

# **Gender and Law in the Middle East**

***Matthew Roy***

*University City High School*

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## **Overview:**

Throughout human history, an individual's gender has had an important impact on how that person lived his or her life. Whether looking at biological factors associated with reproduction or gender roles devised by societies, people often have had different experiences due to their being women or men. In the context of high school social studies, this situation presents itself in several ways. Many traditional history classes tend to focus on the actions and accomplishments of men. By offering the events of the past largely as the domain of notable leaders in the realms of politics, religion, economics, and other fields, women receive only a token mention while the lives of the common people are encapsulated in sweeping generalizations that ignore the distinctions between individuals. The latter issue compounds the short shrift given women by focusing primarily on the activities of the average man. Moreover, attention given to women frequently comes in the form of highlighting the secondary status that they held in a particular society. Rather than perpetuating this view of history, this unit will attempt to more fully integrate the experiences of women. The medium for this will be the treatment of men and women by the laws of various Middle Eastern societies over time. This unit will focus on the impact of legal structures on all people's lives, the differences in these structures based upon gender, and the varying perspectives of those affected by these laws.

This curriculum unit is designed for 9<sup>th</sup> grade students in World History. Given the expectations of the School District of Philadelphia as set forth in the Planning and Scheduling Timeline for this course, this unit is not intended to be a self-

contained series of lessons. Instead, these lessons will be interspersed among those units that address different periods in Middle Eastern history.

**Rationale:**

For students in a western country such as a United States, the cultural differences presented by the Middle East can appear so profound that they resort to ideas about the region that derive mostly from stereotypes reinforced by the media. As a social studies teacher, part of my job is to begin breaking down these stereotypes and assist my students in engaging in thoughtful activities that expand their understanding. After September 11, this task became much more challenging. Students tended to respond with “terrorism” when asked about their prior knowledge of the Middle East. When pressed for more details, they often mentioned the perceived subjugation of women. They would offer as evidence the veiling shown in many images of Middle Eastern countries or some provocative story that they had read (ex. stoning as punishment). This unit can give students the opportunity to learn about the variations within the Middle East on these issues while also offering the chance to evaluate legal systems there and formulate opinions on the topics of rights and the rule of law.

In my experience as a Philadelphia teacher, I have found law to be a convenient entry point for my students in studying a particular culture or time period. Given the conceptual nature of most legal systems, students can debate and discuss laws without first having to memorize long lists of facts. During conversations in class about a legal code, students can infer the values and morals of the society under it. The laws then serve as a framework for remembering details about the society. As any student can talk or write about a legal system regardless of prior knowledge, these discussions become the means for creating relevant connections between the curriculum and the student.

In addition to engaging one’s students and fostering learning about an important region in the world today, this curriculum unit also relies on skills that are crucial to the field of history. Students need practice in the analysis of primary sources. Many of the lessons in this curriculum unit will incorporate excerpts from the legal codes of the culture being studied. As students interpret the meanings of these laws, they can begin to draw their own conclusions about the society in which these laws were created. Later lessons in the curriculum unit will lead students to consider the experiences of the women who lived under these laws which contribute to the development of the students’ awareness of point-of-view. Finally, the topic of the curriculum unit provides a rich opportunity for writing about history which supports the School District’s desire to bring more writing into all classrooms in order to prepare students for the PSSA. All of these skills then can be brought to bear on individual research projects as each student

investigates the gender differences in the laws of various Middle Eastern countries and prepares a report on the topic. Altogether, this curriculum unit can satisfy students, teachers, and administrators. Students receive interesting content, teachers take students outside the confines of the textbook to do “real history,” and administrators can rest assured that the material can help to improve test scores.

### **Background:**

Will Durant argues that “[c]ivilization is social order promoting cultural creation.” While he emphasizes the economic and intellectual aspects of this transition from “chaos and insecurity,” Durant points to political organization and the moral traditions as key to supporting and preserving the elements above (1). In this line of thinking, one finds that the development of a system of laws and specific expectations for men and women to be associated with the appearance of civilizations. Consequently, a study of these topics can provide important insights into the ways in which people from a particular time period and in a particular region relate to one another. Examining these issues in the Middle East at different points in the three millennia covered in World History provide ideas relevant to students who otherwise might discount cultures so removed from them, temporally and geographically.

Laws serve several purposes in a society. At the most basic level, they aim to preserve order. Given the roles that property and marriage play in a civilization, some means of regulating behavior must be promulgated to ensure that the “chaos and insecurity” referenced by Durant (25) do not return. Typically, less complex societies rely on customs to maintain stability. As governments began to assume responsibility for the rights of larger populations with fewer personal connections between individuals, the need for a codified set of rules emerged. Consequently, the laws of a state reveal to outsiders those behaviors that are deemed acceptable and unacceptable. As penalties can “vary with the sex, age and rank of the offender and the injured,” legal codes also help to delineate social organization (Durant 27). The study of law thus provides a valuable and thought-provoking tool for examining a society.

Since the basic unit of organization within a society is the family, the roles that people assume (or are assigned) here can profoundly influence their places in the larger group. As a result, the impact of laws on this part of life can reveal much about how a society attempted to shape expectations for its people. Of great significance among these expectations is the regulation of “the relations of the sexes, for these are a perennial source of discord, violence, and possible degeneration” (Durant 36). In attempting to define marriage and the accompanying actions that are required, allowed, or prohibited, these early laws

began to differentiate between men and women. Following from familial relations, laws came to address other gender-oriented elements embedded in a culture's customs. Again, investigation of this topic leads to further insights into a society.

Within the School District of Philadelphia's Planning and Scheduling Timeline for World History, the Middle East first appears in a unit that traces the development of river valley civilizations. The content begins with the early city-states of Mesopotamia and moves towards the flourishing of Babylonia around 2000 B.C.E. In looking at the latter, one encounters one of the earliest surviving examples of written law. The Code of Hammurabi informs students about the creation of law codes from customary practices and outlines expectations for those living in the empire (Von Soden 135). A high school study of civilization's beginnings inevitably mentions Hammurabi's Code to present early conceptualizations of the government's responsibilities to its people. Additionally, it highlights a basic element of history - continuity and change. Advanced societies still have laws, but the nature and implementation of them can be quite different. In the context of this curriculum unit, Hammurabi's Code can be utilized to highlight this same pattern in the Middle East as students can compare a legal code from the 17th century B.C.E. to those from today.

Hammurabi's Code indicates some of the differences between the treatment of men and women in early Middle Eastern society. Of the 282 cases listed, nearly one quarter specifically address the status of Babylonian women. Moreover, many of the remaining laws imply gender differences in certain occupations or positions. Laws 29, 38, and 39 all denote property rights held by Babylonian women while underscoring the supremacy of men, especially husbands and sons, in this regard. Laws 108, 110, and 111 regulate tavern ownership and the rates charged to customers, in the process indicating that women could perform this service. Laws 127 through 184 primarily address marriage issues. Many of these protect women from mistreatment at the hands of their husbands and establish rules for his support of her. Women could not be punished for adultery on suspicion alone; a wife had to be caught in the act. Husbands could not take additional wives, except in certain circumstances. A woman had the right to divorce her husband with good reason and could reclaim her dowry. In contrast to these examples, other laws reveal the power that men had over their wives and daughters. Men could sell these family members into slavery to meet a debt, and a father could dictate his daughter's future (e.g. allowing her to marry or devoting her to a life as a temple-maiden).

Students can analyze selections from Hammurabi's Code and arrive at their own conclusions about the place of women in Babylonian society. Though there are no detailed personal accounts from typical women from this time and place, this

topic allows students to see the ways in which cultural expectations and laws influence one another. For more advanced students, scholarly research on Hammurabi's Code points to other matters here. "The many studies on the Code of Hammurabi in the last ninety years have revealed the strange fact that in hundreds of legal documents from the time following the proclamation of these laws, various regulations other than those one would expect from the Code are frequently encountered" (van Soden 136). This indicates the difficulty in changing traditional behavior through legislation, a fact that could be a potent topic for discussion.

The next appearance of the Middle East in Philadelphia's curriculum is Persia during the Achaemenid Dynasty. Though not a significant part of the content as presented in the textbook, the treatment of women under the Achaemenids deserves special mention as "a revolutionary achievement of the Achaemenid Dynasty was the promotion of the rights of women" (Hassani). Though evidence of specific laws from this empire is scarce, records from the Persepolis Fortification Tablets point to a more equitable view of men and women. One could presume that there was some legal basis for this view, and students could predict what types of laws might have existed there. Given Zoroastrian views on the equality of the genders, these religious beliefs of the Achaemenids likely influenced the relations between men and women (Hassani). An exploration of the connection between religion and law could assist students in the task of writing laws that would have been reasonable in this context.

A study of royal and non-royal women in the Achaemenid Empire show a more equitable treatment of people than one might presume for this time. "Royal women owned land and estates.... They employed their own workforce and it also appears that certain administrative officials were assigned to them" (Brosius 2010). Women at the top of this ancient Persian society had both economic and political power, which probably required legal support. As for those not among Achaemenid royalty, women and men who were skilled laborers received the same rations based upon their qualifications. Moreover, mothers of newborn babies were given more (Brosius, *Women in Ancient Persia* 171-178). Again, one could assume that this element of "equal pay for equal work" and the provision for new mothers relied upon a set of laws. In an area almost certainly guided by law, male and female children seem to have received equal shares of inheritance (Hassani). Despite these economic areas of life, one sees possible evidence that the practice of empire-building may have had a negative impact on the rights of Achaemenid women. As these early Persians conquered their near and distant neighbors, "the condition of women continued to be affected by the process of acculturation, and Achaemenid women lost much of the freedom they had enjoyed before the dynasty came to power" (Nashat 232). Women became more secluded from men, leading to questions about the relationship between law and

culture. Would these women have ceased working due to the wishes of those in their community, or did those in power change the laws to accommodate the traditions of the conquered groups? Students can examine the available materials to come to conclusions of their own.

As the School District's curriculum for World History moves closer to the present, students spend ample time studying what has become one of the most significant influences on Middle Eastern culture. The majority of people in this region today practice Islam so the religion's rules on the treatment of women have a substantial impact on gender-based laws in many countries there. The curriculum allows for an examination of this topic in those units devoted to early Islamic empires such as those of the Umayyads and the Abbasids. However, little attention is paid to the legal system established by the Ottoman Turks in regards to differences between men and women.

Over the course of its history, the Ottoman Empire would expand throughout Turkey, into Europe, across North Africa, and east to Persia. Encompassing much of the Middle East and persisting into the early 20th century, the Ottomans oversaw the development of a society that had profound consequences for the region (Goodwin *passim*). The ways in which the empire's laws concerned women offer a point of comparison for the later study of those countries formed after the Turks' state dissolved.

Students in the School District of Philadelphia receive a basic overview of the Ottoman Empire's legal system though it does not extend beyond a description of the millets. Beginning with the reign of Suleyman the Lawgiver, one finds that his epithet is well-earned. "Suleyman oversaw the most detailed codification of sultanic and Koranic law that had ever been known in an Islamic state.... The law fixed the duties and rights of all the Sultan's subjects, in accordance with Islamic precepts, established the relationship between non-Muslims and Muslims, and laid out the codes by which society was to understand and comport itself...." (Goodwin 83). In addition to the regulations for people's lives that this legal code presented, the centuries following Suleyman offer numerous examples of how these laws affected the experiences of men and women in the empire's courts. By the point in the school year when this topic arises, students should have had a great deal of practice analyzing primary sources. As such, these laws and legal opinions are another chance for them to use this method of better understanding history.

An analysis of contrasting scholarly works on this topic yields very different conclusions about Ottoman women under the law. Though Nashat acknowledges the seclusion of women from public life, she writes that "Ottoman records indicate that husbands treated their wives as equal partners in dignity" (Nashat

247). Nashat goes on to note the rights accorded to women in the Hanafi school of law that operated in the empire, and that women from various social backgrounds tended to know these rights and exercise them in the courts. These rights included having the power to control their own property, initiate a divorce, and receive a payment (called *mahr*) from their husband upon marriage. Imber challenges the significance of the latter two examples, using them to underscore the inferior status of women under the law. He writes that a man can divorce his wife at any time, whereas women can only do so in three specific instances (85). Imber also cites Hanafi jurists who define the *mahr* as the husband's payment for ownership of his wife's sex organs (87-88). Imber's choice of evidence clearly points to a larger goal of explaining the discrimination against women embedded in Ottoman laws. Assigning students readings from these two secondary sources allows them to reach their own conclusions.

An examination of Ottoman legal proceedings also offers the chance for students to compare differing interpretations of how women fared in the Ottoman Empire. Imber provides several examples of the impact of Ottoman laws on women in legal cases. Ultimately, a woman had half the value of a man (Imber 82). A man received a sum twice as large as that given to a woman for the same injury. The testimony of two women had the same strength as that of one man. Still, Alfred and Overfield present legal decisions which affirm the rights of women. In several cases, they find instances in which the otherwise limited right to divorce is broadly interpreted so that wives do not remain in unhappy marriages. The authors also offer examples of a woman's testimony carrying the day in court (66-68). Reading the two presentations of primary sources from the Ottoman courts can help students understand historical thinking as they try to determine linkages between the evidence and an author's ideas on the subject. This can prompt students to attempt similar work.

A second area of interest in Ottoman history (as far as the empire's placement in the School District of Philadelphia's Planning and Scheduling Timeline) relates to the reforms undertaken in the empire during the nineteenth century. Beginning in 1829, attempts were made to bring greater equality to the people including a "royal statement of intentions [that] spoke of the need to eliminate inequality and create justice for all subjects, Muslim or non-Muslim, rich or poor. ... [I]t promised equal rights" (Quataert 66). However, women were not included in this drive to reduce differences. Whereas an earlier clothing law eliminated the visual distinctions between classes previously maintained by decrees on how men dressed, women presumably continued to wear clothes that distinguished them from those of other classes. Decades later, women still were punished for immodest clothing. "Further, many of the property guarantees that women enjoyed under Islamic laws disappeared with the modernizing reform" (Quataert 67). Modernization typically carries with it positive connotations, but it seemed to

bring little good to Ottoman women in regards to legal rights. Here, one can make gender-based comparisons in addition to juxtaposing Ottoman women from different time periods.

In the twentieth century portion of the World History curriculum, the topic of women and the law in the Middle East finds expression in the country of Iran after its 1979 revolution. “The Iranian women have traditionally been deprived of many of their basic rights,” which led many of them to participate in the demonstrations that culminated in the establishment of the Islamic Republic (Mohammadi 2). The substantial number of women involved in revolutionary activities led some to expect the new government to improve the situation for women in Iran. However, the leaders sought to implement *shari’ah* (Islamic law) which resulted in “a policy of unequal treatment of Iranian women under the law” (Mohammadi 2). The legal age of marriage for women was lowered to nine, educational opportunities for women were limited to specified fields of study, and a woman’s husband (or father, if unmarried) had significant legal control over her life. A review of parts of Iran’s constitution and penal and civil codes shows how these restrictions and many others affect women there.

Mohammadi writes that the “plethora of discriminatory laws against women has created favorable conditions and a suitable environment for widespread abuses and atrocities practiced against women” (3). He goes on to cite various ways in which Iranian women are forbidden from participating in public life as well as the lack of power women had over their private affairs. Article 115 and Article 167 of the constitution imply that certain offices are open only to men. Numerous laws indicate the control that husbands can exercise over their wives such as her ability to get a passport, attain a specific type of job, and divorce. Article 1105 of the civil code identifies the man as the head of family. Several examples reflect similar sentiments from earlier periods studied in this unit such as a woman having half the value of a man. In addition to providing insight into Iran’s system, it offers a point of comparison to other Middle Eastern societies that students have studied.

The final phase of this curriculum unit does not fit exactly within the bounds of the School District’s curriculum. However, it serves as the foundation for a research project that students will undertake based upon this unit’s theme and the larger notion of current events. As a model for the study of women under the law in other modern Middle Eastern countries, the situation in Saudi Arabia can stand as an example of how the legal system treats women as well as the impact on these individuals and society as a whole. Saudi women suffer “political and legal disenfranchisement [and] curtailed liberties and restraints imposed by their legal guardians” (Al-Mohamed 45). They cannot participate in the political process as either voters or holders of meaningful offices. A woman’s legal guardian can



decide whether or not she can travel, and some male relative must accompany her in public. The guardian also can control the woman's dowry and/or income "though Islam prescribes financial independence for women" (Al-Mohamed 48). The government attempted to address the concerns of women about these laws. However, its decree has not been implemented (Al-Mohamed 48). Women in Saudi Arabia clearly possess fewer rights than men, and the laws there effectively prevent them from playing a significant role in public life.

Through an analysis of Saudi law, students can continue to practice some of the skills that they learned earlier in the course. Beyond this, one can then look to how these gender differences affect people in Saudi Arabia. Baki looks at the impact on education for both men and women. Travel restrictions limit women's access to higher education. Consequently, fewer attend university than otherwise would. Once in college, they cannot enter into certain academic fields of study. In those subjects that are open to them, gender segregation laws force them to take their classes via videoconferencing. Female students can ask their male professors questions, but technological constraints make discussions difficult. Moreover, the manner in which professors incorporate female students into their classes "affects comprehension negatively for males" (Baki). Thus, Saudi laws ultimately interfere with all students' education in some way, which then have a detrimental impact on the development of Saudi Arabia's economy.

Another aspect of this topic concerns the views espoused by Saudi women about their relative position in society under the law. Within Saudi society there are prominent supporters and opponents of the current system. One woman says that "she enjoyed a great deal of freedom while respecting the rules of her society" (Zoepf). Those like her claim to appreciate the guardianship required by Saudi laws. They view opponents of this system as Western-influenced meddlers who seek to upset traditional society. Others reject the idea that these laws preserve Saudi women's integrity, stating that "until women have full adult rights under the law, there will be abuses" (Zoepf). Students can read these individuals' accounts of their lives under Saudi laws and determine how women can arrive at such widely differing opinions on the matter. It is difficult to discover which side predominates in Saudi Arabia since "in the absence of polling or free elections, it is hard to measure the popularity or representative nature of women's campaigns" (Zoepf). Without knowledge of the support each side has, students can make their own predictions.

The particular places and times chosen to study in the unit represent the range of countries and periods covered in World History. Examining various legal systems and people's experiences under them, students can realize the changeability inherent in studying a region over many centuries. In addition to providing students with insight into the current situation of women in the modern Middle

East, it encourages them to develop the skills necessary to engage in historical work.

### **Objectives:**

This unit is intended for high school students in the School District of Philadelphia's Oasis program, which targets individuals who are "over-aged and under-credited." As implemented at University City High School Promise Academy, students in Oasis can earn several school years' worth of credit in one school year. They take classes at an accelerated pace that cover an entire course in ten weeks of 72-minute periods. The unconventional nature of Oasis offers me greater flexibility in planning my lessons and units. I intend to incorporate this curriculum unit into my World History course by including a lesson based upon it in each unit that addresses the Middle East.

The objectives of the unit will include the following:

- To examine the legal systems of various Middle Eastern societies across history,
- To identify differences in the legal systems based upon gender,
- To evaluate the societal forces that influence the formulation of laws in order to determine the likely causes of gender differences in the law,
- To identify how gender differences in law can influence a society,
- To compare these laws as written to the actual experiences of women under these legal systems,
- To identify continuity and change over time and across societies in order to determine what commonalities can be found in the study of this topic,
- To analyze primary sources that address the above objectives in order to strengthen students' skills in this area,
- To analyze secondary sources to determine how historians use evidence to arrive at their conclusions.

### **Strategies:**

This unit will include a variety of instructional strategies. Nearly all lessons will include one or more class discussions. In general, a topic will be presented and students will perform a quick-write to encourage them to begin thinking about the topic to ensure that everyone will have something to contribute as we talk about some aspect of the day's lesson. Students' ideas and prior knowledge will then be connected to the core concepts to be taught in that lesson. In most lessons, students' independent or small group work will be followed by a discussion so that everyone can share his or her findings from the activity.

Given the reluctance of some students to participate in a class-wide discussion, the unit will also utilize small groups. Working with their peers in such a setting will mean that all students will be expected to share their thoughts on the lesson. In the process, small groups will take more of the focus off of the teacher so that students assume more responsibility for the acquisition of skills and knowledge which should increase the likelihood that students will find what they have learned to be relevant.

As noted above, students will analyze primary and secondary sources. In the case of the former, students will interpret the documents and arrive at their own conclusions (with the previously mentioned discussions then being a time to compare each individual's findings). They will strengthen their inductive reasoning skills in the process. This will help in guiding students in a critical analysis of secondary sources. They will identify the conclusions reached by scholars and assess the use of evidence in supporting those conclusions. While obviously helpful in social studies, this ability will be useful in areas of life outside of a history class.

Work with primary and secondary sources will set the stage for a research project on the topic of women and the law in the Middle East. Students will be asked to assemble relevant sources on a modern Middle Eastern state and evaluate the impact of laws there on women. They will then present their findings to their classmates. During each presentation, students in the audience will work on their listening skills and then compare what is presented to what they themselves have researched.

Lastly, this curriculum unit will reinforce the emphasis on PSSA-related skills in the School District of Philadelphia's Promise Academies. Students will write constructed responses in order to develop the ability to answer a question with supporting evidence.

### **Classroom Activities:**

As described above, the lessons of this curriculum unit are not intended to be taught as a discrete unit of study. Instead they are to be included in the appropriate places within the School District of Philadelphia's curriculum for World History. The first lesson covers Hammurabi's Code and will be included in the unit on Early River Valley Civilizations. The second lesson on the Achaemenid Dynasty will be taught in the unit on Early Empires. The third lesson will be used when the Ottoman Empire is covered during units on the expansion of the Muslim (1300-1700) and the Age of Imperialism. The fourth lesson will follow up the Iranian Revolution during the study of postwar restructuring in the late 20th century. The final lessons will be used separate from the curriculum's content. A lesson on

Saudi Arabia will help to introduce the research project that students will undertake. Three of these lessons follow.

**Lesson One:** In the process of studying the Babylonian Empire, students will have read about Hammurabi's Code. This lesson will involve students analyzing excerpts from this law code and determining what it might reveal about gender roles among the Babylonians. Temporally removed from the modern Middle East by several thousand years, the Babylonian Empire and its laws can serve as a point of comparison to later lessons on this region. Current conditions are obviously very different, but certain basic elements (such as the purpose of law) remain the same.

*Pre-class Activity:*

Students will quick-write a response to the question: "What is the purpose of laws?"

*Discussion:*

The class begins with students sharing their answers to the "Pre-class" question. In doing so, some consensus should be reached as to why laws exist (e.g. to maintain order in society). Once this has been done, students should then begin to determine what constitutes a "good" law (one that is fair, one with clear consequences, one that is known to the public, etc.). This leads to the question as to what a state's laws tell us about the society that created them and how such conclusions can be reached (certain behavior is mandated or prohibited meaning that such behaviors are desirable or undesirable, certain rewards are higher or punishments harsher than others so the related activities are more or less desired, etc.).

*Primary Source Analysis:*

Students will receive an excerpt from Hammurabi's Code and an accompanying analysis sheet. Some laws (196, 197, 198) will be included to convey to students the *lex talionis* (law of retaliation (i.e. eye for an eye, tooth for a tooth)) component to the laws. Others (200, 201, 202) will be included to emphasize the importance of social class within the Babylonian Empire. The remaining laws (29, 39, 108, 117, 129, 130, 133-135, 137, 142, 170) will each underscore some aspect of the place of women in Babylonian society.

The analysis sheet for the gender-based laws will invite students to consider how Babylonian laws affected women and what these laws tell one about Babylonian values and expectations. Students will find that a woman here could own

property, operate a tavern independently, expect her husband to provide for her, receive compensation from her husband if he wished to divorce her, and divorce her husband with cause. A woman also had protection against be assaulted by another man (though nothing is mentioned about her husband's treatment of her). However, a woman's husband could sell her (and other family members) into slavery if necessary, she could be executed for adultery, and her social status had little to do with the status of her child. From these findings, students can then identify Babylonian values.

#### *Closing:*

Students will discuss their findings in regards to Babylonian law. As part of the lesson's closure, students will write a Constructed Response in which they determine whether or not Hammurabi's Code was good for women in general, using specific laws to support their answer.

**Lesson Two:** The study of the 1979 Iranian Revolution will be followed by an examination of the treatment of women in Iran under the Islamic Republic. Students will analyze a primary source and a secondary source before writing a constructed response on the topic of women under Iranian laws.

#### *Pre-class activity:*

To connect the previous day's lesson on the Iranian Revolution to the focus of this lesson, students will quick-write a response to the question: "What was the basis for the government of Iran after the revolution of 1979?"

#### *Discussion:*

Students should answer the "Pre-class" question easily. The discussion will then focus on the relationship between the religion of Islam and Islamic society. Students should recall information from an earlier unit on Islam regarding *shari'ah*. Students will be asked to offer examples of required or forbidden behaviors that they remember. The point will then be made that one should expect these parts of *shari'ah* to appear in the laws of Iran.

#### *Source Analysis:*

Students will read an excerpt from a scholarly paper ("Iranian Women and the Civil Rights Movement in Iran: Feminism Interacted" by Majid Mohammadi (see Annotated Bibliography)) and identify the author's conclusions as well as the evidence that he uses to support his claims. They will then read annotated excerpts from Iran's constitution (articles 2, 21, 162, and 167) and penal code

(articles 300 and 638). Here they will draw their own conclusions about the place of women under the law, comparing those that refer to the protection of women's rights and those that treat them differently than men (valued half as much, punishment for not being veiled, certain political offices open only to men).

*Constructed Response:*

Students will write a Constructed Response (i.e. an essay that answers a question with textual supports) for the following question:

“According to the laws of Iran, are women there equal to men?”

*Closing:*

The class will discuss the Constructed Response question and the various ways in which one could answer it. Students will quick-write at least one reason that they could have used to support the opposing answer to the question from the Constructed Response.

**Lesson Three:** Students will research the treatment of women under the law in a modern Middle Eastern state that has not been studied in class. They will use their findings as the basis for a short paper and presentation to the rest of the class. This activity will help to prepare them for the senior project that is a requirement for graduation. This lesson demonstrates the type of information that their research should address and how it should be presented to the rest of the class. It also shows students what they should be doing during other students' presentations.

*Pre-class activity:*

To remind students about what they should have learned in the previous day's class, they will quick-write a response to the question, “What is the purpose of note cards in the research process?”

Answers to the question will be discussed in the context of requirements for the senior project and how a modified version of these requirements will apply to the current research project for World History. Students will list and discuss what they will be expected to do for their research projects in this class.

*Model Presentation:*

To demonstrate to students what their presentations should include and how they should attend to their classmates' presentations, one will be modeled for them with an accompanying analysis sheet.

The presentation will address women and the law in Saudi Arabia. It will include three main parts: examples of gender-based Saudi laws, the impact of the legal system on Saudi society, and views of Saudi people of these laws. Additionally, the sources used to prepare the presentation will be identified so that students can see examples of the kinds of materials that they should seek. During the presentation, students will complete a graphic organizer that asks them to identify how the laws treat women, whether the laws have a positive or negative affect on society, and whether they (the students) view these laws as positive or negative.

*Closing:*

Students discuss the content of the presentation and questions that they may have about the presentations that they will be expected to prepare. They will then quick-write a response to the question: “Which Saudi law stood out the most for you?”

### **Annotated Bibliography:**

Al-Mohamed, Asmaa. "Saudi Women's Rights: Stuck at a Red Light." *Arab Insight*. 2.1 (2008): 45-51.

This article address the experiences of women in Saudi Arabia. In doing so, the author points out several Saudi laws that dictate how women are to be treated in Saudi society. Quotes from the article can be used with students to highlight the interaction between law and society in Saudi Arabia.

Andrea, Alfred and James Overfield. *The Human Record, Volume 2: Since 1500*. 5th ed. Boston: Wadsworth Publishing, 2005.

The authors present a collection of primary sources with accompanying essays that frame each document and place it in the appropriate historical context. The sources and related explanations that were used for this unit included legal opinions offered by scholars in the Ottoman Empire.

Baki, Roula. "Gender-Segregated Education in Saudi Arabia: Its Impact on Social Norms and the Saudi Labor Market." *Education Policy Analysis Archives*. 4 May 2011 <<http://epaa.asu.edu/epaa/v12n28/>>.

This scholarly article examines the effects of gender segregation on education in Saudi Arabia and the ways in which these effects have an impact on the economy of Saudi Arabia. In the process, the author shows how Saudi laws lead to gender segregation in Saudi schools and universities. It is useful to show the reciprocal relationship between women under the law and society as a whole.

Brosius, Maria. *Women in Ancient Persia, 559-331 BC*. New York: Oxford University Press, 1996.

In this book and the on-line article below, the author offers evidence of several ways in which women in the Achaemenid Empire were treated as the near-equals of men. Both works by Brosius may be too academic to use with students, but portions can be adapted for readings that can be used in class.

Brosius, Maria. "Ancient Iranian Women: Women in Pre-Islamic Iran." *The Circle of Ancient Iranian Studies*. 4 May 2011 <[http://www.cais-soas.com/CAIS/Women/women\\_in\\_pre-islmaic\\_iran.htm](http://www.cais-soas.com/CAIS/Women/women_in_pre-islmaic_iran.htm)>.

See above.



“The Civil Code of the Islamic Republic of Iran.” *Alavi & Associates*. 4 May 2011 <<http://www.alaviandassociates.com/documents/civilcode.pdf>>.

This law code as well as the penal code and the constitution referenced below are useful primary sources for students to analyze in order to learn about the treatment of women in Iran under the law. One should take excerpts from them and provide students without brief annotations as necessary (depending upon students background knowledge).

Durant, Will. *The Story of Civilization: Part I - Our Oriental Heritage*. New York: Simon and Schuster, 1954.

The first of the ten volumes in “The Story of Civilization” offers an incredible array of details about the beginnings of civilization and its development in Asia from the Near East to the Far East. It and subsequent volumes provide a teacher with a host of interesting details that can be used as the “hook” for a particular lesson. Given the size of this book (over one thousand pages) and others in the series, one would likely benefit more from frequently utilizing the index rather than attempting to read all ten volumes in their entirety.

Goodwin, Jason. *Lords of the Horizon: A History of the Ottoman Empire*. New York: Henry Holt and Company, 1998.

This book provides an overview of the Ottoman Empire that is alternately thematic and chronological. It includes interesting details to highlight the characteristics of Ottoman society that the author incorporates into his assessment of the empire’s significance.

“Hammurabi’s Code, c. 1780BCE.” *Ancient History Sourcebook*. 4 May 2011 <<http://www.fordham.edu/HALSALL/ancient/hamcode.html>>.

This site provides a usable translation of Hammurabi’s Code from which the laws identified above can be used to construct the excerpt for students.

Hassani, Behzad. “Human Rights and the Rise of the Achaemenid Empire: Forgotten Lessons from a Forgotten Era.” *The Circle of Ancient Iranian Studies*. 2 May 2011 <[http://www.cais-soas.com/CAIS/History/hakhamaneshian/human\\_rights.htm](http://www.cais-soas.com/CAIS/History/hakhamaneshian/human_rights.htm)>.

The author presents the findings of historians and archaeologists to make the case that the Achaemenids held relatively enlightened views of women. It is very readable, and students should be able to make clear connections between the author’s conclusions and the supporting evidence.

Imber, Colin. "Women, Marriage, and Property: *Mahr* in the *Behcetü'l-Fetāvā* of Yenişehirli Abdullah." *Women in the Ottoman Empire: Middle Eastern Women in the Early Modern Era*. Ed. Madeline Zilfi. New York: Koninklijke Brill, 1997. 81-104.

The book includes many interesting essays on women in the Ottoman Empire. Imber's work uses Ottoman laws to show how the empire's legal system reinforced the inferior status of women.

"Islamic Penal Code of Iran." *Mission for Establishment of Human Rights in Iran*. 4 May 2011 <[mehr.org/Islamic\\_Penal\\_Code\\_of\\_Iran.pdf](http://mehr.org/Islamic_Penal_Code_of_Iran.pdf)>.

See "The Civil Code of the Islamic Republic of Iran."

"Islamic Republic of Iran Constitution." *Iran Online*. 4 May 2011 <<http://www.iranonline.com/iran/iran-info/government/constitution.html>>.

See "The Civil Code of the Islamic Republic of Iran."

Mohammadi, Majdi. "Iranian Women and the Civil Rights Movement in Iran: Feminism Interacted." *Journal of International Women's Studies*. 9.1 (2007): 1-21.

This article provides a useful historical and social background for the legal system under which Iranian women live. Numerous examples of Iranian laws are given as well as influences on and consequences of these laws. Excerpts from this can be useful in class.

Quataert, Donald. *The Ottoman Empire, 1700-1922*. 2nd ed. New York: Cambridge University Press, 2005.

This survey of the Ottoman Empire focuses on major trends of the empire's latter years while incorporating themes related to gender issues and the treatment of minorities. It is very readable and can be used to flesh out other aspects of Ottoman history that receive little mention in most World History classes.

Von Soden, Wolfram. *The Ancient Orient: An Introduction to the Study of the Ancient Near East*. Grand Rapids, MI: William B. Eerdmans Publishing Company, 1994.

This scholarly work on the region's earliest history addresses various cultural elements of early civilizations and traces their change over time and place. While

certain sections may be helpful in a teacher's development of background knowledge, the writing almost certainly would be beyond most students.

Zoepf, Katherine. "Talk of Women's Rights Divides Saudi Arabia." *New York Times* 12 June 2010: A7.

This article presents the views of women who support Saudi Arabia's gender-based laws and those women who oppose them. The information was to create the presentation for lesson three above, but one could alternately have students read the entire article on their own and arrive at their own conclusions.

**Standards:**

The Core Curriculum of the School District of Philadelphia is aligned to the Pennsylvania Academic Standards for History. These standards include instruction on World History as well as Historical Analysis and Skills Development. The general topic of Gender and Law in the Middle East is tied to both of these. The content of the curriculum unit falls within the standards for World History while the research and analysis that students will perform is covered by the second set of standards.

8.1.9 B. Analyze and interpret historical sources.

8.1.9 C. Analyze the fundamentals of historical interpretation.

8.1.9 D. Analyze and interpret historical research.

8.4.9 B. Analyze historical documents, material artifacts, and historic sites important to world history.

8.4.9 C. Analyze how continuity and change throughout history has impacted belief systems and religions, commerce and industry, innovations, settlement patterns, social organization, transportation and roles of women.

8.4.9 D. Analyze how conflict and cooperation among social groups and organizations impacted world history.