

Chapter 77

Challenges of Iranian Women to Change the Gender Discriminatory Law

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ABSTRACT_

This chapter tells a story of the work of Iranian women activists to change gender discriminatory laws. Iranian women created coalitions and mobilized thousands of women in a campaign called “One Million Signatures Campaign for Gender Equality”. Hundreds of women prisoned without being successful to change any law. This chapter seeks to explain the challenges for women and argue the lack of the clarity of their goal was one of the reason for not achieving any results. Iranian women activists were not certain how they should handle the religious law and principles that confront their vision for gender equality based on The UN conventions on the Elimination of all Forms of Discrimination Against Women (CEDAW).

INTRODUCTION

The Islamic state of Iran does not regencies gender equality. These are some examples of gender law in Islamic Republic of Iran: At the age of nine, a girl in Iran is legally considered an adult while a boy is not considered an adult until the age of 15. This means that a nine-year-old girl can be arrested and imprisoned and that at 13 years old she may be legally married. Although these young women are believed to be capable of marriage, they are not viewed as able to make decisions in their own lives; their father, husband, brother (older or younger) and other male family members are authorized by law to make decisions on her behalf. The civil law in Iran does not require men to ask permission to marry, but requires women to do so. The law also allows a man to marry up to four women, and have sexual relations with other women under the religious law *Sigeh*, which refers to a religious “marriage” that can be limited in time from one hour to several years.

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If a woman engages in a sexual relationship outside of marriage it is considered adultery, a crime that is punishable by stoning. Iranian laws also allow men the right to divorce his wife with no justification while a woman must obtain her husband's permission to initiate divorce except under the conditions that he is a drug abuser or is sexually impotent. After divorce, men get custody over the children, with no chance of custody for the mother if the father or his family wants it. A mother has no right to even visit her children after divorce. When it comes to travel especially outside the country women in Iran are limited. For example, a man can get a passport and leave the country any time, but a woman must have written permission from her male guardian, one of the before mentioned men in her life depending on the situation. The inheritance law allows daughters inherit only half of what sons inherit. Similarly, if a woman dies, her husband inherits all her wealth but if a man dies, his wife receives only 1/8 of her husband's wealth. Also, when testifying in a courtroom, two female witnesses are equal to one male witness. If there is only one women who witnessed a murder, her testimony does not count.

This chapter will not explain how these laws are discriminating half of the population in Iran, namely, Women. The author sees the obvious discrimination and violence against girls and women through these laws. This chapter will tell a story of the work of Iranian women activists to change these laws. Iranian women have organized themselves through organizations and groups to fight against these laws. There exists the belief that the culture of the majority of Iranian people do not agree with the laws placed on women.

Iranian women have been successful to organize protests against these discriminatory laws during the last decade. The emphasizes of the protests have been and still are rejections of these laws; Iranian women activists for gender equality argue for the unjust law today in Iran but they did not articulate clearly what could be the alternative, just law in future Iran. In few words: Women's protest against the law in Iran lacks a clear vision for future. This chapter proves the uncertainty of Iranian women activists for a vision for future Iran. They are not certain how they should handle the religious law and principles. Women activists emphasised for coalition and cooperation among people from diverse backgrounds and religious or non-religious beliefs, or not believers. This chapter explains women's coalitions and cooperation without being successful to change any law about women because of lacking clear or united vision. The purpose of this chapter is to argue that not only women's activists should be aware of their vision but also they should articulate a clear and united vision for their success. The story in this chapter is about one campaign for gender equality in Iran known as the "One Million Signatures Campaign for Gender Equality".

HOW DID THE ONE MILLION SIGNATURE CAMPAIGN FOR GENDER EQUALITY BEGIN?

On June 12, 2005, several women's NGOs staged a 6,000-woman sit-in in front of the University of Tehran, circulating a written declaration calling for the revision of the Constitution of the Islamic Republic of Iran. This action was supported by both religious and secular women's groups and non-governmental organizations (NGOs)¹; by Iranian poet Simin Behbahani, Nobel Prize winner and human rights lawyer Shirin Ebadi, South African archbishop Desmond Tutu, the Islamic Students' Association, and by individuals all over the world participating through social media. This peaceful action was met by a blockade by the police (Shekarloo 2005 in Sameh, Catherine: 2010, p.447).

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