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“Freedom is a treasure that only those who lose it can know”: a spatiotemporal exploration of 22 Iraqi women’s interlegalities

KATRI GADD AND FALEHA UBEIS



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 In this article, we discuss the spatiotemporal interlegalities of 22 women living in Iraq, understood as an emerging legal landscape characterised by legal and normative entanglements rather than parallel systems of laws and morals. Iraqi women are situated at the intersections of the coexisting legal spaces and stratifications of various scales and multiple normative orders that have been deeply embedded in Iraqi religious and tribal traditions throughout time. It is at these intersections that experiences of non-freedom and struggles for freedom are intimately felt and possible contradictions among the multiple legal spaces and normative orders encountered. Herein, we assess women’s opportunities to negotiate the boundaries of their spaces, their abilities to govern those spaces, and the constraints they encounter on their routes to freedom. We used a map metaphor to elucidate the women’s processes for finding their way. Women’s freedom in the Iraqi context is complex, indicative of multi-layered processes of negotiation within the legally pluralistic landscape. The concept of interlegalities is a useful tool for conceptualising the multifaceted interconnections in the legal landscape of Iraqi women. The Middle East legal geography has not been widely examined, but the special characteristics of the Iraqi context regarding the interplay among legal spaces and normative orders are essential for contributing to legal geography discussions, as some theoretical premises are unsuitable for application to contexts with pluralist legal systems that lack democratic traditions.

Keywords: interlegalities, rights, spacetimes, women, Iraq

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Introduction

Legal geographic researchers have recently shown increasing interest in how individuals' subjective experiences and meanings are created in continuous interactions with the world and how they transform individuals' actions (Delaney 2010; Bennet 2018). In this article, we discuss the subjective experiences of *freedom* among 22 Iraqi women living in Iraq. Our previous research with the same Iraqi women discovered what women's rights meant to these women and revealed that the one they saw as most important was overall freedom (Gadd & Ubeis 2021). Freedom for our study participants had multiple meanings. However, common to all their conceptualisations was that freedom means the absence of constraints on women's actions. These constraints can be imposed by other people but also by an increasing workload due to climate change. Herein, we address the commonly stressed need for legal geographic research to move beyond positive law and the elucidation of associated rights to acknowledge women's particular roles in society and the realities of their lives (Cuomo & Brickell 2019), emphasising embodied, incorporated discourses of rights, such as freedom.

Comprehensive research has been conducted on Iraqi women's situations. Such distinguished scholars as Al-Ali (2007), Ali (2018), Efrati (2012), and Jones-Gailani (2020) have examined multiple aspects of Iraqi women's lives from the times of monarchy to the present day, including freedom. Conceptions of freedom have varied at different times but have always been relentlessly transformed by women's subjective situations and the social and political climate, and memory making.

The premise in legal geography is that the body is the entity through which to understand different aspects of the world where the geopolitical is intimately lived (Mountz 2013). The safety of the body is considered "the finest scale of geopolitical space" (Hyndman 2001, 216). However, sociolegal life does not distinguish between legal spaces on different scales. Rather, the scales, from embodied to global, intertwine in different ways. The concept of interlegality, used by scholars such as Proux (2005), Tønnessen (2011), and Van Ingen and Peeters (2014) to refer to an emerging legal landscape – a field characterised by legal and normative entanglements rather than parallel systems of laws and morals (Tschalaer 2012) – provided a useful tool for illustrating the legal space(s) within which the women who participated in this research lived.

Iraqi women are situated at the intersections of stratified, coexisting legal spaces of various scales and multiple legal/normative orders deeply embedded in religious and tribal traditions upheld throughout time. It is at those intersections that experiences of non-freedom and struggles for freedom are intimately felt and possible contradictions among the multiple legal spaces and normative orders encountered. Legal rights are an essential component of women's everyday lives in Iraq, but so are the daily battles over their bodies in homes, on the streets, and in the public discourse more generally.

In this article, we *map* Iraqi women's legal spaces and interlegalities, scaling or zooming in on 22 examples, although they may not represent Iraqi women more widely. The spatialisation of the meanings of these (mental) maps emerged from the minds of the individuals who participated in this research. Through this mapping, we filter away detailed descriptions of macro-economics, large-scale geopolitical elements, and/or climate change, for instance, but acknowledge their critical impact on Iraqi women's lives. We assess women's opportunities to negotiate the boundaries of their own spaces, their abilities to govern those spaces, and the possible constraints they encounter, which are difficult to negotiate. We conceptualise the negotiations as maps with potential routes to freedom to govern one's own space. By a woman's *own space*, we mean her immediate surroundings, including her body and mind. By governing *one's own space*, we refer to the ability of women to determine what they do, what they are or can be, with whom they associate, how they can look, and what they can know, think, or believe.

We illustrate the (gendered) power dynamics of certain laws and norms and the intimate and everyday manifestations and contestations of rights on the finest scale of geopolitical space: women's bodies and their own spaces. This is an aspect that has not received adequate attention in legal geographical analyses (Brickell & Cuomo 2019), despite the work of eminent scholars such as Al-Ali (2007), Efrati (2012), Ahmed (2014), Ali (2018), and Saliba (2019), to mention a few. Moreover, the question of how women can disrupt historical religious authority and reconceptualise understandings of rights is an important topic today (Doorn-Harder 2006; Frisk 2009; Basarundin 2010, 2013). Using

the map metaphor, we discuss how the women in this study challenged and navigated interlegalities and patriarchal discourses to transform and broaden female spaces for autonomy and to increase their freedom.

Furthermore, although legal geography has not been widely applied to the Middle East, it offers valuable insights into how spatiotemporal interlegalities affect lived experiences. Moreover, the special characteristics of the Iraqi context regarding the interplay of legal spaces and normative orders are essential contributions to discussions on legal geography, as some theoretical premises are unsuitable for application to pluralist legal systems that lack democratic traditions.

The upcoming sections cover the following: first, we present the theoretical framework, situating our work within current legal geography discussions. Second, we discuss the methods we used to produce and analyse the data for this study. Third, we discuss normative orders of legal spaces for Iraqi women, highlighting their prevailing interlegalities. Fourth, we delve into the ways in which women negotiate the boundaries of their (legal) spaces. We map the routes through which women try to navigate towards overall freedom. However, women encounter some non-negotiable barriers to their progress, which we discuss in the last empirical section.

Legal geography: the interlegalities of 22 Iraqi women

One of the underpinnings of legal geography is that individuals are born into malleable social structures and organisations that are full of spatiotemporal constructions of laws and norms by which people are socialised (von Benda-Beckmann & von Benda-Beckmann 2014). By and within these constructions, people live and act/react. Individuals move in spaces and abide by the associated laws and norms 'automatically', often without conscious realisation, by following what they have learned in different spatiotemporal settings over time (Gadd 2016; Tedeschi 2020). Space-time is an active part of individuals' lives (Massey 2005; Philippopoulos-Mihalopoulos 2015; Shubin 2015), and legal geography provides analytical tools for investigating sociolegal phenomena in space-time.

Laws and their meanings are created through continuous interactions with the world, which transform individuals' actions (Delaney 2010; Bennet 2018). In legal geography, the body is seen as the entity through which to understand the world with its different scales and where the geopolitical is intimately lived (Mountz 2013). The body is "the site where the geopolitical is produced and known" (Smith 2012, 1518), and the safety of the body is considered "the finest scale of geopolitical space" (Hyndman 2001, 216). Law is *incorporated into* the body, which signifies those laws on and through the body (Butler 1990). The body is the most intimate space possible, and escaping from it is impossible (Al-Khayyat 1990).

Geographers use maps as representations of the realities on the ground. Maps can reveal the topographical qualities of a given spatial area at a given time. Thematic maps can also portray certain elements or properties in a specific geographic area. Furthermore, they can reveal changes in the occurrence of an element over time. For example, we have maps for navigation to facilitate safe sailing free of shipwrecks. Depending on the scale of the map, the mapmaker needs to decide what information to include in the map. Mapmaking always involves compromises. Depending on what the mapmaker wants to show, he or she decides what to include. Consequently, maps largely concern communication. Herein, we aim to communicate the different dimensions of Iraqi women's legal-normative spaces in the form of mental maps. A mental map, rather than being an object, is a theoretical construct not observable in its original repository (the human brain) but accessible to scrutiny only when reified via behavioural, oral, textual, or graphical acts (Götz & Holmén 2018). However, by elucidating oral, textual, and behavioural acts, mental maps can be imagined.

Women occupy multiple and often contradictory social positions (Zubair & Zubair 2017), which transform their perceptions of 'how-to-be-in-the-world' and the legal and moral orders to follow. Subjectivity and identity are formed within a set of power relations and reflect a continuous process of negotiating a particular way of being in the world (Basarundin 2013). A legal geographic perspective holds that women's roles and status (at any stage of historical development) reflect historical, social, and cultural circumstances, including class and gender systems (Keddie 2007). The orders to follow within such varied roles are formed/transformed by, for instance, the conditions of space-based

patriarchy and several variables pertaining to the overall sociopolitical context, women's levels of education, economic and social statuses, geographic origins, employment opportunities (with or without a salary), marital statuses (Sadiqi 2016). Women embody these variables and transform interlegalities in their bodies (Van Ingen & Peeters 2014).

The bodies incorporating the law are dynamic and changing: "A person's identity takes place in the *legal spaces* that flow and connect" (Braidotti 2002, 2). Even the smallest acts in any legal space are, to an extent, controlled, sometimes in an almost invisible way (Philippopoulos-Mihalopoulos 2015), by multiple, often contradicting legal-moralist orders learned over time. Legal spaces and normative orders form and transform interlegalities characterised by legal and social boundaries that are porous and in flux, where legal authorities are constantly contested (Tschalaer 2012). *Interlegality* defies legal centralistic approaches that assume the state's monopoly on the production of law (Hoekema 2004). Interlegality speaks against classical legal pluralism by acknowledging that different legal and normative orders are co-constitutive rather than separate systems of ethics and morals (Van Ingen & Peeters 2014). Unlike these rather static approaches, interlegality stresses the porosity and fluidity of legal (and social) boundaries that result in the entanglement of legal codes and morals among different legal systems (Tschalaer 2012). The idea of interlegality promotes a view of laws as fragmented and of normative orders as overlapping and competing rather than distinct (Tonnessen 2011). Moreover, Van Ingen and Peeters (2014) noted that previous laws and norms leave their imprints on future laws and norms as much as on the people living under them. Hence, the dimension of 'time' in space-time refers to constant movement. Space-time escapes concrete representation because, at the moment of representation, space-time has already changed. However, legal geographic maps promote safer movement in space-time, functioning as maps of knowledge at the time of mapping.

Approaching Iraqi women's interlegalities through virtual interviews

This article is part of a larger project to discover Iraqi women's incorporation of laws and norms. The analysis presented herein is a continuation of an Arabic-language online survey (N=190) conducted in 2021. We aimed the survey at women over 18 years of age living in Iraq, and we distributed it via social media channels using the snowballing technique. We made personal contact (by phone and via Zoom) with professors at two universities in Iraq who shared the survey with their female students. Moreover, we contacted two women's organisations operating in Iraq that also agreed to distribute the survey. The survey combined different types of responses: some questions had multiple-choice options, whereas others had spaces to provide open responses. For this article, we used numerical analysis to reveal the frequencies of certain responses and analysed the free text responses with theory-driven content analysis, paying particular attention to the rights described in the answers and the elements affecting the realisation of those rights. We identified general patterns from the responses, but we could not observe any further geographic distributions due to the relatively small number of respondents. Nevertheless, the survey allowed us to discover the most important rights for the respondents, including 'freedom' and 'overall freedom', which we explore herein.

This study was conducted during the COVID-19 pandemic, which inhibited face-to-face contact. We conducted in-depth thematic interviews with 22 Iraqi women living in different parts of Iraq, including the Kurdistan region,² via the WhatsApp mobile phone application, either as group meetings, including several participants, or individually (with video). The length of the interviews varied from 45 minutes to 2.5 hours. We interviewed the same women several times, which enabled us to deeply explore the issues the interlocutors considered relevant to their lives. In the first session, we explored their normal daily/weekly routines. In the following sessions, we focused on specific topics, such as the spaces the women frequented and their duties, education, marriages, and interpretations of freedom. Furthermore, we discussed the factors that hindered them from enjoying their freedom. Herein, we concentrate on elements in the interview discussions that revealed aspects of the women's understandings and perceptions of their rights (especially the right to freedom), the realisation of those rights, and possible contradictions in the legal and normative orders that posed challenges and limited concrete opportunities to enjoy freedom. These topics guided the content analysis of the interview material.

In this study, we did not deem any response correct or incorrect, desirable or to be avoided. Hence, the needs and desires exemplified in this article are subjective. Keddie (2007, 243) wrote:

Even in the age that favours some degree of intellectual relativism, past and present phenomena are too often seen as good or bad, rather than as dialectical, involving contradictions and intermixtures of good and bad from the view of human happiness and fulfilment, at every stage.

The discursively consensual homogeneity of 'women' as a group is, of course, often mistaken for the historically specific material realities of different groups of women within Iraq (Mohanty 2011). Differences in class, place, and time mean that there has never been only one set of women operating under one set of rules (Keddie 2007). Thus, we by no means suggest that our results are representative of all Iraqi women.

Zooming in at the local level could not provide a comprehensive overview of the multitude of legal spaces and normative orders at national, regional, and even global levels that affect the lives of Iraqi women. However, it revealed the study participants' viewpoints. The route maps according to which the participants navigated were 'drawn' based on their subjective experiences of legal spaces and normative orders.

For this study, we conducted a risk assessment separately for each interviewee. Some women participated in our study without their families' knowledge, and if their participation had become known, it may have caused them danger. Thus, the mode of participation had to be carefully designed, and the names used herein are pseudonyms. Additionally, we agreed on the interview method with individual participants to mitigate the risks of participating. Furthermore, since we discussed some traumatic experiences, sensitivity towards the feelings and beliefs of these women was imperative for creating trust-based relationships with them. One of the authors is Iraqi, and her local and sociocultural knowledge helped us conduct the dialogues in a highly considerate and respectful manner. As some topics were extremely sensitive, we needed to constantly assess the body language of the interviewees. This enabled us to alter the order of our questions, omit certain troubling questions, or even interrupt the interview if we detected greater than normal stress in the interviewees' comportment, in line with ethical research standards. The Board for Research Ethics at Åbo Akademi University evaluated our study's ethical parameters positively (these parameters include such things as confidentiality, informed consent, right to withdraw, data protection). However, unfortunately, we were unable to conduct an exhaustive literature review in Arabic, which may be a shortcoming of this study. We acknowledge that we did not review the extensive Arabic literature for this article.

In the following empirical section, we discuss the legal spaces and normative orders that affected the Iraqi women in our study, highlighting their prevailing interlegalities.

Legal spaces and normative orders for women in Iraq: the interlegalities of 22 Iraqi women

As discussed in the previous section, legal spaces are multiscalar. In this section, following a short introduction to the Iraqi context, we focus on the women's maps to illuminate the local (and embodied) space(s) described by the women who participated in this research, such as Iraq, home, workplace, or the body, on the finest scale. We illustrate elements in these legal spaces that manifested during our study. These elements determine the extent to which women can govern their own spaces. The normative orders described herein often stemmed from the region's history. However, what represents a legal space for one woman could represent a normative order guiding 'how to be' for another. One example of this is faith. One can experience being 'in faith' as if faith is an occupied legal space. Faith for another can be a normative order guiding her on how to be and behave in different legal spaces. Other normative orders are social norms and the law, together with cultural and traditional attitudes and practices, reinforced by the generally conservative social climate and widespread nepotism surrounding the women in Iraq (Ali 2018).

Indeed, social norms and the law transform legal spaces. Until the 1980s, Iraq was touted as the country with the most educated women and the most developed and efficient higher education system in the Middle East (*ibid.*). Via enrolment in high-quality educational establishments and

possibilities for knowledge creation, the borders of Iraqi women's spaces expanded. However, simultaneously, Iraq's Penal Law no. 111 (1969) authorised domestic violence in the framework of *ta'dib al-zawja* (for domesticating the wife, see Ali 2018), undermining the safety and integrity of women's spaces. During the Iran–Iraq War (1980–1988), the Iraqi government outlawed contraceptives and emphasised women's reproductive responsibility to increase the Iraqi population and compensate for the war's massive death toll (Saliba 2019). In 1990, Iraq approved the Cairo Declaration of Human Rights in Islam at the Organization of the Islamic Conference, which acknowledged equal rights for women and men. The approval indicated an equal right to govern one's own space, regardless of gender. Nevertheless, in the same year, then-President Saddam Hussein issued a decree granting immunity to men accused of committing honour crimes – crimes against women suspected of having violated the codes of social conduct (i.e. the normative orders in Al-Ali 2007; Al-Jawaheri 2008). In 2003, the coalition forces led by the United States (US) toppled Saddam Hussein's regime. Despite the rhetoric of liberating women, women's rights and lives have continuously been exploited in the name of competing political agendas (Ali 2018). Moreover, women have been excluded from any meaningful participation in state re-building (Ismael 2014), diminishing the potential of women to shape decisions that impact their lives. Furthermore, widespread verbal and physical intimidation, domestic violence, sexual harassment, rape, forced or pleasure marriages, female genital mutilation, and honour-based killings have influenced the finest spatiotemporal scale in modern-day Iraq, pervading women's own spaces (Ali 2018). Consequently, legal rights are an essential component in shaping the legal spaces Iraqi women occupy and the normative orders within them, as well as the daily battle over women's bodies at home, in public spaces, and in discourses. In addition to legal rights, normative orders stemming from religion(s) and traditions shape women's legal spaces and normative orders.

For Muslims, Shari'a (Islamic) law provides guidance for life across spatiotemporal scales. Shari'a law is based on the Sunna and Qur'an, and it provides normative orders for people following its rulings. The Sunna, which literally translates as 'way of life' or 'the rule of behaviour', reflects the Prophet Muhammad's example and oral pronouncements (Fornara 2018) strongly affecting the legal space(s) of Iraqi women. In our survey (Gadd & Ubeis 2021), 54% of the women replied that religion affected their opportunities and freedom. Muslim women have long argued for empowerment, liberation, and/or (gender) justice through *taqwa*,³ a concept translated by Mahmood (2005) as 'piety' (Piela 2011). Piety, strongly related to the idea of appropriate behaviour, necessitates not only virginity for girls and fidelity for wives but also the impossibility that anyone should doubt the piety. Consequently, the avoidance of gossip-provoking situations has encouraged veiling and seclusion in some cases in the wider Middle East region (Keddie 2007). However, some studies have stressed that what is today labelled 'Islamic' has roots dating back to pre-Islamic Arabia (Bosankic 2014).

According to Keddie (2007), veiling and seclusion developed in the pre-Islamic Near East and adjacent areas as markers of urban upper- and middle-class women, showing that they did not have to work and protecting them from strangers. Unveiled peasants, girl servants, and prostitutes nurtured such images of 'good' and 'bad' (Miller 2003; Keddie 2007; Fornara 2018), and thus, unwritten normative orders. In Assyria and other Eastern Mediterranean and Asian territories, dress indicated a woman's societal rank, and clothing that aligned with the modern definition of *hijab* (a cloth covering the hair and neck) showed that a woman was married or a member of the elite (Fornara 2018).⁴ The Qur'an's passages have been interpreted as meaning that *hijab*⁵ is simply intended to identify women as Muslims to protect them from harassment (Keddie 2007). According to this reasoning, traditional dress is not a religious requirement but an optional social safeguard to protect women, in their most intimate spaces, from unwanted attention and harassment (Miller 2003; Fornara 2018). However, according to our survey data, 57% of the respondents were not allowed to decide on their own clothing (Gadd & Ubeis 2021). It is also relevant to note that a woman who veils in some situations may not do so in all situations and may abandon *hijab* during one period of her life, only to later resume the practice (Khalid 2011). This underlines the porosity of the interlegalities internalised by the women and how they negotiated the orders.

In patriarchal systems, women's opportunities to choose their routes are controlled by others. For example, Al-Hassani (2020a) applied the concept of sextarianism introduced by Mikdashi (2014) in the Iraqi context to illustrate a system that impedes women's progress. According to our survey, 63% of the

respondents said that their movements and physical presence in certain locations at certain times were restricted by others, thus determining access to education. Sara (in her thirties) from Diwania concluded, "It is the patriarchal system in Iraq that gave the father the right to own his children and decide their destiny". Tohidi (1998) revealed similar findings regarding the patriarchal control of female mobility in her review study of situations in various Muslim countries. Some women in our study reported discouragement by their spouses or wider families from working outside the home. Piela (2011) stated that women's perspectives vary and argued that staying at home and having a career are equally acceptable, based on the Prophet's different wives, some of whom pursued careers while others looked after the household. Indeed, as interlegality is assembled and transformed by different spaces and norms, various combinations facilitate different opportunities, and map routes vary for different women. For example, urban, rich, educated, working, married women may have more options than rural, poor, unemployed, illiterate, and unmarried women (Sadiqi 2016). Aysha (in her forties) from the Babylon Governorate in central Iraq reported, "I come from an educated family, so I can choose my own path". Women who are gradually pushed out of public working spaces become increasingly dependent on their husbands or male relatives. Sometimes, they experience a lack of ability to govern their space when they are encouraged to have children but are not economically independent (Saliba 2019). Dependence on husbands has also led to a drastic rise in gender-based violence (*ibid.*). For some women, family and kin ties are seen as the primary network of socioeconomic protection and a means of gaining resources, power, recognition, and emotional gratification (Tohidi 1998). Meanwhile, violence against women and girls within families has recently reached new levels of cruelty in Iraq (Johanssen 2019).⁶ Displaced families headed by women are stigmatised and collectively punished for presumed links with Islamic State (IS), owing to factors outside their control, such as being associated with men involved with IS or living in areas believed to be IS strongholds (O'Doherty 2019).

According to the participants in this study, large areas of their space maps were coloured with notions of sin and shame emerging from their interlegalities. Girls learn from an early age what is *aiib* (the Arabic word for flaw and shame), what is not (Al-Khayyat 1990), and what is permissible for girls (and boys) within certain spaces according to the prevailing norms. Parents often interpret the prevailing normative orders and pass the knowledge on to their children. Nadjua (in her thirties) from Bagdad explained:

I learned how to be a woman from my parents. A lot of beautiful values. I learned to be honest and not lie, and that men are equal to women. I learned to protect myself and my body. That means keeping my body and soul healthy, respecting my body, and not being a commodity. That means that I give it only to the one I love.

It is characteristic of Islam (and other monotheistic religions) to celebrate sexuality only within marriage while considering sexual relations outside marriage as unlawful and punishable (Husni & Newman 2007; Piela 2011). This underlines the importance of women's moral behaviour and sexual conduct (Tschalaer 2012) but also hardens the situation for those women who do not consider marriage suitable for them. Zahra (in her thirties) from Kirkuk in the Kurdistan region of Iraq told us, "I married against my will and had to choose between the wishes of my parents and the community or their anger and rejection of me".

According to prevailing normative orders, a man must provide materially for his wife. In turn, the wife is expected to have sex with her husband whenever he wants. Several women who participated in this research experienced marriage as a contract that allowed husbands access to their bodies (see Tschalaer 2012 for similar findings). Sunni and Shia Muslims have different divorce traditions. Nadjua (in her thirties) explained her understanding: "A wife can ask a judge for a divorce if she can prove her husband's betrayal or that she is subject to violence and beating, or if the husband is not providing food, housing, and clothing. In these cases, the judge will order divorce". However, divorcees, widows, and 'spinsters', although occupying different positions in Iraqi society, all have a lower status than married women (Al-Khayyat 1990).

Thus, traditions, religion(s), and certain laws formed the interlegalities affecting the participants. Traditional and religious discourses on women, combined with multiple other factors, from family status to education, affected the women's mapping. They determined taboos, the size of a woman's

own space, what qualities that space could possess, and what behaviour crossed the red line into unacceptability. These interlegalities are repeatedly established in sextarian systems and are challenging to eradicate. Those in power who make legislative changes are often the ones who benefit from the system (Al-Hassani 2020a). Nevertheless, women try to negotiate the boundaries of their spaces, what they can decide, and with what consequences.

Negotiating the boundaries of women's own spaces: finding a route to govern one's own spaces

As outlined, maps can reveal topographical qualities, portray properties in a specific spatial area, and function as guides on the routes between locations. We have illustrated features that are often drawn on the maps of Iraqi women and which they need to navigate. Despite formal and legal male dominance, women find some routes to increase freedom and govern and expand their spaces (Al-Khayyat 1990; Keddie 2007). These routes result from carving out women's spaces within male-dominated political and legal landscapes (Ahmed 2014; Tschalaer 2015). The routes can be drawn on legal geographic maps to guide women towards 'places' they want to go or things they want to achieve. In the following sections, we elucidate possible route maps to overall freedom and to governing one's own space.

The women in this study considered the question of their roles in life and whether they could govern different aspects of their lives or even decide on their own roles. In other words, they wondered how much freedom they had to govern their own spaces and how much influence other factors had on their lives. This ultimately relates to the question of their ability to negotiate the boundaries of their spaces.

As described previously, women manufacture spaces within the complexly layered gender hierarchies that leave unquestioned the concept of sexual difference established and reproduced through ideas about the private and public (Tschalaer 2015). Kandiyoti (1991) discussed 'bargains with patriarchy' as a process by which women conform to patriarchal ideas about their modesty and purity to secure the legitimacy of their presence within public spaces. In their research, Zubair and Zubair (2017) illustrated that women internalise how to control and discipline themselves, their behaviour, and their sexuality while meeting societal expectations. Indeed, as Mahmood (2001, 212) described:

Through practices that are both devotional as well as worldly in character; it requires more than the simple performance of acts: piety also entails the inculcation of entire dispositions through a simultaneous training of the body, emotions, and reasons as the sites of discipline until the religious virtues acquire the status of embodied habits.

Without the incorporation of normative orders, women's own spaces would be even more limited. By bargaining with patriarchy, as Kandiyoti put it, women can negotiate the boundaries of their space(s), using bargaining as the starting point for a route on a map towards greater freedom. However, when bargaining with patriarchy, women must evaluate the consequences of their decisions not only for themselves but also for the wider community.

Iraqi women's conduct is not only assessed at the individual level but reflects on the entire family (Al-Khayyat 1990). When a woman breaks the rules, the whole family is shamed. This means that women must find non-linear routes to reach their goals that will not negatively affect their reputations. Due to the possibility of social exclusion and loss of family support, as well as the maintenance of their distinct religious/spiritual identities or social acceptance, women may use their agency and behave in a socially accepted manner (Zubair & Zubair 2017). Consequently, many women embody the traditional submissiveness expected of females (Al-Khayyat 1990). The factors affecting honour and causing shame are like sandbars in the sea, which women must detour around in their attempts to negotiate the boundaries of their spaces. Nevertheless, many women, although wanting to ensure that their rights are respected and acknowledged, cannot afford or are unwilling to assert their rights in ways that estrange them from their families and wider communities (Hegland 1995). Sana (in her twenties) from Kathimiyah explained how she dealt with the conflict between two normative ideals – of a wife and of freedom: "I need to decide what I want. Do I want to be a proper wife or freely decide what is right for me?" Many women are conscious of emergent conflicts and negotiation in relation to their multiple spaces and shifts in identity formation (Zubair & Zubair 2017).

A family may impose a list of compulsory behaviours to regulate a girl's or woman's every movement both inside and outside the home. Thus, stretching the boundaries of what is considered a 'good' or 'bad' woman in society often converges with the idea of 'private' and 'public' spaces (Tschalaer 2015). Sabrin (in her forties) from the city of Hilla told us, "Men can come and go as they please. Normally, men can leave the house to take a walk or something. Girls stay at home. They put things in order, clean, and cook". However, Noor (in her forties) also from Hilla, said, "Sometimes women find ways to navigate the orders. It is often allowed for women to visit a beauty salon, so they do, [and they] may visit a friend on the way home, which otherwise would not be accepted".

Some families may prevent their female members from socialising with unrelated men, dictate the type of clothes they wear, and so on (Al-Khayyat 1990). However, women may perform and embody honour through their actions (Johanssen 2019), and most of the women we spoke with chose this strategy for negotiating the boundaries of their spaces. Zubair and Zubair (2017) reported similar results in their research. They found that women's silence can be agentive and strategic and may be used as a form of resistance to the dominant patriarchal culture. Indeed, many women assert their agency through the embodiment of respectability, often couched in a symbolic language of piety (Tschalaer 2015) and 'decent' behaviour. Nadia (in her thirties) from Karbala said, "Obedience just makes life easier". Nadjua (in her forties) explained such female wisdom:

If the husband is nervous, gets angry, and screams, the wife must be calm and not respond to him similarly. After he calms down, the wife should punish him gently with her eyes full of love and sadness because she does not deserve this treatment from him. He will then feel sorry and apologise to her. The wife must be smarter than the husband.

This is not to say that all women in Iraq are oppressed. As Nadjua (in her forties) continued:

I met my husband at college, and we fell in love. Ten years after graduation, we got married. I live a happy life with my husband. He helps me with the house. He also supports me in my work and with our daughter.

Marriage is especially encouraged for women by Iraqi society but tends to shrink the social space of those who do not desire marriage (Al-Khayyat 1990). Moreover, women's roles as daughters or wives are subject to different sets of normative orders. Sometimes, women have difficulty taking over new spaces or roles with new orders and expectations. Girls learn from their mothers and other female relatives how to be wives.

In our study, marriage and the normative orders within it were seen as something over which the women had very little control. However, they were expected to create happy, peaceful homes. Amal (in her thirties) from Al-Muqadiyah said:

My husband can become aggressive when he is angry. In my family, I learned that the wife is responsible for making a happy home. If my husband acts in an aggressive way and even hits me, it is always my fault. I have done something to make him furious. For instance, if I don't feel like having sex with him, he gets very angry. According to him, I should be grateful that he still wants me. It is easier just to give him what he wants, so that peace remains in the house and I don't expose the children to his anger.

This example shows that Amal considered her children before herself in that space. She was willing to negotiate the boundaries of her own space and accept something she did not want to maintain peace in the household. In some cases, women said that they bought personal lubricants to make sexual intercourse less painful. Noor (in her forties) explained, "Women buy those products. Some feel shy about it, but with me, they talk. Their husbands want [sex] more than they do, and women cannot handle it. In this way [with lubricant], it is easier". Again, they could not negotiate the boundaries by temporarily excluding certain actions from this space, but they could make the activity less painful, thus keeping the children safe. According to Al-Khayyat's (1990) research in the late 1980s, women were taught to believe that treating their husbands well in bed (obeying demands for sexual intercourse) fulfilled their duty to God. One of her interviewees said, "If I don't satisfy him, I might lead him to have affairs with other women, or he might try to harm me by acting against my interests in other daily matters, so I respond to avoid problems" (Al-Khayyat 1990, 96). We and Piela (2011) obtained similar findings. Many of the participants decided that sexual availability to the

husband was a wise marital strategy to channel male sexual desire towards the wife rather than other women (thus preventing him from committing adultery). Zubair and Zubair (2017) described how the women in their research conceptualised sexual submission as a form of agency because through submission, they subverted binaries and hegemonies, meaning that submission appeared to be a route on a map to achieving freedom elsewhere. We perceive this as one aspect of the larger discussion on *sextortion* in Iraqi society, which turns sex into a currency of bribery in a corrupt system (Al-Hassani 2020b). Nadia (in her thirties) explained other reasons for this submission to negotiate boundaries:

I need to care for my family's reputation. It is very important to me. A decent woman is only with one man during her whole life. This is what I have learned. I am lucky, as I have an educated and kind husband. However, I know many who are not as lucky. They need to choose between aggression and direct violence on one side or leaving and living against their own values as indecent women on the other side.

However, according to Piela (2011), women's sexual submission to their husbands is also linked to the problems of abuse and marital rape.⁷ The idea of *tamkin*, referring to women's obedience or submission (Mir-Hosseini 2018), specifically regarding sexual access, means that many women do not realise that they may be victims of rape, thinking that they are only doing their duty. Noor (in her forties) explained further, "Sometimes doctors are reluctant to state that a woman has been a victim of rape. Doctors are afraid that men of the husband's tribe will come and seek revenge". The criminal provisions of the Iraq Penal Code do not recognise marital rape and can even grant impunity for sexual violence against women and girls by obliging men to marry their victims in some cases (Vilardo & Bittar 2018).

The discourse around the female body in Islam includes factors such as safeguarding women's modesty (and men's honour) through segregation; thus, the control of women's sexuality through the construction of female sexuality as a threat to men's honour touches the most intimate part of women's space(s) (Rashid 2003; Piela 2011). Tschalaer (2012) described a religion-related strategy for negotiating the boundaries of one's own space. She explained that Muslim women in India engage in processes of *ijtihad* (legal reasoning) based on Islamic textual sources, such as the Qur'an, Hadith, and Sunna, with the aim of reforming religious thoughts and practices (*ibid.*). The act of *ijtihad* is central to many women's claims to authority and reconstructions of gender norms (Abou-Bakr & Al-Sharmani 2020). On a smaller scale, we also found this in our research. Some women, for instance, tried to find authorisation in the Holy texts for their desire to govern their lives and take responsibility for their children.

Education and wider communication could broaden women's spaces by allowing them to produce knowledge and improve their lives. Education can redirect women's map routes and provide alternatives. Zubair and Zubair (2017) studied how women academics organised/reorganised a sense of who they were across space-time and engaged in identity formation and reformation in inter- and transcultural contexts: how they assumed new positions between the self and the other in an in-between dialogical space (*ibid.*). This is an instance whereby one broadens one's own space, what is in it, and how one's own space relates to others' spaces. Increasing access to the internet has enabled some women not only to meet other people from different cultural and geographic spaces but also to express their opinions and arguments (Piela 2011). Changing ideas and expanding one's space are therefore not restricted by geography. Alia (in her thirties) from Hilla illustrated the importance of broadening one's space: "Women's rights are matters related to raising their psychological, scientific, and professional levels".

On the other hand, Mona (in her thirties) reflected, "I know I have some rights, or that I should have at least some. But what do I get with my legal right to decide whether to cover my body or not if, by choosing what is right for me, I lose my family and, even worse, my children?" Thus, these women's choices regarding clothing or social conduct may be rooted in their faith, but the decisions are also often linked to other, more material factors (Fornara 2018). In some cases, women can find non-linear ways to negotiate the boundaries of their own spaces. However, some barriers inhibit certain routes to overall freedom, which the women found challenging to negotiate. The next section discusses such barriers.

Barriers to women's routes to overall freedom

On a map, one can calculate whether one has enough available time to reach the desired location. We detected such a barrier in women's legal geographic maps towards overall freedom. However, following Proux's (2005) reasoning, barriers are often constellations of factors forming barriers (not all factors, as such, are barriers). Moreover, some barriers are internalised. Individuals internalise ideologies, fears, customs, and laws, which together form and transform barriers. On a map, the factors inhibiting women's access to freedom are clear. They are related to the time available and Iraqi society's expectations of women, which revolve around the places women are expected to frequent and the tasks assigned to them.

According to more traditional Middle Eastern views, women have time-consuming domestic roles, and it is necessary for wives to obtain their husbands' permission to leave the home and/or work outside of it (Piela 2011). Some sectors of Iraqi society expect women to take full responsibility for housework, child rearing, cleaning, and cooking. Especially in families with many children, such chores are time-consuming (Al-Khayyat 1990). Many women in our study shared their struggles with time. Naima (in her forties) from Bagdad said, "I couldn't study. I'm too busy with housework and the children". Lamis (in her forties) from the Salahaddin Governorate had the same experience: "Women have too many responsibilities. There is not enough time to study". Indeed, time limited the abilities of these women, as Nadjua (in her thirties) explained: "In my routine, I go to work in the morning. When I come home, I do housework, cooking, and cleaning. I get tired and don't have time to do the hobbies I love". Moreover, desertification in Iraq causes sandstorms, which multiply women's housework and cleaning. In 2023, Iraq faced an unprecedented number of severe sandstorms. Furthermore, in the summer, there are additional chores for women, and when cleaning roofs (often appropriated as extra living spaces during hot summers), women prepare them for use daily (Al-Khayyat 1990).

Furthermore, even if they had sufficient time, not all the Iraqi women in this study were encouraged (or even allowed) to work outside the family home. Work, which for some represented an opportunity to earn money and increase independence and thus opened a route to overall freedom, was prohibited. Sabrin (in her forties) from Hilla confirmed this:

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Patriarchal interpretations sometimes depict women's participation in public spaces as undermining their modesty and hence constituting a religious 'sin' (Tschalaer 2015). This was reflected by Sameera (in her twenties) from Bagdad: "I have to choose a job that fits the community and not a job that fits my personality". This aspect of tradition (if lived) can be a severe barrier to women's access to freedom.

Life is unpredictable when it is beyond one's control. Before marriage, male family members often make all the decisions. As Warda (in her thirties) from the Babylon Governorate put it, "My family decides. They have a desire to determine my future". Indeed, some girls or women in Iraq are inhibited from expanding their own spaces through education and learning, yet women's higher education used to be a source of Iraqi pride. Susan (in her twenties) from the city of Hilla told us about her desire to study: "A master's degree would be great! It would augment my salary. However, often girls get married when they are at the bachelor's level of their studies, making it difficult for them to study further". Fatima (under twenty) continued, "I can study for now. However, if dad says that school ends now, it ends now. A daughter needs to obey her dad; otherwise, she is not a good girl or person". Hence, a father can become a non-negotiable barrier on a girl's route to freedom.

After marriage, women are often seen as their husbands' responsibilities. Naznin (in her forties) from Bagdad shared, "My husband prevents me from educating myself. Our society is a backward one that denies women's right to study and develop themselves". Susan (in her twenties) from Hilla said:

I could not just bring a boy home from the university. There should be an indirect way for him to come and ask if he can marry me. It's complicated. It is easier among cousins, as we can talk with each other more freely. If a guy unknown to the family just came [and asked], my dad would immediately ask where the guy had met me.

Forty-one per cent of the respondents in our survey directly reported that they could not freely choose their partner. Their marriages were already arranged, and they were not allowed to decline these prospects (Gadd & Ubeis 2021). Warda (in her thirties) explained, "I cannot be with the person I want. I am afraid of losing my family bonds, and that prevents me from choosing my partner". Nonetheless, some women found it liberating that choosing their husbands was their parents' responsibility. Samira (in her forties) from Bagdad claimed that it was good that she did not need to make all the decisions herself: "Parents are better at choosing a partner for me due to their longer life experience". The fact that women cannot always choose with whom they share their lives means that some remain in unhappy marriages or single. Safa (in her forties) from Bagdad said, "If I want to remarry, the father of my children will take them away from me". Fear of violence may also deny some women options. The revival of 'honour killings' (still part of modern-day Iraq) has even been supported by state legalisation (Saliba 2019). Honour crimes increased after the 2003 invasion, yet the reporting of these crimes declined due to the fear of revenge against abused women or their families (Lafta & Al-Nuaimi 2019; Saliba 2019). Moreover, some women considered themselves responsible for the happiness of all their family members. Nadjua (in her thirties) told us, "Often, the woman pressures herself and tries hard to change her husband's treatment of her. If she fails, she tries again. The reasons for repeated attempts are the love and the children between them. In some cases, this works". Sexual and gender-based violence, such as killing, physical harm, and the exploitation of women, is sometimes legitimised by the perpetrator, the family, and the wider community (Johanssen 2019). Claiming one's right to govern one's own space is stressful – sometimes even dangerous – and with no guarantee of success or improvement. According to the United Nations Population Fund (UNFPA 2016), most women who report such crimes decide not to proceed to open legal cases against the perpetrators. Many mothers wish an easy and happy life for their daughters and try to teach them obedience towards their husbands. Many agree with Nadia (in her twenties), who stated that "Obedience just makes life easier". Seemingly, a woman is free only within a space determined by others.

Either other people can reduce female spaces, thus controlling women's spatiotemporal exploration and liberty, or time is too limited for women to do something for themselves. A woman may feel like a sailor sailing alone across a lake, with no way out of the closed waters. As Ala (in her thirties) put it, "Freedom is a treasure that only those who lose it can know". How strongly a girl has been socialised to fulfil the expectations imposed on girls and women has an impact on how much of herself she is willing to sacrifice to govern herself and her space according to her own personal will. On the other hand, aspects such as urban places of residence, higher education (also of parents), and affluent financial situations may open new routes, providing women with more opportunities to govern their spaces and find access to freedom.

Concluding remarks

In this article, we have discussed the spatiotemporal interlegalities of 22 women living in Iraq and how they negotiated normative orders and the boundaries of legal spaces to gain overall freedom and govern their own spaces. We have employed the concept of interlegalities to describe legal space(s) formed by diverse laws and normative orders and have used maps as a metaphor to illustrate the interlegalities of women on the one hand and the ways in which they navigate their legal landscapes on the other. We have discussed women's understandings and perceptions of their rights and freedoms, the realisation of those rights, and possible contradictions in the legal and normative orders standing in the way of their freedom. We have demonstrated how religion, traditions, ideologies, experiences, and beliefs, combined with state laws, knowledge of the laws, and reflections within the digital space, give rise to a complex legal landscape in which different legalities do not merely coexist but entangle and overlap. Moreover, we have elucidated how normative orders have a differential impact on women, depending on, for instance, the overall sociopolitical context and women's levels of education, economic and social statuses, geographical origins, job opportunities, and marital statuses.

Some factors, such as the time available and Iraqi society's expectations of women and girls, inhibit Iraqi women's access to freedom. Such expectations revolve around the places women are expected

to frequent and the tasks they are assigned. Furthermore, although freedom could bring women independence, it would also bring shame to women who choose to disobey prevailing norms and unwritten rules. It is important to understand the map of interlegalities that position women living in Iraq. Herein, we have illustrated the overlapping and sometimes seemingly contradictory normative orders constituting Iraqi women's interlegalities. This is an important addition to the current legal geography discussion, which has not extensively discussed pluralist legal systems as incorporated interlegalities. However, it is also important to investigate the complex and relentlessly changing relations among the various legal spaces and normative orders. This could be done through an overlay analysis of maps from multiple legal spaces and the elements within them. However, this is something to be explored in future research.

Notes

¹ الحرية Meaning freedom in English.

² The interviews were conducted in Arabic, and Ubeis either translated the interviews into English or we used English directly when the interviewee spoke English fluently.

³ A Qur'anic concept of the moral framework of human behaviour; an ethical awareness related to God and society (Piela 2011).

⁴ Thus, first, veiling was a sign of status, as it was for respectable Athenian women in the Greco-Roman world and in pre-Islamic Iran and the Byzantine Empire (Keddie 2007).

⁵ Such as in Surah النور An-Nur in Aya 31 and in Surah الاحزاب Al-Ahzaab in Aya 59 in the Qur'an.

⁶ Sexual and gender-based violence has no roots in any religion, sect, or nationality, but is a universal phenomenon that has disproportionately affected women and girls under various patriarchal discourses throughout history (Johanssen 2019).

⁷ Rape is related to a wider concept of honor. Moreover, the understanding of what rape has changed over time and its exhaustive exploration is beyond the limits of this paper.

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