FOR WOMEN OF THE ARAB SPRING, IRANIAN WOMEN PROVIDE A WARNING AND A MODEL

In the mass movements that swept the Arab world, there were no specific demands for improving women's status or gender equality under the law. However, the women who came out into the streets were hoping for and expecting an expansion, not a contraction, of their rights. They should learn and take heed from the experience of women in Iran after the 1979 Islamic Revolution, which showed that the most progressive laws can be set aside and ignored by lawmakers who do not believe that women's rights are human rights.

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TURKISH POLICY
QUARTERLY

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This year marks the third anniversary of the Arab Spring, a revolution that brought out hundreds of thousands of women and men into the streets of Arab cities. They demanded dignity, transparency, the rule of law, and a democratic system in which the voice of the people can be heard.

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The revolutions succeeded in Tunisia, Egypt, Yemen, and Libya. Regimes crumbled. Ben Ali of Tunisia and Saleh of Yemen left their countries; Mubarak of Egypt was deposed; and Qaddafi of Libya was murdered. In Bahrain, demonstrations against the ruling Khalifa family continue, despite the intervention by Saudi forces, and the subsequent arrests and imprisonments of hundreds of protesters. In Syria, a civil war has been raging for the last 22 months, thousands have been killed by government forces, and refugees have flooded into neighboring countries.

What does all this tell us? No revolution is smooth, and in no revolution does democracy automatically replace autocracy. Of course, the transitions can sometimes work smoothly. Among the countries of the Arab Spring, the transition in Tunisia has been relatively calm, but this has not been the case in Egypt, Libya, and Yemen.

All these four countries share one feature: the emergence of Islamist parties on top of the political heap, and a marked attempt to Islamize their states, particularly in laws dealing with women's social and legal rights.

In these transitional governments of these four countries, the number of women with a role in the new regimes is significantly smaller than that in the pre-revolution period. It is almost as if the revolutions occurred in order to relegate women to their traditional roles.

As these revolutions unfolded in the Arab world, Iranian women were watching. They were eager to see whether the experience of women after the Iranian revolution of 1979 would be repeated in the countries of the Arab Spring and whether Arab women would experience the same setbacks that Iranian women have over the last three decades. Iranian women also waited to see if Islamists in the Arab Spring countries would look to Iran as a model for legislation and policies towards women.

Although some leaders of the Arab Spring claimed to look to Turkey as a model, they were silent when asked whether they endorsed a separation of mosque and state. Shirin Ebadi, the Iranian Nobel Peace Prize laureate, observed that, "Only when women achieve their rights can we say that the 'Arab Spring' has commenced."[1]

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The Iranian Example

Iranian women took part in the massive year-long demonstrations that culminated in the overthrow of the monarchy in 1979. These women came from all walks of life and all persuasions; among them were secularists, the religious, liberals, conservatives, the poor and the affluent, the illiterate and the educated, workers and intellectuals, believers and cynics. Women also voted in considerably large numbers in the referendum that established the Islamic Republic. The revolution generated a heady sense of excitement and hope – as did the massive movements in 2011 in the Arab Spring countries.

Iranian women did not realize then that, having replaced the old regime, the Islamic government's first undertakings would include revisiting women's rights. 33 years after the revolution, Iranian women still have not regained their pre-revolutionary rights. For 33 years, they have been fighting an uphill battle for their rights.

Women were among the few who stood up against the new regime in its early months, initially when it attempted (and eventually succeeded by force) in imposing compulsory Islamic dress on all women. These women set an example for a later generation of protesters. In 2009, millions of young men and women demonstrated on the streets of Tehran after the elections that gave a second term to the incumbent president, Mahmoud Ahmadinejad. The regime succeeded in crushing these protests with the instruments of arrests, torture, executions, and long prison sentences. But it has not succeeded in crushing the aspirations of the younger generation of Iranians who, like their counterparts in the Arab Spring countries, desire democracy, the rule of law, and a government representing the will of the people.

In order to understand the uphill road Iranian women have traveled over the last three decades, the gains women had made in Iran before the 1979 revolution need to be considered.

1 "Reflections on Women in the Arab Spring," *Woodrow Wilson International Center for Scholars,* March 2012, http://www.wilsoncenter.org/sites/default/files/International%20Women%27s%20Day%202012_4.pdf

Pre-Revolutionary Iran

Iranian women had made considerable gains in the decades prior to the revolution. They served as cabinet ministers, deputy ministers, and directors-general in government ministries. They held ambassadorial posts. They sat in the Parliament and on local councils. There were female mayors. Women had equal access to education and employment. Like their male counterparts, women did part of their military service in the Literacy Corps and the Health Corps – programs that sent young men and women of conscription age to provide literacy and health services in rural areas. Women were free to dress as they wished. On the streets of Iranian cities, in government offices, on university campuses, veiled and unveiled women walked side by side.

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One of the most important achievements of pre-revolutionary Iran was the Family Protection Law of 1967, later amended in 1975. The law established Family Protection Courts to adjudicate marital and family disputes. For the first time, women could apply for divorce. Female judges served on and presided over these courts. Polygamy was sharply restricted; a wife could seek a divorce if her husband wished to have a second wife. Child custody was no longer given automatically to the father or the male members of his family. Instead, the court decided which parent gained custody of the child. The age of marriage was raised from 13 to 15 and later to 18 for girls. A husband no longer had the right to prevent his wife from working; moreover, husbands and wives had equal rights in preventing their spouses from undertaking a work that is harmful to the well-being of the family.

The Women's Organization of Iran (WOI), which played a critical role in drafting and lobbying for the Family Protection Law, launched a promotional campaign after the law's enactment. The Organization offered free legal services and classes at its branches across the country and used radio and television to educate women of their newly gained rights.

The Early Years

After the victory of the revolution, women discovered that the revolution they thought they loved did not love them back, or value the advances women had made.

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Equality between men and women was not on the agenda of the Islamic Republic. One of the first acts of the new government was to suspend the Family Protection Law. Overnight, women lost the right to seek a divorce, oppose polygamy, or secure custody of their children in case of separation or divorce. A husband once again could unilaterally divorce his wife, take as many as four wives, and automatically gain the custody of his children. He could stop his wife from pursuing her education or becoming employed. The age of marriage was lowered to nine for girls. Family Protection Courts were abolished and women were barred from becoming judges. Women were also prohibited from studying a number of fields at universities, including agriculture, the veterinary sciences, and certain fields of engineering. Male teachers could no longer teach classes of girls. The attempt to segregate university classes failed; however, women and men did not sit together in class (generally the men sat on one side of the room and the women on the other and could not talk to one another). Islamic Committees in universities kept a watchful eye on students' behavior and mixing between the sexes. The *hijab*, or Islamic dress, became the law of the land; women who violated the dress code received a punishment of 74 lashes. Women were expected to dress in dark colors and light colors were frowned upon.

Women's attire was not the only issue on the streets of Iranian cities. Women could only be seen in the company of their husband or a close male relative such as a father or brother. Women started to carry their identity cards everywhere with them in order to prove they were in the company of a male next of kin. In public gatherings, men and women were segregated. Women were no longer safe from surveillance, even in the privacy of their homes. Members of revolutionary committees broke into homes and private gatherings to arrest and fine women for not observing the *hijab*, and family or guests for not observing male-female segregation. Women holding managerial positions and senior civil service posts were gradually dismissed or given early retirement. Since many men of the old regime had lost their jobs, a great number of professional middle-class women had to take any available jobs, work, and become the sole bread winners in their families. They had to find new careers to reinvent themselves.[2]

Not a single woman was appointed to the powerful Revolutionary Committee that was formed to exercise power and oversee the transition from the monarchy to the

2 Haleh Esfandiari, *Reconstructed Lives: Women and Iran's Islamic Revolution* (Washington D.C: Woodrow Wilson Center Press, 1997),
http://www.wilsoncenter.org/book/reconstructed-lives-women-and-irans-islamic-revolution

Islamic Republic. Not a single woman was invited to join the first post-revolution government. Only one woman sat in the constituent assembly that wrote the new constitution, and her view was that reversion to true Islam would address all the disadvantages that women were suffering from. When the assembly completed drafting the constitution, only four of the 175 articles had anything to say about women's rights, and then only in the context of the family in keeping with the tenets of Islamic law.[3]

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The women did not accept the new role the state had quietly envisaged for them. They fought back socially, legally, and politically. Women came out in great numbers to protest the suspension of the Family Protection Law, their exclusion from a number of fields of study in higher education, unequal access to education in general, and harassment by the morals police on the streets. The first decade of the Islamic Republic coincided with the eight-year Iran-Iraq War. Since many men went to the front, women served as head of the family, and the government was forced to modify some of the laws it had only passed a few years earlier. War widows, it turned out, could retain the custody of their children. Universities opened previously barred fields to women. Women were allowed into more areas of employment. They also successfully fought to raise the age of marriage to 13 for girls. Female judges started working as advisors to the presiding male judge.

Women also made incremental gains in the political sphere. A handful of women were appointed as deputy ministers and director-generals in ministries. The number of female parliamentarians, although still in single digits, rose beyond the four women elected to the first parliament. In the parliamentary elections of 1996, 200 women ran for seats, and a woman, Faezeh Hashemi, the daughter of president Ali Akbar Hashemi-Rafsanjani, was elected with the second highest vote in Tehran, the most important constituency in the country. Female parliamentarians grew bolder in addressing women's issues and the disadvantages they suffered. Women held discussions with judiciary officials. They discussed women's issues in the workplace and more broadly in the public sphere. More visible and demanding, women nevertheless faced opposition at every step from the conservatives in the government,

3 Haleh Esfandiari, "The Majles and Women's Issues in the Islamic Republic of Iran," in Mahnaz Afkhami and Erika Friedl (eds.), *In the Eye of the Storm: Women in Post-Revolutionary Iran* (London: I.B. Taurus, 1994), pp. 61-79.

in the Parliament, among the clerics and in broader society. The clerical community saw itself as the guardian of the revolutionary ideology and Islam. A clash between a generation of women focused on securing more equal rights and the clergy was inevitable.

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Women campaigned and voted in large numbers for Mohammad Khatami, who served as president for two terms between 1997-2004. Khatami appreciated the role of women and youth in making his presidency possible. He reined in the Revolutionary Guards and the morals police, preventing them from harassing people, particularly women, on the streets. He eased up on censorship of the press and book publishing. He appointed a woman, Massoumeh Ebtekar, as vice-president for environmental affairs – a first for the Islamic Republic. He named another prominent woman, Zahra Shoja'i, as his advisor for women's affairs. Both sat in on cabinet meetings. Conservative obstruction, however, prevented Khatami from naming a woman as minister in his cabinet. A reformist majority in parliament passed a number of bills favoring women's rights; but the clerically-dominated Council of Guardians, which has veto power over legislation, blocked these bills from becoming law on Islamic grounds. For example, parliament approved Iran's adhesion to Convention on the Elimination of Discrimination against Women (CEDAW), but the Council of Guardians vetoed the measure.

Khatami's presidency nevertheless left its mark on the Islamic Republic. During his tenure, women gained a much larger role in government and in the workplace, as well as a greater presence in the public space. Nevertheless, the backlash came under the presidency of Mahmoud Ahmadinejad, who became president in 2005 and was elected for a second four-year term in 2009.

As president, Ahmadinejad was neither a supporter of women's rights nor did he care much about women's issues. On the contrary, he adopted a number of measures that adversely affected women. He did not dare to impose the long, black veil on women, knowing he could not enforce it. However, in an attempt to end the proliferation of dress styles adopted by women under Khatami even while adhering to the requisite *manteau*, a long coat women were expected to wear, Ahmadinejad toyed with the idea of imposing uniform dress on all women.

Parliament under Ahmadinejad revisited the Family Protection Law and once again legalized polygamy. Women activists tried unsuccessfully to open a dialogue with the government on these issues. In 2006, a group of women and men founded the "One Million Signatures for the Repeal of Discriminatory Laws Campaign." Their purpose was to collect one million signatures for a petition to parliament calling for a revision of discriminatory laws against women. The government responded by systematically arresting campaign activists, putting them on trial, and sentencing them to long prison terms on charges of acting against state security and the like. More women's rights activists are serving terms in jail under Ahmadinejad than at any time in the history of the Islamic Republic.

In 2009, after Ahmadinejad was elected to a second term, over a million women and men, young and old, came out into the streets and protested the manipulation of the election and the defeat of the reformist candidate, Mir-Hossein Moussavi. The security forces crushed the protests, arrested the reformist leaders and a large number of protesters. Many were tortured in prison and a number died from mistreatment. Others were put on trial and received long prison sentences. Ahmadinejad, silent about reported atrocities, dismissed the protestors as "rubbish". The government, shocked to see its own children –the young who had come of age and been educated under the Islamic Republic– rise up against the system, blamed the protest movement on Western ideas and ideologies, feminism, the teaching of humanities, and Western books. It launched a purge of the university faculty and once again sought ways to limit women's access to education. Officials appeared to believe that if women's educational opportunities were limited, they would marry early, have more children, and remain home-bound, creating fewer headaches for the regime.

Women have been more successful in nationwide university entrance exams than men. In September 2012, in a move that shocked women, 36 universities and colleges barred women from 77 fields of study. These institutions acted with the approval of the President Ahmadinejad and his Minister of Science, Research, and Technology.

While Iran has had one of the most successful family planning programs in the world, the government also announced in August 2012 that it was cutting the program's budget. This signaled a reversal of a successful policy of trying to limit family size in favor of a policy of larger families that would keep women at home. In December 2012, Ahmadinejad sacked the only female member of the cabinet, who he had appointed in 2009 to placate women. Health Minister Marzieh Vahid Dastgerdi had criticized the government for not making available to her ministry

already allocated funds for purchasing medicine. Subsequently, the first and only female minister was gone as suddenly as she was appointed. Although Ahmadinejad retained the two women serving as vice-presidents, following a precedent started by the former president Khatami.

Conclusion

Iranian women have waged a continuous struggle against a regime that has sought to base all its decisions on issues affecting women on a narrow interpretation of the *Shariah*, or Islamic Law. This struggle has kept women's issues at the forefront of every government of the Islamic Republic. Women have had some successes. Nevertheless, governments under the Islamic Republic also clearly face a quandary. 33 years after the revolution, the regime has yet to legislate a family protection law that meets standards set by the pre-revolution Family Protection Law. It cannot make up its mind on whether to endorse CEDAW. It finds it difficult to tolerate educated women. It continues to wish to control women's lives and to limit their rights.

Iran's experience should serve as a warning for women in the countries of the Arab Spring. As the most progressive laws can be set aside and ignored by lawmakers who do not believe that women's rights are human rights, and who are instead committed to the proposition that societies should have one set of laws for men and a different set for women.