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Women's Rape in Iraq between Legislation and Social Norms: A Critical Discourse Analysis

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Abstract

Recently, women's rape has been a pervasive problem in the Iraqi society. Thus, it has become necessary to consider the role of language and its influence on the common beliefs and opinions about rape in the Iraqi society. Thus, taking into consideration the critical role of language and its impact on the perception of human reality and the social development based on people's beliefs and principles of life has become highly indispensable. Therefore. The aim of this article is to address this problem critically from legislation and social norms in NGOs' reports (2015; 2019) with reference to some provisions from the Iraqi Panel Code (1969; 2010). Therefore, the researchers examine the discursive strategies and ideological viewpoints in the selected data through the employment of critical discourse analysis. Specifically, the researchers have adopted van Dijk's (2011) socio-cognitive approach and van Dijk's (2000) ideological model to show how language produces and reproduces domination and abuse of power, engendering as a result injustice and inequality. The study has concluded that the NGOs' reports are written in a language that reflects the attitudes and opinions which might be shared among group members. These reports rely heavily on the linguistic device that is of evidentiality to assure the credibility of giving evidence about the domination of social norms in relation to women's rape. More importantly, the dichotomy of positive and negative representation is highly adopted as an ideological strategy, showing the conflict between the legislation and social norms. Therefore, the study has recommended that the government in its legal institutions should provide provisions to protect the raped women from society and from their families.

Keywords: Critical discourse analysis, ideology, legislation, NGOs, social norms

اغتصاب النساء في العراق بين التشريع والأعراف الاجتماعية: تحليل الخطاب النقدي

اسراء رحيم عبد الحسين وسوسن كريم زغير الساعدي أ قسم اللغة الانجليزية- كلية التربية- جامعة القادسية فسم اللغة الانجليزية- كلية التربية للبنات- جامعة بغداد أ

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المستخلص

يعد اغتصاب النساء- في الأونة الأخيرة- مشكلة منتشرة في المجتمع العراقي؛ لذا فقد اصبح من المهم النظر في دور اللغة وتأثيرها في المعتقدات والأراء المشتركة حول الاغتصاب في المجتمع العراقي. وبالتالي، فإن أخذ الاعتبار للدور الحاسم للغة وتأثيرها في تصور الواقع البشري والتنمية الاجتماعية القائمة على معتقدات الناس ومبادئ الحياة أمر لا غنى عنه للغاية؛ عليه يهدف البحث الحالي الى مناقشة هذه المشكلة بشكل نقدي مستندا الى التشريعات والأعراف الاجتماعية في تقارير المنظمات غير الحكومية (٢٠١٥؛ ٢٠١٩) عن طريق الإشارة الى بعض أحكام قانون العقوبات العراقي (٩٦٩أ؛ ٢٠١٠)؛ لذلك، يقوم الباحثون بفحص الاستراتيجيات الخطابية ووجهات النظر الأيديولوجية في البيانات المختارة عن طريق توظيف تحليل الخطاب النقدي. ويتبنى البَّاحثون- على وجه التحديد- الطريقة الاجتماعية المعرفية لفان دايك (٢٠١١)، ومودل الايديولوجية (٢٠٠٠) لإظهار كيف تنتج اللغة وتعيد إنتاج الهيمنة وإساءة استعمال السلطة، مما يؤدي إلى الظلم وعدم المساواة. توصلت الدراسة إلى أن تقارير المنظمات غير الحكومية مكتوبة بلغة تعكس المواقف والأراء التي يمكن مشاركتها بين أعضاء المجموعة. وتعتمد هذه التقارير بشكل كبير على الأداة اللغوية "الدلالية" التي تعد دليلاً لضمان مصداقية تقديم أدلة حول هيمنة الأعراف الاجتماعية فيما يتعلق باغتصاب النساء. والأهم من ذلك، أن الفصل بين التمثيل الإيجابى والسلبى يتم تبنيه بشكل كبير بوصفه استراتيجية أيديولوجية تظهر التصارب بين التشريع والأعراف الاجتماعية؛ لذلك أوصت



الدراسة بضرورة قيام الحكومة في مؤسساتها القانونية بتوفير أحكام لحماية المغتصبات من المجتمع ومن أسرهن.

الكلمات المفتاحية: أعراف اجتماعية، تحليل خطاب نقدي، التشريع، مجموعة نظامية من المفاهيم، منظمات مجتمع مدنى

1. Introduction

Rape is any sexual contact that happens with the victim being forced or manipulated into having it. While it involves acts that are very close to sex, rape is not sex. It is a violent act and an unhealthy manifestation of superiority and power. This is why, it is considered illegal by all means. Rape is of different kinds which are usually determined based on the relation between the perpetrator and the victim. Stranger rape happens when the victim has no previous acquaintance with the perpetrator. Form all reported cases, only 25% are of this type. Another type is called acquaintance rape, which happens when the victim knows the perpetrator. This type is the most common one, and about 75% of the reported cases are of this type. However, scholars believed that from all rape cases, reported or not, 94% of them are of this type (Gowen, 2003).

Acquaintance rape can involve other three types which are date rape, spousal rape, and familial rape. Date rape refers to the forced sexual contact that occurs between two people who are dating. Spousal rape is the one occurs between married people, whereas familial rape is the incest that occurs between two people who are related. Lastly, there is the statutory rape, in which the victim involved is under seventeen. This type may happen with the approval of both people, still, it is considered a rape, since laws take into account that adolescents are not aware of the consequences that sex can have on the physical and emotional health of a person. It should be noted that although rape can happen to boys and men, most rape victims are women. Men are usually the perpetrator and only 13% women are found involved in the attack of the reported cases (Gowen, 2003).

Although the Iraqi Constitution of 2005 prohibits all kinds of violence as stated in Article 29, "All forms of violence and abuse in the

family, school, and society shall be prohibited," still, the Iraqi Penal Code of 1969 is assumed to provide impunity for perpetrators of certain violations of women's rights, including 'honor' crimes and rape. The Iraqi government has made certain important steps to ensure women's rights, one of which is its assignment to international treaties concerned with women's issues. including the United Nations Committee on the Elimination of Discrimination Against Women (CEDAW) and the United Nations International Covenant on Economic, Social, and Cultural Rights (ICESCR). Women's rights organizations, Iraq's Anti-Violence against Women Strategy (2013-2017), and the National Strategy on Advancement of Women in Iraq call for legislation on violence against women. Only the Kurdistan Region of Iraq has a law on violence against women.

Therefore, the researchers study the legislative provisions and reports written by the Non-Governmental Organizations (henceforth, NGOs) that call for the government to protect women's rights and terminate violence against them. However, in approaching this social problem, the researchers are concerned with how rape is represented in texts based on the writers' knowledge, since "knowledge of real people in real communities is defined in terms of the beliefs that are generally accepted on the basis of the knowledge standards or criteria of a community" (van Dijk, 2011, p.33).

Consequently, this study aims at providing a critical analysis of the discursive techniques utilized in the selected data to show violence against women as a sort of rape in Iraq; a topic which has not been tackled previously by scholars and researchers. Many researchers focused on and scrutinized women's rights and the violation of these rights only in relation to gender, media and politics. In relation to media, gender and politics were tackled by Gungor and Prins (2010), Abdul-Hameed (2011), Tranchese and Zollo (2013), Mosha (2013), Voller (2014), Hussein (2017), Källvik (2018), Risdaneva (2018), Mohammed (2014), Evianda, Ramli and



Harun (2019). Hence, the researchers hope to fill the hiatus in the literature by analyzing the selected data in terms of the language choices and the ideological attitudes through the adoption of van Dijk's (2011) socio-cognitive approach and van Dijk's (2000) model of ideology.

This research is guided by the following questions:

- How do the selected texts represent and construct woman identity through language use?
- 2. What are the ideological strategies that are employed in the selected texts?
- 3. How are the participants' knowledge and attitudes reflected in the selected texts?

2. Theoretical Framework

2.1 van Dijk's (2011) Socio-Cognitive Approach

socio-cognitive Dijk's approach contends that the connection between discourse and society is mediated through cognition. This cognitive mediation has a role in grasping the connection between social structures discourse structures. Although these types of structures are of a different nature, they can be associated by the mental representation of language users as individuals and as social members (van Dijk, 2001). Thus, socio-cognitive approach has a Discourse-Cognition-Society triangle. Each component will be described below.

2.1.1 Cognitive Component

Traditionally, 'cognition' was generally understood as being 'consciousness'; however, it is both a vague and abstract term. Within the socio-cognitive theory, cognition is said to include both 'model' in episodic memory (referring to one's knowledge and beliefs about specific circumstances, events, and experiences) and "systems of group knowledge, attitudes, norms, and ideologies, represented in 'semantics' or rather 'social' memory" (van Dijk, 1991, p.35). Each cognitive system can be represented differently with certain discursive contents and structures. Likewise, cognitive and social uses require different cognitive strategies. Thus, cognitive processes can be described at the

macro-level of analysis, and can be reproduced, acquired, confirmed or changed through the micro-level (van Dijk, 1991).

Cognitive structures involve points, such as memory, which is the space in which the cognitive processes are located or stored. Mental models are another point in which the personal memories are interpreted as personal, distinctive, individual mental models, preserved in the episodic memory, after being processed in the working memory. Social cognition, which means that cognition not only includes personal mental models, but also different socially shared cognitions. Individuals of the same community share generic and abstract knowledge of the world (van Dijk, 2015). Therefore, van Dijk (2014)suggested to distinguish between 'personal' and 'social' cognition. Individuals produce and interpret discourse(s) in a subjective way through a personal cognition, based on their representations" "socially shared (social cognition). On the other hand, the personal cognition is understood in terms of knowledge and mental models; the social one is reflected in attitudes and ideologies. Social cognition is given three forms that are crucial to understanding of a discourse. Thev knowledge (personal, group, cultural), attitudes, and ideologies (Meyer, 2001).

2.1.2 Social Component

Explaining cognition entails that language users are, above all, members of social groups, institutions and organizations, in addition to being unique individuals with their own minds and experiences. They use text and talk to interact and communicate with other participants. Hence, a societal basis for a cognition and discursive interaction is needed in a way similar to the way cognitive interface is needed to define and elucidate many properties of discourse (van Dijk, 2014).

2.1.3 Discourse Component

Whereas it is important to determine the nature of the cognitive and social elements of the theory, the role of critical discourse analysts is obviously the discourse element. CDA does not



establish a specific theory of discourse structures, rather, it goes beyond typical structural theories of discourse. Critical discourse analysts identify and illustrate how discourse in society can be engaged in the (re)production of power abuse, or against such dominance. This also includes a cognitive dimension which is important to account for the role of knowledge, attitudes and ideologies in such a discursive dominance (van Dijk, 2015).

Described in this way, this approach is seen perfectly suitable to this study, since it concentrates on the mental models with regard to mental components, such as knowledge and attitudes, and how they can influence discourse. Besides, the present research attempts to reveal the importance of ideology in discourse, via adopting van Dijk's (2011) model. In this model, van Dijk (2011) specified some discourse structures, such as: actor description, levels, details and the precision of description, evidentiality, metaphor, presupposition, implicature, lexicon, rhetorical devices, and argumentation.

2.2 van Dijk's (2000) Model of Ideology

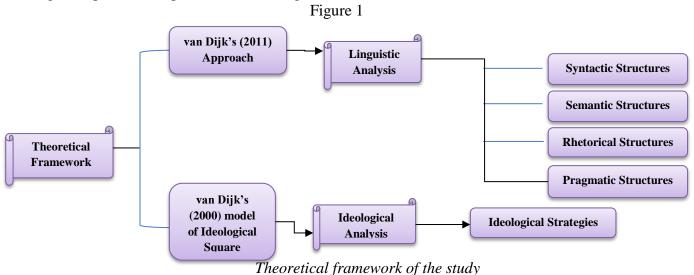
The researchers adopted van Dijk's (2000) framework in which he illustrated the categories that are most important in any CDA study. The framework is based on the theory of the ideological square that represents the ideological

analysis which is followed in the current study. The theory of ideological square consists of four principles, as shown below:

- **1.** Express/emphasize information that is positive about Us.
- **2.** Express/emphasize information that is negative about Them.
- **3.** Suppress/de-emphasize information that is positive about Them.
- **4.** Suppress/de-emphasize information that is negative about Us.

This theory essentially depends on two core strategies: "say positive things about Us, say negative things about Them" (van Dijk, 2000, p. 44). These strategies are materialized through different discoursal moves like: Compassion, Disclaimer. National self-glorification, Humanitarianism, Polarization, Vagueness, Authority, Categorization, Comparison, Counterfactual, Empathy, Example, Explanation, Generalization, (il)legality, Number Game, and Victimization. Most of these strategies, in this framework, are selected, since they are closely related to the data.

Thus, the study combines these models to analyze the selected NGOs' report in question, as shown in Figure 1 that elucidates the theoretical framework adopted in the present study.





This framework adopts two types of analysis: first is the linguistic analysis that is done following van Dijk's (2011) model. It analyzes linguistic features on different levels such as: semantic, syntactic, pragmatic and rhetorical. Once this is done, the researchers are to follow the second model, which is that of van Dijk's (2000) to uncover the most prominent ideologies followed by both sides by examining certain ideological strategies.

2.3 Previous Studies

This section gives a brief review of the literature about VAW. For instance, Gungor and Prins (2010) studied the way equality between men and women is represented in a prominent adult literacy textbook in Turkey. The study examined the representation of gender roles and identities in visual images and reading texts. It was based on Gee (2005), Meyer (2001) and Rogers' et al. (2005) analytical studies. The study adopted critical discourse analysis, since it maintains that power inequalities between men and women are ideologically sustained and reproduced by textbooks.

Abdul-Hameed (2011) conducted a practical study about violence against women in Al-Karkh court in Baghdad. In this research, five cases of women who suffered from violence from different regions in Baghdad were selected. Their status showed how family violence humiliates woman and subjects her to man's authority, without having any social and legislative protection to protect woman in society.

Tranchese and Zollo (2013) conducted a study on the representation of violence against women in British media. The study follows Fairclough's (2001) model along with Kress and van Leeuwen's (2008) theory of multimodality. The examined how victims study perpetrators of rape are presented and analyzed the recontextualization of rape incident in two printed and broadcast media. The study drew on the intertextual and interdiscursive features of the comparative linguistic or semiotic inquiry. Moreover, it illustrated how media discourse, regardless of genre, could contribute to the development of a stereotyped construction of gender-based abuse. Such a step was done by, for example, transferring the blame from the perpetrator to the mother of the victim, thus, diminishing the widespread fraud of the abuser and contributing to his\her almost complete invisibility.

By exploring the discursive construction of gender related violence in Kiswahili novels, Mosha's (2013) research centered on the indirect exposure to violence against women. Since novels in Tanzania represent an important medium of media and are especially important in the lives of young people, this research explored how novelists use dominant discourses of gender-based violence to interpret the perpetrators and victims of violence. Using Foucauldian discourse research, a collection of 15 Kiswahili novels, written between 1975 and 2004, was studied to expose the tactics novelists use as they depict, replicate and often question prevailing discourses in their novels about violence against women.

In Iraq, Voller (2014) sought to reveal the gender-based violence in the Iraqi Kurdistan Region and the legal attention which should be given to this subject. The study stressed the practical measures that should be done to prohibit practices as honor crimes, female genital mutilations, and domestic violence. The position of transnational women's rights networks in the area was particularly addressed in this report. It further highlighted the active strategy of these networks to tie their purpose to the KRG's effort to legitimize and establish its disputed hegemony over the territory of Kurdistan. In doing so, the paper discussed an underexplored topic in the Kurdistan Region's literature on women's rights added to the movements and study of transnational activism as a source of normative reform.

Hussein (2017) studied family violence among high school students. The study aimed to identify the differences of family violence of high school students according to the (male,



female). To achieve the objective of the Psychicasthein scale and a measure of domestic violence were adopted and applied. The data consisted of a sample of 200 students from the fifth and sixth grade intermediate. After applying the tools on the selected data and after conducting the statistical wizards, the researcher showed that the sample suffered from domestic violence and Psychicasthei. Besides, there were differences in favor of females in domestic violence and psychological exhaustion. There was also a relationship between psychicasthein exhaustion and the domestic violence.

Källvik (2018) studied the representation, articulation and negotiation sexual harassments and assaults in Swedish social media and in particular Twitter, focusing much on a campaign named #metoo that highlights the number of people who have experiences of sexual harassments. The analysis was based on Fairclough's (2003) model and a feminist poststructural approach. Sexual violence was seen as a concept discursively created, and was thus, based on a particular moment, location and context in which it was generated; it was often non-stable and always negotiable. Therefore, specified: themes were boundaries. institutionalization and tensions. They promoted the intention of turning all the problems of sexual assault into the lack of employer's responsibility and the working environment by presenting an image of sexual abuse as a complex concept without defined boundaries. Sexual abuse was often viewed in Sweden as both a brand-new problem and as something that has already been a reality in the lives of many people.

Risdaneva (2018) scrutinized the way women were presented in the news report of crimes of sexual violence against women. The study examined two newspapers from different cultures, the Jakarta Post and the Guardian. The Jakarta Post is an Indonesian newspaper, whereas the Guardian is a British newspaper. The study used naming analysis of social actors as an analytical tool, which was a part of critical

discourse analysis. Naming is a tool proposed by van Leeuwen (2003) to investigate how social roles were represented in specific contexts. The analysis investigated further the choice of lexical items in representing the main news actors. The results of the research revealed that the selections of the naming categories employed by the newspapers were different.

A focus on the psychological gender-based violence was done by Negash, Demise and Fenta (2018). The study emphasized the way such a kind of violence was linguistically represented in Jimma Zone of Oromia National Regional State. Ethiopia. Women, children, attorneys, gender consultants and police officers, who were identified in the region, were involved in the report. Using focus group conversations and main informant interviews, the required data for the analysis were gathered. The researchers further used Fairclough's (2003) framework of CDA, as an analytical approach. Results showed different forms of psychological gender-based violence, including sexual harassment, using non-verbally provoking and molesting acts, distribution of inappropriate, insolent obscene suggestive or evaluative remarks, and verbally intimidating and teasing girls and women with flirtatious actions.

Wolf's (2018) study; however, focused on anti-violence initiatives and their role in media. The study first identified the way different programs and formats represented identical (visual) narratives of clichéd imagination on an intimate partner abuse, although much of the issue stayed concealed in its structural context. The confusion affected the comprehension of gender-based violence as a societal phenomenon. movement Women's anti-violence providing alternative appropriate representations with the 'malestream' and contrasting representation of the subject. The study analyzed contributions of anti-violence initiatives that spread over Europe, Spain and Austria from 2007 to 2011 to reveal how the collective accounts of male-to-female relationship conflict were shaped by anti-violence programs.



Examples of good practice and basic ideological principles were highlighted to this effect.

Mohammed (2014) studied violence against women from a sociological perspective. The aim of this study was to investigate the main causes of family violence and its social effects. The study revealed that the interaction between multifactors represents the main factor that causes violence. Besides, poverty, low educational level, crowded house, large family size were further violence causing variables, and family disorganization and juvenile delinquency.

In the description of women's position in Prohaba Daily News texts, Evianda, Ramli and Harun's (2019) employed Mills and Leeuwen's (2008) model of critical discourse analysis as an analytical tool, focusing on investigating actor position, exclusion inclusion. The research findings proved that women were described in both subject and object position in Prohaba Daily News texts. In three reports, women were given a non-marginalized subject, whereas in other two news reports, women were given the non-marginalized object position. Regarding marginalization, which was concerned with using exclusion and inclusion strategies, women in the marginalized object position were identified in eight news reports.

Hoppstadius (2019) analyzed the way women were presented from an intersectional perspective. The study was conducted on five of the Action Plans for combating men's violence against women. These Plans were adopted by the Swedish government as a way of protecting women subjected to violence. The study was based on Fairclough's (1992; 2010) framework. It first showed that women were grouped into numerous categories; a matter that was likely to contribute to the perception that specific classes of women were victims of abuse. Second. women were described in a heteronormative sense and a gender-equal context. This neglected non-heterosexual abuse and underlined the otherness of ethnically categorized women. Third, the definition of women as agent stressed both their responsibility and their lack of agency.

Finally, Hoppstadius suggested that women should be taken into consideration along with their own individual situations and needs. Otherwise, they would be given inadequate help and support, which might put victims of violence in danger.

The existing studies have not tackled the discourse of women's rights and violence against women at the social, cognitive, linguistic, cultural and historical levels in legal texts and NGO's reports. However, previous works offered scant information to explain the interconnection between discourse, cognition, and socio-cultural contexts, focusing instead on the influential application of language in media, politics and gender studies. Thus, the present study differs from the cited studies, since it focuses on four main aspects: scope, perspective, approach and methodology. Hence, the corpus in this study differs from those previously undertaken in the nature of the language structures analyzed, along with the application of the qualitative procedures applied.

3. Practical Part of the Study 3.1 Methodology

The present study follows a qualitative research method where the collected data are analyzed to end up with naturalistic, interpretive rather than statistical outcomes (Mackey & Gass, 2005). Qualitative analysis is a way of studying and comprehending the meaning that individuals or communities attribute to a social or human problem. An inductive analysis of the data is done to move from particulars to general themes, and to provide explanations of the meaning of the data (Creswell, 2014). Patton (2015) further added that qualitative researchers generally prefer purposeful sampling to emphasize the indepth understanding of particular cases that are information rich. Purposeful sampling should be understood in terms of how many issues can be derived from the samples that are of great significance to the purpose of the research.

Due to word number limitations, the researchers have selected 9 extracts related to the topic of the paper from NGOs' lengthy reports.



The first report is entitled "Women's Human Rights Violations in Iraq" (2015). It consists of 39 pages that deal with violation of women's rights. It has been submitted to the UN as a response to the fourth periodic report of the Republic of Iraq. The study focuses on the articles related to Iraqi women's rape between their rights and marginalization. In addition, some provisions dealing with the Iraqi women's rape from the Iraqi Panel code (1969) in its amended English version on March 14, 2010 are also needed in the analysis.

3.2 Data Analysis and Findings

Based on the objective of the study, which reads: providing a critical analysis of the linguistic structures and ideological viewpoints used in the selected data to show violence against women as a sort of rape in Iraq, a qualitative analysis has been adopted in which the researchers provide extracts from the collected data to show how the levels of analysis are utilized. Therefore, each extract will be analyzed as one whole text. The procedures of the analysis are as follow:

- 1. Analyzing the syntactic, semantic, rhetorical, and pragmatic structures, including several structures, such as: actor description, levels, details and the precision of description, grammar, evidentiality, metaphor, presupposition, implicature, lexicon, rhetorical devices, and argumentation. This step of analysis is based on van Dijk's (2011) approach.
- **2.** Analyzing ideologies depending on van Dijk's (2000) ideological strategies.

3.2.1 Analysis of Extract 1

OHCHR also determined ISIL may have committed crimes against humanity, including murder, enslavement, forcible transfer, imprisonment, torture, rape, sexual slavery, other forms of sexual violence and persecution, as part of a widespread and systematic attack against various communities including Christians, Shi'a, and Yezidi populations. Evidence additionally supported the accusation that

ISIL committed war crimes within Iraq, including murder, mutilation, treatment, torture, extrajudicial killings; directed attacks against civilians, religious sites, and historic buildings; rape, sexual and other sexual violence. slavery conscription of children. and the displacement of civilian populations. The response to ISIL by Iraqi security forces and militias, already authors of grave human rights violations, has resulted in more atrocities, furthering a cycle of and perpetuating an deadly violence environment of impunity".... "Comprehensively addressing the rights and needs of women and girls fleeing ISIL requires addressing pre-existing threats to women and girls embedded in Iraq's laws and social norms. (Women's Human Rights, 2015)

With the use of evidentiality, ISIL's crimes against humanity are reflected in this text depending on the investigations made by OHCHR. However, committing these crimes is given in terms of possibility through the use of the modal verb "may" to show OHCHR's attitude which contradicts the social cognition among the members of the community that ISIL definitely committed these crimes. The report also mentioned the different forms of violence, where rape is one of them, as committed by ISIL and contributed to the negative description of ISIL and their deeds. In stating the effect of these crimes on the different communities, the strategy of specification is used as in "Christians, Shi'a, and Yezidi populations" to emphasize the anguish of these communities as a matter of fact.

In dealing with ISIL, both Iraqi security forces and militias were described negatively through the use of hyperbole as being "authors of grave human rights violations." This is followed by another hyperbole, "deadly violence", describing the consequences of that response to ISIL in addition to other negative words "atrocities," and "environment of impunity." Speaking of human rights violations, the report



involved an embedded clause "in particular women and girls" to draw the attention and to give more emphasis on the violations of women's rights. Nominalization, such as "deterioration" was also used to show the implicit agency although it showed the miserable conditions of women in Iraq. A negative reference was made for both the Iraqi government and society where threats to women were given as part of "Iraq's laws and social norms."

From an ideological standpoint, the text relied on authority in acknowledging the given facts taken from OHCHR, interviews, documents provided by different organizations. Moving forward, the extract was built on the negative other presentation of ISIL by mentioning the different crimes they made. A similar ideological strategy was employed regarding the description of the Iraqi forces and militias. In the same context, the writer made use of generalization in referring to the Iraqi forces and militias as authors of violence. This extract addressed humanitarianism via stating ISIL human rights violations.

3.2.2 Analysis of Extract 2

Gender-based violence and discrimination against women and girls has been a longstanding, pervasive problem in Iraq. Rape and sexual assault, while criminalized in the Penal Code, continue to be met with impunity, in part due to discriminatory provisions in the law. For example, the Penal Code states that perpetrators of crimes involving sexual violence may be exonerated if they marry their victim, even after having been sentenced, including in cases where the victim is under age 18. In tandem with cultural norms related to "honor," this provision increases pressure on victims to marry their rapists. The law also prolongs victims' endangerment in a provision mandating perpetrators to remain married to their victims at least three years to avoid reinstatement of the rape charges. Marital rape is not criminalized in Iraq. There are no reliable estimates of the incidents of rape in Iraq, and no metrics on the effectiveness of Government enforcement of the Penal Code. (Women's Human Rights, 2015)

In describing gender-based violence and discrimination against women, both adjectives "longstanding" and "pervasive" were used to reveal the attitude of the writers of the report towards the topic and the intention such a topic needs. After that, the clause "while criminalized in the Penal Code" was given as an embedded one to contrast what followed. This contrast showed that whereas the first clause was seen as a fact, the second one represented the writer's opinion. Provisions in the law were negatively described with the "discriminatory", which was a direct criticism of the government and its law in the article.

Article (398) in the Panel Code states:

If the offender mentioned in this Section, then lawfully marries the victim, any action becomes void and any investigation or other procedure is discontinued and, if a sentence has already been passed in respect of such action, then the sentence will be quashed.

This article, which took distorted social norms into consideration, allowed the marriage of the perpetrator and the rape victim. It presupposed knowledge about 'honor' issues in the Iraqi society forced the victims to marry their rapists in order to maintain their 'honor'; or otherwise, they will be killed. Drawing on generalization, the provision showed that legal actions, investigations, and other procedures were all described as void once the rapist and the victim were married. Although in another article in the Panel Code (393/1); it was stated that "Any person who has sexual intercourse with a female without her consent or commits buggery with any person without their consent is punishable by a term of imprisonment not exceeding 15 years. Such a provision made use of generalizations with the phrase "any person" that was used for



those who commit a sexual intercourse or buggery. The phrase "without her consent" was important in the interpretation of the article, since it refers to rape and not to any sexual intercourse. The word "imprisonment" was also of a great significance to the understanding of the article. Accordingly, rape is punished by imprisonment, which means holding the perpetrator in prison for less than 15 years and more than 3 years.

Referring to article (398) in the Panel Code, the report drew on modality to reflect the marriage between possibility of the perpetrator and the victim of a sexual violence. Adding to this, the writer employed an embedded clause to further show how such a marriage can be done even if the perpetrator is sentenced. This was to highlight the impunity provided by this law to perpetrators. It was then followed by a specification about the age of the victims to further stress how discriminative this law is. A negative description of the law continued with phrases like: "increases pressure on victims," and "prolongs victims' endangerment" which sought to show the discrimination against women enacted by this law. The phrase "reliable estimates" implicated lack of investigations in rape cases and also the social norms that let such cases go unreported.

Ideologically speaking, this extract started with a disclaimer which was used to first acknowledge the fact that rape and sexual assault were criminalized in the penal code. Then, it focused heavily on the discriminatory provisions that provide impunity for perpetrators. What was given later on highly accentuates what is considered legal in the penal code. Therefore, legality was given much attention when mentioning how the perpetrators of sexual violence can be exonerated if they marry their victims. It was also used to refer to a marital rape which was not criminalized in the law. Another ideological strategy was that of the negative presentation employed negatively both the government and the law.

3.2.3 Analysis of Extract 3

Other forms of discrimination in the legal and criminal justice system, along with social stigma tied to rape, limit women's recourse in the case of genderbased violence. A 2012 United Nations Development Program (UNDP) report found instances in Iraq in which the families of rape victims encouraged the victims to marry their aggressors. When these women refused these marriages, some families pressured judges to force the marriage between survivor and rapist. Rape victims in Iraq are unlikely to press charges against perpetrators and pursue legal remedies due to societal pressures and norms. Consideration of a victim's sexual history in rape cases is permitted under law".... "Accordingly, Government's failure to exercise due diligence in amending discriminatory domestic laws, and holding perpetrators of GBV crimes accountable is a breach of Article 2 and 3 of the Covenant thus severely hampers women and girls' ability to fully and freely enjoy their economic, social, and cultural rights. Furthermore, legal provisions which create conditions that place victims under pressure to marry their assailant without free consent are in direct violation of Article 10 of the Covenant. (Women's Human Rights, 2015)

Referring to what limits women's recourse in GBV, the report involved an embedded clause to highlight the role of social stigma in addition to the legal and criminal system. The report was based on evidentiality, using the United Nations Development Program (UNDP) report to prove the effective social norms in which certain families encouraged their raped daughters to marry the perpetrators. A negative description of the Iraqi police was given with the use of both "harassment" and "abuse", concerning how they deal with women who report sexual violence. The embedded clause "which is male-dominated" was used to highlight the fact that the police



force mainly consisted of men; this added up to the discrimination women received from men even if they were police. To further show this discrimination, the report made a reference to both "adultery" and "prostitution" as accusations that women may receive from the police. Another evidentiality to be utilized was UNAMI to mention women's refusal to report sexual violence. This refusal was expressed through utilizing modality "would not be", which showed the impossibility of reporting GBV. Modality was used again to express the impossibility of solving the problem by Iraq's law enforcement.

The writer used the Committee's observation as an argument to prove the impacts of discrimination on women's enjoyment of their rights. Then, there was the negative description of the government in the phrase Government's failure", which asserted the government's inaction in amending discriminatory laws. This description continued with the word "breach" with which the government was seen as violating rules instead of applying them. The report employed hyperbole represented by the adverb "severely", thus, exaggerating the impacts of these laws on women's rights. The phrase "direct violation" was used to negatively refer to legal provisions that allowed perpetrators to marry the victims.

Several ideological strategies were used, starting with authority which was utilized through mentioning the United **Nations** Development Program report to support what was stated about the delicate situations of women in rape cases. Employing both victimization and empathy, the report heavily stressed how rape victims were treated unjustly when forced by either their family or the court to be married to the perpetrators. To strengthen this victimization, the report drew on social norms that prohibited women from pursuing legal remedies. In addition to this, there was the harassment those women got from the police force. With the use of number game, the report attempted to show the high rates of women who refused to report violence due to social norms and government's

inability to solve problems. In expressing this, counterfactuals were used to reflect what could happen if these women reported violence. Referring to what was observed by the Committee, the report drew on humanitarianism when focusing on human rights. However, it also polarization emphasize utilized to Committee's insistence on the importance of eliminating discrimination on the one hand and on the other showing the government's failure to change the discriminatory laws. This served to give a negative other presentation of the government, especially in relation to breaching the Covenant's articles. Lastly, there was repetition strategy represented by the phrase "the government's failure" for the second time; a matter which revealed much about the writer's negative perception of the government's actions.

3.2.4 Analysis of Extract 4

Domestic violence receives widespread societal acceptance in Iraq. Article 41 of the Penal Code reinforces such cultural attitudes by allowing a husband to resort to physical violence against his wife "within certain limits prescribed by law or by custom." Marital rape is not recognized by the penal code. Lawyers pursuing cases of domestic violence face harassment, while a lack of adequately trained police and judicial personnel further impedes efforts to bring perpetrators to justice. Traditional social attitudes and practices reinforce acts of domestic violence against women and girls. Experts have determined that violence within families is grossly underreported in Iraq. One study placed the prevalence of women suffering physical violence at the hands of their husbands at roughly one in five, while another found that 56.4% of Iraqi men believe they have a right to beat their wife if she disobeys. Even where law enforcement does act, legal personnel may be harassed and threatened by victims' family members seeking to terminate legal



proceedings. (Women's Human Rights, 2015)

In this extract, marital rape was considered a kind of rape which was not recognized by the Panel Code as such. According to the report, article (41) in the Panel Code states:

There is no crime if the act is committed while exercising a legal right. The following are considered to be in exercise of a legal right: 1) The punishment of a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom.

quotation reflects This a "societal acceptance", in which a system of beliefs of the Iraqi people can accept this kind of violence. As worth mentioning, such a provision was a performative provision applied by the Iraqi people. Therefore, this article maintained the husband's legal right in punishing his wife under circumstances. However. conditioned with the idea that a person was having a "legal right." In giving the legal right, the article utilized nominalization "punishment", which was stated at the beginning of the sentence to draw the attention to the action instead of the doer of the action who was later given the prepositional phrase "by her husband." This created a negative description of the government which abused women and gave power to men over their wives.

Article (41) of the Penal Code was given as an argument to prove this acceptance of violence. In stating this, an active construction was used along with the verb "reinforces"; a matter which showed negatively how legal provisions served a false beliefs system. The fact that there was no article regarding "marital rape" in the Penal Code implied a negative reference of the government for ignoring this type of violence or protecting women from this kind of violence. Using the phrase "face harassment", the writer presupposed social and even political refusal of activities that sought to ensure women's rights

protection. The negative description of the government continued with stating that there was "a lack of adequately trained police and judicial personnel", ensuring as a result the government's inability to deal firmly with perpetrators of violence. Hyperbole is utilized when referring to how domestic violence went underreported; therefore, the word "grossly" helped to exaggerate the number of these cases. Taking the high rates of these cases as an argumentation, the writer provided a study done by the World Health Organization as a kind of evidentiality to show the high number of women experiencing violence by their husbands. This was further enhanced by another study done by UNAMI, which showed the high rate of men believing in having the right to beat their wives. The writer relied on these two studies for their importance in showing how abuse can be naturalized when using power to become part of the community's general beliefs. The writer, then, drew on modality, using the modal verb "may be" to express the possibility of threatening the legal personnel by the victim's family.

Ideologically, there was the negative other presentation of both the Iraqi society and the government, focusing on the social acceptance of domestic violence and the law which supported these beliefs. Drawing on victimization, the report showed further how women were victimized due to the law which allowed men to beat their wives. The report made use of legality in expressing how men were allowed to use physical violence in the law and the legality of marital rape which was not criminalized by law. Another ideological strategy was that of generalization which implied that all lawyers who pursue cases of violence face harassment. This generalization was used to exaggerate the serious consequences of reporting violence. By providing two studies done by WHO and UNAMI, the writer sought to show authority to support what was already stated about the prevalence of domestic violence. In addition to that, the report utilized the number game strategy when deriving the conclusions, adding more



credibility to the information. Victimization was employed again in many women who experienced violence by their husbands.

3.2.5 Analysis of Extract 5

In 2013, in Baghdad, police officers raped two girls who were coming home one night. The girls' father and uncle decided to kill the girls to protect the family's honor and did so with a machine gun. The police report officially states the cause of death as an "accidental killing," the uncle having been "cleaning his gun" at the time it went off. A relative of the victims told advocates that in actuality, her family paid off the police. (Women's Human Rights, 2015)

This extract was example an demonstrate 'honor' killings as an accepted cultural practice in the case of rape. This example was selected to add a negative description of the government in mentioning the police, first, as the main reason for committing the crime "police officers raped two girls" instead of being the protectors, and second, as corrupted people who took a bribe to change the report. Speaking ideologically, the major strategy that was used and helped illustrate how dangerous these crimes were and how they usually went unreported, consequently, making information that was already provided by the report as realistic events. To prove this, the report relied heavily on situation description, giving in detail the sequence of the event, the date, the place, and the perpetrator who would not be punished neither by law. nor by society. Both empathy and victimization were employed in this example where girls were shown as victimized, killed by their families, and left without a legal help and even after their death, the crime was neglected.

3.2.6 Analysis of Extract 6

Some Iraqis have called for the government to bomb the ISIL-controlled schools and hospitals holding women and girls who have been kidnapped and likely raped, in order to kill the imprisoned

women and thus "save the honor" of the people from these besieged towns. Reports have also emerged of women committing suicide after being abducted by ISIL and raped, "because they couldn't stand the shame" they would bring to their families and communities. Notably, the extent of sexual and other violence committed by ISIL has compelled some limited changes to commonly held beliefs about sexual violence and "honor." Within the Yezidi community, a community ravaged by ISIL with hundreds of women kidnapped, raped, and sold into sexual slavery, religious leaders issued a fatwa calling on the community to not engage in violence in the name of "honor" against women who escape and return from ISIL. These leaders encourage members of Yezidi the community to ignore the distorted concerns of "shame" these women and girls may carry, and instead recognize them as victims and welcome them back into their family and support units. As noted by one Iraqi woman advocate notes, "[i]t's harder to blame a woman for having been raped when it's happening to so many." This shift in attitudes around shame and stigma connected to rape and sexual assault is an important change that the Iraqi government could seize on and promote, in order to prevent honor killings and erode the effectiveness of rape as a weapon of war. (Women's Human Rights, 2015)

The extract started with the argumentation that conflict in Iraq added to the threatened women experience. In trying to prove this, the report provided an example describing the situation of women who were sexually abused by ISIL and could be subjects of 'honor' crimes. A negative description of the Iraqi society was employed, referring to how some of them called for the death of women who were under ISIL control. Speaking of women committing suicides, an embedded clause with quotation marks was utilized, stressing the way society



made women feel about themselves as bringing shame to their families even if they were victims. Using the adverb "notably," a shift into the positive side was shown, that is, changes to beliefs about 'honor.' Still, these changes were described as "limited." In trying to show these changes, the report mentioned the Yezidi community with an embedded clause that seeks to define this community. The definition focused on a number of women from this community that was exposed to violence. This was done to emphasize how this violence led to a fatwa which called to stop 'honor' killings. The active construction used when referring to "religious leaders" was important in acknowledging their role in changing the negative cultural beliefs. What further emphasized their positive description was the fact that they encouraged people to ignore these beliefs and to provide support to the victims. To prove the importance of protecting victims of rape instead of killing them, the writer gave a direct quotation, taken from an Iraqi woman advocate. Lastly, there was the use of modality to emphasize the possibility of promoting these changes towards 'honor' beliefs by the Iraqi government.

With respect to the ideological strategies, writer started by showing women's victimization when referring to their states which got worsened by the conflict in Iraq. This was further stressed by providing an example about women who were threatened by 'honor' crimes for being victims of ISIL violence. This led to the negative other presentation of both Iraqi society and the Iraqi government along with its Law. People were presented negatively through their insistence on the death of the women who were kidnapped and raped by ISIL. The report, also, drew on situation description in explaining how 'honor' killings were intensified with the conflict, showing this intensification by calling for killing the women in ISIL-controlled schools and hospitals, elaborating on what happened to the Yazidi community and clarifying how the violence created some changes. This showed the categorization that the writer used, especially when referring to the Yazidi community and their religious leaders. Finally, there was a comparison between what the religious leaders of the Yazidi community did, that is, trying to protect women from 'honor' crimes by issuing a fatwa, and what the Iraqi government could do to promote these changes in attitudes.

3.2.7 Analysis of Extract 7

In August of 2014, Zainab Hawa Bangura, the UN Special Representative of the Secretary- General on Sexual Violence in Conflict, and Nickolay Mladenov, the Special Representative of the Secretary-General on Iraq, issued a joint statement condemning violence, including sexual violence against Iraqi minorities. They noted that some 1,500 Yezidi and Christian people may have been forced into sexual slavery by that point, and that Turkoman and Shabak women and children were abducted and raped as well." ... "By October, more reports indicated women and girls held captive by ISIL were subject to religious conversions, marriage, rape, physical and sexual assault, and sale into sexual slavery. ...(Women's Human Rights, 2015)

Utilizing actor description, the extract started by referring to two important figures in the UN along with their career descriptions. This was accompanied by an active construction to refer to what they did with respect to issuing a statement seeking to prevent violence. With an embedded clause, the report stressed that this statement includes a sexual violence to draw a link between what the statement proposed and the sexual violence which came as a result of being trafficked. The deontic modality to express how 1,500 Yezidi and Christian women were obliged, "forced into sexual slavery", was mentioned in the text. Herein, the case of women's rape was clearly explained in the UN source with reference to Turkoman and Shabak women who were "abducted" and "raped" and with the director of the UN's human rights office in Iraq to show evidentiality on the high number



of women who were abducted by ISIL. Modality was used as represented by "could be" to express the possibility of reaching 2,500 as a number of the abused women from ethnic minorities in Nineveh, whereas in reference to "more reports," these sources were kept general and unidentified.

To reveal the way the conflict with ISIL worsened the situation of women and increased sexual slavery, the extract started with providing authority, as expressed by mentioning two of the UN members to show the high rates of women who were abused by ISIL. This, in return, included giving estimates about the number of these women, that is, the number game strategy, which showed that the number of Yezidi and Christian women was almost 1,500, whereas 2,500 was the number of the abused women from the ethnic minorities. From this, the use of categorization strategy became obvious; it was employed to speak of abused women based on their ethnic groups. This was done intentionally to draw the readers' empathy, since these women belonged to minorities, and they were trafficked for not being Muslims. With the report mentioning the different forms of violence these women were exposed to, the strategy of victimization was employed, stressing human rights violations that happened during the conflict. The extract emphasized the negative other presentation of ISIL and their practices.

3.2.8 Analysis of Extract 8

A March 2015 report of the Office of the High Commissioner for human rights confirmed this abuse",... "ISIL fighters have raped girls as young as six years old. OHCHR made several recommendations to the Government of Iraq in light of ISIL's gender-based human extreme rights violations, calling on it to investigate allegations that its armed forces failed to protect certain communities from ISIL, and calling for it to provide essential services to victims of sexual slavery and rape",... "thus ensuring their continued physical and psychological struggle, including from experiences such as having to carry their

rapist's child. The danger these women face does not end upon their successful escape from ISIL, underscoring the long-term need for shelter and social services. As discussed in Section II of this report, Iraq's discriminatory legal provisions and distorted traditional notions of "honor," mean these women could be at risk of "honor" killings if they are able to return to their communities. (Women's Human Rights, 2015)

Speaking of ISIL practice of sexual slavery, and as an attempt to improve this as a fact, the writer presented the Office of the High Commissioner for human rights report which functioned as evidentiality on the idea that women were enslaved and raped. A negative of was provided description ISIL mentioning their treatment of girls as objects who were numbered. This was further stressed with the idea that ISIL fighters raped young girls who were aged 6 years. The fact that OHCHR recognized this and issued recommendations to the government implied the government's failure to recognize these human rights violations. This was further emphasized by the verb "failed", which was used in describing the armed forces. Besides, stating that the government should provide essential services to victims presupposed the fact that such services were missed. This lack of services was stressed again in describing the condition of women who escaped from ISIL in shelters and camps. In regards with their suffering, the report gave, in specification, the cases where they could behold children from their rapists, i.e., ISIL fighters. Hyperbole, like "long-term need", was also used to exaggerate the duration of victims' need for shelters. Drawing on the negative description of the Iraqi government, on the one hand, and modality, on the other hand, the report expressed the possibility of being victims of 'honor' crimes due to certain biased legal provisions which were not identified here in the report.

Concerning the ideological strategies, the use of authority in mentioning both the Office of



the High Commissioner for human rights and OHCHR emphasized the information given by the report and gave it credibility. In addition to this, it presented several practices done by ISIL fighters to seek the readers' empathy, especially with respect to the rape cases done to young girls. Speaking of human rights violations that were committed by ISIL, the humanitarianism strategy was stressed to enhance the need for women's status and overcome the crisis created by this conflict. The strategy of repetition, semantic one, was used to refer to the danger of 'honor' crimes that reflected the severe social norms adopted by some families in Iraq.

3.2.9 Analysis of Extract 9

In Mosul, ISIL seized a 12-year-old girl from her family and passed her between multiple ISIL soldiers who repeatedly raped her. Eventually, she was taken to a hospital where she was treated for internal bleeding for over five days. After recovering, she was taken back by ISIL and forcibly married to an ISIL soldier.

In a displacement camp near Dohuk, women's human rights advocates met with five Yezidi women who had escaped from ISIL. One interviewee, a 15 year-old young woman, kept smiling. When asked why, she responded that she had been hurt so bad she had lost the ability to feel pain or hurt. She had been sold to over 10 ISIL soldiers. She said all the men treated her the same: after they finished their daily prayer, they raped her.

In Adnaani, a woman told human rights investigators that while in captivity with a group of young women and girls, an "emir" wrote the names of 14 girls on small pieces of paper and called two ISIL fighters to pick one piece of paper. They called out the names on the slips and two girls, 15 and 18, were taken into a back room and "married" (forcibly raped). The emir and another Imam stood outside the room laughing while the girls inside were screaming. (Women's Human Rights, 2015)

construction was used Active referring to the role of organizations documenting the stories of the abused women and girls, emphasizing the role done by these organizations and their services for the civil society. In order to maintain the local coherence, examples were used as an empirical proof of the abuse that Iraqi women experienced. In all the examples, a detailed description was utilized to reveal the extent to which these women suffered from the inhuman practices. In the first example, phrases like: "passed her between multiple ISIL soldiers," "repeatedly raped her," and "forcibly married" were used to stress this negative description of the government and victimization these girls experienced. continued by providing cases of attempted suicide where death was seen as the only solution.

Ideologically speaking, the whole extract written by employing the situation description strategy in which the writer provided different examples; each of which was described in detail, concerning the places, the ages of women being abused, and the types of abuse they experienced. Simultaneously, each example the helped maintaining in strategy victimization and providing what these women were exposed to, highlighting as a result the inhuman practices of ISIL fighters. This, in return, created a negative other presentation of ISIL and showed how their existence worsened women's situations.

4. Conclusions

The study has concluded the following:-

1. Violence against women has been highly addressed by many NGOs that insist on finding a law for protecting women from violence particularly rape. This is because women's rape is regarded as a pervasive problem in Iraq because of the absence of the government's law of punishment.

To answer the first question which states, "How do the selected texts represent and construct woman identity through language use?", the researchers have found that:



- **a.** Several negative lexicons are utilized particularly in the description of the situation in Iraq, its law, its social norms, state of Iraqi women, and violence against women in Iraq.
- b. Actor description is maintained in relation to how the government is described negatively all over the report with different phrases that show the government's insufficiency in eliminating violence. Actor description is also employed in relation to the ISIL organization. Its negative description is maintained by referring to its crimes and its inhuman treatment of Iraqis especially women. In addition to this, Iraqi women are constantly described as victims who seek help and protection.
- c. Active constructions are also employed wherever there is a reference to the government and policemen to show their negative role in dealing with violence in addition to their conspiracy with the perpetrators of several crimes. They are also used when referring to ISIL and its crimes to stress their role in these crimes and the violations of human rights. **Passive** constructions are also used in relation to the different forms of violence generalizations about what women experience.
- **d.** The report has also made use of different modal verbs, such as "will," "shall," and "should" both to express possibility and obligations.
- **e.** Argumentation has also been used to support the claim that the Iraqi women are exposed to rape from official people such as policemen.
- **f.** Presuppositions are also employed in the report regarding knowledge about Iraq's obligations under certain treaties, Iraqi social norms, violence in Iraq, and the power of the non-state actors.
- g. The report has also made use of implicatures in relation to different topics, such as the misapplication of the Iraqi law and the way violence is viewed according to international standards.

- **h.** Speech acts are also employed in the report, such as the speech act of threatening.
- i. Moreover, the analysis has uncovered that the report exaggerates some matters through the use of rhetorical devices such as hyperbole.
- **j.** NGOs' report has heavily relied on evidentiality as a linguistic device to assure the credibility.
- **k.** Women's identity is constructed by illustrating explicitly how women are victimized. They are victims of abuse because of their gender. They are victims of the government and legal provisions discriminate between men and women. They are victims of the conflict in the country and ISIL occupation and face horrible violence because of their gender. They are victimized by the social and cultural norms that view them as inferior to men.

This is an answer of the second question, "What are the ideological strategies that are the selected texts?", employed in researchers have revealed that: More importantly, the dichotomy of positive and negative representation has been highly adopted as an ideological strategy to show the conflict in the society particularly between the legislation and social norms. Many ideological strategies are employed in the analyzed text, such as generalization, victimization, humanitarian, disclaimer, categorization, empathy, negativeother representation.

Concerning the answer of the third question participants' which is. "How are the knowledge and attitudes reflected in the selected texts?", the analysis has revealed that NGOs' attitudes towards the case of women's rape are obviously enhanced with the accusation directed against the Panel Code which is considered a performative legislation in Iraq. organizations Therefore. these have recommended that the government in its legal institutions should provide provisions to protect women who are raped from society and even from their families. This is so because the identity of these women was represented as



victims of the legislation and the severe social norms through evoking their anguish that they experienced in different stages in their life in Iraq. In addition, the Iraqi government is highly addressed to constitute a law under the title "violence against women", as it is found in the Kurdistan region of Iraq.

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