



Arranged servitude: How forced marriages violently confine women

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ABSTRACT

This article examines the prevalence and dynamics of forced and arranged marriages in the Kurdistan Region of Iraq, tracing how women's autonomy is constrained and how consent is negotiated under pressure within patriarchal social structures. The study asks how consent is negotiated, justified, and experienced in situations where refusal would carry social, economic, or familial consequences. Employing a thematic analysis of 55 in-depth interviews, the study explores how these practices are sustained through intersecting pressures, honour, kinship obligations, economic precarity, and familial control. This is the first multi-site, gender-focused study to examine forced and arranged marriages across Kurdish and Arab communities. The research examines the continuum between “arranged” and “forced” marriage and the social logics that position women within these systems. Situated within feminist and sociological analyses of gendered constraint, the findings demonstrate how marriage functions as a social and economic strategy, how families mobilise marriage to safeguard honour or consolidate status, and why legal prohibitions remain largely disconnected from lived realities. The article contributes new empirical insight into how coercion is rationalised within kinship systems and how women navigate constrained forms of agency in contexts where alternatives are limited. While forced marriage is legally prohibited in the region, the study argues that legal reforms alone are insufficient without corresponding shifts in social norms, institutional practices, and community-level interventions that address the structural conditions enabling these marriages.

Introduction

Violence against women (VAW) in the Kurdistan Region of Iraq (KRI) manifests in multiple interconnected forms and arranged and forced marriages remain among the most persistent and least understood. These practices are embedded in ideas about family, honour, responsibility, and social duty, and they continue to shape the everyday lives of young women and girls whose autonomy is constrained by expectations of obedience and protection. Drawing on fieldwork conducted between 2022 and 2024, this article examines how arranged and forced marriages operate within wider patriarchal structures, and how these structures are negotiated by the women who live within them. The article asks how these marriages are arranged, justified, or contested within families, and how women understand the boundaries between arrangement, obligation, and coercion. It argues that these marriages are sustained through overlapping pressures (honour, economic precarity, kinship obligation, and restricted alternatives) that shape how consent is negotiated in everyday life.

Scholarship on gender-based violence in the Middle East has long highlighted the influence of kinship authority, patriarchal norms, and socio-legal arrangements on women's marital experiences (Gangoli, McCarry, & Razack, 2009; Hester, Kelly, & Radford, 1995; Thiara & Gill, 2010). This work shows how economic insecurity, ideas of respectability, and the moral obligations attached to family honour restrict the choices available to women. Yet detailed qualitative research specific to

the KRI remains limited; most existing studies centre on legal reforms or institutional response rather than on the everyday dynamics through which marriages are arranged, contested, or imposed (Hussain, 2024; UNFPA Iraq, 2016). This article addresses this gap by analysing how women and their families describe the social, economic, and moral pressures that shape marital decisions. The study also incorporates the perspectives of men, whose experiences of honour, responsibility, and constrained choice complicate reductive binaries and reveal how patriarchal systems discipline multiple actors.

Participants in this study often blurred the distinction between what is formally categorised as an arranged marriage and what becomes, in practice, a coerced one. Several women described agreeing to marriage in circumstances where refusal would have carried serious social costs, while others spoke of consent negotiated amid layers of expectation, obligation, and the absence of alternatives (Anitha & Gill, 2009; Baumeister & Carabine, 2024). Although forced marriage is prohibited under KRI law, the reach of formal legislation is uneven, particularly in settings where unregistered marriages and community-based negotiations carry significant authority (UNFPA Iraq, 2016; Jiyan Foundation for Human Rights, 2022).

This study draws on 55 in-depth interviews with women and men who had direct experience of arranged or forced marriage, as well as lawyers, NGO practitioners, and community actors involved in responding to these cases. Their accounts reveal how gendered norms, family strategies, and ideas about protection and responsibility interact

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<https://doi.org/10.1016/j.wsif.2026.103310>

Received 15 October 2025; Received in revised form 16 February 2026; Accepted 16 February 2026

Available online 25 February 2026

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to shape marital decisions, and how broader hierarchies are reproduced through ordinary practices (Gill, Begikhani, & Hague, 2022). The analysis is grounded in feminist, intersectional, and regional scholarship on gendered constraint, kinship obligation, and the negotiation of consent. The article begins by outlining the socio-political and legal context of the KRI before turning to the feminist, sociological, and regional scholarship that informs the analysis. It then presents the methodology, followed by the findings and a discussion of their implications for understanding gender, agency, and institutional response in the region.

Literature review and theory

Over the past three decades, awareness of VAW has intensified across academic and public spheres (Gangoli et al., 2009; Hague & Malos, 2005; Hester et al., 1995; Thiara & Gill, 2010). This work has documented multiple forms of gendered violence, including domestic abuse, psychological coercion, sexual assault, female genital mutilation, and forced or arranged marriages (Horvath & Kelly, 2006). While this literature has expanded considerably, much of it remains general in scope, with fewer studies examining how specific social arrangements shape marital practices in distinct regional contexts. In the Middle East, scholars have shown how kinship authority, religious norms, and economic precarity interact to produce gendered constraints, yet detailed studies from the KRI remain relatively scarce. Research on VAW in the KRI remains comparatively limited, and existing scholarship highlights the neglect of minority groups and the difficulty of analysing multi-layered inequalities without attention to local histories, kinship systems, and everyday social practices. These studies underscore the need for approaches that take seriously the differentiated experiences of women whose voices are often marginalised within both their communities and institutional settings. They also point to the importance of understanding how patriarchal systems discipline both women and men within honour-based hierarchies shaped by economic and familial expectations.

Intersectionality provides a useful framework for understanding these dynamics. It makes visible how race, gender, class, and other social divisions overlap to shape lived experience (Crenshaw, 1992; Razack, 1998). It also draws attention to internal hierarchies within groups, where privilege and vulnerability are distributed unevenly, and where women's ability to voice resistance is often limited by family obligation or community norms. Yuval-Davis (2006) emphasises the importance of distinguishing between different social divisions as they operate in specific cultural and historical contexts, a point that is particularly relevant for the study of marriage and gender relations in the KRI. There, patterns of honour, kinship obligation, and the social distribution of responsibility shape how consent is expressed, withheld, or negotiated under pressure.

Forced marriage appears in several forms, including child or early marriage and marriage following pregnancy. In situations where premarital sexual relations result in pregnancy, abortion may be socially or morally prohibited, leaving young women with few acceptable alternatives (Kooy & Cranwinkel-Weeda, 1975). Because minors cannot legally provide valid consent, marriages involving individuals under eighteen constitute forced marriage irrespective of whether explicit coercion is visible. These examples illustrate the broader continuum between arranged and forced marriage, where consent may be formally articulated but substantively limited by expectations of obedience, restricted options, or the threat of social sanction (Anitha & Gill, 2009). This continuum reflects wider regional scholarship demonstrating how kinship authority and moral obligation influence marital decision-making (Al-Sharmani, 2017; Certel & Atasü-Topcuoğlu, 2024; Sonbol, 2003). Building on this work, an intersectional approach also clarifies how men navigate constrained positions within honour economies, where expectations of provision, loyalty, and family protection limit available choices.

From an intersectional standpoint, gender-based oppression cannot

be understood in isolation. Patterns of kinship, economic precarity, and social obligation intersect in structured ways, shaping not only women's autonomy but also the institutional responses available to them. As researchers note, when coercive practices are reduced to culture, the political, economic, and institutional conditions that sustain them are obscured (Joseph, 1993). Postcolonial feminist scholarship has been particularly critical of this tendency, cautioning against narratives that depict Middle Eastern women as passive victims in need of rescue (Mahmood, 2005). These insights are crucial for analysing arranged and forced marriages in the KRI without reproducing simplified binaries or externalising responsibility. In this study, intersectionality helps trace how power is organised internally (across gender, age, class, kinship, and social obligation) while post-colonial critique situates these dynamics within broader histories of representation, authority, and knowledge production. Together, these frameworks make it possible to examine both the internal hierarchies shaping women's constrained choices and the external narratives that have positioned Middle Eastern women through reductive or interventionist lenses.

Forced and arranged marriages illustrate these complexities. Western policy debates often reduce these practices to questions of cultural difference, overlooking the broader gendered, economic, and kinship-based structures through which they operate. In the KRI, as in other parts of Iraq and the Middle East, state responses to forced marriage have been inconsistent, with critics noting the absence of sustained policy interventions (Ertürk, 2007; Hussain, 2024). Scholars including Hannah Baumeister, Helen McCabe, Joanne Payton, Aisha K. Gill, and Nazand Begikhani have analysed forced marriage through legal, economic, and honour-related frameworks, while recent work on marriage, polygyny, and religious authority (Certel & Atasü-Topcuoğlu, 2024) shows how marital decisions are shaped by religious interpretations, kinship obligations, and economic conditions. Research on Islamic family law and religious authority further demonstrates how juristic interpretations, customary procedures, and informal negotiations structure marital decision-making across Iraq and the broader region (Al-Sharmani, 2017; Sonbol, 2003). These studies collectively show how religious norms intersect with economic precarity and kinship obligation to shape both the pressures families exert and the limited pathways available to women and men.

Taken together, this scholarship illustrates not only the global reach of forced marriage but also the persistence of arranged marriage as a culturally embedded practice shaped by kinship, patriarchy, and local socio-legal norms (Tahir, 2021). Reports by Amnesty International, Women Advocacy and Development Initiative (WADI), and Women's Legal Assistance Organization (WOLA) have also highlighted institutional failures within the KRI (including the "reconciliation" of survivors with perpetrators, uneven enforcement of protections, and the reliance on community mediation) which shape the conditions under which women and families negotiate marriage decisions. This article builds on these insights by examining how these dynamics unfold in the specific context of the KRI, drawing on qualitative accounts that illuminate how families rationalise marriage decisions, how pressure is exerted, and how gendered hierarchies are reproduced through everyday practices.

Methodology

This research formed part of a Marie Skłodowska-Curie Postdoctoral Fellowship, entitled "*Arranged/Forced Marriages: At the Intersections of Gender, Violence, and Sexuality*". The project examined arranged and forced marriages, honour killings, and female genital mutilation (FGM), with the aim of understanding how Kurdish and Arab women and men in the KRI interpret these practices in the post-Saddam era (2003–2024). The post-2003 period was selected by the study because it marks the point at which the KRI developed its own legal and administrative structures, including the institutions responsible for regulating marriage and responding to VAW; these changes directly shaped the environment in which the study's participants lived and negotiated marital decisions.

The study adopted a qualitative design, grounded in thematic analysis, to explore both institutional and personal dimensions of these issues. The analysis follows an interpretivist, feminist sociological approach that treats participants' accounts as situated narratives shaped by structural and cultural contexts. While the study includes ethnographic components (court observations, institutional engagement, public dialogues), it does not present itself as an ethnography; the analysis is explicitly thematic and interpretive, drawing on feminist sociological approaches that centre lived experience and narrative meaning-making.

Fieldwork covered multiple locations in the KRI between November 2022 and October 2024. The research drew on a total of 55 semi-structured interviews, conducted in Kurdish and Arabic. Participants included government officials, policymakers, academics, and staff from women's NGOs such as WOLA, Wadi, WEO, and Asuda for Combating Violence against Women (ASUDA), as well as representatives from the UN, the General Directorate of Combating Violence Against Women (GDCVAW) which is the primary governmental body responsible for receiving, documenting, and responding to cases of domestic and gender-based violence in the region, and the Kurdistan Sociological Organisation, a professional association of sociologists engaged in applied social research across the KRI. The sample also included women and men who had experienced arranged or forced marriages. These interviews form part of the same 55-person sample and do not constitute a separate dataset.

Alongside the interviews, the research engaged with institutions and communities through meetings, conferences, political dialogues, court observations, and media work. These activities provided complementary insight into how marriage practices are discussed and negotiated within public, legal, and organisational settings. These engagements informed the analytical lens by illustrating how institutional actors themselves frame issues of consent, coercion, and responsibility, but were not treated as separate datasets.

Researcher positionality formed an important dimension of the fieldwork. As a Kurdish and Italian researcher with long-standing ties to the region, I occupied a position that was simultaneously insider and outsider. This dual positionality shaped access, rapport, and interpretation: Kurdish participants often framed experiences in culturally coded terms assuming shared understanding, while Arab participants positioned me within broader regional dynamics. My Italian background, academic affiliation, and perceived institutional authority also affected how state actors and NGO staff interacted with me. Reflecting on these dynamics proved essential for interpreting narratives of coercion, protection, and family obligation without reproducing hierarchies of power or uncritically accepting institutional accounts.

The study examined three core areas: (i) the nature and prevalence of arranged and forced marriages in Kurdish and Arab communities in the KRI, (ii) the policies, practices, and interventions of state and non-state actors, and (iii) the lived experiences of those directly affected. The goal was to examine how cultural norms, gendered expectations, and institutional structures shape marriage decisions and the possibilities available to those seeking protection. To clarify the methodological approach, the interview guide covered these three core areas rather than reproducing the full set of interview questions in the article, with each theme explored through multiple open-ended prompts adapted to the participant's role and context. Given the sensitivity of the topic, access often depended on trust networks, and the composition of the sample inevitably shaped the findings: institutional actors offered perspectives tied to policy and implementation, while survivors described everyday negotiations within families, kinship networks, and community authority structures. These differences directly structured the thematic organisation of the analysis.

The study used snowball sampling to identify participants. The method proved necessary given the sensitivity of the topic and the difficulty of direct recruitment in settings where forced and arranged marriage are often concealed or considered private matters. Participants were drawn from the full spectrum of stakeholder groups relevant to

marriage practices. Access required navigating institutional hierarchies, community sensitivities, and the time-intensive nature of in-depth interviews. Although snowball sampling enabled access to a diverse set of participants across the region, it may nonetheless underrepresent women in extremely remote rural areas who remain socially isolated even from NGOs that work in those communities, a limitation inherent to research on sensitive forms of VAW. Ethical approval for this MSCA project requires full anonymity; only participants who explicitly consented to being named are identified, and no respondent list can be disclosed.

Participants received written information about the aims and procedures of the study and were informed of their right to withdraw at any time. Representatives of women's organisations gave explicit permission to name their institutions. Because some NGOs are small and locally recognisable, care was taken to ensure that only those who consented to being identified were named.

Five interview guides were developed for the main participant groups: (i) lawyers and policymakers, (ii) NGOs and activists, (iii) academics, (iv) UN representatives, and (v) individuals who had experienced arranged or forced marriages (Gill et al., 2022). Interviews lasted between one and two hours and used open-ended questions to allow participants to narrate experiences in detail.

For data analysis, interviews were examined thematically using NVivo software alongside manual coding. An analytical index guided the assessment of the consistency of emerging themes, and thematic charts supported the identification of patterns relating to consent, kinship, honour, social pressure, and institutional response. This approach was selected as it allowed the researcher to trace how marriage practices were rationalised or challenged across different social and institutional settings, and thematic analysis is well suited to identifying patterned meanings across diverse participant groups while remaining grounded in participants' own framings and interpretive logics.

Ethical approval was granted by the researcher's home institution, Middlesex University (Ethics application number 24736), and all participants provided informed consent. As research in conflict-affected and socially conservative contexts can raise dilemmas not fully anticipated by formal ethical protocols (Lincoln & Tierney, 2004), a culturally sensitive approach informed the fieldwork. Attention to privacy, safety, and emotional well-being remained central, particularly when interviewing individuals who had experienced coercion or violence.

Arranged marriage: system, hierarchy, and the role of communities

The definitions of arranged and forced marriages are intricate and multifaceted. While academic literature draws a clear distinction between them, media representations often blur these boundaries and collapse them into a single category (Gagoomal, 2009). This conflation is reinforced by the recognition of a "grey area," where subtle pressures or expectations may cause an arranged marriage to shift toward a forced one (Anitha & Gill, 2009; Enright, 2009; Shariff, 2012). This study approaches this space through feminist debates on constrained agency, highlighting how women's choices are shaped by overlapping social, economic, and familial obligations (Kandiyoti 1988; Crenshaw, 1992). In this context, consent does not operate as a simple, freely chosen act but as something negotiated within expectations of duty, respectability, and socially sanctioned behaviour. Participants' narratives reinforced this continuum, describing "agreement" as emerging through persuasion, mediation, and conflict avoidance rather than through a freely chosen decision.

At the centre of most debates lies the question of consent, the primary legal and social boundary distinguishing an arranged union from a forced one. Consent must be explicit, freely given, and uncoerced. Yet research demonstrates that what counts as "choice" is shaped by expectations of obedience, concerns about honour, financial considerations, or limited alternatives (Aguiar, 2018; Anitha & Gill, 2009;

Shariff, 2012). Recent work in Middle Eastern contexts similarly shows how kinship authority, religious norms, and moral frameworks influence marital decision-making, shaping the boundaries of what is perceived as voluntary (Certel & Atasü-Topcuoğlu, 2024; Ertürk, 2007). Although international legal frameworks emphasise free and informed consent as a basic requirement for marriage (Thomas, 2009), lived realities reveal more layered dynamics. Participants in this study described forms of acceptance shaped by responsibility, emotional pressure, and the desire to prevent conflict within their families. Several men also articulated the weight of obligation, noting that rejecting parental expectations could undermine their own standing or disrupt family relations, illustrating how patriarchal systems bind multiple actors.

Arranged marriages share structural similarities across a range of cultural settings. They typically involve the guidance of senior family members who possess the social legitimacy to identify suitable matches and negotiate the terms of the union. Marriage is understood less as an individual choice and more as a collective undertaking shaped by long-standing norms of continuity, obligation, and safeguarding family interests. Decisions extend beyond the couple to the wider kin group, influencing alliances, status, and long-term social ties. These dynamics resonate with broader scholarship on kinship and social organisation in the Middle East, where marriage plays a vital role in maintaining honour, cohesion, and moral legitimacy (Ertürk, 2007; Kandiyoti 1988). In the KRI, these norms are reinforced through both tribal structures and everyday social expectations, which participants described as shaping the “proper” sequencing of marriage, reputation, and adulthood.

Family remains the core organising unit in societies where arranged marriage is practised. Marriage is seen as an alliance between kin groups with social, economic, and strategic significance. Families consider factors such as reputation, compatibility between households, financial stability, and long-term cohesion. Romantic affection, while not absent, is rarely treated as a prerequisite for marriage and is often expected to develop gradually. These expectations unsettle Western assumptions about intimacy and partnership (Gagoomal, 2009; Lewis, 1999). Participants in this study described marriage decisions as matters concerning the family as a collective rather than individual choice, reflecting a collectivist logic also noted by Certel and Atasü-Topcuoğlu (2024). Within these settings, autonomy is shaped by wider social norms and the belief that fulfilling one's familial role ensures stability, honour, and continuity (Tahir, 2021; Thompson, Ellis, & Wildavsky, 1990). For eighteen interviewees, refusing an arranged match was perceived as socially unthinkable, not because of overt threats but because of the fear of dishonouring parents or unsettling family relations. Hierarchy plays a significant role in the organisation of arranged marriage systems. Elders (most often parents) hold authority grounded in experience, judgement, and a sense of responsibility for safeguarding the family's future (Lee & Stone, 1980). Arranged marriage cultures rely on respect for seniority and shared values to maintain order (Monger, 2004). Family members understand their positions within this structure, and deviations from expected behaviour may be interpreted as challenges to unity or honour (Thompson et al., 1990). This hierarchy is sustained not only through authority but also through a shared sense of obligation, helping explain why individuals may comply even when privately uncertain about a proposed match (Crone, 2003). In the KRI, where kinship networks remain central to social organisation, such authority carries considerable moral and social weight. Institutional actors interviewed for this study also noted that such hierarchies often shape how cases are reported, or not reported, to formal mechanisms such as the GDCVAW.

Parental authority therefore becomes a key mechanism through which arranged marriages are organised and justified, reinforced by appeals to tradition, concerns about reputation, and the perceived need to preserve family coherence. Young people's social interactions and romantic possibilities are often regulated to prevent behaviour that could jeopardise these interests (Goode, 1959). Premarital relationships or expressions of personal preference are discouraged not only for moral reasons but because they may disrupt alliances or provoke tension

between families. When young people challenge these expectations, their actions may be interpreted as threats to collective honour, prompting efforts to restore order or reassert control (Thompson et al., 1990). Participants in this study described forms of monitoring, persuasion, and pressure that were often framed as guidance or care. This further complicates the boundary between arranged and forced marriage, as decisions may appear consensual despite operating within structures of expectation and obligation (Tahir, 2021). These practices align with findings from Amnesty International (2005) and the WOLA (2018 and 2020), which document the ways “family reconciliation” and community mediation limit meaningful alternatives and constrain the possibility of refusal.

Taken together, these dynamics (consent shaped by social context, collectivist decision-making, hierarchical authority, and the centrality of family honour) form the backdrop against which arranged marriages are negotiated and justified. They illuminate how the boundaries between arranged and forced marriage are navigated, defended, or contested in everyday life, revealing how legal and policy categories rarely capture these lived complexities. For eighteen participants described agreeing to a marriage less as a discrete act of free choice than as a gradual accommodation to expectations, obligations, or the desire to preserve family cohesion.

These accounts resonate with feminist analyses of constrained agency, which highlight how women make decisions within structures that limit the range of acceptable or imaginable alternatives (Kandiyoti 1988; Crenshaw, 1992). Twenty-two interviewees described accepting an arranged marriage as a way to maintain stability, or avoid conflict even when they expressed hesitation or ambivalence. Such negotiations reveal how arranged marriage operates within broader systems of patriarchal regulation, where consent takes shape through expectations of respectability, obedience, and the social risks associated with refusal. At the same time, men's accounts demonstrate parallel forms of discipline, particularly in relation to honour, breadwinning expectations, and the perceived duty to uphold family unity, underscoring how patriarchal systems produce constrained agency across gendered lines.

Participants' narratives further show how family members (particularly mothers, aunts, and older women) may participate in sustaining these structures, either as intermediaries or as enforcers of norms tied to honour, reputation, and social continuity. This ambivalent role mirrors wider regional scholarship, which documents how women can both challenge and reproduce patriarchal expectations (Gill et al., 2022; Tahir, 2021).

These insights provide the conceptual bridge to understanding the mechanisms through which pressure, persuasion, and coercion take form within the KRI. The following section examines how these structural logics intersect with the more explicit features of forced marriage, including the social and institutional conditions that restrict the possibility of refusal.

Forced marriage features

Forced marriage refers to a union in which one or both parties are unable to give freely informed consent. Coercion can take many forms, including physical, psychological, financial, sexual, or emotional pressure. In such cases, individuals are denied the autonomy to choose a spouse, or their apparent “consent” is extracted under conditions that undermine decision-making (Sharp, 2008). International human rights bodies have consistently characterised forced marriage as a serious violation of fundamental freedoms, emphasising that free and informed consent is a basic legal requirement of marriage across international, national, and religious frameworks (Thomas, 2009). In practice, however, these protections often collide with kinship authority and religious norms that shape marital expectations across the KRI.

Coercion may originate from both male and female actors and often from within one's own family or community. Although forced marriage is not tied to a single cultural tradition, cultural narratives are frequently

invoked to legitimise or normalise such practices. Perpetrators may justify their actions as fulfilling obligations to protect family honour, preserve lineage, or ensure a stable future for the household. Additional factors including economic hardship, social indebtedness, displacement, care responsibilities, aspirations for a perceived “better” future, and expectations of maintaining close kin ties intensify these pressures. While some cases involve overt physical or financial coercion, twenty-two participants described more subtle forms of psychological or emotional pressure constraining refusal (McCabe, Stickle, & Baumeister, 2022). These dynamics align with feminist analyses of constrained agency, where consent takes shape within structural pressures rather than freely chosen (Kandiyoti 1988).

Forced marriage appears in several forms, including child or early marriage and marriage following pregnancy. In situations where premarital sexual relations result in pregnancy, abortion may be socially or morally prohibited, leaving marriage as the primary acceptable option (Kooy & Cranwinkel-Weeda, 1975). Because minors cannot provide legally valid consent, marriages involving individuals under eighteen constitute forced marriage irrespective of whether explicit coercion is visible. These distinctions highlight the broader continuum between arranged and forced marriage: even where overt force is absent, consent may still be shaped within restricted choices, expectations of obedience, or the threat of social sanction (Anitha & Gill, 2009).

Within the KRI, forced marriage is explicitly prohibited. Legal provisions criminalise any marriage conducted without the free consent of both parties and include situations involving intimidation, threats, or coercion (Baumeister & Carabine, 2024). The Iraqi Personal Status Law No. 188 of 1959, as applied in the KRI through Law No. 15 of 2008, stipulates that neither relatives nor non-relatives may compel an individual into marriage, and courts may annul marriages that occur under such circumstances. While marriages that have not been consummated can be declared invalid, consummated unions are not automatically annulled. In the KRI, however, forced marriages may still be annulled after consummation, a distinction that reflects regional commitments to addressing gender-based violence (UNFPA Iraq, 2016; Jjiyan Foundation for Human Rights, 2022). This legal pluralism (where civil, religious, and customary norms intersect) mirrors broader Middle Eastern patterns and shapes how protections are implemented in practice (Ertürk, 2007).

Despite these legal protections, unregistered marriages continue to pose significant challenges. Although illegal, marriages conducted outside civil or religious courts remain widespread and can later be legalised through small fines. This is especially significant in cases involving minors, who often enter unregistered unions that bypass safeguards intended to prevent child marriage (UNFPA Iraq, 2016). Recent legal debates in Iraq have raised concerns about proposed amendments to the Personal Status Law that would allow families to resolve marital matters under religious frameworks rather than civil law. Although these proposals have not been enacted, human rights organisations (including Human Rights Watch and Plan International) warned in 2024–2025 that such amendments could facilitate child marriage under certain religious interpretations and weaken existing safeguards against early and forced marriage. While the KRI its own statutory regulations, these national-level debates contribute to broader legal uncertainty, highlighting how overlapping civil, religious, and customary systems continue to shape the regulation of consent and age of marriage across Iraq. These implementation gaps illustrate the tension between statutory reforms and entrenched social norms that continue to shape how families and community actors navigate marriage practices.

While overt force clearly undermines consent, the motivations and pressures surrounding marriage decisions reveal that the absence of visible coercion cannot be equated with free choice. A marriage is considered forced when either or both parties are unable to provide or are compelled into providing valid consent. In arranged marriages, consent is expected to remain with the individuals, even if families play

a significant role in organising the union. However, limited alternatives, community expectations, and obligations to protect family honour may prevent individuals from refusing or leaving a marriage. As a result, some find themselves in abusive, exploitative, or quasi-slavery-like relationships from which exit is constrained (Anitha & Gill, 2009). These dynamics are further complicated by the persistence of unregistered marriages, which bypass institutional oversight and weaken statutory protections (particularly for minors) obscuring the actual scale of forced and child marriage (UNFPA Iraq, 2016).

Recent human rights initiatives, including the Government of Iraq's National Action Plan of 2014 (renewed for 2019–2023), have proposed legislative reforms to strengthen protections and eliminate loopholes. These include the removal of exceptions to the legal minimum marriage age and amendments to provisions governing forced marriage. However, prolonged political instability and repeated delays in parliamentary procedures have hindered implementation. Ministries tasked with advancing women's rights and human rights have faced interruptions, limiting sustained institutional action (Iraqi Ministry of Justice 2021). The government has committed to tackling the trafficking of women and girls for forced and temporary marriages by criminalising these practices and closing offices that facilitate their legalisation (Jjiyan Foundation for Human Rights, 2022). Yet without legislative follow-through and administrative reform, these commitments remain largely aspirational. As a result, forced marriage persists within a wider system of constrained choices and uneven protections.

Raising awareness on VAW

Non-governmental organisations (NGOs), women's groups, and legal representatives in the KRI (particularly in Erbil, Duhok, Sulaymaniah, Kelar, and Khanaqin) have confronted extensive forms of VAW over the past two to three decades. Their work has ranged from raising awareness of forced and early marriage, honour killings, and FGM, to documenting survivors' experiences and providing legal assistance to women at risk, and broking the silence surrounding taboo issues such as honour-based violence (HBV), domestic abuse, rape, and sexual harassment. By foregrounding women's lived experiences and contesting the stigma surrounding disclosure, these organisations have helped create spaces where survivors can articulate their experiences and seek protection. However, respondents stressed that awareness-raising alone cannot alter the structural conditions that sustain VAW without clear political commitment, stronger institutional mechanisms, and sustained follow-through.

In several cases, women working within these NGOs have faced threats to their own lives for providing legal and social support to survivors. Such threats, often issued by the very men implicated in the violence, illustrate the extent to which VAW is protected by wider structures of power. Women's organisations in the KRI (and, increasingly, in diasporic communities) have called for stronger political commitment, institutional support, and sustained funding. Their position is consistent: the Kurdistan Regional Government (KRG), relevant ministries, and community authorities must demonstrate clear political will if forced marriage and other forms of violence are to be effectively addressed.

Respondents repeatedly emphasised the need for coordinated public awareness initiatives, strengthened legal processes, and improved training for professionals across the justice, health, and social sectors. Media campaigns, televised programmes, posters, radio messages, and mosque-based initiatives were cited as channels capable of shifting public norms and enabling a more robust response to VAW. Despite the prevalence of forced and early marriage, these issues remain severely under-reported. Twenty five interviewees suggested that a substantial proportion of cases never reach formal institutions because families resolve them privately or through community mechanisms, with a significant number of marriages, particularly those involving minors, remaining invisible to state institutions. Given the scarcity of reliable

social data in the KRI, this research contributes empirical evidence to support more effective public policy strategies. The findings align with the United Nations' Sustainable Development Goals (gender equality [SDG 5] and peace, justice, and strong institutions [SDG 16]) and broader efforts to strengthen women's rights and social protection systems. Yet interviewees repeatedly warned that alignment with international frameworks must be matched by practical, long-term institutional reforms.

NGO responses and community interventions

Efforts to institutionalise responses to VAW have developed gradually, shaped by the evolving landscape of women's rights activism in the region. Women's organisations frequently highlighted gaps in state-led responses, including inconsistent implementation of legal procedures, limited follow-up by police and judicial actors, and the absence of co-ordinated referral pathways. NGO practitioners interviewed described situations in which survivors were discouraged from pursuing legal complaints, pressured to reconcile with perpetrators, or urged to resolve matters through tribal mediation. These patterns reinforce the need for durable institutional frameworks capable of supporting women beyond emergency intervention. Respondents repeatedly underscored that without predictable state structures, community-based mediation continues to supersede formal mechanisms, often to women's detriment.

NGOs have also emphasised the importance of engaging broader community structures. Interviewees pointed to the influence of religious leaders, tribal authorities, and extended family networks in either challenging or reinforcing practices such as forced and early marriage. In some communities, collaboration with local leaders has contributed to gradual shifts in public discourse; in others, resistance from conservative factions continues to limit the impact of awareness campaigns. Respondents noted that such resistance is particularly strong in rural and tribal settings, where customary authority outweighs statutory obligations.

Legal and institutional framework

In 2007, the establishment of three directorates responsible for monitoring VAW laid the groundwork for the creation of the GDCVAW. Five years later, in 2012, a comprehensive national strategy to address VAW was developed by a coalition of local and international organisations under the leadership of the High Council of Women's Affairs and endorsed by the Kurdistan Regional Government Council of Ministers. However, implementation remains uneven. Limitations in legal procedures, weak investigative systems, and entrenched societal acceptance of VAW continue to undermine progress. Many professionals (particularly within the judiciary and law enforcement) do not treat VAW with the seriousness it warrants, contributing to low conviction rates and enabling perpetrators to evade accountability. Interviewees repeatedly noted that institutional inconsistency not only weakens deterrence but also reinforces community perceptions that reporting violence is futile.

A significant legislative development was the adoption in 2011 of Law No. 8 on Combating Domestic Violence by the Kurdistan National Assembly. The law was welcomed by women's rights advocates and civil society organisations, who urged the government to prioritise its implementation. The law criminalises a broad range of abuses, including forced and early marriage, FGM, obstruction of girls' education, non-consensual divorce, using women as compensation to settle disputes, and female suicide driven by familial pressure. It also mandates specialised courts, dedicated police units, and cooperation across health, social affairs, and education ministries. Despite its significance, the Combating Domestic Violence Law (CDVL) encountered resistance, including public campaigns by religious actors opposing its endorsement. As NGO respondents noted, the gap between legal aspiration and daily enforcement remains one of the central obstacles to protecting women and girls.

Women's NGOs participated extensively in this research. Their insights, alongside those of legal counsel and policymakers, provide a

nuanced understanding of how forced marriage persists in the region. A legal expert interviewed in Erbil described the structural and social dynamics that allow forced marriage to continue:

"It is not possible to determine the exact rate of forced marriage in the Kurdistan Region of Iraq according to accurate statistics because the incident occurs outside the legal framework and because the law amending the implementation of the Personal Status Law No. 15 of 2008, imposed a severe penalty on relatives and strangers for forcing any person, whether male or female, to marry without his consent. According to Paragraph 2 of Article 6 of the aforementioned law, the penalty shall be imprisonment for a period of no less than two years and no more than five years if he is a first-degree relative. However, if the violator is not one of these, the penalty shall be imprisonment for a period of no less than three years or imprisonment for a period not exceeding a decade. The problem is that the victim cannot reveal before the court when the marriage contract is concluded that she was forced to marry. Forced marriage usually takes place in rural and tribal areas controlled by patriarchal and male authority. They do not believe in man-made laws, and the girl cannot refuse or disobey the family's orders, or the girl is a victim. The phenomenon of seasonality, where she is forced to marry as a result of a member of her family or clan committing a crime, such as murder, and the girl pays the price for a crime committed by a criminal person, or she is a victim of a 'shaghar' marriage, where her brother wants to marry a girl, and in return, the other party asks for his sister to marry their son, and the victim in these cases is the girl. Early marriage, in most cases, is a minor, as the other party refuses to marry a widow or divorced woman. In these cases, the crime is covered up and the coercer escapes punishment. The girl gets married and gives birth, and after a period of two years or more, she goes to court and registers her marriage externally (external marriage treatment), and the wife cannot reveal that she was forced into the marriage."

(Women Empowerment Organization — WEO, Erbil, 18 July 2023)

This testimony underscores the growing coercion of minors and young women, the prevalence of unregistered marriages, and the difficulties women face in seeking legal protection. According to the Kurdistan Region Judicial Council, 3069 external marriage agreements (marriages concluded outside the court system and registered retroactively) were registered in 2022, many involving underage individuals. This pattern echoes NGO testimonies describing how informal mechanisms routinely obscure violations that would otherwise fall within the jurisdiction of the CDVL. These findings further illustrate how gaps between statutory frameworks and customary practices continue to sustain conditions in which forced marriage can persist.

Testimonies and lived realities of forced marriage

Chnoor Ali, a Gender and Social Inclusion expert in the KRI and the Middle East, explained the persistence of forced and arranged marriages in remote areas and smaller cities because of deeply ingrained social structures:

"Early forced marriage or forced marriage in the KRI is a prevalent issue, particularly among rural communities influenced by traditional tribal customs. It is also common among internally displaced families from disputed areas. The practice of forced marriage is primarily driven by traditional beliefs and the desire for protection, commonly referred to as 'Sherbayee' in Kurdish. In some cases, girls are exchanged between families, either for brothers or fathers. Families often believe that marrying off their daughters at an early age will safeguard the family's reputation and prevent them from making mistakes".

(Chnoor Ali, Sulaymaniah, 30 June 2023)

Her testimony reflects how cultural norms, concepts of honour, and family reputation shape decisions long before legal frameworks come

into play. Ali stressed that effective prevention requires addressing the cultural logics that underpin these practices, including the belief that early marriage protects girls from social risks and safeguards family honour. She emphasised that awareness campaigns must be paired with meaningful institutional mechanisms, as knowledge alone cannot overcome entrenched power structures. She also noted that many marriages are conducted through informal religious or tribal channels, a practice that continues to circumvent judicial oversight and complicate enforcement. Her account highlights how early and forced marriages are often rationalised as protective measures grounded in long-standing norms, further limiting the reach of legal or institutional safeguards. Despite the existence of laws prohibiting forced marriage, many such unions are solemnised by religious authorities outside the reach of the judicial system, further hindering enforcement. Interviewees frequently noted that families often prefer religious or tribal authorities due to distrust of formal institutions or fear of social stigma. This combination of protective rationales, informal marriage pathways, and distrust of state institutions explains why legal reforms, while essential, remain insufficient without broader social and institutional change.

Most local women's organisations have integrated awareness-raising into the core of their work. They organise seminars, workshops, conferences, exhibitions, marches, and campaigns across cities and rural areas. Media platforms (ranging from local radio to women's media outlets) play an important role in amplifying these initiatives, particularly during key moments such as International Women's Day and the International Day for the Elimination of Violence Against Women. Organisations including the Women's Empowerment Organization, the Women Legal Assistance Organization, and the Association for Crisis Assistance and Development have led these initiatives, aiming to enhance public understanding of gender-based violence and strengthen women's rights. By addressing sensitive issues such as forced and early marriage, domestic violence, rape, sexual harassment, FGM, and honour-based violence, these organisations have contributed to breaking long-standing silences (Beghikhani, Gill, & Hague, 2015a, b).

Members of these organisations described the challenges of sustaining long-term awareness strategies in communities where social norms remain highly resistant to change. They observed that attitude shifts often depend on broader political and institutional transformations, without which community-level initiatives struggle to generate lasting impact. Their work has shifted conversations in communities where such issues have long been suppressed, even though activists note that awareness alone cannot replace the need for consistent legal and institutional action. This tension, between expanding discourse and limited institutional authority remains central to understanding how forced marriage continues to persist despite decades of activism.

Results and discussion

Data collection for this research indicated that forced marriage was widely described as affecting girls between the ages of 14–17 and young women aged 18–24, with participants repeatedly emphasising that such cases were common within their families and extended kin networks. This perceived frequency was attributed by interviewees to several interlocking factors, including tribal and patriarchal norms, cultural traditions, normative gender practices, the absence of formal education, household power imbalances, and gendered masculinity ideals shaping men's behaviour. The findings indicate that early marriage typically occurs in rural regions dominated by tribal and patriarchal ideologies, in clear contravention of state laws that these communities neither recognise nor respect. The precise number of girls subjected to such child marriages in the KRI remains elusive, but a United Nations Population Fund (UNFPA) survey found that 20.53% of women aged 20–24 in the Kurdistan Region were married before their 18th birthday, compared to 23.02% in Iraq as a whole (UNFPA Iraq, 2016).

Factors contributing to arranged or forced marriages include

entrenched cultural customs, economic deprivation, and limited access to education, which collectively render girls and women vulnerable to exploitative unions due to a lack of financial independence and opportunities (UN Secretary-General, 2019; United Nations Population Fund, UN Children's Fund and UN Women, 2019). It should also be noted that young men are similarly negatively impacted, as they are often expected to take on the burden of supporting a household without having established a stable career or income (Hussain, 2024).

Qualitative interviews conducted with women and men in forced and arranged marriages revealed the extent of these practices across society. Participants unanimously confirmed that arranged or forced marriages were present in their families or extended families, with most women and girls forced into marriage being between the ages of 15 and 25. The findings underscore the pressing need to address VAW and protect against forced marriages. Forced marriage continues to be perpetrated against women due to entrenched patriarchal norms, familial poverty, and inadequate education, all of which expose girls and women to exploitative relationships (Hussain, 2024).

Patriarchal societies socialise gender roles in ways that position women within constrained social roles tied to honour, lineage, and collective expectations. Twenty-five interviewees highlighted the nexus between forced marriages and HBV, pointing out that, despite many young girls being forced into marriage, the responsibility for safeguarding them prior to marriage rests with fathers and brothers. This "responsibility" is perceived as conferring the authority to control key aspects of their lives, thereby reinforcing male dominance. Kurdish Women's Rights Watch and the Middle East Centre for Women's Rights have researched the intersection between societal attitudes toward female sexuality and conceptions of masculinity and honour, noting how these dynamics contribute to women's marginalised status within Kurdish communities. VAW is often justified in the name of honour, enabling men to maintain power both within their families and the wider community. While patriarchal ideologies exert a profound influence on VAW and its societal acceptance, they are not the sole drivers.

Other factors (e.g., individual, familial, psychological, and socio-cultural) also contribute to this issue. Moreover, it is crucial to recognise that patriarchal attitudes are internalised by both men and women. Women themselves, conditioned by cultural traditions, may perpetuate such gender-regulatory practices, either by enabling men to commit VAW or by acting as perpetrators. Critics of such practices often face accusations of harbouring Western-centric biases, dismissing the cultural context in which these practices are embedded. Such critiques are often framed as a form of neocolonialism, an attempt to impose Western values upon other societies (Spivak, 1988). Those who argue such concerns are a form of "cultural imperialism" emphasise the way Western media portrays FGM as a form of torture, but not male circumcision, which is also a form of mutilation (Njambi, 2004).

Conclusion

This research demonstrated the need for a broader approach, pushing countries globally to take further steps to ensure that women and girls facing violence in the name of honour or because they refuse a forced marriage receive comprehensive, confidential support, including access to legal aid, psychological care, and social assistance. Addressing forced marriage and VAW demands a transformation in political perspectives across the KRI, the Middle East, and beyond, particularly in Western countries with substantial migrant populations where VAW is a continuing concern. It is essential to abandon the notion that VAW is merely a cultural practice. In patriarchal societies, inheritance follows the male line, and the family or kin group is the core social, economic, and political unit. In such systems, women's primary role becomes the production of legitimate heirs, leading to strict control over their sexuality and reproductive functions. Individual rights and status are subsumed within the interests of the family unit, and women may effectively lack legal autonomy throughout their lives, transitioning

from their father's authority to that of their husbands, stripped of economic or political agency and devoid of opportunities for self-determination.

What this research found was a repeated pattern in interviews, where women spoke of a dynamic in which their 'feelings' were repeatedly discounted and they were told that their wishes regarding love were indicative of selfishness or even sinful lust. Typically, the males of the family, with the mothers or aunts as patriarchal accomplices, used the idea of marriage as a 'bargaining chip' against the young women, enticing them with the claim that if they accepted the chosen mate they would be 'free' to leave the home and gain more personal 'freedom'. The man chosen or forced upon them as a husband was usually presented as a 'good provider' economically, someone with high esteem in the community, or someone from a respected family, thus allowing the wife's family to enhance their own social standing in the eyes of the local public.

Many of the women also spoke of a bartering system in which their matrimony functioned as a form of 'currency' wielded by the family to the 'highest bidder', but one that came with obligations that they maintain their virginity, chastity, beauty, and 'purity' in the eyes of the community before being 'exchanged'. Any perceived moral 'violations' of this unspoken contract were framed as betrayals of the wider family who was 'vouching' for them.

A further issue that presented itself in the interviews was how the idea of culture was mobilised against women and in favour of men, used to argue that such practices were intrinsic to their identity as a people and one of the reasons they had survived as a community for generations. In this way, arranged and forced marriages were recast not as violations of women's right to choose, but as a 'sacred' cultural inheritance, passed down from elders who believed it essential for preserving lineage and cohesion. Conversely, choosing a partner based on personal preference was framed as a foreign perversion or alien behaviour adopted by societies lacking such 'wisdom'. The high divorce rates in Western societies, for example, were invoked as 'proof' that the traditional system was superior.

What was evident in speaking particularly with the women was how constraining such arranged and forced marriages were for their psychological wellbeing and sense of self-worth. The majority described accepting these arrangements due to social pressure and in the hope that they would eventually grow to love their husband. This lack of choice made many feel that the course of their life was not their own, and that their personal dreams were frivolous and unimportant to their families, leading to feelings of depression which they felt pressured to conceal.

As a result, the researcher observed a series of coping mechanisms the women deployed to convince themselves that while their situation was not what they wanted, it could theoretically have been worse. This form of 'settling' and acceptance (that their desires or happiness had to be suppressed for the benefit of their family or husband) was both selfless and a kind of psychological 'self-immolation'. Although many women endured these circumstances with dignity and resilience, the emotional burden placed upon them was profound and unjustifiable. In summary, forced marriages constitute a significant infringement on personal liberty, resulting in repercussions across physical, mental, and social dimensions. The compulsion inherent in these relationships infringes upon individuals' basic freedom to choose a spouse, leading to detrimental consequences that include mental health disorders and intergenerational cycles of violence. Considering these findings, it becomes clear that the reforms required are structural rather than symbolic. Several measures follow directly from participants' accounts: women repeatedly emphasised the need to speak with female officers across all GDCVAW units, indicating the importance of ensuring women's presence in every stage of case handling. Likewise, the continued reliance on tribal and religious mediation points to the need for clear procedures that cannot be bypassed by community actors, particularly in cases involving minors or forced marriage, including practices that pressure women into so-called "reconciliation"

agreements. The interviews also underscored the frequency of unregistered and underage marriages brought to NGOs and legal practitioners, which points to the value of an independent mechanism capable of recording these cases and monitoring institutional responses.

Support services require predictable, long-term access to safe shelter, legal representation, and sustained psychosocial care, ensuring that women are not returned to the environments that placed them at risk. Finally, regular, publicly accessible updates on the implementation of the Combating Domestic Violence Law would *support ongoing collaboration between state institutions, civil society, and researchers*, by providing a shared evidence base for understanding developments over time. The material discussed here reflects cases and accounts that emerged through courts, NGOs, and institutional encounters across the KRI. Comparative work in other regional or institutional settings would allow closer examination of how differences in access to law, mediation, and support services shape responses to forced and arranged marriages.

CRediT authorship contribution statement

Shilan Fuad Hussain: Writing – review & editing, Writing – original draft, Methodology, Investigation, Formal analysis, Data curation.

Funding

This research was supported by a Marie Skłodowska-Curie Post-doctoral Fellowship under UKRI framework.

Declaration of competing interest

The author declares no conflict of interest.

Acknowledgements

I am deeply grateful to the participants who shared their experiences, and to the women's organisations, NGOs, legal practitioners, and institutional actors in the Kurdistan Region of Iraq who facilitated this fieldwork.

Data availability

Data supporting this study are included within the article.

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