

**Empowerment of Women against Victimization in the I.R.Iran***Ghassem Mohammadi<sup>1</sup>, Maryam Ghanizade Bafghi<sup>2</sup>***Abstract**

By the revolution 1979, Islamic Republic of Iran has regarded empowerment of women as fundamental policy. This could be even seen in Iranian Constitution, which refers in its preamble and article 21<sup>st</sup> to the position of women and their rights. This policy has been categorized in the frame of some strategies, we are just going to focus on the prevention and immunization. The Prevention and the Immunization deals with the programs which can be evolutionally effective to improve women's situations. According to the legal program, a large number of laws and regulation have been passed in the parliament since the beginning of the revolution such as "Security of Unprotected Women & Children Act, 1984", "Combating human trafficking especially women & children, 2006" which are effective to decrease women's victimization. According to the economic program, poverty is considered as an important factor that effects on delinquency of all persons especially women. So providing social justice and economic security, which is noted in article 3<sup>th</sup> (12) of Iranian Constitution, has always been given priority in government. Finally it must be mentioned that although the range of the measures and endeavors already applied are not comparable with those before 1979, and the victimized ones have better status, we have a great distance with the ideal position which is predicted in an upstream document, "2025 Outlook Document". So the ultimate aims must be strongly pursued.

**Keywords**

Women's Empowerment, Strategies Aand Programs, Victimization, Individual and Social Abilities, Clinical View

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### Introduction

Women's empowerment is a process that makes them to be able to evaluate themselves and use their talents and capacities correctly to gain their goals and prevent, control and rehabilitate further damages. Though damaged society cannot develop its member's talents and abilities. In this regard one of the main goals of the governments always is to decrease the damages and victimization which is considered here as any event that occurs in the result of human conduct which lead to the all kinds of violence, abuses and deviances whether it considered as crime or not. However inefficient ideas in respect to the reflective measurements have led to the use of preventing remedies even in criminal scope.

Related to the physical and mental features of the Women, their special social position, their emotional vulnerability due to their strong emotional dependence and lack of legal capacities to maintain and protect their interests, they are potential aims for crimes and social damages (Sadeghi, Soheila, Mirhosseini, Zahra, 2011, p.39-40). On the other hand, clinical observations show that women's problems in victimization are based on some factors and in this way empowerment programs are effective means to control the growth of victimization.

In Iran after the Islamic revolution (1979) the policy of empowerment of women against victimization was increasingly under the attentions. This could be seen in Iranian Constitution, which refers in its preamble and article 21<sup>st</sup> to the position of women and their rights.<sup>1</sup> Besides, we are facing three strategies making the empowerment policy practicable and each of them contains some programs. Prevention and immunization, confrontation and control, correction and rehabilitation. As prevention always is more effective

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1. Article 21: Women's Rights. The government must ensure the rights of women in all respects, in conformity with Islamic criteria, and accomplish the following goals:

- Create a favorable environment for the growth of woman's personality and the restoration of her rights, both the material and intellectual;
- The protection of mothers, particularly during pregnancy and child-rearing, and the protection of children without guardians;
- Establishing competent courts to protect and preserve the family;
- The provision of special insurance for widows, aged women and women without support;
- The awarding of guardianship of children to worthy mothers, in order to protect the interests of the children, in the absence of a legal guardian.

than control and correction (Women Cultural- Social Council, 2003, p203), here we are trying to focus on it.

The prevention strategy can be considered in three programs as bellow;

### **Improvement of women's individual abilities**

There are some programs for improving women's individual abilities, such as protection of physical and emotional health for women, improving social skills and scientific- recognition abilities.

#### **1. Protection of physical health**

As one of the grounds for women's vulnerability is their traditional feeding and nourishing which lead to the more victimization, distributing edible iron drop in girls' schools to control the lack of anemia because of iron lacking and free nutrition in less developed schools, are the programs for improving these situations.

Researches show that the exercises have efficient effect on the women's self-confidence and self-confidence is one of the preventing items of victimization (Aliverdinia and others, 2009, p.117).

In this regard paying attention to the women's exercise and its promotion to protect their physical health is an important program that has been followed by training and advertising measurements and creating special gyms for women. According to this kind of view nowadays the number of female athletes has increased and Iranian women acting as international athletes in different fields (Women and family studies office, 2009, p.337).

The bellow table shows the number of women who are active in sport scope.

**Table 1. The number of athlete women from 1987 to 2008**

<b>Number</b>	<b>Year</b>
189286	1987
1051093	1997
17889148	2007
26284495	2008

#### **2. Protection of emotional health**

Considering non-physical violence as one of its kind and the methods of prevention (Taherkhani, Sakine and others, 2010, p.96), establishing counseling centers which settle the women related problems are some of

these programs. Now there are different specialized centers in universities and municipalities that give consultation for the problems between parents and children, couples, householder women etc<sup>1</sup>. Counselling method is active in the process of divorce and the court's decisions will be based on the consuler's opinion. On the other hand, one of the reasons for women's divorce request in Iran is the situation of difficulty and hardship (Osr & Haraj), and the courts consider mental and emotional hurts as the examples of hardship.<sup>2</sup>

Establishing Safe Homes by the municipalities for the women who are under the pressures of their family and cannot tolerate them. They can go there for some days or even weeks and use the recovery methods.

### 3. Improving social skills

As knowledge and literacy are the two crucial factors of prevention against victimization, this program has been considered firmly.

For example, researches show that there is a relation between high education of women and their ability to control domestic violence (Barari, Marzie and Mohseni Tabrizi, AliReza, 2010, p.77).

**Table 2. Education and domestic violence**

Domestic violence	Without high education (%)	High educated (%)
Less	9.62	1.80
Moderate	36	4.19
More	1.1	.05

In addition, increasing the capacity of accepting university students should be under the attention. Nowadays the percentage of female's entrance in universities is more than male's. In 2012, 60 percent of accepted students in universities were female ([www.hamshahrionlin.ir](http://www.hamshahrionlin.ir)).

Literacy program is another program. It should be mentioned that before the revolution 52 percent of people were illiterate but now according to the recent statistics it has been decreased to 15 percent. It means that after

1. Such as Counseling Center of University of Tehran and Psychological and counselling Centers of Shahid Beheshti University.

2. Article 1130 of Iran's Civil Code: "If the continuance of common life leads to difficulty and hardship of the wife, she can refer to the court and request the divorce. If the difficulty and hardship approve in the court, the court can force husband to divorce...."

starting Literacy movement 85 percent of our people have become literate (<http://nehzat1877.mihanblog.com>).

Empowerment of religious values is another program. Women who have religious believes usually are less victimized. (Arefi, Mokhtar and Mohsenzade, Farshad, 2011, p.135-136; Aghababaei, Hossein, Mousavi, Reyhane, 2012, p.39).

### **Improvement of women's position in the family**

As women's position at home is an important factor of victimization and researches show that most of the victims don't have suitable position at their homes, it seems that the promotion of women's position in their family will be effective.

#### **1. Legal**

In scope of laws and regulations, we are facing to increase of the child custody without any gender discrimination, up to 7 years old according to the Civil Code. While before the amendment of this provision, period of mother's child custody was different in respect to the gender of the child. A boy's custody was up to 2 and girl's was to 7 years.

According to the Article 43 of 'Family Protection Act 2013' after father's death, children's custody is by their mother no others such as grandfather, unless their best interest provides otherwise, and it's a court's mission's to recognize it.

Ignoring the permission of father in the case of marriage; According to the Iran's civil Code father's permission is necessary in ladies' marriage but Article 1043 of Civil Code states that if a father denies doing that without any suitable reason, the court will marry her by her request.

#### **2. Economic**

Protecting household women; Most of the time these women who handle their family without the presence of a man accomplish different tasks such as bringing up the children, working outside and providing economic sources in a family suffer from physical and mental pressures (Khosravi, Zohre, 2002, p.75). Imam Khomeini's assistant committee, welfare organization, Martyr's organization and other non- governmental- organizations try to apply efficient protections.

Women's financial independency; As researches show that women's financial independency will lead to less victimization (because some of the victimizations happen in the result of their financial needs) Iran's civil Code

has accepted woman's right on her own assets and properties that is documented in Article 1118 of Civil Code.

### **Improvement of women's social position**

#### **1. Protecting business activities**

Researches show that women's employment plays a critical role in increasing woman's self-confidence which leads to less victimization (Moradi, Azam and aothers, 2009, p.74).

Improvement of working situations is one of the activities, for example in Iran's Labor Law we can observe facilities for women's empowerment in respect to the maternity leave, pregnancy leave and breast feeding period etc.<sup>1</sup>

Additionally, according to the Labor Law, gender is not the determining factor in paying. So men and women will receive equal wage in respect to the equal work.<sup>2</sup>

At the result of these endeavors statistics shows that the rate of female employment in Iran has increased about 3 percent from 2002 to 2007. (Women and family studies office, 2009, p.334).

Now we are facing women who had have minister precedent in Iran or are working as vice-president. In recent elected government in Iran, the head of Environment Organization, vice-president in legal affairs and the speaker of Ministry of foreign Affairs are all women. Moreover, that, large number of women are participating in scientific and researching jobs such as presidency of the university, hospitals etc. This rate of abilities and improving knowledge and skills among women on one hand has advanced their social position like men and on the other hand has increased the power against social damages and crimes.

#### **2. Conferring Specific services**

Policewomen; Nowadays women are actively participant as a part of police force. They can have more effective contact to other victim women. In addition, their Consulting services for women will have better result in prevention (Ahmadi, Mohammad Hossein, 2009, p.65).

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1. Article 76 Labor Law & chapter 4 of Social Security Law.

2. Article 38 Labor Law: "For the equal work in equal status in a workroom, men and women should be paid equally. Discrimination in wage determining according to age, sex and ethnicity and political and religious believes are prohibited."

Other facilities can be followed as bellow: Establishing specialized universities for women such as Al Zahra, Imam Sadegh, etc., Specific gyms, taxi, and parks for women, considering especial places in public such as subways for women etc.

In the light of these general strategies, we think that nowadays Iranian women are living in different situation in comparison to two decades ago.

### Conclusion

Women's empowerment against victimization is one of the crucial policies in Iran and it has three strategies to support. Improvement of women's abilities in the individual, social and family scopes is the chosen programs in this regard. But as a clinical view we are facing some problems such as:

- The courses that are related to the clinical affairs are theoretical rather than practical such as clinical criminology, women's delinquency and victimizations and criminal policy. In addition, organizations that follow the empowerment programs are not related to the universities<sup>1</sup>;

- Although legal clinic for women and children has tried to consolidate the methods, till now most of the activities were based on voluntarily and case by case researches although the chair of human rights, peace and democracy has handled some workshops, they have not been systematic.

According to the problems it is recommended to the students who are active in this scope to consider social preventions more than other programs and methods. In addition, they should be aware that women, who refer to judicial authorities or legal counseling centers due to the victimization or violence, should experience empowerment programs besides of legal ones.

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1. Most of them are belonged to the municipalities.



**References**

- Aghababaei H, Mousavi R. Prevention of women's Victimization in the View of Islamic Teaching and Forward Challenges. *Criminal Law Teaching Quarterly* 2012; 3: 39.
- Ahmadi H. Policewomen's role in Prevention of Crimes (in Women and Children's delinquency Approach). *Journal of Women's Studies* 2009; 5: 65.
- Aliverdina A, Riahi ME, Armanmehr V. Study of Gender Differences in the Context of Social control and Delinquency with an Emphasize on Sportive. *Journal of Women's Studies* 2009; 2(4): 117.
- Arefi M, Mohsenzade F. The Relation between Religious Orientation, Mental Health and Gender. *Journal of Women's Studies* 2011; 5(3): 135-136.
- Barari M, MohseniTabrizi AR. Social Impact of Women's Higher Education. *Journal of Women's Studies* 2010; 4(1): 77.
- Khosravi Z. Research on Social and Psychological damage to Household Women. *Human Science Quarterly (Al-Zahra University)* 2001; 39: 75.
- Sadeghi S, Mirhosseini Z. Research on Efficient Factors on Women's Victimization in Tehran. *Women in Development and Politics Quarterly* 2011; 1: 39-40.
- Taherkhani S, Kazemnejad MA, Anushirvan M, Arbabi M. Analysis on the relation of the experience and fear of domestic violence with depression in women. *Forensics Journal* 2010; 58: 95-106.
- Women and Family Studies Office, Efficiency of Islamic Republic of Iran in Women's Issues, Nashr-e-Maaref, 2009.
- Women's Cultural and Social Counsel, Women's Prevention and Rehabilitation Policy against Social Damages, *Ketab-e-Zanan*, 2003, Vol.22.
- <http://hamshahrionline.ir/details/100572>.
- <http://nehzat1877.mihanblog.com>.