

How Will U.S. Guarantee Iraqi Women's Rights,

Lawmakers Ask Bush

Jim Lobe - One World

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WASHINGTON, D.C. -- Three days before the Iraqi Governing Council (IGC) is due to ratify a Fundamental Law to guide the country's transition until a permanent constitution can be drafted, 16 Democratic members of Congress have asked President Bush to urgently clarify its strategy for guaranteeing the rights of Iraqi women.

While commending Coalition Provisional Authority (CPA) chief Paul Bremer's recent statements that he will veto any temporary constitution that includes Islamic law, or Sharia, as its fundamental principle, the lawmakers, several of whom have just returned from visits to Iraq, said they "continue to have serious concerns about the fate of the country once the transition to sovereignty is completed" June 30.

"With the deadline of February 28, 2005 for completion of a draft constitution and the June deadline for the transfer of power," the 16 wrote in a letter to Bush sent Wednesday, "we must act now to provide for the equal rights of all Iraqi people."

"We just want to know, what's the plan?" said New York Rep. Carolyn Maloney. "Sharia should not be the basis of the Iraqi legal system. Still, we haven't seen much of a plan for protecting women's rights when we turn over power to the Iraqis. In the end, we need to make sure the groundwork is laid for women's rights in Iraq before the clock runs out on our direct influence."

Many in Congress were shocked when the 25-member Iraqi Council approved Resolution 137 at the end of December. The Resolution, which did not go forward after Bremer indicated he was prepared to veto it, would have replaced Iraq's 1959 laws, which, regarding women's rights, were widely seen as among the most progressive in the Middle East.

Under the Resolution, clerics from the country's different religious faiths would have been given broad authority to rule on everything from the right to education, employment and freedom of movement, to property inheritance, divorce, and child custody.

Its approval created an uproar among both members of Congress here and women in Iraq, including the three female members of the IGC.

"This will send us home and shut the door, just like what happened to women in Afghanistan," Amira Hassan Abdullah, a Kurdish lawyer, told *The Washington Post*. "The old law wasn't perfect, but this one would make Iraq a jungle. Iraqi women will accept it over their dead bodies."

While the immediate threat posed by the Resolution has been removed, the fact that it passed at the behest of conservative Shiite members of the IGC-- who have since called for the adoption of a constitution that is consistent with Sharia--has fueled concerns about where women's rights may be headed. Shias are the largest sectarian group in Iraq, accounting for roughly 60 percent of the population.

Indeed, Bremer's recent vow to veto any interim constitution that enshrines Sharia as the law of the land has already drawn strong protests from powerful clerics from both the Shia and Sunni communities. In the aftermath of the ouster of former President Saddam Hussein, many believe that religious-based parties are likely to emerge as the strongest once sovereignty is returned to

Iraqis, regardless of what provisions are included in the transitional constitution.

The U.S.-led CPA has tried to boost the position of women. During a trip to Iraq last month Deputy Defense Secretary Paul Wolfowitz stressed that, "(i)f Iraq is to become a democracy, women must have an equal role and more women should be included in Iraqi governing bodies and ministries."

Similarly, the CPA financed the recent creation of the Zainab al-Hawraa Center for Women's Rights at a former Ba'ath Party building, and Bremer attended its opening. "Anyone seeing all this talent and ability here, they would recognize that barriers placed in the way of women are barriers to the development and growth and prosperity of Iraq and indeed the Arab world," he said. "We in the coalition are committed to continuing to promote women's rights in Iraq."

While welcome, such rhetoric will be difficult to translate into concrete gains without more effort, according to the U.S. lawmakers, as well as representatives of Iraqi women, who point out that none of the 24 members of the committee working on the interim constitution is female. One of the committee's adviser told Agence France Presse last week that the attitude of its members was "very condescending" toward women and their rights.

At a meeting of more than 600 Iraqi women in Baghdad last week, participants agreed that they should insist that at least 40 percent of the members of an enlarged IGC (or whatever body takes its place after June 30) should be women. A similar demand was made--unsuccessfully--by Afghan women at the constitutional loya jirga at the end of last year. At the end of the process, it was agreed that 25 percent of the country's legislative body should be women.

The fears of Iraqi women, according to the Maloney, one of the lawmakers who visited Iraq last week, are very real.

"Iraqi women should not have to face a future where they cannot walk outside without their husbands, obtain employment, or gain custody of their children," the letter said.

The lawmakers said they were seeking clarification on several specific points; namely, what is the "specific plan ...ensuring that we do not leave Iraq women worse off than when we committed American troops to ending the reign of Saddam Hussein" and who in the administration would have responsibility for ensuring equal rights both during the transition and after the transfer of sovereignty?

"Women in Iraq are potentially the big losers," warned Illinois Rep. Jan Schakowsky. "It would be a shame and a shock if the clock was turned back and women in Iraq had fewer rights today than they did when Saddam Hussein was in power."

"We cannot consider our 'mission accomplished' in Iraq if we leave there without strengthening women's rights," said California Rep. Jane Harman, who is also the senior Democrat on the House Intelligence Committee. "The President's timetable for a June transition of power leaves women very vulnerable," said Harman, who also just returned from Iraq.