

Misogyny institutionalized

in the laws of the mullahs' regime ruling Iran



An exclusive report by the NCRI Women's Committee

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Introduction

The so-called “Islamic” Republic regime has ruled Iran for nearly 40 years with its deviated, backward interpretation of Islam. From the outset, the regime was founded on subjugation, exclusion and humiliation of women.

The echo of Iranian women’s outcries during the anti-monarchic revolution could still be heard when on the eve of the International Women's Day in 1979, Khomeini took the first step to clamp down on women by declaring that wearing hijab (veil) was compulsory for all female government employees. Government-backed club wielders and hoodlums went on rampage in the streets, yelling out the notorious slogan of “either the veil or a hit on the head” to humiliate and terrorize women and the public in general and pave the way for enforcement of the new dress code.

In spring 1979, special civil courts replaced the Family Protection Courts for handling family disputes where a religious judge handled the right to divorce.

In yet another misogynist measure, a law was adopted in spring 1979, according to which women were deprived of becoming a judge and all female judges were dismissed.

In 1982, the legal marriage age for girls was officially lowered from 18 to 9 lunar years. Consistent with this law, it became forbidden for married girls to study at schools unless permitted by their fathers or husbands.

Subsequently, the mullahs inserted numerous amendments and paragraphs against women into the laws. Some laws were explicitly against women, others were ambiguous allowing various interpretations depending on the desires of the judge in charge.

The mullahs wrote, approved and implemented their constitution in 1979. The introduction to the Constitution, reads in part: “Women regain their crucial and invaluable duty of motherhood in raising vanguard, ideological human beings, while they, themselves, are comrades of men in active fields of ‘life’...”

Thus women were defined as mothers whose duty is giving birth to human beings who adhere to the ruling regime’s ideology, not as human beings with specific social, civil and political rights. According to the mullahs’ constitution, women are considered alongside men, not equal to them in social activities, but at the service of “life”! In this way, the Constitution also implies that family, as the founding unit of society must adhere to the ruling clerical regime.

This basic viewpoint on family and women sets the basis for all other legislation in the mullahs’ Constitution.

The Constitution

Principle 2 of the Constitution institutionalizes a medieval religious dictatorship and places the mullahs’ verdict and recognition above the law.

Principle 2 of the Constitution: The Islamic Republic is a regime based on faith in :

1. The one and only God (there is no god but God); sovereignty and canonization is His and everyone needs to submit to His command;
2. Leadership and its fundamental role in the advancement of Islam’s revolution;

3. Man's dignity, lofty value and freedom coupled with responsibility before God, which is updated through continuous interpretation by jurists;

The principle takes advantage of the name of God and the need to submit to Him to portray the clerical regime as Islamic. Also by attributing leadership and interpretation to the supreme jurist and his associated mullahs, the principle allows them to commit any crime against the Iranian people and especially women under the name of Islam.

Principle 10 of the Constitution stipulates, "Since family is the fundamental unit of Islamic society, all laws, regulations and relevant planning must be directed at facilitating formation of family, safeguarding its sanctity and solidifying its relations based on Islamic rights and ethics."

Although it seems natural to emphasize sanctity of family, but safeguarding it on the basis of Islamic ethics is tantamount to the mullahs and their agents' use of force and interference in all details of people's private lives, particularly Iranian women. In the meantime, ethics is a relative term which could be interpreted differently depending on the desire of the mullah or judge in charge.

Principle 21 entitled "women's rights", stresses "observance of Islamic standards" and reiterates: "Custody of children is granted to qualified mothers to protect the children's interests in the absence of a religiously-designated guardian."

Paragraph 5 of this principle legalizes an obvious discrimination against women in the most fundamental law of the country. Simply put, the paragraph states that despite all the endeavors of a mother for her child, a child's custodian is first, the father, then the grandfather. If they did not exist, and if the mother was qualified according to the mullahs' backward criteria, then she could become the custodian of her child.

The Civil Code

According to Article 942 of the Iranian Civil Code, men can have multiple wives, both permanent and temporary. Addressing the issue of inheritance after a man's death, the article says, "In case of multiple wives, one-fourth or one-eighth of the heritage which goes to the wife will be divided equally among them."

Other articles in the Civil Code, depicts women as men's captives or sex slave. Specifically, a nine-year-old girl who is forced into marriage by her father's permission, must live anywhere her "husband" wants and cannot leave home, go to work or travel without his permission.

Article 1041 – Note: Marriage before puberty is appropriate if permitted by the guardian provided that the interests of the girl under custody is considered.

Furthermore, note to Article 1210 sets the age of maturity and legal accountability for girls at nine lunar years, a measure that exposes girls to maximum social and legal vulnerability.

Chapter Six of the Civil Code which essentially embraces Khomeini's interpretations, legalizes temporary marriages. (Khomeini's *Tozih-ol Masa'el*, questions 2413, 2424, 2425, 2493,...)

Article 1105 – The family is headed by the husband and the woman may not leave home without the husband's permission.

Article 1117 - The husband can prevent his wife from engagement in any profession or industry that contradicts family interests or his own or the wife's dignity.

Article 1108 - If a woman refuses to fulfill the duties of a wife without any legitimate excuses, she will not be entitled to alimony.

Article 1114 - The wife must reside in the dwelling that the husband specifies for her.

Moreover, based on articles 861 – 949 of the Civil Code on heritage, the wife and daughter's share of heritage is half that of the husband and son.

Islamic Penal Law

The mullahs vision women as weak and second-class beings who are not entitled to human rights. Such medieval Penal Code is therefore more vicious towards women. Women are considered half-human when they are witnesses, but for punishment, they have to bear more vicious consequences.

The age of maturity for boys is 15 lunar years, whereas it is 9 for girls.

According to Article 382 of the Islamic Penal Code, if a Muslim man deliberately murders a woman, he will not be punished in kind (as called for by the principle of Retribution) unless the victim's parents pay half of the man's blood-money to his parents. While if a woman murders a man, she may be executed upon request of the victim's parents.

Article 550 of the Islamic Penal Code – The blood money for murder of a Muslim woman (whether deliberate or undeliberate) is half of the blood money for a Muslim man.

Based on Article 716 (c) of the Islamic Penal Code, from the fourth month on, the blood money for a female fetus is half of the blood money for a male fetus. Therefore if a pregnant woman is killed, the blood money for her 4month-old male fetus is twice that of hers.

According to Article 717 of the Islamic Penal Code, abortion is considered a crime and if a woman has an abortion, she must pay the blood money for the aborted fetus. It should be noted that fathers and grandfathers are considered owners of blood and they are entitled to the right to kill their children.

Article 301 states: Retribution is carried out if the perpetrator of the murder is not the father or grandfather of the victim.

According to the Iranian Penal Code, testimonies of two women are equal to the testimony of one man and are not considered at all if not accompanied by a male witness.

Supplementary Bills

The articles of the Constitution, the Penal Code and the Civil Code are not the only laws that sanction subjugation of women. The regime's officials admit that they have passed some 350 pages of laws and bills to-date to help enforce the veil on women. At the same time, 35 various agencies in addition to the State Security Force are in charge of controlling women's veils everywhere. (SSF spokesman Saeed Montazer-ol Mahdi and Majlis deputy Kazem Jalali, Sep. 20, 2015)

The bill to support those enjoining good and forbidding vice was ratified in June 2014. This bill allowed for extra-judicial enforcement of the compulsory veil and gave an open hand to hoodlum gangs to commit any crime against women under the pretext of improper veiling.

The regime's objective is clearly stated in the introduction to this bill: "The eighth principle of the Constitution sanctions enjoining good and forbidding vice as a general duty for all citizens and obliges all to be responsible towards the behavior of one another... The present plan merely attempts to lend legal support to those who enjoy good and forbid vice and to fill the legal vacuum (in this regard)."

The bill then stresses on government and legal support for such crimes. In a single article it states: "Whenever an individual attempts to defend Islamic rituals by enjoining good and forbidding vice --provided that he does not use vulgar language-- and sustains physical or lethal damages in the course of doing so, he will be accounted for under relevant laws and regulations the same as guards wounded or martyred in the war."

This bill has inflicted enormous physical and psychological damage on Iranian women for example by acid attacks.

The mullahs' parliament adopted another bill on January 3, 2015, entitled "Protection of Honor and Hijab (veil)". In addition to the points stressed in previous laws and bills, the new bill accounts for improper veiling as a driving violation and besides insults, humiliation and physical punishments like flogging, sets fines for those who do not observe the veil behind the wheels.

"According to article 1 of the Honor and Hijab Plan, the traffic police can deal with those drivers who take off their veils in their cars and write a 100,000RIs ticket for them. Of course in the case of these drivers, should these violations reoccur, the offenders would earn 10 negative points, their violation registered according to Article 7 of the law and their vehicle confiscated for 72 hours."

According to Article 2 of the plan, female government employees who do not observe the compulsory veil will be reprimanded in writing and the instance registered in their employment record. If repeated, they will be deprived of receiving overtime wages and other similar benefits and one-third of their monthly salary will be deduced."

In a note to this article, it is reiterated that these laws do not prevent legal prosecution of the offender.

Article 5 of the plan makes women's employment contingent on gender segregation at the work place and restriction of their working hours to 7 a.m. to 10 p.m. Failing to observe this article will be considered a violation of the law and the business unit that commits this violation will be closed down for one week (and if repeated for one month) by the State Security Force.

According to Article 3 of the plan, all offices covered by the National Management Services Law are obliged to make the necessary arrangements so that the women who enter or are present at their businesses would observe the religious veil.

Conclusion and summary:

This brief review reflects examines only a drop from an ocean. An in-depth study of the misogynous laws of the medieval regime ruling Iran requires days and months to complete and books to write.

All the laws of the clerical regime are filled with a hysterical enmity towards women, in education, clothing and covering, marriage, divorce, inheritance and in the segregation of buses and work places and etc. One can see the fundamentalist mullahs trying to turn back the wheels of history.

There are also many issues regarding girls sleeping in cardboard boxes in the streets, runaway girls, women who have to resort to prostitution to feed their children, young women who were hanged because of defending themselves against the aggression of agents of Intelligence Ministry, which we have not touched on.

However, as a legitimate Resistance movement we have a plan for everything to annihilate oppression. The [ten-point plan](#) of Mrs. Maryam Rajavi, President-elect of the National Council of Resistance of Iran, is a sample of what the Resistance envisions for women in tomorrow's Iran.

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