

Iran - Those Poor Oppressed Women

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You will have heard about the plight of women in Iran; the appalling patriarchal repression and subjugation of natural freedoms. But are you sure? Whence does this impression of female servitude originate? Has it been injected into your head by the western media, by any chance? In this piece I shall concentrate on the nature of Iranian society as it is revealed through their marriage and divorce customs. I acknowledge Ali Mehrasband, an Iranian engineer, whose writings I have plundered and plagiarised liberally.

Firstly, do you think that Iranian woman have to go out in public veiled - hiding their individuality and sexuality? Well, here are some pictures of typical Iranian women as they appear in public in Tehran.





Yes, notionally they cover their heads, you will notice. It's not exactly the bin-bag look, though, is it? Iranian women are among the largest consumers of makeup in the world. They have one of the highest rates of cosmetic surgery in the world, taking the record for the highest rate of nose jobs, Ref.[1].

As feminists in the west run out of credible reasons to whinge about their lot here, their tactic is increasingly to point to their sisters in less developed nations. There they have more credibility in claiming severe oppression of women because we are unlikely to be sufficiently well informed to disagree. If the media tell us that women in Iran are raped, beaten and down-trodden, we tend to just believe what we are told, don't we?

Ref.[3] is an illustration of just how firmly we believe this message of the oppression of Iranian women, despite our actual ignorance of their society. It is a video of Christopher Hitchens insisting on precisely this perspective despite there being an Iranian woman in front of him telling him otherwise. It is staggering. Here is a man who has probably never even been in Iran who thinks he is entitled to tell an Iranian woman what it's like to be an Iranian woman! And on the strength of...what? On the strength of the narrative he has received via the western media! This is an example of how difficult it is to supplant the prejudices of the liberal-fascists with mere facts.

So what is life really like for Iranian women? More specifically, how do the lives of men and women in Iran compare?

The Nobel Peace Prize winner, Shirin Ebadi, wrote in The Guardian in 2009, Ref.[5], *"Iran today is a country where women are more educated than their male compatriots; more than 60% of university students are female, as are many university professors. Iranian women obtained the right to vote and become members of parliament half a century ago – earlier than women in Switzerland. The present parliament has 13 women members. In governments, women have often held senior positions. Even the health minister in Mahmoud Ahmadinejad's cabinet is a woman. All this is proof that women have managed to rise."*

But Ebadi, in Ref.[5], went on to complain that Iranian women were, nevertheless, disadvantaged - specifically due to the laws on divorce. Her point was this: *"A man may marry up to four wives and divorce them whenever he desires. But mere will is not enough for an Iranian woman to divorce her husband. While husbands are*

empowered to end their marriages in a matter of weeks without stating any reason, women must establish sufficient grounds for divorce in a process that can take several years, even with professional legal advice."

This is precisely the impression given about divorce in Iran that you will find in most Google links. But is it a fair reflection of the reality of marriage and divorce in Iran? In few of the links you might find via Google will you see a sufficient discussion of the crucial issues of *Nafaqa* and *Mehrieh*. We will see below that these financial matters are crucial to an understanding of the true nature of Iranian society. They dominate most divorce proceedings. Ref.[6] is a very illuminating YouTube documentary about divorce in Iran. In the Appendix I summarise my observations on this video. But let's turn to the reality of marriage and divorce in Iran.

Nafaqa and Mehrieh

Nafaqa and *Mehrieh* are sums of money, or other goods, which, under Islamic law, must be paid by the man to the woman by virtue of their being married.

Nafaqa is money for the normal expenses of life. The husband is mandated to give that money to his wife. She can sue her husband for not paying, and the court will order that she be paid her due *Nafaqa* monthly. The documentary of Ref.[6] shows how easy it is for a wife to have her husband put in goal if he does not pay her the *Nafaqa*. There is little in the way of due process involved. Her word seems to be enough.

The amount of *Nafaqa* depends on the class of the woman, but it is mandated that it should not be lower than her standard of living prior to marriage. If she is used to having maids, then the husband will need to provide sufficient *Nafaqa* for maids, and so on.

Mehrieh is a sum of money, or other goods, which the prospective bridegroom promises as a marriage gift to the bride. There is no equivalent of this in the West. It is unrelated to normal living expenses. Nor should it be confused with a dowry. A dowry is money or goods (usually household items) which the bride's family give to the bridegroom (in theory, though in practice it is given to the couple jointly). The *Mehrieh* is a completely different animal. Only the woman benefits.

The *Mehrieh* is not usually paid at all whilst the marriage lasts. The *Mehrieh* is often presented as being the wife's insurance policy against divorce. If a woman is divorced against her wishes she can claim her *Mehrieh*, and this will generally be upheld by the Islamic courts. However, it is not really so simple because, in theory, the woman can demand her *Mehrieh* at any time. There are infamous instances of this - sometimes even before the wedding has taken place. However, these are exceptions. In general the *Mehrieh* comes into play only during divorce or separation.

The key thing to understand is how huge is the *Mehrieh*. Ref.[12] indicates that there has been a strong inflationary pressure on *Mehrieh* over the last decade or so, as women are reluctant to settle for less than the last woman they know who got married. Moreover, *Mehrieh* is traditionally set in terms of gold coins. According to Ref.[12], these gold coins more than doubled in price between 2008 and 2012. Currently (2014) they stand at ~\$530 (£310) per coin. Since the *Mehrieh* is often stated in terms of gold coins, this means that men have been subject to a huge inflation in their obligation to their wives.

So how much is a typical *Mehrieh*? The answer is that there is no "typical" because it depends crucially on class, wealth, education, and the perceived "value" of the bride. Ref.[10] gives an example of a *Mehrieh* set at 714 gold coins (about £220,000), and an asking price of 2,000 gold coins (£620,000) for a young woman with a PhD, though she was happy to settle for 750 (£230,000). Another example was 1,370 gold coins (£420,000).

Ali Mehraspandi, Ref.[7], quotes the Center for Population Studies of Asia and Oceania who give the average *Mehrieh* during the period 2003 to 2008 to have been 450 pure gold coins, Ref.[14]. The same reference indicated an alarming rate of increase in *Mehrieh*, so the average *Mehrieh* will certainly be much higher now. Mehraspandi gives us his opinion, "*personally, I have rarely seen a woman whose Mehrieh is lower than 1000 pure gold coins.*" This would be in line with the estimates above, presumably for "middle class" women. So, around £310,000.

However, a BBC news report, Ref.[13], suggested that for working class couples the number of gold coins would be set at the woman's weight in kg. So, a 65 kg woman would have a *Mehrieh* of £20,000, a much more modest sum but still a sum likely to be unattainable by a bricklayer or other working class man, who, in Iran, might earn less than £200 per month.

Note also that in Islamic law a woman's possession is her possession, but a man's possession is the family's possession. So if a woman enters marriage with her own money she will be sitting pretty with three substantial sources of security: her own money which her husband cannot touch, the *Nafaqa* for her everyday living costs, and the enormous capital sum of the *Mehrieh* which she can deploy whenever she wishes.

Does this sound like vile patriarchal oppression of women to you? For men, on the other hand, there is a crushing obligation to provide money.

In 2010 only 20% of Iranian women were employed or actively looking for jobs, though this is substantially more than the 7% in the first years after the 1979 Islamic Revolution. However employment of women is still very low compared with the west, especially when one recalls that female undergraduate students outnumber men in Iran's universities by almost two to one. In Iran, going to university is, for women, more of a hobby than a prelude to a working life. Traditionally Iranian women have relied financially on men entirely. For most women this is still the case. Their traditions, including the legal financial obligations on their husbands described above, are such that women just do not have to work.

In fact, it is illegal to force a woman to get a paid job in Iran. Men are legally forced to work to earn money so that they can fulfill their legal obligations to their wives and families. Women have no such obligation. If the husband does not provide for her, the wife can have him put in prison. And if a woman is not married, her father carries the legal obligation to provide for any such unmarried daughters - whatever their age.

The Implications of *Mehrieh* on Divorce

We are told that men can divorce at will with little obstruction whilst women are trapped in marriage, finding it very hard to obtain a divorce. And yet the fact is that women file for divorce more frequently than men (Ali Mehraspand, Refs.[7,8]). Why?

The salient fact in respect of *Mehrieh* is that it is too large a sum for the great majority of men to be able to pay. So - can a man divorce his wife at any time? Yes, indeed - but if he does so, simply because he wants to, he will be obliged to continue to pay the

monthly *Nafaqa* - the equivalent of our alimony - and he will also have to stump up the whole of the *Mehrieh*. So the much vaunted freedom of men to divorce at will in reality is this: if a man wants to divorce and his wife does not agree, he has to buy his way to freedom with a price that almost no man can pay. And this applies even for the rich, because for such people the *Mehrieh* is set correspondingly high (£millions).

Similarly, the complaint that a woman's mere will does not give them the right to divorce is true but is better expressed thus: a woman's mere will is not enough to obtain both a divorce and the full *Mehrieh*. In any Iranian divorce, *Mehrieh* is the battleground (in addition, of course, to custody of the children).

According to Ref.[9]: "*Iranian women have increasingly turned to leveraging their legal right to a Mehrieh — a single payment agreed on before marriage that constitutes a kind of Islamic marriage insurance. Husbands are obliged to pay this sum to wives when they divorce. Under what are known as “divorces of mutual consent,” a woman may forgo part or all of her Mehrieh to provide a financial incentive to her husband to let her leave. In recent years, there have been exponential increases in the value of Mehriehs, which now often reach the equivalent of tens of thousands of dollars. Some conservatives have raised the idea of capping Mehriehs to reduce the divorce rate.*" The latter observation is telling. It is a tacit admission that women are being encouraged to divorce by the opportunity to acquire money. Indeed, it is clear from the video of Ref.[6] that the *Mehrieh* is one of the major bones of contention between the divorcing couple.

The unaffordability of *Mehrieh* is actually a gun in the hands of any married woman. She can shoot the *Mehrieh* gun any time she wants her husband in jail, because *Mehrieh* can be claimed at any time. *Mehrieh* is leverage for almost anything desired, put in the hands of women. But let's concentrate on the situation post divorce.

Until a couple of years ago the draconian Islamic law was this. If the man could not pay the *Mehrieh*, he would be sent to prison until the entire *Mehrieh* was paid by him or his family. All his belongings, including his house, his land, his car, etc. would be confiscated by the court and sold as a part of *Mehrieh*. Given the size of the *Mehrieh* this means the man would be financially destroyed. In Iran, 20,000 men were jailed for non-payment of *Mehrieh* in the two years 2010 and 2011 (Ref.[13]).

However, the Islamic authorities have now realised that a man thus crushed and incarcerated cannot fulfill his essential function, namely to be a slave in the service of women. It is more beneficial to women to have such a man out of prison and working to acquire more money to give to a woman.

So the deal now is if the accused pays 110 gold coins (£34,000), one of his apartments (if he has any) won't be confiscated, so he can at least live there. He will be obliged to work to pay the rest of the debt monthly as ordered by the court. It is customary that the court orders the accused to pay two gold coins (£620) every month for the next several decades. A woman can live a luxurious life with that in Iran. The majority of working people earn far less than that. Furthermore, he cannot leave the country until he has fully paid the *Mehrieh*. This might be the rest of his life. So prison has really been replaced with slavery.

The result is that you can meet many rich, divorced women who have not worked a single day in their lives. Their ex-husband is bound to pay them 2 gold coins monthly for the next several decades. She goes on trips with her new boyfriend while the ex-husband cannot leave the country and cannot stop working.

It is not surprising, then, that divorce rates are soaring in Iran. According to Ref.[9] divorce rates tripled between 2000 and 2010 and continues to increase at ~3.3% per year (Ref.[11]). According to Ref.[11] by 2012 there was one divorce for every 7 marriages, and rates per capita are converging on European levels. Divorces are now running at a rate of 170,000 per year (the population of Iran is ~77M).

And if an Iranian woman fails to finance herself via marriage or divorce it makes little difference. In Iranian law a woman must be financially supported by her father if she is not married. There are 2076 male taxi drivers aged 71 to 80 in Tehran alone (and a further 234 who are over 81), Ref.[7]. They are still working to provide for their thirty-something year old single daughters – daughters whose only worry is whether they have yoga class or English class today, or whether they will tell their boyfriends to get out of work early so as to give them a ride home, or if they should go shopping after class.

So, do I want to live in Iran? No, of course not. I do not want to be either a man or a woman in Iran. Many aspects of their society are grossly intolerant. The punishment for being a gay man is public hanging. But do note that Lesbianism is not against the law. The punishment for adultery is particularly harsh. Many crimes are punished by public hangings. You may recall well publicised cases in which it was a woman who was sentenced to be killed? But the facts are these: in 2012, 580 people were sentenced to death, of which just 9 were women but 571 were men, Ref.[4].

If you had to live in Iran, would you opt to be a man or a woman?

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Appendix - Observations on the Video of Ref.[6]

- The narrator tells us that it is easy for men to get a divorce in Iran but hard for women, exactly as claimed by Ebadi in the above quote. But oddly the next hour consists entirely of women petitioning for divorce - not men. This is consistent with Ali Mehrasband's claim in Refs.[7,8] that it is women who initiate divorce proceedings most often. That women file for divorce more frequently than men sits uneasily with the claim that divorce is harder for women. The explanation, though, is very simple - see below.
- The women in the video appear in strictly correct Islamic attire. But note that they do not arrive at the court that way. At the door a posse of women get them to remove their make-up and "don the black" before they appear in front of the judge.
- Ask yourself - would you like to be married to any of these women? They are uniformly screeching harridans. They do all the talking / shouting. The men are generally subdued and quiet. And yet it is the woman, not the man, who is filing for divorce. It is easy to guess that the men want a divorce too, but for some reason they are less enthusiastic about it. Why? The explanation is very simple - see below.
- Are these women oppressed? If you were an anthropologist seeing this culture for the first time, which of the two - the husband or the wife - would you conclude was the dominant partner?
- The "marriage gift" is mentioned only in passing, with no explanation from the narrator of what this means. It means the *Mehrieh*, which I shall discuss in detailed below. It is key to the whole business.
- Note the casual manner in which one woman lies about partner violence (listen from minute 24). She claims she was struck by her husband 2 months before. He immediately says, "but you left me 6 months ago!". She stage whispers to him that she'll withdraw her complaint later. She instructs him to just agree to divorce by mutual agreement. Clearly this woman knows how to work the system, she cares nothing about lying, and she appears able to control her husband despite being in the process of divorcing him. And the approach the woman is taking will be extremely costly to her husband - but he seems not to know Islamic law like she does. She goes on to claim her husband threatened to set her on fire if she claimed her marriage gift. He is incensed at her lies. In what follows it becomes

clear that the husband is perfectly amenable to granting her a divorce. The sticking point is simply the marriage gift - which the wife insists she must get but which the man will not or cannot pay. It is clear that this young wife does not simply want a divorce - she wants money too.

- In the next case, notice how casually it is mentioned that the wife "has had him (the husband) goaled for a night". Ostensibly for assault and non-payment of maintenance. The assault may or may not be true given the lying in the previous case. By "maintenance" is meant the *nafaqa*, of which more below. But the phrase "she has had him goaled for a night" echoes around my brain. It really is that simply for a wife to get a husband banged up? No due process? No "beyond reasonable doubt"? Just her word? It would appear so. A little later the judge says that if the man does not work (he has been unemployed) then the wife can come back and make another complaint *and the husband will be sentenced to 5 months!* Just like that. She makes a complaint, and the judge says that will be enough to put him inside for 5 months. Incredible. Once again it is clear that this divorce suit is all about the woman wanting money: in this case regular housekeeping money (*nafaqa*) which the man has not been paying. Whether the man is a waster or genuinely unable to find work, we don't know. But it is clear this is all about money. At the end the woman is pleased as punch because her husband has signed an undertaking to work regularly and - wait for it - to come home immediately after work and not to go out. The sub-text here is that she wants a husband who is outside her jurisdiction only when he is at work. And, she says, if he's good she will "buy him nuts and sweets". Yes, if only he is a good little slave, he will get nuts and sweets. To be fair, it seems this guy *has* been violent to his son - so he's not an entirely innocent party. But would you like to be in his shoes - with a wife like that, and in a country where you are chucked in goal simply at her say so? Not me, thanks.
- The next case is different. The woman has already divorced her previous husband and re-married. This case is not about divorce but about custody of the children. Initially they have one child each. But when she re-marries, according to a court ruling, she must give up the second child also to the man. She contests. It finally comes out that he has been paying her child support for the child in her care (or, not paying it, perhaps - but should be). And the telling thing is when she says that she will "kill the child, throw her under a bus" rather than hand her over. She says this whilst holding the child's hand! And it also comes out that she had promised her previous husband that she will come back to him if he gets rid of his new wife. So he does, and she comes round to his house...and steals a lot of his stuff. It was just a trick! Yet this seems to get no mention or consideration in the court. After she tears a court order the judge sentences her to 5 days in prison. She wails and tells the judge it's a lie, she didn't tear it up. (Later, outside the court, we see her laughing as she admits she did it). Attempting to deflect the judge from gaoling her, she claims her husband called her a whore. The judge says if she can find witnesses he'll get 70 lashes. Yup, that's the truth about justice in Iran. If you call a woman a whore you get 70 lashes. Would you like to be a man in Iran? If you had to live in Iran, would you prefer to be a man or a woman? And guess what? The soft hearted judge reduces the detention from 5 to just one day. But the woman turns on the waterworks and after more fluent lying that she didn't tear the court order (but we have heard her say she did). he lets her off! So it's not just in the West that women get a free pass when it comes to being goaled.