

Shamed out of Shelter

Honouring women's housing, land and property rights in Iraq



Justifying denial of rights: Shame, honour and tradition

Right	Reason for denying or not trying
To own property	<p>“It is tradition” for married women to have property in name of husband only.</p> <p>“It is shame if she is married and has her own property”.</p> <p>Laila got divorced from a violent man. She obtained an education, a job and wants to buy her own home. But her family says no, a divorced woman “cannot live alone”.</p>

Justifying denial of rights: Shame, honour and tradition

Right	Reason for denying or not trying
To own property	<p>“It is tradition” for married women to have property in name of husband only.</p> <p>“It is shame if she is married and has her own property”.</p> <p>Laila got divorced from a violent man. She obtained an education, a job and wants to buy her own home. But her family says no, a divorced woman “cannot live alone”.</p>
To inherit property – from parents etc.	<p>“It is custom: married women go to another place, so a women doesn’t take the land”.</p> <p>“It is shame for the husband if a married women accepts her share of inheritance”.</p>

Justifying denial of rights: Shame, honour and tradition

Right	Reason for denying or not trying
To own property	<p>“It is tradition” for married women to have property in name of husband only.</p> <p>“It is shame if she is married and has her own property”.</p> <p>Laila got divorced from a violent man. She obtained an education, a job and wants to buy her own home. But her family says no, a divorced woman “cannot live alone”.</p>
To inherit property – from parents etc.	<p>“It is custom: married women go to another place, so a women doesn’t take the land”.</p> <p>“It is shame for the husband if a married women accepts her share of inheritance”.</p>
Nefaka – alimony after divorce	Men won’t consent to divorce unless women give up their right to nefaka.

Justifying denial of rights: Shame, honour and tradition

Right	Reason for denying or not trying
To inherit property – from husband	<p><i>Men say:</i> Widows “do not need” to inherit marital property because she should go to live with her parents. <i>Women say:</i> “But it is important. We women need these rights”.</p> <p>Shahin’s husband died in the conflict. She has 4 children. His parents could support, but refuse. Now her son begs in the street. “There is nothing to do; tradition says it is shame to go to court”.</p>

Justifying denial of rights: Shame, honour and tradition

Right	Reason for denying or not trying
<p>To inherit property – from husband</p>	<p><i>Men say:</i> Widows “do not need” to inherit marital property because she should go to live with her parents. <i>Women say:</i> “But it is important. We women need these rights”.</p> <p>Shahin’s husband died in the conflict. She has 4 children. His parents could support, but refuse. Now her son begs in the street. “There is nothing to do; tradition says it is shame to go to court”.</p>
<p>Mahr – akin to bride price</p>	<p><i>Men say:</i> “Women do not ask for it”. <i>Women say:</i> “It is just ink”; “negotiated for show”.</p> <p>“It is shame for women to go to court. The problem is not distance or access ... Even if she goes, the judge will not help, because he is part of the tradition”.</p>

Reflections and ways forward

– Custom/tradition is not static

- Humanitarian actors can play a role contributing to processes of change and contestation, whereby women's HLP rights are more accepted and protected. Legal assistance, shelter and livelihood programmes can contribute to this process.

– There are protection risks with women's HLP

- Because of the lack of acceptance, pushing this can come with risks, including GBV. Do no harm analysis essential, ideally work collaboratively with GBV actors.

– Repeating history: security vs. women's rights?

- In Iraq, history of ignoring women's HLP rights cannot be allowed to repeat, at supposed expense of stabilisation and 'order'.