

Law on 'Chastity, Hijab' from approval to implementation

What do opponents and proponents say?

Social Desk

The new law on the Islamic dress code in Iran, known as the law on Chastity and Hijab, has recently become a focal point in public attention. Its approval, method of implementation, timing, and social impacts have drawn a wide range of reactions from the public, officials, political and social figures, and experts.

The proposed bill regarding hijab was submitted by the Judiciary to the former government on April 28, 2024. The then-government approved the bill on May 16 and forwarded it to Parliament for approval and enactment into law.

On June 12, MPs voted 185 in favor, 30 against, and 7 abstained. On June 17, the general outline of the government's bill was approved by Parliament's judicial committee with some amendments. Two months later, Parliament, citing Article 85 of the Constitution, formed a special committee to review the bill. On September 19, Parliament approved the bill for a three-year trial period and sent it to the Guardian Council, an entity tasked with vetting legislation and overseeing elections. According to Article 85 of the Constitution, Parliament can delegate the authority to draft experimental laws to its committees in cases of necessity, and these matters are then reviewed and approved by specialized committees.

About a month later, the Guardian Council announced that the bill contained ambiguities, such as financial burdens, and for this reason, returned it to Parliament. The bill went back and forth between Parliament and the Guardian Council several times. In mid-September, the Guardian Council finally approved the special committee's resolution, and the bill became law. As of December 14, this law had yet to be presented.

However, on this day, Iran's Supreme National Security Council called on Parliament to stop the process of implementing the hijab law.

The Secretariat of the Supreme National Security Council has requested in a letter to Parliament to stop the notification of the law and its implementation, Parliament's Presiding Board member Alireza Salimi announced.



According to Iranian President Masoud Pezeshkian, "There is a lot of discussion about the hijab law. From an implementation standpoint, I have many questions and ambiguities."

Pezeshkian said, "We plan to engage in dialogue and interaction, maintaining both principles and consensus. We are working on it, and many issues are up for debate. They say if you want to ruin something, defend it poorly. Those who wish to implement this law need to have skill, belief, and capability, and I don't see such a case in our administrative system. I view such behavior as problematic. We need to sit down, discuss, and see how this is going to unfold." Responding to the president, Parliament Speaker Mohammad Baqer Qalibaf has called on the government to "submit a revised bill".

Opponents of the law on hijab believe that the law has numerous flaws and its implementation would pose significant challenges for the country. Supporters, on the other hand, emphasize that the law approved by Parliament must be implemented, and any issues should be addressed during its enforcement. What follows are statements from several lawmakers on both sides of the fence on this law.

Implementing flawed law would create problems

Beytollah Abdollahi, a parliament member, in opposition to the bill, stated, "The law on Chastity and Hijab has several flaws, and we should not create problems for ourselves, the country, and the establishment by implementing this law. The implementation of this law, due to its flaws, has also led to reactions from the president."

"It is clear that the three branches of the state [Legislature, Executive, and Judiciary] have differing views on this law, and to resolve these differences, the law on Chastity and Hijab must be reviewed and amended," the representative of Ahar in Parliament added.

"The president is not saying that he opposes chastity and hijab; rather, he is saying that the flaws and issues of this law must be addressed because the conditions for its implementation are not in place. We must act prudently in the discussion of chastity and hijab, as emphasized by the Leader [Ayatollah Seyyed Ali Khamenei], as well." Abdollahi pointed out, "The reality is that we should not create problems for ourselves, the country, and the establishment by implementing a flawed law on chastity and hijab. We must ensure that the law is implemented in a way that prevents misuse by certain individuals and is accepted by the majority of society." Referring to the financial pen-

alties included in the law for not wearing a hijab, he stated, "Perhaps setting penalties for traffic violations may be effective, but financial penalties for issues related to hijab will not yield the desired results. The issue of hijab is a cultural and religious belief, and it cannot be addressed through penalties."

"Instead of penalties and confrontation in the discussion of chastity and hijab, we should focus on cultural and educational efforts in this area and promote the hijab in society through cultural initiatives," Abdollahi added.

Pointing out the approval process of the law, the MP said, "This law was approved by a special committee under Article 85 of the Constitution, with the presence of only a few members of Parliament, and without public debate, it was sent to the Guardian Council for review as a parliamentary resolution."

"Given the importance of the hijab, the bill related to this issue should have been debated on

the floor of Parliament instead of being reviewed in a special committee under Article 85 of the Constitution. This would have led to a more thorough and expert discussion, resulting in a more mature law in this area being approved by Parliament."

Severity of penalties related to governmental fines

As a supporter of the law, the Deputy Chairman of the Commission on Article 90 of Parliament Hossein Ali Hajideligani said, "The severity of the financial penalties in this law is due to 'the four to six-fold increase' in the number of general penalties imposed by the government."

The lawmaker, acknowledging the flaws and issues in the law approved by the special committee, said: "This law, like any other law, is written by humans and may have flaws and errors." He added, "The issues with the law on Chastity and Hijab should be identified during its

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implementation. In such a case, the necessary legal measures for its amendment are provided, and we can propose and submit a bill for its revision."

Hajideligani further noted, "One of the significant criticisms of the law is the severity of the financial penalties stipulated in the law. In this regard, it is important to note that the determination of the number of fines is the responsibility of the government."

He pointed out, "The severity of the financial penalties in the law on Chastity and Hijab is due to the fact that the government increased financial penalties by four to six times at the beginning of its term, which made the financial penalties in the law on Chastity and Hijab appear more severe."

"According to the law, the government can increase financial penalties every three years. However, by the time the current government began its term, six years had passed without an increase in financial penalties. The government then increased the financial penalties for traffic violations by four to six times at the beginning of its term."

Charges more severe than actual wrongdoing

Osman Salari, a member of Parliament's Judicial Committee and one of the opponents of the law on "Chastity and Hijab", regarding the implementation of this law, stated, "The penalties stipulated for not wearing a hijab in the law do not match the offense, and the charges in this area are far more severe than the actual wrongdoing."

Referring to the parliamentary resolution on the Chastity and Hijab bill, he said, "This bill was approved by the Judicial Com-

