



**Middle East
Research Institute**

www.meri-k.org

Policy Brief

15 May, 2019. Vol. 4, No. 32

Breaking the Cycle of Shame in Iraq

Henriette Johansen *

With Iraq's displacement crisis, violence against women and girls has reached new levels of cruelty. However, with a forthcoming transition into stabilisation and the signed commitment to implement UNSCR 1325 for Women, Peace, and Security, both Iraq and Kurdistan Region now have the momentum to pave a new route to safeguarding and promoting women. This policy brief discusses the sexual and gender based violence in Iraq, and the centrality of 'honour' and 'shame', to tackling legal, structural, and communal barriers to women empowerment.

A 2012 Ministry of Planning (Iraq) study found that at least 36 percent of married women during peace time reported experiencing some form of psychological abuse from their husbands.¹ During war, terrorism, and displacement, levels of Sexual and Gender Based Violence (SGBV) rise yet remain tragically underreported, politically intricate, and increasingly hard to respond to.² Despite gradual political and legislative changes within the Kurdish Regional Government (KRG) and Central Government of Iraq (CGI), as well as a new government-endorsed Standard Operating Procedure towards SGBV. SGBV is often legitimised by the perpetrator, the family, and wider community. Of the few women who do report the crime, most decide not to proceed to open a legal case against the perpetrators.³ Additional barriers to reporting include the fear of losing male patronage, retaliation, stigmatisation, or further sexual exploitation, including from reporting authorities.

¹ The Ministry of Planning: Central Statistical Organization (2012). Iraq Woman Integrated Social and Health Survey (I-WISH) March 2012. [https://reliefweb.int/sites/reliefweb.int/files/resources/I-WISH percent20Report percent20English.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/I-WISH%20percent20Report%20English.pdf).

² INGO KIIs, Danish Immigration Services. 2018. *Country Report Kurdistan Region of Iraq - Women and Men in Honour related conflict*. <https://www.refworld.org/pdfid/5beacadd4.pdf>

³ UNFPA 2016. *GBV Assessment in Iraq* <https://iraq.unfpa.org/sites/default/files/pub-pdf/The%20GBV%20Assesment.pdf>

To tackle SGBV effectively and sustainably, it is necessary to recognise the structures that cultivate and legitimise it. SGBV has no roots in any religion, sect, or nationality, but is a universal phenomenon that disproportionately affects women and girls under various patriarchal discourses throughout history. In Iraq and Iraqi Kurdistan, this system of oppression has local manifestations that call for specialised action plans.

Displacement, Disorder & Shame

War and displacement have exacerbated pre-existing systematic violence against women and girls in Iraq and Iraqi Kurdistan.⁴ Unmet humanitarian needs, the erosion of community networks, a lack of livelihood opportunities, and restrictions on movement have rendered women more vulnerable to violence and exploitation. This is particularly true for the single female headed households (SFHHs) who represent 21% of internally displaced persons in camps. To feed their families, some of these women are forced to resort to negative coping mechanisms that includes prostitution, 'survival sex', and other exploitative relations.⁵ An additional host of hostilities befall the tens of thousands of women perceived to have extremist affiliations, including murder, revenge rape, forced suicide or community exclusion in the form of denial of food, security, and identity documents.

Social disorder often comes about an ascension of patriarchal control and regulation over women and girls' sexuality.⁶ This is a universal phenomenon with deep historical roots, and is often legitimised through ideas about honour and the moral obligations to 'preserve it'.⁷ In Iraq, women embody the family honour as the creator of the next generation of the family and community - its kinship extension (be it national, sectarian, religious, etc.). This puts her at the centre of collective identity cultivation and transposes her to figure as the 'Mother of the Nation'.⁸ However, when women challenge this dynamic, it can be perceived as a threat to family honour and its social order extension.

At a communal level, the instrumentalisation of SGBV can be described as a 'weapon of war,' deployed both in armed recruitment, punishment, shaming, controlling population flows, and retaliation against the enemy⁹. A case in point is the widely discussed¹⁰ women with perceived IS affiliation who face lethal shame-based crimes, including rape, enforced

⁴ UNFPA 2016. *GBV Assessment in Iraq*. <https://iraq.unfpa.org/sites/default/files/pub-pdf/The%20GBV%20Assesment.pdf>

⁵ REACH Sept. 2018 *Multi Cluster Needs Assessment*

https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/reach_irq_report_mcna_vi_sept2018_1.pdf

⁶ *GBV Assessment in Iraq*. <https://iraq.unfpa.org/sites/default/files/pub-pdf/The%20GBV%20Assesment.pdf>

Yuval-Davis, N. 1997. *Gender & nation*. London: Sage.

Walby, S. and Olive, P. et al. 2015. *Stopping Rape*. Bristol University Press: Policy Press.

⁷ Alinia, A. 2013. *Honour and Violence Against Women in Iraq and Iraqi Kurdistan*. Palgrave Macmillan: New York.

⁸ Yuval-Davis, N. 1997. *Gender & nation*. London: Sage.

⁹ Walby, S. and Olive, P. et al. 2015. *Stopping Rape*. Bristol University Press: Policy Press.

¹⁰ *INGO KILLS*

The New Yorker. December 2018. *Iraq's Post-ISIS Campaign of Revenge*

<https://www.newyorker.com/magazine/2018/12/24/iraqs-post-isis-campaign-of-revenge>

self-immolation, ostracisation, and stigmatisation.¹¹ This phenomenon shows how community ‘vigilantism’ has seen SGBV as a way of achieving community ‘justice’ against ISIS. Under this guise, the crime can also seek to fulfil a perpetrators’ interest in creating suspicion around any individual - a pattern which intimidates women from reporting SGBV.¹² When a family or community commits feminicide or enforced suicide of an assumed ISIS affiliate it is an act of ‘purifying’ family honour.¹³ In this way, the honour-shame complex can legitimise killing, physical harm, and exploitation of women, as well as act as a vehicle to subdue the honour of an opponent.

The shame-based control of women is also evident in the forced return strategies of displaced women in a camp in al-Anbar governorate. Predominantly inhabited by SFHHs, the women were rounded up by a local sheikh and tribal leader to collectively shame them into returning. A Mukhtar threatened women to confiscate their security badges and put their names on the list of ISIS associates; threats that have already started to manifest and drive women into return and then re-displacement.¹⁴ Women including SFHHs have been reported to prefer in-camp displacement, due to their protection and livelihood needs, as well as the recognition they enjoy under INGO provision.¹⁵ In this way, women in protracted displacement can be seen as destabilising and blurring the boundaries of affiliation vis-a-vis a previous social order. In some cases, this has relieved women from Area of Origin community obligations, and provided them with new opportunities and NGO patronship.¹⁶ In others, prolonged displacement has merely stripped her of her community network to which she happily belonged and depended on.¹⁷

Codification of Gender Roles

The initial codification of gender roles in Iraq and Iraqi Kurdistan took place during time of ethnic oppression, mass killings, genocide, militarisation, and armed struggle.¹⁸ Colonial settlers’ engagement and alliance-building with the most conservative structures within society affected a ‘re-tribalisation’ of policies - including family law and women, a process which has been described as the ‘re-subordination of women’.¹⁹ As a result, the issue of defending honour “occup[ies] a considerable place in the Iraqi criminal justice system”

¹¹ Key Informants INGOs and NNGOs

¹² INGO Kils

UNFPA 2016. *GBV Assessment in Iraq*. <https://iraq.unfpa.org/sites/default/files/pub-pdf/The%20GBV%20Assesment.pdf>

¹³ INGO Kils

Alinia, A. 2013. *Honour and Violence Against Women in Iraq and Iraqi Kurdistan*. Palgrave Macmillan: New York.

UNFPA 2016. *GBV Assessment in Iraq*. <https://iraq.unfpa.org/sites/default/files/pub-pdf/The%20GBV%20Assesment.pdf>

Danish Immigration Services. 2018. *Country Report Kurdistan Region of Iraq - Women and Men in Honour related conflict*. <https://www.refworld.org/pdfid/5beacadd4.pdf>

¹⁴ Humanitarian working groups and cluster meeting updates

¹⁵ INGO Kils

¹⁶ Key Informants INGOs and NNGOs

¹⁷ UNFPA 2016. *GBV Assessment in Iraq*. <https://iraq.unfpa.org/sites/default/files/pub-pdf/The%20GBV%20Assesment.pdf>

¹⁸ Efrati, Noga (2012). *Women in Iraq: Past meets present*. New York: Columbia University Press.

¹⁹ Efrati, Noga (2012). *Women in Iraq: Past meets present*. New York: Columbia University Press.

according to Noga Efrati.²⁰ Honour was seen as a ‘mitigating circumstance,’ which legitimised killing a woman as ‘the easiest way’ to solve a problem, especially those parts dealing with ‘legal excuses and legally extenuating circumstances’, according to articles 128 and 130–132 of the Iraqi Penal Code from 1969.²¹ Tribal agreements instrumentalised girls as leverage of honour to mediate conflict and settle disputes for example via *fasl*²² marriages.

Women’s legal status improved in 1990, and again in 2003 as the KRG enacted reforms that expanded the participation and recognition of women under strong advocacy by Kurdish women. Despite the criminalisation of honour killing in all parts of Iraqi Kurdistan in 2000 and 2002 by the Sualimaniyah (Patriotic Union of Kurdistan) and Erbil (Kurdistan Democratic Party) administrations, respectively, the practice continues as do other honour related practices.

In the early 2010s, much feminist struggle and resistance by Kurds and Iraqis had led to new strategies against SGBV. KRG passed the Prevention of Violence Against Women law and set up a Directorate to its mission in 2012. On the other hand, CGI remains behind on tackling this issue with no law against domestic violence, and a Penal code embellished in patriarchal rhetoric and perspectives that are inherently discriminatory against women.²³ Following the regime change, CGI signed the National Action Plan (NAP) for the implementation of Women Peace and Security agenda’s United Nation’s Security Council Resolution 1325. However, the budget was never signed off due to financial restraints during the successive ISIS invasion. Despite some uptake from CGI and KRG for the momentum of change, they have also been criticised by women’s organisations for their lack of strategy for implementation and monitoring, which has raised suspicion about their motivation as merely decorative. Although KRG has managed to push the SGBV agenda significantly, issues still remain stemming from the pervasive honour-shame complex that further harden the barriers to report SGBV and ensure justice for the survivors.

²⁰ In Begikhani, Nazand, Aisha Gill, and Gill Hague (2010). *Honour-based violence (HBV) and honour-based killings in Iraqi Kurdistan and in the Kurdish diaspora in the UK. Final report*, Roehampton University, Kurdish women’s rights watch, University of Bristol.

²¹ Begikhani, Nazand (2005). “Honour-based violence among the Kurds: The case of Iraqi Kurdistan.” In *“Honour”: Crimes, paradigms, and violence against women*, edited by Lynn Welchman and Sara Hossain, 209–230.

London and New York: Zed Books.

²² *Enforcement of tribal law and conservative Islamic law “in Basra alone since the beginning of that year [2012] eight hundred women found themselves in fasl marriage—handed over in the settlement of disputes”* (Efrati, Noga 2012)

²³ Global Justice Project. March 2018. *Iraq’s Criminal Laws Preclude Justice For Women And Girls*
<http://globaljusticecenter.net/files/IraqiLawAnalysis.4.6.2018.pdf>

Looking ahead

Women's heightened need for SGBV protection during displacement, with Iraq's wavering legal bulwark for its response, runs the risk of putting entire communities at risk. In fact, the 1325 Committee Cross-Sector Task-Force founder and coordinator, Suzan Aref, argues for the need to combat extremism through women capacity building, leadership, and economic empowerment. In this way, "she can act as an alarm" on extremist behaviour in her community, whereas from women's marginalised role in conservative societies they are likely to join groups where their voices are heard and recognised - including that of extremists. Indeed, the centrality and honour of women could be 'flipped' to engender their *agency* and *achievement*. CGI had an opportunity to champion this cause, when Nadia Murad received the Nobel Peace Prize for shaming perpetrators and honouring survivors of SGBV.

Women can perform and embody honour through their actions. Under no circumstances will the immense pressure on women sexuality, i.e. carrying the oath of family honour, yield progress for gender equality. Serious cross-sector capacity building efforts must be embarked upon to ensure local authorities are equipped to carry on anti-SGBV services following the international non-governmental organisations (INGO) exit, to transition Iraq firmly into the stabilisation period.

During ISIS invasion and into the liberation of Iraq, funding from women's organisations were reprioritised to humanitarian response, which challenged the sustainability of structural reform for equality.

In Iraq and Iraqi Kurdistan's transition from social disorder to order, CGI and KRG must be engaged and utilise this momentum in the following ways:

- Ensure budgetary requirements are agreed upon and met for a new NAP period.
- Engage tribal and religious authorities in educational activities that redirect shame from survivor to perpetrator of SGBV, publicly shame honour-based crimes, and publicise its widely acknowledged expense on society (both women, children, economic, and political).
- Harmonise the Personal Status Codes with article 41 of the new Iraqi constitution and NAP agenda.
- Publicly acknowledge women's experiences during war and displacement via the promotion of storytelling and gender education initiatives and through media and social media campaigns.
- Open more shelters with protection, legal, and integrated livelihood service provision. These need to follow gender streamlined processes with qualified staff that can ensure its alignment with the government endorsed SOP for GBV, following the INGO exit. The shelters should be well equipped with the capacity to bring SGBV and honour-based violence to justice through victim-centred legal aid as well as transitional justice initiatives.

Monitoring framework for SGBV incidents should include analytical tools and collaboration across hospitals, police forces, legal organisations, and NGOs who can detect and report signs of honour-based crimes.

Article Citation: Johansen, H. (2019) Breaking the Cycle of Shame in Iraq MERI Policy Brief. vol. 4, no. 32.

The views expressed in this publication are those of the author and do not necessarily represent the views of MERI.