

Adaptation and contrast of woman's status in the constitution and Iran's statutory laws

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Abstract

The role of women is examined by referring to the executive power of family courts, in fact their ultimate power, and by the reason why input issues in these courts face legal weaknesses. This article begins with examining the constitution and posing some questions. We are in search of an answer to the first question regarding the status of women in constitution, referring to the significance of this place from the perspective of a lawmaker. We follow the article by examining the twentieth and twenty-first principles and posing some questions. For example, a question raised is that why equality of rules for men and women, which is discussed in the constitution, is not observed in statutory laws in practice. By exploring different theories on the twentieth principle of the constitution of the Islamic Republic of Iran, we investigated a clause from the twenty first principle. Also, by posing some questions, we tried to conclude if women in Iran get their material and spiritual rights. By a quick look at the development statistics, we analyzed the clause of the twenty-first principle, mentioned rights of this stratum of society during pregnancy and came to a conclusion by their examination. We pursued by raising and reviewing the questions on custody along with studying the legal materials around this issue. Finally, we examined women's inheritance. After selecting and collecting the presented articles, we can created another definition in the men and women's minds about the rights and change their attitude regarding their lawful and conscience right if law makers pay attention and try to improve the civil laws on this specific issue. We can also solve family issues through arbitration and observe the increasing clients' reduction to the family courts.

Keywords: family, women's rights, laws, inheritance.

JEL Classification: K10, K36

1. Introduction

In this article, it was tried to examine women's rights and status in the current society in order to investigate the drawbacks of the statutory laws and reach a consensus on this issue. In this regard, we initially examined the crucial issue with which the family courts encounter, which is the rushing flood to these courts and responded to the questions that dawned on us. The questions addressed whether the

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current laws of the civil law of the Islamic Republic of Iran prepare the ground for the less presence of women or even men in the family courts. Moreover, they asked the view of the constitution and civil law to the women's rights in Iran. Furthermore, they sought to discover if it is possible to bridge the present gaps in the law and take a positive step in getting the rights of this stratum of society in whose arms we have developed, by taking a more compassionate look at the statutory laws.

This article was followed by examining the women's rights and how women's status is defined in Islam. We explored if these definitions match the present life of our women in a rapidly growing society. If they do, we wondered why the type of interpretation of the verses and hadiths is presented in such a way that this thought comes to mind unconsciously whether it is for limitation or sublimation.

Finally, we investigated the lawful materials such as inheritance and custody and wrote different views regarding them, presented the plans in this field and came to a conclusion.

It should be noted that the view of this article is a compassionate one and away from the agitation surrounding this issue. To reach an efficient conclusion, these issues should be faced in a way that their solution is a priority. In this article, it was attempted to discover a solution in this regard and offer it.

2. Position of woman in laws

In Iran, in order to reduce the rate of divorce and make this social phenomenon a descending trend, we recognize the family court as the authority and specify the experienced judgement and advisors in this regard. In this way, courts give to themselves every right that they are on the frontline of the implementation of law. However, some critics criticize the judicial system of Iran, not family court judges, that it does not give any thought to solving the disadvantages. The question arises here is whether women can get their right by the present laws. Another question that occupies the mind is whether men's rights in Iran are describable. In this section, we observed examples and encountered another type of the silence of the law in conclusion.

To respond these questions, we should initially examine the laws in Iran, sit in judgement in a neutral position and reach a conclusion, which affects the fate of women in our society and strengthens the family center.

2.1 Woman in constitution

Human powers that have fully been at the service of foreign exploitation so far, and they have served to create social and Islamic institutions, regain their major identity and human rights. During the natural retrieval, women suffer more oppression from arrogant system, so vindication of rights will be more among them.

Family is a fundamental unit of society and the main center of growth and supremacy. Ideological and ambitious agreement with the formation of a family underlies a developmental movement and sustainable growth of humans, which is a

crucial principle. Providing facilities for achieving this goal is one of the duties of Islamic government.

Women in this sense of family unit are not objects or tools anymore, so they are not at the service of consumptionism dissemination and exploitation. While recovering the serious and valuable task of being a mother in developing the humans of their scout school, they are in combat with men and active in all the fields. Therefore, they welcome more serious responsibilities and have higher value and dignity in Islam. As it is noticed, the subject is brought to mind by making use of the mentioned sentences. For example, they have suffered oppression from (arrogant system) so far. Family is the fundamental unit of society. The state of women is as the object or tool and they have the serious and valuable task of being a mother. They have higher value and dignity in Islam. When an issue is discussed in the country constitution and its introduction, it is of great importance among law makers of that country. However, taking a look at documentation rules of Iran keeps mind away from the importance of this issue. Therefore, a human is faced with some questions.

The question is why a gap is observed in statutory laws, even though a great deal of attention is paid to the laws of constitution of the Islamic Republic of Iran.

How is it possible that there is a discussion of mothers or women getting higher value and dignity, but it is not so in practice (the statutory laws)?

How come oppression against women is discussed (at the time of last regime) in the introduction of constitution of Islamic Republic of Iran, but this stratum of society suffers from injustice and oppression in practice (the statutory laws)?

How come women as an object or a tool is discussed at the time of exploitation, but such perceptions are observed again in the statutory laws in practice?

The response to these questions is only possible by examining the same statutory laws and nothing else. However, we encounter the twenty first principle in the following presented issues. Initially, the document describes these principles as follows:

The twentieth principle: Do all the male and female people of nation have the same rights in supporting the law and have all the human, political, economic, social and cultural rights with Islamic law?

The twenty first principle: Is the government obliged to guarantee women's rights?

1. Creating favorable environments for the growth of women's character and reviving her material and spiritual rights
2. Mothers' protection, especially during pregnancy and child's custody and orphans' protection
3. Creating a competent court for maintaining the nature and surviving the family
4. Special insurance for widows, elderly women and orphans
5. Granting the children's patronage to competent mothers to protect them when there is not a legal parent.

As we are reading these principles, we are faced with some questions that might come to the mind of every human, a person who deals with laws or is unaware of the laws. How this equality is not observed in the statutory laws when our constitution discusses the equality of men and women of protection of laws.

In response to this question, some refer to recent section of the twentieth principle of constitution of the Islamic Republic of Iran and explain that canon made differences among men and women for some reason. Also, for maintaining balance between these two, by referring to the received Islamic narrations and relying on them and then, by relying on their own typical impressions, they condemn the question in this context. Moreover, with the same speech, they deem that any change in the laws is inappropriate. The question occupying the mind more is if there was a problem with asking questions why we have many Hadiths and narrations left from the Prophet (PBUH) and the Infallible Imams (AS). Every Hadith was proposed on a question in the mind of new Muslims or even stated by the close companion of the Prophet and he also answered the questions with patience and tolerance. A collection of these solutions was left in the form of books, traditions and narrations from these Elders and we are grateful for it.

Therefore, the question is not wrong in itself. If our current society grapples with problems, there were problems to be dealt with at that time too. Problems and issues of that era had been resolved by the guidelines of the Holy Prophet (PBUH) and after him, by those of infallible Imams (AS).

Our Muslim community is deprived of Elders and looks at religious scholars of the present era. To make a long story short, we go on with our mentioned issue and state that our era can be an era of growth and progress by having the scholars and jurists in our contemporary and modern world on the condition that:

The rules are enacted with the requirements of the present time without changing the religious norms and ethical and legal principles. People of today world are kept away from their faith and religion with all the media hustle and bustle. Moreover, the context is prepared for better performance of the laws of holy religion.

Following the review of constitution, we encounter the twenty first principle that the government is obliged to fulfill some obligations. In five paragraphs of this principle, we are faced with cases that look strong, but they are not internally strong and a lot of questions come to human mind.

All these five paragraphs are basic and fundamental principles for women's rights of Islamic Republic of Iran, but do these basic principles really guarantee women's rights in our 80 million society?

Are favorable contexts for women's personality development and revival of her material and spiritual rights provided or again in this context, we are faced with the silence of the law or the laws that could be written and approved more authentic by the legislature?

It should be noted that human development index for women in the developed countries, 80 percent and in underdeveloped countries, 60 percent for women and in Iran, this index is 61 percent for men, which is according to estimations of the statistical center of Iran, known as the inclusion of women's share

in the production. The proportion of employed men over the years of 11/70 – 11/66 in current and constant prices does not have a significant change compared to the total production and women's share consists of only 3/7 to 6/7 percent of the total production. Counting the share of house wives in order to make a conclusion, the production structure changed drastically and women's share increased greatly and can reach 7/46 percent of production³. Counting home activity as a productive activity, gross domestic product at current and constant prices increased approximately by seventy percent⁴. Discrimination in paying the wages which UNICEF cites as the invisible adjustment⁵ is the only part of the statistics and figures which is related to women and was briefly noted so that this conclusion comes to mind that perhaps women in this society are not supposed to see peace. Also, according to the first clause of the twenty first principle, favorable contexts are created for her personality development and revival of material and spiritual rights. In any case, we examine other cited paragraphs of the twenty first principle. The second clause of the mentioned principle points to mothers' support, especially during pregnancy, all of whom are familiar with maternity leave before and after the childbirth which are brought in specific laws like working law. Here, the amount of government support from female employees or working women is examined.

The international covenant was accepted in Iran in 1354. In its clause 2, Article 10, it is stated that mothers should be supported at the reasonable period of time before and after childbirth. At that time, working mothers should have their leave with pay or with adequate social security benefits.

2.2 Part of the supportive laws for pregnant women

1. Doing dangerous, hard and harmful things and carrying the cargo which is over limited by hand, without using mechanical devices, is forbidden for female workers. The maximum amount of carrying the cargo is twenty kilos for women. Also, carrying and moving is forbidden for women during pregnancy and ten weeks after the childbirth.

2. Maternity leave of a female worker is six months. After her maternity leave, female worker goes back to her previous job and this time is considered as her work experience with the approval of the social security organization. Maternity leave is considered as the period of work suspension. After the leave, the female worker goes back to her previous work. In the event that employee refuses to accept her, she can complain to dispute resolution bodies of the Department of Labor and in turn, can receive employment insurance benefits.

3. Compensation during pregnancy: maternity leave for the childbirth is granted to female workers. The mentioned maternity leave is considered as employee

³ Calculating the part of women in country's production, Organisation of Management and Programming 1954.

⁴ Safari, K., *Women's employment in development of job satisfaction and job type*. Tehran: Barg-e Zeytoon press, 1998, p. 37.

⁵ UNICEF, *Work and Society*, 1955, p. 4.

records. During this time, it is paid on behalf of pregnancy wage compensation fund organization to the insured.

4. In cases where the type of work is known to be dangerous or hard for the pregnant worker according to the doctor's discretion of social security organization, employer refers lighter and more appropriate work to her without subtracting the wage until her pregnancy is ended.

5. In workshops with female workers, when nursing mothers start to work again, they can breastfeed their baby half an hour every three hours, at most when the baby is twenty-four months.

6. Employer is obliged to create some centers related to maintaining the children and relevant to the number of children, considering their age group.

7. Social security organization provides milk to children until the child is two years old and in case mother is not able to breastfeed the baby or mother is dead, it pays for it.

According to article 67 of the civil law, social security of the amount of pregnancy is based on women who use their maternity leave, which is equal to two-third of their wages and is paid twelve weeks before and after pregnancy at most. Therefore, throughout the six-month period, the female worker does not receive any salary. For this reason, it is necessary to change the social security laws according to the six-month maternity leave and women were not excluded from receiving salary during the leave⁶.

Maintaining the above-mentioned facilities is essential, but it should be noted that the possibility of letting women go into work market is reduced. Because labor law, at the expense of the employer, has granted privileges to female workers. Also, in the capitalist world that the aim of employers is to have more access to the benefits and reduce the costs, what an employer does is to refuse to hire women to be exempt from spending. As a result, the law written for women's support will become a deterrent for women to go into the labor market. Therefore, women who seek employment and livelihood lead to black jobs. In the second clause of the twenty first principle, child custody is referred that we will consider it.

In Dekhoda Dictionary, custody is stated as follows: putting the child aside, raising the child, fostering the child and nurturing the child, so we can define custody based on Dekhoda dictionary as maintaining, bringing up, maintaining and regulating the relations of the child with the outside world.

As it is clear, because woman is more emotional in the same way that is extracted from traditions, she is more qualified to train children and man who is less emotional, is more responsible for working and financing.

Now, the question posed is how the end of children would be if there is an agreement in a small and basic system and if the intensity of these disagreements is to the extent that man and woman are satisfied with separation.

⁶ Araghi, S. E.-A. (2014). *Work* (Vol. 2). Tehran, p. 173.

2.3 Children custody

The first issue which causes disagreement after separation is the issue of child custody.

Article 1169 of the civil law: for custody and maintenance of a child whose parents live apart from each other, mother has the priority until the child is seven years old and later it is upon father. The Note of the mentioned article states that child custody is subject to the discretion of the court's interest in the event of a dispute after seven years.

Accordingly, child custody has not been absolutely transferred to father after the child is seven years old. However, when there is a dispute between mother and father about child custody, the criterion for determining custody is merely custodianship. Perhaps, when the court recognizes that father has some defects, custodianship demands that his/her custody be upon mother. After the child reaches puberty, the court frees itself from child custody and children have this right to choose to live with one of the parents. It should be noted that man pays only the child's alimony during the child maintenance by woman.

In this context or when mother gets custody for seven years and after that, father gets custody, differences can be seen. Is the emotional need of the child to mother lost after these seven years?

An issue that should be noted is Article 1170 of the civil law which asks whether father has custody rights if mother is suffering from dementia while having the child's custody or she gets married to another husband.

It should be noted that after seven years, the emotional needs of the child to mother does not decrease and the child still needs mother and her care, so it puts both mother and child in unfavorable conditions.

Age determination in legal traditions is not worshipping, but to determine the age of child custody, it is needed to pay attention to psychological need and cultural and social condition of the child⁷. The Hadiths referring to custody of the mother before marriage confirm that the age of marriage can be increased so that child can be in his/her mother's arm for a longer time and this is for the benefit of the child.

On the other hand, it is believed that increasing the age of child maintenance by mother will impose an additional financial burden on woman. This opinion is supported by a group of lawyers who know it inconsistent with woman's rights. The group's insistence on their own opinion goes so far as to entrust custody to man would be a solution for limiting divorce. They believe that if custody is entrusted to woman, man can make sure that after the divorce, the task of child maintenance and the responsibilities arising from it, is upon woman, so he will return to the time he was single and can decide much easier about divorce. In contrast, if a man shoulders heavy responsibilities and law forces him to carry out his duties, the stability of family is hurt less.

⁷ Safayi, S. h., & Emami, A.-A. (2002). The Brief family Rights. *5th Pub*, p. 65.

By a quick glance at other laws, these perceptions seem true, but they have no essential solution in this regard.

Among the issues, some of them catch our attention. One of these issues is the child's alimony paid to woman for the child maintenance. Also, the question posed is whether the amount of alimony, what is received and cost and expenses of the child fit each other.

Now, the average amount paid for the child's maintenance to a woman is 200 or 250 thousand dollars. This support includes housing, food, clothing, education, health and so on and is paid. However, the figures show that the monthly income of less than 2.7 million means being below the poverty line.

What is it really and what can we expect from women for the proper care of the child?

How is it that the family courts are familiar with these issues, but they cannot solve them properly?

This amount is not enough for a child to make a living. A woman also has to do some erosion work to spend their life or she inevitably wants to take advantage of the family support.

Another issue is Article 1170 of the civil law which knows a woman's second marriage, the result of her child being taken away from her. Indeed, when it is being thought properly, no result comes to mind except that this legal article is wrong because The Holy Prophet (PBUH) and Infallible Imams (AS) have an emphasis on marriage and know marriage as a way to avoid corruption and waste of talents that are potential and essential in every human being. Why does a woman lose custody of the child she bore?

Perhaps, during custody, she may lose good remarriage opportunities for the fear of losing custody of her child and after these seven years, she loses remarriage opportunity when another man reaches custody.

Perhaps it is believed that a child will not be raised well in the presence of a stepfather and issues like these. The question posed is whether family courts with literate judges and a community of Iranian rights with countless experts who studied for higher education in this field at universities and excellent centers, have no other duties except issuing the divorce decree or keeping track of divorce files serially.

How is it that despite these large number of legal counseling, such issues remain one-sided?

Can the experts in the family courts be used so that they emphasize a man's qualification for the remarriage to a woman who has custody of a child?

So that they raise their children in a quiet environment without the tensions of her last marriage and keep their laps away from being polluted by various sins.

As seen, each issue facing women in our society is only an issue and can be solved. Therefore, by an expert and humanistic look, we can solve the issues of women's society and achieve success in this way.

Law is the most important legal resource in the Islamic Republic of Iran according to the principles of 58 and 59 of the constitution with the required formalities and was enacted by the parliament and passed directly or through a

referendum. The fourth principle of the constitution also states that all the rules and civil, criminal, financial, economic, administrative, cultural, military and political regulations should be based on Islamic criteria and thus what is intended in the legislation of law in Iran and its compliance with Sharia.

2.4 Inheritance of the woman

In Islam, women inherit half of men's inheritance. There are different opinions in this regard. Many of our laws are under the influence of true religion of Islam, so it is difficult to comment on it. Some argue that this provision alone does not seem reasonable. However, alongside this sutra, there is an alimony obligation which is upon men. In addition to these people, there are a number of people who propose the issue of today about challenges facing family and believe that it is possible to change some of these laws. The first group believes that men are obliged to use all his possessions on the way of living, but women can keep whatever they inherit in their personal property and by what was described, it is believed that women take more advantage than men.

However, the second group is considered more from its legal perspective and what is in the constitution, relying on today lifestyle and the fact that women and men have equal place in spending their life. Moreover, women are working along with men to be able to bring peace to today's stressful world. Eventually, because of some laws that are there with their world and always include one-sided relationship, they misunderstand their human rights. In a way that a man should work several consecutive shifts to finance the expense of family members. Also, a woman imposes these laws on a man and it is such that when disengagement, great difficulty is imposed on a woman because she knows herself as the owner of rights.

The given examples are counterexamples for proving this issue that the laws, in matters which do not deal with the law, can have dramatic effects, change people's attitude towards law and their legal laws and almost certainly reduce the number of those who refer to courts.

Truly, what criteria should we pursue if we are looking for deep balance in male-female relationship?

National and religious criteria, legal and civil criteria, common standards, the criteria we use and on which we insist are absolute or relative. If there is a discussion of absolute standards, we should not expect any improvement in our social relations. Insistence on legal examination is because scientific laws are relative. That's why theories are correct understanding of the current problems of society and decrease the growing trend of reference to the courts by registering the proper laws. It was tried to sit in true judgement in this context.

Based on Article 946 of the civil law, we wonder why husband inherits all the wife's properties and wife inherits one-eighth of the price of immovable properties including building site and standing property in case she has children. If wife has no children, wife's share is a quarter of key properties as mentioned above. According to Article 949 BC, it is further stated that when there are no other heirs

except husband or wife, husband inherits all the properties of the deceased, but wife only inherits her portion. Also, the rest of husband's properties is without heir and is subject to Article 866. Article 866 of the civil law also asks whether properties of the deceased are subject to the ruler if there is no heir.

Will the rights of men and women be advocated on equal conditions? The equal conditions are posed since there is no sign of fairness in legal materials, that is, the use of numbers like one-eighth and one-fourth and the statement like if husband has no children. However, a woman is only a part of the next important matter on why the woman inherits only her same portion in Article 946 of the civil law from her deceased husband. Why does a woman inherit one-fourth of her husband's properties and the rest is related to the ruler if she is heir?

In the cited Article 946 of the civil right and Article 947 of the civil right before the amendment, it is asked whether husband inherits wife's properties; however, wife inherits the movable properties of all kinds, but she inherits only the price of building and trees among the immovable properties.

These legal materials reflect Sharia. As mentioned in the cited article, the direct reference to the fact that husband inherits all the wife's properties can indicate that legislator was under the influence of religion. Just in some parts of the recent section of the article, attempt was made to indicate the equality of the rights. However, it finally proves the supremacy of men. In an attempt to approach these lawful materials to Sharia, in the parliament dated 1387/11/6, by referring to leadership vindication regarding women's inheritance of immovable objects, representatives deleted Article 947 and amended Article 946 of the civil law as mentioned⁸. Now the question is that to what intention the law amendment is made.

2.5 Inheritance of the woman from juridical point of view

Legal opinion on these two articles of the contemporary jurists, such as Ayatollah Khomeini, Makarem Shirazi, Nouri Hamedani, Gulpaigani, Araki, Khoi, Sistani, Tabrizi, Zanjani and Fazeli is that:

Do women inherit all the movable properties but they do not inherit the land and its price? Is that also true that they do not inherit immovable things, such as the building, trees, crops, fruit, etc. but they do inherit their price?

The quotation which is known as Article 947 was much closer before the amendment and is slightly away from Article 946 of current civil law.

Narrative documentary of the above-mentioned materials was before the amendment of the narration of Iman Sadiq (AS) who was asked whether women inherit the land. Imam said "they do not inherit the land, but they inherit the price of the building"⁹.

⁸ Kamalaan, s. M. (2010). *Applicable Handbook of Legal Laws and Regulations*(3), p. 160.

⁹ Koleini, M. i., (1985), 4 ed., Vol. 7, Mohaghegh, A. Ghaffari, & M. Akhoondi, Eds., Tehran: Dar-al-Ketab--al-Eslamiyeh, p. 154.

He was asked elsewhere about what benefits women have from inheritance. He said that women inherit the price of brick, building, wood and straw, but they do not inherit the land and movable objects¹⁰.

After reaching a consensus on these ideas and narratives, we come to the documented Article 946 of the civil law. In this respect, Iman Sadiq (AS) stated other narrations in which he declared:

Men and women inherit each other's all properties. Women inherit all men's properties and men inherit all women's properties.

We truly wonder why we cannot reach right consensus from these narrations and why it is still insisted that men shoulder more responsibilities than women do, so how it is stated that women's responsibilities are crucial for training the next generation.

In this legal system, men did not have any other duties but working and women did not have any other duties but housekeeping. After years of cohabitation, they encounter the labyrinthine corridors of the courts with a few minor differences. Finally, to get out of this maze, they pass each one after another without digesting the laws. After the months, they mention that they have proper demands and law gives them the right to return to their home to live their life. In the case of remarriage, they grant the same rights for themselves and this cycle still goes on among families. The question raised here is that under what circumstances men and women are equal.

Generally, men and women are equal in inheritance under two conditions:

a. Mother and father are equal in the inheritance of the deceased (child) in most of the cases except the following: If the heirs of the deceased are just parents, the property is divided into three parts; father inherits two parts and mother inherits one part of it. If the deceased has two brothers and four sisters, or one brother and two sisters, all of whom are paternal, or their fathers is the same as that of the deceased, whether their mother is the same as that the deceased, as long as the deceased has mother and father, brother and sister do not inherit anything. However, because of them, mother inherits one sixth of the property and the rest is inherited by father (Tozih-al-Masayel).

b. If men and women are maternal relatives of the deceased, they inherit equally (Tozih-al-Masayel): 1. Maternal brother and sister; 2. Maternal niece and nephew; 3. Uncle and maternal aunt; 4. Uncle and aunt (maternal or paternal, paternal or maternal).

However, in recent cases, or three and four, the obligatory caution is to be in peace with each other when inheritance is to be divided (Tozih-al-Masayel).

In parts of the above-mentioned conditions, we encounter cases where we ask why having children or not has an impact on inheritance while the inheritance changes from half to one-sixth by children. Truly, there is no answer for this question and other questions, so it is more like a justification to clear the issue.

Another question raised is that why inheritance has no effect while there are a lot of female employees and the same old question is still used.

¹⁰ Ibidem.

In response, although, based on Islam, it is not forbidden for women to work outside if ethical and religious aspects are observed, but Islam encourages women to work and solve the problems within the home in order to comply with important and essential issues of society.

This is also consistent with the spirit and feelings of women. Moreover, better progress of the society and future is followed. Future belongs to those who are children now and they are being grown and trained in the lap of a family. In fact, the role of women in society is a fundamental role. It means that the displacement and development of the community infrastructures are done by women. To play this crucial role, they are not asked to work outside. In these circumstances, it is clear that the inheritance of men is more and the following is said to justify this inference:

If the inheritance of women is half of that of men in this structure and system, women are not responsible for funding and if their inheritance is equal to men's inheritance, it is to encourage women to play the role of a mother.

If the role and duty of women are considered very daunting tasks and if they are responsible for educating the next generation, so society lays its hopes on women in this society. The need for the respected legislator would be even more than ever to look deeper into the issues facing women of society whose significant percentage work, although not asked, to meet the everyday needs without any prospect in order to improve the situation of this segment of society, in whose merciful arms we all have grown, and carry out principal measures.

3. Conclusion

In the content of the perceived article, the importance of good judgement was explained in relation to social phenomena, such as rights of pregnant women, custody and inheritance and results were obtained. However, the question is right here that the more we analyze, examine and conclude by how honorable legislators review the conclusions and arguments, the more our laws will remain one-sided and the only output of the current laws in the above-mentioned fields is the increase of clients who refer to the courts.

The conclusion we reached in connection with the introduction of the constitution of the Islamic Republic of Iran is the status of women which is a prominent and considerable position for the mothers of this land. And indeed, if our laws are filtered by the constitution, why some weaknesses are still observed. The laws have this property to be changed based on the situation of society in order to take a step for people's relaxation. Thus, family courts turn into an environment for the peaceful settlement of family disputes. That is when women and men get familiar with their actual and conscientious rights and it is when they observe centers for counseling in the legal and family fields, so they do not waste their time in the labyrinthine corridors of the courts and do not get into a never ending disputer by small and big conflicts.

The conclusion adopted from the twentieth principle of the constitution of the Islamic Republic of Iran is that excellence can be reached in the religious and

civil laws. As the Quran says: O people, we created you from a man and woman and put you in tribes to know each other. The most honorable of you is the best in conduct with Allah (Qoran-al-Karim).

By exclusion of women from invisible adjustment and their inclusion in workshops and manufacturing sector, we can increase their productive share and by doing so, we act according to the twenty first principle and the first clause in real.

According to the first section of the second paragraph of constitution, a conclusion coming to mind is that a field is provided for women's presence in the workshops, with the great help and support of the employers.

The Holy Quran says "Men have a share of what they obtain and women also have that share" (Qoran-al-Karim).

Custody is the next topic, which includes a conclusion reached from the investigations. Custody is about maintenance age and rights of the two sides of men and women. It is also about the alimony payments to women over a period of seven years and the facts which are in the life of women these days. Therefore, fundamental changes in the civil laws were made in this respect. The next issue of inheritance and available laws is about women's inheritance.

In inheritance, we expect to maintain balance in the civil laws. Also, by these laws, no step is taken in solving the issues. It is obvious that we can look at the laws from the perspective of people and their problems and take essential actions in solving them.

In conclusion, by an expert look, participation of prominent law scholars, jurists and a consensus of these two influential groups in the formulation of current laws of the country, it should be declared that the above-mentioned principles and laws made essential changes and took positive steps on the way of family relaxation as the main center of this social system.

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