

BESTMUN'24

ISLAMIC CONSULATIVE ASSEMBLY STUDY GUIDE

WRITTEN BY:

ZEHRA YILDIRIM (Under Secretary General)

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Letter from Secretary General:

As the president of the Beştepe College Model United Nations Club and the Secretary General of the fourth annual edition of BESTMUN, it is my utmost honor to welcome everyone to our conference. Speaking on the behalf of the BESTMUN team as a whole, despite the many challenges we were put under, we believe we were able to present you a wonderful conference.

My name is Ebrar Nazife Korkmaz, I am a junior student at Beştepe College. I have partaken in the previous editions of BESTMUN in different positions and what was once a distant objective became reality. I am more than honored to be the Secretary General for such a prestigious conference with an academic team with enough knowledge and confidence that could conquer a nation. Model United Nations holds a special place in my heart and it always will. Since I first began in 2021, my passion has only strengthened.

Of course, such a conference wouldn't be possible without the aid of a hardworking organization team. I would like to thank my Director General and my best friend Duru Benzer for supporting me everytime and enduring untimely tasks I gave and tantrums I had throughout the preparation period. We began the thought process of BESTMUN'24 as soon as BESTMUN'23 ended and I'm glad we all share the same passion for this conference. To my deputy, Sarina Fidan, you're more you're more than your title holds, a life saver in all periods of the conference.

The aim of this conference is to raise delegates and to provide them with a quality experience that will ensure their acceptance to future prestigious conferences. This conference will prove that Model United Nations is not an overly optimistic play-pretend, but a channel for young diplomats to pursue their goals. Indeed, it is a great way to improve yourself and learn diplomatic courtesy. I would like to thank; everyone who held my hand through the path which led to this conference, my predecessors in MUN who made today's conferences the way they are and finally, I would like to thank you for partaking in our conference. We stay united to overcome.

**Kindest Regards,
Ebrar Nazife Korkmaz**

Most distinguished participants,

My name is Zehra Yıldırım, and I am a first-year Law student at İhsan Doğramacı Bilkent University. I will be serving as the Under-Secretary-General of this special committee: The Islamic Consultative Assembly of Iran in BESTMUN'24. Having started my MUN career six years ago, I held various positions in different conferences. Still, this special committee of Iran will also be my first experience so it is easy to say that I'm sharing your joy and excitement, too. It is an utmost pleasure to welcome you all to this brilliant conference.

In this Assembly of ours, we will be examining and debating two of the most deep-rooted issues of Iran: The Problem of Sectarian Violence and The Death of Mahsa Amini and Its Consequences. While creating this committee, my motivational drive was presenting you with an extraordinary Senato experience with unusual and controversial topics. As the Islamic Consultative Assembly of Iran, we expect you to be well-prepared in terms of reading the study guide and having enough knowledge regarding the rules of procedure specifically prepared for this special committee. Moreover, you are expected to take action, handle potential conflicts, and regulate the Islamic Republic of Iran by creating and voting laws with your legislative power.

Before arriving at my closing remarks, I would like to thank our dearest Secretary General Ebrar Korkmaz for giving me this opportunity and idea to create such a wonderful committee. Although I haven't known Ebrar for a long time, I feel very proud to see her shine academically. I would like to thank our lovely Deputy Secretary General Sarina Fidan, whom I met a while ago but experienced numerous things together that I cannot fit here, for being such a wonderful person and also a great academic woman. Also, I would like to thank our Director General Duru Benzer and her team for every piece of their great work while making this conference possible. I would like to thank the head of public relations, Balım Yetişen, a very talented and beautiful young lady. I feel pleased and privileged every single time I work with you. Last but not least I would like to thank my academic assistant Atakan Duman, an incredible gentleman, for shouldering the weight of this highly esteemed committee with me on every ground.

Should you have any inquiries, please do not hesitate to contact me via email,

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Zehra YILDIRIM

Under-Secretary-General of the Islamic Consultative Assembly of Iran

Highly esteemed participants of BESTMUN'24,

I am Atakan Duman, and I am currently enrolled as a 12th-grade student at Ankara Asal College. As the Academic Assistant of the Islamic Consultative Assembly, I am extending my heartfelt welcome to you all. I started participating in MUNs two years ago, and BESTMUN has held the most special place in my heart since I was a chair board member last year.

In the Islamic Consultative Assembly, two main topics should be debated immediately; the Problem of Sectarian Violence and the Death of Mahsa Amini and Its Consequences. These topics are significant for the sake of stability throughout the Islamic Republic. Topics are very controversial, and so is the Islamic Consultative Assembly. The MPs should take reasonable actions in order to further advance the cause of their party and their stance, and lastly to legislate with the Guardian Council, as they have legislative authority to veto any legislation that has passed within the Assembly.

I want to thank our Secretary-General, Ebrar Korkmaz, for trusting me since we met as chair board members and for relying on me to help with the preparation of this parliament. Your support has been a great help to me, and I really appreciate the effort you've put into helping me. I also want to thank our Deputy Secretary-General Sarina Fidan, who didn't hesitate to trust me even though we do not know each other well. I would like to thank our Director General, Duru Benzer, and her team for their efforts to make this conference happen.

I especially want to thank our Under-Secretary-General, Zehra Yıldırım, primarily for her patience with me, and for her passion and encouragement during the preparation of this assembly. Thanks to your support, I have not only gained knowledge but also developed a deeper interest in further study. Lastly, with all my heart, I express my gratitude to the founder of BESTMUN, and a great friend of mine, Asmin Nupel Akıncı, for being by my side, and for her kindness, thoughtfulness, encouragement, and support. It means the world to me.

You may contact me whenever you have any questions via; atakan.duman821@gmail.com.

Atakan Duman,

Academic Assistant of the Islamic Consultative Assembly of Iran

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1. Introduction to the Islamic Consultative Assembly

1.1. Introduction to the Assembly

The Islamic Consultative Assembly, also known as the Majles or Majlis, is the national legislative body and parliament of Iran. It represents the interests of the Iranian people, formulates policies, and plays a crucial role in approving international treaties and ensuring constitutional adherence. Through these functions, the Majlis aims to contribute to the effective governance and development of Iran.

The Iranian Majlis (Islamic Consultative Assembly) consists of 290 members. These members are elected by the public for four-year terms. The last elections in Iran were held on February 21, 2020. These elections were for the 11th term of the Majlis. Its basis and functions were now heavily influenced by the revolutionary ideology and Shia Islam. The Majles is still proceeding with both democracy and Iran's Islamic law. The new elections will be held in 2024 during which new members of the Majlis will be elected, marking the beginning of a new legislative term.

There are four main political parties within the parliament; Principlists, Reformists, Islamic Coalition Party, and Hezbollahis.

Principlists are a major political party, making up more than half of the entire parliament, emphasizing to integrate the principles of the Islamic Revolution, opposing the Western and reformist ideas, and seeking to promote more

traditional and religiously controlled community and society.

Reformists are a political party making up less than a quarter of the parliament, advocating for greater freedoms and rights for the Iranian people, pushing for democratization within the Islamic Republic's constitution without overthrowing the entirety of the government.

The Islamic Coalition Party is a conservative faction within the parliament identical to the principlists, but advocating for liberalism within the Islamic Republic. Since their support is mostly from merchants of bazaars, they prioritize specific policies.

Lastly, Hezbollahis are far-right, Shiite radicals and advocate for strict no compromising on issues of national security -including Shia's-, limits Western association, and supports the Supreme Leader's authority.

1.2. Historical Background of the Islamic Consultative Assembly

The legislative branch in Iran has had a turbulent history since the first National Consultative Assembly was formed in 1906 during the Constitutional Revolution. The monarch saw the legislature as a way to limit his authority, while clerics were uncomfortable with new laws being passed without their supervision. The 1979 revolution revived this tension. Iran's Islamic constitution created two bodies that reflected the Islamic and republican nature of the new state: It created a popularly elected unicameral Majles or

parliament. It also called for a Guardian Council made up of 12 appointed Islamic jurists to supervise parliament.¹

1.3. Roles, Powers, and Responsibilities of the Islamic Consultative Assembly

On paper, the Majles is endowed with broad prerogatives, including: Drafting legislation ratifying international treaties, approving state-of-emergency declarations, approving foreign loans, examining and approving the annual budget, investigating all national affairs, approving a cabinet request for the proclamation of martial law removing cabinet ministers from office recommending to the supreme leader that the president should be removed on the basis of political incompetence. In practice, the Majles has been particularly active in examining the yearly budget, approving proposed candidates to head various ministries, and questioning cabinet ministers. The ninth Majles, for instance, has rejected several of Rouhani's proposed ministerial candidates, has grilled his ministers.² In practice, however, parliament faces many constraints. The Majles no longer has the power to investigate unelected institutions, such as the Guardian Council. And the investigation of any institution under the control of the supreme leader, such as the state-controlled media, requires his approval. The constitution also limits parliament's power by requiring the Guardian Council to confirm the constitutionality and Islamic nature of any new law, which has not come easily on issues as varied as property rights and foreign investment. The council has

¹ "The Parliament," The Iran Primer, March 17, 2016, <https://iranprimer.usip.org/resource/parliament>.

² *ibid*

also resisted parliamentary attempts at substantive political reform.³ The Guardian Council consists of 12 members-, 6 of them are elected by the Supreme Leader who are experts of the Islamic Law, and the other 6 of them are elected by the Chief Justice, who are jurists. Guardian Council has the authority to disqualify candidates in the election for the parliament and oust the members of the parliament. With this authority, since the Guardian Council is made up of mostly principlists, they have prevented most of the reformists' right to be a member of the parliament.

In conclusion, the Majlis is the foundation stone for the entirety of Iran, with its responsibilities and with itself being the place for the heated political sphere.

2. Agenda Item I: The Problem of Sectarian Violence

2.1. Introduction to the Agenda Item I: The Problem of Sectarian Violence

Sectarian violence in the Islamic Republic of Iran is mainly based on the division of Sunnis and Shias (Shiites), which has been increasingly heating up with conflicts.

The root cause of increased levels of sectarian violence in the region is the centuries-old theological divide that exists between Sunni and Shiite Islam, which is manifested in today's rivalry between Iran and Saudi Arabia.

Virtually all of the extremist groups responsible for today's sectarian violence

³ "The Parliament," The Iran Primer, March 17, 2016, <https://iranprimer.usip.org/resource/parliament>.

throughout the Muslim world—from Hamas and Hezbollah to Al Qaeda and the Islamic State in Iraq and Syria (ISIS)—can be traced to either Iranian state sponsorship or Saudi conservative Wahhabism.⁴

2.1.1. Historical Background of Sectarian Violence

Today 1.5 billion Muslims are living in the world. But like other religions, Islam is not united under one branch, and they comment on the Quran (the religious text of Islam), events, and political disputes related to Islam differently from each other. Sunnis and Shias are the two main religious sects in the world of Islam, with Sunnis being %90 of the population. Sunnis and Shias share most of their beliefs and faith. The separation between Sunnis and Shias evolved out of a dispute between Shias and Sunnis about who should be the next caliph, Ali ibn Abi Talib or Abu Bakr (Abd Allah ibn Abi Quhafa).

Ali ibn Abi Talib was born in Mecca, in the Banu Hashim (a powerful Arab clan), and was a cousin to the prophet Muhammad. Both had a strong relationship and both of them were raised by Ali's father when Muhammad became an orphan. When Muhammad proclaimed his prophethood, Ali was one of the first people to believe in Islam and recognize Muhammad as the prophet. Prophet Muhammad was not accepted as a prophet in his early prophethood in Mecca by the Meccans who were polytheistic. The prophet and his followers were pressured and oppressed in Mecca, forcing them to leave Mecca for

⁴ The tortured roots of sectarian violence | Rand, accessed August 4, 2024, <https://www.rand.org/pubs/commentary/2014/12/the-tortured-roots-of-sectarian-violence.html>.

Medina in 622 -Hijra-. In 632, Ali married Muhammad's daughter Fatimah. For his knowledge and courage on the battlefield, he earned the nickname, Asadallah -the Lion of Allah-. Until 631, the Ummah -the Islamic Community-, controlled the Arabian peninsula. On the way from his last hajj -pilgrimage to Mecca-, he made a preaching, took Ali by his hand, and said "Anyone who has me as his Mawla, has Ali as his Mawla.". Shias believe that this was the moment that the prophet pointed out who shall be his successor by calling him Mawla, which means 'lord', 'guardian', or 'trustee'.

In his deathbed, the prophet Muhammad asked other persons in the room for a pen and paper to write a statement shortly before his death but was prevented by Umar, one of the prophet's closest friends, who said "We got Allah's book -Quran-, and that is sufficient for us.".

According to Sunnis, the prophet did not want to specifically select someone as his successor and wanted to leave the decision up to Ummah. After the death of Muhammad in 632 CE, Ali took responsibility for the prophet's funeral, while Umar and Abu Bakr took charge of the election for the successor of Muhammad, the next caliph.

Like Ali, Umar and Abu Bakr were close friends and were fathers-in-law of the prophet Muhammad. Abu Bakr was known for his wealth, and Umar was known for his intelligence and wisdom. After the meeting and the election for the successor, the decision was to choose Abu Bakr as the successor, the first caliph. Ali later got the news from the prophet's close friends and refused to accept the

decision. Sunnis believe that Umar has convinced Ali to recognize Abu Bakr as the first caliph without any harm. Shiites believe that Umar convinced Ali by breaking into his house and tying him with a rope to force him to recognize Abu Bakr as the first caliph. Both sects recognize that Ali recognized Abu Bakr as the first caliph, whether it was with consent or not. Abu Bakr's caliphate lasted 2 years (632-634 CE) and managed to unite the Arabian Peninsula under Ummah. After Abu Bakr's death caused by his illness, Umar became the second caliph. His caliphate lasted 10 years (634-644 CE), and expanded the Islamic Empire significantly, conquering Byzantine and Sassanian empires. After his assassination, Ali was considered as the third caliph, but eventually, another friend of the prophet, and his son-in-law, Uthman ibn Affan became the third caliph. Ali recognized Uthman's caliphate, and it lasted 12 years (644-656 CE). He managed to expand the empire further and standardized the Quran into a single text. The opposition started to rise against Uthman, and its reasons are believed as his softness towards rival tribes, his nepotism, and his order to burn other versions of the Quran since he standardized it into a single text. Rebels wanted Ali as an alternative, but Ali refused and sent his sons to protect Uthman from the rebels. Even though, Uthman was assassinated by rebels from Egypt. Finally, Ali became the fourth and last caliph. He got elected as a caliph during rebellion times. After Uthman's death, the prophet's wife, Uthman's relatives and his followers, and the governor of Syria, Muawiya demanded Ali to punish the rebellions that killed Uthman, but Ali refused to do so since some

of them were Ali's followers. Following that, the First Muslim Civil War, Fitna started. Ali defeated Muawiya in the Battle of Camel, but Muawiya refused to recognize him since. Ali was assassinated while praying at a mosque in Kufa. Ali's son, Hasan got elected as the new caliph but stepped down to not continue civil unrest and further battles. They signed a treaty that included; Hasan would accept Muawiyah as a Caliph, Muawiyah should not designate a successor and his successor would be elected by a council, and lastly, Muawiyah should abandon persecuting Ali's supporters. On the contrary of the treaty, he designated Yazid as his successor. Even though he bribed the council and elected Yazid as his successor. A massive opposition started and this started gathering around Ali's other son, the prophet's grandson, Husein. With Muawiya's death, Yazid became the caliph and demanded Husein's loyalty to him. Therefore, the people of Kufa, Ali's capital and the main opposition to Yazid, sent letters to Husein, informing them about their support and their will to remove Yazid from the caliphate and put him instead. Regarding these letters, Husein sent his cousin to Kufa to gather support. Yazid had to change the governor of Kufa to get rid of the opposition and did. Husein was informed about these events by his cousin in Kufa. Before his arrival to Kufa, his cousin gathered a revolt against the governor but was defeated. Husein was not informed about these events and went to Kufa with his family members and guards. During his journey, he received the news of his cousins' death and the defeat of the revolt in Kufa. He told his family members to go back. An envoy of Kufa's new

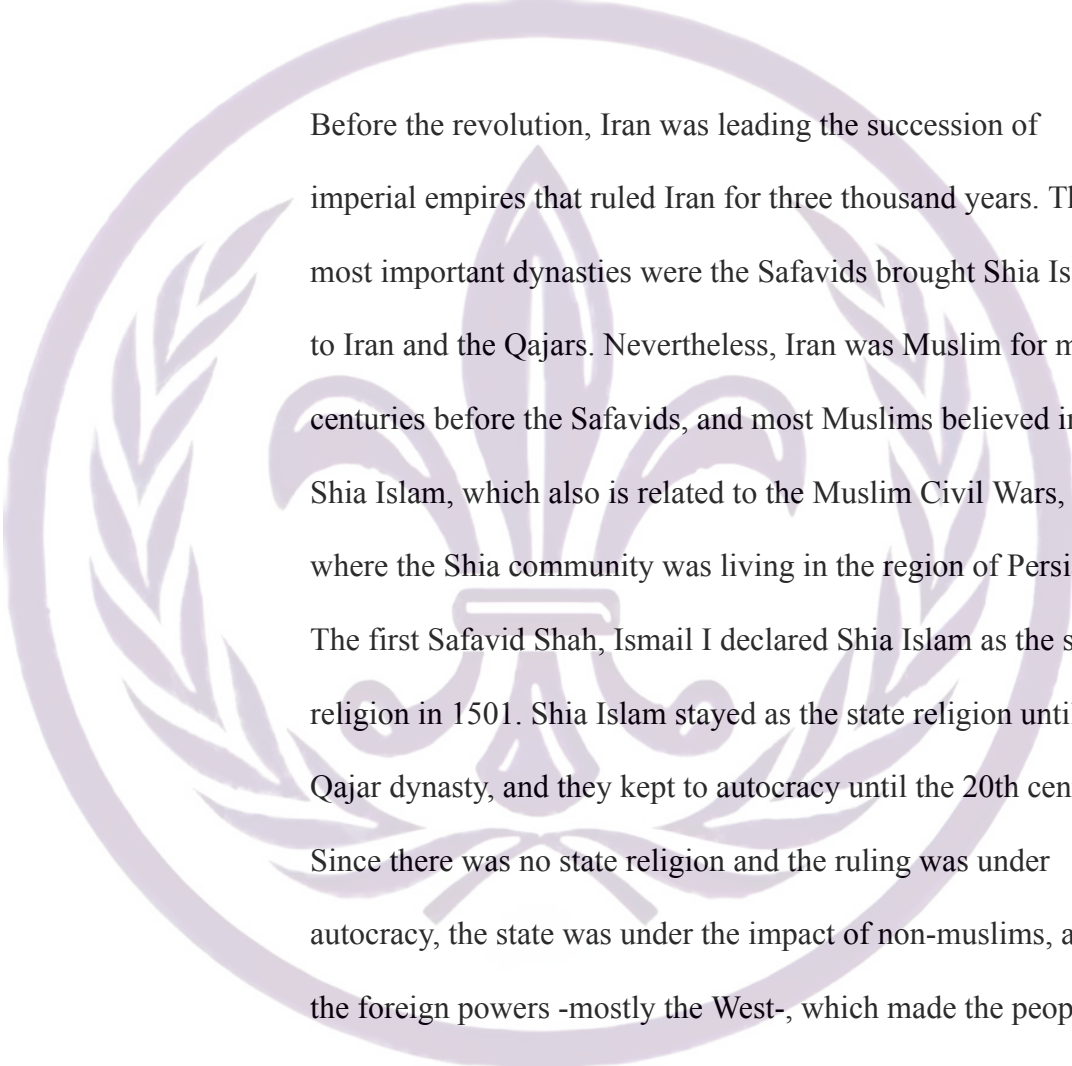
governor confronted Husein and told him to go with Kufa's new governor or turn back. Husein did not accept and continued on his journey to Kufa. On his journey, he set camp on Kerbala. On the same day, Yazid sent around four thousand men to confront Husein again. On the camp, there was a stalemate for weeks without any harm. Meanwhile, Yazid's envoys tried to convince Husein to accept his fate and pledge his loyalty to Yazid, since he was the prophet's son. Husein refused once more, and Yazid's army attacked Husein's army. Even though Husein's men were by his side all the time, the manpower was not a match to Yazid's forces. This battle resulted in the death of 7 of Ali's sons including Husein, and people from the prophet's family were killed. With the killing of Ali, a political movement, Shiat Ali, started within Islam, then later turned into a branch of Islam, Shias (Shiites). This was the final schism in the Islamic community, dividing the people of Islam into Sunni Muslims and Shia Muslims.

In conclusion, from the Pen and Paper incident to the will of consulting power and becoming the next caliph, lastly ended up with the killing of Ali and Husein, were the reason for the division in the Islamic world. Shias and Sunnis have been divided since, and they comment on Islamic events, their religious practices, their beliefs, Hadiths, and the Quran differently.

There are other branches of Islam, Kharijite, Alawism, Hanafism, etc. And other branches comment on Islamic events differently from each

other, such as Shias and Sunnis. The Islamic Republic of Iran follows Shia Islam and established Shia Islam as the state religion. Today, Iran is the most populated country with Muslims believing in Shia Islam and serving as a figure to the Shia world.

2.1.1.1. Before the Islamic Revolution



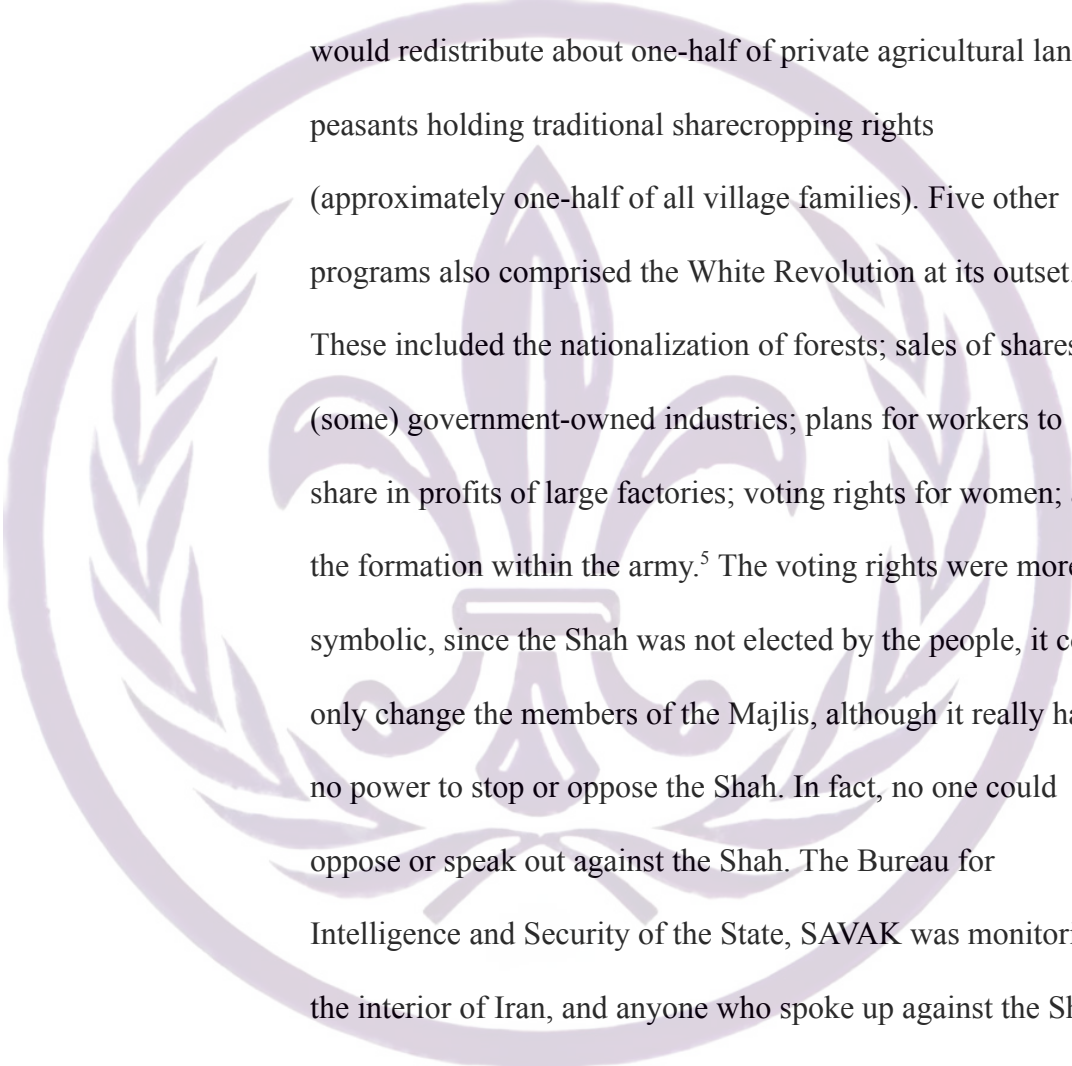
Before the revolution, Iran was leading the succession of imperial empires that ruled Iran for three thousand years. The most important dynasties were the Safavids brought Shia Islam to Iran and the Qajars. Nevertheless, Iran was Muslim for many centuries before the Safavids, and most Muslims believed in Shia Islam, which also is related to the Muslim Civil Wars, where the Shia community was living in the region of Persia. The first Safavid Shah, Ismail I declared Shia Islam as the state religion in 1501. Shia Islam stayed as the state religion until the Qajar dynasty, and they kept to autocracy until the 20th century. Since there was no state religion and the ruling was under autocracy, the state was under the impact of non-muslims, and the foreign powers -mostly the West-, which made the people who were connected to their religious beliefs dissatisfied.

In the Persian Constitutional Revolution of 1906, the Majlis, an elected parliament was established, and this time, the dissatisfied community was not just the religious people. With

the religious people, this time the liberals, seculars, conservatives, ulamas - the community of alim people - , and other communities that were irritated were beginning to oppose, and all of them wanted a whole other government of Persia. Majlis was just established and was eventually weak in power. On top of this, with the opposition growing larger every day, the Majlis was divided. During the times, the sixth Qajar Shah, Mohammad Ali Shah ordered the bombardment of the Majlis with the help of Russians and dissolved the parliament. Opposition was dispersed but gained its strength with the widespread resistance. Russian Empire and British Empire were influencing Persia, and both Empires faced the Ottoman Empire during World War I, within the borders of Persia, even though Persia claimed its neutrality. Qajar dynasty was not falling apart with constitutional revolutions but was discrediting the government fairly. In 1921, an outstanding officer of the army, Reza Khan, staged a coup. In 1925, the Majlis made Reza Khan as Reza Shah Pahlavi. Reza Shah Pahlavi was an autocrat, and Shia clerics believed that democracy was a threat to fundamentalism. Shia clerics wanted an Islamic Republic, but better than democracy, they had an autocrat, yet both of them did not serve in their favor. Reza Shah enhanced education, transportation, railways, the army, and most importantly, the oil reserves. Reza Shah believed in Persia's other dynasties as the Iranian identity. Foreign

influence of the United Kingdom and the Soviet Union was not deniable, and in 1941, both were frightened of Iran giving access to newly enhanced oil reserves to the German Reich, and invaded Iran. Reza Shah was deposed and Mohammad Reza Shah Pahlavi, his son, succeeded him. Mohammad Reza Shah, was unlike his father, and he was more pro-Western, remarkably he staged a coup with support from the United Kingdom and the United States for his own government, since this government had nationalized the Iranian oil industries. With the coup, Iran's government was now led by a republican, forced Iran to let the British seize the oil reserves, and the Shah was in total control of Iran. Mohammad Reza Shah established an intelligence agency, SAVAK, in order to strengthen his regime.

In January 1963 launched a series of reform policies that he called the White Revolution. The domestic aim was to undermine the political appeal of an influential but diffuse opposition movement by appropriating programs such as land tenure reform that it long had advocated. There also was an international objective: to win favor with Iran's principal foreign ally, the United States, which then was a major source of economic and military assistance. During the administration



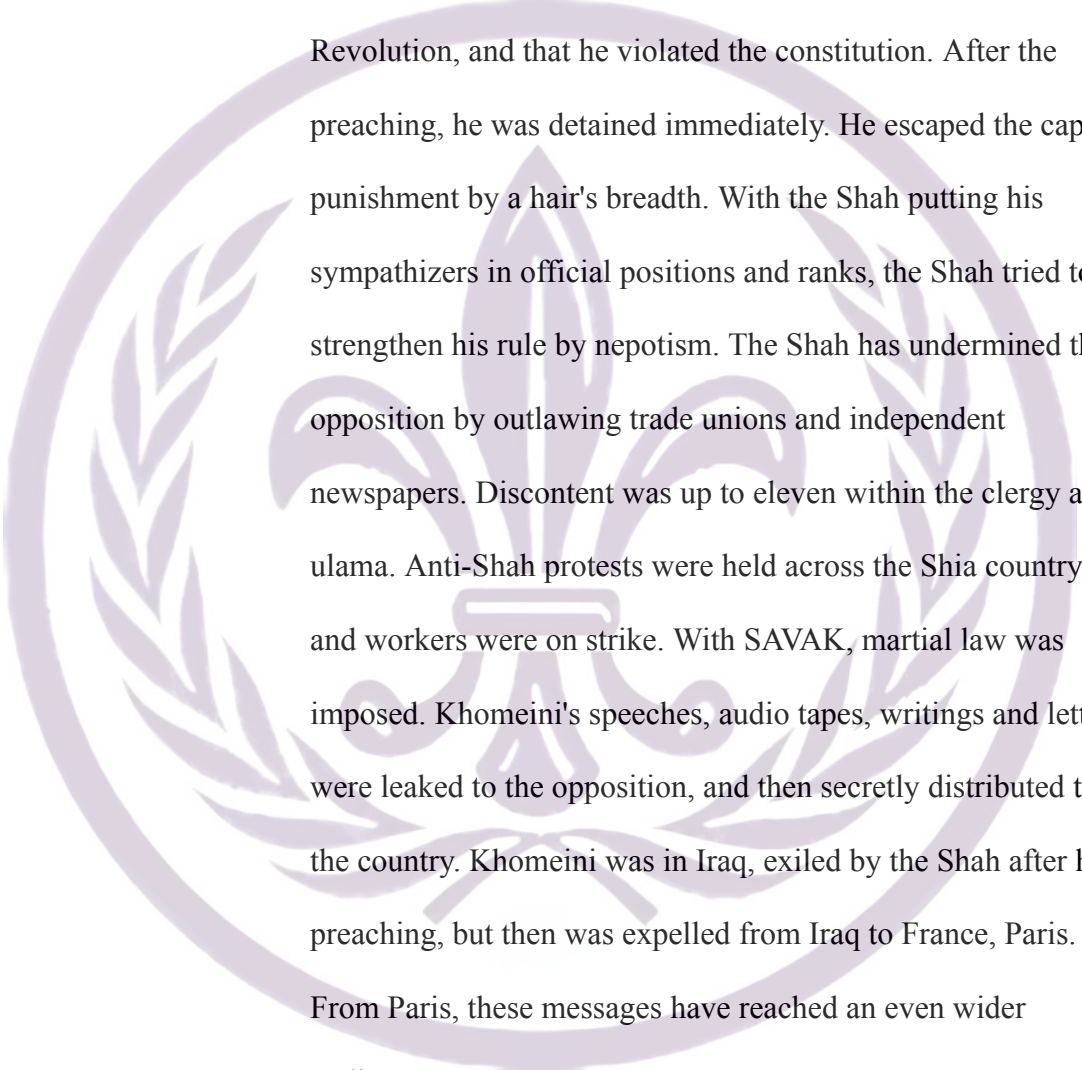
of John F. Kennedy (1961–1963), U.S. policy supported economic and social reforms in countries such as Iran as a means of undercutting the appeal of antiregime movements that were perceived as being allied with the Soviet Union. Thus the major element of the Shah's White Revolution was a land reform program (actually begun a year earlier) that eventually would redistribute about one-half of private agricultural land to peasants holding traditional sharecropping rights (approximately one-half of all village families). Five other programs also comprised the White Revolution at its outset. These included the nationalization of forests; sales of shares in (some) government-owned industries; plans for workers to share in profits of large factories; voting rights for women; and the formation within the army.⁵ The voting rights were more symbolic, since the Shah was not elected by the people, it could only change the members of the Majlis, although it really had no power to stop or oppose the Shah. In fact, no one could oppose or speak out against the Shah. The Bureau for Intelligence and Security of the State, SAVAK was monitoring the interior of Iran, and anyone who spoke up against the Shah would run into trouble.

During the late 1960s, Iran's economy was significantly

⁵ " Encyclopedia of the Modern Middle East and North Africa. . Encyclopedia.Com. 15 Aug. 2024 .," Encyclopedia.com, August 17, 2024, <https://www.encyclopedia.com/humanities/encyclopedias-almanacs-transcripts-and-maps/white-revolution-1961-1963>.

growing, thanks to the Iranian oil companies, and other countries that helped Iran along the way. Roads were asphalted, schools were constructed, and there were significant improvements in the health and educational services. The Shah also took into account the challenges faced by the Qajar dynasty, which was threatened by Russia and Britain, and his father's oust from power in 1941 by foreign military forces, that an investment in the military was a must. Iran was always complying against major powers, and the Shah brought an end to this situation. The benefits of this economic boom and other investments in public services were soothing seculars. But most of the money that was gained did not account into the national treasury, but more likely ended up in the Shah's pocket, with the Western oil companies. With the Shah's ambition to make more money, his regime pursued more aggressive modernization reforms, just like the White Revolution. However, in the early 1970s, these reforms were hurting the economy, and the money that was gained by the rapidly increasing Iranian oil companies' revenues was gone. The rapid spending of money on the reforms led to overheating of the economy, which led to high inflation. There were economic imbalances, and the benefits of the economic boom were unevenly distributed. The Shah's authoritarian regime, combined with the dissatisfaction of the people of Iran, led to increasing opposition. Things were getting worse every day for

the Shah and for his regime. For the opposition, one man became the face of the opposition, and the Islamic Revolution, Ruhollah Khomeini.



In 1963, Khomeini delivered a preaching, where he stated that the Shah was a Western puppet, denounced the White Revolution, and that he violated the constitution. After the preaching, he was detained immediately. He escaped the capital punishment by a hair's breadth. With the Shah putting his sympathizers in official positions and ranks, the Shah tried to strengthen his rule by nepotism. The Shah has undermined the opposition by outlawing trade unions and independent newspapers. Discontent was up to eleven within the clergy and ulama. Anti-Shah protests were held across the Shia country, and workers were on strike. With SAVAK, martial law was imposed. Khomeini's speeches, audio tapes, writings and letters were leaked to the opposition, and then secretly distributed to the country. Khomeini was in Iraq, exiled by the Shah after his preaching, but then was expelled from Iraq to France, Paris. From Paris, these messages have reached an even wider audience.

On January 16, 1979, the Shah, facing an immense amount of pressure -which was officially marked as a temporary flight for medical treatment-, left Iran during the protests never to return

again. The Shah's government lost control of most parts of Iran, and the opposition gained control of most parts. On February 1, 1979, Khomeini returned to Iran, after 15 years of exile.

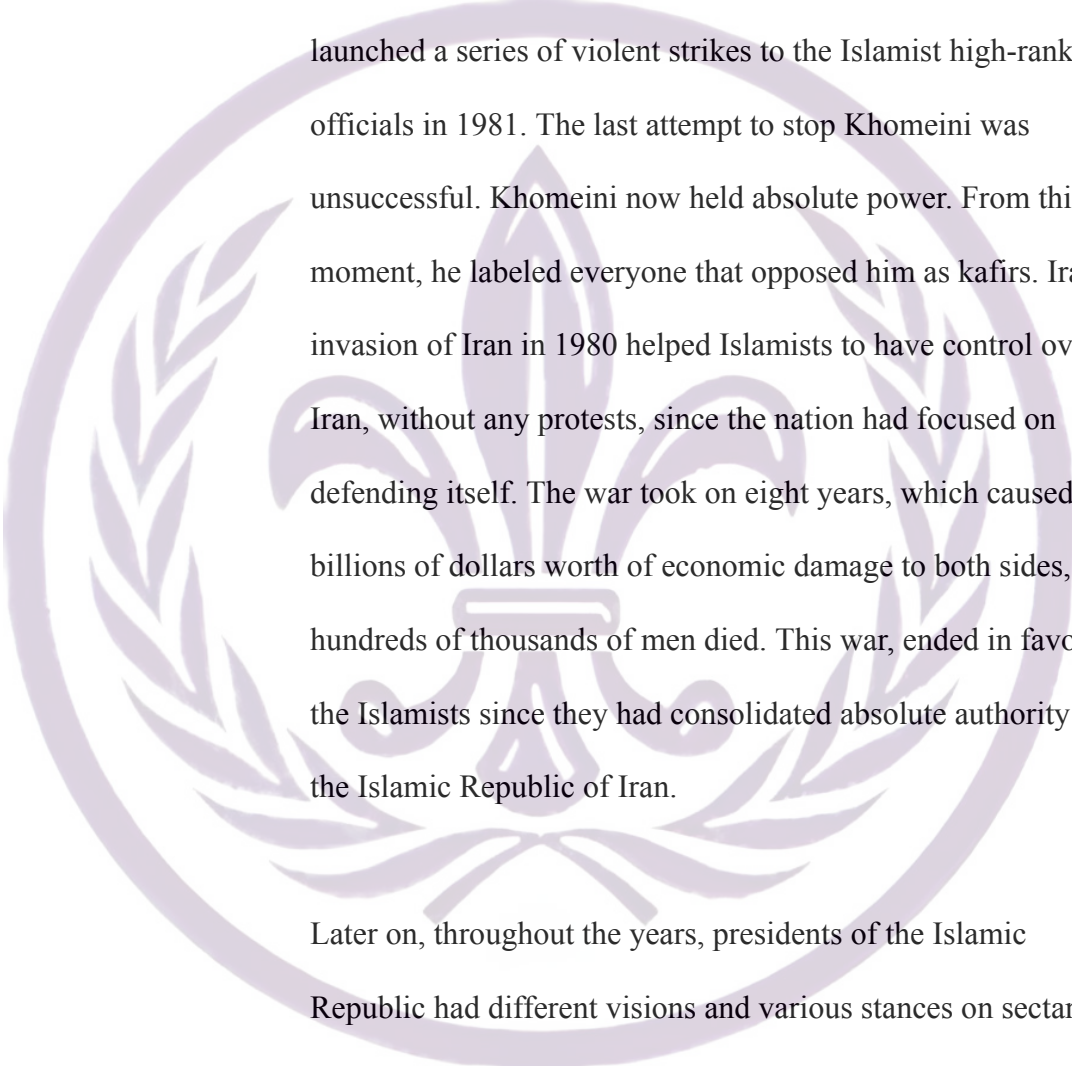
Khomeini denied the government and rejected its authority. He said that the monarchy was unjustified. He began to take measures, establishing revolutionary committees (Komitehs) to administrate the local governance, and a Revolutionary Council, which undermined the government significantly. After Khomeini returned, there was a vast amount of political activity and conflicts between revolutionary forces and those who were loyal to the Shah. With the political conflicts, the armed forces of Iran declared neutrality on February 11, 1979, the Shah's government fell, leading to factionalism within the opposition -which Khomeini had the superiority-, and lastly, a nationwide referendum in order to establish an Islamic Republic.

2.1.1.2. After the Islamic Revolution

With Khomeini and the opposition's victory, the aftermath of the revolution was to eliminate other threats that may consolidate power -as it is seen often in the history books-. This led to the power grab by Khomeini and his loyalists. Within 1979, Khomeini established Revolutionary bodies to outshine the authority of Prime Minister Bazargan. Regardless of the support for Khomeini in Iran, it did not have an armed body, so

he established the Islamic Revolutionary Guard Corps, IRGC. The Shah was in the United States, having cancer treatment. Islamists demanded the Shah's return to the Islamic Republic for a trial for his crimes. The demand was rejected, and student followers of Khomeini took over the United States embassy in Iran, taking 52 Americans hostage, which led to the Iran Hostage Crisis on November 4th. American and Iranian relations were at minimum, leading to economic sanctions on Iran.

On December 2-3, 1979, the new constitution for the Islamic Republic of Iran was put to a nationwide referendum. The constitution was approved with 99.5% of voters in favor. This constitution included the highest political and religious authority, the Supreme Leader, Ayatollah. The Supreme Leader was given the authority over all branches of government, including Majlis. The Supreme Leader has the power to veto, and dismiss the President. The Supreme Leader of Iran is chosen by the Assembly of Experts, and this assembly is responsible for electing and overseeing the Supreme Leader and has the authority to dismiss the Supreme Leader. With the ratification of the new constitution of the Islamic Republic, the Supreme Leader was Khomeini. With this power, he eliminated his old allies -other oppositions to the Shah excluding Islamists who did not comply with Khomeini-, leftists, liberals,



democrats, etc. Simultaneously, executions for the Pahlavi regime's officers and officials took place after trials. In 1980, the Islamic Republic launched the Cultural Revolution, resulting in a way that universities were shut down, teachers and students were purged, and many Iranian people went abroad. People's Mujahideen Organization of Iran, MEK, launched a series of violent strikes to the Islamist high-ranking officials in 1981. The last attempt to stop Khomeini was unsuccessful. Khomeini now held absolute power. From this moment, he labeled everyone that opposed him as kafirs. Iraq's invasion of Iran in 1980 helped Islamists to have control over Iran, without any protests, since the nation had focused on defending itself. The war took on eight years, which caused billions of dollars worth of economic damage to both sides, and hundreds of thousands of men died. This war, ended in favor of the Islamists since they had consolidated absolute authority on the Islamic Republic of Iran.

Later on, throughout the years, presidents of the Islamic Republic had different visions and various stances on sectarian violence, whether it was to advocate for Sunnis, or more harsh policies towards Sunnis and minorities. 1st President of Iran, Abolhassan Banisadr's presidency was in times of the Iran-Iraq War, during which he really was unable to address sectarian violence through politics, and was impeached by the Majlis on

June 21, 1981. This action was taken because they believed he had taken actions against the clerics in power, particularly Mohammad Beheshti -while he was the Chief Justice of Iran-, and Beheshti was succeeded by Mohammad-Ali Rajai. The 2nd President of Iran, Mohammad-Ali Rajai was arrested by SAVAK in the 1970s twice, for his opposition against the Shah. During his presidency (9 October 1981 - 16 August 1989), there were no significant changes or initiatives, since he was assassinated in a bombing just in his 29th day of presidency, and was succeeded by Ali Khamenei. During Khamenei's presidency, the main focus was on uniting the country during the Iran-Iraq War, which was a conflict between Iran and a Sunni-majority state. While emphasizing national unity, Khamenei's government did not specifically address the religious differences between Shia and Sunni communities within Iran. Khamenei's government focused on gaining power and ensuring stability during the Iran-Iraq War, often leading to the suppression of the opposition, rather than rapprochement between Sunnis and Shiites. His presidency ended following the death of the Supreme Leader of Iran, Ayatollah Khomeini. Assembly of Experts, the body responsible for selecting the Supreme Leader, elected Khamenei as the 2nd Supreme Leader of Iran, and his presidency was succeeded by Akbar Rafsanjani. In his presidency (16 August 1989 - 3 August 1997), Rafsanjani attempted to involve Sunni leaders in the political

process and reduce sectarian tensions by promoting economic development in underdeveloped regions, some with Sunni-majority populations, and appointed Sunnis to local government. However, these efforts were mainly symbolic and did not lead to substantial improvements in the status of Sunni communities or a significant reduction in sectarian violence.

According to the Constitution of the Islamic Republic of Iran, presidents are able to serve for two consecutive terms, which made him unable to run for a third consecutive term, leading him to leave the office at the end of his second consecutive term. The 5th President of Iran was Muhammad Khatami.

During his presidency (3 August 1997 - 3 August 2005) efforts were made to address the concerns of the Sunni minority. This included pushing for their participation in the political process and easing restrictions on Sunni religious practices. However, these efforts faced resistance from conservative factions within the government, limiting their effectiveness in reducing sectarian violence. His presidency ended as he completed two consecutive terms in office. The 6th President of Iran was

Mahmoud Ahmadinejad. During the course of his presidency (3 August 2005 - 3 August 2013), reports surfaced of increased mistreatment, persecution, and discrimination against Sunnis. His administration's efforts to strengthen the Shia identity of the state and its strict measures in Sunni-majority areas made sectarian tensions worse. He left office after he completed two

consecutive terms. The 7th President of Iran was Hassan Rouhani, Rouhani's presidency (3 August 2013 - 3 August 2021) tried to improve the situation for Sunni communities by appointing Sunnis to government positions in Sunni-majority regions and emphasizing national unity. However, these efforts faced struggle and often faced resistance from conservatives. His presidency ended as he completed two consecutive terms. The 8th President of Iran was Ebrahim Raisi, and during his presidency (3 August 2021 - 19 May 2024) he continued to prioritize Shia Islam as nation's identity, which did not help to reduce the internal Sunni-Shia tensions, and continued to take harsh measures. These suppressions could potentially intensify sectarian tensions rather than soothe and appease them. On 19 May 2024, he was martyred in the crash on the way back from visiting Azerbaijan's President Ilham Aliyev.

2.1.2. Root Causes of Sectarian Violence

When the Safavid Dynasty's first Safavid Shah, Ismail I established Shia Islam as the state religion in Iran, both internal and external tensions began, with other minorities within Iran, and other Sunni state neighbors. Since then, Shia Islam has been the political and religious identity of Iran. With the establishment of the Islamic Republic in 1979, Shia Islam and Shia clerics were put into charge of the government and governmental structure throughout Iran, which led to

marginalization of Sunnis. Sunni communities, particularly ethnic minorities like Kurds and Baluchis, have historically experienced discrimination and marginalization from central authorities, resulting in a lack of resources allocated to these regions and perpetuating conditions of underdevelopment -which the underdevelopment was mainly based on the centralization of Tahran and since the regions were bordering with other countries-. Regions with a Sunni majority have encountered political repression, resulting in limited political representation, cultural and religious expression. This has got in the way of the emergence of local leadership and prevented initiatives to continue regional development. The violation of human rights against Sunni activists and clergy, including arbitrary arrests, torture, and executions, contributes to sectarian violence. These actions result in the further marginalization of Sunni communities, which the actions and their results can be seen after the Islamic Revolution.

2.2. Government Policies

After the Islamic Revolution, few of the presidents relieved the tensions between Sunnis and Shiites by advocating for them, developing Sunni-majority provinces of Iran, and granting them rights even though the government was in unsettled times, but most of them tried to soothe the tensions by harsh measures, such as restricting building Sunni mosques, implementing Shia religious education and teachings, limiting political representation -which can be seen in the Majles as well-, supporting Shia

militias, suppressions of protests and detentions to those who were involved in protests, and negative usage of media towards Sunni minorities, which significantly contributes to sectarian tensions.

Molavi Abdolhamid Ismaeelzahi, the most outspoken Sunni cleric in Iran, has demanded an end to theocratic rule but rejected violence as a political tool to achieve it. “Governments should serve people, not torture them,” he told followers in January 2023. “No ruler on the earth has absolute authority.” He has called on Shiites and Sunnis across the Islamic world to unite against extremism using the “commonalities” in their respective sects. He has repeatedly called on Muslims to counter militant interpretations of Islam. The cleric long advocated for gradual change within the framework of the Islamic Republic. After protests erupted in the fall of 2022, he demanded massive political reforms. Molavi Abdolhamid publicly urged the government to “listen to the voice of the people.” The constitution should be updated “in accordance with the conditions and needs of time,” he told followers. “Those who claim to implement the Islamic rulings should consider the conditions of the present age. Otherwise, they will not succeed.”⁶

In recent years, however, there has been an evolution in Iran’s foreign policy in the region — with the country effectively embracing an Islamist pan-sectarian identity. Namely, Tehran has begun to prioritize an Islamic approach and downplay Iran’s Persian identity among its eastern neighbors; at the same time, it is retaining its ties to Shi’a allies in the Arab world. As Saudi

⁶ “Iran’s Dissident Sunni Cleric,” Wilson Center, accessed August 21, 2024, <https://www.wilsoncenter.org/article/irans-dissident-sunni-cleric>.

Arabia, the traditional spiritual leader of the Sunni Muslim world for nearly a century, has become more socially liberal and economy-oriented domestically and has broadened its geostrategic perspective on the international stage, Iran has perceived an opportunity to replace the Saudi kingdom as a pan-sectarian leader of the Islamic world. This can be seen most clearly in Afghanistan, where Iran has abandoned its traditional Persian-speaking allies, previously the Northern Alliance but now represented by the anti-Taliban National Resistance Front (NRF), led by Ahmad Massoud, the son of former Northern Alliance commander Ahmad Shah Massoud. Iran has instead warmed in its relations with Afghanistan's non-Persian Sunni Islamist Taliban regime, which the Persian-speaking Tajiks of Afghanistan accuse of oppressing them and their Persian cultural-linguistic identity. This has forced the NRF to seek alternative sponsors, such as Tajikistan, to implicitly support its armed resistance against the Taliban.⁷

2.2.1. Legal and Political Framework Concerning Sectarian Violence

The legal and political framework in Iran is shaped by the state's commitment to Shia Islam, affecting the rights and freedoms of Sunni Muslims and other religious minorities significantly. While the Constitution of the Islamic Republic of Iran does provide for certain minority rights, the “application” of these laws and policies often leads to discrimination and marginalization of Sunnis, which leads to

⁷ Syed Mohammad Ali, Bruce Pannier, and Vinay Kaura, “Iran Strives to Become a Pan-Sectarian Islamic Power,” Middle East Institute, August 12, 2024, <https://www.mei.edu/publications/iran-strives-become-pan-sectarian-islamic-power>.

violence. This is due to the centralization of power under Shia religious clerics and the significant influence of security forces, along with the limited representation of Sunnis in the political process. These factors collectively contribute to the ongoing challenges related to sectarian violence and minority rights.

2.2.1.1. Constitution of the Islamic Republic of Iran

The Constitution of the Islamic Republic of Iran sets forth the cultural, social, political, and economic institutions of Iranian society on the basis of Islamic principles and norms, which represent the earnest aspiration of the Islamic Ummah. This basic aspiration was made explicit by the very nature of the great Islamic Revolution of Iran, as well as the course of the Muslim people's struggle, from its beginning until victory, as reflected in the decisive and forceful slogans raised by all segments of the populations. Now, at the threshold of this great victory, our nation, with all its being, seeks its fulfilment.⁸

2.2.1.1.1. Article 12

⁸ "Iran (Islamic Republic of)'s Constitution of 1979 with Amendments through 1989," n.d.

Article 12 of the Constitution of the Islamic Republic of Iran declares Twelver Ja'farî Shia Islam as the official state religion, which also establishes Shia Islam as a fundamental to bodies of the government collectively. As aforementioned frequently, establishment of Shia Islam as the state religion leads to the marginalization of Sunni communities, along with other minorities living in Iran. The influence of Shia Islam and its affects to sectarian violence was undeniable, so Article 12 of the constitution allows other sects of Islam and other religions to educate about their religion, and not to adhere to Islam about their affairs of personal status.

The official religion of Iran is Islam and the Twelver Ja'farî school [in usul al-Dîn and fiqh], and this principle will remain eternally immutable. Other Islamic schools, including the Hanafî, Shafi'î, Malikî, Hanbalî, and Zaydî, are to be accorded full respect, and their followers are free to act in accordance with their own jurisprudence in performing their religious rites.

These schools enjoy official status in matters pertaining to religious education, affairs of personal status (marriage, divorce, inheritance, and wills) and related litigation in courts of law. In regions of the country where Muslims following anyone of these schools of

fiqh constitute the majority, local regulations, within the bounds of the jurisdiction of local councils, are to be in accordance with the respective school of fiqh, without infringing upon the rights of the followers of other schools.⁹

2.2.1.1.2. Article 13

The Article 13 states the recognized minorities within the Islamic Republic, and granting them rights to freely practice their religions.

Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education.¹⁰

However, since Sunnis are not classified as a minority, these rights do not benefit them, which limits them from practicing their religion freely.

2.2.1.1.3. Article 14

⁹ "Iran (Islamic Republic of)'s Constitution of 1979 with Amendments through 1989," n.d.

¹⁰ *ibid*

Article 14 draws attention to treat every non-Muslim with justice, equity, kindness and respect.

In accordance with the sacred verse ("God does not forbid you to deal kindly and justly with those who have not fought against you because of your religion and who have not expelled you from your homes" [60:8]), the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their human rights. This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.¹¹

2.2.1.1.4. Article 19

All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and colour, race, language, and the like, do not bestow any privilege.

¹¹ "Iran (Islamic Republic of)'s Constitution of 1979 with Amendments through 1989," n.d.

3. Agenda Item II: The Death of Mahsa Amini and Its Consequences

a. Introduction to the Agenda Item II: A Detailed Overview of the Case Mahsa Amini

During the ongoing violence and conflicts in Iran in 2022, a 22-year-old woman named Mahsa Amini, also known as Jina Amini was taken into custody for not adhering to the Islamic dress code (mainly related to hijab compulsory). She was reportedly subjected to severe questioning and potential mistreatment during her detention. She was arrested by the Iranian "morality police" (known as the Gasht-e Ershad or Guidance Patrol) on September 13, 2022. She was taken into custody for allegedly breaching Iran's stringent dress code for women, which requires them to cover their hair with a hijab and wear loose-fitting clothing. On September 16, 2022, she was reported to have collapsed at a police station and was subsequently taken to the hospital in Tehran. The official cause of death was presented as a heart attack or stroke which is stated in the death report but it is found suspicious by many people from her family, friends, and some witnesses.

It is obvious that this case was not the first case concerning all women in the country to make hijab compulsory but one of the strongest ones in terms of protesting and taking action against the government. The reason behind the death case and protests are directly related to the origin of the compulsory hijab.

Picture 1:
A selection
of Iranian
newspapers
front pages
with headlines
reporting
the death of
22-year-old
Mahsa Amini
on September 18, 2022.¹²



i. The Chronological Timeline of the Events

1979: The Iranian Revolution

16th of January, 1979: The Shah of Iran, Mohammad Reza Pahlavi, leaves the country, leading to the culmination of the Islamic Revolution.

1st of February, 1979: Ayatollah Ruhollah Khomeini returns from exile and assumes leadership of the revolutionary movement.

1st of April, 1979: The establishment of the Islamic Republic of Iran is formally declared following a national referendum.

¹² Uygur, H. (2022). Iran in the wake of Mahsa Amini's death. *Insight Turkey*, 24(Fall 2022). <https://doi.org/10.25253/99.2022244.1>

1980-1988: The Iran-Iraq War

22nd of September, 1980: Under the leadership of Saddam Hussein, Iraq launches an invasion of Iran, signifying the onset of the Iran-Iraq War.

August 20, 1988: A ceasefire is agreed upon, leading to the formal conclusion of the war, which has enduring impacts on Iran's societal and economic landscape.

2005: Election of Mahmoud Ahmadinejad:

Mahmoud Ahmadinejad, a former mayor of Tehran and a conservative figure, won the presidential election in June 2005. His victory was seen as a shift away from the more reformist policies of his predecessor, Mohammad Khatami. Because his presidency was marking a significantly negative impact on women's rights in terms of dress code and returning to traditional values.

Also, the "morality police" (Gasht-e Ershad or Guidance Patrol) became more active in policing women's dress codes. There were more frequent patrols and inspections, leading to increased arrests and fines for women deemed to violate dress code regulations.

2009: The Green Movement:

After the presidential elections in 2009, the Islamic Republic of Iran witnessed a very controversial outcome which was once again Mahmoud Ahmadinejad's victory over Mir-Hossein Mousavi. Following the announcement of the election results, widespread protests erupted across Iran, initially centered around the claims of election fraud and the demand for a recount. The movement was called the Green Movement, named after Mousavi's campaign color. In this campaign, women were taking place actively while

fighting for their rights. They took crucial leadership roles and they were highly visible in the protests, often leading chants, organizing sit-ins, and using social media to spread information and mobilize supporters. Although the Green Movement did not achieve its immediate goals, its legacy influenced subsequent political and social developments in Iran. The activism and visibility of women during the protests contributed to ongoing discussions about gender equality and women's rights.

2014: The “Stealthy” Hijab Movement: Women began to explore more flexible interpretations of the hijab, giving rise to a "stealthy" hijab movement in which they wore the hijab loosely or in more liberal styles. This resulted in periodic enforcement actions by the authorities.

2018: Vida Movahed’s Protest: Vida Movahed gained widespread attention for her act of standing on a utility box in Tehran and waving her hijab on a stick as a form of protest against the compulsory hijab laws. Her action sparked further demonstrations and increased international attention.

2021: Protests Over Hijab Enforcement: Protests against the compulsory hijab law continued, with numerous women-led campaigns gaining momentum both within Iran and globally. Social media was instrumental in amplifying these voices.

2022: Mahsa Amini’s Death and Subsequent Protests

13th of September, 2022: Mahsa Amini, a 22-year-old Iranian woman, is detained by Iran’s “morality police” with the accusation of non-compliance with the country's stringent dress code for women.

14th of September, 2022: Amini is reported to be in custody at a detention center where she faces questioning and possible mistreatment.

15th of September, 2022: Reports suggest that Amini collapsed at the detention center and was later hospitalized. Official accounts attribute her condition to a heart attack or stroke, but conflicting reports raise concerns about possible abuse.

16th of September, 2022: Mahsa Amini succumbs to her condition in a Tehran hospital. The official cause of death is cited as a heart attack or stroke, but suspicions of foul play and abuse are raised by her family and various observers. News of her death ignites widespread outrage and leads to extensive public protests.

Aftermath of the Death & February 2023 and beyond: Following Mahsa Amini's death on September 16, 2022, massive protests erupted across Iran. The demonstrations were driven by demands for justice for Amini and broader discontent with Iran's mandatory hijab laws and other human rights issues.

The protests saw substantial participation from women, who led many of the demonstrations and publicly challenged the hijab regulations by removing their headscarves. The Iranian authorities reacted hardly to the protesters who are especially women, including using direct force, beating, and arbitrary detentions.

The international community responded with criticism of the Iranian government's actions. Numerous countries and human rights organizations demanded an independent investigation into Amini's death and showed support for the protesters. Discussions also emerged about implementing sanctions and diplomatic pressures as potential measures against the Iranian government's response to the situation.

b. Background Information on the Death of Mahsa Amini

i. The Origin of Compulsory Hijab & The Islamic Revolution of Iran

According to Iran's Islamic Penal Code, The wearing of the headscarf and long dark attire became compulsory for all Iranian women and girls over the age of 9 in April 1983. Since then, all women, including the non-Muslims, have been required by law to wear hijab in public.¹³ As it is mentioned in The Code article 638¹⁴ “ Women who are seen in public places or on roads without wearing an Islamic hijab may face penalties ranging from 10 days to two months of imprisonment, or a fine ranging from 5,000 to 50,000 tomans (about US\$0.10 to \$1.00).”

When talking about the roots of the compulsory hijab it is crucial to address the The Islamic Revolution of Iran.¹⁵ A quick look at this revolution, The Iranian Revolution of 1977-79 was the first in a series of mass popular civil insurrections that would result in the overthrow of authoritarian regimes in dozens of countries over the next three decades. Unlike most of the other uprisings that would topple dictators in Latin America, Eastern Europe, and parts of Asia and Africa, the result of the Iranian struggle was not the establishment of liberal democracy but a new form of authoritarianism. However, except for a series of short battles using light weaponry in the final hours of the uprising, the revolutionary forces themselves were overwhelmingly nonviolent. The autocratic monarchy of Mohammed Reza Shah

¹³ Ihrdc. (2021, April 12). *Islamic penal code of the islamic republic of iran – book five*. Iran Human Rights Documentation Center. <https://iranhrdc.org/islamic-penal-code-of-the-islamic-republic-of-iran-book-five/>

¹⁴ Ihrdc. (2021, April 12). *Islamic penal code of the islamic republic of iran – book five*. Iran Human Rights Documentation Center. <https://iranhrdc.org/islamic-penal-code-of-the-islamic-republic-of-iran-book-five/>

¹⁵ Iranian Revolution, popular uprising in Iran in 1978–79 that resulted in the toppling of the monarchy on February 11, 1979, and led to the establishment of an Islamic republic.

Pahlavi faced a broad coalition of opposition forces, including Marxists and constitutional liberals, but the opposition ultimately became dominated by the mullahs of the country's Shia hierarchy. Despite severe repression against protestors, a series of demonstrations and strikes over the previous two years came to a peak in the fall of 1978, as millions of opponents of the Shah's regime clogged the streets of Iran's cities and work stoppages paralyzed the country. The Shah fled into exile in January 1979 and exiled cleric Ayatollah Ruhollah Khomeini returned from exile to lead the new Islamic Republic.¹⁶

The aftermath of the Iranian Revolution can be seen in many areas such as :

- Iran adopted a theocratic system of government which is rooted in religious authority.
- A new constitution was adopted in 1979, establishing a mixed system of Islamic law (Sharia) and republican principles.
- The political structure includes the Supreme Leader, the President, and a complex system of clerical councils and institutions, such as the Assembly of Experts and the Guardian Council.
- The Revolutionary Guards (IRGC) and the judiciary played central roles in enforcing the new regime's policies and maintaining control.
- The revolution resulted in significant economic upheaval, including the nationalization of key industries and a shift away from Western business practices.

¹⁶ *The Iranian Revolution (1977-1979)*. ICNC. (2020, March 5). <https://www.nonviolent-conflict.org/iranian-revolution-1977-1979/>

- The Islamic Republic implemented strict social policies, including mandatory hijab for women and the enforcement of conservative dress codes.
- The regime restricted many aspects of public and private life, emphasizing traditional Islamic values and practices.
- The Iran-Iraq War (1980-1988) was a major conflict that resulted from Iraq's invasion of Iran. The war had devastating effects on both countries and led to substantial loss of life and economic damage. The war also solidified the role of the Islamic Revolutionary Guards Corps (IRGC) in Iranian politics and military affairs.

As listed previously, there are numerous aspects of revolution but two of them are still being highly crucial for Iran which is the change in the regime and its mirroring effect on human rights, especially women's rights.

As the Islamic Republic stabilized, it turned out that women were once again the only reserve players in a male-dominated game. Now that the revolution was over, based on the conviction that women are naturally unwise and unequal, new legislations were enforced upon which women were excluded from many legal rights, while “equally subject to the harsh treatment of the current laws of retribution - qassas.”¹⁷ Discrimination against women was and still is institutionalized through Constitution, government policies, and state ideology. “For instance, Article 19 of the constitution states: The people of Iran regardless of ethnic and tribal origin enjoy equal rights. Color, race, language, and the like will not be

¹⁷ Moore, D. (2019). *Two Steps Forward, One Step Back*. <https://doi.org/10.1515/9781618110770>

cause for privilege.¹⁸ Note that while discrimination based on ethnicity and race is prohibited, neither religion nor sex is mentioned.” Shortly after the victory of the revolution, women were excluded from military and judiciary jobs, and female students were barred from the School of Law. Despite early promises of religious statesmen and all oppositions and criticisms, in June 1980, the Islamic dress code (hijab) was imposed on women which was applied even to minorities. Many women, who resisted hijab or other revolutionary principles, were dismissed from their jobs.

ii. The Effect of the Iran- Iraq War

After an eight-year ongoing conflict between Iran and Iraq, in 1988 the official war ended with a United Nations-brokered ceasefire. A ceasefire mediated by the United Nations was established, bringing an end to the conflict. The war formally concluded with the adoption of UN Security Council Resolution 598, which mandated an immediate halt to hostilities and a restoration of the borders to their pre-war status. According to the UN Security Council Resolution 598¹⁹;

This Security Council Resolution calls on Iran and Iraq to observe an immediate ceasefire, discontinue all military actions, and withdraw all forces to the internationally recognized boundaries. It requests the UN Secretary-General to dispatch a team of United Nations observers to verify, confirm, and supervise the ceasefire and withdrawal of troops. It urges that prisoners of war be released and repatriated without delay after the cessation of active

¹⁸ <https://en.mfa.ir/portal/viewpage/3997/constitution>

¹⁹ *S/RES/598*. Security Council Report. (n.d.).

<https://www.securitycouncilreport.org/un-documents/document/chap-vii-sres-598.php>

hostilities. On 17 July 1988, Iran notified the Secretary-General of its formal acceptance of resolution 598 (1987), expressing the need to save lives and to establish justice and regional and international peace and security. The following day, Iraq also reaffirmed its agreement with the principles embodied in the resolution.²⁰

The war led to a temporary shift in societal norms as women's roles expanded beyond traditional confines. Their increased public presence and contributions during the war were initially seen as a step towards greater gender equality.

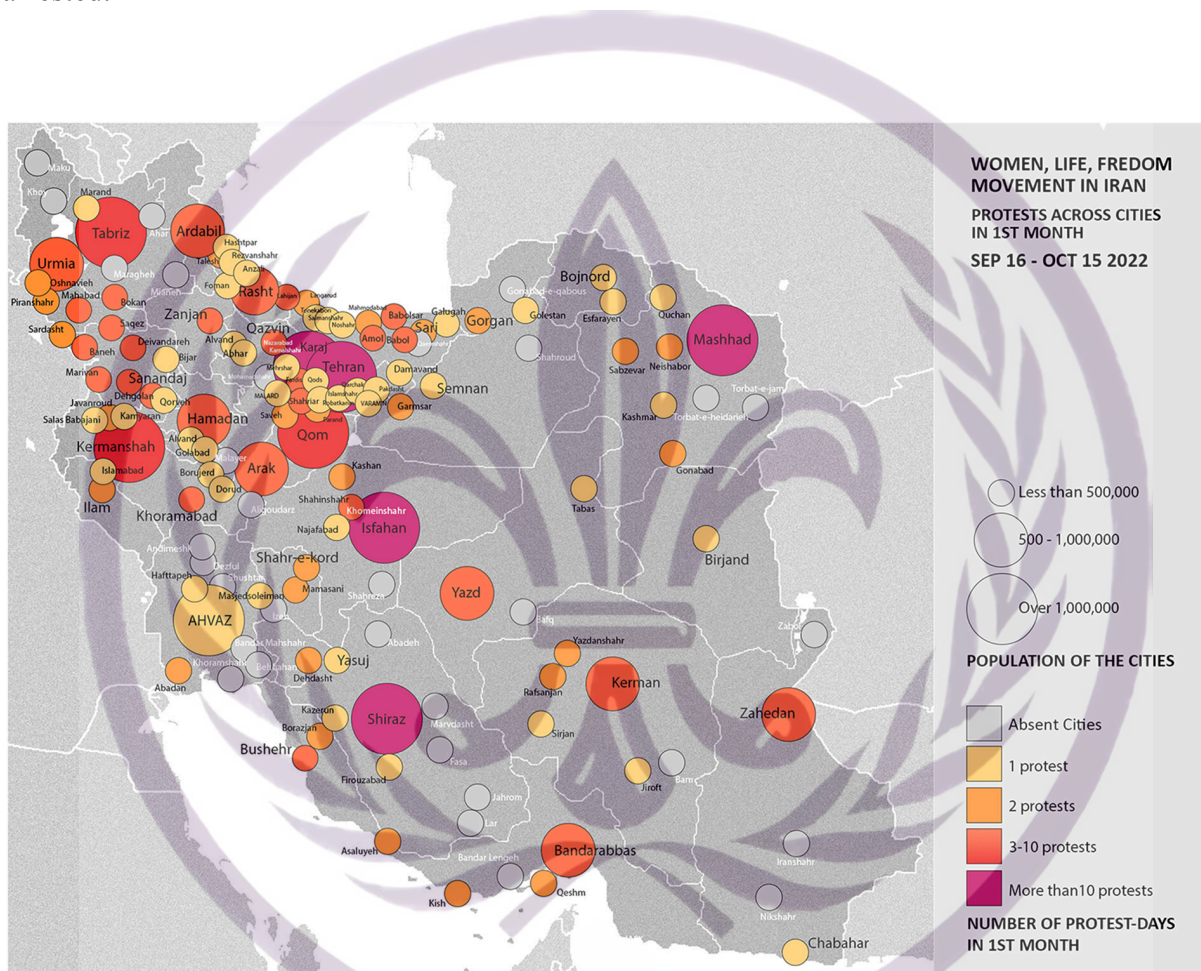
After the war, there was a retrenchment to more conservative roles for women. The post-war period saw a reinforcement of traditional gender norms and a rollback of some of the advancements women had made during the conflict. In addition to these, The Iranian government reinforced some measures as part of its broader strategy to maintain traditional Islamic values. Once again women failed to reach the equality of men in every area, starting from the lower ground that men agreed on in terms of appropriate laws.

c. Political Environment After the Death in Iran and Long-Term Implications in the Global

Since September 16, 2022, the day Mahsa Jina Amini died in the custody of the “morality police” in Tehran, the streets and avenues of Iran have been the scene of regime-opposition protests, predominantly led by women. Over the following weeks, the waves of protests snowballed as the often very young demonstrators poured into the streets in some 160 cities,

²⁰ United Nations. (n.d.). *Security Council resolution 598: Iraq-Islamic Republic of Iran* | UN Peacemaker. United Nations. <https://peacemaker.un.org/iraqiran-resolution598>

chanting anti-regime slogans. Many women removed their mandatory headscarves at street protests to call for an end to the dual life forced upon them by the state's dress code. The protesters' anti-authoritarian outrage met with broad public sympathy and moved beyond the discontented middle classes. During the protests following the Death of Amini, an estimated 500 demonstrators were killed, including 67 children, and more than 15,000 people were arrested.²¹



Map 1. Number of protests across cities in the first month of the movement. September 16 to October 15, 2022—Khatam.²²

²¹ Khatam, A. (2023). Mahsa Amini's killing, state violence, and moral policing in Iran. *Human Geography*, 16(3), 299–306. <https://doi.org/10.1177/19427786231159357>

²² Khatam, A. (2023). Mahsa Amini's killing, state violence, and moral policing in Iran. *Human Geography*, 16(3), 299–306. <https://doi.org/10.1177/19427786231159357>

The death of Amini led to widespread international condemnation, inspired global protests in solidarity with Iranian women, and prompted calls for increased sanctions and accountability against Iranian authorities. The event also highlighted the broader struggle for women's rights and political freedoms, influencing global discussions and policies related to human rights. It emerged many UN bodies and constitutions to union again and take action. The most important

i. European Parliament Resolution of 6 October 2022 on the Death of Mahsa Jina Amini and the Repression of Women's Rights Protesters in Iran

On 6 October 2022, approximately three weeks after the death of Amini, the European Parliament passed a resolution condemning the death of Mahsa Jina Amini and the harsh response to women's rights protests in Iran. The resolution demanded that the Iranian government uphold human rights and called on the EU to impose targeted sanctions on those responsible for the crackdown. It also stressed the importance of international backing for Iranian civil society and advocates for women's rights. The Resolution includes five main sections which are: Introduction and Context, Condemnation, Calls for Action, Support for Civil Society, and Future Steps.²³ The very first section is mentioned below and the full resolution is attached as an endnote.

²³ Europarl.europa.eu. (n.d.). <https://www.europarl.europa.eu/>



TEXTS ADOPTED

P9_TA(2022)0352

The death of Mahsa Amini and the repression of women's rights protesters in Iran

European Parliament resolution of 6 October 2022 on the death of Mahsa Jina Amini and the repression of women's rights protesters in Iran (2022/2849(RSP))

The European Parliament,

- having regard to its previous resolutions on Iran,
- having regard the declaration by the High Representative on behalf of the European Union of 25 September 2022 and the statement of the European External Action Service spokesperson of 19 September 2022 on the death of Mahsa Amini,
- having regard to the statement of the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran of 22 September 2022, demanding accountability for the death of Mahsa Amini and calling for an end to violence against women,
- having regard to the reports by UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran of 18 June 2022, 13 January 2022, and 11 January 2021,
- having regard to report of the UN Secretary-General of 16 June 2022 on the situation of human rights in the Islamic Republic of Iran,
- having regard to the statement of UN Secretary-General António Guterres of 27 September 2022,
- having regard to the International Covenant on Civil and Political Rights of 1966 (ICCPR), and to Iran's ratification thereof in June 1975,
- having regard to the EU Guidelines on Human Rights Defenders,
- having regard to the EU guidelines of 8 December 2008 on violence against women and girls and combating all forms of discrimination against them,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to Rule 132(2) and (4) of its Rules of Procedure,

Picture 2: The First Page of European Union Resolution, 2022²⁴

ii. Independent International Fact-Finding Mission on the Islamic Republic of Iran on 24 November 2022 mandated by The UN Human Rights Council

²⁴ www.europarl.europa.eu

According to the United Nations Human Rights Office of The High Commissioner Press Release dated 2023; The Fact-Finding Mission urges the Government’s “Special Committee,” established on 7 May 2023, to investigate the protests to examine these allegations of harassment and intimidation, and of alleged violations of the human rights of protesters, journalists, lawyers, and human rights defenders and to make their findings public, in accordance with international human rights standards.

The Fact-Finding Mission also reiterates its call to the Government of the Islamic Republic of Iran to fully cooperate with its investigations and ensure that all those affected have unhindered and safe access to providing evidence, including referral of their cases to the Fact-Finding Mission.²⁵

In its resolution S35/1, addressing the worsening human rights situation in the Islamic Republic of Iran, the Human Rights Council decided on 24 November 2022 to set up an independent international fact-finding mission in Iran for one year. On 4 April 2024, the Council voted to extend the Fact-Finding Mission's mandate for another year via resolution 55/19.²⁶ A copy of the document’s first page is given below.

²⁵ Iran: On one-year anniversary of Jina Mahsa Amini’s death in custody, heightened repression of women and girls and reprisals against protesters and victims’ families is deeply troubling, un fact-finding mission says | OHCHR. (n.d.). <https://www.ohchr.org/en/press-releases/2023/09/iran-one-year-anniversary-jina-mahsa-aminis-death-custody-heightened>

²⁶ HRC Home | OHCHR. (n.d.-a). <https://www.ohchr.org/en/hrbodies/hrc/home>



Independent International Fact-Finding Mission on the Islamic Republic of Iran

Terms of Reference

1. The Independent International Fact-Finding Mission on the Islamic Republic of Iran (hereafter “the Fact-Finding Mission”) was created through [resolution S-35/1](#) of the United Nations Human Rights Council, adopted on 24 November 2022.

I. Mandate

2. In Resolution S-35/1, paragraph 7, the Human Rights Council decided “to establish an independent international fact-finding mission, until the end of the fifty-fifth session of the Human Rights Council, to be appointed by the President of the Council”.
3. Resolution S-35/1, paragraph 7, mandates the Fact-Finding Mission to:
 - (a) Thoroughly and independently investigate alleged human rights violations in the Islamic Republic of Iran related to the protests that began on 16 September 2022, especially with respect to women and children;
 - (b) Establish the facts and circumstances surrounding the alleged violations;
 - (c) Collect, consolidate and analyse evidence of such violations and preserve evidence, including in view of cooperation in any legal proceedings;
 - (d) Engage with all relevant stakeholders, including the Government of the Islamic Republic of Iran, the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, relevant United Nations entities, human rights organizations and civil society.
4. Further, in paragraph 8 of the resolution, the Human Rights Council “requests the independent international fact-finding mission to present an oral update to the Human Rights Council during an interactive dialogue at its fifty-third session and to present to the Council a comprehensive report on its findings during an interactive dialogue at its fifty-fifth session”.

Picture 3: Independent International Fact-Finding Mission on the Islamic Republic of Iran Document, 2023

iii. Report of the 35th Special Session of the Human Rights Council on the deteriorating human rights situation in the Islamic Republic of Iran

The 35th Special Session of the UN Human Rights Council was convened to address Iran's worsening human rights situation. This session was prompted by widespread reports of severe human rights abuses, particularly in the wake of Mahsa Amini's death and the subsequent protests. The reported paper of the 35th Special Session of the Human Rights Council on the Deteriorating Human Rights Situation in the Islamic Republic of Iran is aimed to highlight the violent crackdown on demonstrations that erupted following Mahsa Amini's death. In addition, The session's recommendations aimed to address the immediate crisis and promote long-term improvements in human rights conditions within the country.

There are eight main sections of the report which are:

Introduction, Human Rights Violation, International and Domestic Responses, Findings and Analysis, Recommendations, Conclusion, Next Steps and Annexes.²⁷

The first page of the resolution is mentioned below and the total document²⁸ will be attached at the end of the page.²⁹

²⁷ <https://digitallibrary.un.org/record/4011143?ln=ar&v=pdf>

²⁸ [UN. Human Rights Council \(35th special sess. : 2022 : Geneva\)](#)

²⁹ <https://digitallibrary.un.org/record/4011143?ln=ar&v=pdf>



Human Rights Council
Thirty-fifth special session
24 November 2022

Report of the Human Rights Council on its thirty-fifth special session

Vice-President and Rapporteur: Ulugbek **Lapasov** (Uzbekistan)

I. Resolution adopted by the Human Rights Council at its thirty-fifth special session

S-35/1. Deteriorating situation of human rights in the Islamic Republic of Iran, especially with respect to women and children

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights, the Convention on the Rights of the Child, the Vienna Declaration and Programme of Action and other relevant international human rights instruments,

Recalling all resolutions adopted by the General Assembly and the Human Rights Council on the situation of human rights in the Islamic Republic of Iran, including Assembly resolution 76/178 of 16 December 2021 and Council resolution 49/24 of 1 April 2022,

Reaffirming the primary responsibility of States to respect, protect and fulfil all human rights and fundamental freedoms under international human rights law and to ensure the full enjoyment of all human rights and fundamental freedoms by all persons within their territories and subject to their jurisdictions,

Reaffirming also its strong commitment to full respect for the sovereignty, independence, unity and territorial integrity of the Islamic Republic of Iran,

Noting the concern about the ongoing situation of human rights in the Islamic Republic of Iran in the context of the protests following the death in custody of Jina Mahsa Amini, a young woman arrested for allegedly violating the compulsory veiling law, expressed by the United Nations High Commissioner for Human Rights, special procedure mandate holders of the Human Rights Council, United Nations entities, the Special Representative of the Secretary-General on Violence against Children and the Committee on the Rights of the Child,

Expressing deep concern about the recent violent crackdown on peaceful protests by security forces in the Islamic Republic of Iran, including alleged arbitrary arrests and detentions, sexual and gender-based violence, excessive use of force, torture and other



Picture 3: The First Page of The Report of Human Rights Council

To sum up, for over a century, Iranian women have strived to enhance their status and secure a rightful place in Iran's male-dominated patriarchal society. Despite the ignorance of revolutionaries and the repressions of authoritarian regimes, they have consistently maintained an active social and political presence. Their efforts have persisted through numerous disappointments, challenges, and risks. An examination of Iranian women's history of advocating for their rights reveals that 'equal rights' have not been sufficiently ingrained in the national consciousness to challenge the patriarchal system effectively. Consequently, most governments have treated women's issues instrumentally—supporting their cause when it aligned with their interests and neglecting their fundamental rights when it did not.

d. Legal Repercussions

Before talking about the present laws and regulations it is important to mention the current legal system in Iran. The formal Iran law system is heavily influenced by Shia Islamic law. Sharia covers various aspects of law, including criminal offenses, family matters, and civil disputes. It plays a significant role in shaping the legal principles and judicial practices in Iran. In addition to Sharia, there is civil law which is adopted from France but has been evolved according to the needs of the public of Iran. The issues that civil law handles are contracts, property, family relations, and inheritance. In order to briefly talk about legal institutions taking part in Iran, there are four main institutions which are : Supreme Leader, Guardian Council, Courts, and Judges.

i. The Mandatory Hijab Law

This law is derived from Islamic principles which are taking place in Quran. Islam itself does require women to wear hijab. In Islam, women are required to cover and should not show off their bodies in association with men who are not legally their muhrim. The emphasis of the function of hijab in Islam is to cover the aurat and certain body parts that are considered to cause fitnah.³⁰

The Mandatory Law of Hijab or The Mandatory Hijab Law itself is not single but codified with various regulations. It generally concerns two things:

A. Dress Code:

All women are required to cover their hair with a hijab and wear loose-fitting clothing that covers their body especially when in public.

B. Public Enforcement:

The enforcement of this dress code is carried out by various governmental bodies including morality police.

Especially after the death of Mahsa, the Iranian Revolution originated hijab law (1987) started cracking down with the help of protests that women doing both in Iran and in the world., Despite the negative reflections from the Iranian women, the government of Iran didn't take action against the current law and still continuously detained women about the hijab law by accusing them of not fitting with the Islamic dress code.

³⁰ Mubaidi Sulaeman,
Clarifying the Position of Hijab as a Critique of Islamic Fundamentalism Religious
Expression,
Spiritualist Journal, Vol.4 No.2 (September 2018), p. 105.

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