

## Law legalizing rape in marriage prompts outcry

Canada expresses outrage, Western diplomats hold emergency meeting in Kabul, but Karzai's move foreshadows painful tradeoffs

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CAMPBELL CLARK  
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OTTAWA — It used to be a mission to give a future to little girls. Now the government is scrambling to explain why Canadian troops are fighting for an Afghanistan that legalizes rape within marriage.

The new Afghan law, apparently approved by President Hamid Karzai, led Western diplomats in Kabul to call an emergency meeting and hammer out a concerted response, pressuring the Karzai administration to back down.

Canadian officials insisted that Mr. Karzai still has some "wiggle room" before the law is implemented, and waited impatiently for the President's first public comments on the law.

The Conservative government expressed outrage, and opposition politicians said Canadian soldiers did not fight and die for an Afghanistan that would pass such a law.

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But the thorny question of whether Canada might withdraw support - cut some of its aid, for instance - left cabinet ministers at a loss.

"We haven't had a chance yet to talk with the other ministers, so we haven't made any decisions or had any discussions on next steps," International Co-operation Minister Bev Oda said. "It's very problematic. It's a great concern and it is going to be a difficulty for Canada."

As the United States, Canada and allies moved to lower expectations about whether they will leave Afghanistan a democracy that respects human rights - and as they increasingly back reconciliation with elements of the Taliban insurgency - the outcry over the new law may foreshadow painful tradeoffs to come.

For the Conservative government, which has emphasized advances for women and the ability of girls to go to school in Afghanistan, the law presents an immediate political quandary. Liberal Leader Michael Ignatieff said the government must make it clear to Mr. Karzai that the law is unacceptable, while the NDP said Afghanistan should not expect Canadian troops and aid if it passes such laws.

"How can the government say our soldiers have died to protect the rights of women when Hamid Karzai passes this law?" NDP Leader Jack Layton asked in the Commons.

Prime Minister Stephen Harper, in an interview with the CBC from the G20 summit in London, called the move "antithetical" to Canada's mission in Afghanistan.

"The concept that women are full human beings with human rights is very, very central to the reason the international community is engaged in this country..." he said. "It's a significant change we want to see from the bad, old days of the Taliban."

Canadian government officials said yesterday they still aren't certain if the law had been fully passed or signed by Mr. Karzai. But Alexandra Gilbert, a women's-rights project co-ordinator for the Canadian agency Rights and Democracy, said from Kabul she understands through women MPs that the law has been passed and signed.

It is a new family-law code for Afghanistan's Shia minority, and while it does not apply to all, women's groups in Afghanistan fear the precedent, Ms. Gilbert said.

"Women don't have access to public life. To education, to health care, they can't leave the house without the approval of their husband ... and [wives] cannot refuse sexual relations," she said.

Many believe Mr. Karzai is backing the law to build support for the presidential election he faces in August. University of Toronto foreign-policy expert Janice Stein said he's hoping it will win votes from Shiites and also resonates with Pashtun Afghan elders in the south.

She and other analysts believe that Western allies are still caught between competing visions of the Afghan mission, even though U.S. President Barack Obama has moved the goals from democratic nation-building to preventing the re-establishment of a staging ground for terrorists.

University of Ottawa professor Roland Paris said the new law is so egregious that Western nations had an easy choice to oppose it, but as they scale back emphasis on democracy and support reconciliation with Taliban elements, other hard choices will come.

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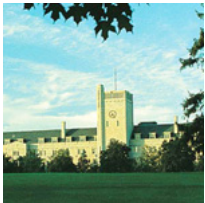
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