

Contribution of Shirin Ebadi to the Feminist Movement in Iran



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Abstract

The 1979 Revolution ushered in an era changing the lives of women in the most unthinkable manner. From the obligation of unveiling to the compulsion of veiling, the position of women has been used as a commodity for maintaining the state's identity. The women were the worst sufferers of the policies adopted under both the Shah regime as well as the Islamic regime after the Revolution. The women supporting the Islamic Revolution found themselves in a dilemma as soon as the Islamic Republic came to power.

The women like Shirin Ebadi saw how women were at the receiving end during both the Shah period and the Islamic Republic, despite the women playing important roles in most of the movements. Though, it appeared that women were progressing under Shah's rule, the religious women felt dejected whether to follow their religion or Shah's modernising policies. In order to modernise Iran, the Shah regime imitated western values and ideals and this created a cultural and political crises. Iranian women were caught in this battle as their dress, work and public activities became battleground for such a tussle.

Keywords: Iranian Women, Veiling, Iranian Revolution, Biased Laws, Etc.

Introduction

Woman like Shirin Ebadi had supported the Islamic regime purposively taking the veil as a sign of protest against the Shah's regime. These women were the worst sufferers of the Islamic regime's policies, who inspite of participating in significant numbers felt betrayed. Despite knowing the fact that Ayatollah Khomeini had opposed the voting rights for women, Shirin Ebadi and other women participated in the Revolution because their faith in the religion and Shah's corrupt practises attracted these women towards the 1979 Revolution.

Iranian women were hoping that the new regime would bring gender equality so that the loopholes in the Shah regime's policies can be covered. The Islamic revolutionary leader Ayatollah Khomeini had promised that the new government would not prove discriminatory against women. However, the women felt betrayed after the Islamic Regime passed its biased laws. The women decided not to quit and fight for their rights. Due to the constant efforts of women, they have been able to gain some grounds in their favour.

Aim of the Study

The Iranian women have been used as a commodity by the state to reflect its identity. With the start of the modernisation process by the Pahlavi dynasty (1925-1979), the Iranian women were made to follow the ruling of unveiling to project its modern identity. Whereas this identity was challenged with the establishment of the Islamic Republic of Iran in 1979 with the compulsion of re-veiling to reflect the Islamic character. This article focuses on the struggle of women since the pre-Revolutionary period to the Ahmadinejad (2005-2009) period. How the Iranian state has used religion to create barriers between Islamist and secular feminist as witnessed during the mandatory veiling process. The aim of this study is to throw light on the gender-biased laws and the challenges faced by the Iranian women particularly Shirin Ebadi (Nobel Peace Prize Winner 2003) demanding the amendment of these biased laws. The purpose of the study will see how the Iranian women have pushed aside their internal differences and supported Shrin Ebadi for gender equality.

Review of Literature

Shirin Ebadi has tried to ease some of the biased laws through her efforts. In her book, *Iran Awakening: From Prison to Peace Prize* (2006), Shirin Ebadi discussed the post- revolutionary Iranian regime, due to which her career was affected, and the lives of Iranian women have changed forever. She has fought a legal battle in case of Leila Fathi challenging blood- money provision. When Leila was raped and killed by three men, the court gave the ruling that her parents have to pay the money for the execution of men or they will be

released because their life was worth more than Leila's. The blood-money to be paid for the female was half that of men. She initiated protest for a child who was the victim of divorce laws of the state. Due to her efforts, the child custody laws were slightly modified that if the father is unqualified to take care of the child, then the custody will go to a relative or state. She drafted a bill on Family law; the most important section was on women's rights. However, the bill could not pass because the traditionalist could not allow it to pass. She has described the winning of Nobel Peace Prize which she received for her work in children and humans rights especially women. She has explained the happiness among the women on her winning of Nobel Peace Prize and the Clerics denouncing the Prize as the interference by the West.

In an article, "Iran's Women are not Afraid" (2009) she launched a serious debate that inspite of women's increasing contribution in the Iranian regime, the state has continued its unfairness towards women. She holds that a man can take four wives and divorce them, but women cannot divorce them on their will. She draws attention towards discriminatory laws like the husband's permission for travelling abroad or working. The peaceful protests like the One Millions Signature Campaign were not allowed by the state. The women have been arrested, tortured, but they had participated in their struggle for women's rights which can be accomplished only with democracy.

Her article, "The Brutal Crackdowns only make Iran's Women Stronger" (2010), she explained that the feminist movement has been born out of the repressive regime practises towards women and not through elections. The Iranian women's protests against the fraudulent elections which resulted in the returning of Mahmoud Ahmadinejad to the presidency highlights that women have been at the forefront of every struggle in Iran. She highlighted the struggle of women's groups like Mourning Mothers who have been gathering in Tehran for their children in prisons following the disputed Iranian Presidential election of 2009. The Iranian women have been courageously fighting against the authoritarian state.

In another article, "The Riskiest Job in Iran" (2011), she has drawn attention towards those women who had been the victims of these discriminatory laws like Nasrin Sotoudeh and Sakineh Mohammadi Ashtiani. Nasrin Sotoudeh was a lawyer who was convicted in 2010 on charges of threat to national security, propaganda against the state and failing to wear the hejab and was prisoned for eleven years. Sakineh Mohammadi Ashtiani was sentenced to be stoned to death for committing adultery. She explained that there is a need to ensure justice so that the state could not convict anyone who acts as a challenge to the state.

Shirin Ebadi's book titled, *Until We are Free: My Fight for Human Rights in Iran* (2016) is about the vicious cycle which started after receiving her Noble Peace Prize. She received her Noble Peace Prize in October 2003 in the reformist government of Mohammad Khatami. Though Khatami thought himself as an advocate of women's rights, he was not happy with Ebadi receiving the Noble Peace Prize as he responded that the Nobel in literature matters. In 2004, the three women Nobel Peace laureates Shirin Ebadi, Jody Williams (American) and Wangari Maathai (Kenyan) planned to start an institute that could help in improving women's condition across the world. This initiative was formally

launched in 2006. In July 2006, two women's rights activist Noushin Ahmadi Khorasani and Parvin Ardalan met Ebadi about the draft of One Million Signature Campaign so that it could be defended in an Iranian court. The draft covered all the aspects of harassment by Iranian regime from permitting stoning, polygamy, morality police that harassed women for not dressing conservatively enough up to the divorce laws. The activists were arrested, and Ebadi came in defence of women's rights activist by arguing that if a woman does not want her husband to have a second wife, how this can weaken the national security. In 2008, the campaign was able to gain some legal victories as well like amending the country's inheritance laws, women's right to equal blood money in accidents, obstruction of Article 23 and 25 which would have enabled men to take additional wives without their first wife's consent. In June 2009, there was a huge protest following the election results which declared Mohammad Ahmadinejad as the winner. Young Iranian men and women protested peacefully against the deceitful elections. The authorities violently suppressed the protest, in which one of the young woman named Neda Agha Soltan was shot dead. Many of the protestors were arrested. Females were raped in the jail. Shirin Ebadi was highly critical of the violent suppressive measures by the state. The authorities threatened her to be quiet, or she had to face consequences of her actions.

The Concept of Veiling

The idea of the veil has not been exclusive to Islam. In Islam, there has been a debate, whether in Islam priority has to be given to veiling or modest clothing. As Zahedi points out, "there have been two Suras in this regard, the first citation in this sense reflects in Surah 33:59 which focuses on covering women so that these women can be protected from any sexual advances prevalent in the pre-Islamic era of Jahiliya" (Zahedi 2007:78). Another Surah 24:31 reflect on modesty and not on veiling or covering female hair. This Surah refers to coverage of bosom and neck.

The practice of veiling began with the upper-class Muslim communities. The veiling was adopted gradually by other social classes. In Iran, the practice of veiling remained confined to noble families until Safavid dynasty focusing on the veiling of women.

The significant aspect of class difference reminds one that it was only the urban women who wore the veil, whereas the tribal women wore veil only while travelling to the cities. Veiling included chador (a cloak-like structure from head to toe), head coverings (caps, shawls, scarves), manteau or *rupush* (a long coat which was meant to hide women's curves).

There has been several discourses regarding the veil issue. The pro-veiling supporters justify the veiling by several Quranic references and hadiths. The most prominent justification for pro-veiling clergy lies in Surah 24:31(women were forbidden to display their beauty and adornments), Surah 33:51 (whatever questions have to be asked to Prophet's wives, there should be a *hejab* between them) and Surah 33:59 (which requires the women to cast their outer garments). There are several hadiths related to veiling.

The first hadith maintained by pro-veiling clergy was that Prophet Mohammad in his wedding with Zaynab brought a curtain between the nuptial chambers and one of his companions Anas Ibn Malik, reported that the verse of the *hejab* was uttered by the Prophet. The second hadith affirmed that the verse of the *hejab* came

when one of the Prophet's companions unintentionally touched the hands of one of his wives while having dinner. The third hadith claims that the verse of the *hejab* came into being to stop a man who wanted to marry Prophet's wives after his death.

In opposition to the pro-veiling supporters, Islamic feminists like Fatima Mernissi and others made a significant contribution by severely criticising the *veil* that has been the basis of judging the spiritual welfare and religious devoutness of Muslim women. She has questioned the interpretations by the pro-veiling supporters of veiling. Mernissi in her book, *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam* (1991) asked the following question:

What a strange fate for Muslim memory, to be called upon in order to censure and punish [Islamic women]! What a strange memory, where even dead men and women do not escape attempts at assassination, if by chance they threaten to raise the *hejab* [veil] that covers the mediocrity and servility that is presented to us [Muslim women] as tradition. How did the tradition succeed in transforming the Muslim woman into that submissive, marginal creature who buries herself and only goes out into the world timidly and huddled in her veils? Why does the Muslim man need such a mutilated companion? (Mernissi 1991:194).

Leila Ahmed in her book titled *Women and Gender in Islam* (1992) suggested that the casting off the veil by Huda Sharawi was inculcated in her since childhood by her French friend and mentor Eugenie Le Brun (Ernst and Lawrence 2014:137).

Before Huda Sharwi, Qasim Amin also advocated the abandonment of veil. In his book *The Liberation of Women*, Qasim Amin showers praise on European civilization. He asserted that the veil constitutes a "huge barrier between a woman and her elevation, and consequently a barrier between the nation and its advance" (Ernst and Lawrence 2014:138).

Leila Ahmed has maintained that there has always been a discourse in the support of veiling. This alternative discourse championed by Egyptian feminist Malik Hifni Nassef has suggested that people always look towards modernisation without thinking about their local customs and traditions. Her views had developed from the mistrust about men and their search for women's liberation. Leila Ahmed in her book *Women and Gender in Islam (1992)* has cited Nassef, in which she seems to be sceptical about the intentions of men to liberate them. She writes:

The majority of us women continue to be oppressed by the injustice of man, who in his despotism commands and forbids us so that now we can have no opinion even about ourselves...If he orders us to veil, we veil, and if he now demands that we unveil, we unveil, and if he wishes us to be educated, we are educated. Is he well intentioned in all he asks of us and on our behalf, or does he wish us ill? There is no doubt that he has erred grievously against us ... in decreeing our rights in the past and no doubt that he errs grievously against us ...in decreeing our rights in the past and no doubt that he errs grievously ... in decreeing our rights now (Quoted in Wadud 2006:223).

Nassef has regarded unveiling as an unwise solution and has instead focused on the education of women and the men's moral character for a healthy nation.

The discourses regarding veiling have been divergent, some are accepting the veil, and calling the unveiling a western influence and some are discarding it as an instrument of oppression of women.

Iranian Women's Movement in the Islamic Republic

The hopes of Iranian women were turned down with the new legislations passed by the new Islamic regime. The women supporters of Islamic Revolution were horrified by the new statute announced on the eve of International Women's Day on 8 March 1979. Many secular women were against the new law passed by the Islamic regime. These women demonstrated in the streets of Tehran to the Ministry of Justice and the Prime Minister's office raising the slogans: "In the dawn of freedom, we already lack freedom"; "Down with dictatorship"; "We gave our lives for Freedom, and we will fight again." The demonstrators were attacked by the *Hezbollahi* warning them, "either you put a scarf on your heads, or we hit you on the head" (Poya 1999:131).

Zahedi (2007) opines that the secular women's protests were not supported by the secular and leftist organisations which claimed to support women's rights. The Iranian media did not cover the news of women protesting against the compulsory veiling imposed by the regime because the women protestors were regarded as the supporters of western ideals, thus, the media was denouncing these women. As explained by a commentator "the secular women in opposition of the mandatory veiling were either fired from their jobs or were arrested by the authorities" (Mahdi 2004: 435).

In order to weaken the secular women's protest, the clergy organised a religious women's counter-demonstration. These religious women supported the clergy because the Islamic regime provided them new means of empowerment. Under the Pahlavi dynasty, the religious women were forced to unveil themselves and thus were confined to their home boundaries. In spite of the opposition against the compulsory veiling in the Islamic Republic, it was made mandatory in July 1980.

Veiling under Ayatollah Khomeini

In Iran, women have been used as an instrument of reflecting the state identity both under the Shah dynasty and the Islamic Republic. Under the Westernisation policy adopted by Reza Shah, in 1935-1936, he forced women to abandon veil in all public places. Kian (2014) notes that he declared the 7th of January, the first official day of unveiling campaign as Iranian women's day. During the unveiling campaign, Ayatollah Khomeini denounced unveiling and compared it to "forcing women to go naked into the streets". Also,

"during the 1979 Revolution, the veiled women were portrayed in wall graffiti, posters, the media and even stamps to accentuate the image of the woman promoted by the state. The veiled women were the ideal Iranian women who were pious Muslim and a militant fighter, and she was masculinised or a de-sexualized woman" (Sedghi 2007:209).

With the coming of the Islamic Republic, every woman was desired to follow the role model of Fatimah and thus, Fatimah's birthday (8th March) begin to be celebrated as the Iranian Women's Day.

Women were forced to unveil themselves during the Shah's period in the same manner as the women were

obliged to reveal themselves in the Islamic Republic of Iran. The women were used as a commodity to keep up the respective state identities. During the Shah's period, women felt confused whether to follow their religious ideals or to follow unveiling. Thus, many women were succumbed to their confined boundaries. The same chaos prevailed in the Islamic Republic of Iran in which forced revealing by the regime led these women to break the barriers. However, these women were compelled to follow the obligations of compulsory veiling.

Shirin Ebadi and the Veil

Shirin Ebadi was born in 1947 when the unveiling of women was prevalent. Her mother did not wear the veil as her family was not traditional and followed the state which promoted the unveiling campaign. As against the traditional Iranian households, her family did not discriminate between Ebadi and her brother. She and her sister enjoyed the same privileges as her brother does. Her father treated his three children equally which often left the household staff in an uncertain situation. This shows that inspite of giving equal opportunities to women under the Shah's regime, the Iranians were not in favour of equal treatment of men and women. Shirin Ebadi did not wear a veil in the university. She asserted that though the women did not wear a veil, but still a sense of separation existed between men and women. Women occupied the front row in the class and men used to sit in the back rows. Patriarchy still prevailed in the Iranian culture.

Among the growing protests against the Shah in the University, Shirin Ebadi got attracted to the protests. In spite of being an educated woman, she chose to support the protests under a cloak of religion. She claimed that

Faith occupied a central role in our middle-class lives, though in a quiet, private way; my mother had spent hours bent over the *jah-namaz* teaching me how to pray, and my father encouraged me to recite my prayers throughout my life (Ebadi 2006:33).

On January 16, 1979, Muhammad Reza Shah, left Iran along with his family. This marked the victory of the 1979 Revolution. Ayatollah Khomeini, who was in exile, returned to Iran on February 1, 1979. The happiness of the victory of the Islamic Revolution did not last long as the regime made an announcement of compulsory veiling. The women were given no choice, and thus, they resorted to protests. The protests did not bring any positive results for women, and thus, women were left with no choice but to veil themselves. The women adopted veiling in the similar manner as they took unveiling without any choice.

The regime refused to acknowledge the participation of women in the public sphere. After the victory of the Revolution, when Shirin Ebadi went to the Ministry of Justice, Fathollah Bani Sadar (Provisional overseer of the Ministry of Justice) pointed out Ebadi's uncovered hair. He asked Ebadi, "Don't you think that out of respect for our beloved Imam Khomeini, who has graced Iran with his return, it would be better if you covered your hair?" (Ebadi 2006:39). She retaliated by saying that, "I shouldn't be forced to wear a veil, and if I don't believe in it, I'm just not going to wear one" (Ebadi 2006:40).

She was awarded the Nobel Peace Prize in 2003, making her the first Muslim woman bestowed with such a prestigious award. She did not put on a veil during her award ceremony which left many people confused

and asking, 'What kind of a Muslim is she, if not wearing the veil?' (Shahrokhni 2003) She claims that the Muslim identity cannot be monopolised by a government or the religious establishment. However, the conservatives in Iran continued to be enraged by the fact that Ebadi claims herself to be a Muslim but does not wear a veil.

Removal of Women from Judiciary

On 3 March 1979, the Islamic Republic forbade women to serve as judges suggesting that judges should be "male, adult, Muslim, Shi'i, just, Mojtaahid (practising religious jurisprudence), legitimate child, with good and strong memory, able to write and read and visualise" (Poya 1999:65). The new regime issued decrees disqualifying women judges and allowing them to serve in administrative positions. Among the women, Shirin Ebadi was removed from her position as a judge. While protesting against the government, an organisation was formed with the name Association of Women Lawyers (Azari 1983: 196). This association organised many demonstrations, petitions, and leaflet campaigns. Shirin Ebadi and other female lawyers protested against the removal of female judges which is evident by the statement: "We protested everywhere we could- in the halls, to our friends with revolutionary connections, to the new minister" (Ebadi 2006: 55). Ebadi in her book *Iran Awakening* has repeatedly questioned the ground for removal of female judges: "Just tell me why a woman can't be a judge? I stood with this revolution. You owe me an answer" (Ebadi 2006:56).

As soon as she was demoted to a clerical position, she refused to sit back at home. She came to her office daily and protested by refusing to do any work. Even the legal officers knew about the reason for the refusal, but they did not intervene. The women did not accept the legislations wholeheartedly and protested in the manner they could. As the judiciary in those days was *Sharia*' based, the laws were framed by the religious leaders. Shirin Ebadi has claimed that the Ayatollah and his assembly wrote the Constitution rather than any judicial experts.

Shirin Ebadi and Iranian Women's Movement during Iran-Iraq War (1980-1988)

The Iran-Iraq war starting in late 1980 brought devastation to the citizens of both countries (Iran and Iraq). There were two major groups of fighters, the *basjis* (mobilization) were the youngest whose average age was fifteen and *Pasdaran* (Revolutionary Guards) were usually older (Nanquette 2013). A young group of men known as *Basij* volunteers were ready to sacrifice and become martyrs so that, as they believed, they can get eternal paradise and get state sponsored care to their families. It was only a minority of the population who got the state provided attention and rest of the population being deprived of the state sponsored care. Thus, it was the women of the fighters who had to look after their families in this worst period of Iranian history.

During the Iran-Iraq war, the Islamic state's ideology concerning female participation changed. After the 1979 Revolution, the state required the women to act like Fatimah (the daughter of Prophet Mohammad), to maintain their household chores whereas, during the war, the women were required to work like Zaynab (the granddaughter of Prophet Mohammad) in the time of crisis. The Iranian women were prepared by the state to cook, sew and formulate medicines in the mosques. However, the conservatives allowed the women only in such public spheres, which they regarded as exclusively belonging to women (Ebadi 2006: 108). The decision-

making authority, judiciary, etc were still out of bounds for women. The state still focused on women's role in domestic affairs. Thus, it was the Islamic Republic that forced women to leave their jobs in the aftermath of the 1979 Revolution, and it was the same state which encouraged the women to take part-time jobs during the Iran-Iraq war. The part-time women employees reduced the state's expenditure as the state has to pay half of salary to women employees (Poya 1999:80).

In 1984, Ayatollah Khomeini announced that:

Women can participate in economic, political and social affairs within the Islamic laws and regulations). The financial pressure mounting on the war-trodden families resulted in the change of its earlier stand. The Iranian Parliament (*Majles*) ratified a law in April 1985 about women's part-time work which was held to be half of full-time employment, receiving half the salary, without any subsidies or entitlements (Poya 1999:80).

The minimum period of work allotted was one year. The women employees were the cheap source of labour, which resulted in the increase of demand for female labour.

During the war years, the state was promoting the active participation of women, on the one hand, and on the other hand, it was suppressing them by imposing restrictions on them. Shirin Ebadi was holding a clerical position in the same court in which she once presided as a judge. In 1984, she became eligible for retirement. The Islamic regime happily accepted the retirement request of Ebadi because she was a female employee who should focus on her household rather than on her career.

The imposition of veil gave women the opportunity to seek university education. All the social organisations analogous to work, education and politics which were considered as corrupt under the Shah by the clergy were now 'purified' and were accessible for veiled women unlike the Shah's regime (Zahedi 2007:19). The government established a national literacy campaign between 1980 and 1989. Ayatollah Khomeini wished that every Iranian should be educated and called illiteracy as a national shame to be removed (Shams 2016: 129). During 1980-1982, the government closed the universities in order to frame the policies of universities in accordance with the Islamic guidelines. In addition to the closure of universities, it created restrictions for women in the field of higher education from pursuing certain courses by setting quotas. These quotas set a minimum number of seats for female students, for instance, 30 per cent seats were fixed for female students in medical disciplines whereas, in other subjects, the quota was set at 10 to 20 per cent (Aryan 2012: 41). Even the female students were barred from entering engineering related courses. All these policies adopted by the new regime resulted in a sharp decline from 30.8 per cent in 1978 to 28.6 per cent in 1989 (Aryan 2012: 41). In 1987, *Social and Cultural Council of Women* was formed which removed some of the restrictions imposed by the High Council of Cultural Revolution.

Shirin Ebadi and Iranian Women's Movement under the Presidency of Hashemi Rafsanjani (1980-89)

As soon as the war ended in 1988, a period of reconstruction began. After the war was over, there was lack of professionals, as a significant number of Iranians had migrated to other countries, and many of them have died in the war. The women of middle-class families had to work to meet their expenses. The Iranian government

was left with no other option than to take the help of the women for the reconstruction of Iran. Most of the women who were forced to abandon their jobs or were forced to go for voluntary retirement programs regained their jobs. Thus, the Iranian regime was obliged to accept those demands of women which were previously neglected by the system.

Shirin Ebadi argues in *Iran Awakening* (2009) that after the death of Ayatollah Khomeini in 1989, the state tried to strengthen their grip on the Iranian people. The Iranian government kept a vigil on the media and everything that connects Iranians to the outside world. The *Komiteh* or morality police was given the responsibility for enforcing Islamic regulations. It troubled all Iranians especially women. Women have to be careful about every minor thing like wearing socks with their sandals, keeping their hairs, arms and feet covered, in the black chadors.

These *Komitehs* approached on motorcycles with knives, chains, and clubs. According to Ebadi,

[they] harassed people because they felt like it, looked for pretexts to intimidate them, and when they found none, made them up. A bitter look, a misplaced word, the most casual defence of self could provoke them into a great rage, and before you knew it, you were three days into an interrogation, being accused from adultery to treason" (Hubbard-Brown 2007:60).

A report published in 1997 by the United Nations Refugee Agency, propounded that in addition to *Komiteh*, the *Hezbollahi*, the *Pasdaran*, and *Basiji* were employed to enforce Islamic morality (Hubbard-Brown 2007:60). Ayatollah Khomeini formed the *Pasdaran* to maintain internal security and it has its intelligence unit and was assigned with the task of enrolling and training the *Basiji*. Ebadi has also specified the *lebas shakhsis* or the plainclothesmen who were hired by the state to take care of unrest in any part of the country.

She propounded that "they are akin to a local Mafia that terrorizes a neighbourhood," she said, "whispering threats in the ears of shop owners, staging violent hits that are designed to instil fear and a permanent sense of insecurity" (Hubbard-Brown 2007:61).

Ebadi herself has been arrested by *Komiteh* on two occasions. One such incident took place in Dizin, when she along with her daughters and husband were going for skiing, she was questioned by the *Komiteh*. She was made to call her parents to see whether she has got the permission of her parents or not? As Ebadi explained to them that she had been married and her husband has been travelling in a separate bus (due to gender-segregation), the *Komiteh* called her mother and questioned about her whereabouts. In the second such incident, she was arrested besides other women, one of them being a schoolteacher, who was arrested for not wearing shoes. They were taken to *Komiteh* headquarters where they were guided by an eighteen-year-old illiterate girl and thus allowed to leave.

Shirin Ebadi realised that

the traditional women could not come out of their household because of their religious ideals. Moreover, the clergy captivated such women to participate in the election because they needed their votes. These women from traditional families began to feel significant because they were able to come out of their boundaries while keeping their religious ideals (Ebadi 2006: 104).

The Iranian women have made immense progress in the field of education. In order to take admission in universities, the students had to qualify highly competitive entrance examinations. The female students surpassed Iranian men in these entrance tests. The women seeking education in these universities understood their capacities and realised that their education is important to gain prominence in society. These educated women were not ready to blindly follow the Islamic regime. Thus, women's participation in social, economic and political activities has increased which has led to the awareness of their rights.

Shirin Ebadi in her book *Iran Awakening* (1992) claimed that this awareness among the educated Iranian women often led them to clashes with the family. She recalls one such incident about the self-immolation of a woman in Ajerbaijan. She wanted to put an end to her unhappy marriage. However, her father who was an orthodox clergy refused her daughter to end her marriage and thus, she immolated herself.

Ebadi postulated that -

these traditional women were given opportunities but without providing any legal support to them. The suicide rates among these women rose after the Islamic Revolution. To put such a tragic end to their life, this was the method these traditional women adopted for getting attention towards the atrocities being faced by them in the Islamic Republic (Ebadi 2006:109).

Some war widows have to give up their child's custody in favour of their husband's family. This created resentment among the women, and thus, gradually some reforms were made in laws. However, these reforms were far from being equal. The end of the war brought men and women together to change several biased laws.

In 1989, Hashemi Rafsanjani was elected as the President of Iran. As noted by Kian, "this period was referred to as 'the period of reconstruction.' As there was a shortage of skilled professionals, the state resorted to taking the help of women's skills. This time of reconstruction was marked by duplicity as the power elite maintained a double ideological discourse" (Kian 1995: 412).

The regime

continued to perceive women as biological reproducers and housewives and at the same time reacting to the demands of the women. The regime adopted 'policies of women's occupation' (*siyasatha-iishtighal-i-Zanan*) chaired by President Hashemi Rafsanjani which reflects the duplicity. In the first article of the 'policies of women's occupation,' adopted in August 1992, holds that the women should give priority to their household work and regarded the family as a sacred institution (Kian 1995:413).

Under the first article, the Islamic Republic held that the "material and moral values of woman's role in the family and their housework must be considered.' In an amendment made in 1992 to a

divorce regulation, women were entitled to get the *ujrat al-mithl* for the work she had done during her marriage but the divorce should not be initiated by her or should not be caused by any fault of hers" (Mir-Hosseini 1996:147).

Though the state is responding to the women's requirements, at the same time, the state apparatus, from Friday prayers to media to schoolbooks, have been portraying women as mothers and housewives.

Most of the women, who have to resign following the Revolution, captured the opportunity during the Rafsanjani's period and made the state to accept their demands. As there was a requirement of the skills of women, the state adopted a tolerant attitude towards women. Under his presidency, women were allowed to participate in fields which were not possible for them earlier. He established Office of the Presidential Advisor for Women's Affairs tasked with the responsibility of women's participation. In 1992, the state allowed women to practice law.

Shirin Ebadi got the permission to practice law. Ebadi noted that the Iranian justice system was so corrupt that often the cases used to be settled outside the Iranian courts. There was no need of lawyers as there were rampant corruption and bribes were the easiest way to resolve their cases. Though she had some of the trade and commercial cases, she started taking up *pro bono* cases which were politically sensitive.

In 1993, the state removed the constraints on women's education, which increased the number of female students in universities. The number of female students in medical disciplines rose to 60 per cent (Aryan 2012: 41). Women were encouraged to take an active part in the Iranian reconstruction process. The state wanted the women to seek skills and expertise and thus promoted higher education for women.

In the Rafsanjani's era, women's publications increased with debate on several women's issues. Even the state institutions published women's issues like *PayameZan* (Woman's Message), *Jelveh Honar* (Art Presentation; which encouraged women to become professional visual artists). The daughter of Ayatollah Khomeini, Zahra Mostafavi handled *Neda* (Call) whereas Shahla Habibi (the advisor on women's issues to President Hashemi Rafsanjani and the head of the Office of the Presidential Advisor for Women's Affairs) managed the journal *Rayhaneh* which discussed women's issues and gender equality (Farhadpour 2012: 96) .

In the 1980s, there was an increasing debate on women's issues, and women's critical responses towards patriarchy continued. In spite of the marginalisation of secular women, the women from various walks began to challenge the state's limitations.

Shirin Ebadi and Iranian Women's Movement under President Mohammad Khatami (1997-2005)

On May 23, 1997, Iranians voted in favour of the reformist government of President Mohammad Khatami. The reformist government of Khatami enjoyed the support of women as about 40 per cent of

the electorate voting for Khatami were women (Tazmini 2009: 66). Also, the concept of progressive jurisprudence and the reinterpretation of religious texts put the reformists in a position to advocate change regarding women's rights (Bahramitash 2007:91). As Bahramitash (2007) further explains when women gave support to the reformist government, it was not unconditional like in the case of 1979 Revolution; they have been demanding for social change. Shirin Ebadi claimed that the election fervour was so high that the women did not wear the veil. The warmth during the elections reminded Ebadi of the early days of the Revolution.

The new reform government of Khatami was facing the dual pressure from the women's demands and the international pressure for gender equality in Iran. Realising the importance of the women electorate, he regularly supported their public participation. Though he championed women's rights, there was a discrepancy between his real intentions and his ability to translate these intentions into policies. However, he had progressive views regarding gender issues which have been evident through a comparison of the first, second and third development plans.

The first economic, social, cultural development plan of the Islamic Republic (1989-93) addressed female education; [it] focused on increasing women's participation in the socio-economic affairs of family and society and a higher level of participation among women in social, cultural, educational and economic issues (Tazmini 2009:67).

As Tazmini (2009) argues, in the second development plan, the goal was giving attention to the education of girls and the literacy training of women and young mothers. The third development plan was discussed in the 2001 National Report on Women's Status in the Islamic Republic of Iran which regarded education as a fundamental human right and called for increased gender sensitivity in all aspects of schooling.

Under the Khatami period, policies were framed to empower women and growing opportunities for women. An increasing number of women were enrolled in higher education. During 1997-98, the percentage of women in higher education attained the figure of 38.2 outdoing the pre-revolutionary era (Aryan 2012:42).

In the year 2000, women's participation increased to 47.2 per cent. President Khatami stated thus:

In the early years of the revolution, we made many restrictions for our female students to enter universities which led to a sharp decline in their progress. Then restrictions were gradually removed. As a result, we witnessed the growth in women's participation in higher education at a remarkable rate. In 2000, 60 per cent of the students who entered universities were female. This may neither be ideal nor natural. But I believe that in the near future it will reach its balance. We have to let this equilibrium to be restored naturally. It is not justifiable to artificially create obstacles for

women and to reduce their participation in higher education. Current circumstances demonstrate that young women face more restrictions and deprivations than young men. The best way is to open the higher education system at various levels to women and to remove the quota system in courses such as mining, engineering and the medical disciplines (Khatami 2007: 246).

This era was marked by increasing number of civil society institutions non-governmental organisations (NGO's), media, etc and relatively increased socio-political openness. In the 1990s, the secular and Islamic feminists who were world apart came together to discuss women's issues and exerting pressure on the government to reform women's issues. Many journals and magazines like *Zanan* (Women) provided a floor to secular and Islamic feminists to debate on women's rights and reforms. The Khatami era was a significant period for Iranian women as in 1996, two hundred women ran for the 290 seat Parliament in which fourteen were elected (Vakil 2011:15).

Though the number of women parliamentarians was not outstanding, it was the growth in the participation of women in the public sphere that is worth noting. In *Iran Awakening*, Shirin Ebadi asserted that Khatami mesmerized the younger generation with his polite and sincere references. For the Iranian people, his victory meant that the biased laws to be erased from books. Since Shirin Ebadi fought the case of child custody in 1997, the laws were altered in a positive way. The widespread media attention to the child custody biased laws created pressure on the Iranian regime to alter the laws. In the same year, four women competed for the presidency. In 1998, nine women stood for the Assembly of Experts, the political body empowered to elect the Supreme Leader.

However, these women candidates were rejected by the Council of Guardians. In the years 1998 and 1999; there was freedom of the press and people could openly debate and criticise government's policies. After the 1979 Revolution, the state controlled the media but Khatami period was marked by the removal of censorship of the press. However, Ebadi says that this freedom did not last long. The hardliner clergy did not accept the free press because they feared criticism. On 7 July 1999, the clergy shut the newspaper *Salam*; it was closed on the pretext that the paper was crossing its lines. The newspaper had published the killing of dissidents involving the killings of the senior officials of the regime. With the news of the closure of the newspaper, the students protested at the Tehran University. On December 7, 1999, Iranian security forces attacked a crowd of 10,000 protesting in solidarity with the students at the Tehran University.

According to Ebadi (2006), the paramilitaries entered the university dormitories and captured female students by the hair and set fire to rooms. The students were beaten by the paramilitary leaving three hundred students wounded and thousands in detention. On the sixth day of protest, Mohammad Khatami denounced the protestors and accused them of 'attacking the foundations of the regime and of wanting to foment tensions and disorders' while warning them they would be 'repressed with force and determination (Ebadi 2006: 153).

Remarking An Analisation

Khatami's reaction surprised the students because they thought that he being a moderate leader would take their side. The government announced a ban on protests. However, the demonstrators ignored the ban, and the police and pressure groups attacked these protestors. Due to the harsh suppression faced by the protestors, they were forced to give up.

Shirin Ebadi was awarded the Nobel Peace Prize in October 2003 for upholding women's and children's rights. She was the first Muslim woman to be awarded such a prestigious prize. She noted that the award brought more pressure on her rather than reputation in Iran. The state tried to censor the news of she getting the Nobel Peace Prize. Though Mohammad Khatami was a reformist, when asked by a reporter 'why he has not congratulated Ebadi', Khatami react by saying that "he postulated peace prize isn't such an important prize. It's only the Nobel in literature that really matters" (Ebadi 2016:11).

The Iranian hardliners criticised the award and regarded the award as an outside interference to weaken the Islamic nature of the regime (Everts 2003:4). On the instructions of the hardliner state, the newspapers gave contentious editorials concerning the Prize.

However, the Iranian people were very enthusiastic and gave her a heroic welcome at Tehran airport. Monshipouri recalls it thus

More than 10,000 people including several reformist members of parliament in which Ayatollah Khomeini's granddaughter was also present. She welcomed her with a garland of flowers. Most of the crowd welcoming Ebadi comprised of the women who wore the black *chador*, most of them wearing bright veils. Her prize has also motivated Muslim Feminists throughout the world (Monshipouri 2004: 5).

Shirin Ebadi's efforts for changing legal provisions in support of Iranian women are widely recognised. Reuters (2003) reports that the child custody laws were reformed. For the mother, the custody of the male child was increased from two years to seven years. Elaheh Koolaee, one of the female MPs told that the Expediency Council granted divorced mothers custody of both girls and boys upto the age of seven. In 2003, fourteen female Member of Parliament (MPs) entered the legislature.

The voting bloc of female MPs came to be known as the women's faction which was headed by Elaheh Koolaee who declined to wear head to toe veil and for the first time a woman wore a headscarf in Parliament of the Islamic Republic (Bahramitash 2007: 95). But, Shirin Ebadi explains that these female MP's did not have a place to sit (Ebadi 2006: 185).

One of the female MPs approached Ebadi to draft a resolution on Family Law. As Ebadi recalls, the request was to "write something that broadens women's rights, but in a way that's compatible with Islam, so that we can defend it on the floor" (Ebadi 2006: 185).

Shirin Ebadi while discussing with the faction in the legislature, found out that the chamber of these women MP's has a curtain instead of a door. Ebadi asked the Female MP's:

"Why are there no chairs? Why is there not even a copy machine in here? This is the parliament!" "Well, we've asked for a copy machine lots of times," one of the MPs told Ebadi, "but they said us we were too few to justify having our own office equipment. We're allowed to use the men's offices,

of course, but we prefer to be here, because it's usually so hot, and at least here we can take off our *chadors* and breathe a little" (Ebadi 2006: 186).

Ebadi felt sad about the fact that if these women MPs could not get themselves a chair then how are these women supposed to gain women's rights? Ebadi discussed the bill that included divorce rights for women, which were based on *Sharia*' and entirely defensible on Islamic grounds. However, the bill was struck in the various *Majles* commissions for preapproval. Before the bill even could go for voting, the female MPs asked Ebadi to come and defend the bill on the floor of Parliament. Ebadi explains

The most relevant section of the bill was related to divorce. She claimed that a man can divorce her wife only by pronouncing, 'I divorce you!' whereas for a woman attaining a divorce was not possible without the written permission of her husband and without proving his insanity, infertility, or any other grave unfitness. She argued that in the *Sharia*, the divorce was never as rigid as the Iranian law has adopted. In the Iranian law, if the woman had to divorce her husband on the sole basis of disliking him, then she is not entitled to *mehrieh* (marriage allowance) and she has to get man's consent for divorce whereas one school of thought in *Shariah* holds that if a woman renounces her *mehrieh* then she can divorce her husband on the sole ground of disliking him. While arguing, one of the traditionalists asked Ebadi that 'why have you written that male consent is not required for divorce?' (Ebadi 2006: 187)

Ebadi answered that she would prove it and showed the *Sharh-e Lomeh* (the Shia textbook of jurisprudence) in which she pointed out that it is nowhere written that male consent is required for a divorce. While defending, another clergy tapped on the shoulder of Ebadi saying that she has an urgent phone call. She came out and asked clergy about the phone to which he answered there's no phone call and they had heard her enough and asked her to leave. The conservative religious leaders wanted to dominate women through their interpretation of Islam. They did not even bother to hear the arguments of Ebadi in defence of women, which shows that their ideals have been so rigid that they hardly care to change these in the favour of women. In the end, the bill didn't pass.

Shirin Ebadi and the Iranian Women's Movement under President Ahmadinejad (2005-2009)

In 2005, Mohammad Ahmadinejad campaigned on the ground of anti-corruption and anti-poverty platform and was elected President. The conservative government of Ahmadinejad came to be known as *principalists*. On June 2005, about 2000 women demonstrated in front of the University of Tehran, while circulating a written declaration to revise the Constitution of the Islamic Republic of Iran.

"This demonstration was organised by women's groups and non-governmental organisations (NGOs) and attended by religious and secular activists and also supported by Nobel Prize winner feminist and human rights lawyer Shirin Ebadi" (Sameh 2010: 447). The women protestors were restrained by the police, but the protest was relatively peaceful due to a relaxation of security before the 2005 presidential elections.

On June 12, 2006, a group of women rights activist decided to protest at the Seventh of Tir Square. Ebadi writes, "These women carried with themselves pamphlets in which it was written 'Why we don't consider the present laws just?'" (Ebadi 2016:65).

The women protestors started gathering at the Tir Square. Though these protests began in 2006, the planning started three years earlier when Noble laureate Shirin Ebadi met with women activists from various organizations in Iran and appealed them to unite and fight for women's causes. But, before the women could start protesting peacefully, the police arrived. The women police covering in *chadors* from head to toe grabbed the women protestors by their arms, and the male police attacked the men in the crowd and shot tear shell.

The police crushed the protest violently before it could start. The police arrested some women including Ali Akbar Moussavi Khoeini, a reformist and former Member of Parliament who had come out in support of the activists. She was arrested for disturbing public order, encouraging tension and unrest and spreading lies. The Iranian authorities knew about the protest in advance as the protestors had posted the time and date on their website. Thus, it was obvious that the Iranian authorities violated the people's right to free assembly and public demonstrations.

Though the protests were crushed by the Iranian regime, the activists did not quit. As Sameh writes,

In July 2006, two women activists Noushin Ahmad Khorasani and Parvin Ardalani met Shirin Ebadi to discuss a petition called as the One Million Signature campaign. The idea was to collect the signature of women through door-to-door contact, meetings and the Internet in support of changes to discriminatory laws against women and to promote dialogues and discussions among women and men (Sameh 2010:448).

Ebadi recalls the situation and narrates that

When the activists asked Ebadi whether she agrees with the activists and whether she can help them or not? She got silent because she felt that all the accomplishments of the women daring to fight against the regime have finally started bearing fruit (Ebadi 2016: 68).

Her winning of the Nobel Peace Prize has pushed the women activists to take such a step against the Islamic regime because the Iranian women have seen Ebadi in courts fighting for women's rights and seeking international recognition. Ebadi noticed her efforts and other women's efforts had started bearing fruits in Iran. Shirin Ebadi suggested the female activists that not only the secular women should participate, but also the traditional and religious women should equally participate in the campaign. The female activists nodded in agreement. They left and returned in the next week with a draft of One Million Signature Campaign.

On August 27, 2006, the campaign was officially launched. However, the Iranian hardliners

declined a legal certificate to conduct their meeting. The women protestors were so enthusiastic that they did not care about the fact that they did not have a place to share their grievances instead launched their campaign in the middle of the street.

In her fight against the patriarchy, Ebadi brought the international attention when she visited the United States to participate in a seminar along with Desmond Tutu, the Dalai Lama and other Nobel Peace Prize winners, where she brought women's petition paper and appealed to everyone to sign it. The media soon made the announcement of support of Iranian campaign by all the Peace Prize laureates.

The campaign gradually moved forward in 2007 with the trained young women carrying petitions visited homes, restaurants, doctor's offices, parks, buses, trains and elsewhere demanding signatures for their campaign. Thus, over the year, the campaign developed an extensive network covering more than twenty cities from thirteen different provinces. This demonstration also spread to the Iranians living abroad. During 2008 campaign, Shirin Ebadi said, "Even if we wanted to stop the campaign, we are not able to anymore" (Rafizadeh 2014:56).

The campaign led to women's awareness concerning their legal discrimination. For instance, equal inheritance rights and inflation adjustment for dowries were also raised. The hardliner authority started exerting pressure on these demonstrators. Many of the activists got arrested charging them with conspiracy against national security. These activists were harassed, tortured and detained.

Shirin Ebadi represented these activists in the court objecting the state's claim that the activism for women's rights posed a challenge to nation's security. Shirin Ebadi questioned in the court, "if the woman does not want her husband to have a second wife then how will it lead to Israel attacking Iran?" (Ebadi 2016:73). However, the judge paid no heed to Ebadi's arguments and started playing with a string of amber prayer beads. For Ebadi, the justice system itself became redundant, and any expectations from the repressive justice system would be extremely ambitious when the whole system had lost its soul.

Despite the difficulties faced by the organisers, new organisers did not stop from collecting the signatures. In 2008, this campaign saw some victories like an amendment regarding inheritance laws which made it possible for a woman to inherit their husband's properties, the right to equal blood money for women in accidents covered by insurance companies. The MPs were able to block Articles 23 and 25 of the Family Protection Bill proposed by the Ahmadinejad government in 2007 which would have empowered men to take additional wives without the permission of their first wife and also would have made it compulsory for women to pay a tax on their women's *mehr* (Ebadi 2016:75). The state did not make these reforms because they were liberal enough to make these reforms, but because they were responsive to public opinion.

In June 2009, new Presidential elections took place. The Ahmadinejad government lost its

Remarking An Analisation

popularity among the Iranian people. Mir Hossein Mousavi (a war hero during the Iran-Iraq war) and Mehdi Karroubi (a progressive cleric and former speaker of Parliament) were the leading contenders of President Ahmadinejad. Zahra Rahnava, a staunch advocate of women's rights, chose green colour for her husband Mousavi's campaign. Even the former reformist President Mohammad Khatami came to support Mousavi at Isfahan where he was welcomed by strength of 100,000 people in the historic Meydan-e Naqsh-e Jahan (now known as Meydan-e Imam Khomeini) (Dabashi 2011:58). This endless number of people came to show their support for the reformist candidate.

Shirin Ebadi in her book *Until We Are Free* (2016) described that the streets of Tehran filled with green balloons and ribbons and green flags flying from lamp-posts. On June 12, 2009, on the eve of the election, when Ebadi was passing through the streets of Tehran in a taxi, she was approached by few university students asking Ebadi whom she will be going to vote? Some of the students standing nearby answered that Ebadi would vote for Mir Hossein Mousavi. Shirin Ebadi responded that she is going to vote for freedom. Some of the students approaching Ebadi interpreted that she will be voting for Mir Hossein Mousavi whereas others elucidated that freedom lies in Mehdi Karroubi.

Hamid Dabashi explains the vents thus:

June 13, 2009, Mohammad Ahmadinejad was declared as the winner. The winning of Mohammad Ahmadinejad in the Presidential elections left the millions of Iranians angry, baffled and heartbroken. On June 13, there were many demonstrations in Tehran by supporters of Mir Hossein Mousavi demanding a fair vote count. In order to counter the anti-Ahmadinejad supporters, Ahmadinejad organised a pro-Ahmadinejad rally in which his followers were bussed in from neighbouring villages. His apologists belong to the poorest and most disenfranchised segments of Iranian society. However, it was not that all the deprived and unemployed section of Iranian society were his supporters (Dabashi 2011:25).

For Ebadi, "The civil unrest that began on June 13 entered into a new phase on June 15. A large number of Iranian people comprising men and women marched peacefully carrying placards writing, "Where is my vote?" and "Our silence is loud with what we cannot say" (Ebadi 2016: 142) while Dabashi further explains "around 3 million pro-Mousavi supporters marched in the streets of Tehran gathering at Azadi Square" (Dabashi 2010:56).

During these protests known as Green Movement protests, Shirin Ebadi left for Majorca to deliver a lecture on freedom of expression. In her book *Until We are Free* (2016), Ebadi claimed that the traditionalists ordered all foreign journalists to leave Iran accusing them of planning against the Islamic regime.

Dabashi writes,

The protests turned violent when the police started firing on the demonstrators resulting in

the death of Neda Agha Soltan, and Sohrab A'rabi followed by the arrests of other protestors in Evin and Kahrizak prisons who were tortured, raped and murdered. These charges were not made by opposition leaders but by the distinguished members of the Islamic Republic namely, Mehdi Karoubi and confirmed by Mir Hossein Mousavi (the war time Prime Minister) and by Mohammad Khatami (Dabashi 2010:56).

The Green Movement protests were supported by the pragmatist religious leaders like Ayatollah Sanei and Ayatollah Montazeri against Ayatollah Khamenei and Mahmoud Ahmadinejad.

After Ebadi had been done with her lecture at Majorca, she was not allowed to come back to Iran as her husband and brother feared of her arrest, and even she argued that the authorities can harbour mob attack to kill her and therefore, she did not come back to Iran.

Conclusion

Iranian women have been able to guard some of their rights and their fight against the regime also resulted in gaining some new rights for them. Shirin Ebadi got international recognition for her work in the fields of women's and children's rights. Her struggle against the system has motivated women in the sense that they could stand in opposition to the government and fight against the repressive laws. Due to her international recognition, she has highlighted the discriminatory laws worldwide and has pressurised the government of Iran to take some positive steps. Her understanding of the law has given her a better understanding of the repression carried out by the Islamic Republic in the name of Islam. While accentuating the repressive laws in the international media, she has caused so much inconvenience to the Iranian government that she has been in exile since the Green Movement Protests.

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