

## Iraq poised to legalize marriage for girls as young as 9

Decades ago, in the years after Iraq gained independence, a tradition of child marriage persisted in its hills and plains. Upon their fathers' orders, Iraqi girls [were betrothed](#) to strangers and rivals alike to resolve tribal disputes or incur favor.

But in the mid-1970s, such acts — [called “fasliyah”](#) — were prohibited as the nation moved toward secularization and modernity.

“This decree [banning fasliyah] constituted the first step toward a civilized Iraqi community,” [reports the Middle East publication Al-Monitor](#), “which would put an end to the failures of the tribal... society.”

In the years that followed, rates of child marriage plummeted. By 1997, only 15 percent of Iraqi women were married as children, according to the [Central Organization for Statistics](#). This figure was the same in 2004.

But as the country plunged into the darkest days of the Iraq War, traditions emerged anew — including child marriage.

In 2007, Al-Monitor says, 21 percent of young Iraqi women reported they were married as children. Six years later, the Population Reference Bureau [determined](#) that “the decline in early marriages has stopped.”

In fact, the rate had risen.

By mid-2013, [more than one-fourth](#) of females were married as children, and 5 percent had been wed before age 15. This rate of child marriage placed Iraq ahead of [many nations in the region](#).

Now the Iraqi government is poised to legalize child marriage for the nation's majority Shiite Muslim population. But the law, which some [expect to pass](#) before this month's parliamentary elections, would do significantly more than that.

Called the [Jaafari Personal Status Law](#), it would prohibit Muslim men from marrying non-Muslims, prevent women from leaving the house without their husband's consent, automatically grant custody of children older than two to their father in divorce cases and legalize marital rape.

The law, which proponents say will save women's “rights and dignity,” would also permit boys to marry as young as 15 and girls to marry as young as nine. Girls younger than nine would be [permitted](#) to marry with a parent's approval.

Ayad Allawi, a former Iraqi prime minister, expressed outrage this week in [an interview](#)

[with the Telegraph](#). He said the law would legalize the abuse of women.

“It allows for girls to be married from nine years of age and even younger,” Allawi said. “There are other injustices [in the law] too.”

The legislation, which was introduced late last year, was condemned by international rights groups.

“Passage of the Jaafari law would be a disastrous and discriminatory step backward for Iraq’s women and girls,” [said Joe Stork of Human Rights Watch](#). “This personal status law would only entrench Iraq’s divisions while the government claims to support equal rights for all.”

Others suspected the legislation would ignite new sectarian divides in a nation already riven by them. It will “lead to the fragmentation of [the] national identity and divide Iraqis into various religious entities that are separate from one another both socially and legally,” [Al-Monitor reported](#) in November.

Despite widespread criticism, the law was approved by Iraq’s Council of Ministers on Feb. 25 and sent to parliament for passage. The body’s decision to table it Tuesday was [widely seen](#) as a gambit to appease conservative Shiites before the upcoming elections.

The law now appears to be [headed towards ratification](#) no matter what the international community says.

“Iraq is in conflict and undergoing a breakdown of the rule of law,” women’s rights activist Basma al-Khateeb [told Human Rights Watch](#). “The passage of the Jaafari law sets the ground for legalized inequality.”

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