

Issuance of Passports for Married Women in the Iranian Legal System in Light of International Instruments

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Received: 2025-07-13

Revised: 2025-10-16

Accepted: 2025-10-23

Initial Publish: 2025-12-15

Final Publish: 2026-04-01

Freedom of movement is one of the fundamental human rights recognized in international instruments, including the *Universal Declaration of Human Rights* and the *International Covenant on Civil and Political Rights*, as well as in the constitutions of various countries, including Iran. This right, as part of the first generation of human rights in the domain of civil and political liberties, allows individuals—without gender-based discrimination—to travel freely within or beyond a country's borders and to choose their place of residence. However, under the restriction set forth in Paragraph 3 of Article 18 of the *Passport Act* of 1972 (as amended), Iranian married women are required to obtain their husband's permission to leave the country. This limitation has given rise to numerous legal and social challenges. The present study, employing a descriptive-analytical method and a comparative approach based on library research, examines the jurisprudential and legal foundations of this restriction and analyzes it in light of international instruments. Furthermore, the article explores the inequalities resulting from these provisions and proposes recommendations and strategies for reforming the relevant laws and eliminating discrimination against women's right to freedom of movement.

Keywords: *Freedom of movement, married women, exit from the country, passport law, husband's permission, international instruments*

How to cite this article:

Kia, S. M., & Abbasi, B. (2026). Issuance of Passports for Married Women in the Iranian Legal System in Light of International Instruments. *Interdisciplinary Studies in Society, Law, and Politics*, 5(2), 1-8. <https://doi.org/10.61838/kman.isslp.407>

1. Introduction

In recent years, the legal restrictions imposed on the departure of married women from Iran have sparked significant public sensitivity and debate. Many of these women, due to academic, medical, pilgrimage-related, athletic, or family necessities—such as visiting a child abroad—require international travel; however, because of the legal requirement to obtain their husband's permission, they face serious barriers. According to Paragraph 3 of Article 18 of the *Passport Act* (enacted in 1972 and later amended), married women may obtain a passport and leave the country only with the written

consent of their husband or, in emergency circumstances, with the authorization of the public prosecutor.

Freedom of movement is a fundamental human right emphasized in international instruments, including the *Universal Declaration of Human Rights* and the *International Covenant on Civil and Political Rights*. Likewise, Articles 19, 21, and 22 of the *Constitution of the Islamic Republic of Iran* affirm equality between men and women. Nevertheless, the restriction on married women's exit from the country constitutes gender-based discrimination and, beyond its inconsistency with constitutional principles, conflicts with core human



rights such as the prohibition of discrimination and the right to freedom of movement (Kazemzadeh, 2012; Motahhari, 2017).

Given the influence of international instruments on the domestic legal systems of states that have acceded to them, examining these instruments alongside national laws is an undeniable necessity. Moreover, one of the central functions of comparative legal studies is to utilize their findings to reform domestic legal frameworks (Alasvand, 2019; Sameni, 2011). Accordingly, this study examines the jurisprudential and legal background of the *Passport Act*, analyzes its international implications, and presents recommendations and legal reform strategies to address gender inequality and discrimination in women's freedom of movement (Hedayatnia, 2009).

This research addresses three main questions:

1. What are the jurisprudential and legal foundations of the restrictions on passport issuance for married women in Iranian law, and what jurisprudential and legal challenges arise from Paragraph 3 of Article 18 of the *Passport Act*?
2. How do the principles of women's freedom of movement in international instruments correspond to Iranian domestic law, and what contradictions exist between these principles and national restrictions?
3. What solutions can be proposed to overcome the jurisprudential and legal challenges posed by Paragraph 3 of Article 18 of the *Passport Act*?

In this regard, the article is structured in three sections. The first section examines women's freedom of movement in international instruments and answers the first research question. The second section analyzes the jurisprudential and legal challenges inherent in Paragraph 3 of Article 18 of the *Passport Act* and, in response to the second question, compares this provision with international legal principles. The third section presents practical strategies to resolve the existing challenges and addresses the third question.

2. Women's Freedom of Movement in International Instruments

A) The Universal Declaration of Human Rights (1948)

The *Universal Declaration of Human Rights*—as one of the most significant international documents—

recognizes the inherent right to liberty in Articles 1 through 6, and specifically in Paragraph 2 of Article 13 declares that "Everyone has the right to leave any country, including his own, and to return to his country." This article affirms every individual's right to choose their residence and to leave their country without any form of discrimination, including gender-based restrictions (Motahhari, 2017).

Similarly, Paragraph 1 of Article 16 emphasizes the equality of men and women in matters relating to marriage: "Men and women of full age, without any limitation due to race, nationality, or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution." Thus, the principle of equality between men and women throughout all stages of marriage is emphasized, and any discriminatory provisions contradict both the principles of equality and individual liberty outlined in this declaration (Kazemzadeh, 2012).

B) The International Covenant on Civil and Political Rights (1966)

Article 12 of the *International Covenant on Civil and Political Rights* reinforces the right to freedom of movement: "1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence; 2. Everyone shall be free to leave any country, including his own; 3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order, public health or morals, or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant."

This article underscores the principle of non-discriminatory freedom to leave any country. In 1999, the *UN Human Rights Committee*, in General Comment No. 27, emphasized that freedom of movement is essential for human flourishing and interdependent with other rights recognized in the Covenant. In Paragraph 6 of this Comment, the Committee specifically addressed women's freedom of movement, stating that member states must ensure protection of this right not only from public interference but also from private restrictions. It further clarified that conditioning a woman's freedom of movement or choice of residence on the decision of another person, including a family member, is a clear violation of Article 12(1) (Sameni, 2011).

C) The International Covenant on Economic, Social and Cultural Rights (1966)

Article 3 of the *International Covenant on Economic, Social and Cultural Rights* stipulates: “The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.” This commitment obliges member states to reform discriminatory domestic laws so that women can exercise their rights and access opportunities equally, free from gender-based constraints (Malazahi, 2011).

D) The Convention on the Elimination of All Forms of Discrimination Against Women (1979)

The *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* is among the most important international documents concerning women’s rights. Article 1 defines discrimination against women as any distinction, exclusion, or restriction made on the basis of sex which impairs or nullifies women’s recognition, enjoyment, or exercise of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field, regardless of marital status. Paragraph 4 of Article 15 further mandates that “States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.”

The international instruments reviewed above recognize freedom of movement as a fundamental right for all individuals, irrespective of gender. Interpretations of the *UN Human Rights Committee* affirm that no individual—even within private relations—may have authority over another person’s freedom of movement (Alasvand, 2019).

3. Women’s Freedom of Movement in the Iranian Legal System

The laws governing passports and foreign travel in Iran—especially concerning married women—have undergone several stages of modification. Nevertheless, the restrictions on women’s exit, particularly those applying to married women, have experienced minimal change since their inception. This section traces the evolution of Iranian passport legislation and analyzes the jurisprudential and legal contexts underlying the enactment of provisions restricting the issuance of

passports to married women (Emami, 2010; Kamranian, 2011).

A) The Evolution of the Passport Law in Iran

The first formal regulation concerning passports in Iran was the *Tazkerah Law* of 1932, which represented the earliest attempt to regulate passport issuance and control the emigration of Iranian nationals. Although it constituted an initial step toward organizing passport regulations, its rudimentary nature and lack of alignment with emerging social and legal developments necessitated later reforms (Movahedi Langeroudi, 2004).

In 1972, the *Passport Act* was enacted and remains the principal legislative basis for passport issuance in Iran. This law introduced major revisions to exit procedures and, for the first time, imposed legal restrictions on the departure of married women. According to Article 18, married women are required to obtain their husband’s written consent to receive a passport, and in emergency situations, they may travel abroad with the authorization of the local public prosecutor (Kazemzadeh, 2012).

Following the Islamic Revolution of 1979, various legal frameworks were reviewed, yet the regulations concerning women’s passports remained largely unchanged, and Article 18 of the 1972 Act continues to be in force (Khomeini; Tusi, 2008).

In 2011, the government submitted a bill to Parliament proposing amendments to the *Passport Act* aimed at revising the provisions related to the departure of married women from the country. However, the bill made no significant alterations to Article 18 and only formally incorporated an exemption for *Hajj* pilgrimages. This followed a 2013 correspondence in which the then-Minister of Interior referred the issue of married women being prevented from obtaining passports for *Hajj* to the *Guardian Council*. In July 2014, the Council responded that requiring a husband’s consent for obligatory *Hajj* was contrary to Islamic law and that the unrestricted application of Article 18 to women with a religious duty to perform *Hajj* violated Sharia principles (Kamranian, 2011; Movahedi Langeroudi, 2004).

In August 2017, seventeen members of Parliament submitted a double-urgency bill proposing amendments to Article 18 aimed at expanding the definition of “emergency cases” and exempting married women traveling for athletic competitions, academic Olympiads, and cultural or economic conferences. However, the bill

was never ratified and remains pending (Hedayatnia, 2009).

B—Legal and Jurisprudential Challenges to Paragraph 3 of Article 18 of the 1972 Passport Act

1—Legal Challenges to Paragraph 3 of Article 18 of the 1972 Passport Act

For any statute to possess legal robustness, it must display internal coherence and external harmony with other applicable laws, regulations, and standards; however, Article 18 of the 1972 *Passport Act* lacks coherence and contains both internal and external contradictions that complicate its enforcement (Emami, 2010; Hedayatnia, 2009).

(1) Lack of internal coherence in the exception set out in Paragraph 3 of Article 18 of the Passport Act

Under Paragraph 3 of Article 18 of the *Passport Act* of 1972, as subsequently amended and supplemented, a woman who has a foreign husband but has not yet renounced her Iranian nationality is exempted from obtaining her husband's permission. If the principal rationale of this provision is the necessity of the husband's consent in decisions regarding the wife's departure from the country, why is this requirement not applied to women married to foreign men? If the husband's residence abroad is the justification for exempting this group of women, why does the same exemption not extend to cases where the Iranian husband resides outside the country? The statute provides no clarification as to whether a woman whose foreign husband is resident in Iran still benefits from this exception. Had the exception been conditioned on the foreign husband's residence abroad, its logic would be clearer, since a woman whose husband resides outside the country would, in principle, not need his permission to travel and join him. In the scenario where an Iranian woman's foreign husband resides in Country A, the woman obtains a passport, and she travels to countries other than Country A, on what basis is she exempted and free to travel to countries other than Country A? It appears that this clause was intended as an exception to Paragraph 3, but the drafters seemingly failed to articulate this point; in effect, the clause merely describes a category of women with a distinct situation without clarifying their passport rights, leaving the matter unaddressed (Kazemzadeh, 2012; Motahhari, 2017).

(2) Ambiguity in the concept of “emergency,” its instances, and its determination by the public prosecutor

Pursuant to Paragraph 3 of Article 18, in emergency situations, the public prosecutor of the county in which the passport application is filed may authorize a woman's departure in lieu of the husband's consent. In practice, one prosecutor may, upon reviewing a case, find that an emergency exists, while another prosecutor may deny the existence of an emergency in a similar case; this variability depends on individual, social, and cultural conditions and leads to divergent rulings across jurisdictions. Some prosecutors construe emergency narrowly and grant permission only in highly exceptional circumstances, while others adopt a broader interpretation and recognize a wider set of situations as emergencies. These divergent interpretations generate inconsistent judicial practice among the provinces. Moreover, the prosecutor's authorization constitutes an intervention in the private marital contract and an intrusion into the private sphere and spousal relations, conflicting with the need to protect family privacy; this may destabilize the family unit and contradict Articles 1102 and 1105 of the *Civil Code* and Principle 10 of the *Constitution*. The content of Paragraph 3 of Article 18 also conflicts with the constitutional principles of equality between men and women reflected in Principles 19, 21, and 22 of the *Constitution*. If the aim of the law is to protect the husband's rights, another inconsistency arises: why is a married woman not required to obtain her husband's consent to travel domestically over a distance of more than one thousand kilometers from north to south, but must obtain consent to cross a border separated by only one hundred meters? If the legislative purpose is to safeguard women's dignity and safety, how is it that a married 40-year-old woman must obtain her husband's (and guardian's) consent to leave the country, whereas an 18-year-old widow or divorcee—arguably more vulnerable—may depart freely without any permission? Married women employed by the Ministry of Foreign Affairs or serving as members of Parliament, who as a matter of practice do not require spousal consent for their employment, must nonetheless perform their foreign duties while simultaneously seeking their husband's authorization or applying to court for travel permission. Abuse of right constitutes a form of fault that gives rise to civil liability; accordingly,

if a woman suffers loss—pecuniary, non-pecuniary, or bodily—due to such conduct, she may seek compensation from the court pursuant to Articles 1 and 2 of the *Civil Liability Act*. The contract of marriage is a contract between the spouses and is governed by the general rules of contracts; if the wife's right to leave the home is not expressly stipulated by agreement in the marriage contract, such an obligation cannot be imposed on the woman on the basis of that contract, since it is neither included in the text nor inherent to the marriage agreement (Emami, 2010; Hedayatnia, 2009; Kazemzadeh, 2012).

2—Jurisprudential Challenges to Paragraph 3 of Article 18 of the 1972 Passport Act

This section analyzes the jurisprudential challenges to this provision of the *Passport Act* through an examination of Qur'anic verses, narrations, and juristic opinions (Alasvand, 2019; Malazahi, 2011).

(1) Jurists' disagreement over the necessity of the husband's permission for a wife to leave the home

Although many jurists agree, in principle, on the husband's permission for the wife's departure from the home, they differ on its scope and extent. The majority of Imami jurists—such as the author of *Jawāhir* and Shaykh al-Tusi—consider a wife's departure from the home to be, in general, conditioned on the husband's permission and regard failure to observe this condition as a form of *nushūz* (recalcitrance). In contrast, other Shi'i jurists—such as 'Allāmah al-Hilli, Ayatollah Sāne'i, and Imam Khomeini—limit the husband's right to prevent departure to situations in which it conflicts with the husband's conjugal rights. The central challenge is this: if the rationale for requiring the husband's permission is the protection of conjugal rights, why is such a restriction not applied in contexts like employment, education, or governmental assignments? This question shows that a strict reading of the husband's permission has not been codified absolutely; in light of these opinions, reliance on a general rule that the husband's permission is required for a woman's departure from the country warrants further reflection, because many jurists confine this right to specific conditions (Khomeini; Malazahi, 2011; Tusi, 2008).

(2) Qur'an 4:34 as a juristic argument for the husband's *ri'āsa* (headship) and *qiwāma* (guardianship) over the wife within the family

This verse is treated as one of the most important juristic bases for the husband's permission and for the husband's authority and *qiwāma* in the family. In interpreting the verse, the rationale for men's headship is not an ontological superiority of men over women, nor does it confer unfettered dominion; rather, it establishes a form of guardianship intended to secure individual and familial welfare and to protect the family's pillars from potential harm, conditioned on the husband's support, maintenance of the wife's interests, and his capacities. Moreover, in numerous narrations—including one attributed to Imam al-Sadiq (peace be upon him)—it is stated that if a husband prevents his wife from leaving the home without legitimate reason, he is himself deemed recalcitrant and forfeits his authority, and the ruler (judge) decides in such cases. Likewise, in exegesis, 'Allāmah Ṭabāṭabā'i in *al-Mizān* explains that *qiwāma* denotes economic guardianship and financial responsibility, not absolute domination, and Shaykh al-Tusi emphasizes that *qiwāma* signifies support rather than absolute control over the wife. The verse does not aim to establish male dominion or superiority, but to secure women's interests; men are thus obligated with duties toward women for their benefit. Shi'i narrations clarify that if a man unjustifiably forbids his wife to leave, he becomes *nāshiz* and loses his guardianship. Therefore, an absolute prohibition on a woman's departure from the country without a legitimate reason lacks strong juristic support and can conflict with juristic principles; even if the verse implies a form of male headship, it is limited to financial and familial matters and cannot serve as a basis for depriving women of civil rights, including the right to exit the country. Consequently, a categorical ban on a woman's departure from the country without a legitimate reason not only lacks strong juristic support but, in some cases, may contravene juristic principles (Khomeini; Malazahi, 2011; Tusi, 2008).

In Shi'i jurisprudence, the husband's right to prevent departure lapses under various conditions and structures, and the husband's permission is not required for the wife to leave the home. The most important cases include:

— The wife's departure to perform individual obligatory duties that necessitate leaving the home, such as travel to perform the obligatory *Hajj*; jurists such as the author of *Jawāhir* and 'Allāmah al-Hilli affirm that travel to fulfill obligatory duties does not constitute *nushūz*, does not

forfeit maintenance, and does not require the husband's permission.

— The wife's departure to learn essential doctrinal and theological knowledge and to acquire religious sciences to the extent necessary; acquiring such beliefs is a legal-religious obligation.

— The wife's departure to avert harm to life, property, honor, or reputation.

— The wife's departure to obtain necessary medical treatment when such treatment is not available without leaving.

— The wife's departure to save her own life or that of another.

— The wife's departure to earn a livelihood when the husband is unable to provide maintenance or is recalcitrant and refuses to pay maintenance.

If the governing *Passport Act* is grounded in jurisprudence, why is the husband's permission required even for women who fall within the foregoing exceptions? The requirement of a male mahram companion for *Hajj* travel is not uniformly upheld in Shi'i jurisprudence; in addition to narrations and opinions that speak of the need for a male mahram, exceptions are recognized where the woman's safety is assured. If the *Passport Act* had a strictly juristic foundation attentive to issues of *mahram* and *non-mahram*, why would a married woman still need her husband's consent to travel even if she intends to journey with her father, brother, or son?

4. Practical Strategies for Resolving the Legal and Jurisprudential Challenges Arising from Paragraph 3 of Article 18 of the Passport Act

After examining the implications of the statutory text, the jurisprudential and legal reasoning, and the linguistic formulation of the *Passport Act*—along with the amendments and additions made over time—this section presents detailed operational strategies to address the legal and jurisprudential challenges of Paragraph 3 of Article 18 (Emami, 2010; Hedayatnia, 2009).

4.1. The Rule of Necessity and the Non-Requirement of Authorization by the Public Prosecutor

The wording of Paragraph 3 of Article 18 suggests that the legislator has transferred the authority to permit a woman's departure from her husband to the public

prosecutor in emergency cases. However, there is no jurisprudential basis for requiring the prosecutor's authorization, since under conditions of necessity (*darura*), the husband's right lapses automatically; thus, it need not be transferred to another authority. The foundation of this view lies in the jurisprudential maxim "*al-darurāt tubīh al-mahzūrāt*" ("necessity renders the prohibited permissible") (Khomeini; Tusi, 2008).

Accordingly, in emergencies, the prosecutor's role should be confined to *verifying the existence of necessity*; once necessity is established, there is no further need to issue a formal authorization, since necessity itself, under the aforementioned principle, constitutes a sufficient legal basis for the woman's departure. Therefore, it is proposed that the statutory term "authorization" (*ejāzeh*) be replaced with "verification of necessity" (*ehrāz-e ezterār*), or that the term be deleted entirely from the text (Malazahi, 2011).

4.2. The Rule of No-Harm (*Lā Ḍarar*) and the Reduction of Restrictions to Strengthen the Family Institution

All jurisprudential rulings in family law are intended to protect and reinforce the family unit, in harmony with Principle 10 of the *Constitution*. However, the husband's exercise of the right to prohibit travel and the resulting denial of the wife's freedom may lead to emotional alienation, discouragement, and even divorce, thereby undermining Islam's objective of fortifying family bonds. One of the most effective mechanisms for addressing this issue is recourse to the rule of *Lā Ḍarar* (the principle of no-harm), which limits the scope of the husband's right (Kazemzadeh, 2012; Motahhari, 2017).

As Martyr Murtaza Motahhari notes in *The System of Women's Rights in Islam*, one of the features that give Islamic law its vitality and adaptability is the existence of governing maxims (*qawā'id ḥākima*) such as *Lā Ḍarar* (no harm) and *Lā Ḥaraj* (no undue hardship), which function to control and adjust other rules. Islam, in essence, grants these overarching principles a "veto power" over other laws and regulations, ensuring that no legal provision causes harm or excessive difficulty (Motahhari, 2017).

4.3. Substituting the Concept of Necessity with the Concept of Hardship and Distress (*'Usr wa Ḥaraj*)

Article 1130 of the *Civil Code* recognizes *'usr wa ḥaraj* (hardship and distress) as grounds for judicial relief,

granting a woman the right to petition for divorce in such situations. As a secondary legal title (*‘unvān thanawī*), *‘usr wa ḥaraj* serves as a dynamic concept capable of introducing progressive transformations into family law (Alasvand, 2019; Hedayatnia, 2009).

The binding force of contracts persists only so long as neither party incurs harm. When a woman finds herself in conditions of hardship and distress, the marital contract approaches dissolution and the family’s foundation is endangered. In such circumstances, the prosecutor should intervene, in the interest of the woman, society, and family preservation, to authorize the woman’s departure from the country.

4.4. Enumerating Instances of Necessity in the Law

One of the challenges confronting prosecutors in determining necessity is the absence of clear statutory criteria and the failure to enumerate specific examples of necessity. Establishing explicit standards would enhance the accuracy and transparency of decision-making and ensure consistent judicial practice (Emami, 2010; Sameni, 2011).

4.5. Issuing Temporary Travel Permits for Women

It is proposed that when family or societal interests are at stake, the prosecutor may, in cases of necessity—such as performing the obligatory *Hajj*, medical treatment, or participation in national athletic events—allow women to travel abroad with an individual *temporary travel document* restricted to specific times and destinations. This approach would enable travel without the need to issue a full passport, thereby balancing individual needs with administrative control (Kamranian, 2011; Movahedi Langeroudi, 2004).

4.6. Adding a New Note (Clause) to Article 18 of the Passport Act

It is further proposed to add a supplementary note to Article 18 of the *Passport Act* as follows:

“If either spouse demonstrates that the other party’s departure from the country conflicts with the obligations arising from the marriage contract, the departing spouse shall present evidence substantiating the necessity of travel and provide adequate guarantees to the public prosecutor to obtain permission for departure.”

This amendment would introduce a balanced mechanism for reconciling individual autonomy with marital obligations (Hedayatnia, 2009; Kazemzadeh, 2012).

4.7. Assigning Jurisdiction to Specialized Family Courts

Given that these issues pertain to women and family affairs, it is recommended that jurisdiction over such cases be vested in specialized *Family Courts*, which possess the necessary expertise and procedural sensitivity to handle matters involving spousal relations and women’s rights (Malazahi, 2011; Sameni, 2011).

4.8. Repealing Paragraph 3 of Article 18 of the Passport Act and Applying Sanctions for *Nushūz* (Disobedience) in the Absence of Necessity

Finally, it is proposed that restrictions on women’s departure from the country be abolished. If, however, a woman departs without her husband’s permission and he claims that she is *nāshiza* (disobedient), the court should examine the case and, upon verifying unauthorized travel, declare the woman *nāshiza*, thereby denying her the right to maintenance. This would remove arbitrary restrictions on freedom of movement while maintaining the legal balance of marital rights and duties (Khomeini; Motahhari, 2017; Tusi, 2008).

5. Conclusion

Freedom of movement is one of the fundamental human rights recognized in Article 13 and 16 of the *Universal Declaration of Human Rights*, Article 12 of the *International Covenant on Civil and Political Rights*, Article 3 of the *International Covenant on Economic, Social and Cultural Rights*, and Article 1 of the *Convention on the Elimination of All Forms of Discrimination Against Women*, as well as in domestic Iranian law, including Principles 19, 21, and 22 of the *Constitution of the Islamic Republic of Iran*. Nevertheless, Paragraph 3 of Article 18 of the 1972 *Passport Act* requires married women to obtain their husband’s written consent before leaving the country, which contradicts the principles of legal equality, non-discrimination, and personal liberty.

A comparative analysis of this provision in light of international instruments indicates that the restriction is inconsistent with human rights standards. Moreover, from the standpoint of domestic law, this statute faces

significant challenges, including contradictions with constitutional principles, ambiguity in the concept of necessity, and conflict with the jurisprudential maxims of *Lā Ḍarar* (no harm) and *Lā Ḥaraj* (no undue hardship). From a jurisprudential perspective, although some jurists regard the husband's permission as necessary for a wife's departure from the home, they confine this requirement to specific circumstances; thus, extending it to international travel lacks a clear juristic foundation. Furthermore, Islamic jurisprudence is dynamic and adaptable to evolving social contexts. By applying progressive jurisprudential maxims such as *Lā Ḍarar*, *Lā Ḥaraj*, and *Darura* (necessity), meaningful reforms to this law can be achieved.

Accordingly, the present article—through the examination of these issues and the proposal of several measures, including the repeal of Paragraph 3 of Article 18, enumeration of instances of necessity, delegation of decision-making authority to family courts, and the introduction of temporary travel permits—seeks to eliminate or reform this provision. Such reforms would not only promote gender equality and legal parity but also mitigate international criticism of Iran's legal system regarding women's rights, while strengthening the family institution and reducing legal tensions within marital relations.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

Acknowledgments

We would like to express our gratitude to all individuals helped us to do the project.

Declaration of Interest

The authors report no conflict of interest.

Funding

According to the authors, this article has no financial support.

Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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