



Iran Is About to Make Its Hijab Laws Even Stricter



A woman, sans-head covering, at the Tajrish Bazaar in Tehran on Jan. 28. Defiant resistance to Iran's mandatory hijab law has spread across the country after nationwide protests that erupted last year. Arash Khamooshi—The New York Times/Redux

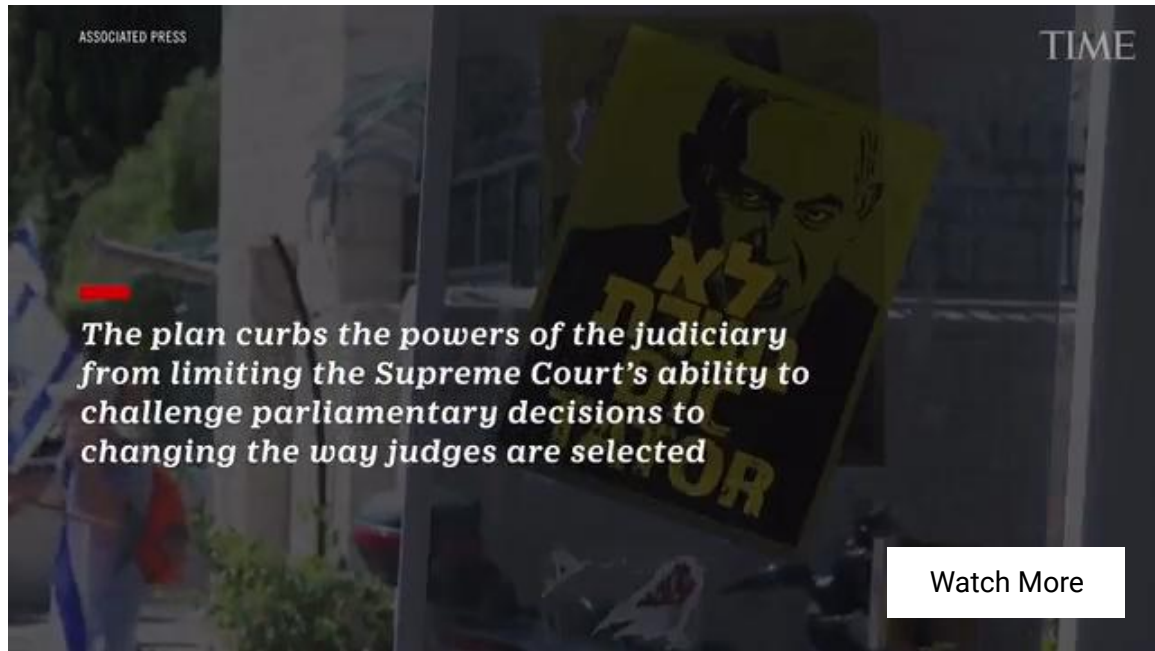
BY **ARMANI SYED**

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Almost a full year after the death of Mahsa Amini in the custody of Iran's so-called "morality police" galvanized mass protests, Iranian MPs are pushing for even more stringent punishments to deter women from violating its enforced modesty laws.

The Hijab and Chastity Bill—a draft law consisting of 70 articles—would intensify punishments for those seen flouting a dress code that became the flash point for the most widespread challenge to the Islamic Republic in four

decades. The bill calls for increased fines and jail time, as well as the use of artificial intelligence to identify violators, according to CNN. These measures build on previous efforts to crack down on strict dress codes and identify unveiled women, including the addition of cameras in public places in April.



A straw poll taken Sunday saw 175 members of Iran's parliament vote in favor of the move, while 49 voted against it, the BBC reported. If Iran's Guardian Council, a separate, unelected body in Iran's elaborate theocratic system, approves the bill, it would go forward on a pilot basis for between three and five years. MPs could then progress these measures into permanent law.

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Hijab—a headscarf conservative clerics say should be worn so snugly no hair is shown in public—became compulsory in Iran after the 1979 revolution, along with “modest” dress that cloaks the female body. By enforcing what many Muslim women said should be a matter of choice, the rule became a political symbol of the regime, showing that it is in control. But since last year's protests broke out, more and more women have been moving about in public with their hair uncovered as an act of resistance.

Experts tell TIME that the new bill attempts to use financial coercion to deter women from collective activism. “This new bill has only one meaning: gender apartheid is legal in Iran and now they are backing legal ways to treat women like second class citizens,” Masih Alinejad, an exiled Iran journalist and human rights activist, tells TIME.

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As passage of the bill approaches, here's what to know.

What does the proposed bill entail?

Under Article 638 of Iran's Islamic Penal Code, hijab is enforced under the vague guidance that anyone who "violates any religious taboo in public" is punishable with imprisonment or fines. Women forgoing the hijab or deemed to be wearing it improperly could land a fine of between 50,000 to 500,000 Iranian rials (\$1.18 to \$11.82), or between 10 days and two months imprisonment.

The new bill is much more specific in its approach and classifies improper hijab as its own crime—punishable by a prison sentence of 5 to 10 years as well as a significantly larger fine of up to 360 million Iranian rials (\$8,508), according to figures reported by CNN. Also proposed in the draft law is harsher penalties for businesses, celebrities, and public figures who are seen to be encouraging or allowing the rules to be broken.

"The bill is probably one of the most concrete and tangible legislative efforts to signal the path that authorities are considering to take with regards to enforcement of compulsory hijab laws after the [protest] movements," Tara Sepehri Far, a researcher at Human Rights Watch's Middle East and North Africa Division, tells TIME.

She called the bill a form of "economic repression" that will disproportionately affect people from lower socio-economic backgrounds who can no longer justify the steep price tag behind their activism. "Can you afford to pay a fine? Can you afford not earning money at your cafe for 10 days? Can you afford to not pay your rent for two months? All of those are very deliberate measures to break the resistance," Sepehri Far says.

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Why have leaders used Article 85 to push the bill through?

Article 85 of Iran's constitution allows its parliament to pass a law without public debate. Sepehri Far notes that the article is intended for laws that require expert opinions at the committee level. But the government is increasingly using Article 85 to circumvent parliamentary procedure, including

last year's The Regulatory System for Cyberspace Services Bill, which rights groups say legitimized internet shutdowns and online censorship. In the case of the hijab bill, Article 85 allows hardliners to deal behind closed doors with an issue that has embarrassed the regime on the global stage, resulting in tens of thousands of arrests, and more than 500 deaths.

According to the BBC, at least one MP, Gholamreza Nouri-Qezeljeh, voiced his concerns about the bill, noting that it focuses too heavily on "criminalizing and punishing" women in breach of hijab laws.

Experts and activists echo this sentiment, saying the government is being calculated in its secrecy because it does not believe it has enough public support to push the bill through conventionally. "The reason for keeping it under wraps is fear of the public's, especially women's, reaction. The government is afraid of any kind of response and tries to achieve its goals at the least cost, but the issue is that their calculations often turn out wrong," Alinejad says.

What message is the government sending to dissidents?

Women defying modesty laws, human rights defenders representing these individuals, and the journalists reporting on the movement have all been targeted and punished. Three actresses—Azadeh Samadi, Leila Bolukat, and Afsaneh Bayega—who chose to remove their hijab were diagnosed as mentally ill for choosing to forgo the hijab, and ordered to undergo enforced psychological treatments.

Sepehri Far says that the bill is the regime's way of communicating that it will not back down, and to show onlookers, global and domestic, that they remain in control. "People have taken a step forward and at least created this alternative reality, and they're paying a huge price for it."

She adds that the demonstrations shows people were willing to take enormous personal risk, and that may change if this bill passes.

But Alinejad remains hopeful that the people of Iran have nothing to lose. "The truth is, the paths of the government and the people have diverged, and each is going its own way," she says.

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