

Iranian Women in the Year 1400: The Struggle for Equal Rights Continues

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*You want to erase my being, but in this land I shall remain
I will continue to dance as long as I sustain
I speak as long as I'm living; fury, roar, and revolt
your stones and rocks I fear not, I'm flood, my flow you can't halt*

— Poet Simin Behbahani¹

The story of Iranian women's struggle for equality in many ways embodies the nation's struggles as a whole. It is a tale of continuous bargaining with the state by citizens of diverse backgrounds. While Iranian women have made remarkable strides in various fields such as science, the arts, and business, they continue to face discriminatory laws, policies, and practices in their daily lives and beyond.

The founder of the Islamic Republic of Iran (IRI), Ayatollah Ruhollah Khomeini, sought to maintain a strictly controlled society using religious-populist leadership accompanied by repression. Yet no degree of state control has succeeded in shutting down society's aspirations for a better and freer life, and the women's movement in Iran is a dramatic example of the state's failure.

This issue brief aims to present a clearer image of women's struggles for equality to help US policy makers better understand the intricacies of Iranian society and design policies that support—but do not supplant or undermine—the women's movement. Understanding this struggle can help policy makers look beyond simplistic solutions that see disempowered Iranian women as requiring saving from the outside or that use women's achievements as a justification to legitimize IRI rule. Drawing lessons from the work of previous US administrations, President Joe Biden and his administration would do well to take into account the sophistication of Iranian society today. Thanks to courageous grassroots advocates, Iran has not turned into a static society content with exchanging personal and political freedom for economic benefits. The key to understanding Iran is appreciating the persistent and shifting strategies of

The Atlantic Council's Future of Iran Initiative aims to promote US-Iran engagement and seeks to promote a deeper understanding of Iran to inform US policymakers and citizens, as they consider and formulate new approaches to the Islamic Republic.

1 "Remembering Simin Behbahani: Iran's Legendary Poet and Advocate," Center for Human Rights in Iran, August 29, 2014, <https://iranhumanrights.org/2014/08/simin-behbahani/>.



Iranian women wearing protective masks to prevent contracting a coronavirus walk at Grand Bazaar in Tehran, Iran February 20, 2020. WANA (West Asia News Agency)/Nazanin Tabatabaee via REUTERS ATTENTION EDITORS - THIS IMAGE HAS BEEN SUPPLIED BY A THIRD PARTY. <https://tinyurl.com/83fscvdv>

Iranians in demanding equality and dignity as they question and threaten the legitimacy of the political system.

Women in today's Iran

Women have experienced major setbacks, legal and otherwise, in post-revolutionary Iran despite their major role in the 1979 revolution. Yet they have continuously fought back. In *Life as Politics*, Asef Bayat writes: "Imposing them-

selves as public players, women managed to make a significant shift in gender dynamics, empowering themselves in education, employment, and family law, while raising their self-esteem."² While Iran scores near the bottom of both the world and the Middle East in terms of women's equality,³ in addition to women's economic empowerment,⁴ Iranian women have achieved notable successes in the arts, sciences, business, law, and human rights advocacy, and constitute over 60 percent of university graduates.⁵

² Asef Bayat, *Life as Politics: How Ordinary People Change the Middle East* (Stanford: Stanford University Press, 2010), 87.

³ Klaus Schwab et al., *Global Gender Gap Report 2020*, World Economic Forum, 2019, http://www3.weforum.org/docs/WEF_GGGR_2020.pdf.

⁴ World Bank Group, *Women, Business, and the Law 2021, 2021*, <https://openknowledge.worldbank.org/bitstream/handle/10986/35094/9781464816529.pdf>.

⁵ Center for Human Rights in Iran, "Women's Rights in Iran," FactSheet, 2020, <https://iranhumanrights.org/wp-content/uploads/iran-Women-right-Fact-Sheet.pdf>.

Even though women face hardship and discrimination under the country's censorship laws,⁶ Iranian women artists such as prominent actresses Golshifteh Farahani and Taraneh Alidoosti are present across the board and have attracted international recognition.⁷ Similarly, while women's rights activism is criminalized and deeply securitized in Iran, the country has a long list of female lawyers and advocates such as Nobel Peace Laureate Shirin Ebadi, Narges Mohammadi, Nasrin Sotoudeh, and Sepideh Gholian who have emerged as icons of courage and peaceful activism.⁸

Women have led national movements, such as the social media campaign protesting so-called honor killings, which began in 2020,⁹ and another (called "White Wednesdays") protesting the compulsory Islamic veil, which began in 2017.¹⁰ Women have also been at the forefront of mass uprisings, including the anti-government protests in November 2019.¹¹ At the same time, women, albeit few in numbers,¹² remain within the political structure of the IRI and its ruling elite as reformists, moderates, and hardliners. While believing in the core princi-

ples of the IRI, these women have differences of opinion with each other and with the system at large.

A brief background on the struggle for legal reform

Iranian women's struggle for equality predates the establishment of the Islamic Republic. It figured in the Constitutional Revolution of 1906, with instances of activism dating to as early as the nineteenth century.¹³ Under Shah Mohammad Reza Pahlavi, Iranian women achieved major progress including the right to vote in 1963 and the right to divorce through the Family Protection Act, passed in 1967 and revised in 1975, which also restricted men's absolute right to divorce.^{14,15} During the rule of Iran's last monarch, women also served as representatives in the Parliament and as judges, and were appointed to influential positions in middle and upper management in various government entities. None of these rights came to fruition without resistance, including from many Shia clerics—most notably Ayatollah Khomeini. In addition, the advancement of women's rights benefited mostly urban and educated women, not impacting less affluent socioeconomic classes of women in society at large.¹⁶

Meanwhile, a revolution in which millions of women participated en masse in hopes of achieving more freedom resulted in major setbacks in gender equality. Following the 1979 revolution, the Islamic Republic revoked the majority

6 Examples: Fardine Hamidi, "Iran Has Banned 52 Women Musicians from Performing since January," *Kayhan Life*, August 13, 2019, <https://kayhanlife.com/culture/stage/iran-has-banned-52-women-musicians-from-performing-since-january/>; Roisin O'Connor, "Taraneh Alidoosti: Film Star Given Suspended Prison Sentence in Iran for 'Anti-government Activism,'" *Independent*, June 27, 2020, <https://www.independent.co.uk/arts-entertainment/films/news/taraneh-alidoosti-iran-prison-protest-salesman-a9589086.html>.

7 Examples: "Rakhshan Bani-Etemad," SOAS University of London, accessed April 15, 2021, <https://www.soas.ac.uk/about/fellows/rakhshan-bani-etemad/>; Sarah Purkrabek, "The Women Who Are Rocking Iran's Art World—for Now," *AFAR*, June 7, 2016, <https://www.afar.com/magazine/the-women-who-are-rocking-irans-art-world-for-now>.

8 Examples: "Iran: Human Rights Lawyer Nasrin Sotoudeh Must Be Freed for Treatment, Say UN Experts," Office of the United Nations High Commissioner for Human Rights, September 25, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26297&LangID=E>; "Sepideh Gholian," Front Line Defenders, June 25, 2020, <https://www.frontlinedefenders.org/en/profile/sepideh-gholian/>; "Narges Mohammadi: Iranian Human Rights Defender Released," Amnesty International, October 9, 2020, <https://www.amnesty.org.uk/iran-narges-mohammadi-prison-human-rights-activist>.

9 #RominaAshrafi, Twitter, <https://twitter.com/hashtag/rominaashrafi?lang=en>.

10 "Why Iranian Women Are Wearing White on Wednesdays," BBC, June 14, 2017, <https://www.bbc.com/news/world-middle-east-40218711>.

11 Maryam Hosseinkhah, "Women and the November 1998 Protests: Breaking the Stereotype of the Presence of Men in the Streets," Radio Zamaneh, accessed April 15, 2021, <https://www.radiozamaneh.com/477407>.

12 "Increasing the Presence of Women in Parliament Requires the Efforts of Legislators," Islamic Republic News Agency, accessed April 15, 2021, <https://bit.ly/2NedgU4>.

13 Nasim Mavaddat, "Tahirih Qorratol'Ayn: A Woman ahead of Her Time," The CUSU Women's Campaign, accessed April 15, 2021, <https://www.womens.cusu.cam.ac.uk/genderagenda/0203-2/1-2/tahirih-html/>.

14 "Noushin Ahmadi Khorasani's Interview with Mahnaz Afkhami for The Feminist School," Foundation for Iranian Studies, September 27, 2008, <https://fis-iran.org/en/women/articles/reform-and-regression>.

15 Ziba Mir-Hosseini, "Sharia and National Laws in Iran" in *Sharia Incorporated: A Comparative Overview of Legal Systems in Twelve Muslim Countries in Past and Present*, edited by Jan Michiel Otto (Leiden, The Netherlands: Leiden University Press, 2010), 329.

16 Arezoo Osanloo, *The Politics of Women's Rights in Iran* (Princeton, New Jersey: Princeton University Press, 2009), 26.

of the legal improvements instituted under the shah and adopted a long list of discriminatory laws and practices against women.¹⁷ The most notable was, and continues to be, the compulsory veil, or hijab, instituted by Ayatollah Khomeini. This led to a large protest by women on International Women's Day on March 8, 1979. The demonstration was the first mass protest against the policies of the nascent Islamic Republic.¹⁸

The major source of laws of the Islamic Republic is sharia, which is inherently discriminatory toward women.¹⁹ For example, Article 21 of the Constitution of the Islamic Republic emphasizes that the rights of women must be ensured in conformity with Islamic criteria.²⁰ The conditionality of this article, similar to other articles of the constitution, implies an inherent basis for inequality between men and women, given that Islamic principles as interpreted by the Islamic Republic distinguish between the roles and statuses of men and women at home and in society.²¹

Inequality and gender-based discrimination run through a variety of laws that impact personal, social, economic, and political aspects of life. For example, the law stands on the side of the man—whether father or husband or male guardian—when it comes to freedom of movement or employ-

ment.²² Similarly, men have the absolute right to divorce,²³ children's custody belongs to the father beyond the age of seven,²⁴ and if the mother remarries, the father can immediately claim custody even if the child in question is younger than seven.²⁵ Men can engage in polygamy and have multiple wives.²⁶ Women, on the other hand, disproportionately face heavy corporal punishment for premarital sex.^{27,28} Also, if a father kills his child, he is exempt from capital punishment as the official guardian, facing a maximum of ten years in prison; the same exemption does not apply to the mother.^{29,30} Additionally, child and early marriage, the victims of which are commonly girls, are legal according to the laws of the Islamic Republic.³¹ The law allows child marriage by stipulating the legal minimum age for marriage as thirteen for girls and fifteen for boys while also permitting younger children who have reached puberty to marry with paternal parental consent and court approval.^{32,33} In practice, girls as young as nine can get married if a judge finds that they are mature. According to official figures, in summer 2020 alone, 9,061 cases of child marriage were registered in the country. Of that figure, three were the marriage of boys under the age of fifteen with the remaining 9,058 cases belonging to girls ranging from ten to fourteen years of age.³⁴

17 Mehrangiz Kar and Golriz Farshi, "Focusing on Women in the Internal Politics of Iran," *The Brown Journal of World Affairs* 15, no. 1 (2008): 75-86, <http://www.jstor.org/stable/24590950>.

18 "The Stolen Revolution: Iranian Women of 1979," CBC, March 8, 2019, <https://www.cbc.ca/radio/ideas/the-stolen-revolution-iranian-women-of-1979-1.5048382>.

19 "Article 4" in *Iran (Islamic Republic of)'s Constitution of 1979 with Amendments through 1989*, Constitute Project, https://www.constituteproject.org/constitution/Iran_1989.pdf?lang=en.

20 *Iran (Islamic Republic of)'s Constitution of 1979 with Amendments through 1989*, Constitute Project, https://www.constituteproject.org/constitution/Iran_1989.pdf?lang=en.

21 According to Article 4 of the Constitution of the Islamic Republic, the Guardian Council (Shūrā-ye Negahbān), which consists of six Shia clerics and six Muslim jurists, is tasked with interpreting the constitution and ensuring that legislation passed by the Islamic Consultative Assembly (Parliament) is in line with Islamic criteria and the constitution, among other responsibilities.

22 Article 18, Part 3 of the Passport Law (Right to travel abroad), Article 1117 of the Civil Code of the Islamic Republic of Iran (Right to employment).

23 Article 1133 of the Civil Code of the Islamic Republic.

24 Article 1169 of the Civil Code of the Islamic Republic.

25 Article 1170 of the Civil Code of the Islamic Republic.

26 Article 1198 of the Civil Code of the Islamic Republic.

27 Article 225 of the Islamic Penal Code.

28 "The Islamic Penal Code of Iran, Books 1 & 2," Legal Information Institute, accessed April 15, 2021, https://www.law.cornell.edu/women-and-justice/resource/the_islamic_penal_code_of_iran_books_1_2.

29 Article 301 of the Islamic Penal Code.

30 A recent example: Golnaz Esfandiari, "Iran Passes Child-Protection Law Following Gruesome Killing of Teenager," *RadioFreeEurope*, June 9, 2020, <https://www.rferl.org/a/iran-passes-child-protection-law-gruesome-killing-teenager-father/30660956.html>.

31 "Child Brides in Iran: Tradition, Poverty and Resisting Change," BBC, April 26, 2019, <https://monitoring.bbc.co.uk/product/c200rxf1>.

32 Article 1041 of the Civil Code as amended up until December 2000. Office of the United Nations High Commissioner for Human Rights, *Rights of the Child in Iran*, March 2015, https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19809_E.pdf.

33 Mohammad H. Nayyeri, *Gender Inequality and Discrimination: The Case of Iranian Women*, Iran Human Rights Documentation Center, March 2013, https://iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Womens_Rights_Commentary_389929723.pdf.

34 "Statistics Center of Iran: More than 9,000 Child Marriages Were Registered in the Summer of 1999," RFI, January 2, 2021, <https://bit.ly/321K7zD>.

Women are also less than equal in political life. For example, a woman cannot become president.³⁵ While women can now become legal advisors in Iranian courts, they cannot be appointed as judges authorized to issue final verdicts.³⁶ Women also face legal limitations in social life. Most notably, as stated earlier, the Islamic hijab is mandatory for women; those who break the law face punitive measures, including arrest.³⁷ Similarly, there are limitations in women's presence in the arts and cultural activities. For example, women are banned from performing as solo singers for the general public.³⁸ Despite some advances, Iran has failed to ratify the United Nations (UN) Convention on the Elimination of All Forms of Discrimination Against Women.³⁹ Iran has adopted the Universal Declaration of Human Rights, and has ratified general human rights treaties such as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, all of which integrate fundamental principles of equality and nondiscrimination.⁴⁰ Nevertheless, as stated by the UN special rapporteur on the situation of human rights in Iran on March 8, 2021, "Women and girls continue to be treated as second class citizens in Iran."⁴¹

Modest progress toward legal reform

There have been some modest legal reforms that address gender-based discrimination.⁴² In 2014, during President Hassan Rouhani's first term, the then vice president of the Office of Women and Family Affairs created a taskforce to amend the nationality law.⁴³ The bill was finally ratified by the Guardian Council in October 2020, granting women the right to pass Iranian citizenship to their children even if the father is not Iranian.⁴⁴ Prior to this, many children were left undocumented with limited to no access to government benefits, particularly in marginalized parts of the country. Despite this legal reform, the situation of many mothers and children remains difficult.⁴⁵ While men's Iranian nationality gets automatically granted to their children, women now have to apply and the non-Iranian father has to pass a security screening.

Another example is a bill protecting women against domestic and other forms of violence, which emerged after years of activism on the issue.⁴⁶ Currently titled the "Protection, Dignity, and Security of Women Against Violence," the bill was first discussed in 2013 when Mahmoud Ahmadinejad was still president.⁴⁷ The draft text underwent years of re-

35 Article 115 of the Constitution of the Islamic Republic: There remain ongoing debates on the interpretation of the language of this article, though to date women have not been able to become president in the IRI. Raz Zimmt, "Will Iran Let a Woman Run for President in 2021?" *IranSource*, October 15, 2020, <https://www.atlanticcouncil.org/blogs/iransource/will-iran-let-a-woman-run-for-president-in-2021/>.

36 "Conditions for the Elections of Judges in the IRI," <https://rc.majlis.ir/fa/law/show/90547>; Ceasefire Centre for Civilian Rights, Centre for Supporters of Human Rights, and Minority Rights Group International, *Beyond the Veil: Discrimination against Women in Iran*, September 2019, https://minorityrights.org/wp-content/uploads/2019/09/MRG_CFR_Iran_EN_Sept191.pdf.

37 Article 638 of the Islamic Penal Code: Andrew Hanna, "Part 3: Iranian Laws on Women," *The Iran Primer*, December 8, 2020, <https://iranprimer.usip.org/blog/2020/dec/08/part-3-iranian-laws-women>.

38 "She's a Professional Iranian Singer but Is Banned from Singing on Stage in Her Country," Center for Human Rights in Iran, January 24, 2018, <https://iranhumanrights.org/2018/01/iranian-female-vocalist-we-never-get-a-chance-to-practice-our-art-in-a-professional-setting/>.

39 Kourosh Ziabari, "Lack of Political Will Hinders Women's Rights Reforms in Iran," *Asia Times*, October 29, 2020, <https://asiatimes.com/2020/10/lack-of-political-will-hinders-womens-rights-reforms-in-iran/>.

40 Leila Alikarami, *Women and Equality in Iran: Law, Society and Activism* (London: I.B. Tauris, 2019), 25.

41 "Iran: Women and Girls Treated as Second Class Citizens, Reforms Urgently Needed, Says UN Expert," Office of the United Nations High Commissioner for Human Rights, March 8, 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26862&LangID=E>.

42 The authors interviewed Impact Iran's head of research, Roozbeh Mirebrahimi, on February 2, 2021, regarding legal codes and the status and content of the recent legislation discussed in this section (nationality law and the bill on violence against women recently introduced to IRI's Parliament).

43 "Iran: Parliament OKs Nationality Law Reform," Human Rights Watch, May 14, 2019, <https://www.hrw.org/news/2019/05/14/iran-parliament-oks-nationality-law-reform>.

44 Hanna, "Part 3: Iranian Laws on Women."

45 "75,000 Children in Iran to Gain Nationality under New Law," United Nations High Commissioner for Refugees, December 1, 2020, <https://www.unhcr.org/news/briefing/2020/12/5fc5fecf4/75000-children-iran-gain-nationality-under-new-law.html>; The Institute on Statelessness and Inclusion and Global Campaign for Equal Nationality Rights, *Joint Submission to the Human Rights Council at the 34th Session of the Universal Periodic Review: Iran*, March 2019, https://files.institutesi.org/UPR34_Iran.pdf.

46 One of the authors of this brief, Mehrangiz Kar, wrote and published a book in the late nineties in Iran titled *A Research on Violence against Women in Iran*, which became a pioneering case-based reference on this topic. See <https://bit.ly/2YTknZ>.

47 Leah Rodriguez, "A Bill to Protect Women against Gender-Based Violence Is Moving Forward in Iran," *Global Citizen*, January 5, 2021, <https://www.globalcitizen.org/en/content/iran-domestic-violence-bill-approved/>.



Azam, one of Iran's female powerlifting champions, carries her daughter a home after the official recognition of female powerlifting by the Iranian government, in Tehran, Iran October 2, 2020. Picture taken October 2, 2020. Majid Asgaripour/WANA (West Asia News Agency) via REUTERS ATTENTION EDITORS - THIS IMAGE HAS BEEN SUPPLIED BY A THIRD PARTY. <https://tinyurl.com/h7dhr3k>

view and edits by various IRI offices including the judiciary as well as by Shia religious leaders.

Ultimately, a tragedy that took place in May 2020 led to expediting consideration of the proposed legislation. The incident involved the gruesome beheading of fourteen-year-old Romina Ashrafi by her father on suspicion of her having en-

gaged in premarital relations.⁴⁸ Romina had run away from home, stating her fear of her father, but the police made her return home. Angered by Romina's relationship with a man in his late twenties,⁴⁹ the father decapitated her. Romina's terrible death and the fact that her father was her guardian according to Islamic law and would receive a maximum of only ten years of imprisonment led to national and international

48 Romina Ashrafi's return home by the police also raised questions and criticisms that if the legislation regarding the protection of children and adolescents had been approved in time, this tragedy could have been prevented. Hamed Farmand, "The New Iranian Child Protection Law Is Holistic, but Discriminatory," *IranSource*, June 24, 2020, <https://www.atlanticcouncil.org/blogs/iransource/the-new-iranian-child-protection-law-is-holistic-but-discriminatory/>.

49 Some reports mention him as a twenty-eight-year-old and others as a thirty-four-year-old: "Romina Ashrafi: Outcry in Iran over So-Called 'Honour Killing' of 14-Year-Old Girl," *Guardian*, May 28, 2020, <http://www.theguardian.com/world/2020/may/28/romina-ashrafi-outcry-in-iran-over-so-called-honour-killing-of-14-year-old-girl>.

oucry. The Rouhani cabinet finally approved the aforementioned bill on January 13, 2020,⁵⁰ sending it to Parliament. However, even if the bill passes there, it will need to be reviewed and ratified by the Guardian Council, which is likely to further water it down if not outright reject it.

In its current incarnation, the bill has been amended to cover a wider range of behaviors and incidents.⁵¹ However, it is silent about other discriminatory laws in the Civil Code of the IRI, the Islamic Penal Code, and the Family Law.⁵² Moreover, the text says nothing about the issue of marital rape. Ultimately, even if this bill becomes law, women remain exposed to domestic and other forms of violence.

Women's activism⁵³

Iranian women have a long history of activism and were the first group to protest the policies of the Islamic Republic despite facing severe repression from security forces. Leila Alikarami, a human rights lawyer, writes, “[H]uman rights in general, and women’s rights in particular, are seen as a challenge to be faced down by the Iranian Government.”⁵⁴ Beyond public protests, as Bayat notes, “Women resisted these [discriminatory] policies... through mundane daily practices in public domains, such as working, playing sports, studying, showing interest in art and music, or running for political offices.”⁵⁵

The key feature of these struggles is the resilience of those involved, using every small opening as an opportunity for awareness-raising and advocacy. Women’s rights advocates have tried to use various interpretations of sharia law to argue that legal reforms can promote gender equality without undermining Islam. This helps counter the argument that gender equality is an entirely Western concept.

There have also been a number of efforts such as the One Million Signatures Campaign for Equality⁵⁶ and the Stop Stoning Forever Campaign.⁵⁷ The One Million Signatures Campaign for Equality was inaugurated in Tehran in 2006 to raise awareness among the general public through face-to-face conversations about existing gender-based discriminatory laws. The goal was to collect signatures for a petition addressed to the Iranian Parliament demanding reforms of these laws.⁵⁸ The Stop Stoning Forever Campaign, launched in 2006, demanded the elimination of the death penalty of stoning from the Penal Code.⁵⁹ Lead human rights activists of these campaigns, as well as other campaigners, faced arrest and trial by the Islamic Republic and many had to leave the country for their safety.^{60,61}

Women have also mobilized for children’s rights, labor rights, environmental rights, the rights of ethnic groups and religious minority groups, LGBTIQ+ rights, and public health. There have also been efforts led by dissidents in exile against the compulsory veil, such as the My Stealthy Freedom Campaign and White Wednesdays, which have

50 “Protection, Dignity, and Security of Women Against Violence Bill,” Certificate of Law, accessed April 15, 2021, <https://shenasname.ir/laws/7023>.

51 Article 2 of the most recent version of the bill was edited and approved by the cabinet, and sent for parliamentary review in January 2021.

52 The authors of this brief co-authored a book chapter on violence against women and family law in Iran published in 2019: *Mehrangiz Kar and Azadeh Pourzand, “Iran” in Feminist Advocacy, Family Law, and Violence against Women: International Perspectives*, edited by Mahnaz Afkhami, Yakin Ertürk, and Ann Mayer (London: Routledge, 2018).

53 One of the authors of this text, Azadeh Pourzand, is currently conducting her PhD research on the question of women’s rights activism in Iran. Some of the analysis of this section is inclusive of concepts (e.g., functionality of activism beyond outcome and intersectionality) that were also echoed in her PhD upgrade paper submitted to SOAS University of London in May 2020. <https://www.soas.ac.uk/staff/staff150233.php>.

54 Alikarami, *Women and Equality in Iran*, 9.

55 Bayat, *Life as Politics*, 87.

56 Noushin Khorasani, *Campaign for Equality: The Inside Story, Women’s Learning Partnership*, 2009, https://learningpartnership.org/sites/default/files/resources/pdfs/One-Million-Signatures-Campaign-English_0.pdf.

57 Laura Secor, “An Iranian Woman’s Battle to End Stoning,” *The New Yorker*, December 27, 2015, <http://www.newyorker.com/magazine/2016/01/04/war-of-words-annals-of-activism-laura-secor>.

58 Sussan Tahmasebi, “The One Million Signatures Campaign: An Effort Born on the Streets,” International Civil Society Action Network, September 14, 2013, <https://icanpeacework.org/2013/09/14/the-one-million-signatures-campaign-an-effort-born-on-the-streets/>.

59 Shadi Sadr, *Stones Aimed at Us: An Overview of the Discourse and Strategies of the Stop Stoning Forever Campaign*, AWID Women’s Rights, accessed April 15, 2021, https://www.awid.org/sites/default/files/atoms/files/feminists_on_the_frontlines_-_overview_of_discourse_and_strategies_-_stop_stoning_forever_campaign.pdf.

60 Examples: “Member of the One Million Signatures Campaign Arrested on Baseless Charges,” Center for Human Rights in Iran, April 27, 2009, <http://www.iranhumanrights.org/2009/04/malekarrest/>; “Iran: Women’s Rights Activist and Lawyer Violently Arrested—News Flash,” Amnesty International, July 17, 2009, <http://www.amnesty.org/en/press-releases/2009/07/iran-women039s-rights-activist-and-lawyer-violently-arrested-news-flash/>.

61 Maryam Hosseinkhah, “1997-2009: Women’s Movement and Twelve Years of Institutionalization and Continuous Struggle against Inequality,” Aasoo, November 3, 2018, <https://www.aasoo.org/fa/articles/1812>.

considerable followership in Iran and have attracted global attention.⁶² Moreover, women have been at the forefront of ongoing struggles for justice and accountability. The endeavors of the Mothers of Laleh Park—also known as the Mourning Mothers of Iran—a group of mothers whose children were killed in the massacre of political prisoners in 1988,⁶³ also includes the mothers of children killed by the government including in the 2009 Green Movement and November 2019 nationwide protests are examples.⁶⁴

The high connectivity of the country,⁶⁵ despite systematic government efforts at repression, has kept women's issues at the forefront of discussion among ordinary people, the diaspora, and women's rights movements across the globe. Some activists have a louder voice while some choose to work under the radar due to security concerns, and members of ethnic minorities often remain excluded from a Tehran-centric media.

The outcry over the beheading of Romina Ashrafi by her father led to the Persian hashtag #RominaAshrafi going viral, with most posts condemning the father and demanding justice and an end to discriminatory laws and practices.⁶⁶ The result was the formation of the Campaign to Stop Honor Killings involving around 200 activists in Iran and abroad.⁶⁷ Rouhani's cabinet finally advanced the aforementioned violence against women's bill and ethnic minority women also spearheaded the protests against so-called honor killings.

Meanwhile, in the past Iranian year (March 20, 2019–March 20, 2020) an Iranian #MeToo movement has emerged.⁶⁸ Women have begun to share stories of sexual harassment and violence on social media, often identifying the per-

petuators and demanding that they be held accountable. Women's rights activists are playing a supporting role to help amplify these voices.⁶⁹ Maryam Foumani writes that despite state pressures, there is reason to maintain cautious hope for change since women have broken their silence about ongoing harassment and violence and civic groups have formed in Iran and abroad.⁷⁰

Despite considerable efforts, the IRI has failed to stop discussion of gender inequality at the local, national, or international level.⁷¹ What may have been previously perceived as *Westernized* secular women's demands are now the demands of Iranian women from diverse backgrounds. Iran owes this sustained and expanding national discourse to the costly activism of women's rights advocates throughout the decades. Ultimately, these advocates have managed to bring forth and maintain the demand for equality at the forefront of national debate, relying on digital spaces for awareness-raising, while remaining locally active and engaged, connecting to grassroots and marginalized groups even when put behind bars in notorious jails.⁷²

The road ahead

In 2021, the question is whether attempts to reform the discriminatory laws of the IRI can produce tangible results, especially given the increasingly hardline domination of the system. If reformist and so-called moderate factions have failed to achieve their promises in advancing women's rights, could hardliners such as veterans of the Islamic Revolutionary Guard Corps offer more in terms of gender equality and personal freedom as a means of consolidating power?

62 "In Iran, Exposing Hair in Public Is a Stealthy Freedom," New Hampshire Public Radio, 2018, <https://www.nhpr.org/post/iran-exposing-hair-public-stealthy-freedom>.

63 "Mother Who Founded Group Memorializing Massacred Political Prisoners of 1988 Summoned to Court after Flight Ban," Center for Human Rights in Iran, October 28, 2016, <http://www.iranhumanrights.org/2016/10/mansooreh-behkish/>.

64 "Mourning Mothers' Call to Honor the victims of the November 2019 Nationwide Protests, December 25, 2020, <https://www.hra-news.org/2019/hranews/a-23041/>.

65 K. Soraya Batmanghelichi and Leila Mouri, "Cyberfeminism, Iranian Style: Online Feminism in Post-2009 Iran," *Feminist Media Histories* 3, no. 1 (January 1, 2017): 50-80, <https://doi.org/10.1525/fmh.2017.3.1.50>.

66 "Romina Ashrafi: Outcry in Iran," *Guardian*.

67 Maryam Foumani, "From Sexual Harassment to Honor Violence: Year of Breaking Silence," Aasoo, December 17, 2020, <https://www.aasoo.org/fa/articles/3334>.

68 Farnaz Fassihi, "A Daughter Is Beheaded, and Iran Asks If Women Have a Right to Safety," *New York Times*, June 7, 2020, <https://www.nytimes.com/2020/06/07/world/middleeast/honor-killing-iran-women.html>.

69 Foumani, "From Sexual Harassment to Honor Violence."

70 Ibid.

71 "To Fight Discrimination, Iranian Women Need Structural Change," Abdorrahman Boroumand Center for Human Rights in Iran, March 10, 2021, <https://www.iranrights.org/newsletter/issue/118>.

72 Examples of instances of activism from women human rights defenders' inside jail: "Sepideh's Diary: A Shocking Glimpse into Women's Prisons in Iran," IranWire July 29, 2020, <https://iranwire.com/en/features/7382>; Fred Petrossian, "New Book Tells Stories of Suffering and Resistance from Iran's Female Prisons," Global Voices, October 15, 2020, <https://globalvoices.org/2020/10/15/new-book-tells-stories-of-suffering-and-resistance-from-irans-female-prisons/> (see <https://bit.ly/3tDFGY8>).

Iranian society today appears more discontented than ever. Nationwide protests of December 2017–January 2018 and November 2019, which were met with violent and deadly crackdowns,⁷³ brought to the streets less affluent citizens of the country. The demands of these segments of society, the historic constituency of the IRI, are rooted in increasing economic hardships; distrust and anger at corruption, inequality, lack of accountability, and the rule of law; and a determination to achieve freedom of expression.

One of the key pillars of the IRI's establishment, institutionalized by Ayatollah Khomeini, has been to “protect” Iranian women against Westernization, with demands for equality considered a form of attack by the imperialist West. In a situation in which the IRI cannot address questions of accountability and the rule of law without jeopardizing its rule, however, hardline authorities might change that stance.

Hardliners face a choice as Iran approaches the presidential election in June. They can further intensify repression and put an end to the existing limited space for local or national debate regarding women's rights and other personal freedoms as well as socioeconomic injustices or they can theoretically alleviate some of the Iranian people's grievances, which is an unlikely scenario based on precedence. At this point, effectively addressing the nation's economic complaints seems harder, given that external factors such as relations with the West are involved. Therefore, one can envisage a scenario in which the hardliners would try to at least symbolically address issues such as women's rights and personal freedoms. This approach will not restore their legitimacy among the discontented segments of the population. But it may help them win votes and short-term, half-hearted support. However, given the growing distrust and discontent of Iranian voters and constituencies, this scenario is hard to envision and would be difficult to sustain.

If the hardliners nevertheless choose this option, they would, ironically, be copying the tactics of a key regional rival, Saudi Arabia.⁷⁴ To accomplish this end, the hardliners may consider using their influence over some of the high-level institutions of the IRI such as the Expediency Council

to overcome legislative hurdles that have prevented reformists and moderates of the ruling elite from achieving the minimal legal reforms toward gender equality that they have pursued. As discussed earlier, a key hurdle has been the fact that bills approved by the IRI's legislative body have to be ratified by the Guardian Council. This council is notorious for its traditionalist interpretations of Islamic criteria and the constitution.

What may give hardliners an upper hand is their influence over the Expediency Council. Established in 1988 by the decree of Ayatollah Khomeini, it can overrule decisions of the Guardian Council with a two-thirds majority vote. The Expediency Council is in line with the desires and politics of the supreme leader, the spiritual leader of the hardliners, as well as the country's commander in chief. As such, the Expediency Council can prove instrumental in a scenario when hardliners would want to make substantial legal reforms to secure the durability of the IRI under their influence.

Should Iran's hardliners pursue such a top-down approach to legal reforms, similar to that of Saudi Arabia's Crown Prince Mohammed bin Salman, they are likely going to do so while maintaining, or even escalating, their historic repressive approach toward activists. In such a scenario, the very independent and grassroots women's rights activists and human rights defenders who have risked their freedom and lives advocating for legal reforms will be reading the news of reforms behind bars.

Conclusion and recommendations

Iran is at a critical juncture where women's rights, and the struggle for gender equality, have increasingly become inseparable from the quest for justice and accountability for Iranian society as a whole. In such circumstances, it is the international community's responsibility to stand by courageous Iranian women's rights advocates and use the mechanisms that exist, both multilaterally and nationally, to publicize abuses, demand release of political prisoners, and name and shame those responsible for oppression.

73 “Iran: Details Released of 304 Deaths during Protests Six Months after Security Forces' Killing Spree,” Amnesty International, May 20, 2020, <http://www.amnesty.org/en/latest/news/2020/05/iran-details-released-of-304-deaths-during-protests-six-months-after-security-forces-killing-spree/>; “Iran: No Justice for Bloody 2019 Crackdown,” Human Rights Watch, November 17, 2020, <https://www.hrw.org/news/2020/11/17/iran-no-justice-bloody-2019-crackdown>.

74 This reference is only to the top-down legal reforms that took place toward gender equality in recent years, all with total disregard for the very women's rights advocates that had courageously fought to seek equality. We speculate that even if legal reforms ultimately do take place in the IRI they will be similar to what happened in Saudi Arabia in terms of repression and the top-down nature of the reforms. However, we do not intend to compare Iran and Saudi Arabia, as the two societies' characteristics, histories, and governance structures are entirely different, not leaving much room for extensive comparison in our view. Martin Chulov, “Saudi Arabia: Loujain al-Hathloul Release Sparks Calls for ‘Real Justice,’” *Guardian*, February 11, 2021, <http://www.theguardian.com/world/2021/feb/11/saudi-arabia-loujain-al-hathloul-release-sparks-calls-for-real-justice>.

Given its interest in diplomacy with the Islamic Republic to revitalize the Joint Comprehensive Plan of Action, the Biden administration must demonstrate its intentions toward advancing human rights in Iran by also taking the struggle for women's rights in Iran seriously. This should include the United States taking a leadership role to restore and enhance peaceful multilateral efforts to continuously hold the Islamic Republic accountable for its discriminatory laws and practices, and its violent and repressive measures against rights activism.

As the United States seeks a seat at the UN Human Rights Council, it should ensure that the worrying situation of human rights, and in particular women's rights, is continuously highlighted and raised at the UN. Multilateral efforts should demand that Iran urgently release women human rights defenders currently behind bars and allow for inclusive, effective, and immediate reforms in law and practice to end discrimination against women. In doing so, the United States must rally its allies and countries from the Global South—that share ties with Tehran—to ensure that the Islamic Republic is called out and held accountable for its atrocities against Iranians and its discriminatory laws and practices against women.

Mehrangiz Kar is an Iranian human rights lawyer and a writer who has written numerous articles and books in Persian about human rights, rule of law, children's rights, and women's rights in Iran. Having served a prison sentence and been led into exile for her activism, Kar has also served as a fellow at prestigious academic institutions and think tanks such as Harvard University, Brown University, and the Brookings Institution. She is the recipient of many international awards, including the 2002 Ludovic Trarieux International Human Rights Prize and the 2000 Oxfam Novib/PEN Award for Freedom of Expression (now the PEN Award for Freedom of Expression).

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