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## Divorcing dad wants to take kids to Saudi Arabia

### Culture clash at root of Cincinnati custody fight

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When Rima Shaheen and Talal Bawazir go to court later this month to resolve their divorce, they will fight over more than which school their four kids attend or which parent gets to take them to movies on weekends.

Shaheen wants the kids to stay with her in Cincinnati, where they have lived for the past six years.

Bawazir wants to take them to Saudi Arabia, where he says he can get a good job.

Judge Elizabeth Mattingly will make the call, but she says she's not happy about her choices.

"You have got very few good options here," she told Shaheen at a court hearing in March. "It's not a perfect world."

The big legal questions in the case - who should get custody and what are the rights of the other parent - come up in countless custody battles every day in Hamilton County's domestic relations court.

But the case of Shaheen vs. Bawazir raises cultural, social and gender issues that few others do.

Shaheen and her lawyer are outraged the judge even is considering allowing her husband to take the four children, all of whom are U.S. citizens, to live in a country halfway around the world.

They argue that a ruling in Bawazir's favor would leave Shaheen, a homemaker, with the choice of either losing her kids, possibly forever, or following her ex-husband to a country where she believes he would control every aspect of her life, from where she worked to when she could see her children.

Her lawyer, Phyllis Bossin, said she also fears that any custody or parental visitation order Mattingly issues would mean nothing in Saudi Arabia because men in that country control decisions related to child custody and get preferential treatment in court.

Once there, Bossin said, Bawazir could make his own rules and American courts would be powerless to stop him.

"He wants to take these children to the other side of the world, practically into a country where she could never see them again," Bossin said in court last month. "There are human rights issues here. She has a right to parent her children."

Bawazir and his lawyer, Reeta Brendamour, say Shaheen is maligning Saudi culture and that the children would not be harmed by moving there. Bawazir, who was born in the United States but has worked around the world, said he has job prospects in Saudi Arabia that would provide a good life for his kids.

"We really think it's the best for this entire family, for everybody, to move back there," Brendamour said at the March hearing. "In the event mom does not want to go, that's totally her decision. We

would like to go and take the children with us."

Mattingly has noted that the couple, whose children range in age from 6 to 14, lived in Saudi Arabia for eight years earlier in their marriage and are familiar with the culture. Shaheen's father is Saudi and mother is Swiss, while Bawazir's father is Saudi and mother is American.

Both have dual U.S. and Saudi citizenship, although they have lived most of their lives in the United States.

The judge told Shaheen in March that she should consider moving to Saudi Arabia or somewhere else overseas if her husband cannot find a job in the United States, suggesting it might be in her children's best interests.

"You are running out of money, and pretty soon your kids are going to be on the street unless you get a little more realistic about what your true options are," Mattingly told Shaheen, reminding her that Bawazir had been unemployed since 2009.

"Maybe you don't want to live in those places, but you got to start thinking about your kids at this point," she said. "If the two of you remain broke, I don't know how welfare looks to you, but they don't pay much in this country."

## A difficult job search

Shaheen and Bawazir married in 1991 and lived overseas for years as he moved from place to place for his job with Modern Products Co., which is based in Saudi Arabia. They moved to Loveland in 2004 and his family stayed there when Bawazir was assigned two years ago to a job in Venezuela.

He said he lost that job because of the stress of his deteriorating marriage and the separation from his children.

"I want to be with my kids," Bawazir said at the March hearing. "She refused to come down to Latin America. So it's like, how do I bridge that?" He said he has been unable to find a job in the United States because his experience in international business means his best job opportunities are overseas, particularly in Saudi Arabia.

"I don't think I can personally get a job in the U.S.," he said.

But Shaheen doubts he has been trying hard to find a job here. She and her lawyer say a man with more than 20 years experience in the business world should be able to find a job in Cincinnati at least as easily as in Saudi Arabia.

Shaheen also questioned the fairness of her and the children starting over in a new country every time her ex-husband gets a new job.

"Being divorced, are we supposed to just keep moving and following each other from country to country?" she said in March. "I also fear that going to Saudi, I will not have any rights over there."

Bossin said Saudi Arabia should not even be an option. She said divorcing parents make concessions about their jobs all the time to be near their children, and that Bawazir is more than capable of finding a job closer to Cincinnati.

"When people get divorced, people don't follow their spouses," Bossin said. "They are not married any more."

Both sides are lining up experts for the trial, which starts June 15, to talk about life in Saudi Arabia. Bossin made clear at a hearing last week that the impact of Saudi culture and society on the children is closely tied to the question of whether Bawazir should be the custodial parent.

When Brendamour said Bawazir would agree to shared custody in Saudi Arabia, Bossin said no.

"If he has the children in Saudi Arabia, he can just simply say, 'You're never going to see the children again,'" she said. "The right of women to have custody of their children in Saudi Arabia - or even to see their children - is an issue."

## Discrimination a problem

The U.S. State Department's 2009 country report on Saudi Arabia, which adheres to a strict form of Islamic law, lists several concerns about the status of women in that country: They are not permitted to drive. They need the permission of a male guardian, such as a husband or father, to get a job, open a business or to move freely around the country.

And the family court system tilts heavily toward men, who get full custody of boys at age seven and girls at nine.

"Women have few political or social rights and society does not treat them as equal members," the State Department report says. "Discrimination against women was a significant problem."

The rules for women have loosened a bit in recent years but they remain stringent, said Karen Dabdoub, director of the Cincinnati chapter of the Council on American-Islamic Relations.

"Just living in Saudi Arabia is not necessarily the most horrible thing," Dabdoub said. "I know people who lived there and liked it. I know people who lived there and hated it. The kinds of jobs that women can do are limited and where they can go is limited."

"If she's saying that her movement and rights would be restricted, yeah, absolutely."

The judge will have to take those factors into consideration when she makes her decision about the couple's two boys and two girls, said Katherine Federle, director of Ohio State University's Justice for Children Project.

She said the case is, technically, no different than any other relocation case involving divorced parents, although this one is "writ large" because it involves a potential move to Saudi Arabia.

"This sounds like a relatively typical custody battle that involves relocation," she said. "It's just a long way away."

Mattingly will hear at the trial from experts about Saudi society and what a move there would mean for the children. She also will hear from a court-appointed guardian and lawyer responsible for protecting the children's interests.

Shaheen, Bawazir, the judge and the lawyers would not comment before the trial, but court proceedings so far have been contentious. Mattingly has said she wants to get the case resolved as soon as possible for the sake of the kids.

She said their grades in school and their well-being have been damaged by the long court fight.

"Your children are suffering with this battle," Mattingly said in March. "You are getting to the line where decisions have to be made."