Women’s Rights in Iraq: Pre- and Post-1979

Sarah Farhan

Agnes Scott College

The toppling of the monarchy in 1958 in Iraq presented a political opening for women activists to push for a personal status law that insured women’s rights. After adopting the very progressive 1959 Personal Status Law, women during the 1960s and 1970s enjoyed high rates of participation in labor force and politics, and maternity benefits and free child care. However, beginning in the 1990s, women in Iraq lost many of these benefits. An important question that deserves our attentions is, given that the same regime ruled the country between 1968 and 2003, did women’s rights deteriorate after the mid-1980s for the same reason they were advanced before 1980s? Through a comparative approach, this paper analyzes women’s rights and the shifts in women’s status pre- and post-1979, the year Saddam Hussein came to power. It argues that between 1968 and 2003, and while all forms of advocacy for women’s rights were repressed by the Ba’ath regime, economic and political circumstances shifted the state’s agenda, which in turn shifted the status of Iraqi women. While women’s rights pre-1979 were advanced because of liberalism in the 1960s and state feminism in the 1970s, wars and sanctions that took place after 1979 shifted the authoritarian regime’s focus from economic development and women’s liberation to defending the legitimacy of the regime at the expense of women. The findings of this paper differ from previous scholarship that emphasized the greatness of women’s status in the second half of the twentieth century (Efrati 2012). It rather builds on previous research that noted the impact of wars and sanctions on the status of women in Iraq after the late 1980s (Al-Ali 2007; al-Ali & Pratt 2009; al-Marashi 2003; Robert 2003), by exploring the role of changing state ideology in shaping women’s status.

I

n this paper, I study the status of women and women’s rights in Iraq under Saddam Hussein’s regime (1979-2003). Since this is a comparative research paper, I will use the twenty years before Hussein’s rise to power as a control, and I will compare women’s rights and women’s status under Saddam to those during 1959-1979. Women’s rights improved between 1959 and 1979, but with the Iraq-Iran War (1980-88), the Gulf War (1990-91), and sanctions (1991-2003), women lost many of previously established rights and were increasingly marginalized. This paper answers why women struggled to maintain their status after the late 1980s. Why did women’s status witness a dramatic shift, particularly after the Invasion of Kuwait in 1990? First, I give a historical background on the status of women and women’s rights in Iraq before 1979. Then, I describe women’s role in Iraq-Iran war in the eighties. Finally, I discuss how women struggled from the early nineties on.

**Literature Review**

Some scholars have used the US Invasion of Iraq in 2003 as a turning point in women’s rights to argue that, before then, women generally enjoyed an egalitarian status (Brown & David 2006; Efrati 2012). They argue that the Invasion of Iraq suddenly pushed women hundred years back to the days when they struggled with tribalization, subordination, and little participation in labor force. However, comparing women’s rights in Iraq between the 1960s-70s and past-2003 ignores the social, political, and economic hardships introduced to Iraq in general and to women in particular in the 1980s and 90s (Al-ali 2007; al-Ali & Pratt 2009; al-Marashi 2003; Collier 2003). Although women benefited greatly from the Personal Status Law of 1959, women’s rights between 1959 and 2003 advanced and deteriorated as a result of shifting political ideologies. The state advanced women’s rights and women’s status in the 1960s, 1970s, and some of the 1980s when it adopted ideologies like Liberalism and Arab Socialism to advance the country economically. Beginning in the 1980s, political and economic circumstances lead the state to use approaches like conservatism and containment to legitimize itself and protect its rule (Mazaheri 2010; Rassam 1992). Hussein’s conservative approaches to appease tribal and religious leaders to maintain control meant that he gave up his commitment to economic development and advancement of women’s rights.

**A Comparative Approach**

Although the following historical context begins from the 1920s, it focuses on the aftermath of the overthrow of the monarchy in 1958. Following the toppling of the monarchy, new political opportunity structures lead to incorporating women’s rights in the national and domestic law. Although in the 60s and the 70s women’s rights were advanced, the laws and practices adopted in 1970s were different in that the Ba’ath regime utilized state feminism in advancing women’s rights while repressing independent women’s activism. Women’s status in the public sphere continued to improve after the overthrow of the monarchy until Saddam Hussein came to power in 1979. Even when favorable circumstances allowed the state to advance women’s status, these accomplishments were only made in the public sphere because the state did not want to intervene in familial matters that would frustrate the conservative part of the society (Rassam 1992). The rights women gained between 1958 and late 1980s started to deteriorate after the Invasion of Kuwait. In the first ten years of the Ba’ath regime, the state presented these rights to women as part of the nation-building process and for political and economic reason. Once the political ideology shifted after 1990, the state agenda also shifted, and women’s rights were neither advance nor preserved. When wars and sanctions threatened Hussein’s legitimacy, he refrained from making claims to liberate women, and instead, employed security apparatus to control any potential competitions and built relationships with tribal and religious leaders to prevent any one leader from challenging the state (Al-Marashi 2003; Mazaheri 2010). In the absence of liberation in the public sphere, women’s affairs were mostly determined by the private, familial sphere of a conservative society.

**Pre-1979: Advancing Women’s Rights**

Women’s status in Iraq improved because of four factors: increasing activism between 1920s and 1950s, the overthrow of the monarchy in 1958 that presented a political opportunity for active and elite women to draft a personal law that protected women, liberalism under the rule of Iraqi Republic in the 1960s, and state feminism during the first ten years of the Ba’ath regime. During early nineteenth century, feminism and women’s activism was gaining momentum, especially when poets like Jamil Sidqi Al-Zahawi (1863-1936) and Ma’ruf Al-Rusafi (1875-1945) called for women’s liberation. Advocacy for women’s rights increased and more women gained access to education, literacy classes, and manual skill workshops (Efrai 2012). Meanwhile, opposition to British interference increased because, especially since Britain used the resources of Iraq to support itself during the Second World War, public services deteriorated, and many people lacked basic living needs. The Iraqi Women’s Union (IWU), formed in 1945, provided charity work for women in Iraq and opened the networking with women across Arab countries. Another organization formed in the 1940s was the Women’s League against Nazism and Fascism. It made efforts to eradicate literacy and educate women. The organization even published a magazine of its own: Women’s Liberation. It changed name after WWII to Women’s League Society and Naziha al-Dulaimi, one of its co-founders and a doctor, became its first president. However, the British-backed monarchy started to target leftist organizations and activists, suspending the society in 1947. In 1952, Naziha al-Dulaimi, co-founded the Iraqi Women’s League in 1952 and became its first president.

Al-Dulaimi’s profession and activism introduced her to many women and gave her insight into their struggles and needs. She also had strong ties with Abdul Karim Qasim, who would lead a coup to overthrow the monarchy in 1958. In 1959, when he became the president, Qasim asked al-Dulaimi to be Iraq’s Minister of Municipalities (Al-Ali & Pratt 2007). Al-Dulaimi was the first female cabinet minister in Iraq and the Arab World. The overthrow of the monarchy and the state-re-building process that followed was a significant political opportunity structure for Iraqi women. One of the major contributions of al-Dulaimi and the Women’s League Society was their influence on the state to pass the first Personal Status Law as part of the new constitution. It is important to note that Qasim valued women’s participation in state-building and progress of the nation. Al-Dulaimi, along with a group of lawyer women, worked on drafting the Personal Status Law. Fundamentalists and conservatives accused these women of being irrespective of religion and culture.

In 1959 and under Qasim, Iraq adopted what would be the most progressive, favorable-to-women Personal Status Law (Law 188) in the region. Among other things, Law 188 ended unilateral divorce, required divorce to take place in court, restricted polygamy and required men who wanted to marry a second wife to present in front of court with a good reason for wanting to marry again, set 18 years as the appropriate age for both men and women to marry, and gave child custody to women (Efrati 2012). The law did not conflict with moral codes of Islam. It merely required all matters be resolved in state courts to ensure that all families abided by the same standards.

Law 188 was a product of both women’s increasing activism since the 1920s and the Iraqi Republic’s willingness to allow women to participate in state-building process. Throughout the 1960s and 1970s, women participated greatly in the development of the nation. The state promoted women’s education and encouraged them to participate in the labor force. Although Abdul Karim Qasim did not repress women’s activism, the Iraqi Republic initially kept a close relationship with the Iraqi Women’s Union, which was linked to the Iraqi Communist Party (ICP), for two reasons: the regime feared its influence and wanted to keep under check and the regime needed its union’s support against the pan-Arab nationalists. The crackdown on the ICP in the early 1960s broke the bond between the regime and the union, and the union started working underground (Al-Ali & Pratt 2009).

In *Women in Iraq: The Past Meets the Present*, Noga Efrati compares the status of Iraqi women after the US Invasion of Iraq in 2003 to that established as a result of adopting Law 188. She argues that the invasion reintroduced the debate over the Personal Status Law of 1959 and whether the rights of women should be placed in the hands of tribal and religious leaders, problems that moved the society fifty years back to the time when women were fighting against tribalization and subordination. Although reasonable, Efrati ignores the later establishments in the 1960s and 1970s. More importantly, she does not recognize all the political, economic, and social changes that took place between 1979 and 2003 that made Iraqi women more vulnerable to the impact of the invasion (Al-Ali 2007; Al-Ali & Pratt 2009). I will elaborate more on these changes in the next section of this paper.

Ba’ath party came to power in 1968 and remained until the US Invasion of Iraq in 2003. Whether under Ahmed Hassan al-Bakr (1968-1979) or Saddam Hussein (1979-2003), the state repressed all forms of women’s activism. The regime did not allow for activities that could threaten or challenge its power (Al-Ali & Pratt 2009). During the Ba’ath regime, women were only allowed, and, in fact, encouraged by the state, to join the General Federation of Iraqi Women (GFIW), the women’s organizations established and run by Ba’ath in 1968. With women’s activism repressed, whether women’s rights were advanced between 1968 and 2003 depended on political, economic, and social changes. These changes affected the state’s agenda and shifted its focus during the last the decades of the century.

Although not directly in power, Saddam Hussein was not far removed from it (Al-Ali & Pratt 2009). But, women’s status was still advanced and or maintained in the first decade or so. So, all the Accomplishments from this point on were top-down and by the state. After OPEC placed an oil embargo on the US in 1973, oil prices shot. The state decided to invest in the country’s infrastructure. The economic boom resulted in labor shortages and, instead of importing labor force, the state turned to utilize resources available inside Iraq in 1974, the state issued a decree that guaranteed employment for both male and female college graduates. The state encourages women’s education and participation in labor force, providing them with transportation and maternity benefits.

Women also enjoyed free child care, generous maternity benefits, and transportation to and from school and work (Al-Ali 2009). By early 1980s, women composed about 40% of labor force in Iraq. Education for women until age of 16 was compulsory and, by the 1980s, Iraqi women were among the most educated in the region. In 1980, women gained the right to vote and the right to be elected. The first woman to be elected to parliament was in June 1980 (IPU 1995).

**Post-1979: Women’s Rights Deteriorated:**

The deterioration of women’s status in Iraq resulted from: 1) two successive wars, 2) sanctions, and 3) the shift in state agenda because of these wars and sanctions. Throughout the ‘80s, women’s rights were maintained and, in some instances, advanced. For example, women gained the right to vote and the right to be elected to a public office in 1980. The social role of women, however, changed.

Taking advantage of the Iranian Revolution at the time, and with the support of US, Saddam Hussein went to war with Iran as an attempt to grow his control of the region. The war lasted eight years, during which women were at the forefront of the public sphere. While men fought the war, women became the head of household, taking care of the children and working to provide for the family. As the state’s rhetoric shifted during the eighties, women’s role shifted from a productive one to a reproductive one (Al-Ali & Pratt 2009, Efrati 1999). In the first half of the decade, the state pushed women into labor force to finance the war. The second half the state wanted women to reproduce because the country lost a lot of men.

In 1990, only two years after the end of Iraq-Iran war, Iraq invaded Kuwait and, as a result, the United Nations imposed sanctions against the Iraqi state. During 1990s, women of Iraq suffered from three: economic hardships that resulted from successive wars, the comprehensive sanctions imposed by the UN that pushed people into even more economic hardships, and extensive state control over the population. Bad economy after wars and sanctions left many people without jobs. Women, who composed almost 40% of labor force in mid-1980s, now composed only 10% of the labor force (Al-Ali 2007). Sanctions and economic problems gave Saddam Hussein even more control over the people of Iraq (Mazaheri 2010). People relied on state’s distribution of food for survival, Hussein employed intelligence and security apparatus to preserve his rule and protect it against challenges by potential rebellions. The state also shifted its rhetoric from speeches on economic development and women’s liberation in the public sphere to blaming the US and UN for struggles of Iraqi people (Al-Marashi 2003; Mazaheri 2010). Throughout 1980s, Hussein made claims about the importance of women’s liberation in developing the nation:

The complete emancipation of women from the ties which held them back in the past, during the ages of despotism and ignorance, is a basic aim of the Party and the Revolution. Women make up one half of society. Our society will remain backward and in chains unless its women are liberated, enlightened and educated. (Saddam Hussein, 1981)

Hussein abandoned these claims and started to establish relationships with tribal and religious leader, giving them enough power to gain their support, but not enough any one group to challenge him (Al-Marashi 2003). Hussein also turned to intelligent security apparatus to control any potential competitions that threatened his rule. However, this state control did not necessarily hinder feminist movements, as Ali al-Mamouri claims in his article “Women’s Movement in Iraq: Its Failures and Challenges.” Except for Mamouri, experts on the scholarship of women’s rights in late 20th century Iraq like al-Ali and Efrati claim that the state repressed feminist movements anyway. What containment did reduce was the state’s talk about economic development and participation of women in the public sphere.

Two wars had killed a large number of men, and the struggling economy left other men unable to found family. The number of unmarried women increased to the point where society and women accepted a relatively wealthier man to marry more than one woman (A-Ali 2007; Collier 2003). Services enjoyed by women, such as free transportation to and from school, work, and childcare, disappeared, making education and employment less accessible to women. Adopting a more conservative ideology, the state legalized polygamy, segregated schools by sex, and restricted women's travel abroad. Women under age of 45 were unable to travel without a *mahram*, or some male kin (Collier, 2003). The decreasing economic and social status for Iraqi women resulted from successive economic and social falls, the sanctions placed against Iraq in the 1990s, and finally, the US Invasion of Iraq in 2003 (Al-Ali 2007; Al-Ali 2013; Efrati 2012).

**Conclusion**

This paper has shown that between 1968 and 2003, women’s status first advanced and later deteriorated in response to economic and political openings and closures that shifted state’s political ideology. Under the regime, women gained more rights initially, but their status changed for worse during the last two decades of the century. Initially, the state used talk of women’s liberation and economic development to persuade the public of the state’s commitment and because advancement in these fields strengthened and empowered the regime. Faced with economic and political issues, the state, since late 1980s, feared potential uprisings and adopted the more conservative political ideology to contain any competitions. Women in Iraq in the 80s and 90s suffered the double burden of wars and sanctions: first, because wars and sanctions lessened their opportunities of being becoming full participants in public, political sphere; and second, because these conditions pushed Hussein to shift his focus away from the status of women and toward employing measures that protected his rule but harmed the society and women. Saddam Hussein's top priority was to preserve his rule by establishing more links with tribal and religious leaders, which meant that women’s rights had to be sacrificed. When studying an authoritarian regime like Saddam Hussein’s and its role in women’s status, the regime refrains from its commitment to women’s liberation if circumstances threatened its rule, no matter how strongly the head of the state believes in the importance of advancing women’s rights as a way to develop the nation. Scholars have claimed that the Ba’ath regime took measures to keep down independent activists, including advocates of women’s rights. However, Al-Mamouri stated, without providing support for his statement, that the Gulf War and the sanctions pushed back women’s activism. Future research should focus on the women’s activism under the Ba’ath regime, to what extent it was repressed, and whether there was an underground activism that operated under the Ba’ath regime.

References

Al-Ali, Nadje. Iraqi Women : Untold Stories from 1948 to the Present. Zed Books, 2007.

Al-Ali, Nadje. “Reconstructing Gender: Iraqi Women between Dictatorship, War, Sanctions and Occupation.” Third World Quarterly, no. 4/5, 2005, p. 739.

Al-Ali, Nadje, and Nicola Pratt. What Kind of Liberation?: Women and the Occupation of Iraq. University of California Press, 2009.

Al-Marashi, Ibrahim. "The Family, Clan, and Tribal Dynamics of Saddam's Security and Intelligence Network." *International Journal of Intelligence and CounterIntelligence* 16.2 (2003): 202-211.

Collier, Robert. “1991 War Cost Iraqi Women Rights / Polygamy Has Been Legalized, Schools Segregated, Travel Restricted.” SFGate, 25 Jan. 2003, http://www.sfgate.com/news/article/1991-war-cost-Iraqi-women-rights-Polygamy-has-2639239.php.

Efrat, Noga. "Productive or reproductive? The roles of Iraqi Women during the Iraq‐Iran War." *Middle Eastern Studies* 35.2 (1999): 27-44.

Efrati, Noga. Women in Iraq: Past Meets Present. Columbia University Press, 2012. Law Number 188 for the Year 1959: Personal Status Law. http://www.iraq-lg-law.org/ar/webfm\_send/803.

Mamouri, Ali. “Women’s Movement in Iraq: Its Failures and Challenges.” Al-Monitor, 18 Mar. 2014, http://www.al-monitor.com/pulse/ar/originals/2014/03/iraq-women-rights-challenges-setbacks.html.

Mazaheri, Nimah. "Iraq and the domestic political effects of economic sanctions." *The Middle East Journal* 64.2 (2010): 253-268.

Rassam, Amal. "Political ideology and women in Iraq: legislation and cultural constraints." Journal of Developing Societies 8 (1992): 82.

Union, Inter-Parliamentary. "Women in parliaments 1945–1995: A world statistical survey." *Geneva: Inter-Parliamentary Union* (1995)