

Protests Call Iraq's New Family Law 'Legalization of Pedophilia'

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By Judit Neurink

Calling it legalized pedophilia, Iraqi women activists and others have come out in force against a proposed change of the Iraqi family law that will make it legal to marry a girl of nine.

"The law deprives women of their dignity and human rights and deepens the sectarianism in Iraq," says Hanaa Edwar, who heads the Al-Amal Association that strives to improve the socioeconomic situation of Iraqi people.

The outrage against the draft Iraqi status law, due to go before the Iraqi Parliament after legislative elections in April, focuses mainly on the proposed lower marriage age for girls, which is now set at 18.

"They are looking towards young children for having sex," Edwar says. "Parents with daughters feel disgusted by it."

Edwar quotes a nine-year-old who spoke at a protest, saying she is playing with her friends, getting muddy and having to be washed every day. "She said:

'I am a child, and I do not want to get married.' A very simple and effective message."



Women in Kirkuk condemn Iraq's draft family law. Photo: Alsumaria TV

At the same time, child marriages are increasing in Iraq. Edwar knows many girls of around 10 being married in a religious ceremony outside the courts. Often, after a couple of months, a divorce is announced. The background is poverty, she says, with parents agreeing for money.

"A girl will be a mother at 12, with no registration for mother or child, so no ID, no rights and no healthcare. They deprive her of her education. Already half of all the girls in rural areas are illiterate, and this will increase that number even more."

Edwar is supported by Yanar Mohammed, the president of the Organization for Women's Freedom in Iraq. "The draft (law) is all about the sexual pleasures and rights of men," she says. "It is an abuse of children's rights and their bodily integrity."

She points out that the new law also arranges alimony in case of a divorce.

"When the wife is too young or too old for sex, no payment is needed. There is no mentioning of a loving agreement, a female is just a body to be enjoyed."

Mohammed calls the draft law

"something that people might have agreed to two thousand years ago, but not today. But the religious men in expensive suits who speak in the name of God do not ask the people whether they want it or not."

The proposal has been based on the Shiite Ja'fari school, called after an eighth century Shiite imam. A Supreme Shiite Judicial Council in the holy city of Najaf will supervise nationwide religious tribunals that will settle family matters, and will give the Shiite clerical establishment a larger say in Iraq's legal system.

The legislation will amend the status law originating from 1959, which was then one of the most liberal of the region. It will apply for the majority of Iraqi citizens, who are Shiites.

Iraq's council of ministers ratified the draft, proposed by the Shiite Minister of Justice Hassan Al-Shimari. Of the 29 ministers present at the cabinet meeting, 21 voted in favor. Yet clerics in Najaf have already distanced themselves from the bill. They had not expected so much opposition, suggests Mohammed.

It was not only the legalization of child marriages that caused an outcry, but also other articles that interfere with the freedom and status of women, such as one that stipulates women over 18 years of age must still have fatherly consent for marriage. Another objectionable article says that a woman cannot leave the home without the permission of her husband. "Her rights are being confiscated," concludes Edwar.

There is anger about the proposed right for men to have sex with their wives, and the fact that women cannot refuse. The proposal that a Muslim man cannot marry a non-Muslim, other than in a temporary marriage, even contradicts Islam, as Edwar points out.

Protests against the draft went to the streets of Baghdad on International Women's Day. Edwar announces an advocacy campaign "to make people aware of the consequences. Most illiterate people hear it's based on Ja'fari (law) and think it must be good."

She will lobby with decision makers in and out of the parliament, but thinks pressure from outside Iraq is essential. As Iraq has ratified Cedaw, the international convention against discrimination of women, the UN has already asked for the withdrawal of the draft law.

Yanar Mohammed is convinced that "Iraqi people will not agree to the legalization of pedophilia," but she also took to the streets and is campaigning against it.

"The objections come from all sides, and the number of women who raised

their voices is high.”

There are also men speaking out, she says.

“The politicians tried to make it seem as if all is done in a democratic way. But this is against all our rights. They cannot have it their way.”

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