

Women's Employment in Iranian Society: A Comparative Analysis of Iranian Law, Islamic Jurisprudence, and International Conventions

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1. Round 1

1.1. Reviewer 1

Reviewer:

The Introduction states that “The legal position of women in employment cannot be assessed solely by examining formal guarantees contained in legislation. A distinction must be drawn between formal equality and substantive equality.” This is a strong analytical premise, but the distinction is not developed sufficiently as a methodological framework for the rest of the paper. The authors should explicitly explain what indicators will be used to assess substantive equality, such as access to employment, occupational segregation, promotion, remuneration, job security, decision-making positions, maternity-related protection, and the interaction between paid employment and unpaid care responsibilities. The subsequent sections address many of these issues, but a clearly specified analytical framework in the Introduction would substantially improve coherence and make the comparative evaluation more systematic.

The paragraph stating that “The present study aims to examine the status of women's employment in Iranian society and law and to compare it with relevant principles of Islamic jurisprudence and international conventions” needs a more precise statement of the research gap and research questions. At present, the objective is clear, but the manuscript does not sufficiently explain what remains unresolved in the existing literature. The authors should indicate whether the contribution lies in comparing three normative systems simultaneously, distinguishing legal from non-legal barriers, reassessing traditional jurisprudential limitations through dynamic jurisprudence, or evaluating the gap between formal legal protection and practical labor-market outcomes. Two or three clearly formulated research questions would strengthen the scholarly design and provide a clearer basis for organizing the findings and conclusion.

The methodology is described only briefly in the final paragraph of the Introduction through the sentence “The study adopts a descriptive-analytical and comparative approach based on documentary and library sources.” For an academic legal article,

this description is insufficiently detailed. The authors should explain the criteria for selecting Iranian statutes, jurisprudential authorities, and international instruments; the temporal scope of the legal materials; how conflicting jurisprudential positions were identified and compared; and what comparative method was used to evaluate convergence and divergence. It would also be useful to clarify whether the article employs doctrinal legal analysis, comparative normative analysis, or a socio-legal approach incorporating labor-market evidence. The methodological section does not need to be long, but it should be reproducible and intellectually transparent.

The paragraph on wage inequality beginning with “Wage inequality constitutes another major concern” needs stronger doctrinal precision. The manuscript appropriately distinguishes “equal pay for equal work” from “equal remuneration for work of equal value,” but it should clarify whether Iranian labor law expressly guarantees either standard and how wage-setting structures operate across public and private employment. Furthermore, direct wage discrimination should be separated from aggregate gender pay gaps arising from occupational segregation, seniority differences, part-time work, career interruptions, or concentration in lower-paid sectors. Without this distinction, the article risks attributing all differences in earnings to direct discriminatory wage-setting, which would be analytically imprecise.

In discussing socio-cultural barriers, the article states that “In many families, women continue to carry a disproportionate share of childcare, domestic work, elder care, and household management.” This is a central argument, but it should be integrated more explicitly into the legal analysis rather than treated only as a social observation. The authors could examine how labor and social-security policies may either reproduce or redistribute unpaid care responsibilities. For instance, maternity leave, parental leave, childcare provision, flexible work, and family-related leave can be designed as women-specific entitlements or as shared parental responsibilities. Connecting unpaid care work to the architecture of employment regulation would strengthen the manuscript's argument that substantive equality requires more than removing explicit discrimination.

The third section appropriately observes that “Islamic jurisprudence does not treat women as lacking financial personality,” but this foundational assertion requires more direct jurisprudential elaboration. The authors should distinguish women's capacity to own property, enter contracts, receive wages, and manage financial assets from the separate jurisprudential question of whether particular forms of public employment may be restricted. Establishing these categories would avoid an overly broad movement from financial independence to unrestricted occupational participation. The section would be strengthened by organizing the jurisprudential analysis around legal capacity, permissibility of work, conditions governing employment, marital relations, mixed-gender environments, and access to public authority.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

In the second section, the statement that “The Iranian legal system contains several constitutional principles that provide a general foundation for women's right to employment” should be followed by more precise identification of the relevant constitutional provisions and their legal implications. The article discusses constitutional principles in general terms but would benefit from explicitly analyzing Articles 3, 19, 20, 21, 28, and 43 of the Constitution in a coordinated manner. The authors should distinguish provisions establishing equality, provisions specifically addressing women's rights, and provisions concerning occupational freedom and the state's employment obligations. This would allow the reader to understand whether these constitutional norms create directly enforceable individual rights, programmatic obligations imposed on the state, or interpretive principles for legislation.

The discussion of Article 1117 of the Civil Code is central to the article, particularly the sentence “It establishes that a married woman's occupational freedom may, in certain circumstances, be subjected to marital considerations in a manner that does not operate symmetrically for men.” This important claim should be developed through more detailed legal analysis. The authors should explain the statutory requirements for invoking Article 1117, the meaning of incompatibility with “family interests” or the “dignity” of the spouses, the role of judicial determination, and whether the restriction applies automatically or requires a court decision. The manuscript should also consider whether Iranian judicial practice has narrowed or broadened

the provision. Without examining its legal operation, the article risks treating Article 1117 primarily as a symbolic restriction rather than assessing its doctrinal and practical significance.

The paragraph on women's access to senior positions states that “Women's participation in lower and middle levels of administration does not necessarily translate into equal representation in senior management.” This is persuasive, but the manuscript would benefit from a clearer distinction between *de jure* occupational restrictions and *de facto* underrepresentation. Some public offices may involve explicit legal or interpretive restrictions, whereas managerial underrepresentation may result primarily from organizational practices, nomination processes, promotion systems, or social norms. The article should classify these separately. Such differentiation would improve the accuracy of the analysis because the policy response to an explicit legal exclusion is different from the response required for a “glass ceiling” generated through institutional practice.

The discussion of the “glass ceiling,” introduced through the sentence “The glass ceiling is not usually based on a single explicit prohibition,” is conceptually useful but currently remains largely descriptive. The authors should operationalize this concept specifically within the Iranian context. For example, the analysis could identify mechanisms such as gendered promotion criteria, interruptions in career progression, unequal access to managerial experience, informal professional networks, organizational assumptions about women's mobility and availability, and the gendered effects of part-time employment. This would prevent the concept from being imported from the general management literature without sufficient contextual adaptation and would strengthen the manuscript's interdisciplinary contribution.

The treatment of part-time employment policies requires greater analytical balance. The manuscript states that “some forms of part-time employment can reduce women's promotion prospects and weaken their access to decision-making positions.” While this criticism is plausible, the article should distinguish between the existence of a voluntary flexible-work option and a policy architecture that systematically channels women into reduced-hours employment. Part-time work may increase labor-force retention for some women while simultaneously generating long-term penalties in earnings, pensions, promotion, and occupational authority. The authors should therefore discuss both the protective and potentially discriminatory effects of such policies and explain under what institutional conditions flexibility becomes empowerment rather than occupational marginalization.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.