Erbil by land became quite difficult because of the increased number of refugees from the provinces of Anbar, Salahadin, and Mosul. However, it was still fairly easy to fly to Erbil since the airport was still operational. I managed to conduct three interviews with survivors in Erbil; two of them were just visiting the city. I also met a number of Yazidi activists who worked with refugees in order to know more about the general situation and about the difficulties that Yazidis encountered during and after the ISIS invasion.

I encountered enormous difficulties when I tried to go to Dohuk since, first, I am not from Kurdistan and, second, the city does not have an airport. All interviews were consequently rescheduled. Furthermore, the region of Kurdistan and the province of Dohuk tightened security measures after ISIS took control of Mosul. The explicit approval of the Kurdish security organization known as Asayish was required to enter the region. The organization frequently declines permits for residents of the union provinces. I finally received my permit through a person who had good relations with Asayish. I anxiously waited at the checkpoints between Erbil and Dohuk for my permit.

Some international organizations methodically transferred survivors outside Iraq after a number of European countries, namely Germany, declared their willingness to welcome survivors. One thousand female survivors were scheduled to be transferred to Germany by the end of 2015. It was difficult for me to find survivors in refugee camps since most of them were transferred to Europe, while others were still waiting for the procedure to be completed. Four of the survivors I met were waiting for their tickets to leave. When I asked about the reasons behind this massive transfer of female survivors to Europe, I was told that the main concern was their safety, as they may be in danger. They feared attacks from local communities (but not from the Yazidi community). Additionally, they lacked social care and psychological support, which were all available in European communities.

In spite of the difficulties I encountered while interviewing women and girls, I tried to carry out as many interviews as possible in order to be able to generalize the findings. Quite honestly, the misery of those women and girls surpassed my worst expectations. Whatever the circumstances were, I had to be objective or, at least, strong. I once lost control of my emotions and burst into tears as I listened to an escapee, who, in tears, described her situation and narrated how she had lost her home, her siblings, and her honor. All of the families attacked by ISIS have at least one member, male or female, who was a victim of mass killing.

During my visit to Dohuk, a Yazidi family who refused that I stay at a hotel, hosted me. This helped me go into a wealth of detail on the status of Yazidis, particularly women. The sociologist who facilitated my meeting with escapees was a member of that family. Interviews were also arranged thanks to a young Yazidi man who documented the stories of escapees and sought to identify the perpetrators of killings and rape. I managed, with the aid of those two persons, to conduct a large yet unsatisfying number of interviews. In fact, entering into the camps without an authorization is not allowed.

The fact that I did not speak Kurdish was challenging, mainly because the interviews invoked painful experiences. Some of the survivors spoke Arabic while others only had a basic knowledge of the language. Still, I managed to conduct the majority of interviews without the help of a translator. The researcher and a Yazidi man helped with translation when necessary. As I walked around with the Yazidi man, we recalled the stories of Yazidi women and pointed out the need to write down each and every detail about the extremists, their families, and the places where they live. Such information would be of great value for criminal trials in the future. The presence of this Yazidi man made the survivors feel more comfortable.

My being Arab and Muslim posed another challenge. Without the sociologist's help and the presence of the young Yazidi man whom the Yazidi women trusted, it would have been impossible to carry out any interview. For these women, I represented Islam, a religion that, in their eyes, is evil. As soon as they realized that I was Muslim, I could feel their anxiety and their inner conflict as they were torn between hospitality and doctrine-rooted tolerance on the one side and hatred for Muslims due to the crimes perpetrated against them in the name of Islam. Once, when a young man came to know that I was Muslim, he murmured a Kurdish word. I smiled as I heard the translation by the sociologist and said: "You are right. I'm sorry."

The stories recounted by enslaved women and girls during the interviews raised new questions. I was interested in the methods used by the extremists to enslave Yazidi women. I was also interested in the manner through which they organized the initial phases of captivity, as well as the criteria applied by those extremists for sorting captives who were either offered as "gifts" or sold to ISIS fighters. Many stories involved non-fighters coming from Mosul to buy Yazidi women (Yazidi activist, personal communication).

While conducting interviews with escapees, I sought to understand the roots of gender-based violence. Viewed from both historical and religious perspectives, gender-based

violence has been entrenched in many ways. Islam, like any other religion, has been subject to patriarchal interpretations. Patriarchal interpretations of *fiqh* are still being taught in religious and public schools in countries where Islam is the state religion. According to Professor Suad Saleh (2014), former Dean of Islamic Studies for Women at Al Azhar University, the concept of “*ma malakat aymanukum*” (literally: those whom your right hand possesses) organizes slavery. She explains that Islam forbids enslaving prisoners but does authorize the capture of prisoners of “legitimate” war. Prisoners can be held for ransom in order to humiliate the enemy and honor the head of the army or the Muslims who participated in the war. Consequently, Muslims are allowed to enjoy intercourse with female captives whom their “right hands possesses” as they do with their wives. Verses associated with the concept of “*ma malakat aymanukum*” are to be implemented whenever the Islamic conditions of “legitimate war” are met (Saleh, 2014).

The stories of formerly enslaved Yazidi women reveal the ideology of religious extremism expressed as violence against women. It is worth mentioning that, according to ISIS ideology, Yazidism is a pagan, non-divine religion; thus, Yazidis are regarded as non-believers. The misery of Yazidi women pinpoints the common perception of women as sexual creatures born to ensure the enjoyment of men. What Yazidi women went through sheds light on a defective system of values. Thus, the starting point for my study subsequently changed. My study explores whether the practices of ISIS against women derive or dissent from *shari'a*. I compare these practices to *fiqh* and Quranic interpretations in an attempt to expose the true challenges women face in Arab and Muslim-majority countries.

Yazidism: Truth or Myth?

Many studies have explored the origins and rise of Yazidism (Jiju, 2010; Mehu, 2012; Sidiqi, 2015). Some have accused followers of disbelief, atheism, and deviation, while also considering Yazidism to be a mix of ancient religions. Yazidis are often regarded as so-called “devil worshippers”, with no connection to their Islamic or Christian surroundings. Gathering accurate, homogenous information about Yazidism is difficult. This is partially due to the ambiguity and reticence of Yazidi sheikhs and scholars responsible for maintaining the secrecy of their religious rites and practices in the face of the incessant persecution of Yazidis.

Yazidis live in the north and northwest of Iraq. More precisely, they reside in the areas surrounding Sinjar (120 km west of Mosul), as well as in the Shaykhan district in northeastern Mosul, in some villages and areas of Tal Kef, in Ba'ashiqa, and in Zakho and Simele, which are located in the Dohuk governorate. Yazidi origins date back thousands of years; thus, the Yazidi community is considered one of the oldest ethnic and religious communities in Iraq.

Yazidism is an ancient, monotheistic religion endowed with the legacy of natural and solar deities. The name “Yazidi” is derived from Yezi meaning “God” and Yezdai meaning “the Creator” in Kurdish, or Ezwan or Ezdan meaning Allah or God in Farsi (Salloum, 2013). Therefore, Yazidi means “the servant of the Creator” or “the servant of my Creator” and in no way refers to the second caliph of the Umayyad dynasty, Yazid ibn Muawiya. According to Yazidis, this deceptive idea has been intentionally

dispatched to falsify their identity and beliefs. Contrary to prevailing researchers' perceptions, Yazidism is based on the idea of non-dualism as its philosophy does not embrace the concept of good versus evil. In Yazidism, good, evil, and every aspect of this world emanate from one sole source: God (Salloum, 2013).

The Yazidi community is divided into different social and religious castes, each having its own responsibilities and characteristics according to its religious functions. Each caste enjoys its own privileges and status. Yazidis from different castes cannot intermarry, nor can they change their affiliation. A Yazidi's caste is strictly determined at birth. At the top of this hierarchy is the Yazidi prince, the *Mir*, who is considered the temporal and religious head of Yazidis in Iraq. Below the *Mir* is the Baba Sheikh, who is the spiritual leader of the Yazidis worldwide and is responsible for religious affairs and relevant jurisprudence. The sheikh caste consists of 40 sheikhs, followed by the *Pir caste* (*Pir* meaning the mentor) that includes 40 members. Next, the *Faqir* caste refers to the poor – Sufis who wear the sacred vest. The *Qewel* caste consists of the bard and the sacred singers who are responsible for reciting supplications during the Parade of Sanjaks or during the Parade of the Peacock. The lowest caste is the *Murid* comprising Yazidi commoners who do not serve any religious function (Salloum, Saad et al., 2013).

Yazidism: Challenges and Identity Crisis

Yazidis have long been looked upon as “devil worshippers” and have been subject to unfair prejudices that have forced them to isolate themselves. Numerous *fatwas* issued by Muslim communities neighboring the Yazidis have accused them of disbelief. Ever since the Ottoman Empire dominated what is now Iraq, its administration relentlessly tried to force Yazidis to convert to Islam and to enlist these men into military service. It is worth mentioning that the Ottoman Empire issued 72 *fermans*⁴ aimed at eradicating, killing and/or displacing the Yazidis. It is also important to note that several attempts to kill and capture Yazidi women were recorded before being halted at the end of the 19th century (Al Dumly, 2015).

With the establishment of the Iraqi state in 1921, the Yazidi community's condition continued to deteriorate. After the Yazidis refused military conscription, the royal government launched a military campaign against them. Persecution continued under consecutive Ba'ath governments through the policy of “Arabization”. Additionally, many Yazidis were also expelled from their areas of residence. Moreover, all Yazidis were forced to register as Arabs according to the 1977 census, which constituted a blow to both their existence and their identity (Al Dumly, 2015).

In spite of the major challenges and obstacles that faced Yazidis, leaders and upper caste individuals attempted to spur civil action and integrate Yazidis into the political scene in order to obtain representation in legislative and executive institutions. Since the establishment of the National Assembly of Iraq in 2004 and the mention of Yazidism in the Constitution of 2005, many Yazidis have occupied different government posts.

Attempts to preserve Yazidi identity have been beset with challenges. In fact, the Kurdistan Regional Government and the Federal Government of Baghdad came into conflict over Yazidi areas. Yazidis were also victim to a series of assaults committed by

terrorist groups between 2005 and 2007, which led to their total eviction from Mosul (Civil Development Organization, 2012). Consequently, 1,300 Yazidi families fled after having sold their land at reduced prices (Salloum, 2013).

The so-called Islamic State of Iraq played a major role in the mass killing, forced deportation, and displacement of thousands of Yazidis several years before it took control of Mosul in 2014. International and local reports confirmed that the rise and propagation of religious extremism against minorities, primarily Yazidis and Christians living in the Nineveh plains, have been systematic since the fall of the political regime in 2003 and the international coalition forces' takeover of Iraq. Therefore, ISIS assaults did not start without warning as the activity of the extremist group had been clear from the very beginning (Salloum, 2015).

On June 9, 2014, extremism reached its peak. It was followed by a security breakdown and the perplexing withdrawal of military units and Iraqi federal police, leading to ISIS' takeover of Mosul and its environs. ISIS extremists adopted a systematic method for killing, capturing, and robbing religious minorities in the Nineveh plains, among which were Yazidis who were considered disbelievers as per the ideology of ISIS.

On August 3, 2014, fighters, mostly residents of Mosul and its suburbs, raided the villages of Shankal in the Shaykhan district.⁵ Familiar with the region and its residents, they took over a large number of Yazidi villages without encountering any resistance.

The History of Women and Slavery

Analyses of women's history have proven that men's control over women existed before the emergence of private property and social stratification (Mill, 2003; Reddock, 2013). Women's submission, justified on biological grounds, gave rise to their inferiority. Masculine hegemony is a long process that has developed throughout history, institutionalizing patriarchy in society. Gender asymmetry separated women from men, led to discrimination in tasks assigned to each gender, and granted men rights over women.

Slavery was the first form of hierarchical hegemony to be institutionalized in human history. It emanated from wars that erupted between excessively wealthy groups that vigorously strove for dominance. Although most slavery historians point out that the majority of captives were initially women, they circumvent this issue, paying little or no attention to it, as is always the case with issues not addressed from a gender perspective (Davis, 2003). A historian wrote: "It may be significant that male slaves appear not only later, but also in far smaller numbers than do female ones [...] Possibly, the means for the retention and effective employment of male captives had not yet been worked out; so, they were generally killed" (Lerner, 1987, p. 79).

Yazidi women suffered gravely as captives of war at the hands of ISIS fighters. One of the survivors who managed to escape described her captivity story where men were murdered and women kept alive:

On Friday, at 11:00 a.m., villagers were told to assemble in the village school. There, women and children were put on the first floor and men on the second,

under the pretext that they would be sent to the mountains for safety reasons. Then, both men and women were asked to put all their gold and money in bags. They collected five bags of gold as Kojo was deemed one of the richest villages. Meanwhile, I could hear aircraft hovering over the building, but I knew they would not come to the rescue. The men were unevenly divided into seven groups and were taken to a water basin near Kojo, where electric pumps irrigated the agricultural lands. A boy was sent back to the village because he was younger than 15 years old and informed us women that ISIS had killed all the men (20-year-old Yazidi survivor, personal communication, August 15, 2015).

The Concept of Right Hand Possession in *Fiqh* and Its Interpretation

Islam tried to change the concept of slavery by applying it to the relation between human beings and the Creator, hence considering all Muslims servants of Allah. However, it did not put an end to slavery, which constituted an economic system in itself. Moreover, Islam attempted to eradicate ancient sources of servitude, yet it kept one source: war. The only way in which the enslavement of captives is permitted is through legitimate war. Legitimate war is fought for the sake of Allah in order to guide all human beings, to right them, to defend all Muslims, and to destroy oppressors. Before fighting commences, the other party is offered three options: conversion to Islam, payment of *jizya* (a religious tax levied by a Muslim state on non-Muslim subjects residing in Muslim lands), or war. ISIS integrates these criteria into its ideology since it regards its war as being a holy one fought for the sake of Allah. It seeks to promote Islam worldwide in order for justice and peace to reign and for oppressive powers to be destroyed (Alwan, 1993).

Islam also tried to stop some inhumane practices against both male and female slaves. These practices emanate from the vast disparity between different classes of free persons and slaves. In fact, ISIS has omitted legal rulings such as expiations that consist of setting slaves free. According to Abou Ishaq Al-Hanbali (2000), “He has made [the manumission of slaves] an expiation for killing, for *al-zahar* [i.e. declaring one’s wife as unlawful as one’s mother], for having sexual intercourse during Ramadan and for breaking an oath, and He, peace be upon Him, has made it a rescue for the captor from Hell” (p. 292). This being said, slave markets never ceased to be the backbone of the economic system in Islamic communities, especially with the succession of conquests and wars by Muslim armies starting with the Prophet’s migration from Medina, until the fall of the Ottoman Empire.

Slavery was the sole meaning intended by right hand possession in the Quran (Al Shanqiti, 1974, p. 377), as is demonstrated in the following verses:

[T]hose whom your right hand possesses from what Allah has returned to you [of captives] (Verse 50, *Surah Al-Ahzab*)...He presents to you an example from yourselves. Do you have among those whom your right hands possess any partners (Verse 28, *Surah Ar-Rum*).

Verse 25 of *Surah Al-Nisa* continues: “[T]hen [you may marry] from those whom your right hands possess of believing slave girls”.

Right hand possession is about slave women possessed by way of purchase, inheritance, or captivity during a war between Muslim fighters and disbelievers. The expression “or those their right hands possess” refers to enslaved women who become the possession of their possessor’s right hand. The latter has the right to have sexual intercourse with them without marital contract, witnesses, or dowry because they are not his wives. If he has sexual intercourse with them, they are called *surari*, meaning the possessed concubines. The rules for right hand possession are as follows:

A Muslim is not allowed to satisfy his needs through any captive woman before the ruler has decided her enslavement.

A Muslim is not allowed to satisfy his needs through any woman before she becomes his right hand possession through:

Her being a concubine as a part of war spoils;

Buying her, in case she is owned by others. (Alwan, 1993, pp. 91-92)

A number of terms in the Quran describe the social status of women and determine the nature of their relationship with men. *Fiqh* interpretations issued regulatory provisions regarding the status of the so-called “right hand possessed,” compared to that of a free woman in terms of selling, buying, marriage, divorce, *hijab*, pregnancy, and delivery, among other daily matters. Some of these provisions will be further discussed throughout this paper, with the aim of linking them to what the Yazidis experienced so as to conclude whether or not these provisions are in line with the practices of ISIS vis-a-vis Yazidi captives.

Ibn Kathir (2002) explains, in his interpretation of right hand possession in the following verse of *Sura Al-Ahzab*, “and those whom your right hand possesses from what Allah has returned to you [of captives]”:

The slave-girls whom you take from war spoils are also permitted to you. [The Prophet Muhammed] owned Safiyyah and Juwayriyah, then he manumitted them and married them, and he owned Rayhanah bint Sham’un An-Nadariyyah and Mariyah Al-Qibtiyyah, the mother of his son Ibrahim, peace be upon him. They were both among the prisoners, may Allah be pleased with them. (p. 442)

Right hand possession as mentioned in *Surah An-Nur* (The Light): “their women, that which their right hands possess,” was defined by Al-Qurtubi as follows:

‘Their women’ means Muslim women, including the believer slaves and excluding women of polytheists such as the people of Dhimma [non-Muslim people] among others. A female believer is not allowed to show any part of her body in front of a polytheist woman, unless she owns her; thus, the meaning of His saying “that which their right hands possess.” Moreover, Ibn Jurayj, Ubada ibn Nusay and Hisham Al-Qare’e abominated that a Christian woman kisses a Muslim one or sees her private parts. (2006, pp. 219-220)

As explained, the status of an enslaved woman differs, to a great extent, from that of a free woman. Married women, possessed by virtue of right hand possession, are lawful to a Muslim man, for captivity renders their first marriage with a nonbeliever invalid.

In his commentary on the Quran, Al-Tabari (1971) gives the following interpretation of the verse “And whoever among you cannot [find] the means to marry free, believing women, then [he may marry] from those whom your right hands possess of believing slave girls”:

Prohibited to you are all married women except those your right hands possess. Scholars have debated over the definition of the term “married women” intended by Allah in this verse. Some say it means the women who are married yet not captives whereas “right hand possession” refers to every wedded captive, whose captivity separates her from her husband, hence rendering her lawful to her possessor by means of “right hand possession” and without her militant husband divorcing her. (pp. 151-152)

As for this question, Al-Tabari (1971) quotes numerous *hadiths*, among which the following:

Mohammed ibn Bashir narrated to us, saying: Abdul Ala narrated to us, saying: Sa’eed from Qatada narrated to us from Saleh Abi Al-Khalil that Abou Alkama Al-Hashimi narrated that Abou Sa’eed Al-Khidri narrated that on the day of Hunain, the Messenger of Allah sent a detachment to *Awtas*. They arrayed for the battle, fought them, conquered them and took some female captives. Yet, some of the Messenger of Allah’s companions were hesitant [to have sexual intercourse with them] on account of their unbelieving husbands. Then Allah revealed: And [also prohibited to you are all] married women except those your right hands possess. Another hadith says: She is lawful for you as long as you give her time to be cleansed. According to another hadith, they are lawful for you when their waiting period comes to an end (pp. 152-153).

As for the rulings on divorcing a slave, the *hadith* says:

Mohammed ibn Bashir narrated to us, saying: Abdul Ala narrated to us, saying: Sa’eed from Qatada narrated to us that Ubay ibn Ka’b, Jaber ibn AbdulAllah and Anas ibn Malik said: Her sale is equivalent to divorcing her. Another hadith says: Her buyer is more entitled to have intercourse with her, thus the possibility to buy the wedded slave (Al-Tabari, 1971, pp. 155-158).

Another *hadith* enumerates the six cases whereby a slave woman is considered divorced:

Yaquub ibn Ibrahim narrated to me, saying: Ibn Uliya narrated to us from Khaled from Ikrimah from Ibn Abbas, saying: A slave-woman may be divorced in six ways: sale, manumission, giveaway, freedom and divorce from her husband (Al-Tabari, 1971, p. 157).

In his book *Mawta’*, Imam Malik (2003) cites the ruling on the marriage of a free man to a slave woman:

A free man must not marry a slave girl when he can afford to marry a free woman. Moreover, he must not marry a slave girl when he cannot afford a free

woman, unless he fears fornication. That is because Allah, may He be blessed and exalted, says in His Book, 'If you are not affluent enough to marry believing women who are married, take slave girls who are believing women that your right hands own.' He also says, 'That is for those of you who fear *al-anat*' (fornication). (2003, p. 221)

The second Caliph, Umar ibn Al-Khattab, prohibited the sale of a slave who gives birth to a child of her master. She is also freed when her master dies. Malik narrated from Nafe' from Abdullah ibn Umar that Umar ibn Al-Khattab said: "If a slave-woman gives birth to her master's child, he must not sell her, give her away or bequeath her. He enjoys her and when he dies, she is free" (Al Zaqany, 2003, p.221).

The punishment for an adulterous slave is half that of a free woman. In his commentary on the Quran, Al-Qurtubi (2006) explained Verse 25 of *Surah An-Nisa* (The Women):

[They should be] chaste, neither [of] those who commit unlawful intercourse randomly nor those who take [secret] lovers. But once they are sheltered in marriage, if they should commit adultery, then for them is half the punishment for free [unmarried] women," [...] "If a Muslim slave commits fornication, she receives half the lashes given a free woman. If it is publicly admitted that she has sheltered in marriage, she enters Islam (p. 234).

In his book entitled *Minhaj al-Talibin*, Imam Nawawi (2005) makes no distinction between the private parts of a man and those of a slave woman by saying: "Man's private parts are between his navel and knees and the same goes for the slave girl. However, a free woman can show only her face and hands" (p. 105).

According to Shi'a *fiqh*, the definition of a slave woman's private parts and those of a man is the same. In his exegesis of the Quran, Shaykh al-Tusi defines private parts as follows:

It is said that the private parts of a woman include all of her body except her face, hands and feet, and it is said that the private parts of a man run from the pubic hair to the end of the lower thighs right before the knees, and the same goes for slave-women. (Shahrour, 2000, p. 358)

In the time of the Prophet and the following Rashidun Caliphs, *hijab* was not imposed on slave women. Enslaved females would walk down the streets with their head and chest uncovered. Anas narrated that: "the slaves of Umar served us, uncovering their loose hair that would hit their breasts," as reported by al-Bayhaki (Shahrour, 2000, p. 369).

A Muslim is not allowed to have sexual intercourse with a new captive woman until her womb is "purified" (i.e., if she is pregnant or waiting for her period). It is reported by Abu Sa'id al-Khudri that the Messenger of Allah said to the captives of Autas: "No pregnant woman must be copulated with until she delivers, and a non-pregnant woman must not be copulated with until she menstruates". (Al Mabry Kfry, n.d., p. 237)

Legitimate War or Genocide?

The Rome Statute of the International Criminal Court defines the crime of genocide as an act committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group. Article 6 of the Rome Statute determines the physical aspect of genocide: (a) killing members of the group or (b) causing serious bodily or mental harm to members of the group. Without a doubt, much of the physical and moral aspects of genocide apply to the crimes perpetrated against Yazidis.

At the very beginning of ISIS' attack on Yazidi villages, it was clear that there was a plan to exterminate Yazidis under a doctrinal pretext legitimated by *fiqh*. This war was considered a legitimate war in the name of Islam. The situation has worsened due to the swift collapse of the Iraqi security forces and the federal police, as well as the Kurdish Peshmerga forces. These facts raise the following question: Why did Yazidis stay in Mosul even after the city fell into the hands of ISIS on June 9, 2014?

The stories of Yazidi girls, women, and men ascertain that many extremists or fighters were living in areas neighboring Yazidi villages. Some extremists, known to the Yazidi victims, covered their faces when attacking villages. Strikingly, Muslim neighbors with whom they had maintained peaceful relationships attacked Yazidis. There is a Yazidi principle that stipulates that each Yazidi shall have a brother, a *kirif*, from another religion. This practice, which has long been used to protect Yazidis' existence amid the prevailing majorities, failed to prevent attacks perpetrated by supposed brothers. The residents of Christian villages fled before the ISIS attacks and most of them survived. By contrast, Yazidis believed the reassurances of their Arab Muslim neighbors and the Peshmerga forces that they would be safe and shielded from harm. However, the exact opposite occurred. According to an 18-year-old Yazidi girl from the village of Kojo:

The downfall of the Shankal village marked the beginning of my captivity by ISIS. The village is situated near Kojo, which neighbors four Muslim Arab villages. Back then, Peshmerga forces promised to protect my family as long as we remained inside the village. So, the majority of Kojo villagers remained in their houses except for those who decided to flee because of the rumors that had been spreading amongst the Sinjar Mountain villagers who said that ISIS had murdered 75 Yazidi men from Qena, a village near Sinjar.

When ISIS first came into Kojo, they met with the *mukhtar* (a government official) and informed him that they would cause no harm to the villagers. Afterwards, villagers were asked to hand over their arms and convert to Islam. When the villagers refused to do so, they were given three days to reconsider, but they still refused (personal communication, August 15, 2015).

ISIS adopted a similar scenario in its attack on Yazidi villages. Extremists peacefully entered the villages, reassured the residents and gained their confidence. This situation lasted only a couple of hours in some villages before extremists managed to take control. Then, they went on to separate men from women and children. They paid attention to details like underarm hair growth in males, as it was the sole criterion that enabled them to separate men from boys. As for girls, they touched their breasts

to determine their degree of maturity. Men were usually put in places from which they could not flee, such as on the first floor of a school with women and children on the second, or inside a building with women and children on the outside. Extremist fighters decisively massacred all of the men in densely populated villages, as was the case with the village of Kojo. Once the first phase of separation was over, extremists confiscated Yazidis' belongings such as money, gold, and mobile phones. Then came the second phase of separation where women were classified into four categories: elderly women, married mothers, married women without children and young girls:

We were living in the district of al-Qahtaniyah.⁶ We were around 15 families.⁷ When ISIS attacked the village, they separated men from women, and then they put elderly women in a room and younger women and girls in another. Two of the extremists poured gasoline on the doors and windows with the intent of setting us on fire. However, one of them received a phone call, so they refrained from doing so. Extremists killed all the men of the village; 17 of them were members of our family. They locked children and elderly women in a room and took all the young and married women, even pregnant women and little girls. They kidnapped 23 women and locked them in the cars in which they had arrived to the village. We, elderly women and children, remained unguarded. At night, we tried to unlock the door. We successfully managed to break the lock and escaped to the mountains (Yazidi escapee in her sixties, personal communication, March 5, 2015).⁸

Women: War Spoils and Captives

There was a systematic procedure for gathering women from the villages that had fallen to ISIS. The preconceived intent to capture Yazidi women was clearly manifested by the huge number of buses and cars available, along with cars belonging to Yazidis, to transfer women to regions neighboring Mosul and then to the city itself. The process of separating elderly women from younger ones continued in regions around Mosul. Elderly women and children were transported to a small city called Tel Afar.⁹ Given the lack of cars and buses and the huge number of women, extremists failed to transport all women and children from the villages. Since ISIS fighters were few in number, elderly women and children remained unguarded and some managed to flee to the Sinjar Mountain.

When he tried to rape me, I said to the extremist: 'Why are you doing this? Isn't forced marriage [rape] forbidden in the Quran? I read this in the Quran'. He answered: 'No, it is not forbidden. It is forbidden if it happens to a wife. But you, Yazidis, are nonbelievers, so it is allowed'. He added: 'This is what our *Sheikh* told us. Those Yazidis are your captives, your possession, so you can sell and buy them. It is permissible to sell and buy them on a daily basis. Yet, do not sell them to their parents. Only sell them to Muslims' (28-year-old Yazidi escapee, personal communication, August 18, 2015).

Stories and testimonies of Yazidi escapees provide us with concrete proof that the sexual enslavement of women is rooted in the practices of the extremists. The ritual of taking young girls' virginity was systematically performed and used to prove masculine power and control.

When they detained us in a house along with other young girls, they took a pretty 13-year-old girl. Two days later, she returned bleeding excessively and viciously beaten. The signs of abuse were visible. She said she had been raped by three men within two days (30-year-old Yazidi escapee, personal communication, August 22, 2015).

Some ISIS extremists adopted different behaviors towards Yazidi women according to their age, their marital status and whether or not they had children. One of the survivors reported that extremists released women with children aged between one month and three years. They were relocated, with their children, to Shi'a villages that were evacuated after ISIS invaded Mosul. Single Yazidi women were targeted more often than married women; thus, women pretended that they were married and that the children of their relatives were actually their own. In case there were not enough cars to transport everyone, priority was given to little girls and married women with no children over older women and married women with children.

They gathered all the women and children in a spacious hall as they collected information about every one of us. Every day, they took a hostage. Little girls were the first to be chosen. I was with my one year and three months old daughter when there were no more little girls or married women with no children in the hall. Only married women with children and older women remained. We were transported to a deserted Shi'a village called Kasr Al Mihrab. They gave me a mobile phone and asked me to contact my husband and to tell him to come and live with me because I had converted to Islam (22-year-old Yazidi escapee, personal communication, March 15, 2015).

The testimonies of Yazidi escapees confirm that violence against women did occur. Women were looked upon as goods to be bought and sold amongst the extremists. The price of some Yazidi girls was as low as a pack of cigarettes or mobile phone credits. Extremists set up rules and instructions to organize a captive woman's life with her owner. Accordingly, extremists were not allowed to have sex with a woman married to a Yazidi until 40 days had passed following her capture. Yazidi women had to have their period first to decontaminate their uteri before being impregnated by a Muslim. After becoming pregnant, they would become Muslim and they would have the same rights and obligations of Muslim women. One of the survivors reported that an extremist spat in her mouth to convert her to Islam (19-year-old Yazidi escapee from Kojo, personal communication, August 24, 2015).

Virgins First

The second destination for girls and women was the city of Mosul where Galaxy Hall was prepared to receive women of all ages, including the elderly and young girls from Yazidi villages.¹⁰ Women were unable to bathe, change their clothes, or take care of their children. They were offered only one or two meals per day.¹¹ Three interviewed girls recounted that the food contained a substance that made them very sleepy as soon as they finished their meals.

At the Galaxy Hall, the names of all women, girls and children were registered. A systematic investigation was carried out in order to gather some information about the

girls' names, ages, marital status, and the number of children they had if they were married. This investigation process aimed at separating virgins from married women. Despite the large number of young married women, the main focus was on unmarried virgins.

In a two-door room, three extremists sat down at a desk and filled out a record with personal information. Women, one after the other, entered by one door and left by the other. Upon my entry, I was interrogated by the man sitting in the middle, called Emir [Prince]. He wore glasses and spoke in a manner that reflected his education and intelligence. He asked me how old I was and whether I was married or not. Answering one of his questions, I said I did not attend school. 'Why don't you go to school? You are lying!' he yelled. (16-year-old Yazidi escapee, personal communication, August 23, 2015)

The criteria ISIS applied to elderly women were different from those applied to younger women, based on the enormous value placed on young women due to their higher capacity to work and provide men with sexual services. Women in captivity, whether married or not, were considered as war spoils by which fighters were rewarded. *Fiqh* was utilized by extremists who demanded the revival of certain practices and adherence to the Quran and to the Prophet's traditions, considering the *sunnah* as their principal source of legislation. For example, the *sunnah* mentions that the Prophet, in the Hunayn Battle, allowed Muslims to capture married women in Autas.

Extremists adopted certain criteria to capture women. To begin with, a woman had to be young and beautiful, such as blonde with colored eyes. However, the most important criterion was virginity (18-year-old Yazidi escapee, personal communication).¹² A woman's virginity was first determined by knowing whether she was married or not. Thus, some of the captives pretended to be married, but this excuse was not valid for long.¹³ When girls claimed to be married, desperately seeking to escape with their lives, extremists not only threatened them with bodily harm but also forced them to undergo a virginity test performed by a *niqab*-wearing woman in a room devoted for this purpose. When tests detected that a girl had lied, she was cruelly beaten:

When they took me to court to give me a book by which I became free, I saw a woman, hired by ISIS, examining the hymen of girls who were separated from their mothers. These girls lived near an ISIS judge's house. Following the examination, three girls ages 11, 13, and 16 were taken and the rest were sent back. (18-year-old Yazidi escapee, personal communication, August 26, 2015)

In the beginning, virgin captives were mainly distributed among extremist fighters through lots. Each time, a group of no more than 10 girls was chosen either randomly or selectively for an equivalent number of men. Preconceived arrangements were completed for the crime of rape to become a wedding ceremony for the extremists. Yazidi women were required to purify themselves since they are considered nonbelievers. They would become "complete" only after pronouncing the Muslim declaration of faith (*shahadah*), whether they were convinced or not. In fact, just uttering the words of the declaration was enough to purify them from the "filthiness" of disbelieving.

One escapee narrates the rituals of robbing young girls of their virginity:

We were in a three-story building. They picked nine girls, including me, and then drew names. There were nine men for whom the number of girls was chosen. I was the share of an elderly, fat, foul-smelling man. They asked us to go out with them. When girls refused, we were all beaten with water hoses. When they refused to shower, the militants forced the women to wash up. I was forced to the bathroom, had my clothes torn apart, and was washed forcefully. After the so-called shower, the man took me to his room. Upon our entry, I realized there were porn movies on display. I resisted his attempts to sleep with me, but he beat me on the head until I almost passed out, and then he handcuffed me and told me: 'There is no need to resist, you are my wife.' After raping me, he wiped the rape-induced blood with a tissue like the other men had done. Following this, all the men gathered and boasted about what they had done (19-year-old Yazidi escapee, personal communication, August 24, 2015).

My Captive, My Share

Each of the women I met with narrated her captivity story that started in a three-story house located in the center of Mosul and formerly owned by a Christian family.¹⁴ It was the main location where only women and girls, without their children, were gathered (except for three married women whose children were with them). A woman leaving this house was either accompanying her "owner" or being transported along with other women to Syria, where they would be distributed among extremist fighters. Considering women as war spoils, the first distribution was based on shares. The so-called Emir's share was bigger than the ordinary fighter. Receiving a large number of women as a right, he distributed some of them as gifts among the fighters of his group. A virgin girl was bought at a higher price than a married woman of the same age. As a result of this distribution, all women and girls were bought and sold among extremists. Each time a woman was sold, her price dropped.

He had raped me several times, and each time, he beat me so cruelly that I almost lost consciousness. Then, he sold me to another man for USD \$600. The buyer was from Afghanistan and did not speak any Arabic. I had stayed with him for one month before he sold me to another man for USD \$200. I had a nervous breakdown. I yelled for no reason and hit myself so they would think I was mentally ill. I attempted suicide by swallowing more than 60 unknown pills. They took me to court. The judge handed me a paper declaring: "From now on, you are Muslim and free. You have the rights and responsibilities of a Muslim woman." Then, they brought me back to my mother in Tel Afar and told me: "You are now free to marry whomever you choose" (19-year-old Yazidi escapee from Kojo, personal communication, August 20, 2015).

The terms used by ISIS extremists to address Yazidi women and girls varied according to the situation. When an extremist first raped a woman, he spoke to her as if she were his wife. Yet, he referred to her as "a captive" or "my captive" when talking about her in front of other extremists or his family:

After a group of girls, including me were drawn, I became the share of a short,

fat man whose head was disproportionately small for his body size. I had the feeling that I was not chosen by accident because he had treated me well since my arrival at Galaxy Hall. He brought me some food and took good care of me. They then transported us to a house and locked each girl in a separate room. The crime was not perpetrated randomly. After we forcibly took a shower, I found a white nightgown in the room. He obliged me to put it on and violently raped me. He told me it would be the last time he would do so and would only approach me again if I accepted to go with him. So, he took me to his home in al-Tanak neighborhood of Mosul.¹⁵ As soon as I arrived, his shocked wife asked him who I was. He answered: "She is my captive." When the wife strongly refused my presence, he said, "She is my share. Aren't I a *mujahid*? (18-year-old Yazidi escapee from Tel Alqasab, personal communication, August 18, 2015).

The Relationship between the Wife and the Captive

The presence of captives within the families of extremists triggered different reactions while revealing the dark depths of the rift in the oppressive relationship women endure with their husbands. These reactions also shed some light on the double standard that targets women. Women sometime maintain the patriarchal system either by their submission or by passing it down to their children, though they might secretly and evasively refuse male hegemony. The reactions of the extremists' wives to the arrival of captives differ in Iraq and Syria. The nationality of ISIS extremists and the duration of their marriage might also impact a wife's reaction, knowing that many extremists had recently married women living in cities under ISIS control.¹⁶

In Iraq, captives' entry into homes usually provokes heated disputes, leading to a fierce fight between the wife and her husband, and occasionally ending with him beating her. Having no other choice, the wife surrenders to the new situation and the captive becomes a family member.

After a couple of days, he took me from the house where he had raped me to his house in Mosul so that I may live with his wife and seven children. At night, they slept on the roof, and I had to sleep on the man's side while his wife and seven children slept on the other. One day, his wife grew compassionate and confronted her husband regarding the way he treated me, given the fact that I was a young girl. This confrontation angered her husband to an extent that he battered us both with a stick until it broke. (17-year-old Yazidi escapee, personal communication, August 20, 2015)

Women's submission to men is worded in different ways and maintained by a wide spectrum of pretexts, the most recurrent of which is the religious argument concerning a woman's submission to men, since "Allah created her this way". When men institutionalize their hegemony in the religious, economic and cultural spheres, women become partners in crime, contributing to their own perception as defective creatures who cannot be complete without men. Women are also forced to cope with their status by submitting to an ideology that imposes religious inequality as immutable.

Some women are glad to welcome into their homes non-believing captives who would convert to Islam and be saved from the eternal fires of hell. They believe this would

help them obtain Allah's favor and be rewarded by entering into heaven. As for the right of religious scholars to polygamy and women's captivity, it is allowed by Allah and is not open to debate:

They drove me, along with eight girls from Mosul, to the city of al-Raqqa in Syria. We reached a two-story house and were welcomed by an Emir and his wives. At the beginning, he covered his face, only showing his eyes. He was dressed in black as if he were in a combat mission. Then, he entered into the room and put on lighter clothes. He was tall and it seemed that he had a problem with his foot because he limped. It was apparent that he had an important status because everybody submissively obeyed him.¹⁸ He talked about Islam and asked us why we swore to the Peacock Pagan. His wives' faces reflected absolute happiness, and they congratulated us for converting to Islam. They asked us to collectively recite the *shehadah* [declaration of faith] and then to bathe. During our stay in the Emir's place, no one approached us. A few days later, aircrafts raided the region. When a missile fell near the house, we were transferred along with the wives and children to another house. The first wife said to her husband: "Don't bring these dirty Yazidis with us. The aircrafts will raid us again!" We stayed at that house for seven days before the Emir presented me as a gift to another man who then sold me to an Australian man of Lebanese origin, known as Abu Zarkawi. He was married to an Australian woman and had five children: Zeinab, Huda, Abdullah, Zarkawi and Hamza. As soon as I entered, Abu Zarkawi asked me to clean the dirty house. His wife treated me well but was upset with her situation. One day, she confessed that she was obliged to stay with her husband. He once took her children away, which forced her to come from Australia to be with them again. She did not like that religion but had no other choice (16-year-old Yazidi escapee, personal communication, August 24, 2015).¹⁷

The services provided by an enslaved woman are not solely limited to sexual intercourse. An enslaved woman is also used as a servant whose responsibility is to carry out domestic or even profit-yielding work, given that her master enjoys the right to take her earnings or can lend or punish her. In his book entitled *al-Mughni*, Ibn Qudamah (1997) wrote:

There is no dispute (among scholars) that it is permissible to take concubines and to have intercourse with one's slave woman, as stated by the following verse: "And those who guard their chastity. Except from their wives or (the slaves) that their right hands possess, –for then, they are free from blame [...]". The ruling concerning a slave woman is that it is permissible for her master to have sexual intercourse with her, exploit her, own her earnings, take her in marriage, lend her, manumit her, assign to her some duties, punish her, and look at her private parts (pp. 580–584).

Yazidi women and girls were exploited as domestic servants who were also responsible for taking care of children. Considered non-believers, they were forbidden by many families from cooking. Wives often mistreated Yazidi women and girls, opting for an authoritative relationship that sometimes created problems. Although some extremists bought captives only to carry out domestic work and take care of the children, wives'

fear of their husbands having sexual intercourse with these captives did not subside, for *shari'a* allows it. Therefore, as soon as men returned home, fights between a husband and his wife would heat up over the presence of Yazidi captives.

They drove me from Mosul to Syria after I had been sold to three extremists. The last extremist was Syrian. He took me to his home. When I came in, his wife got angry and started crying. She asked him: "Why did you bring this girl?" He answered: "I bought her to serve us, she is a servant and if you don't agree with her staying here, I will marry her." So, the wife kept silent. She would wake us up in the morning for *al-fajr* [the dawn prayer]. Then, I would do all the domestic work, from laundry and washing dishes to taking care of the children, feeding them and bathing them. They gave me only one meal a day. The wife was very mean and treated me as an inferior. She always mocked our [Yazidi] religion and beliefs and called us dirty nonbelievers. One day, she asked me to clean her feet. I brought a bowl and put it under her feet. She said: "Clean them well, they are dirty." I also cleaned her hands with wet wipes. One day, while the wife and her children were out, her extremist husband tried to rape me several times but I kept yelling and resisted him. In addition to that, her eight-year-old son put a knife to my neck and told me: "I will cut the heads of non-believers!" (30-year-old Yazidi escapee, personal communication, August 26, 2015).

Captivity became socially and culturally accepted, supported by patriarchal and *fiqh* traditions and evidenced by the relationships that developed between extremists' wives and the captive Yazidi women. In some cases, the extremists' families treated the Yazidi women as a second wife, showing compassion and welcoming her into the family. This suggests that such groups are highly capable of normalizing patriarchal behaviors and bringing captive Yazidi women into the homes of their captors:

When I first came into the house, the wife was surprised to see me. When she asked her husband about me, he said: "She is my captive". She was furious. They had a big fight. Eventually, the wife accepted the situation and considered me a prize of war for her husband. After her husband left, I told her the story of captivity and what happened to Yazidi women. She then understood that I was there against my will and that I had no other choice. She started being nice to me and would not let me help her with housework. She even gave me her mobile phone to contact my family. She taught me how to pray, asked me to read the Quran and stood by me whenever her husband tried to have sex with me. He even beat her repeatedly because of me. After a few days, the husband's family invited me for lunch to celebrate my arrival. They treated me well, offered me all kinds of food and did not let me help them with washing the dishes. They said: "You are a guest at our home, and guests do not help with housework. I felt like I was his second wife because they even offered me a gift that is generally reserved for brides"¹⁸ (17-year-old Yazidi escapee from Tel Alqasab, personal communication, August 22, 2015).

The *hijab* and clothes of Yazidi captives do not differ from those of extremists' wives and other women living in cities under ISIS control. Women might wear a long, black *abaya* to cover their faces or cover their eyes with *burqas* whenever they left their

houses. However, most of the commentary books mention the narration from the second Caliph, Umar ibn Al-Khattab, who prohibited slaves from imitating free women in terms of head covering. This ruling was adopted by al-Tabari, yet is refused by some *fiqh* scholars, such as Ibn Hazm al-Andalusi. Ibn Taymiyyah maintained the distinction between slaves and free women, as drawn by al-Tabari. The latter stated that the hijab is only prescribed for free women and not slaves, according to the tradition observed by believers at the time of the Prophet and his caliphs. Having said that, he took into account the effects of the masculine mentality on his personal interpretations concerning women. He said:

If temptation is feared, a slave ought to bring down her garment and hide herself from views. According to the Quran and the *sunnah*, it is neither permissible for a man to look at a slave-woman nor for the latter to expose herself or her adornment. However, the Quran's commandments for free women are different than those for slaves. Similarly, the *sunnah* draws a distinction between both of them but not in general terms (Faraj, 2015).

Social, cultural and tribal factors have shaped the "legal" dress code of enslaved Yazidi women. ISIS extremists neglected the opinion of *fiqh* scholars who abide by the Prophet and his succeeding caliphs, and made sure to provide women and girls with *abayas* and *burqas*. This measure came as a result of the idea that women, being the source of temptation and desire, should be isolated from the public and be considered only as sexual beings.

Conclusion

The legacy of a dominant masculine mentality, present from the dawn of history and persisting within the folds of ISIS extremist ideology is being nurtured through political, social, cultural, and religious regulations. Based on a certain set of values, these regulations aim at expelling those who are different culturally and religiously. This extremist system has paved the way for cruel practices against Yazidi women, with ISIS extremists seeking to revive practices that used to be carried out in historical wars and invasions. ISIS deems its war to be legitimate, which justifies the mass killing of men and the captivity of women and children, considered as war spoils to be distributed among fighters.

Claiming that Islam has removed the different sources of inhumane and cruel enslavement does not appear to be based on tangible, realistic evidence in the 21st century. The barbaric practices perpetrated against Yazidi women and girls, the captives of the Islamic State, under the pretext of *shari'a*, pose new challenges. It is essential to look into the foundation of this extremist ideology and into the lifestyle it imposes on others. The most serious challenge we as women face is to seek a better understanding of the hidden facets of the masculine, patriarchal ideology within the Arab Muslim system.

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Testimonies and Stories by Two of the Survivors

It was not an easy job to interview the girls and women who have survived the captivity of ISIS extremists and who managed to get away with their lives. They had a hard time remembering the horrid events that befell them as they were subjected to sexual violence throughout their captivity. What you are about to read is the story of two girls who managed to break free from ISIS' grip, only to find themselves confronting their families and the society. What happened to them changed the course of their lives forever.

In May 2015, I interviewed the survivors for about two to three hours. The interview took place at a Yazidi activist's house where a Yazidi researcher who had worked with the survivors helped with the translation.

The First Case: Yara

She was born in 1998 in the village of Kojo, which is located in the Sinjar Mountains. Her family consists of six members: two girls, two boys, a father and a mother who left school during her second intermediate year.

The downfall of the Shankal village marked the beginning of her ISIS captivity story. This village is situated near Kojo, which neighbored four Muslim Arab villages. Meanwhile, the Peshmerga forces promised to protect her family as long as they remained inside their house. The majority of Kojo villagers remained in their houses, except those who decided to flee because of the rumors that had been spreading amongst the Sinjar Mountain villagers indicating that ISIS had murdered seventy-five Yazidi men from Qena, a village near Sinjar.

When ISIS first came into Kojo, they convened with the *mukhtar* (a government official) and informed him that they intended to cause no harm to the villagers. Afterwards, villagers were asked to hand over their arms and convert to Islam. When the villagers refused the latter, they were given three days to sleep on the idea until they changed their minds, but that did not happen either.

One Friday at 11a.m. villagers were told to assemble at the village school where women and children were put on the first floor and men on the second, under the pretext that they would be sent to the mountains for safety reasons. They were then asked to put all their gold and money in bags. ISIS fighters were able to collect five bags of gold as Kojo was deemed one of the richest villages. The men were unevenly divided into seven groups and were taken to a water basin near Kojo, where electric pumps irrigated the agricultural lands. ISIS then sent a boy back to the village because he was 15-years-old, and he informed Yara and all the other women that all the men had been slaughtered.

ISIS then dragged the women and children to Solagh village and kept them at the Solagh Institute. Afterwards, elderly women and women with children were

isolated from single and married women with no children. Then, ISIS contacted militant groups in Mosul for the sole purpose of acquiring trucks to transport a total of 150 unwed and wed women with no children. On their way, one of the members of ISIS called “Fatat” tried to sexually harass women by walking next to them, rubbing his beard on their faces and using his tongue in an attempt to sexually arouse them.

Upon their arrival in Mosul, ISIS distributed women in the various rooms of a three-story house. Women were obliged to sleep next to one another as the house was overcrowded. A non-ISIS member threatened to batter these women with a bat as they were abstaining from eating and drinking and informed them that they were to be divided into groups and sent to different locations. Yara was amongst a group of sixty-three who were placed in a three-story Christian house. According to Yara, five women from the same family along with some of their relatives were detained in a room on the third floor because they were deemed beautiful. As for the remaining women, they were sent to another house full of women and detained in rooms where they went out only to go to the bathroom. Sustenance was sent to their room. Yara remained a whole week without showering until they forced her to shower.

After ten days, ISIS fighters gathered a big number of girls and informed them that the Emir would arrive for them. Consequently, thirty filthy-looking ex-Badush prisoners arrived to choose a girl. As for the Emir, he chose three girls. Yara was taken with two cousins and her aunt to a headquarters with men who wore red hats. Two ISIS members told Yara and her aunt that they were chosen to be their wives and live with their families. Yara and her aunt were dragged out of the headquarters and were handed over to a gunman, who in turn handed them over to another gunman. Yara was under the control of a 30-year-old Sunni Muslim ISIS member from Mosul, whom she described as fat and extremely filthy. This man took her to a warehouse and locked her in a room with only one bed. At midnight, he attempted to sleep with her, but she resisted him fiercely. After his failed attempt, he brutally battered her until her face turned blue, and she was incapable of seeing and lost consciousness - only then was he able to rape her.

The only time when Yara was actually able to get out of that room was when she went to the bathroom. At one point, she asked her detainer to provide her with pads as her menstrual cycle had begun, but he refused and accused her of lying. Whilst being in the warehouse, Yara used to hear the excruciating screams of a battered girl. One time, when she saw this girl by the bathroom, she instantly recognized her as one of the Kojo village girls. This girl, however, was barely 13 years old and her menstrual cycle had not yet begun. During Yara’s 25-day stay in the warehouse, the guard told her that he would take her to his family and that she had to wear the *niqab*. He took her to his family and his wife took Yara to the market to buy her a *niqab*. Yara tried to escape but her attempt was futile. They caught her and brought her back to the house.

Afterwards, the woman called the man who raped her and asked him to take her back. The man took her back to the warehouse and then to the headquarters in Mosul, where she was raped daily. Whilst being in the warehouse, Yara stole a cell phone and hid it in the pads. Afterwards, when the man took her out of the warehouse, she found a SIM card and hid it in her mouth whilst being in his car. Luckily, she was able to contact her family through a friend in Mosul and began to plot her escape.

Following this event, Yara was enslaved at the house of an ISIS member with the sole purpose of serving him and his family. Once, Yara had wet herself deliberately, whilst the wife of the ISIS member was preparing an Al Adha pastry "*klijh*," so that the man would ask her to go to the second floor and change her clothes. Yara grasped this opportunity and escaped by going up to the roof and jumping to the adjoining house. From the other roof, she managed to use the water heater and the electricity cabin to make her way out of the door to meet the person who would help her escape. On her way towards the car, three ISIS members noticed her and followed her using their motorcycles. They were able to shoot the driver in his leg; despite his injury, he was able to go on and deliver Yara to another man. Yara stayed at the latter's house for 17 days, until he took her to Kirkuk using his own daughter's identity and delivered her safely to her parents.

The Second Case: Noura

She was born in 1998 in the village of Kojo. Her two brothers are in ISIS captivity. Noura was celebrating a Yazidi tradition called the *Arba'een* Pilgrimage in a nearby mountain when ISIS invaded her village. Noura heard gunshots and clashes whilst people were being arrested on the mountain and dragged to Chekhal District, where men were held captive so that they could not attempt to rescue women and children in the perimeter of the building.

By sundown, a group of armed men went to the women and children and took the most beautiful women to an unknown destination. Noura, however, managed to keep her calm as she had heard that women would not be murdered. The remaining women and children were taken to Biaaj, then to Badoush and then to Tel Afar. The single and married women with children were taken to Biaaj and detained at a school for seven days. They started taking the girls systematically to Tel Uzair. Noura was among nine girls who were in a house. The militants asked the girls for their full names and personal histories, after which they organized a draw and each man took a girl based on the name they chose. According to Noura, an old bearded man who dressed like someone from "Kandahar" chose her.

Women were battered with a water hose and were asked to wash up to be able to go out with these men. When they refused to comply, the militants forced the women to wash up. Noura describes how she was forced to the bathroom, had her clothes torn off, and was washed forcefully. After the so-called shower,

the man took Noura to his room. Upon her entry, she realized there were porn movies on display. Noura resisted his attempts to sleep with her, but they were futile because he handcuffed her, battered her head, and told her, "You're my wife. Do not resist." After raping her, he wiped the rape-induced blood with a tissue like the other men had done. Following this, these men gathered and boasted about what they had done.

The militants detained the girls in one room and when they wished to be with their "woman" they would retrieve her, force her to wash up, rape her, and then send her back to her room. All the girls were forced to pray; Noura hated the morning prayer because she was forced to wake up early.

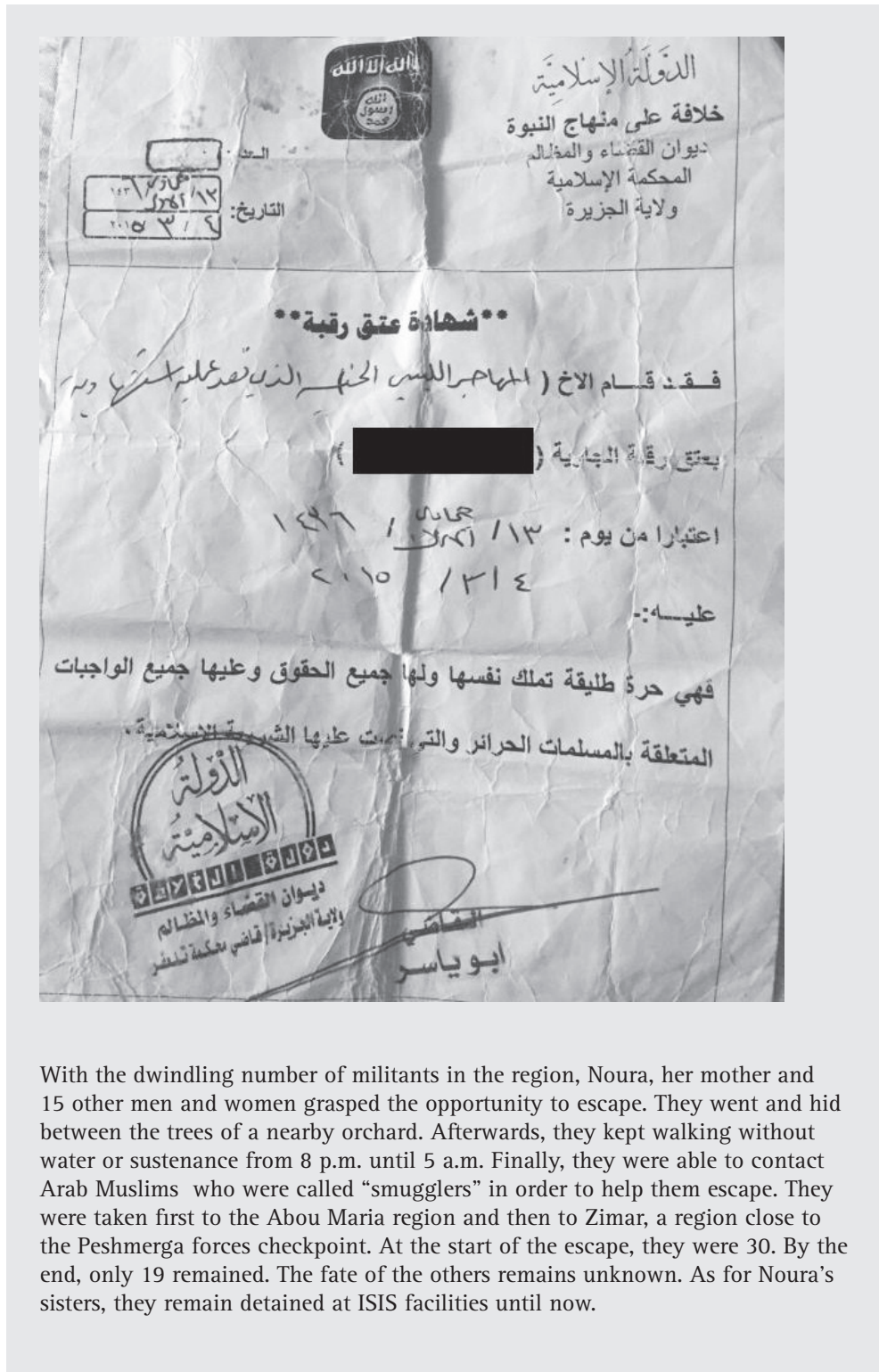
The man took Noura to his house in Mosul so that she may live with his wife and seven children. At night when they used to sleep on the roof, Noura used to sleep next to the man and his wife on the other side with her seven children. One day, his wife grew compassionate and confronted her husband regarding the way he treated Noura, given the fact that she was a young girl. This confrontation angered her husband to an extent that he started battering his wife and Noura with a stick until it broke.

Noura remained there for a month and a half, until the man sold her to a non-Arabic speaking Afghan man for USD \$600. The Afghan man tried to sleep with her, but when she refused, he violently raped her and took her to a region called Rabusta. There, he sold her to a third man with whom she stayed for seven days. During her seven-day stay, her psychological and physical condition deteriorated, especially after hearing the news that all Kojo village men had been killed.

Consequently, she took 60 unknown pills in an attempt to commit suicide, which left her hysterical. As she was trying to injure herself, part of her was conscious and the other part feigned insanity so that they would send her away.

As a result, they sent her back to her mother in Tel Afar along with women, children, and men who converted into Islam. Afterwards, they took her to court where the judge informed her that she had become a Muslim, would not be sold again and was free to marry. Whilst staying with her mother for about three to four months, elderly women were sent to Kirkuk after being stripped of their little girls. Despite everything that happened, the militants remained within the perimeter of the houses where women and girls were detained. They spoke English and were described as ugly and filthy, their eyes were made up with an eyeliner [*kohl*] and they had dense untidy beards.

Additionally, ISIS hired a woman to examine the hymens of the girls who were separated from their mothers. These girls lived near the house of an ISIS judge. Following the earlier examination, three girls ages 11, 13 and 16 were taken and the rest were sent back.



With the dwindling number of militants in the region, Noura, her mother and 15 other men and women grasped the opportunity to escape. They went and hid between the trees of a nearby orchard. Afterwards, they kept walking without water or sustenance from 8 p.m. until 5 a.m. Finally, they were able to contact Arab Muslims who were called “smugglers” in order to help them escape. They were taken first to the Abou Maria region and then to Zimar, a region close to the Peshmerga forces checkpoint. At the start of the escape, they were 30. By the end, only 19 remained. The fate of the others remains unknown. As for Noura’s sisters, they remain detained at ISIS facilities until now.

ENDNOTES

1. The sunnah is the verbally transmitted record of the teachings and sayings of the Prophet Muhammad and his companions.
2. Nineveh is the third largest Iraqi governorate in terms of size. It is located in northwestern Iraq, neighboring Dohuk, Erbil, Salahadin and Anbar. It is the second most populous governorate in Iraq. Its capital is Mosul, the second largest Iraqi city. Nineveh is characterized by the ethnic and religious diversity of its community. The majority of its population is Arab Sunnis. It also contains some of Iraq's minority groups, namely Turkomen, Shabak, Kakain, Yazidi, Kurd and Baha'i.
3. Lalish is one of the sacred places in Yazidism and is situated in the valley of Jabali Hassin, east of the governorate of Dohuk. According to studies, it dates back more than 2,000 years and is considered an important temple in the Yazidi mythology. The temple is open for the public, except for the places consecrated for pilgrimage and baptism.
4. A ferman is an edict issued by the Sultan to invade the Yazidi regions and subject them to the Ottoman Empire.
5. According to women and girls who escaped from ISIS captivity, most of the fighters were Arabs from Mosul.
6. Al-Qahtaniyah, Al-Adnaniyah and Majmaah al-Jazeera are regions populated by Yazidis and surrounded by Arab Muslim villages that remained unharmed.
7. Yazidi families are known for being large. A single family may include at least 10 members.
8. A Yazidi escapee, who was in her sixties, managed to flee from ISIS and took refuge in the Sinjar Mountain along with her small children and grand-children whose mother, as well as other Yazidi women and girls, was captured by ISIS.
9. Tel Afar is a city located 69 km northwest of Mosul and 55 km from Sinjar. The majority of its population is from Shia Turkomen tribes. After 2003, extremists from Al Qaeda carried out a series of attacks that lasted until ISIS invaded the city on July 10, 2014. Shia families fled the city to southern and central Shia provinces in Iraq.
10. Galaxy Hall is a spacious reception hall for wedding ceremonies. Upon their arrival to Mosul, most Yazidi women were detained there.
11. The meal consisted of a small amount of rice with, at times, some bread and bouillon.
12. Given that local tradition and custom forbids women from having premarital sex, unmarried women were considered virgins.
13. Female early marriage is widespread among the residents of that area, be they Yazidi, Muslim, or Christian. Therefore, many girls younger than 18 years of age are married and have children who are 4 or 5 years old.
14. A Yazidi family hosted me while I interviewed escapees in the Dohuk governorate. When the father learned that I was a Muslim, he dubbed me "my captive" as a joke; he called me "my captive" during my whole stay.
15. Al-Tanak neighborhood is one of the poorest slums neighboring Mosul.
16. A Yazidi sociologist working with Yazidi escapees mentioned the story of a Yazidi escapee who said she was the share of an Australian extremist. When he saw her anxious and scared, he asked her to calm down, saying he had not come there for that purpose. One week later, he helped her escape and go back to her family.
17. This girl was endowed with a breathtaking beauty, which made her the first choice of ISIS fighters. While narrating her story, she kept quiet about the period between being offered from the Emir to the second man, then from him to the Australian man of Lebanese origin. When she talked about this period, her tone changed dramatically and she lost eye contact. She remained silent for a while before resuming her testimony. She told us that she fled before any man touched her.
18. The gift consisted of an embroidered bed sheet that is usually laid on a bride's mattress on her wedding night.

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