

## Official Laws against Women in Iran

Limitations on the lives of women are legalized in laws prohibiting women from the presidency, leadership, judgeship and certain educational fields, as well as by inheritance laws. Firmly rooted in the principle of *vali-e-faqih*, Iran's constitution controls both the public and private lives and role of women. The concept of male surrogate and guardianship of females is one of the main pillars of Islamic Fundamentalism in Iran. Iranian women are not free to choose or control various aspects of their lives. Evidence of such state-sponsored violence against women is seen in Iran's constitution.

**Article 18 of passport law**, married women requires their husband's permission to apply for a passport.

**Article 21 of Iran's Constitution** indicates: "The government must ensure the rights of women in all respects, in conformity with Islamic criteria..." This leaves it up to the clergymen to interpret the laws pertaining to women.

**Article 83 of the Penal Code**, called the Law of Hodoud, stipulates that the penalty for fornication is flogging, i.e. 100 strokes of the lash, for unmarried male and female offenders.<sup>19</sup>

**Article 102 of Iran's Constitution** indicates: "Women who appear on streets and in public without the prescribed 'Islamic Hejab' will be condemned to 74 strokes of the lash."<sup>26</sup>

**Article 115 of Iran's Constitution** states the condition for the presidential candidates the law states that: "The President must come from among the religious and political statesmen (*rejal*)." The word *rejal* literally means men of high achievement.

**Article 162 of Iran's Constitution** states the condition for the attorney general. "The head of justice department and attorney general must be 'mojtahed' [a religious man who is able to issue decree], honest, and knowledgeable in legal subject matters."

**Article 167 of Iran's Constitution** explains: "The Judge is bound to attempt to rule on each case, on the basis of the codified law. In case of the absence of any such law, he has to deliver his judgment on the basis of official Islamic sources and authentic *fatwa*."

**Article 209 of Iran's Constitution** states that woman's life is valued only half as much as a man's life. A convicted man who has intentionally slain a woman is subject to execution only after the payment of "*Deyeh*" by the family of the victim. "*Deyeh*" is defined as a sum of money that the victim's family has to pay to the assailant's family for the physical damages, dismemberment, or death of the assailant.

**Article 300 of the Penal code** states that the "*Deyeh*" of a Muslim woman is half of the "*Deyeh*" of a Muslim man. By law the life of a woman has half the value of a man in Islamic criminal law in Iran.

In 1998, Iran's Parliament overwhelmingly rejected the bill on same inheritance rights for man and women. They said the proposal was contrary to Islamic law, which stipulates that a woman's share may only be one half that of a man's.

Iran's Parliament adopted a law, in April of 1998, to fully segregate the health care system for women and girls. This law has seriously compromised women's health because there are not enough trained female physicians and health care professionals to meet the needs of all the women and girls in Iran. The same law also points to another new law of prohibiting the discussion of women's issues or rights outside the interpretation of Shari'a (Islamic law). Women's rights can only be discussed by religious male figures in Iran.

Family courts do not provide women any protection from abusive husbands. The plight of the Iranian women is depicted in the story of a woman saying:

*"I was married at the age of 12, and I had my first child when I was 13. My husband was unemployed and we fought all the time. We never applied for a divorce because I was afraid of losing my child. Finally one night, he poured a bucket of acid over my body and I was completely burned. When I rushed to the sink to flush my face and body. I realized*

*that he had shut off the main water supply. I was taken to the hospital. My operation was held up pending advance money for the surgery, and permission from my husband to operate on my face. My mother sold all of her valuables and provided the money. My husband said he would only permit my operation if I consented to not seeing my children for the rest of my life. Finally, with hospital's pressure on the family court they allowed me to receive the operation on my face and body. "*

**Article 105 of the Civil Code** "In the relationship between a man and a woman, the man is responsible as head of the family." The Council of Guardians, has decreed, "A woman cannot leave her home without her husband's permission, even to attend her father's funeral".

**Article 1117 of the Civil Code** states that the husband may ban his wife from any technical profession that conflicts with family life or her character.

**Article 1133 of the Civil Code** states: A man can divorce his wife whenever he so chooses and does not have to give her advance notice.

**Article 102 of the Penal code**, states that married offenders (adulterers) are liable to stoning regardless of their gender, but the method laid down for a man stipulates he be buried up to his waist, and a woman up to her neck.

**Article 114 of Iran's Civil codes** states: When rajm [stoning] is being administered on a man he must be placed in a pit almost down to his waist, and when administered on a woman she must be placed in a pit almost down to her chest. Such barbaric behavior by the regime includes dictating the style, size and the administration of stoning while differentiating between male vs. female victims. Female victim up to her neck to avoid physical escape, however, even if condemned female victim is able to flee the scene, authorities are obliged to arrest her and execute her by firing squad. As for the male victims, they are buried up to their waist and if able to escape the scene no further punishment awaits them.

## **FACTS and FIGURES**

- Tens of thousands of women have been executed in Iran since 1979, when the mullahs took power. They were executed on political grounds, for their opposition to the policies of the ruling government. Among those executed were tens of pregnant women.
- The worst kinds of torture are inflicted on woman prisoners who oppose the regime. These include repeated sexual assaults, amputation of body parts and...
- Women played a very active role in the 40,000 teachers' demonstrations outside the Majlis on January 12, 2002. In these series of demonstrations, a number of women were arrested and imprisoned on charges of just participating in a demonstration.
- At least 22 women have been sentenced to stoning or stoned to death during Khatami's tenure

Girls between ages 10 to 17 are the prime victims of sexual slavery in Iran. **In Tehran alone, 4000 street girls roam the city on daily basis and are subjected to sexual and physical violence.** Reports indicate that 90% of the runaway girls end up in prostitution or sold in Persian Gulf human trafficking market. Women and girls bare the brunt of Iran's poor economic conditions. **700,000 children, aged 10 to 14, work in black labor market in Iran. The latest statistics released by Iran's Organization of Management and Planning shows that 51% of the country's population live below the poverty line.** Iran's deputy Health Minister, Ali Akbar Sayari, admits that 20% of Iranian people go hungry daily. 67% of the students deprived of education are girls between 11 and 16 years old. **Only 11% of Iranian women are employed.** The rate of mental and psychological problems among women is almost 26%. In the western and southern regions of the country, suicides are mostly self-immolations among women, which rates more than 6 in every 100,000 women. In a western province of Iran, deputy of governor on women's affairs, Heyran Pournajaf, reports "About 70% of those who commit suicide in Ilam are women." The director general of social affairs of the governor reports that "90% of these women were between 17 and 35 years old. The real number of suicides is much higher than what we have." **The World Health Organization has placed Iran on the top 3<sup>rd</sup> ranking country on death by suicide.**