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Women Rights in Islamic Societies: A Comparative Study of Iran and Saudi Arabia

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ABSTRACT

Iran and Saudi Arabia are Muslim countries and have an influential role in the whole Muslim World. Both countries have a tribal background in which they have no mindset about women's rights in society. There is a competition between both governments to impose limitations on their female population. Iran claims surprising political change in during the contemporary period. Among these changes has been notable alternation in women's role in society and status. There is a social and political gap between women and men; between the westernized educationist class and the popular class as well as between democratic and local activists. On the other hand, the Saudi monarchy has started its top-down reforms. Women are granted permission to drive and perform in concerts and run their own businesses. As well as Saudi women can join the military. Therefore, both countries are still ignoring women's rights compared to other nations. The study examines the uncovered heterogeneity of the two states. The paper additionally gives short learning on current conditions influencing women in both states. The study also comparatively analyzes the condition of women's rights and political rights in Iran and Saudi Arabia. It also traces women's struggle to seek rights, particularly political rights through the theory of gender equality. The study follows the descriptive-analytical method and most data is collected from secondary sources.

KEYWORDS:

Women Rights, Oppression, Hijab, Family Matter, Political Empowerment, Islamic Societies

Introduction

Iran and Saudi Arabia have different cultural, social, and political fabrics but the social and political status of women in both the countries is same. In 2020, "both the countries were at the bottom of the Global Gender Gap index. Iran was 148 and Saudi Arabia was 146 among the 153 countries"¹. The two countries have been trying to overcome women's social and political limitations. Over the last few years, Iranian women

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have made up about 60% of university students. On the other hand, Saudi women also have risen up about 58% of university students. The women of both countries have been facing gender discrimination in the major areas of social and political life. Rationally, Iranian and Saudi pioneers regularly guard women's rights and the two states have even found a way to incorporate females in politics. In 2015, a Saudi government official stated that "women in Saudi Arabia are path in front of women in other creating nations" ². In 2014, Iranian President Hassan Rouhani also stated that "Women must appreciate break even with circumstance, measure up to security, and equivalent social rights."³

Practically speaking, women in the two nations are to a great extent missing from abnormal state political positions, are confined in marriage, separation, and citizenship rights, and face separation in the workforce and colleges. "Iran's constitution is more unequivocal than the Saudi Basic Law of Governance on women's rights" ⁴. Saudi laws depend vigorously on legal interpretations of Sharia law, making it hard to ensure separation.

Theoretical Frame Work

Women right emphasized gender equality in human rights law. The philosophy of human rights does not consider women individually to be less specific, unique and mentally capable than men.⁵ Makdesi argues that "despite the fact that Western feminist rights have laid the foundation for women's economic, legal and personal success, they have been criticized for failing to recognize motherhood" ⁶. Western women's rights laid the foundation for the economic, legal, and personal success of women. On the other hand, the Qur'an says that all Muslims are equal before Allah. "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another."⁷. At the same time, we observe their field of struggle and their way of living is different in each society as well as they have different social and political rights. They are not equal in each society and every sphere of life, particularly women who have always sought gender equality. Few Societies have provided maximum rights to women but in Muslim societies, women are still looking for social and political rights. There are many differences between ideology and action in the economic power and social activities in Islam. In Quran, inequality is very clear; to understand the inequality we must return towards the original message and spirit of Islam which is the message of fundamental inequality and gender balance" ⁸. According to Hamidah "We look beyond the Qur'anic commentary on a masculine basis and try to define a more balanced approach aimed in a progressive society"⁹. Egyptian Muslim women are not doing this practice. Egyptian women had their own rights of equality in the 18th century. "Gender prejudice is weakening our social fabric and devalues us all. This is not just a human rights issue. This is the greatest loss of human potential in

the world. By depriving women of equal rights, we deprive half the population of the opportunity to live a full life. Women's political, economic, and social equality will benefit all citizens of the world. Together we can end prejudice and work for equal rights and respect for all.”¹⁰

Women Rights in Iran and Saudi Arabia

Muslim Women seek to work within the framework of Islam not against it, open doors to girls, sister, mother and spouse to provide social benefits to families in the society acceptable and viable way she does. However, the applications of the women emancipation in the Muslim society can be tested. Women rights in Islamic social norms are routinely viewed as alien attack on women, the religion laws are not implemented. Margot Badran stated that “the achieving equality in the family is an important for the Muslim women workers”¹¹. He further argued that “although some equality is achieved by some nations in their society but gender inequality is very common and supported by the state law which is based on Islamic belief”¹². This could affect the success of the project of primary goal which is to improve women’s capacity and adaptation openly. According to Schezer J “the imbalance sexual orientation can prevent some families from allowing women to take part online courses because the habit of believing that their place is at home not in outside of the home”¹³. A better understanding of the global ideology of Muslim women’s liberation comes from their education and engagement of religious activities without striking nature recognized in the in view of and involvement of their sex¹⁴. The way through the instruction and imprisonment has so far are outclassed considering the prolonged mindful of the significance of the information and skill of earning by means of training and achievement, also, willingness to execute change inside the instruction framework conveyance structures.

In Iran, women hold a significant position in the parliament, government and public offices and serve. In the election of 2012, nine women were elected to the legislature of Iran. Then in 2013, President Hassan Rouhani appointed Masooma Ibtekar as the vice president of Iran. Another significant development was that “thirty women were the candidate of president of Islamic republic Iran in 2013 but the Guardian Council eliminated them”¹⁵.

In Saudi Arabia, the role of women in political activities has been restricted but in 2011 King Abdullah relaxed the constraints and announced that “women could become the member of Shura Council as advisory body of the ruler”¹⁶. Despite this, a couple of women joined to the extra ordinary position in the state particularly in the area of welfare, training and social administration. Although the removal of restrictions

on voting of women they did not participate in the local government election. In December 2015, 130,000 Saudi women as voter registered and a large number of the women contested elections and 19 women were elected ¹⁷.

Family matters

In Islamic republic Iran, despite the guarantees set out in the law, female face real separation, particularly in stuffs relating to matrimonial, separation, inheritance and guardianship of children. A lady who pays little attention to her age needs the permission of her male concierge to get married. Child marriage, while unprecedented, is not unlawful. The lawful time for wedding is 13 for young women and 15 for young men ¹⁸. A judge can allow young people to marry at a significantly younger age. Women do not change their citizenship as well as their mates and children. In 2015, the parliament passed the law granting children of Iranian mothers and fathers the right to naturalization ¹⁹. A woman should seek permission from her guardian or the court of law for marriage irrespective of her age. In the law, a man can have up to four spouses. A woman could seek her partner's help for separation while a male can ask for the separation without any reason. Islamic law provisions of shared property are not employed. The spouses have the custody of their children over the age of seven, unless they are deemed incapable of caring for them ²⁰.

Law does not ban separation based on sexual orientation, and exceptional supervision rules keep ladies under the lawful custody of close masculine blood relations in Saudi Arabia ²¹. Females can choose Islamic courts that speak to Sharia law and traditional protection practice. A woman's statement in the court is considered as a half worth, while the statement of a male has double worth. A woman of any age must get permission from a custodian or a judge ²². They also need of support by government to marry with a non-Muslim or to deny marrying with non-Muslim. Women should show the legal reason of separation while men do not have to do. Authority of adolescent is conceded to separate from the spouse or partner's family after young man achieve seven years of age and young girls achieve nine years of age ²³. Child wedding is extraordinary and to a great extent restricted to provincial zones, however not illicit. Young women as youthful as 10 years of age can wed, in view of Sharia law. Some administrative bodies have imposed a minimum age for marriage. The administration asks about the age and the wedding permission from the girl, and the wedding enlistment centers have apparently been advised not to endorse relational unions including youngsters ²⁴. Citizenship is exchanged to children in a paternal way. A youngster destined to be an unwed mother is not lawfully associated with a father. If the father shows carelessness to report his child's birth the

child may be denied citizenship.

Professional Instruction for women

The numbers of female students in universities and colleges are almost sixty percent in Islamic republic Iran. However, standards and confinements restrict subjects' women can ponder, eminently solution and building. In the work environment of Iran, women win around sixty-one percent more cash than men. There is no law in Iran to pay both male and female equally. Female have to make agree her male partner to work outside of home. According to the survey of United Nations, Women are sixteen percent of the workforce in Iran ²⁵.

In Saudi Arabia women make up fifty-eight percent of understudies in colleges and universities. They typically do not interact with male students and avoid campus offices and libraries like their male counterparts do. Colleges limit the number of subjects and courses for female understudies. At times, a male watchman's endorsement is expected to enlist for classes or apply for scholarly entry level positions. Many organizations will not hire women without a male gatekeeper's approval. Organizations additionally confront disincentives to contract women; prompting joblessness ratio is three times more than men joblessness. Women can do work in particular offices where male are not or may be less in numbers. Females cannot interface with government offices without a male delegate ²⁶.

Women under Oppression

In the Islamic Republic Iran, assault of women is unlawful and subject to brutal punishment and execution. However, the legislature does not adopt the law in practical way. Spousal assault is not tended to as sex inside marriage is viewed as consensual. Assault is regularly underreported because of a paranoid fear of alienation, charges of obscenity or it is considered a false allegation ²⁷. The country's law required four men as witnesses or two females and three male witnesses to make a conviction. The state law does not particularly forbid aggressive behavior at home. Little information is accessible, however in 2011; a study is found in the University of Tehran that a woman is physically manhandled like clockwork in Iran ²⁸.

Saudi Society is built around tribal and Islamic affiliation, but there is a difference between tribal traditions and religious principles. Major cities like Riyadh, Jeddah, and other cosmopolitans are fewer conservatives than smaller cities towns and remote areas ²⁹. Therefore, some major cities are considered more conservative and follow the Wahhabis ideology. Their culture has tribal and religious features and totality conservative norms in their behaviors. More significant, the urban society of Saudi Arabia is fewer conservationists than the remote and

little towns³⁰. The status of women is entangling in public place and the male patronage has been still affecting the women's social activities particularly education, health and other public responsibilities. Every woman is legally entitled to a male guardian who respects her, but she does not permit him to participate in any decision-making processes. In the recent years, the women are allowed to contest for seat of advisory council and neighborhood council as well as for voting³¹. Although the powers between women and men are uneven and not reflected in the state it is embodied in the structure of society and government. Female population has to need to have access to the fairness framework and for this they depend on their male spouse to communicate. So this equality affects the women to express their concerns. Another important area where change is needed the general flexibility for females in Saudi Arabia because they cannot leave the house due to restriction³². This is another qualification of women which should be considered and not be discredited. Saudi women are also limited to choose their male partner to marry. It shows that women face difficulties in avoiding participate in social, political and economic activities is playing a key in their social life and in asserting their rights³³.

Struggle of Iranian Women for Rights

Post Islamic Revolution, Iranian women groups and women's activism have increased their demands for their social and political rights. So there is a large share of Iranian women in the government and public activities. The article 21 of Iranian constitution ensures all the rights of women which are according to the foundation of Islam. This section has five key objectives that should be implemented by the government.

- 1- They are creating a conducive environment for developing women's personalities and restoration of their rights both intellectual and material.
- 2- Protection of mothers especially during the pregnancy and child rearing, and child protection without father.
- 3- Establishment of competent court for the preservation of the family.
- 4- Provision of special insurance for widow and elderly and vulnerable women.
- 5- In the absence of legal guardian, to protect the interest of children, to provide guardianship to eligible mother.³⁴

This is very surprising that the Iranian Shiite government, which is considered a conservative regime, provides necessary rights to women in the constitution. Another interesting point whether the country as a whole abides by what the constitution declares for the women rights or if it only lists them and in fact theirs. Although the country was unable to

continuo and promoting women rights under the Khomeini regime but today the Islamic Republic Iran is on the way of modernization and the development of women ³⁵. Post-revolution the old family laws those eliminated family matters were enacted and some new rules were “the legal age of marriage for women was reduced to nine, the punishment for adultery was stoned, women were allowed to go out only when they were with a male relative, and non-Contact with the man concerned could lead to legal punishment, gender segregation” ³⁶. As the western conspiracy, western clothes were banned and hijab was compulsory all the times. The Islamic Revolution did not help women to get more rights because the rights which are provided by the constitution were harshly implemented. The women who supported Khomeini did not have any representation and had more rights during the Shah regime. This thing made Iranian women feel cheated.

Post Islamic Revolution Era

Iranian Women have attained outstanding achievements of their rights. While the education of women does not match the level of employment and mobility. Although the level of education in females is increasing even that of male but economic activity and political participation is still low. Their movement for rights is a contentious issue with the Islamist and conservatives figures in the government and parliament ³⁷. The government also supports sexual separation and extreme legal discrimination against women. These are examples of the patriarchal and patriotic nature of Iranian history that led to certain stages in the formation of feminist rights ³⁸. During the Khomeini regime the ideology was prevailed that women should adopt the ideal role of good wives and then good mothers. Since the last three decades the government has punished women rights activists and those who promote the gender equality in law and practice. In August 2006, a campaign was launched to raise the awareness about the discrimination law with the one million signatures they demanded for an end to “all legal inequalities against women”³⁹. The movement has the basic idea that women's rights and democracy are intertwined and without women's rights there would be no democracy. The women believed that the elimination of discriminatory law is a real success. The increasing of elected women's power or presentation of few women in the parliament will not solve the problems. In 2018, a girl Vada Mohd took off her hijab and she was quickly apprehended by the forces. Her action spread a wide movement called a girl of revolution (Enqilab). After the fall of Shah, the condition of hijab was implemented. The activism of Iranian women and participation in the movement has been remained a threat to Iranian government. Azam Jangravi was another protester woman who waved her hijab. She was also sentenced to three years and kept in prison ⁴⁰. Mansoura Mills argues that

“Iranian authority go to great length to thwart their (women worker) campaign such as searching for pin badges in people home in which I am forced to wear hijab”⁴¹. Iranian women must protest against hijab wearing is compulsory for all the women in the Islamic republic Iran. They were not protesting for wearing hijab or not but they are only seeking choice⁴².

Changes in Saudi Women Rights

The economic surplus with oil production allowed Saudi people to study abroad in Western countries, influenced their way of living and changed the life style. The oil discovery in Saudi Arabia in 1979 led to foreign oil refineries. The women worker walked drove their car and shopping openly without their guardians’ motivated Saudi women to demand same rights which American women had. Saudi women continued to spread awareness and struggle for the social and political rights from the Saudi government. Although the outcome of their struggle was very slow but they got the right to cast vote in 2015 after all. They also contested election, with 5938 men candidates and 978 women and registered votes were 130,000⁴³. This shows Saudi women’s progress in their rights particularly political rights. However, it is decent for Saudi Women to celebrate this historic achievement. When they were allowed to run public office it means they can speak and can lead their election campaign. Vote casting was profited if their male partner did not allow. It is stated that religion was the main reason of lack of right of representation but religion is not a main problem⁴⁴. The problem is religious scholars who are committed to patriarchal system. Islam guarantees that men and women have equal rights and that there is no gender discrimination. There is need of such system that allows religious values but make clarification parts of Quran Majeed and Hadith. There is also need to end the patriarchal interpretation of gender equality that the women think that the rights have been granted by the Quran, Hadith and Saudi Arabian constitution. It will be beneficial for Saudi women to have both formal and non-formal education. The combination of the teaching of both the discipline may allow women to mobilize for the demand of their rights they have been given, but it will also allow women to be part of the religious discourse on Islam and the rights it grant to both sexes⁴⁵.

Since the 21st century, Saudi women and their group accelerated their struggle for the demand of their rights. There have been numerous changes to women right in Saudi Arabia. Women can drive cars as well as they have access to the basic rights of education, healthcare, and open business. The women can watch matches in the stadiums; the divorced women can get custody over their children. Most important that women can do all the thing without her male partner’s permission or presence⁴⁶. Since the promotion as Crown Prince Muhammad bin Salman, he has

spearheaded these changes. Bin Salman also has called on the country to “reforms and modernize”. The reforms and change in the constitution have prepared Saudi women for the challenges of future. Although the Saudi women are accelerating their mobilization but they are still far away from the achievement of equality. They have needed of permission of their male partner, father, brother and son to travel, marriage, divorce and to file report at police station. They still have to wear the long abaya, and men and women still sit in different places on public transportation, at sports venues, and on beaches ⁴⁷.

Conclusion

Post Islamic Revolution, Iranian women have been at the forefront for the demand of social and political freedom. Although the government showed flexibility for equal opportunities for both males and females, the women lived under the oppressive government and were wrongly separated from their children, partners and families. Despite the false accuses, prison and punishment the women have been insisted to speaking for their social and political rights without any support. At last, they have got few rights but still are seeking equality at all level of social and political arena. Saudi Arabia is a unique example regarding to women rights particularly political rights. Saudi women and activists face many challenges in the undemocratic regime. As well as the women rights activists have to face religious lobbies that resist against the women freedom in the country. Religious personalities have special place in Saudi Arabia and also have interaction with the ruler class who reflect assertion to gender equalities as opinions against Islam and for westernization. During the present decade Saudi Government has introduced reforms and modernization regarding to women rights but a lot of modifications in the constitution is required to give maximum participation and empowerment to women. To sum up, both Islamic Republic Iran and Kingdom of Saudi Arabia have taken some measures to please women and have few social and political rights but the women are not fully satisfied. Comparatively, Iranian women have more opportunities in social and political life.

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