

Classrooms Will not Open While Teachers Are in Prison



Special labor report on teachers and the reopening of schools in Iran

September 2020



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Classrooms Will not Open While Teachers Are in Prison¹

Zamaneh's special labor report on teachers and the reopening of schools in Iran

1 The title of this report is taken from the protest graffiti in the streets of Tehran in response to the arrest and imprisonment of teachers' union activists.

Introduction: Reopening Schools in the Shadow of COVID-19

On 5 September 2020, despite the concerns and warnings about COVID-19, the President of the Islamic Republic of Iran, Hassan Rouhani, rang the bell to start the 2020-2021 academic year (1399-1400 in Iran's solar calendar), this time, of course, in absentia by video.

COVID-19 poses numerous challenges to the Iranian education system on the eve of the new school year. The challenges include: high population density in poorly ventilated classrooms; lack of hygiene products and disease prevention items; management disorder; unclear, incomplete, and at times contradictory protocols; expensive but slow internet; and unequal access to hardware and software facilities where classes are held virtually.¹

In response to these problems, the *Teachers' Union of Tehran* released a statement calling the decision to reopen schools "early and hasty," criticizing the "disordered structure" of the Ministry of Education, and expressing their concern about the lack of infrastructure and facilities to comply with health standards in schools.

In addition to the above-mentioned challenges caused by COVID-19, the Iranian education system suffers from malignant problems and crises that can be viewed among teachers' syndicates demands.

1 [Akhbar-e-Rooz](#), 5 September 2020

What Do Teachers Want?

The demands of the teachers' syndicate in recent years can be categorized into four general headings:

1. Livelihood

Teachers demand a fair wage, with adequate salaries that rise with increases in the cost of living and a proper and efficient health and supplementary insurance scheme. In the same category are their demands for financing the implementation of the Civil Service Management Law and the enactment of the teachers' ranking plan.²

In this regard, active and retired teachers are worried about the supply of shares of the Teachers Reserve Fund in the stock market. Payment of end-of-service bonuses in installments has also caused dissatisfaction among teachers.



According to Mehrollah Rakhshani Mehr, Head of the Organization for Development, Renovation and Equipping Schools for the Islamic Republic of Iran, 30% of the country's schools need to be rebuilt or renovated. (October 2019)

2. Job security

The main motives behind the recent labor protests in the education sector have been the use of temporary contracts, instead of permanent ones, and lack of clarity about their employment situation. A wide range of teachers, from the Literacy Movement educators to teachers at non-profit schools, are asking for permanent employment contracts and a consistent and stable hiring process.

The reduction in permanent employment contracts over the last three decades has put the livelihood of many teachers in danger. On 16 November 2019, a thousand contractual teachers wrote a protest letter to Iranian MPs asking for their concern about the teachers' livelihood conditions.³

² In December 2019, the teacher ranking plan was finally approved by the government after years of waiting, but its plan and method of implementation have provoked protests among teachers.

³ [Radio Zamaneh](#), 13 November 2019

3. Collective organizing and bargaining rights

The right to organize and strike is at the heart of the demands of the teachers' syndicates. The teachers demand the release of their imprisoned colleagues, as well as an end to the use of threats, expulsions, and security charges against cultural union activists. The teachers want to be allowed to establish free and independent syndicates instead of those formed by the government.

4. Free and public education system

The fourth category of demands by the teachers' syndicates targets the education system itself. The teachers demand the elimination of discrimination in the structure of the education system, an end to the system's process of commodification, the right to access free education as guaranteed by Article 30 of the Constitution, the renovation of old schools, the provision of the necessary conditions for children to return to school, and an increase in the share of Iran's annual budget that is allocated to the education system.

Commodification of Education and Removing Teachers from the Education System

Article 30 of the Constitution states: “The government is responsible for providing the means for public education for everyone up to the end of high school. It must expand free higher education until the point when the nation reaches self-sufficiency.”

Forty years after the 1979 revolution, Hossein Maghsoudi, a representative for the city of Sabzevar, testified on 21 October 2018 in a public session of parliament that the Iranian education system is the most expensive education system in the world.⁴

Although Iran is not the “most expensive education system” in the world, a recent World Bank report states that the country had, between 1998 and 2017, the highest growth rate in the privatization of high school education of anywhere in the world.⁵

The privatization process in Iran basically began with the education system. The first step was the establishment of the Islamic Azad University in 1982. Soon after, starting from mid-1983, officials began to quietly discuss establishing private schools. Previously, Islamic private schools (such as the Alavi School and the Refah School) could be established, but they were not allowed to charge tuition fees.

In 1983, Mir Hossein Mousavi, the then Prime Minister, and Seyyed Ali Akbar Parvaresh, the Minister of Education at the time, both submitted separate letters to the Guardian Council of Iran asking the Council to interpret Article 30 of the Constitution. On 8 August 1984, the Guardian Council responded to these letters: “The use of the 30th Article of the Constitution is not about the governmental nature of the education and the prohibition of the establishment of national schools and universities based on the ordinary law.”⁶ It was this interpretation that provided the legal basis for the adoption of a law for establishing schools called “non-profits.”

The privatization of education was established by the First Development Plan (1989-1993) and continued considerably with the promulgation of the general policies of Article 44 of the Constitution (2005-2006).

At the same time, with a wave of non-profit schools being established, many public educational institutions were conceded to the private sector. In the end, the private sector was able to infiltrate the public education system through plans such as the “purchase of educational services.”

In contemporary Iran, there are dozens of types of schools, such as Sampad (for students identified as gifted and talented), Top Governmental, Board of Trustees, Isargaran (veterans), Sama (affiliated to the Islamic Azad University), Mandegar, and Houshmand, among others. At the same time, the school and university entrance exams have created a mass of private tutoring and educational assistance programs. The result has been an unequal, discriminative, and class-based education system in Iran.

4 [ICANA News Agency](#), 21 August 2018

5 [Euronews Farsi](#), 11 February 2019

6 [Guardian Council website](#), 12 February 2011

According to research conducted in the country, “the ratio of total expenditures of the richest income decile to the poorest one is 14 times, while the ratio of expenditures in the field of education of the richest income decile to the poorest one is more than 60 times.”⁷

The process of outsourcing education to the private sector, and in fact, “removing teachers” from the education structure, has intensified in recent years.

According to Hamid Reza Haji Babaei, the head of the Parliament’s Cultural Fraction, the Ministry of Education is facing a shortage of 300,000 workers at the beginning of the new school year.⁸ Nevertheless, the Ministry is not going to hire teachers on permanent



"Access to free, good quality education is childrens' right"

contracts and instead will seek to address the problem by hiring contractual teachers and soldier-teachers, and using schemes such as the “continuation of the services of retired teachers” (citing Article 103 of the Civil Service Management Law), the “Educational Services Purchase” plan, and an initiative called “the full time teacher” (overtime work for teachers).

The Educational Services Purchase is a form of “outsourcing” education and making teachers’ contracts temporary (vs. permanent and stable) that dates to 2014.

According to the second note of the second paragraph of the Budget Law adopted in 2014, the Ministry of Education is allowed to purchase educational services from non-governmental schools (from contractors) by paying per student, in areas where there is not sufficient capacity in public schools (primarily rural and nomadic areas)⁹. In practice, rural and nomadic areas were not the only places where this plan was implemented, but also in public schools in cities and even in provincial capitals.

7 Educational inequality, Mohammad Hossein Sharifzaadegan, Shargh Daily, 24 October 2019, republished on the [Magiran website](#).

8 [ISNA](#) (Iranian Students' News Agency), 14 August 2020

9 Text of Budget Law 2014, [ISNA](#), 3 March 2014

This plan is completely contrary to the nature of Article 3 of the Iranian Constitution and explicitly contradicts Articles 25 and 28 of the Sixth Development Plan, which prohibit the purchase of services from the private sector for public schools.

The budget bills of 2019 and 2020 show an increase in the purchase of educational services.

According to Iran's Budget Law of 2020, the number of students covered by the purchase of educational services will increase from 369,276 in 2019 to 626,750 in 2020.¹⁰

According to the ILNA (Iranian Labour News Agency), the services of 24,000 teachers are bought around the country.¹¹

The working hours of contracted teachers are the same as those of formal teachers, but their salaries are two-thirds less, and they only receive 176 days of salary and insurance each year.

10 [IRNA](#) Governmental Agency, 28 December 2019

11 [ILNA](#) News Agency, 9 August 2020

A Brief History of the Teachers' Organizing Process

The history of teachers' organizing and establishing cultural unions in Iran after the 1979 revolution dates back to the second half of the seventies (Gregorian calendar).

The Teachers' Union of Iran (Tehran), which played a key role in organizing teachers between 2011-2019, was established in 1999 and was licensed as a syndicate (not a labor organization) in 2000 by the Ministry of Interior (but not the Ministry of Cooperatives Labor and Social Welfare).

By the end of the 1990s, a teachers' union was established in the provinces of Isfahan, Khorasan, Fars, and Hamedan. At the beginning of the 2000s, the same syndicates came together and formed the "Coordinating Council of Teachers' Syndicates."

The statutes of the unions were regulated in such a way that only formal teachers employed by the government could join. Tutors, private sector teachers, and contractual teachers could not be a member of them.

The Article 10 Commission did not renew the licenses of the unions after their expiration in 2003, so the teachers' unions were practically expelled from the legal sphere. In 2016, after about a decade, the Ministry of Interior authorized the convening of general assemblies for 16 teachers' unions. The unions' new statutes, however, which allowed all teachers to join, were not approved.

According to research by Farangis Bakhtiari¹², the process of teachers' organizing over the past three decades includes four different periods.

The first phase, from 1998 to 2006, witnessed the establishment of a set of teachers' syndicates and unions at the same time as the reformists won power with their emphasis on a dynamic civil society. The reformist wave, however, soon subsided. 14 March 2007 can be considered as the symbolic end of this period, called the "Black Day of Education." On this day, anti-riot police forces attacked teachers with their batons in front of the parliament.

The second phase, 2007 to 2014, was a period of resistance by syndicate unions despite repression. During this period, teachers were no longer allowed to engage in legal activities. Teachers' union activity was not widespread and there was a gap between activists and teachers.

The third phase, 2014 to 2017, which began with the teachers' "silence gatherings," was a period when teachers' unions activities deepened and expanded to form a network and began using the Internet, including social media.

While before, an increasing number of teachers recognized themselves as an essential part of the middle class, during this period, teachers' and educators' union activists carried out their activities by redefining their social status and occupational identity, mostly as "workers."

And finally, the period following January 2018 has seen the complete independence of

¹² Farangis Bakhtiari, Teachers' Organization Process, Naghd website, [First part](#) (1998-2006), [Second part](#) (2007-2014), [Third part](#) (2014-2017), [Fourth part](#) (2017-2020)

syndicate activities from official political streams and the outburst of the labor movement in the second half of 2018.

During this period, Iran has experienced pervasive teacher strikes and protest gatherings across the country.

9 May 2018	Sit-ins and gatherings by teachers in schools
14-15 October 2018	Widespread strikes and sit-ins by teachers in schools
13-14 November 2018	Widespread strikes and sit-ins by teachers in schools
3-5 March 2019	Widespread strikes and sit-ins by teachers in schools

From 2018 until today, active and retired teachers, contractual and formal teacher, preschool teachers and Literacy Movement educators, have repeatedly gathered and conducted sit-ins to protest in front of governmental institutions across the country.



Teachers' strike in Ameneh Highschool, City of Marivan

Despite the solidarity of some students with the teachers during the strikes, an independent student movement has not yet formed in the schools. Student political and syndicate activity can be, when in line with the demands of the protesting teachers, a turning point that can change the balance of power to favor a more just and worthy system.

Teachers Have No Protest Rights!

The Islamic Republic of Iran does not allow independent syndicate activities for teachers and does not recognize their right to strike and protest. Police and security forces have repeatedly cracked down on teachers gathering to protest. The Judiciary has charged and issued harsh sentences to many teachers' syndicate activists.

According to the Teachers' Union of Iran (Tehran), security and judicial officials summoned, arrested, interrogated, tried, and imprisoned more than 60 teachers, in the first half of 2019 alone.¹

In February 2020, seven teachers' union activists in North Khorasan were sentenced to more than 41 years in prison and more than 200 lashes in two separate cases judged by the Revolutionary Court and the Criminal Court of Bojnourd.² These teachers were arrested during the 2018 protests.



"Teachers should not be in jail!"

Among the teachers who are currently imprisoned due to their syndicate activities at the beginning of the 2020-2021 academic year are Mohammad Habibi (Member of the Board and Head of the Teachers' Union of Iran), Esmail Abdi (Secretary of the Teachers' Union of Iran), Yaser Amini Azar (Member of the Teachers' Union of Mahabad), Mohammad Ali Zahmatkesh (Member of the Teachers' Union of Shiraz) and Hashem Khastar (Member of the Board of Directors of the Teachers' Union of Mash'had). Nahid Fath'alian, Zeinab Hamrang, and Seyed Biglou are retired teachers who are also in prison. They were arrested during a gathering of retired teachers last year.

On 3 November 2018, following a nationwide teachers' strike, security forces detained Hashem Khastar for 19 days in a psychiatric hospital.³

1 [Hrana](#), 28 September 2019

2 [Hrana](#), 29 January 2020

3 [Radio Zamaneh](#), 25 October 2018

“I can hear a whisper in the depths of my mind; quiet, from a half-empty classroom”¹

This is the third October (Mehr) that Mohammad Habibi is behind prison bars instead of in the classroom. He has been held alternately in Evin and Fashafouyeh prison for the past 28 months without a single day of leave. Mohammad Habibi is a critic of the process of commodification of education and protests the privatization of schools in Iran.



3 March 2018: Mohammad Habibi was arrested in front of the school where he taught. After 44 days in prison, he was released on a temporary pledge of 250 million Tomans until his trial.

10 May 2018: Mohammad Habibi was arrested again and severely beaten during a teachers' protest in front of the Plan and Budget Organization in Tehran.

19 May 2018: A Twitter storm was held in support of Mohammad Habibi. The hashtag #setfreehabibi was one of the top three globally trending hashtags for one hour.

3 August 2018: Under the judgment of Judge Ahmadzadeh, Branch 26 of the Revolutionary Court sentenced Mohammad Habibi to seven years and six months of prison on charges of “conspiracy and collusion against national security,” 18 months of prison on charges of “propaganda against the regime,” and lastly to 18 months in prison and 74 lashes for “disturbing public order.” According to Article 134 of the Islamic Penal Code, the most severe punishment, seven years and six months of imprisonment in the case of Mohammad Habibi, is applicable.

24 October 2018: Under the judgement of Judge Zargar, Branch 36 of the Revolutionary Court confirmed the sentences issued in trial court.

9 October 2019: Mohammad Habibi and Farhad Meysami, in protest of the clear violation of political prisoners' rights, announced in a letter to “policymakers in the Judiciary and the State Prisons and Security and Corrective Measures Organization” that until the illegal restrictions on prisoners (such as reducing in-person visits, restricting phone calls, and prohibiting the receipt of authorized books and magazines) are stopped, they will not comply with prison rules, including daily counts and obligatory morning ceremonies. Several other prisoners then joined this “civil disobedience” and dozens of other prisoners supported it. Subsequently, Mohammad Habibi and Farhad Meysami faced a ban on visitors.

1 The title of a note by Mohammad Habibi, one day before the reopening of schools in 2019.

8 May 2019: The Coordinating Council of Teachers' Unions, in opposition to Habibi's expulsion from the education system, announced him as the country's top teacher during Teacher's Week in Iran.

22 April 2019: By order of the Preliminary Board of Investigation of Administrative Violations, Mohammad Habibi was fired from his job, and his notice of early retirement was given to his wife.

11 April 2020: 15 teachers' unions around the country sent an open letter to the current head of the Judiciary, Ebrahim Raeisi, and asked for the release of Mohammad Habibi or to respect his right for leave.

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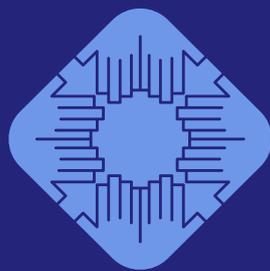
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