

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.¹

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.² 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.³

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 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.⁴ As reflected by Iran's 85 percent literacy rate, among the highest of Muslim countries, young Iranians are much better educated than previous generations.⁵ However, fewer than one in three can remember the revolution, and the young suffer

¹ Paidar, Parvin. *Women in the Political Process of Twentieth Century Iran*, Cambridge: Cambridge University Press, 1995.

² Ibid.

³ 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.

⁴ Statistical Center of Iran.

⁵ Iranian National Census of Population and Housing, 2006.

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 a 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.⁶ 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.⁷ The 1987 Labour Law was also amended giving greater rights to women with regard to maternity leave, childcare and health and safety.⁸ Two years later, the divorce law was amended.

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 2000.⁹ 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.¹⁰ 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.¹¹ 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

⁶ Keyhan Newspaper, April 7, 1980.

⁷ Ettelaat Newspaper, January 23, 1985.

⁸ Ettelaat Newspaper, October 24, 1987.

⁹ Efsanidiari, Haleh. "The Women's Movement" *The Iran Primer: Power, Politics and US Policy*, ed. Robin Wright, USIP, 2011.

¹⁰ "Shutting Down Zanan," *New York Times*, February 7, 2008.

¹¹ 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.

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.¹² 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.¹³ 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 post of health minister.¹⁴ 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.¹⁵ 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

¹² "Iran Women activists see victory on polygamy bill," Reuters, September 2, 2008.

¹³ Fathi, Nazila. "Starting at Home, Iran's Women Fight for Rights," New York Times, February 12, 2009.

¹⁴ Tisdall, Simon. "Iran appoints first female minister in 30 years," The Guardian, September 3, 2009.

¹⁵ Four male Iranian dual nationals have also been arrested including Siamak Namazi, Baquer Namazi, Robin Shahini and Kamal Foroughi.

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 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.

Recommendations

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

