

IRAN HUMAN RIGHTS REVIEW: WOMEN AND HUMAN RIGHTS

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Foreword by Wendi Momen



Iran Human Rights Review: Women and Human Rights

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Foreword

Wendi Momen

One of the most enduring dichotomies across time is that of humanity. Even more than 'us' and 'them' has been the division of humanity into 'men' and 'women'. Our relationships, our work, our thinking, our laws and customs, our language, the way we look at the world, our politics and economics, even our clothes and colour choices reflect this apparently basic separation of one humanity into two parts. Based on biological functions common to most plants and animals, the division of humanity has transcended this simple scientific fact to create an entire hierarchy of societal norms that have generally placed males in positions of power, authority and responsibility and females into roles that support that hierarchy. Possibly grounded in a simple need for physical strength at the dawn of humanity's evolution, for most peoples the hierarchy has developed over thousands of years as a way to divide work, govern, make decisions, allocate resources, extend privileges and concentrate wealth and power. Only in the last few centuries has the hierarchy been modified by some communities to include more women and to enable them to climb through the hierarchy – but the dichotomy and the hierarchy largely remain.

More recently, many have come to accept that the equality of women and men is a fundamental truth about human reality and have affirmed their 'faith in fundamental human rights, in the dignity and worth of the human person' and 'in the equal rights of men and women'.¹ While men and women display physical differences and these differences can influence how individuals experience the world, research has shown that in terms of intellectual capacity, these differences are negligible.² With this recognition has come, at the level of principle, the development of a body of human rights which are to be extended to all people³ and other international instruments, such as the Convention on the Elimination of All Forms of Discrimination Against Women.⁴

It is at the level of application and lived experience that the ideal of human rights is being tested. In every country, in every culture, the role of women and their rights and responsibilities are being discussed, challenged, offered, withdrawn, undermined, supported. This is a major issue of our time. Violence against women and girls is endemic. The glass ceiling making it harder for women to rise to leadership positions, in particular the number of women on boards and who are parliamentarians, the dilemma of work and motherhood, the cost of childcare, house husbands and how to empower women – and to persuade men to enable women – to achieve equity in all walks of life are well-rehearsed, if not resolved, concerns of western-style communities. In other parts of the world the concerns of women may appear simpler – how to fetch enough water safely and without being attacked, how to access health care, how to enable girl children to go to school, how to avoid being raped as a weapon of war, how to inherit property and retain custody of children when a husband dies, how to overcome the shunning associated with widowhood, how to earn and keep one's own money, how to avoid being trafficked as a sex worker – but are powerful reminders that inequality and injustice are widespread, endemic and still not high on the world's political agenda.

This volume is dedicated to analysing and raising awareness of some of the main human rights challenges that women in Iran face today and the efforts being made to address them.

¹ United Nations, Charter of the United Nations, June 1945, <http://www.un.org/en/charter-united-nations/>

² Colom, Roberto, Manuel JuanEspinosa, Francisco Abad and Luis F. Garcia. 'Negligible Sex Differences in General Intelligence', *Intelligence* 28(1) (2000): 57–68.

³ United Nations, The Universal Declaration of Human Rights, December 1948, <http://www.un.org/en/universal-declaration-human-rights/>

⁴ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, <http://www.un.org/womenwatch/daw/cedaw/> Only four countries and the Holy See have not signed the Convention: Iran, Somalia, Sudan and Tonga. The United States and Palau have signed but not ratified it.

Once the poets' romantic image of doe-eyed beauties resting in the fragrant gardens of ancient Persia, today's Iranian women are well-educated, strong-minded people with talents, careers and political and economic aspirations. As the Introduction to this volume relates, their changing fortunes under the different political regimes and ideologies of the past half century or so has given them the vote and hidden them under the chador.⁵

As I write, Iran's Supreme Leader, Ayatollah Seyyed Ali Khamenei, has just issued to three branches of the government a 16-point list of new policies on the family, which he calls the 'cornerstone of the Islamic society'. He describes how Iran is to achieve a 'family-based society' using an Islamic model of the family.

On first sight, the measures described look progressive and helpful to women and society at large: protecting the family, strengthening the family, encouraging and facilitating successful marriages, supporting single mothers and steering people away from adopting an immoral lifestyle. The overall intention of the policies seems to be to significantly increase the nation's birth rate to produce a 'young, healthy, dynamic and growing society', perhaps based on the belief that a large population will strengthen the country politically and economically.

On further consideration, some of the measures seem to be pulling women and families back to an earlier era. What will Iranian women (and men) make of 'banning the spread of programmes harming family values' (such as family planning?), the call for single mothers to remarry (they are unable to manage on their own?), the 'effective confrontation with the enemies' soft war aimed at the collapse and deviation of family relationships, and removal of obstacles and traumas as well as challenges to family strength' (a challenge to the extension of universal human rights to all Iranians?). Are women being 'protected' or 'oppressed' by such measures? This is for Iranian women to decide, if they are allowed.

The articles in this volume suggest that the rights of Iranian women are still far from recognised or embedded within their society. They, like all the rest of us – women and men – need to continue to advocate and strive for the extension of human rights to them so that they, and we, can finally demonstrate that there is only one humanity, living on one planet, that all people are to be treated with justice, dignity and equality, and that all are to enjoy the full range of human rights.

⁵ Also written as chador. It is a full-body-length semicircle of fabric that is open down the front. This cloth is tossed over the woman's or girl's head, but then she holds it closed in the front.

Introduction

Tahirih Danesh and Sanam Vakil

The issue of women, their rights and role in society has been at the front and centre of politics in the Islamic Republic of Iran since the 1979 revolution. Women were among the myriad of groups that supported the revolution overthrowing the longstanding Pahlavi monarchy believing that the subsequent political system and government would be reflective of their growing political, economic and social empowerment. To the dismay of many women however, the post-revolutionary political government was rooted in a specific interpretation of *Sharia* (Islamic law) by the senior leadership of the Republic. Such interpretation indicates that in both private and public spaces, women's access to their rights is determined by men. Furthermore, it considers the treatment of women's appearance as a symbol of its Republic. In fact, through the subsequent 1981 Cultural Revolution the Islamic Republic began to institutionalise women's rights as secondary to those of men, thereby impacting the role of women in Iran through to the present day.

The state's gender policy has been among the ideological pillars of the Islamic Republic. As such, liberalising gender issues has been a foremost challenge for women seeking greater rights and a serious threat to the deep state. Under the Pahlavi monarchy, gender was used to promote the Shah's modernisation and Westernisation campaigns, such that the inclusion of the Iranian woman was critical to the projection of the image of a modern Iran. In 1963 as part of the Shah's modernising White Revolution, women were granted the right to vote. Four years later in 1967 the Family Protection Law was implemented providing women with divorce, custody, and marriage rights.⁶

Despite these legal improvements, women continued to suffer from cultural, Islamic, patriarchal and economic limitations. Moreover, the Shah failed to extend his support to traditional women. In reaction, Ayatollah Ruhollah Khomeini seized on women's issues, among others, to challenge the Shah's anti-Islamic policies and branded the Shah's moves as signs of his Westoxification of the Iranian nation. Khomeini's ability to connect with the deep-rooted traditional sentiments of the population, including many educated women, provided him with a strong base of support since his exile in 1963. Because of this widespread female constituency, Khomeini overturned his position on female political participation.⁷ At the same time however, Islamic laws regarding women were reinforced, reversing the long sought after gains made under the monarchy. Ultimately, the post-revolutionary government established contradictory gender policies that were guided by a specific brand of religious interpretation as well as pragmatic political considerations. By 1983, women were obliged to wear the mandatory Islamic hijab, were subjected to public gender segregation, denied access to work in certain professions such as the judiciary, and forced to accept discriminatory legal status with regard to marriage, divorce, inheritance and custody rights.⁸

Within the Islamic Republic, gender has been used to convey the ideological goals of independence associated with the revolution. Islam and the state's Islamisation of society were the mechanisms of such a message. Accordingly, women have become the symbolic protectors of the revolutionary spirit as the state constructed an identity that linked the female role of a wife and mother to the defence of the Islamic values fortified by the revolution. At the same time, as women emerged alongside men in political demonstrations, in universities and in the work place, the image of a revolutionary Islamic woman has also served the government's purposes. Because gender is closely linked to the political and ideological legitimacy of the state, the Islamic Republic has established

⁶ Paidar, Parvin. *Women in the Political Process of Twentieth Century Iran*, Cambridge: Cambridge University Press, 1995.

⁷ Ibid.

⁸ Kian, Azadeh, 'Women and Politics in Post-Islamist Iran: the Gender-conscious Drive to Change', *British Journal of Middle East Studies*, vol. 24, no. 1, 1997, pp. 75-96.

contradictory gender policies that reflect the tension at the heart of the establishment regarding the role and rights of women. A consequence has been the projection of a Janus-faced gender policy that has ultimately hindered female equality and advancement and offers limited opportunity for women to flourish in a changing Iranian landscape.

Over the past thirty-seven years, Iranian society has shifted dramatically and bears little resemblance to the expectations of the leadership of the Islamic Republic. Internal and external social and political transformation has fuelled greater awareness, resilience and activism among women and girls. The 'demographic gift' of the post-revolutionary period resulted in a doubling of the population to 71 million, and more specifically a burgeoning of the youth population.⁹ As reflected by Iran's 85 percent literacy rate, among the highest of Muslim countries, young Iranians are much better educated than previous generations.¹⁰ However, fewer than one in three can remember the revolution, and the young suffer disproportionately from the regime's failures. Unemployment, inflation, urbanisation and demographic shifts have added pressure to both state and society. Furthermore, discriminatory education and employment policies favouring men over women and girls, coupled with cultural values in Iran's patriarchal society are gradually retarding women's progress within the public sphere.

The history of the Iranian women's movement is intimately intertwined with modern revolutions in Iran, including the 1979 revolution culminating in the formation of the Islamic Republic. For more than three decades the movement has gone through various stages of growth and maturation. In parallel with the suffragette movement in the West, it finds its roots in domestic social and political changes where, for almost two centuries, women have been at the forefront of education, reform and innovation, challenging political, social and religious norms in search of greater equality and visibility. Although at the outset of the revolution, women were divided by their ideological and political orientation, many have now cast aside these differences, finding closer common ground in an effort to create a unified and effective women's front to advance the cause of gender equality.

Women and the republic: Dynamics of power struggle

Over three decades the fight for gender equality has been an uphill struggle as the state has balanced ideology against political agenda. Women's rights activists have struggled to redress the gender imbalance through a piecemeal, issue-by-issue approach. Early on, to retain female support, women were enfranchised. In the first parliamentary elections held in 1980, four women were elected to public office. While small in number, the female presence was critical for the regime's legitimacy. In all subsequent parliamentary elections, women would continue to win political seats.

During the Iran-Iraq war (1980-88) women were also encouraged to become educated and were equally important to the economic sustenance of many families.¹¹ Offering amendments to the Islamic Republic's interpretations of *Sharia* law, Khomeini placated women in return for their political support by allowing widows to retain custody of their children rather than bequeath them to the paternal family.¹² The 1987 Labour Law was also amended giving greater rights to women with regard to maternity leave, childcare and health and safety.¹³ Two years later, the divorce law was amended.

⁹ Statistical Center of Iran.

¹⁰ Iranian National Census of Population and Housing, 2006.

¹¹ Keyhan Newspaper, April 7, 1980.

¹² Ettelaat Newspaper, January 23, 1985.

¹³ Ettelaat Newspaper, October 24, 1987.

Rafsanjani's presidency (1989-1997) saw a shift from a wartime economy to that of economic integration. With this came policy changes that also impacted women. Among the most important was a government effort to curtail population growth. A striking achievement of Rafsanjani's administration was to implement programmes designed to reduce the national fertility rate from 5.6 in 1980 to 2.0 in 2000.¹⁴ Greater social and cultural liberalisation were also instituted during this period making way for the birth of women's magazines and journals such as *Zanan*, which began publishing in 1992 but later closed in 2008. In addition, articles by men and women reporting on social and cultural taboos including women's sports initiatives, temporary marriage, drugs, prostitution, polygamy, and legal and political rights were published.¹⁵ The trickle-down effect of these publications was the subtle spread of gender consciousness, similar to pre- rather than post-revolutionary Iran.

Amidst this political atmosphere women—both religious and secular—saw an opportunity to assert themselves. Islamic feminists were able to campaign for women's rights in an overt manner. Drawing from the more open post Iran-Iraq war political environment, they used collaborative efforts to pressure policy makers in order to remove restrictions on women's legal rights. By 1995, women were once again given license to serve as consulting judges. In 1997, Mohammad Khatami was elected with overwhelming female support. Together with the election of the sixth reform parliament (2000-2004), women gained more political authority with 13 elected female representatives.¹⁶ Through their presence and with increased pressure they again attempted to reverse legislative limitations on gender equality. Legislative gains evidenced in the reversal of study bans on female students were coupled with defeats over the ratification of the United Nations Convention for the Elimination of Discrimination Against Women (CEDAW) by the Guardian Council.

However, Mahmoud Ahmadinejad's 2005 election as president led to a crackdown on civil society that impacted women in multiple ways. Signalling a shift, the government changed the name of the Center for Women's Participation to the Center for Women and Family Affairs. In 2008, the government discussed but failed to pass a controversial law that would permit polygamy.¹⁷ In response, male and female activists joined forces in the One Million Signatures Campaign that sought through a referendum-type model of collective action both to increase public awareness and exert pressure on the government to implement gender-law reform. The campaign did generate public attention, but also provoked the government into severe repression of activists through arrests and detentions.¹⁸ Other campaigns such as the Stop Stoning, All Forms of Violence Against Women and the White Scarves Campaign against gender segregation at football stadiums also emerged around this period.

The 2009 presidential election and post-election upheaval caused tectonic shifts in Iran's domestic landscape. Amidst the election fervour, women were once more prominent participants. In advance of the elections, women's activists of all colours convened to form a united front and a unified gender platform. However, the contested outcome of the election, seen in the cycle of public protest and government crackdown, was devastating for Iranian women and society at large. Women turned out by the thousands to vote as well as to demonstrate in the post-election upheaval. They were equally included in the post-election government crackdown that ensued. In the aftermath of the elections, Ahmadinejad was the first Iranian president to appoint a female cabinet member to the

¹⁴ Efsanidiari, Haleh. "The Women's Movement" *The Iran Primer: Power, Politics and US Policy*, ed. Robin Wright, USIP, 2011.

¹⁵ "Shutting Down Zanan," *New York Times*, February 7, 2008.

¹⁶ Kian, Azadeh, 'Women and Politics in Post-Islamist Iran: the Gender-conscious Drive to Change', *British Journal of Middle East Studies*, vol. 24, no. 1, 1997, pp. 75-96.

¹⁷ "Iran Women activists see victory on polygamy bill," *Reuters*, September 2, 2008.

¹⁸ Fathi, Nazila. "Starting at Home, Iran's Women Fight for Rights," *New York Times*, February 12, 2009.

post of health minister.¹⁹ Another controversial measure implemented in 2012 sought to restrict women from studying 77 specific academic fields in 36 government universities throughout the country. The government justified these changes as part of an effort to impose gender quotas throughout the university system to protect men.

Hassan Rouhani's 2013 election offered new hope for women. Among his campaign promises, Rouhani vowed to resolve Iran's nuclear stand-off with the West, end the ongoing repressive security atmosphere, eliminate restrictions for women in higher education, remove gender-segregating policies thereby pledging to create more employment and opportunities for women, and select a women's minister who supports gender equality. To date, he has appointed two women to his cabinet and also selected Iran's first female ambassador. The nuclear deal was successfully signed on January 16, 2016 resulting in the removal of sanctions and the promise of greater economic opportunity. Then came the parliamentary elections, the culmination of several campaigns, including a national campaign by local activists called 'Campaign to Change the Masculine Face of the Parliament' with a four-fold rise in the number of women candidates and two-fold increase in the number of deputies. Despite all this, the domestic environment remains closed and an intensification of attacks on women in public spaces, a revolving-door policy on the arrest and interrogation of activists, and increased discrimination against religious and ethnic minorities, along with pressure on women to observe restrictive laws, indicate that further prospects for gender reform remain limited at best.

With an increase in anti-women policies and bills put forward by those either affiliated to or controlled by the Islamic Republic Guards Corps over the recent months, coupled by the highly symbolic arrest of two female dual national Iranians from Canada and the UK, Homa Houdfar and Nazanin Zaghari-Ratcliff, the human rights situation of women in Iran has entered a new phase.²⁰ This phase, fuelled by incendiary references to a feminist conspiracy against the core of Islamic revolutionary values, points to complicated dynamics around the perpetual power struggle between women's demands for human rights and the Islamic Republic's policies towards human rights in general, and human rights for women in particular. By some measures, the increasing complexity of this struggle may signal the possibility that within Iranian society, women represent the most visible existential threat to the Islamic Republic and its deep state—any compromise on women's rights would ultimately compromise the ideological foundation of the state.

It is for this reason that the current issue of the Review is focused on women and human rights in Iran. At this juncture in the evolution of women's human rights, activists in Iran play a crucial role not only for women in accessing their rights, but in fact for the process and definition of activism for all those interested in human rights. In other words, women bear the responsibility for advancing the ends and means of accessing human rights for and by all Iranians.

Despite these critical setbacks and challenges, Iranian women should celebrate the signs of growth evidenced in their activism. Although today, because of government repression, activism remains predominantly individual and informal rather than guided by large-scale movement-type activism, there remains progress as witnessed through widespread and greater bonds of cooperation. Most important has been the increased unity seen in the collaborative efforts of women from diverse ideological, political and religious backgrounds. Women neither traditional nor secular want to be forced backwards. Indeed both groups seek an active role for women in all facets of society, albeit perhaps with different terms. As women continue to strive for change and greater equality, building

¹⁹ Tisdall, Simon. "Iran appoints first female minister in 30 years," *The Guardian*, September 3, 2009.

²⁰ Four male Iranian dual nationals have also been arrested including Siamak Namazi, Baquer Namazi, Robin Shahini and Kamal Foroughi.

on this momentum of unity is critical for advancing the collective interests of women and the larger issue of human rights.

It is for this reason that the articles in this volume reflect a diverse array of opinions on the legal, political, social, cultural and economic fronts about the challenges impacting women and girls in Iran today. However, the articles point to a united focus, that the issue of women and human rights remains paramount for the future development of both state and society in Iran. On the part of the state, legislative change must tackle the need for gender equality. On the part of Iranian society, women's activism and engagement is well under way. With the removal of symbolic figures from the women's movement in Iran, due to arrests or their departure from the country following the 2009 post-election upheavals, women, both in Iran and overseas, should recognise, elevate and advance their discourse on the inter-relationship between greater awareness of their shared struggle for human rights, and the diversity that enriches their approaches to activism.

Based on findings in this issue, and in order to protect and advance the rights of women and girls from all backgrounds in Iran, the following policy recommendations are offered:

For the UK and EU authorities:

- EU officials working on Iran should access reports and interviews produced both in-country and by stakeholders among diaspora in order to gain a realistic understanding of the situation of women and girls in Iran
- Establish a working group between EU and Islamic Republic judiciary authorities to address the situation of the women and girls in Iran through multi-level cooperation
- Address women's citizenship rights in Iran in multi-lateral agreements and support Islamic Republic authorities to implement instruments necessary to their protection and promotion
- Initiate and sustain dialogues on the role of women in establishing security in the MENA region through multilateral exchanges and cooperation
- Include women's access to employment and fair pay in multilateral agreements with Iran
- Prioritise funding focused on international NGOs and organisations promoting education and advancement for women and girls in Iran, the region and the global community in line with Agenda 2030

For international NGOs:

- Establish education and empowerment programmes focused on all three sectors of the Iranian economy and aimed at young women and girls in rural and marginal communities throughout Iran
- Establish an on-going dialogue with the UN and its agencies and instruments focused on advancing access to human and civil rights among women and girls in Iran
- Conduct an international campaign to urge the Islamic Republic of Iran to sign the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) with no reservations
- Carry out information and education campaigns to advance women and girls' understanding of their role in establishing violence-free spaces in Iran

For the Islamic Republic of Iran:

- Ratify the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) without any reservation

- Restructure policies that prevent access to rights and services currently conditioned on use of chador as the preferred form of hijab in hospitals, clinics, universities, schools, offices and other public spaces
- Raise the minimum age for marriage to 18 years for all girls and women
- Take appropriate measures to protect the rights of vulnerable women and girls in public spaces to whom Islamic hijab laws do not apply, including those of minority backgrounds (e.g. Christians, Jews, Zoroastrian and the Baha'is) or girls below the age of 9 lunar years (8 years 7 months)
- Ensure equal access to all fields of education and employment for all women and girls, especially those of minority ethnic or religious backgrounds
- Increase resources and continue to strengthen cooperation between the State and civil society organisations focused on advancing women's rights in accordance with the International Bill of Rights
- Accelerate and ensure implementation of all articles of the Convention on the Rights of the Child and its three protocols to national policies and codes affecting girl children of all backgrounds.

Undeclared Aspiration: 'Education for Change'

Nahid Husseini

Tertiary education is seen by many commentators as provider of greater opportunities for women in employment and social development.²¹ However, in a number of countries, including Iran, this process has not fully materialised. In this regard, it is necessary to find out how and why girls in Iran have been able to become so well educated under the rules of constitutionalised gender discrimination and also under the dominance of a patriarchal culture that has affected the means by which Iranian women have managed to access higher education nationwide. Furthermore, this article briefly explores the influence of educated women on social change in Iranian society.

The number of females in higher education in Iran began to rise during the 1990s. They were gradually able to take more than 65% of university places by 2008. However, in 2006, the government became concerned about the unprecedented growth in the number of female students and began implementing a range of policies in order to limit this trend and, as time passed, these efforts were stepped up after the disputed re-election of President Mahmoud Ahmadinejad in 2009.²²

Female students participated actively with and played leading roles in the Green Movement in 2009. One of the serious plans by the new Islamic government in 1979 was to Islamise the educational system, then enforce compulsory wearing of the hijab (veil), and finally to force women to stay at home, and therefore, according to official statistics, only 17% of women are employed today in Iran.²³

Educated women became a new phenomenon in Iran, as they were seeking gender equality in employment, social and political positions. It is important to note that education has been the Islamic regime's goal from its establishment in 1979, but the leaders did not anticipate that many girls would suddenly decide to gain a university qualification. Today they are faced with a very highly educated, confident and outspoken female population. Especially since the Green Movement, the government's aim has been to reverse the growth in the number of female students by imposing gender and local quotas in higher education and by preventing women from studying in the same classrooms as men. As a result, in 2010-2011 the percentage of female students dropped to 50%.²⁴

Despite the many obstacles placed in front of women, the Iranian government has failed to dissuade them from participating in higher education. They no longer feel like silent objects in the current political situation, so the number of female students increased to 60% from 2011 to 2015, but in September 2016 a new increase in the quota for Revolutionary Guards was put in place and the

²¹ OECD (2010b), *Improving Health and Social Cohesion through Education*, Educational Research and Innovation; OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264086319-en>. and OECD (2011b), *Divided We Stand: Why Inequality Keeps Rising*, OECD Publishing, Paris, http://www.oecd-ilibrary.org/social-issues-migration-health/the-causes-of-growing-inequalities-in-oecd-countries_9789264119536-en

²² Husseini, N., *WOMEN'S HIGHER EDUCATION: THE TRANSFORMATION OF IRANIAN SOCIETY*, 10th International Technology, Education and Development Conference (INTED2016). March 2016-Valencia (Spain), published by LATED Academy, PP: 6037-6044

²³ The World Bank, Labor force participation rate, female (% of female population ages 15+) (modeled ILO estimate), <http://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS>

²⁴ Mehr Press, 20 August 2011

percentage of female students reduced to 49.5% again. It seems the government has provided a new challenge for women in Iran.²⁵

According to Northwest University research in February 2016, Iranian female students have achieved successful results in scientific and technical fields. Iran, with more than 67% of female students in scientific fields is ranked first among 66 nations surveyed.

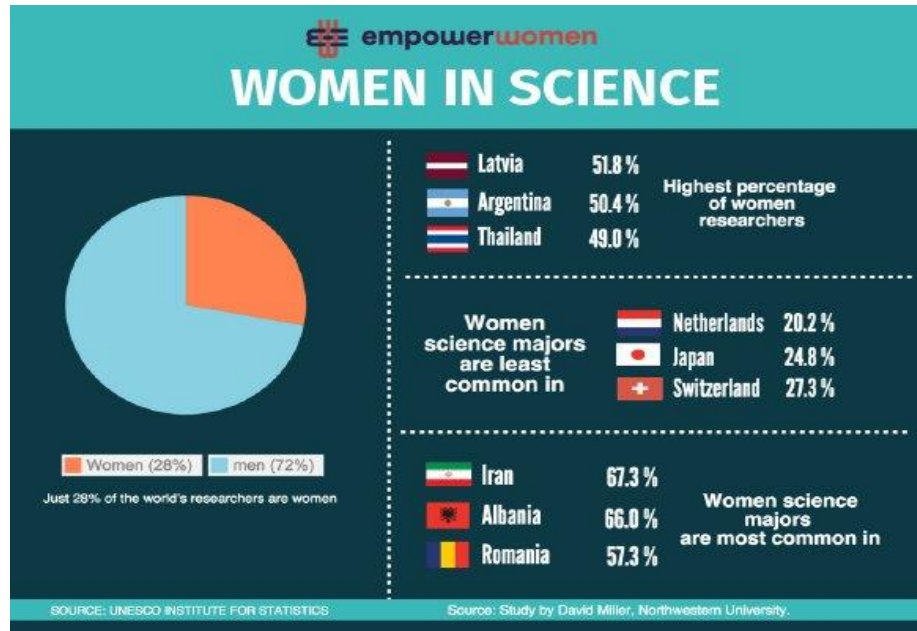


Figure 1 Empower Women: Women in Science
via <http://twitter.com/bressyr/status/701043429288058880>

On the one hand, the Iranian government's policies have added to the existing barriers against women's access to higher education; on the other hand, these restrictions have generated a stimulus for women's rights activism. Women's rights activists have found new incentives and motives in their struggle for gender equality, which have allowed them to extend their influence among the female population, politicians and intellectuals.

The result of a Facebook page, 'Education for Change'²⁶ which was designed to find out why women have been so keen to enter higher education in Iran, clearly suggests that freedom, gaining knowledge, employment opportunities and an urge to take part in local and national political and socio-political structures are the main reasons behind this trend.

A slow but steady and firm resolve to change, which can be understood as an undeclared aspiration in the meaning of 'Education for Change', can be observed in the various educational developments among women in Iranian society for about two decades. This is a silent slogan for each girl who wants to bring change in her life. It is an unspoken collective action from Iranian women from all walks of life, resulting in them gaining the majority of places in universities. The Iranian women's education movement is a social phenomenon, which can be recognised as a new social movement.

²⁵ Source: Statistical Centre of Iran; via Radio Farda, Percentage of Male and Female University Students in Iran, http://www.radiofarda.com/a/F12_percentage_of_male_and_female_university_students_in_Iran_is_even_now/2195003.html

²⁶ Education for Change Campaign, <http://www.facebook.com/Education-for-Change-950453925041148/>

A social movement is a type of group action that focuses on common goals in social or political issues in order to bring about social change. A social movement is also a series of continuous collective actions that are completed by a group of people with common interests, a shared identity, and broad, communal goals. The clearest characteristics of a new social movement are that they are mainly social and cultural, then political movements, concentrating on quality of life rather than struggling with the state.²⁷

This is the way the Iranian women's movement tends to overcome all difficulties and many negative changes to their rights created by the Islamic Republic of Iran. Higher education is a path to freedom, and it seems that young girls have managed to achieve it in relative terms. Certainly, there is still a long way to go, but what has been attained up to now appears to be irreversible as women have achieved them with their own very hard and continuous effort. Half of the 80 million population of Iran is women, and a significant proportion of them are university graduates. This certainly is social capital that can play a positive role in society. Having educated women with various abilities presents an opportunity for them to make a valuable contribution to social and economic development in the best possible way in the country.

²⁷ DelaPorta, D., Diani, M. 2006, *New Social Movements, an Introduction*, Blackwell Publishing. P20; Simin, Fadaee. (2012). "Social movements in Iran: Environmentalism and civil society." *Iranian Studies*, vol. 13. London: Routledge

Gendered diplomacy, human rights and the role of women in making the Iran Deal

Ava Homa

“Only engaged, vigorous political action by both women and men can bring organized peace based on social justice.”

- First female Nobel Peace Prize winner, Bertha Von Suttner

The first 16 years of the 21st century have brought a host of new challenges and opportunities in relation to the presence of women at the negotiation tables & diplomatic talks. From civil war in Syria to war in South Sudan, the wars against Islamic State/ISIS and in Yemen, to territorial disputes in the South China Sea and the refugee crisis in European countries, conflicts are worsening and wars and violence are eroding the rights and dignity of people at an alarming pace. As a result, peace and specifically sustainable peace as a basic human right is moving from the margin to the core of the global agenda. Defining and redefining the role of women in diplomacy will present new opportunities for what women can contribute in this arena. However, the existing power structure within many diplomatic infrastructures reinforce gender inequalities and sometimes overt discriminatory practice.

Although female diplomats like their male counterparts will represent their constituencies at talks and negotiations, women must be given a greater space within the sphere of diplomacy as equality in diplomatic and political participation plays a significant role in the overall advancement of women. Conflict negotiations, peace agreements and post-conflict reconstruction efforts are more sustainable and effective when women have a significant presence at the table.²⁸ Due to the diverse skill sets and range of experiences women encounter, ensuring women are present at the conflict negotiation table is often seen to improve the quality of agreements reached and enhance the likelihood of meaningful implementation.²⁹

Women are disproportionately impacted by not only war, but also pre-war tensions and in post-war reconstruction. The experiences and challenges women and girls face are distinct from those of men;³⁰ and often their experiences, views, and skills are dismissed, under-valued and under-utilized in the context of conflict resolution.³¹

Studies on gender and armed conflict show that while men are more likely to die during conflicts, women die more often of indirect causes after the conflict is over.³² In a 2012 report on women's participation in peace negotiations, UN Women observed that a 'limited but reasonably representative sample of 31 major peace processes between 1992 and 2011 reveals that only four percent of signatories, 2.4 percent of chief mediators, 3.7 percent of witnesses and 9 per cent of negotiators are women.'³³ Women continue to be underrepresented in leadership positions

²⁸ Kray, Laura & Linda Babcock. 2006. Gender in Negotiations: A Motivated Social Cognitive Analysis, in *Negotiation Theory and Research* 203 (Leigh L. Thompson ed.) (“[E]ven gender differences in negotiation behavior and outcomes that are small in magnitude add up to very large amounts over time because these differences accumulate.”).

²⁹ Klein, Roohia S. 2012. *The Role of Women in Mediation and Conflict Resolution: Lessons from UN Security Council*, 18 WASH. & LEE J. CIVIL RTS. & SOC. JUST. 277, 309

³⁰ Ibid. at 278

³¹ 6 Ibid.

³² Ormhaug, Christin. 23 November 2009. *Armed Conflict Deaths Disaggregated by Gender*, in collaboration with Patrick Meier and Helga Hernes, PRIO Paper,

³³ UN Women. October 2012. *Women's Participation in Peace Negotiations: Connections between Presence and Influence*. Second edition. <http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2012/10/wpssourcebook-03a-womenpeacenegotiations-en.pdf>

globally. Given this, it is critical that governments and organizations meaningfully consider gender when planning for conflict negotiation and peace talks.

UN Security Council Resolution 1325 (UNSCR 1325) is a landmark international legal framework that addresses not only the inordinate impact of war and conflict on women, but also the pivotal role of women in the consolidation of peace. UNSCR 1325 thus focused on the integration of gender perspectives in conflict resolution efforts, while also calling for the equal participation of women in 'all efforts for the maintenance and promotion of peace and security'.³⁴

Since 2000, the Security Council passed six additional resolutions on women, peace, and security. In 2015 the Security Council convened a high-level review to push for more meaningful implementation of UNSCR 1325 around the world. However, despite this landmark resolution, the Beijing Platform for Action signed by governments in 1995 and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), women are still marginalized in peace and conflict talks and negotiations. Women particularly in conflict zones in the Global South want to have both a seat at the table and political agency, ensuring that women's rights and wellbeing are not being traded away by male negotiators.

In the case of Afghanistan, gender equality activists have consistently demanded that they be included in the negotiations. Their legitimate fear is that the Afghan Government compromises women's rights in efforts to reach agreement with Taliban. A 2014 study by Oxfam found that in 23 rounds of peace talks between the Afghan government and the Taliban since 2005, one woman from the government was present on two occasions. No women were included in discussions between international negotiators and the Taliban.³⁵

Mouna Ghanem, the founder of the Syrian Women's Forum and member of the Women's Advisory Board, the first of its kind, established by UN Special Envoy for Syria Staffan de Mistura stated "This is not what we are aspiring for (referring to Women's Advisory Board). What we are aspiring for is not only participation...we are aspiring to be the decision makers, and we have a long way to go."

The Civil Society Organizations Affairs Unit in the Yemeni Prime Minister's Office, painted an almost identical picture, noting that the Yemeni peace talks also did not include women. She disclosed that women were excluded from talks in order to bring the two reluctant parties together to negotiate.

On the lack of representation of women at the talks, Director of the Libyan Women's Platform for Peace Zahra Langhi noted that mediation must go beyond just the representation of women, adding that the UN-led mission failed to do this. She stressed that "They can bring some women in a segregated track, tick the box and say 'we have women', but women were not respectively engaged in the process," she told Inter Press Service News Agency.³⁶ She also noted the systematic violence against women representatives of civil society, including the assassination of prominent human

³⁴ UN Women. 2000. High-level Review on Women, Peace and Security: 15 years of Security Council resolution 1325. <http://www.unwomen.org/en/news/in-focus/women-peace-security>

³⁵ Human Rights Watch (HRW), Afghanistan: Don't Leave Women Out of Peace Talks: Talks Should Include Female Negotiators, Not Surrender Women's Rights, February 2015, <http://www.hrw.org/news/2015/02/28/afghanistan-dont-leave-women-out-peace-talks>

³⁶ Tharanga Yakupitiyage, Not Enough Women At the Peace Table, Say Arab Activists, Inter Press Service News Agency, March 2016, <http://www.ipsnews.net/2016/03/not-enough-women-at-the-peace-table-say-arab-activists/>

rights lawyer and politician Salwa Bugaighis in June 2014, the gunning down of Fariha al-Barkawy a month later and the case of Intisar Al-Hassairy who was found dead in the trunk of her car.³⁷

Despite the dominant discourse on women's presence at the conflict negotiation talks, the team of women diplomats from the US and EU involved in the 'Iran Deal' - or as it was also called 'the Deal of the Century' - was an exception to the prevailing norm.³⁸

The history of this conflict goes back to 1984, during the Iran Iraq war. According to The International Atomic Energy Agency (IAEA) Iran's current supreme leader Ayatollah Ali Khamenei, who was president at the time, endorsed a nuclear weapon program and said "a nuclear arsenal would serve Iran as a deterrent in the hands of God's soldiers".³⁹

The talks to resolve this conflict date back to 2006, though given the foreign policies of Presidents Bush and Ahmadinejad there was no hope that they might be fruitful. However, while the new waves of sanctions weakened Iran's economy, and the heavy economic burden of the war of occupation in Iraq and Afghanistan deterred the US from the option of war, both parties were more open to sit at the negotiation table. Once Iran and the US agreed to proceed with talks, US and EU allies put together a 'winning team of negotiators' with three powerful negotiators-an American and two European women. The three western women were key to the comprehensive accord reached between Iran and the P5+1 on July 14 2015.

Federica Mogherini had previously served as Italy's Minister for Foreign Affairs and International Cooperation between February and October 2014 in the centre-left Cabinet of Matteo Renzi. She is a member of the Italian Democratic Party and the Party of European Socialists. Upon taking over as the European Union's High Representative for Foreign and Security Policy in November 2014 she was the EU's chief diplomat in the P5+1 negotiations. A month before the accord was signed by Iran and the US, on 24 June 2015, in a speech in Brussels she said: "Islam holds a place in our Western societies. Islam belongs in Europe. It holds a place in Europe's history, in our culture, in our food and what matters most-in Europe's present and future. Like it or not, this is the reality."⁴⁰ During difficult points in the negotiation, the media both in the EU and US identified her as a tough negotiator and fellow negotiator Helga Schmid even called her 'The ringleader'.

Helga Schmid, brought her vast technical knowledge and years of experience, particularly in Iran negotiations, to the negotiation table. She believes "Women are better negotiators" and had experience of working with US partners going back to an early career stint as press officer at the German Embassy in Washington DC in 1991.

The third key player was Wendy R. Sherman, who served as Under Secretary of State for Political Affairs, the fourth-ranking official in the US Department of State, from September 2011 to October 2015 (four months after the Iran deal). She is now Senior Fellow at Harvard Kennedy School's Belfer Center for Science and International Affairs. She brought much experience as one of the chief architects of the Clinton administration's North Korea nuclear policy and had taken the lead on the US nuclear talks with Iran since 2011.

³⁷ Tharanga Yakupitiyage, Where are the Women? Syrian, other Peace Talks need female Representation, March 2016, <http://www.juancole.com/2016/03/where-are-the-women-syrian-other-peace-talks-need-female-representation.html>

³⁸ CNN, Iran's nuclear pact: Deal of the century?, July 2015, <http://www.cnn.com/2015/07/14/opinions/iran-nuclear-deal-roundup/>

³⁹ Intelligence on Iran, Summary of IAEA Reports, <http://www.iranintelligence.com/iaea.html>

⁴⁰ Federica Mogherini (24 June 2015), Federica Mogherini's remarks at "Call to Europe V: Islam in Europe" conference European External Action Service.

Mogherini's predecessor Baroness Catherine Ashton, a British Labour politician who held the post from 2009 to 2014, was also a key player who had years of on and off negotiations with the Iranian government. She played a critical role in the P5+1 talks with Iran which led to the November 2013 Geneva interim agreement on Iranian nuclear program.⁴¹ Ashton is a seasoned mediator and was quoted in her approach to the Iranian negotiations as saying "You can achieve all sorts of things if you let others take the credit."⁴² Mogherini told the BBC in an interview that when the men veered off course and went on historical tangents or started to get tangled in debates about who gave more, the women walked them back to the present and reaffirmed that "having women at the table in key positions helped us [the negotiators] be concrete and pragmatic the whole way."⁴³

The selection of these experienced and seasoned female diplomats was a well thought out and purposeful choice that helped to make the negotiations a success.

between three women diplomats - former Ambassadors Kristie Kenney, Wendy Sherman and Swanee Hunt - and students at the Center for Public Leadership at the Harvard Kennedy School in April 2016, when asked how gender affected their interactions, particularly with leaders from countries where women did not hold positions of power or were not as visible in the public sphere, all three women said there are certainly some challenges to being treated as an equal or in overcoming stereotypes.⁴⁴ But, the gender of negotiators could also offer a favourable edge to the negotiators, in the same conversation they also said they had "greater freedom to say things that would be received far differently if uttered by a male colleague or to use traditional social conventions of dinners and galas to gain better access to world leaders."⁴⁵

In the 2012 UN Women report states that 'Our review of a sample of 31 major peace processes since 1992 shows that women represent a strikingly low number of negotiators, and that there has been little appreciable increase since the passage of UNSCR 1325 (in 2000). Women's participation in negotiating delegations averaged nine per cent in the 17 cases for which such information was available.' At the negotiation table, where crucial decisions about post-conflict recovery and governance are made, women are conspicuously underrepresented. Four per cent of signatories in the peace processes included in this sample were women, and women were absent from chief mediating roles in UN-brokered talks.⁴⁶

The lack of representation of women at the negotiating table was also expressed as a concern by Mogherini as she said "Parts of the Western or European public have been reacting and doubting that women were able or could be respected for playing a bigger role." Sherman said that "despite increased female leadership, not all teams had a female presence...some of the teams were all men and I hope that will change."⁴⁷

⁴¹ Ian Traynor, Iran nuclear talks: Lady Ashton's Geneva triumph takes centre stage, The Guardian, November 2013, <http://www.theguardian.com/politics/2013/nov/24/iran-nuclear-talks-lady-ashton-geneva-triumph>

⁴² Ian Traynor, Iran nuclear talks: Lady Ashton's Geneva triumph takes centre stage, The Guardian, 24 November 2013, <http://www.theguardian.com/politics/2013/nov/24/iran-nuclear-talks-lady-ashton-geneva-triumph>

⁴³ Suzanne Kianpour, Iran negotiations: The women who made the Iran nuclear deal happen, BBC News, August 2015, <http://www.bbc.com/news/world-us-canada-33728879>

⁴⁴ Christina Pazzanese, Three Diplomatic Women, Harvard Gazette, April 2016, <http://news.harvard.edu/gazette/story/2016/04/three-diplomatic-women/>

⁴⁵ Ibid.

⁴⁶ The document was drafted and updated by Pablo Castillo Diaz and Simon Tordjman with significant contributions from Samina Anwar, Hanny Cueva Beteta, Colleen Russo, Ana Lukatela and Stephanie Ziebell. First edition, August 2010 Second edition, October 2012

⁴⁷ Suzanne Kianpour, Iran negotiations: The women who made the Iran nuclear deal happen, BBC News, August 2015, <http://www.bbc.com/news/world-us-canada-33728879>

Miles away from the negotiation table, the Iranian state media published censored images of the early stages of negotiations. In those images, the neck of Catherine Ashton was covered by the Iranian press, which she objected to. But in response, she did change the way she dressed at the negotiating table. There were no women representing Iran, China and Russia.

However, the encounter of Iranian diplomats with women from the US and EU at the negotiations had some unintended consequences in Iran.

Gender was not only raised as an issue at the negotiation table, it was also reported on during the negotiations. Many major news outlets such as Reuters, CNN, France 24 had women in their team covering the negotiations, the same as Iranian women journalists in IRNA, Fars and Mehr. It was reported that 40% of the reporters covering the negotiations were women.⁴⁸

Other than reporting the negotiation, what was the role of women in facilitating the 'Deal of the Century'? During the 59th session of the UN Commission on the Status of Women in New York, surprisingly there was a significantly greater presence of Iranian women from Iran at both official and NGO events. The head of Iran's official delegation was Ms. Shahindokht Molaverdi, Iran's vice president for women and family affairs. Molaverdi and the representative of the Iranian Government-Organized Non-Governmental Organization (GONGO) - Women Entrepreneurship - represented their constituency and the Iranian government, creating an encouraging environment for the lifting of economic sanctions. From their statements it was made to seem as though all the challenges facing Iranian women at home, in their communities and in wider society would be resolved after sanctions were lifted.⁴⁹

The opening statement of Molaverdi's address was a claim that many believed to be a sharp departure from truth. She stated that "Throughout its 36 years of life, the Islamic Republic of Iran has always had the empowerment of women and improving their status in scientific, cultural, social, economic and political arenas on its agenda while observing their human dignity."⁵⁰

She mentioned "unjust sanctions" in her statement three times, saying that "as long as such obstacles as conflicts, insecurity, shortage of financial resources and investment, especially those emanating from sanctions, the weakness of accountability mechanisms or lack thereof, environmental challenges, and so on exist, it will be impossible to reach a comprehensive gender balance." She also argued that "despite eight years of imposed war on Iran and ever-increasing cruel, unjust sanctions against the Iranian nation, the Iranian women have achieved significant progress in the fields of education and research, science, entrepreneurship, economy and health, and continue to play their influential role in the society." Furthermore she said that "politics and power relations at the international arena and adoption of unilateral, force-based measures by certain countries, including the imposition of unjust sanctions, serve as an obstacle in the path of development, particularly the empowerment of women". She concluded that "the international

⁴⁸ Radio Zamaneh, Nuclear negotiations and women: from Ashton to Mogherini, April 2015, <http://www.radiozamaneh.com/214026>

⁴⁹ The Iranian delegation organised three side events entitled: 'Three Generations of Female Entrepreneurs in Iran: Success Stories of 3 Iranian Female Entrepreneurs' organized by Iran's Vice President for Women and Family Affairs; 'Iranian Women: Achievements and Challenges' organized by the Islamic Women's Institute of Iran and 'Empowering Women with HIV/AIDS and Endorsing Gender Equality in Iran' organized by the Society for the Protection of Handicapped Children and Youth (TAVANYAB)

⁵⁰ Statement by H. E. Ms. Shahindokht Molaverdi, Vice-President of the Islamic Republic of Iran for Women and Family Affairs in the 59th Session of the Commission on Status of Women, March 2015, <http://iran-un.org/en/2015/03/09/9-march-2015/>

community should pay special attention to this important point and take a collective measure in order to avoid politicization of legal and developmental issues and to lift the unjust sanctions.”⁵¹

There was little in her speech to suggest that domestic factors—including Iran's laws and policies—play a significant role in depriving Iranian women of real gender equality and empowerment.

Ms. Molaverdi’s speech at the UN, which was a departure from the reality of the experiences of Iranian women and the challenges they face stayed true to furthering the agenda of lifting sanctions and putting the ‘gender equality efforts’ of the Islamic Republic of Iran in a good light, was not praised or appreciated by the hardliners in positions of power in Iran. On her return to Iran, she was met with an outcry by those hardliners.⁵²

Just two days before the UN session, one of Iran's conservative newspapers - the *Kayhan* daily, thought to be close to the Office of Supreme Leader Ayatollah Khamenei - published an article that illustrated exactly what Iran's women's rights activists are up against. The author questioned the wisdom of allowing an official delegation to attend events such as the UN Commission on the Status of Women, describing its notion of ‘gender equality’ as ‘unacceptable to the Islamic Republic.’⁵³ The article accused Molaverdi of ‘negligence’ for participating in events that could damage Iran's reputation and interests, and accused the 150 or so people who attended the session as representatives of Iranian groups of doing so without full and proper vetting by Iran's security and intelligence agencies.

What is striking about *Kayhan's* attack is that Iran's powerful security and intelligence apparatus has for years acted to repress independent groups, including women's rights activists.⁵⁴ Groups like the One Million Signatures Campaign, a grassroots effort designed to operate within the law to collect signatures supporting the repeal of laws that discriminate against women, were targeted as security officials detained their members on spurious ‘national security’ grounds. But those hostile to women's rights in Iran remain unrelenting. Anyone who fails, willingly or unknowingly, to heed their threats may face reprisals, as has been the experience of several activists who attempted to attend similar UN events in previous years.⁵⁵

Yet *Kayhan's* attack also reflects the resilience and adaptability of women's groups in Iran as they continue to challenge the state's monopoly on the women's rights narrative. While Iranian women lost some important legal rights after the 1979 revolution, their social and economic stature increased on average as they gained wider access to education, health care, and birth control.

The image of the compromised and submissive woman engendered by Iran's discriminatory legal system bears little resemblance to the private and public lives of many Iranian women today.

The lack of representation of Iranian women in public life, government and diplomacy is a fact not even denied by the Iranian government.⁵⁶ As of June 2016, among 193 countries, Iran ranked is

⁵¹ Ibid.

⁵² Serat News, <http://www.seratnews.ir/fa/news/230130/> - this needs properly referencing, with the title, date etc (see my corrected refs above)

⁵³ *Kayhan*, NGO building in New York- who is responsible?, September 2015, <http://kayhan.ir/fa/news/39616>

⁵⁴ Human Rights Watch, Iran: Activists Fleeing Assault on Civil Society, December 2012, <http://www.hrw.org/news/2012/12/13/iran-activists-fleeing-assault-civil-society>

⁵⁵ Nobel Women’s Initiative, CSW 56: Iranian women fight for participation rights, March 2012, <http://nobelwomensinitiative.org/2012/03/csw-56-iranian-women-fight-for-participation-rights/>

⁵⁶ Human Rights Watch, Challenging Iran's women's rights narrative, by Rothna Begum and Faraz Sanei, March 2015, <http://www.hrw.org/news/2015/03/25/challenging-irans-womens-rights-narrative;>
<http://www.radiozamaneh.com/214026>

173rd in terms of Parliamentary representation in a study compiled by the Inter-Parliamentary Union. In the last election Iran elected 17 women to the Parliament made up of 289 seats. This represents 5.9 per cent, the highest since the revolution and establishment of the Islamic Republic of Iran.⁵⁷

It should be noted that the US and EU women behind the Nuclear Accord instigated some conversations about the role of women in public life, even in the state controlled media in Iran. Some speculate that Iran's 2016 appointment of the first woman ambassador since the creation of the Islamic Republic was a response to the issue. Marziyeh Afkham, the first foreign ministry spokeswoman, became Ambassador to Malaysia. Afkham is only the second female ambassador Iran has had since ...?. Mehrangiz Dolatshahi, a three-time Member of Parliament during the period of late Shah of Iran, was known for her advocacy of the family protection law, which gave women the rights of divorce and child custody, became Ambassador to Denmark in 1976.

At the end, having a team of seasoned, experienced women, showing perseverance and tenacity at the table and the most important factor- political will on both sides of the negotiation table enabled the parties to reach an accord in this case. Gender politics and the politics of gender in peace and conflict negotiations have a long way to go to recognize the right of women to be equally engaged. Will we see the same political will for implementation of UN Security Council 1325? It is well past the time that the gender balance and representation of women at peace negotiations and post- conflict reconstruction, should be taken seriously ensuring the male dominated field of diplomacy opens doors for equally qualified change maker women.

⁵⁷ Women in National Parliaments, June 2016, <http://www.ipu.org/wmn-e/classif.htm>

From Self-Rule to Self-Immolation: Kurdish women's past and present

Ava Homa

Western travellers have marvelled at the fact that Kurdish women were governors and rulers during the Ottoman and Persian Empire where Kurds had self-governing regions, a fact that was not heard of in the neighbouring territories at that time. Well-known scholar in Kurdish studies, Martin van Bruinessen points out that 'In certain districts of Kurdistan, rule by women was in fact so common that it was explicitly referred to in the records of customary law (qanunname) compiled by the Ottomans.'⁵⁸ The constitution or qanunname for the area of Shahrizur contained provisions allowing succession by a daughter; common enough and apparently, according to van Bruinessen, quite well accepted.

Today however, the alarming rate of self-immolation among Kurdish women in Iran is highly concerning not only for this nation, but should be for all feminists and human rights activists around the globe. Suicide by burning makes up 0.06-1 per cent⁵⁹ of all suicides in developed countries. In Iran, up to 71 per cent⁶⁰ of suicides are conducted via self-immolation, most of which are committed by women in the Provinces of Kermanshah, known as Kermashan among Kurds, and Ilam. The majority of victims are women between the ages of 18 and 27.⁶¹ This article will look at how Kurdish women have lived in the past, what has caused the social tragedy today and what preventative measures can and should be taken to improve their situation today.

History

Two contradictory images of Kurdish women float around in international media. They make headlines for being the brave female fighters fighting one of the most vicious groups of our time, the Islamic State of Iraq and Syria (ISIS). Kurdish women have also been seen as rulers of tribes and territories. They are the unveiled women of the Middle East who wear colourful dresses, dance hand in hand with men, and comfortably associate with them openly at work, war, and within the family.

On the other side of the spectrum, Kurdish women have been battered and even killed for honour, have been victims of Female Genital Mutilation (FGM) and most strikingly self-immolation, among other forms of visible and invisible violence. To understand the paradox, it is important to provide a historical context.

No matter what country Kurds have found themselves in, they have been perceived as a threat for the territorial integrity of the ruling states. This risk has been dealt with through annihilation and elimination—be it gassing, executions and arbitrary detentions—or assimilation through the destruction of their language and culture.

Despite the borders that have separated the Kurds across four different countries, the bitter history and tragedies they have in common has created a deep affinity among them and brought them closer together. Regardless of the dividing geo-political factors, what happens to Kurds in Turkey, for example, affects Kurds in Iran, Syria and Iraq. These experiences have affected Kurdish women and

⁵⁸ Martin van Bruinessen, 'From Adela Khanun to Leyla Zana: Women as Political Leaders in Kurdish History' in: Shahrzad Mojab (ed.), *Women of a Non-State Nation: The Kurds*, Costa Mesa, CA: Mazda Publishers, Inc., 2001, pp. 95-112, http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/Bruinessen_From_Adela_Khanum_to_Leyla_Zana.pdf

⁵⁹ Zainab Suhrabi, Ali Delpisheh, and Hamid Taghinejad, *Tragedy of women's self-immolation in Iran and developing communities: a review*, September 2012, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3462521/>

⁶⁰ Ibid Suhrabi, Delpisheh and Taghinejad

⁶¹ Ibid Suhrabi, Delpisheh and Taghinejad

their position in both Kurdish society and the ruling societies of the territories they live in. Keeping this interconnection in mind is important in understanding the cross-country cultural influences that have shaped and continues to shape the realities of life for Kurdish women.

Kurdish women as rulers and governors

Kurdish history is rippled with examples of powerful women, including but not limited to Adele Khatun of Ardalan family (in present day Sanandaj, Kurdistan Province, Iran) who married Osman Pasha of Halabja who instituted a court of justice and became its president. Up to her death in 1924 she exercised her influence. In 1920, Hapsa Khan (in Sulaimani, Iraqi Kurdistan) married the ruling family of Sheikh Mahmud's autonomous government. She valued education and pursued an agenda for women's literacy. Another example is that of Leyla Zana who started from humble beginnings and at 14 years old was pushed into a forced marriage to a distant relative who was almost 20 years her senior. He was also a Kurdish political leader but she outgrew her husband and became one of the most prominent Kurdish personalities. She is currently a member of parliament in Turkey.⁶²

Kurdish women's organizations

The second ever official organization for Kurdish women in Iran was established in 1945 during the Kurdistan Republic (also known as Mahabad Republic). The first such organization was established by the elite in Istanbul in 1919. During the period of Kurdish autonomy, the Women's Party Hizbi Jenan started its activity, encouraging women to step out of their homes and participate in public life. Chapter 4, Article 21 of the constitution states that, 'In all political, economic and social affairs women should enjoy equal rights with men.'⁶³ Two out of the 16 leaders who spoke on 18 January 1946 were women. Their names were Khajijay Sediqi and Ismat Qazi, both called for women's education.

In the modern day, Kurdish women in the semi-autonomous Kurdistan Region of Northern Iraq have been successful at building women's shelters, assigning a hotline specifically for victims of domestic violence, and raising awareness about women's rights. Despite such bright spots in Kurdish history-also reflected in Kurdish folklore -many Kurdish traditions, some outlined above, have been and are at their heart incompatible with modern feminist ideas. Never in Kurdish history have women been perceived as independent individuals with equal rights but rather they have been valued in their roles as mothers of the homeland. Nonetheless, understanding the history is important to realize that for Kurds statelessness goes hand in hand with gender oppressions.

Self-immolation in Iranian Kurdistan

In Iran misogynistic laws have affected all women regardless of their religion, ethnicity, disability or sexual orientation but oppression is multi-layered for non-dominant groups, namely women who are not 12-Imam Shia Persians who make up the majority of the Iranian population. Kurdish women in particular have experienced a variety of levels of discrimination: national chauvinism of the ruling nations, male chauvinism of own nation, misogyny of Islamic groups, and continuing war.

⁶² Martin van Bruinessen, 'From Adela Khanun to Leyla Zana: Women as Political Leaders in KurdishHistory' in: Shahrzad Mojab (ed.), *Women of a Non-State Nation: The Kurds*, Costa Mesa, CA: Mazda Publishers, Inc., 2001, pp. 95-112, http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/Bruinessen_From_Adela_Khanun_to_Leyla_Zana.pdf

⁶³ Shahrzad Mojab (ed.), *Women of a Non-State Nation: The Kurds*, Costa Mesa, CA: Mazda Publishers, Inc., 2001 and *Women and Nationalism in the Kurdish Republic of 1946* http://sites.utoronto.ca/wwdl/publications/english/mojab_03.pdf

Statelessness has also caused Kurdish women to be ignored and excluded in Middle Eastern and Western studies.

Today Kermashan Province has some of the highest rates of female self-immolation around the world. Research undertaken in Kermashan Hospital showed that victims of self-inflicted burning were often female, older, little educated (illiterate or only educated to primary school level) and married. In Kurdistan Province, another research showed, 58 per cent of burn patients were under the age of 20, rates of mortality were 76.5 per cent, with higher mortality in female than in males. The common causes that patients stated were: spouse's addiction, polygamy, lack of spouse's understanding and age difference.⁶⁴

Mental disorders

The taboos surrounding mental health have made it difficult for people to understand depression for example, which is a common cause of suicide. Research shows 22 per cent of those who commit suicide suffer from depression, 6.3 per cent from panic disorders, and 6 per cent from Obsessive Compulsive Disorder (OCD). In most of the patients, a family history of suicide exists.⁶⁵ Thus, a lack of awareness about mental health results in a lack of diagnosis and prevention, so affected individuals do not receive the help they need. On top of the social stigma, Kurds generally distrust the authorities, including the social and healthcare system, which adds to the challenge of being able to ask for help when it is needed.

Economy

One of the problems most self-burn victims had in common was poverty. In the Kurdish region in Iran unemployment or underemployment triggers a sense of vulnerability and can cause individuals to worry about their future; it also creates a sense of loss and loneliness, especially because of reduced social support; and the lack of health insurance coupled with the deteriorating situation aggravates the consequences of stressful life events.

Some women whose duties are unpaid and underappreciated - usually household work and taking care of children - experience social and financial dependence. This in turn can cause a negative sense of self and have negative impacts on self-esteem. The chain reactions can lead to, for example, having poor problem-solving skills and an inability to consider the consequences of an attempted self-immolation which include disfigurement, embarrassment, and disability. Use of fire in this context can also be an impulsive choice since the elements required for self-burning can be readily available in most households.

Culture

In a strictly male-dominated society where masculine identity is defined based on a man's level of control over women, the female body is considered the property of male members of the family. For these women using fire is the loudest cry for help given they feel that their only act of control over their body is burning it. Self-immolation, when repeated too often becomes part of the culture as well, in Iranian society people have frequently heard the phrase 'I will burn myself' since childhood and no longer shudder at hearing it.

⁶⁴ Groohi, Bahram, et al. 'Suicidal behaviour by burns among adolescents in Kurdistan, Iran: A social tragedy.' *National Center for Biotechnology Information*. U.S. National Library of Medicine, 2002.

⁶⁵ Mehdi Ghazinour, Naser Mofidi, Jorg Richter, Continuity from suicidal ideations to suicide attempts? An investigation in 18-55 years old adult Iranian Kurds, October 2010, <http://www.ncbi.nlm.nih.gov/pubmed/19756339>

Ethnocentrism of mainstream feminists

An unacknowledged source of division among feminists in Iran is the ethnocentrism of the dominant group. Most female activists are either unaware that ethnicity and feminism intersect, or are simply too afraid to discuss this important subject, which has become taboo. Iran has long strived to assimilate the ethnic and religious minorities within its borders.⁶⁶ Discussing the individuality of various groups frightens Iranians who believe that diversity would endanger their land by instigating separatist outlooks. Separatism in Iran is not seen as a political term; it equates with 'treason'. Kurdish women, therefore, are not recognized as a nation with legitimate rights. Thus, the ethnically oppressive policies of the government which directly affect women are denied or overlooked.

In their denial of intersectionality, women activists have turned into agents of patriarchy and reproduce national chauvinism. This is also true of some feminists born and raised outside of the capital. They strive to help the mainstream voice become the only voice addressing women's plights. Since they feel it is the only powerful voice acknowledging the plight of women, they feel they should give the mainstream their allegiance and attention.

My Stealthy Freedom campaign, during which women posted pictures of themselves on social media platforms without a headscarf, gained tremendous support.⁶⁷ As did the campaign to allow women to enter sports stadiums - a space which is usually off-limits to female fans. While these are worthwhile causes, activists need to understand that in a country where women suffer from the severe injustice of polygamy, suicide, FGM and honour killing, campaigns need to go beyond awareness-raising and challenge the structural and institutional issues which create an enabling environment for all forms of violence. However giving priority to such issues would mean airing the dirty laundry of an already demonized nation that tries too hard to show the world it is westernized despite its theocratic government.⁶⁸

Additionally husbands and fathers who are oppressed themselves tend to be more violent with their female counterparts.

Overall, Kurdish women in Iran suffer from a combination of ethnic, political, economic and gender-based oppression. While marginalized activists acknowledge that all women in Iran are subject to discrimination, they believe that focusing only on the situation of the dominant group means turning a blind eye to the realities suffered by millions of women who live outside of Tehran, or in its slums, and thus further ostracizing the plight of neglected women. As long as dominant Iranian feminists fail to acknowledge the ethnocentrism in their own backyard and the simultaneous oppression that underserved women experience, they are (unwitting) agents of patriarchy by reproducing national chauvinism.

The history of the Kurdish women's emancipation movement, like the Kurdish people, is suppressed. But a liberated progressive society needs free, educated, and active women. Nationalism should not remain a watchdog for feminism. Regardless of where the culture got contaminated by misogyny, ensuring women can claim and exercise their rights is a process of unlearning. Self-immolation, one of the loudest protests, creates a vicious circle: becoming a familiar and common event so much so that the gravity of this act might be lost upon potential victims. Education, awareness and

⁶⁶ Ava Homa, Ethnocentrism, the weakness of Iranian democratic movements, Kurdistan 24, February 2016, <http://www.kurdistan24.net/en/opinion/9b053ced-46cf-44bb-aabb-96849f67052a/Ava-Homa>

⁶⁷ My Stealthy Freedom, <http://mystealthyfreedom.net/en/>

⁶⁸ Christopher Thornton, The Iran We Don't See: A Tour of the Country Where People Love Americans, Atlantic, June 2012, <http://www.theatlantic.com/international/archive/2012/06/the-iran-we-dont-see-a-tour-of-the-country-where-people-love-americans/258166/>

prevention can reduce this social tragedy. By travelling to girls' and boys' high schools, using the media and social media, activists and health professionals can generate much-needed discussions about gender equality, suicide, prevention and consequences.

A look at violence against women in Iran

M.T and T.E

Almost half the population of the planet are women. However, we have long witnessed that their rights have been violated in different ways and they have been subjected to lack of care and affection. Since women traditionally have occupied an important position in the institution of the family, in particular in relation to the education of children, violence against women can be a cause of stress and irreparable mental and social damage among other members of the family.⁶⁹

'Violence against women is without a doubt one of the topics that falls under the protection of civil and political rights. However, the manner in which this concept has been developed by various supervisory bodies points to the fact that the issue of violence against women may guarantee social dimensions that relate to matters regarding the protection of economic and social rights.'⁷⁰ In addition, Amnesty International has clearly identified women's rights as human rights and UNICEF has recognised violence against women and girls as the most common form of human rights violation around the world.⁷¹

Due to the importance of this subject, in this article effort has been made to define violence against women, identify its various forms and examine the characteristics of each within the context of Iran.

Definition

In the first article of the 1993 Declaration on the Elimination of Violence Against Women, violence has been defined as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.' There are many categories of forms of violence, but in general they are as follows:

1. Physical violence: This type of violence includes any anti-social behaviour such as beating, torture and murder. 'Physical or bodily violence includes any mistreatment such as pushing, kicking, battery, pulling hair, burning, whipping, damaging objects and furniture, in particular items that women may be specially attached to, harassment and harm such as repeatedly disrupting women's sleep in the middle of the night, repeated phone calls, spying on and stalking women, different threats such as intimidating letters, verbal or armed threats, threatening to harm others related to women such as children or relatives, killing pets and finally pretending to kill or killing victims.'⁷² One of the most obvious forms of this type of violence in Iran includes 'honour' killings that have occurred repeatedly over the past years, reports of which are published in pages of newspapers. We will refer to a few instances: 'A 46 year old man suspected and stabbed his temporary wife of only 15 years of age and killed the man who was speaking with her on the street with repeated knife stabbings. Branch 71 of the Tehran Court sentenced him to pay the blood money due to the reasoning that he had

⁶⁹ Mohammad Eshraghi, "A sociological look at violence against women" Open University Journal – Shooshtar Branch, No. 2 (Winter 2005) p. 96

⁷⁰ Katrina Frostel, Martin Sheen, Mahrou Ghadiri, "Women: Economic, Social and Cultural rights, Majd, Second print (Winter 2012) p. 342

⁷¹ Raza Gharachourlou, "Analysis of violence against women with emphasis on violence against women in Iran and report by UNSR Yakin Ertuk" Vekalat, No. 31 & 32 (December 2006), p. 31

⁷² Shahla Ezazi, Sociology of Family, (Tehran: Roshangaran Publishing and Women's Studies, third print, 2003) p, 209.

assumed the victim deserved to die.⁷³ 'In Gorgan a man suspicious of his 28 year old wife murdered her by pouring acid on her in front of her child.'⁷⁴

2. Sexual violence: Sexual violence ranges from touching (sexual assault) to rape. This type of violence in the family or marriage can take the form of sexual intercourse between a wife and husband, or among close family members, or outside the family unit by an unknown suspect. With regard to cases involving the family unit, in Iran, marital relationships can involve a high degree of violence, which is deemed as natural and goes unnoticed. Iranian laws that oblige women to provide sex to their husband at demand, legalise, promote and are sexual violence. But when we address the issue of incest, Iranians strongly condemn and discourage this practice. This is why in cases involving incest, with very few exceptions, families hide the incident in order to preserve their honour. Therefore it is not possible to find accurate statistics of such incidents. However, when rape is carried out by a stranger, it is widely reflected in media and the entire population demands the most severe form of punishment for the violator.⁷⁵ Article 1105 of the Civil Code of Iran states: 'In relations between husband and wife; the position of the head of the family is the exclusive right of the husband.'⁷⁶ We know that the foundation and basis of the family must be on mutual feelings and a spirit of collaboration between the husband and wife but such an article can strengthen a sense of the husband prioritising their own needs, turning a loving relationship between two partners into a relationship involving a superior and an inferior. There are enforcement measures for the inferior party (wife) who may be defiant and uncooperative. This includes Article 1108 of the Civil Code, which states: 'If the wife refuses to fulfil the duties of a wife without legitimate excuse, she will not be entitled to the cost of maintenance.'⁷⁷ Supported by this law, men can resort to violence to force women to satisfy their sexual urges. This enforcement measure can be a powerful protection for men who consider rape as their legal right and engage in sexual violence against their own wife. Furthermore, in many cases a wife's refusal to engage in sexual activity at the demand of her husband can be accompanied by physical violence and beating.⁷⁸
3. Sexual harassment: There is no clear and exact definition for this type of violence but in general any type of attention to the body of a woman against her consent or wishes, that has sexual undertones, is considered as sexual harassment. Such acts of violence may happen at work, in public, or by male members of one's family. Examples include: disturbing calls, derogatory comments by men on streets, and other such actions. In Iran, as may be the case in other countries, when a woman encounters such harassment, she is victimised and blamed for it happening.
4. Mental violence: This type of violence is any action that damages a woman's trust, honour and dignity.⁷⁹ This includes 'verbal and emotional abuse including humiliation in public, belittling physical appearance and condition, abusive language and terminologies that result

⁷³ Etemad Newspaper, 30 October 2009, quoting Parvin Bakhtiarnejad, "Silent Tragedy", published on Madreseh Feministi site, pp. 9 & 10

⁷⁴ Etemad Newspaper, 17 June 2009, quoting Parvin Bakhtiarnejad, p. 12

⁷⁵ Alieh Shekarbeigi and Negar Khazan, Analysis of studies on violence against women in Iran over the past three decades, Iran Government's Women's website, August 2016, <http://www.women.gov.ir>

⁷⁶ The Civil Code of the Islamic Republic of Iran via <http://www.alaviandassociates.com/documents/civilcode.pdf>

⁷⁷ Ibid.

⁷⁸ Maedeh Ghaderi, Islamic Republic Civil Rights and Women's Rights in Iran published in Shadi Sadr, Tahiri Danesh (Ed.), Iran Human Rights Review: Violence, Foreign Policy Centre, January 2014, http://www.ihrr.org/ihrr_article/violence-en_islamic-republic-civil-rights-and-womens-rights-in-iran/

⁷⁹ Alieh Shekarbeigi and Negar Khazan in Maedeh Ghaderi, Islamic Republic Civil Rights and Women's Rights in Iran published in Shadi Sadr, Tahiri Danesh (Ed.), Iran Human Rights Review: Violence, Foreign Policy Centre, January 2014, http://www.ihrr.org/ihrr_article/violence-en_islamic-republic-civil-rights-and-womens-rights-in-iran/

in loss of self-confidence and imbalance in mental well-being, hallucinations and a tendency to commit suicide.⁸⁰

5. Financial violence: In many parts of the world women are considered as a free labourer at home caring for their families without any compensation and for this reason they are entirely economically dependent on the male members in their family. At times, in order to access their most fundamental needs to survive, if the men refuse to assist, then they face challenges. This phenomenon is prevalent throughout Iran. We can enumerate the causes of this type of violence in our country:
 - Denial of the right to education, vocational training, and job creation
 - Lack of access to equal opportunities in training
 - Legal barriers to inheritance which deprive women from accessing their share of freehold land ownership
 - Following divorce (after years of living with her husband) women have no right to the assets accumulated during their time together, and under Iranian laws she is not a co-owner of her husband's assets
 - Legal permits for polygamy cause difficulties in women's financial lives, as the husband's finances are divided between them, including his assets after his death
 - Lack of job security following maternity leave
 - Less pay for equal work
 - A husband has the cultural and legal right to deny his wife the right to work
 - Although women are accorded dowries and fair remuneration, as divorce is the exclusive right of a man, many are forced to sacrifice their financial rights and are left with no resources
 - Since women are not considered as co-owners of marital assets, professional women who spend their earnings on their families, following divorce or the death of their husband, are left in poverty and insurmountable challenges in their old age.

6. Political violence: This is a type of violence when women's human rights are not reflected in national laws resulting in policies and cultural programmes that do not advance equal rights for women and men. In Iran where there is a religious government in place, the authorities easily justify this type of violence. Examples demonstrating this assertion include the 'promotion of virtue and prevention of vice', an Islamic concept to promote a religious way of life, personal preferences in implementation of laws, an emphasis on the domestic role of women and gender-based segregation.⁸¹ In recent years following an increase in the summer air temperature and the thinning of women's clothing, the security forces implemented a special plan to counter the improper wearing of the hijab. In March 2005 the High Cultural Council passed a resolution entitled 'Strategies and solutions to develop the culture of chastity'. Based on this resolution security forces were charged with a series of enforcements known as 'Guidance Patrol'. Police cars with emblems of Guidance Patrol roam through important streets, squares, promenades, cinemas, shopping centres, arcades and similar spots where women whose hijabs are not deemed appropriate in accordance with their views are arrested.⁸² Likewise the Islamic Republic Penal Code offers no protection to women who are victims of physical violence. Unequal blood money laws pertaining to women and men is a measure that results in violence against women.⁸³

⁸⁰ Ibid.

⁸¹ Alieh Shekarbeigi, Negar Khazan, "Analysis of studies on violence against women in Iran over the past three decades" Women's website at: <http://www.women.gov.ir> published on 22 August 2016

⁸² Ibid.

⁸³ Nasrin Afzali "The Islamic Republic, violence and oppression of women and forced hejab Laws" in Iran Human Rights Review by UK Foreign Policy Centre 2014 available online at: http://www.ihrr.org/ihrr_article/violence-en_the-islamic-republic-violence-and-oppression-of-women-and-forced-hejab-laws/

Areas of violence against women

Violence against women happens in private or public. Violence in private involves all forms of violence that happen within the institution of the family and are categorised as domestic violence.⁸⁴ Until recently the prevalent view was that because of close, loving ties between members, the family is the best context for living.

Whenever a report about domestic violence and abuse was put forward, the general assumption was that it is only a few families, especially those from the lower cultural class, facing financial problems, or facing critical periods such as going through the process of divorce, who might engage in wrong or violent treatment of their family members.

Towards the end of the 1980s and during the early 1990's researchers began to study the reality of dynamics within the family unit. Contrary to their wrong assumptions, their findings pointed to the fact that there are families who may appear 'ideal' and normal but who suffer from violence among their members. Research on domestic violence began with a focus on physical violence against children, followed by wives facing physical abuse by their spouses, highlighting that this phenomenon affects all segments of society.

With regard to domestic violence, one of the barriers to research and access to information is the difficulty in conducting such research. In general, research about the interrelationships within the family unit is difficult as what happens behind closed doors is a personal and private matter, and there is no tendency to talk about it. In particular, violent and sexual mistreatments are seen as most private and the majority refuse to respond to questions about such matters. In most societies the assumption is that the family is a private unit and that society and government do not have the right to interfere in its affairs. Therefore, even when obvious, based on justifications such as giving in to the wants of a husband as a wife's duty, domestic violence is ignored and the victim is even deemed responsible for causing the abuse, expecting her to 'obey' and follow orders more closely. Within the family unit it is usually the stronger members who commit acts of violence against the weaker ones. It is because of physical, economic or social weakness that the victim becomes attached to the strong one and cannot end the cycle of violence. In many cases they are unaware of their social and human rights. When they decide to finally defend and protect their rights, a lack of support worsens their situation. Therefore, such victims stand in great need of government, societal and organisational assistance.⁸⁵

In public, there is greater violence against women:

- Tradition and ritual: In many cases violence against women is explained based on non-religious traditions, ethnic and cultural practices.
- Oral and written culture: Idiomatic expressions and terminologies that are prevalent in Persian language encourage men to convey violence against women.
- Traditions and traditional explanations.⁸⁶

Unfortunately, research carried out in this field in Iran, especially statistical research, is highly limited. Based on the research carried out at the national level, 4 in 7 research participants have

⁸⁴ Leila Alikarami "Unequal laws promote violence against women" Madreseh Feministi site at: <http://www.feministschool.com/spip.php?article6200>

⁸⁵ Alieh Shekarbeigi, Negar Khazan, "Analysis of studies on violence against women in Iran over the past three decades" Women's website at: <http://www.women.gov.ir> published on 22 August 2016

⁸⁶ Shahla Ezazi, *Sociology of Family*, (Tehran: Roshangaran Publishing and Women's Studies, third print, 2003) pp, 199-202.

faced various types of domestic violence (45 instances). This means every woman has experienced an average of almost 7 instances of domestic violence in her married life. 23.5% of women in the study indicated that they have been affected by domestic violence since the inception of their marriage. 52.7% of all respondents expressed that since the start of their marriage, they have faced verbal abuse. Next is physical violence of the second type which 37.8% of Iranian women experience in their marriage. 72.3% of women said they continue to face social, mental and educational violence. 10.2% said they have been a victim of sexual and physical violence, which covers very few forms of violence. Following the announcement of such low statistics of sexual violence, Dr Ghazi Tabatabai added that in light of essential normative, conventional and sharia standards in Iranian culture and society, figuratively speaking, the low number can be due to self-censorship and propriety.⁸⁷

As mentioned in the body of the article, violence against women is a form of demonstrating power on the part of the strong against the weak, and those women who are either unaware of their rights or unable to stand up for themselves. In addition, the law, environment and culture of Iranian society results in violence against women based on omission, meaning lack of legal, moral and financial support, or through laws and cultural standards that force women to succumb to their circumstances. Therefore, the primary duty is on the shoulders of governments and responsible organisations to protect women by raising awareness at the level of the society in order to prevent such problems. This protection can be in the form of effective laws and enforcement measures regarding the prevention of violence or strengthening government organs involved with social services, among others.

In order to raise awareness the media can play an important role in improving societal perceptions regarding the position of women. Ultimately, plans must be made to put in place centres that can support victims of violence and assist them to return to their lives. Secondly, it is necessary to raise awareness amongst informed authorities such as social workers, women's rights activists and human rights activists, or anyone else who is concerned with equality of rights for women and men as an aspect of public life and society, to create NGOs and other organisations that will focus on this important matter. Therefore, a multi-pronged action over the long term by individuals, institutions and society at large is necessary in order to transform the current patriarchal culture into a culture of equality.

⁸⁷ Alieh Shekarbeigi, Negar Khazan, "Analysis of studies on violence against women in Iran over the past three decades" Women's website at: <http://www.women.gov.ir> published on 22 August 2016

Politics of chicness: How fashion becomes the defiant apparatus

Leili Kekounazar

The Islamic regime in Iran has been endeavouring to engineer what it perceives as the moral society for the past 37 years. Cultivating the idea of an Islamised body and in particular controlling the female body has been central to the regime's moral agenda, aiming to make disciplined bodies that have to conform to the state's ideology. However, despite 37 years of implementing various policies, Tehran and other big cities are nowadays increasingly unlike to the image of an ideal modest Islamised society fantasised by the Islamic regime. Accordingly, middle class Iranian women, with their loose shawls and colourful robes, do not submit to the Islamic dress codes and its defined aesthetic politics. Moreover, these youngsters do not fit into the image propagated by the state media that consistently portrays a good Muslim woman as a modest and docile one who is also properly veiled in dark colours, tirelessly trying to make herself 'invisible'.

In the aftermath of the Islamic revolution, Khomeini and other revolutionaries considered the Islamic hijab as the marker of the Islamic society to differentiate it from the west or what Khomeini perceived as the 'Great Evil'. Khomeini regarded the Islamic hijab and refashioning the female body as the way to defy the concept of the previous Pahlavi regime's modernisation and what symbolised westernisation: the modern young woman, whom in Islamic revolutionary discourse, was depicted as 'seditious', 'dangerous' and 'destructive of public honour'.⁸⁸

Over the course of the past decades, the Islamic regime has designed many plans, generated much legislation and created various organisations to enforce the mandatory hijab and limit those it regards as destructive agents of public honour. To this end, establishing the 'morality police' and defining moral plans since the early years of the revolution to enforce the wearing of the hijab by women in public spaces has been never out of the state's mandate.

Looking into the history of the Islamic republic, in the first decade following the Islamic revolution, the Islamic regime established Islamic revolutionary committees (*kommitehha-e enghalab eslami*) that were responsible for enforcing this morality control and confronting 'bad hijab' women and 'make-up' along with other 'moral crimes' or 'immoral behaviour,' including extramarital sexual relationships, alcohol consumption, the playing of loud music and gambling. Following the Iran-Iraq war, the paramilitary *Basij-e Mostaz'afin* (Mobilisation of the Oppressed) volunteer militia was asked by the state to cooperate with the Islamic revolutionary committees as a morality police force to combat immoral behaviour and of course, poorly veiled women. Since then, the *Basij* has been the backbone of the morality police in the state's main aggressive plans against middle class, supposedly liberal-minded, Iranian women. After the victory of Mohammed Khatami and the reformists in the 1997 elections, the activity of the *Basij* as morality police decreased and consequently women who did not follow certain dress codes were confronted with less pressure, yet the ongoing challenge between women and the state has been never suspended.

Following Ahmadinejad's presidency, when the hardliners came to power in 2007, the regime's efforts at enforcing 'public chastity' dramatically increased and in 2009, one of the regime's most hostile initiatives since the Islamic revolution began was advanced. Continuing to this day, the *Tarh-e efaf va hijab* (Hijab and Chastity Plan) aims at arresting women in public spaces for violating the Islamic dress code or wearing western-style clothing.⁸⁹ The 7,000-strong undercover 'moral police'

⁸⁸ Afshar, H., 1987. "Women, Marriage and the State in Iran." In H. Afshar, ed., *Women, State and Ideology*. pp. 70-86. London: Macmillan.

⁸⁹ Golkar, S., 2011. *Politics of Piety: The Basij and Moral Control of Iranian Society*.

force in the capital Tehran were hired to crack down on what they consider as moral transgressions including 'bad-hijab' women.

However, despite more than three decades of this intense confrontation, these days Tehran and other big cities in Iran have attracted the fashion industry's attention worldwide. Western media publish images of modern Iranian women's street style, showcasing those with colourful shawls that hardly cover their heads, fashionable leggings, open front robes that generously present their body contours and artfully made up faces. No matter the extent to which the morality police and chastity plans relentlessly persist, the modern Iranian woman has learnt how to manipulate certain Islamic dress codes to design her trendy 'bricolage' and create 'something fresh, unexpected, expressive and usually defiant' out of obligatory and imposed Islamic dress codes.

During recent decades, the Islamic Republic refutes this fashionable Islamic veil by deploying the policy of the 'Islamisation of fashion', adopting and transforming Western fashion shows and rituals, defining an Islamic fashion model and issuing policies against the Westernisation of the Islamic veil. All these policies seem abortive, faced with the advent of female independent fashion designers, who as 'cultural intermediaries' in their private fashion studios produce fashionable clothes that pursue different dress codes from what the state considers appropriate and public 'decent' dress for women, and use social networks including Instagram for marketing and selling their designed attires.

Like never before, the Islamic regime in Iran has been consistently focused on, and overwhelmingly confused by the rise of what one can consider a 'fashion movement in Iran'. The regime recently, as part of an operation called Spider II, arrested a number of Iranian women (models) who posed for photographs on Instagram without wearing the hijab. The officials mentioned that they carried out the operation in order to defend the 'honour' of Muslim women, to protect Islamic and national identity and exclude 'unhealthy' online content. The officials equated modelling with 'promoting the normalization of promiscuity' and even targeted Kim Kardashian for possible espionage, using her Instagram account to subvert the nation's values, with the help of Instagram's CEO.⁹⁰

In short, without being affected by these efforts too much, the fashion industry in Iran is on the rise. And when one discusses fashion in Iran, it means much more than defining it as a 'distinctive and often habitual style trend', or as some western accounts would claim, a 'consumer item' that makes the female body subjected to gazes, or a tool for the female body to 'self-objectify', but rather, the beautification of the Islamic hijab in Iran is a form of negotiation with the dominant ideology or a 'quiet encroachment', since it is a way for Iranian women to push the boundaries through a specific use of the dress codes and reclaim their own essential right of choosing their own attire.

Finally even, this is the way of redeeming the right to be chic and stylishly fashionable...

⁹⁰ Maya Oppenheim, Iran accuses Kim Kardashian of working with Instagram CEO to corrupt Iranian women, Independent, May 2016, <http://www.independent.co.uk/news/people/iran-accuses-kim-kardashian-west-of-working-with-instagram-ceo-to-corrupt-iranian-women-a7037726.html>

The Women's Movement in Iran; Challenges and opportunities

Elaheh Imanian

For many years Iranian women have been deprived of their fundamental rights. Throughout years of struggle and resistance under different governments, they have accessed some of their rights and face less discrimination, although at times they have lost ground in this fight. Their struggle and resistance has assumed various shapes and forms in accordance with changing times. The twentieth century was the age of women's struggle against male-centred ideologies that espouse a range of anti-female clichés ranging from deficient mental capacities, the lack of a right to vote or family rights. However, women have continued to play an influential role in freedom movements throughout the history of Iran. For instance, women played a significant role to bring about the Constitutional Revolution (1905-7) however, along with mentally handicapped citizens they were denied the right to vote. Again, women's participation in the 1979 revolutionary efforts and victory attracted much attention, but history repeated itself and not only did their oppression not come to an end, but it actually intensified.

Women's rights was not a standalone issue in the formation of the revolution. Pre-revolutionary slogans referred to justice and equality. Iranian women who supported the revolution were not considered an independent group whose rights were among the primary goals of the revolution, their aims were among the overall aims of the entire body of revolutionaries. However, after the revolution succeeded, the presence of women in the revolution was used for other ends. In effect, their presence was used as a sign of support and approval for misogynistic policies. Although from the outset women demonstrated their opposition to violation of their rights, starting with the anti-hijab demonstration in March 1979, during the following decade there were no NGO or independent organisations that reflected their demands. The persistent historical pattern following the two great Constitutional and 1979 revolutions offered an important lesson to women, that they must pursue their aims in an independent and organised fashion, otherwise following victory, their male counterparts would marginalise them.

Women in the Islamic Republic of Iran have been subjected to long-term oppression and changes in government have meant changes in their situation too. With the establishment of the reformist presidential administration under President Khatami from 1997-2005 and expansion of activities by feminists, women's rights activists succeeded in securing access to some rights for women. In addition, during this same phase, the authorities issued a higher number of permits to publish feminist books and cultural resources. There was a rise in the number and calibre of organisations and NGOs focused on raising awareness and providing a range of resources to protect and promote women's rights. However, the feminist movement, women's rights activists and their strategies are not areas of interest that are prevalent in discourses among Iranians today. This may be due to Iranian society's longstanding patriarchal structure and the distance between a significant segment of the women's movement and the masses in Iran. The women's movement in Iran is mostly composed of students, educated, middle class and upper class women. Although this movement reflects women's demands and needs in pursuit of ending discriminatory laws against women, it continues to face the criticism that it remains unaware of the fundamental needs of the masses at the grassroots level and instead focuses on the demands of middle class women. During the reformist era and presidency, a number of impactful NGOs and campaigns managed to make, although somewhat trivial, but nevertheless changes for the better. The cultural results and women's rights achievements were no longer exclusive to upper and middle class women; they reached women in villages, homemakers and those living in the lower strata of society. Although this was not a widespread phenomenon, compared to previous presidencies, it made greater strides. Just as over many years women and their bodies served as the centre of state power and the symbol of the rulers' ideology and power, with the change in administration and Ahmadinejad taking office,

civil society and demand-driven activities, especially women's rights activists, faced a difficult situation. The entire foundation of the movement that women had begun to establish was entirely destroyed. Almost all permits for women's NGOs and organisations were cancelled and they were forced to cease their operation.

Following the events surrounding the rise of the Green Movement, in which women played a significant role, many women's rights activists were arrested and others left the country. The challenges women faced after 2009 increased dramatically and activists both inside and outside Iran faced a single challenge. Some believed efforts by activists outside the country worsened the conditions for those inside Iran, while others advanced that activists overseas must follow and support efforts by those in Iran. Others asserted that both groups must complement each other and activists overseas must continue each line of action initiated by their colleagues in Iran where, due to repression, the cause could not advance any further. Yet another group denied the need for any connection between the two. The dichotomy between once colleagues now inside and outside Iran, due to the difference in their geographical positions and perspectives, in addition to the government crackdown, censorship, imprisonment and the patriarchal structure of society presented a huge range of challenges for women's rights activists.

Following the conclusion of Ahmadinejad's presidency and moderates taking over the administration, a number of women's rights activists formed various campaigns and re-established activities aimed at increasing the rate of women's political participation, monitoring parliamentarians and adding to the number of parliamentary seats occupied by women. Many activists expressed their support for the campaign. Iranian women who played an important role in both the Constitutional and the 1979 revolutions but were pushed aside and their rights displaced deserved more than a few seats at the parliament. The continuation of the campaign with a great beginning was met with widespread disqualification and an intelligence agenda designed to further repress women. Although the parliamentary election campaign and the 'Pink Campaign', a campaign for free breast cancer detection tests and assessment for thousands of Iranian women, offered hope and new boost to the women's movement in the stifled political climate following the collapse of the Green Movement and sanction-driven economic downturn, and had the potential to open doors to more and varied engagement.

In general, women's rights activists have faced many complicated challenges that are influenced by a complex society that has passed through many ups and downs in the recent past. Many challenges in the women's movement are due to the nature of issues in focus at particular points in history. But others are shared characteristics of different phases. Lack of a balanced focus on demands made by women of varied socio-economic backgrounds is among such challenges. In addition, a significant segment of the women's movement in Iran have separated sexuality from other dimensions of public identity, including class and ethnicity, forgetting that discrimination based on ethnicity, class, religion or languages imposed on Iranian women is not only distinct from sexual discrimination but in fact adds to it.

In conclusion, it can be stated that, through many years, Iranian women have not abandoned their resistance and struggle. Highly patriarchal societal and familial structures and misogynist laws have failed to stop women. In fact, women have managed to raise the standards of political and civil activism. For instance, the post-revolutionary forced hijab is a political characteristic of the Iranian state, and those who resist it are subjected to punishment. Despite such consequences, the number of urban women who over the years have taken a stance against such forced covering has increased. Women have continued their resistance towards such forced measures and gradually forced the government to stand down. Although the hijab is the main symbol of the establishment which has used every measure to repress women, through adjustments, bright colours and new styles in their

type of clothing and coverage, women have not only stood up against this law but also challenged the state's patriarchal discourse against women.

Last but not least, oppressive measures against women's sexuality, have received insufficient attention among women's rights activists. The time is ripe for the new generation of activists to not only focus on this issue but also pay greater attention to economic and earning power among lower class women, as well as their access to health and security. Women who are in marginal communities, particularly non-Persian or non-Shia, face greater repression. Among them are those who over the years have remained less visible. The women's movement is a movement for those who are marginalised; it is time to pay greater attention to those who face greater degrees of repression.

Women's mental health and rights in Iran: Unique challenges and opportunities for raising awareness and forging reform – A review and analysis
Shadi Salehian

Historical background and perspective

Iran has been in the centre of political discourse, posing one of the most significant international geopolitical challenges for the west and its own region since the revolution that created the Islamic Republic in 1979. The country has experienced immense challenges including an eight-year war with Iraq, severe economic sanctions and extreme economic mismanagement leading to high inflation, instability and crippling unemployment.⁹¹ Iran's upheaval and political metamorphosis from the disputed presidential elections of 2009 and its 'Green Revolution', to the recent signing of the nuclear agreement with the West have been regular news features and continues to bewilder political experts. The agreement has opened new economic opportunities and political challenges that are sure to change the landscape of Iran and the Middle East for years to come.

Behind the cacophony of the deafening political noise, the country has changed dramatically in the last 37 years. Iran is a young nation with more than 70 per cent of the population at under 30 years of age. Almost 50 per cent of university students in Iran are women, however almost 65 per cent remain unemployed after graduation. There have been great advances in women's education but the plight of women and their rights continues to plague Iranian society. In particular, access to healthcare, specifically mental health support, continues to be a major challenge and crisis in the country.⁹²

Review of the Iranian health care system

Despite many of the political upheavals in the country, there have been some significant changes and improvements in the Iranian healthcare system. The primary health care system in Iran has been seen as an important model of delivery, following a vast expansion that provided access to basic medical and mental care. ³ This is as a result of a national policy that was established in 1986 that focuses on advocacy, promotion, prevention and treatment, along with rehabilitation. Iran has developed a vast network of community health centres and services.⁹³ The country spends approximately \$40 billion (about 4.2 per cent of its GDP) on healthcare. Some impressive results have been observed, and though life expectancy lags behind some western nations, it is regionally superior with life expectancy of 76 years for women and 72 for men. Given the sanctions, Iran has developed a robust pharmaceutical production sector that manufactures over 96 per cent of its medicines at an annual cost of around \$1.2 billion.⁹⁴ There are between 0.5 to 1.1 physicians per 1,000 population depending on location around the country, which is at about the minimum recommended by the World Health Organization and is comparable with other similar countries.⁹⁵ Therefore, despite the improvement in primary health care, Iran still has a shortage of physicians and its healthcare system is struggling to evolve in order to serve a growing population with increasing healthcare demands.

⁹¹ Abrahamian, Ervand. 28 July 2008. *A History of Modern Iran* Cambridge University Press

⁹² Leila Alikarami, *Iran Human Rights Review: Economy Women and Iranian economy – Where is the place of women in Iran's economy?*, June 2016, http://www.ihrr.org/ihrr_article/economy-en_women-and-iranian-economy-where-is-the-place-of-women-in-irans-economy/

⁹³ Marzieh Nojomi et al. *Primary health care physicians' approach toward domestic violence in Tehran, Iran, 2014*, *Medical Journal of the Islamic Republic of Iran*, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4322324/>

⁹⁴ *Iran Country Study Guide Volume 1*, (in particular pg. 240), 2013.

⁹⁵ World Bank, *Iran Overview*, 2016.

Review of mental health in Iran

Mental health has also been a beneficiary of the public policy of investment into the primary and the overall health care system in Iran. However, the funding for mental health lags behind, mirroring the financial and resource challenges seen in many other nations where mental health is not prioritized for a variety of reasons. Iran spends only three per cent of its entire health expenditure on mental health (approximately 1,200,000,000 tumans⁹⁶).⁹⁷ There is no national data on mental health disorders and hence most statistics are from independent sources. This data shows that between 14 per cent to as high as 26 per cent of women and between 7.3 per cent and 15 per cent of men in Iran suffer from mental health disorders. These figures are even more stark for those older than 65 at almost 32 per cent and even more worrisome for those who are widowed or divorced at 43 per cent. Unemployment is a common predisposition for mental health disorders, increasing the odds by 1.8 times. There are an estimated seven million people suffering from mental health disorders in Iran, which is thought to be a significant underestimate due to the lack of proper available national data. In short, women are twice as likely as men to be affected by mental health conditions in Iran, due to a multitude of complex reasons such as gender bias, reporting issues and attitudes about mental health.⁹⁸

The strengths of the mental health system in Iran include the availability of a national program on mental health, a week in October of each year dedicated to improving mental health awareness, wide coverage in rural areas, and a significant number of the population being covered widely by trained primary health care providers, approximately 28 million people. There is a major emphasis on outpatient versus inpatient treatment, with an availability of major psychotropic drugs to over 53 per cent of the population who have access to at least one class of drugs at a low cost of about 2-4 per cent of the minimum daily wage.⁹⁹ There is a greater integration between mental health providers and primary care physicians in rural areas when compared with urban centres, and a general availability of mental health disaster preparedness. There are approximately 61 mental health care professionals per 100,000, exceeding Iran's geographic neighbours (including 1.2 psychiatrists, two psychologists, 10.7 non-psychiatric doctors and 7.8 nurses per 100,000). Outpatient facilities are actively engaged in treatment, reaching about one in 100 of the general population.¹⁰⁰

Weaknesses of the Iranian mental health system include the lack of legislative or legal parameters to reduce or discourage discrimination against those affected by mental health disorders. The urban poor have persistent issues including lack of access to proper diagnoses and on-going treatment. The chronic nature of mental health needs places many at a disadvantage in receiving long term care, given the health system's fiscal challenges. Furthermore, the continued stigma associated with those affected by mental health disorders only serves as an added obstacle. In a survey of patients affected by such disorders, more than half felt isolated, discriminated against and crippled by the social stigma attached to mental health problems.¹⁰¹

⁹⁶ Super units of ten rial

⁹⁷ Andrew Greaves, *Mental Health Systems in Refugee-Producing Countries*, January 2012, http://ccrweb.ca/files/mental_health_report_sos_2012.pdf

⁹⁸ Greaves *ibid* and also Javad Alghabandari et al., *An epidemiological survey of psychiatric disorders in Iran, 2005*, *Biomed Central*,: <http://cpementalhealth.biomedcentral.com/articles/10.1186/1745-0179-1-16>

⁹⁹ Greaves *ibid* and WHO-Aims Report on Mental Health System in the Islamic Republic of Iran, 2006, World Health Organization, http://www.who.int/mental_health/evidence/who_aims_report_iran.pdf

¹⁰⁰ Greaves and WHO *ibid*

¹⁰¹ Greaves *ibid*

Specific women's mental health challenges in Iran

Women make up 49.6 per cent of the population in Iran and their mental health poses a serious public health issue given their role as primary care givers and educators of children.¹⁰² Hence, the effect of women's mental health creates ripples throughout their families and through wider society. With reports as high as 25 per cent (as high as 36 per cent in the capital, Tehran) of women affected by mental health disorders, this area of healthcare needs to be a major priority for the country and society.¹⁰³

There are some unique issues that women in Iran contend with. Women in Iran have enjoyed wide access to education and the ability to vote and participation in the workforce; however, there is a dichotomy in their role in society, their overall standing and rights are inferior to men and subject to arbitrary rules such as on clothing, their roles in society and the household and persistent male dominated attitudes that hinder their progress. There are some determinants that further predispose women to mental health disorders in Iran. The first comprises the social determinants of health, which entitle women to equal social positions with men regardless of their socio-cultural classification. The second area is directly related to the health system and its response to women's needs; there is a lack of serious prioritization of the mental health of women among other health issues affecting women such as cancer that hampers the dialogue and the opportunity for real, effective changes. The system can prove to be fragmented, overburdened and at times unable to have fully trained and able personnel to deal with the increasing mental health needs of the population.¹⁰⁴

Furthermore, there are cultural and social factors that also predispose women to mental health disorders. Worldwide violence against women is an epidemic with almost one in three women being affected. Reports of Intimate Partner Violence (IPV) in Tehran are as high as 36 per cent, realizing that like other parts of the world, this data represents a significant under reporting of cases of IPV. [2] This is a sensitive issue in Iran given society is male dominated with prevalent attitudes that view women's role predominantly as maintaining and caring of the household regardless of employment. There is a pervasive attitude that is further enforced by the media that women have 'second-class existence' in Iran. These forces continue to perpetuate a culture that condones violence against women and laws that protect women are vague and poorly enforced.

The medical system in Iran does not allow for men to be involved in the care of women due to religious limitations in medical schools and beyond, and are therefore not well trained or sensitized to women's health issues. The majority of medical healthcare providers are selected from these same graduates and doctors, who are neither passionate nor experienced enough when it comes to women's health, particularly mental health. These are among other significant factors that further complicate and impinge on the development of a proper women's mental and physical health program.[4]

Revolutions, civil conflicts, wars and economic and societal pressures have significantly impacted on women's mental health in Iran. Research from other countries afflicted with war and instability suggests that women are at a much higher risk of mental health disorders such as post-traumatic

¹⁰² World Bank Data, Population, female (% of the total),

2015, http://data.worldbank.org/indicator/SP.POP.TOTL.FE.ZS?end=2015&start=1960&year_high_desc=false

¹⁰³ Domestic violence against women as a risk factor for depressive and anxiety disorders: findings from domestic violence household survey in Tehran, Iran and Masoumeh Dejman, How Iranian Women Conceptualize Mental Health: An Explanatory Model, 2014, Iranian Journal of Public Health, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4419172/pdf/IJPH-43-342.pdf>

¹⁰⁴ Maryam Akbari et al., Narrative review of women's health in Iran: Challenges and Successes, 2016, International Journal for Equity in Health, http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4754925/pdf/12939_2016_Article_316.pdf

stress disorders and depression, in addition to a system-wide lack and sensitivity in addressing such chronic debilitating disorders.¹⁰⁵ The chronic exposure of women to such stress factors and the continued struggle for basic rights and recognition of equal status places women at higher long-term risk of mental health disorders. Hence, these factors must be considered when public policy is reviewed and resources allocated.

Steps to improve women's mental health in Iran

There are no simple solutions to a complex problem that encompasses cultural, societal, economic and structural determinants. However, there are potential solutions that can be reasonably implemented within the constraints of the advantages and disadvantages of the mental and overall health system in Iran.

The primary health care system in Iran is robust and covers a large portion of the population. This expansion has positively impacted rural areas; however, the urban poor, particularly in the capital, Tehran, continue to have serious challenges of access and obtaining proper care from mental health services. The women within these particular populations are at high risk of IPV and economic and social stresses that place them at great risk of suffering from mental health disorders that will, as a knock on effect, afflict not only their children and families, but also the wider community.

An untapped resource in Iran is the large female university population who also currently show a strong sense of social activism. A pilot program engaging this group of women – creating 'mental well-being promoters' – is one possible approach. The name places the focus on 'well-being' rather than 'disorders' when it comes to mental health issues; and by changing the vocabulary these women's narratives can be redefined as their own.

The aim would be to provide training to these 'mental well-being promoters' in the basics of mental health issues and the crises affecting women in Iran. They would form small citizen groups who would volunteer to be dispatched to a small pilot area, in a poor urban region. Work would be undertaken in collaboration with existing primary health care providers to help identify those women at risk and encourage collaboration with primary health care providers to work to reduce social stigma, improve access to care and enhance awareness about mental health and the need for proper diagnoses and treatment.

This approach could utilise the existing rich resource of primary care providers and tap into the resource of young and socially motivated women who would then help bridge the gap between the healthcare system and women at risk. A simple survey and needs assessment could be carried out in local community health centres to identify those at higher risk of mental health disorders as well as addiction to opiates (which is both an epidemic in Iran given the wide availability of smuggled opiates across the Afghanistan border, and also exacerbates pre-existing mental health illnesses).¹⁰⁶ The addiction crisis in Iran, which is estimated to be at least between five and seven per cent of the population, with true estimates likely to be much higher, is a recognised public health problem in

¹⁰⁵ Domestic violence against women as a risk factor for depressive and anxiety disorders: findings from domestic violence household survey in Tehran, Iran; and R Srinivasa Murthy and Rashmi Lakshminarayana, Mental health consequences of war: a brief review of research findings, February 2006, World Psychiatry; also Ashraf Al-Hadethe et al., Prevalence of traumatic events and PTSD symptoms among secondary school students in Baghdad, 2014, European Journal of Psychotraumatology

¹⁰⁶ Ann Burton et al., Six rapid assessments of alcohol and other substance use in populations displaced by conflict, 2011, US National Library of Medicine, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3050731/>

Iran and hence such efforts combining addiction and mental health may provoke less intense barriers to implementation.

The other approach must be a more comprehensive education of the primary care providers in Iran about mental health disorders and a more systematic recognition through careful surveys that can heighten a clinician's ability to identify, diagnose and treat such disorders. There is a significant gap in refresher courses for primary care providers in Iran on mental health issues that place them and the population at great disadvantage when it comes to diagnosis, proper treatment and follow up.¹⁰⁷ This gap can be addressed through sustainable change to the medical education system in Iran.

Another key component is to reduce social isolation and improve treatment follow through by creating small support groups made up of the same university educated women, including women from other strata of society. These groups would help provide a supportive network after the initial diagnosis and treatment to help maintain long term treatment and support plans needed for most women suffering from mental health disorders. This step also reduces the burden on the primary care providers and enables them to have 'extenders' that complement their efforts, creating a large support and follow up network necessary for implementing successful mental health treatment programs. There is data to support the case that such approaches may prove helpful in treating long term and chronic health issues.¹⁰⁸

The former (the first and only female) Vice-President of Iran, Masoumeh Ebtekar, or other prominent females in Iran should also be approached to be spokespersons for increasing awareness, reducing stigma and improving access to diagnoses and treatment of mental health disorders among women, with an emphasis on reducing IPV, substance abuse and addiction. This emphasis on public health awareness can increase pressure on the Ministry of Health and its Minister, Dr. Hassan Qazizadeh Hashemi, to perhaps appoint a prominent female scientist or physician to champion the issues affecting women's overall and mental health in the country.

This might prove to be a useful tool for discussions to increase the funding available for mental health to be increased from three per cent to at least 10 per cent of the health budget over the next 10 years. The timing for such a move is perhaps opportune as Iran is re-entering the world community after the lifting of sanctions and a pivot towards an intensified emphasis on women's health, mental health and rights can only increase and enhance the government's standing with other developed nations. A large network of mid-level trained 'mental well-being promoters' of women who can be easily trained to help identify and bridge the gap between the population and healthcare system would empower women and make them part of a solution that can only benefit the system as a whole.

Great strides have been made in Iran in the formation of a large primary care network and we have seen improvements in general access to healthcare. Mental health affects at least about a quarter of women in Iran and it is complicated by severe social stigma, a male dominated culture, women's burden and role as primary caretakers of household with added economic responsibilities, along with specific issues affecting women such as Intimate Partner Violence. Long term exposure to conflict with increasing substance abuse and addiction place women in a greatly disadvantaged and vulnerable position which as a result also threatens the wider population, including their children, families, communities and wider society. A systematic approach to increasing awareness of women's

¹⁰⁷ WHO-Aims Report on Mental Health System in the Islamic Republic of Iran, 2006, World Health Organization, http://www.who.int/mental_health/evidence/who_aims_report_iran.pdf

¹⁰⁸ Ann Burton et al., Six rapid assessments of alcohol and other substance use in populations displaced by conflict, 2011, US National Library of Medicine, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3050731/>

specific mental health issues and needs would include revitalizing the training of primary care providers, and utilising a network of untapped resources such as educated university women who could be trained as 'mental well-being promoters' to help extend the network of primary care providers in Iran. They could also increase pressure through enlisting prominent women in Iran to champion women's issues - including mental health - in order to raise awareness of women's mental health issues, reduce stigma and increase funding. These may all be potential avenues of addressing a serious public health issue primarily affecting women in Iran.

Forbearance Advocacy and Criminal Sanctioning in Iran

Arzoo Osanloo

While the discourse of human rights has become a very controversial vehicle for advocacy in Iran in recent years, local activists continue to seek reforms through other avenues, specifically in challenging criminal sanctioning (sentencing) and, rather subtly, in anti-death penalty campaigns. These opportunities for advocacy stem from possibilities found within Iran's own penal code, Islamic values, and Persian cultural identity. As a legal anthropologist, my work on the Iranian system of criminal sanctioning and the codification of forgiveness led me to question what compels some individuals to forgo retribution in the face of the death of a loved-one when the legal system provides them with that 'right'. This essay explores how Iran's criminal laws codify the Islamic mandate to forgive, and how groups and individuals operationalise it by advocating through this system.

The concept of forgiveness has deep roots in Islam. For Muslims, God's most important qualities come from the words *Al-Rahman* and *Al-Rahim*, meaning 'The Most Gracious' and 'The Most Merciful.' These attributes comprise the opening verse of the Qur'an in *Sura al-Fatiha*, (The Key Chapter): 'In the name of God, the Most Gracious, the Most Merciful.' This phrase, repeated at the beginning of 113 Qur'anic chapters, serves as a reminder to Muslims of the obligation to be just and compassionate in their dealings with one another. Muslims will repeat the phrase over 17 times during daily prayers. In addition, there are at least 35 verses in the Qur'an that counsel Muslims to forgive.¹⁰⁹ While mercy and forgiveness are not entirely interchangeable concepts, Islamic mercy encompasses forgiveness and often takes shape through such an act.¹¹⁰

Soon after the 1979 revolution in Iran, the Islamic Republic introduced a criminal code that integrated Islamic principles (*Shari'a*), actually reverting back to the penal code from 1926. Although deemed to be provisional when it was first introduced in the early 1980s, the Iranian penal code has become one of the world's toughest systems of criminal sanctioning, resulting in the most per capita executions per year.¹¹¹ In 1982, the penal code reintroduced a system of retributive justice, which permits the victim's next of kin to seek 'in-kind' punishment (*qesas*) for any intentional tort, including murder. In a case of intentional murder, for example, it is the victim's closest kin who makes the decision to seek retributive death of the perpetrator. In such cases, the next of kin is the plaintiff, thus seeking damages for a kind of tort.

This harsh system of punishment is tempered in a couple of ways. First, in murder cases, in-kind punishment is the exclusive right of the plaintiff and not the state. Under the current penal code, the maximum sentence a defendant can receive is ten years imprisonment for murder *from the state*. Of course the sentence only applies in cases where the family of the victim does not act on its right to retribution. For some victims' families, however, the awareness of this relatively light sentence for murder affects their decision to seek out the death penalty for the murder of their loved-one.

Second, the system of justice also re-introduced the Muslim counter-balance to retribution – forgiveness. The concept of forgiveness is codified in the criminal code as forbearance (*gozasht*) of the right of retribution and applies in intentional torts, not just murder. Lawyers representing offenders, state officials (including judges and magistrates), activists, social workers, and members

¹⁰⁹ Reza Shah-Kazemi, *My Mercy Encompasses All: The Koran's Teachings on Compassion, Peace and Love*. Berkeley: Counterpoint Press, 2007.

¹¹⁰ Khaled Abou El Fadl, Joshua Cohen and Deborah Chasman, *Islam and the Challenge of Democracy*. Princeton: Princeton University Press, 2004.

¹¹¹ Dr Majid Rafizadeh, *Iran Is Leader of Executions 2016: At Least One Execution A Day*, 10 August 2016, http://www.huffingtonpost.com/majid-rafizadeh/iran-is-leader-of-executi_b_11410368.html

of the religious community (*ulama*) use this legal provision, drawing from its scriptural sources, to encourage the next of kin to forgo retribution.

The Iranian criminal justice system provides a unique setting in which to consider the mandate of forgiveness. Because Iran is one of the few Muslim-majority countries to have integrated Islamic principles into the state apparatus, tangible qualities of this religious compulsion exist in civil and legal institutions. What this system reveals is that the penal code is a blended system of tort (personal injury laws) and criminal liability; and that the trial (merits) phase¹¹² of criminal cases occurs in tandem with the sanctioning phase to uncover what appears to be an extreme form of a 'victim's rights' process. The attention to victims' rights and compensation loss are the key elements in advocacy, both in individual cases and in broad reforms to the penal code. Even while they negotiate forbearance with victims' families, the government officials whom this author has interviewed maintain that the state's preservation of the victim's right to punish is their primary interest. The state's concerns with in-kind retribution as punishment and deterrence are important, if secondary, to maintaining its monopoly on violence, which it does by demonstrating it can carry out swift justice on behalf of victims.

Activists and legal practitioners increasingly use the Islamic mandate of forgiveness in their advocacy, especially in light of the politicisation of the language of human rights in Iran today. Having conducted interviews with many defence lawyers, it has become clear that they recognize the shortcomings of forbearance advocacy, but also value its efficacy in the immediate contexts of their clients who have been sentenced to *qesas*. Activists and state officials alike make reference to Iran's restorative justice traditions, such as the 'blood stop' (*khoon bas*), as part of a wider trend to reduce over-criminalization and work towards reconciliation (*solh*).¹¹³ Scholars and social workers have told me that Iranian restorative traditions also offer routes to internal reform and alternative sanctioning. Such alternatives include the use of informal mediation between parties and the offer of substitute remedies, such as financial reparations, that aim to be compensatory and restorative. These practices are bound up with sacred Islamic texts as well as local customs that sometimes even pre-date Islam in Iran.

For some Iranian legal scholars and activists, forbearance – not to be confused with a state pardon – is indicative of the most important values in Islam: compassion and the restoration of justice. It is to exactly those values that a veritable cottage industry of activists, whether they are neighbours, family-members, members of the religious establishment, government officials, or social workers, appeal to when trying to persuade the victim's next of kin to forego their right of retribution. While acknowledging the sensitivity of such work, individuals and groups begin to meet with the victim's family members from the start of the criminal process. In seeking a resolution that avoids retribution, they often appeal to the family's faith, citing verses from the Qur'an that counsel forgiveness over retribution. They recount stories of forgiveness from the Prophet Mohammad and Imam Ali. In other cases, individuals and groups may appeal to emotion, noting that the loss of a loved one can never be replaced or remedied by putting another person to death or being an agent in the death of another. Some of the most persuasive activists are those individuals who, themselves, forgave the murder of a loved one. In these cases, individuals recount their own

¹¹² A 'trial on the merits' means that the court has rendered its judgment, holding or ruling after all the facts and evidence in a court have been presented to the judge. In other words, a trial has been held at which each side has been given an opportunity to present opening and closing arguments, the legal issues in controversy, witnesses and evidence in accordance with trial rules. See here from Robyn Lynne Schechter http://www.ehow.com/info_8657550_trial-merits-mean.html

¹¹³ Khoon bas is attributed to the Lor, an indigenous group from Lorestan, a province in western Iran. After a murder, the perpetrator's family would place a rope around the perpetrator's neck, take him to the victim's family, and allow the victim's family to choose retaliation or an offer of goods.

emotional state before and after forgoing their right to seek retributive punishment. These include the sense of feeling liberated, joyful, at peace, and closer to God.

Gender is also an important analytical component in studying forgiveness in criminal sanctioning. In the context of trials, negotiations and retribution, women are often portrayed as bereaved victims or non-actors. In practice, however, family matriarchs play key roles in the decisions made around criminal sanctioning in criminal cases. Women are also active as judicial advisors, prosecutors, defence attorneys, and social workers. Because of their positions in the family, as mothers, wives, sisters, they are often considered the primary agents in the act of forgiveness, and thus much of the activism surrounding forbearance focuses on the women in affected families.

In the context of the state, actors at each stage of the legal process, including judges, often counsel victims' families to seek reconciliation and forego the right for retribution. Before the death sentence will be carried out, lawyers appeal the cases to two levels of higher courts. A procedural mechanism put in place in 2007 requires the head of the judiciary to review each case and individually sign each death sentence, issuing his permission (*estizan*) for every sentence. When the offender reaches the implementation phase, a magistrate whose office is in charge of carrying out the sentence, meets with the victim's family to pursue reconciliation. State officials regularly participate in settlement negotiations and even organize so-called, 'reconciliation and settlement meetings' between the plaintiff-victims and the defendant's family, but they do so unofficially. The meetings are not based on legal regulations, but, as one judge told me, by their faith, they are called upon to counsel against retribution. Negotiations may proceed even at the final step of carrying out the sentence, when the next of kin, who are required to be in attendance during an execution, are exhorted to forgo retribution at the last instance.

Financial transactions are often the key elements in preventing death sentences from being carried out. Such transactions, however, are extra-judicial. When families of victims forego the right of retribution, they present a notarized written statement to the criminal court attesting to their unconditional forbearance. Critics of the financial deals claim that the defendant is forced to buy his or her life. Others find that financial transactions provide necessary compensation for the loss of a bread-winner and are just and equitable propositions, similar to damages paid for tort liability in some western contexts. At the moment, there is no state regulation of the financial transactions that lead to forbearance. They often serve to punish the family of the victim by forcing them to raise sometimes exorbitant funds demanded by families of victims. Others argue that this lack of regulation provides the wealthy with 'an out', but affords little relief to families without such financial means.

Some observers have suggested that the state should provide limits on compensation and aid in its implementation. In my research, I have found that the state's disinclination to regulate this matter lies in its concern with affirming the victim's rights above all and avoiding the appearance of partiality towards the defendant. The crucial issue in criminal cases is that the law affords victims' families the right to seek retributive sanctioning. Activists, even at the state level, often aim publicity campaigns at the virtues of forgiveness. So the emphasis of local activism is not only on state-level legal reforms, but also on changing the social culture of retribution to one that celebrates forgiveness.

Despite the government's sensitivity to human rights activism, one international human rights treaty that is still very relevant, particularly to death penalty cases, is the United Nations Convention on the Rights of the Child (CRC), which Iran ratified in 1994. Much local and international activism against the death penalty is based on Iran's legal obligations under this convention. Through incremental and sustained cooperative practices, some significant changes to the laws are being made. This

includes the procedural mechanism mentioned above, which requires the head of the judiciary to review and sign each order of execution. Activists also prevailed upon the judiciary to refrain from signing these orders, especially in the case of defendants under the age of 18, as a way to halt executions. Executions, however, may be carried out once the defendant reaches the age of majority.

In 2013, Iran's Council of Guardians the vetting body that verifies the conformity of laws with Islamic principles - approved an amended criminal code, which had been provisional until then. The new criminal code, with 738 articles, almost doubles the size of the current criminal code and thus cannot be adequately discussed in this article. The code expands the repertoire of state sentencing for homicide, including measures such as banishment, probation, suspended sentencing, and others, and may prove influential to victims' families in their decisions to forgo retributive sanctioning.¹¹⁴ A development significant for perpetrators under the age of 18 is that judges may now consider their mental state, whereas before they could only base their sentences on the actual age of the defendant. Article 91 of the new criminal code permits defence lawyers to argue that their clients lacked the mental maturity to understand their crime and thus should not be punished with death. While this provision does not abolish the death penalty for perpetrators under the age of 18, and thus still leaves Iran outside of full conformity with the CRC, it offers a legal solution on the merits of the case – as opposed to leaving perpetrators solely at the mercy of the victims' families.¹¹⁵

My research on the place of forbearance in the Iranian criminal justice system seeks to open up a different vantage point from which to observe social advocacy and legal reform strategies. The possibility of forbearance in criminal sanctioning, albeit controversial and imperfect, serves as a site for engaged activism amidst calls for reform.¹¹⁶ This activism aims not only to change laws, but also to emphasize a culture of forgiveness from the ground up, one in which an anti-death penalty culture can slowly take root in an environment that is hostile to advocacy through appeals to human rights but amenable to local calls for humanity (*ensaniyat*), characterized by compassion, empathy, magnanimity, and an appreciation of the suffering of others.

¹¹⁴ In 2014, a new code of criminal procedure was also approved. Courts began implementing it in June 2015.

¹¹⁵ For a deeper discussion, see, Arzoo Osanloo, 'Gender and Criminal Status in the New Iranian Criminal Code,' in *Social Change in Post Khomeini Iran*. Mahmood Monshipouri, ed., Cambridge: Cambridge University Press, 2016. Pp. 91-112.

¹¹⁶ For problems with mercy, see, Arzoo Osanloo, 'The Measure of Mercy: Islamic Justice, Sovereign Power, and Human Rights in Iran.' *Cultural Anthropology*, 21(4): 570-602, November 2006.

Unimplemented laws and the decline in economic opportunities for women: ‘Soup in the bowl but burnt mouth’

Maryam Hosseinkhah

Following the recent announcements by Ayatollah Khamenei calling for an increase in Iran’s population to 150 million,¹¹⁷ legislators and law enforcement officials who portray women’s employment as the most important barrier to this rise in population, are more than ever before seeking ways and means of decreasing the rate of female employment and limiting them behind the walls of their homes in order to fulfil their ‘motherly duties’.

Increased maternity leave, considering telecommuting (working from home) for women in employment, part-time employment, early retirement and a decrease in the number of hours for women, are among plans and bills that in recent years formed part of the government’s policies aimed at increasing Iran’s population. However, these plans and bills that, although still unimplemented, remain under consideration and consultation, have already affected the market for female employment and led to a decline in women’s access to the job market.

Based on the latest official reports during 2015, the rate of women’s economic participation in Iran was 13.8%.¹¹⁸ This means that 78% of Iranian women have no share in the Iranian economy. Furthermore, they are not even considered as part of the workforce in search of employment. In other words, from among 27 million women in Iran, only 3 million are in employment and the rest are considered homemakers.¹¹⁹ The project to survey the labour force in 2015 published by Iran’s National Statistics shows that the rate of unemployment among women is more than double that among men, and even more among youth between the ages of 15 and 29.¹²⁰

Under such conditions, when more than 70% of educated women in Iran are unemployed¹²¹ and cultural barriers on their path to employment keep them behind the walls of their homes, announcing laws that highlight the ‘duty’ of homemaking and motherhood among women as particular ‘advantages’, places another barrier on this path of unequal competition.

A look at the laws aimed at increasing maternity leave to 9 months and the recently passed bill entitled ‘Reduced working hours for female employees with special circumstances’¹²² demonstrate the manner in which these two laws, the first due to lack of sufficient budget, and the second, approved as recently as last June,¹²³ have yet to be announced to the executive bodies,¹²⁴ leave a

¹¹⁷ Persian source from BBC Persian, http://www.bbc.com/persian/iran/2013/10/131031_i38_iran_khamenei_population

¹¹⁸ Persian source from the Iranian Agricultural News Agency, <http://www.iana.ir/media/k2/attachments/89/Amar.pdf>

¹¹⁹ Persian source from Donya-e-Eqtasad Newspaper, <http://donya-e-eqtasad.com/SiteKhan/1065826>

¹²⁰ Persian source from the Iranian Agricultural News Agency, <http://www.iana.ir/media/k2/attachments/89/Amar.pdf>

¹²¹ Persian source from Donya-e-Eqtasad Newspaper, <http://donya-e-eqtasad.com/SiteKhan/1065826>

¹²² Persian source from the website of Iranian parliament at: http://rc.majlis.ir/fa/legal_draft/show/971511

¹²³ Persian source from the Iran Students News Agency <http://www.isna.ir/news/95040112966/%D8%B1%D9%81%D8%B9-%D8%A7%DB%8C%D8%B1%D8%A7%D8%AF%D8%A7%D8%AA-%D8%B4%D9%88%D8%B1%D8%A7%DB%8C-%D9%86%DA%AF%D9%87%D8%A8%D8%A7%D9%86-%D8%AF%D8%B1-%D9%84%D8%A7%DB%8C%D8%AD%D9%87-%DA%A9%D8%A7%D9%87%D8%B4-%D8%B3%D8%A7%D8%B9%D8%A7%D8%AA-%DA%A9%D8%A7%D8%B1-%D8%A8%D8%A7%D9%86%D9%88%D8%A7%D9%86-%D8%B4%D8%A7%D8%BA%D9%84>

¹²⁴ Persian source from Entekhab.ir

website, <http://www.entekhab.ir/fa/news/281213/%D9%82%D8%A7%D9%86%D9%88%D9%86-%DA%A9%D8%A7%D9%87%D8%B4-%D8%B3%D8%A7%D8%B9%D8%AA-%DA%A9%D8%A7%D8%B1-%D8%B2%D9%86%D8%A7%D9%86-%D8%A8%D8%A7-%D8%B4%D8%B1%D8%A7%DB%8C%D8%B7-%D8%AE%D8%A7%D8%B5-%D8%A8%D9%87-%D8%B2%D9%88%D8%AF%DB%8C-%D8%A7%D8%AC%D8%B1%D8%A7%DB%8C%DB%8C-%D9%85%DB%8C-%D8%B4%D9%88%D8%AF>

negative impact on statistics regarding women’s employment, leaving public and private sector employers hesitant to hire women who are entitled to more leave.

Maternity leave was increased from 6 to 9 months, following years of debate and challenges. It was finally approved by the parliament on 13th June 2013 and announced to the executive bodies the same year.¹²⁵

This plan has not yet been implemented due to the lack of a budget.¹²⁶ According to Mohammad Hassan Zeda, the Technical Assistant for Social Security and Assistance, “the government is not able to implement the plan to offer 9 month long maternity leave because it does not have even a single Rial in its budget.”¹²⁷ Furthermore, Shahindokht Molaverdi, the Vice President for Women’s Affairs states that for every three women employed in the private sector who during 2014 went on maternity leave, one was not able to return to work, so in other words, was fired.¹²⁸

While this law is presented as an ‘advantage’ for women, where women in public service, who according to the previous law benefit from 6 months maternity leave have no job security, based on recent statistics announced by Mohammad Hassan Zeda in an 18 month period starting in 2013, more than 47,000 women on 6 month long maternity leave were fired. The Technical Assistant for Social Security predicts that by implementing the increase in maternity leave to 9 months, the number of women who face expulsion due to maternity leave will be “greatly” increased, because “in light of current market dynamics, many highly educated citizens are willing to work for low wages”.¹²⁹ The dangers of expelling women and even worse, considering them for unemployment, are not limited to those women who might take “advantage” of increased maternity leave, because along with laws such as ‘Reduced working hours for female employees with special circumstances’ all those among the 13% recognised as the female workforce face greater limitations and threats.

According to the bill entitled ‘Reduced working hours for female employees with special circumstances’ which following responses to the points raised by the Guardian Council was approved in June and will soon be announced by the government, women with children below the age of 6,

¹²⁵ Although along with other approved bills announced between May 2014 until revised decision remained unimplemented, however during the September of the same year Ishagh Jahangiri, the First Deputy to the President announced that the government will once again announce this law to the executive powers as women’s maternity leave has officially been increased to 9 months.

¹²⁶ Persian source from Mehr News

Agency, <http://www.mehrnews.com/news/3689888/%D8%AA%D8%A7%D9%85%DB%8C%D9%86-%D8%A7%D8%AC%D8%AA%D9%85%D8%A7%D8%B9%DB%8C-%D8%AF%D8%B1-%D8%A7%D8%AC%D8%B1%D8%A7%DB%8C-%D9%85%D8%B1%D8%AE%D8%B5%DB%8C-%DB%B9-%D9%85%D8%A7%D9%87%D9%87-%D8%B2%D8%A7%DB%8C%D9%85%D8%A7%D9%86-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B4%DA%A9%D9%86%DB%8C-%D9%85%DB%8C-%DA%A9%D9%86%D8%AF>

¹²⁷ Persian source from the Iran Students News

Agency, <http://www.isna.ir/news/94050904492/%D8%A7%D8%AE%D8%B1%D8%A7%D8%AC-47-%D9%87%D8%B2%D8%A7%D8%B1-%D8%B2%D9%86-%D9%BE%D8%B3-%D8%A7%D8%B2-%D9%85%D8%B1%D8%AE%D8%B5%DB%8C-%D8%B2%D8%A7%DB%8C%D9%85%D8%A7%D9%86>

¹²⁸ Persian source from the Deutsche Welle Persian Language Service, <http://www.dw.com/fa-ir/%D9%85%D8%B1%D8%AE%D8%B5%DB%8C-%D8%B2%D8%A7%DB%8C%D9%85%D8%A7%D9%86-%D9%88-%D8%A7%D8%AE%D8%B1%D8%A7%D8%AC-%D9%87%D8%B2%D8%A7%D8%B1%D8%A7%D9%86-%D8%B2%D9%86%DB%8C-%DA%A9%D9%87-%D8%A7%D8%B2-%D8%A2%D9%86-%D8%A7%D8%B3%D8%AA%D9%81%D8%A7%D8%AF%D9%87-%DA%A9%D8%B1%D8%AF%D9%86%D8%AF/a-18621113>

¹²⁹ Persian source from the Iran Students News

Agency, <http://www.isna.ir/news/94050904492/%D8%A7%D8%AE%D8%B1%D8%A7%D8%AC-47-%D9%87%D8%B2%D8%A7%D8%B1-%D8%B2%D9%86-%D9%BE%D8%B3-%D8%A7%D8%B2-%D9%85%D8%B1%D8%AE%D8%B5%DB%8C-%D8%B2%D8%A7%DB%8C%D9%85%D8%A7%D9%86>

female heads of households, and women with disabled husbands or children will work 36 hours instead of 44 hours per week but will receive the same benefits.¹³⁰

This bill that at first was introduced by parliamentarians and included the entire scope of women in employment, following the government's rejection due to the lack of budget and its financial burden, was re-presented as part of another bill with a smaller scope. However, the threats it imposes remain in place.

Supporters of this bill state that only a small proportion of the 13% of women in employment are affected by this bill, and that it poses no threat to women in employment in general. However from the standpoint of employers, any woman might sooner or later expect a child and for each child below the age of six to be entitled to one day off work with pay or to become the head of her household following divorce or the death of her spouse, or the disablement of her children or spouse, which would entitle her to undertake less work but with full pay, would be very costly.

In reality such laws that seemingly support women not only result in employers expelling female employees but in fact decrease the chances of employment for all women who have the potential to face special circumstances.

Although clause 6 of the bill states that executive bodies and employers in the private sector affected by this bill cannot justify the expulsion or transfer of women due to the decrease in the number of working hours, however, for temporary and short term contracts without extension, if justified with other excuses, present easy ways of ignoring this, something that is now prevalent among employers.

Granting special privileges to the private sector in return for employing women on fewer working hours, in light of unfulfilled promises, cannot encourage or guarantee the female sector of the market that is legally entitled to work less hours with full pay.

Official statistics and statements by government authorities including those by Seyyed Abolhassan Firouzabadi, the Deputy Minister for Cooperatives, Labour and Social Services, shows that the 'considerations for social circumstances affecting women initiative' has resulted in a decline in their employment rates.¹³¹

For instance, in April 2015 Alireza Mahboub, a member of the Social Committee of the Parliament, while the bill remained under consideration, stated that the declining rate of female employment was a result of "measures aimed at decreasing the number of working hours for women" and that presenting such plans would "cause a decline in demand by employers for female employees in different fields resulting in doubling the rate of unemployment among women."¹³²

Reports by the Research Centre of the Iranian Parliament confirm concerns regarding the impact of these bills. In this report, pointing to the fact that such bills will worsen conditions for all employed women, it highlights that it will not offer any positive benefits to women with social circumstances either and emphasises: "Protective measure in this bill does not only offer any solution to the

¹³⁰ Iran has a 6 day working week.

¹³¹ Persian source from Iranian Labour News Agency <http://www.ilna.ir/%D8%A8%D8%AE%D8%B4-%D8%A7%D8%AC%D8%AA%D9%85%D8%A7%D8%B9%DB%8C-5/359124-%D8%A7%D8%B4%D8%AA%D8%BA%D8%A7%D9%84-%D8%B2%D9%86%D8%A7%D9%86-%D8%AF%D8%B1-%DA%A9%D8%B4%D9%88%D8%B1-%DA%A9%D8%A7%D9%87%D8%B4-%DB%8C%D8%A7%D9%81%D8%AA%D9%87-%D8%A7%D8%B3%D8%AA>

¹³² Persian source from Resalat Newspaper, <http://resalat-news.com/Fa/?code=202966>

problems faced by this segment of the female population in employment, but also due to its lack of resorting to any special techniques, results in greater harm to them... and gradually decreases the willingness of employers and executive bodies to employ them.”¹³³

In addition to the ‘decline in demand by employers’ for female employees, the situation of employment in the public sector is also disappointing. During the 2015 employment examinations, out of 2,800 positions, 2,284 positions were allocated to men and only 16 positions were allocated to women. This year out of 3,000 positions, 961 positions were exclusively allocated to men and only 16 positions were exclusively allocated to women.¹³⁴

All management and executive positions are exclusively allocated to men and 16 positions in mid-management were allocated to women.¹³⁵ In addition to extreme gender-based discrimination in the positions exclusively allocated to men, throughout the rest of the hiring process men have better chances of employment and so the new laws on reducing women’s working hours can decrease women’s chances even further.

In effect, in addition to other objections to these illusive ‘advantages’ that appear positive and supportive measures for female employees, without addressing other barriers faced by women seeking employment, in the long term women’s presence in the labour force will be more limited and will make reaching management positions even more difficult. The main and more urgent problem may be that presenting and approving such laws that portray the seeming advantages not yet in effect, already impose problems in securing employment or extending employment contracts.

Official statistics confirm that during recent years women in employment or those seeking employment are living embodiments of an old Persian expression “Soup in the bowl but burnt mouth” where, with no benefit from such illusive advantages, women are accelerating down the hill of lost employment opportunities.

¹³³ Persian source from the Islamic Parliament Resource Centre, http://rc.majlis.ir/fa/legal_draft/show/847718

¹³⁴ The qualifying examination for 2016 following orders of President Rouhani have been postponed due to gender-based discrimination in job allocations, however, it is not clear to what extent review of the positions will result in higher number of positions for women at the managerial level. Please see BBC Persian article from August 2016, http://www.bbc.com/persian/iran/2016/07/160731_me_rouhani_gender_imbalance_employmen

¹³⁵ Persian source from Khabar Online, <http://www.khabaronline.ir/detail/560714/society/2077>

Women's Rights

A Human Rights Lawyer in Iran

One of the most significant human rights challenges in Iran is with regards to women's human rights. In effect, women's rights in Iran are influenced by both tradition and religion. These factors imply that improving laws regarding women's rights are either impossible or difficult and gradual. For instance, many laws regarding divorce¹³⁶, dowry,¹³⁷ alimony,¹³⁸ inheritance¹³⁹ and testimony¹⁴⁰ among others are drawn from Islamic sources¹⁴¹ (The Koran, tradition or Sunna, consensus and logic). Given this, any change in these laws would be met with resistance among religious elements, in particular as the Iranian government is a religious system, which further complicates matters. Any criticism or resistance under current laws will be met with a serious response on the part of the state and may result in trumped up charge of apostasy.

Another issue that merits attention is that most Sharia laws are custom-based, meaning that they were in effect prior to the inception of Islam and have been adopted as Islamic laws either in their exact form or with minimal amendments.¹⁴² In reality, the customary nature of these laws indicates that they stem from the local community and show the pattern of development over time and place. In other words, culture, religion, civilization, economy, politics and other issues are perpetually impacted by time and space occupied by men, and the laws set in motion were instituted to address their needs. If this logic is to be accepted, the issue of the divine nature of these laws is also open to questioning and therefore changes and improvements in relation to time and space could be considered.

In order to improve women's rights and change discriminatory laws or laws that result in violence against women, two elements in society and state play integral roles. Human society naturally stands against changes to traditions and when a tradition assumes a religious context, this stance becomes more challenging. However, the factor of time must not be ignored as the advance in mentality among the younger generation is easily felt. It may be that the two forces of society and state can impact each other, but what merits attention is that according to international laws, the promotion of human rights is a duty on the part of governments.¹⁴³ In effect, governments as representatives of public powers, including the three branches of power, namely those of executive, legislative and judicial, can and must play a befitting role in the promotion and protection of human rights. Certainly this is achievable in a democratic state that is committed to the principles of good governance.¹⁴⁴ When a democratic state is in place, those elected to public office as executors, legislators or judiciary can create a system in which human rights and in particular women's rights advance. In this manner society is influenced by the state. In Iran we witness the opposite.

Unfortunately, in Iran the religious state which is in place of a democratic system, either prevents or delays such processes. Certainly the passage of time and changes taking place in neighbouring countries influence Iranian society result in many changes. However, if the Iranian government was not a theocracy, such changes would have happened in a more conducive and speedy manner. In

¹³⁶ Verses 1 and 2 of the Surah on Divorce and verse 231 of the Surah of Cow from the Quran.

¹³⁷ Verse 4 of Surah of Women, the Quran

¹³⁸ Verse 34 of Surah of Women and verse 7 of Surih of Divorce, the Quran

¹³⁹ Verse 11 of Surah of Women, the Quran

¹⁴⁰ Verse 106 of Surah of Food, the Quran

¹⁴¹ Abolhassan Mehdi, *Foundations of Inference in Islamic Laws*, Tehran, Tehran University Press, 1381, 15th edition, p. 145

¹⁴² Mostafa Mohaghegh Damad, *Legal Rules 1*, Tehran, Centre for Islamic Science Publications, 1383, 35th edition, p.6

¹⁴³ The United Nations Charter, Universal Declaration of Human Rights, International Convention on Economic, Social and Cultural Rights, International Convention on Civil and Political Rights

¹⁴⁴ Principles of good governance include: Participation, rule of law, transparency, responsiveness, consensus formation, justice, effectiveness, efficiency and accountability, World Bank report, 1989

current circumstances changes and reforms must be carried out in a cautious, conservative manner, so that it can carry the approval of the religious faction and leadership, and at the very least maintain a religious facade. For instance, with regards to the issue of equal blood money payments for women and men, the revised Islamic Penal Code¹⁴⁵ has set the amount for women as that of half of the blood money for men (appearing respectful towards religious law) however, the difference is covered by payments from the Fund for Compensation of Bodily Harm. Therefore, in this case, the legislator appears to have respected religious laws, but through another means discrimination against women in blood money laws are eliminated.

It seems necessity, which is the most effective cause of change in laws, evolves in relation to space and time resulting in improvements in laws. Despite resistance on the part of some states, change is inevitable. Resistant states impede and challenge this process, whereas democratic states expedite and facilitate change.

¹⁴⁵ Article 550 of the Islamic Penal Code states that “The Diya for murdering a women is half that of a man”. A note to article 545 of the Code states: “In all cases of homicide where the victim is not a man, the difference between the diya and the diya of a man shall be paid from the Fund for Compensation of Bodily Harms. It is important to note that Article 300 of the Penal Code approved in 2001 placed the diya for the intentional or unintentional murder of a Muslim woman as half of that for a man. This was repealed with the adoption of the new Code.

Resources

The Resources section provides access to further information on the themes addressed in editions of the Iran Human Rights Review. The links below are to resources provided by third parties. The Foreign Policy Centre and the editors of the Iran Human Rights Review do not have any responsibility for their content and the information provided does not necessarily represent the views of the Foreign Policy Centre.

The International Labour Organization(ILO)'s 2015 report 'Women in business and management: Gaining momentum in Asia and the Pacific' brings together data on gender diversity in the workplace, including in Iran, and also provides an overview of the status of women in business and management: http://www.ilo.org/asia/whatwedo/publications/WCMS_379571/lang--en/index.htm

An ILO issue briefing entitled Engaging men in women's economic empowerment and entrepreneurship development interventions: http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---ifp_seed/documents/briefingnote/wcms_430936.pdf

Directory of UN resources on gender and women's issues:
http://www.un.org/womenwatch/directory/north_africa_and_the_middle_east_10476.htm

A report by the OECD on Women in Public Life in the MENA region:
<http://www.oecd.org/mena/governance/women-in-public-life-mena-brochure.pdf>

Resources for women entrepreneurs in MENA: <http://www.quantumleapsinc.org/resources/middle-east-and-north-africa-websites.html>

The Asia Foundation Women's Empowerment resources, news and calls for proposals:
<http://asiafoundation.org/what-we-do/empower-women/>

A unique platform for news and views all about, by and for women in the Middle East:
<http://www.yourmiddleeast.com>

News and resources for civil society focused on women: <http://www.arsehsevom.net/fa/>

Discourse, ways and means of learning about and advancing Sustainable Development Goal 5 that aims to 'Achieve gender equality and empower all women and girls':
<http://sustainabledevelopment.un.org/sdg5>

Women's Work Counts: Feminist Arguments for Human Rights at Work:

http://www.pwescr.org/Women_Work_Counts_Feminist_Arguments_for_Human_Rights_at_Work-Radhik.pdf

A training manual on 'Empowering Young Women to Lead Change':

http://www.unfpa.org/sites/default/files/resource-pdf/empowering-young-women_eng.pdf

A publication of the Women Human Rights Defenders International Coalition, this manual frames and encourages documentation as a politically-motivated telling of women human rights defenders' stories: <http://www.defendingwomen-defendingrights.org/wp-content/uploads/2016/09/GENDERING-DOCUMENTATION-FINAL-3-min.pdf>

The BTI 2016 Transformation Index Iran Country Report looks at political and economic changes in Iran between 2013 and 2015: http://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Iran.pdf

The Women's Movement, The Iran Primer: <http://iranprimer.usip.org/resource/womens-movement>

The Iran Primer's section on the Women's Movement:

<http://iranprimer.usip.org/blog/2016/may/25/iran-numbers-women>

World Economic Forum-Gender Gap Index: <http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=IRN>

Small Media Foundation- Hard Labor Chapter on Women:

<http://smallmedia.org.uk/media/projects/files/HardLabour.pdf>

Iran Human Rights Documentation Center: <http://www.iranhrdc.org/english/publications/legal-commentary/1000000261-gender-inequality-and-discrimination-the-case-of-iranian-women.html>

OECD Development Centre's Social Institutions and Gender Index:

<http://www.genderindex.org/country/iran-islamic-rep>

An article on some barriers to women's political participation in Iran:

<http://www.ensani.ir/fa/content/24914/default.aspx>

Content from Iran Human Rights entitled Inside the Women's Ward: Mistreatment of Women Political Prisoners at Iran's Evin Prison: http://www.iranhumanrights.org/wp-content/uploads/ICHRI_report_WomensPrison_0616_WEB_Revised.pdf

Content from Justice 4 Iran entitled 'Girls Marriage in Iran': http://justice4iran.org/wp-content/uploads/2013/10/JFI-Girl-Marriage-in-Iran-EN.Final_.pdf

An article by Louise Halper on Law and Women's Agency in Post Revolutionary Iran: <http://www.law.harvard.edu/students/orgs/jlg/vol28/halper.pdf>

The impact of Iran's new population policies on women's right to work according to Iran Human Rights: <http://www.iranhumanrights.org/2016/06/bill-to-reduction-of-working-hours-of-women/>

Islamic Feminisms: Rights and Interpretations Across Generations in Iran, Roja Fazaeli, Routledge, November 2016

Women Write Iran: Nostalgia and Human Rights from the Diaspora, Nima Naghibi, University of Minneapolis Press, May 2016

Women's Entrepreneurship in Iran: Role Models of Growth-Oriented Iranian Women Entrepreneurs, Leyla Sarafraz, Springer, January 2016