

PYRAMID OF POWER LEGAL AND CULTURAL IMPLICATIONS IN IRANIAN FAMILY

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Introduction

The concept of a “pyramid of power” in Iranian families is a fundamental element that shapes both cultural expectations and legal interpretations in matters related to California family law disputes. This hierarchical structure is deeply rooted in both traditional values and legal principles, influencing everything from decision-making authority and property rights to the resolution of disputes within the family. Understanding this pyramid of power is essential for anyone dealing with legal matters in Iran, particularly those involving family dynamics, inheritance, and the administration of estates.

This article provides an expanded analysis of the pyramid of power, its legal implications, and how it influences family law in Iran and its litigation in the U.S. courts. It is based mainly on the writer’s professional experience as an Farsi speaking Iranian-born and raised and an attorney and expert witness in numerous U.S. trials involving ownership and division of assets in Iranian families. Yet, this view is not without controversy.¹ It is criticized that the framework presented here as amplifying “stereotypical tropes” and ignoring the lived diversity of Iranian women’s experiences, both in Iran and the diaspora. Rather than dismissing this critique, the writer acknowledges it as an essential part of the dialogue.

Understanding the Pyramid of Power in Iranian Families

In traditional Iranian culture, the family is not just a social unit but also a complex hierarchical entity that operates under a strict order of authority, often visualized as a pyramid. At the top of this pyramid sits the father or the family patriarch, who is traditionally viewed as the “boss” or the ultimate decision-maker. His authority is derived from both cultural norms and legal statutes, which grant him the power to manage the family’s financial affairs, control property, and make decisions that affect the entire household. This position is not merely symbolic but is legally reinforced by the Iranian Civil Code and Islamic law, which together shape the governance of family matters.

The father’s role encompasses broad authority over family members, including decisions about marriage, education, and the distribution of family assets. Legally,



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the father has the right to administer the family’s estate, manage the finances, and dictate the roles of his children and spouse within the family. This authority is supported by provisions in the Civil Code that outline the rights and responsibilities of the family head, ensuring that his decisions are binding on all family members unless challenged under specific legal grounds.

The Role of the Eldest Son in the Pyramid of Power

Upon the death or incapacitation of the father, the pyramid of power in an Iranian family dictates that authority passes to the eldest son. The eldest son is expected to step into the father’s shoes, assuming the mantle of leadership and becoming the new head of the family. This role is not just a cultural expectation but is also codified in legal practices related to inheritance and succession. Under Iranian inheritance law, the eldest son often receives a larger share of the estate, a legal reflection of his elevated status within the family hierarchy.

The eldest son’s responsibilities are extensive and include managing the family’s business interests, overseeing property transactions, and ensuring that the family’s honor and reputation are maintained. His role is akin to that of a trustee, where he is entrusted with safeguarding the family’s wealth and interests for the

benefit of all members. The legal system in Iran often supports this structure, as courts may defer to the eldest son's authority in disputes involving family assets or decisions. Challenges to his authority by younger siblings or female members are frequently met with resistance unless there is a compelling legal reason to override this traditional hierarchy.

The Legal and Cultural Significance of the Pyramid's Middle and Lower Levels

The middle and lower levels of the pyramid of power are occupied by younger sons and, to a lesser extent, by daughters and other female family members. In this hierarchy, younger sons may hold important roles, but these are generally subordinate to that of the eldest son. If a younger son is highly educated or possesses specific expertise, he might serve as an advisor or consultant in family business matters. However, his influence is typically limited to his area of specialization, and he is expected to defer to the decisions of the eldest son on broader family issues.

The roles of daughters and female family members are even more circumscribed within the traditional pyramid of power. In most cases, women are expected to manage household affairs and provide support to their husbands and male relatives. While they may be consulted on family matters, they do not typically hold decision-making authority. Their roles are often advisory, and they are expected to abide by the decisions made by the male heads of the family.

This gender-based stratification within the pyramid is also reflected in the legal framework governing inheritance and property rights. Under Iranian law, daughters inherit half the share of sons, reinforcing the notion that men are the primary custodians of family wealth and authority. While women can inherit property and assets, their legal rights are often secondary to those of their male relatives, particularly in the context of family governance and the continuation of the family line.

The Pyramid of Power in Practice: Authority, Disputes, and Legal Outcomes

The practical implications of the pyramid of power are most visible when disputes arise within the family, especially regarding property, inheritance, or business decisions. In such cases, the legal system in Iran often defers to the traditional hierarchy, recognizing the authority of the family head or his successor, usually the eldest son. The courts typically consider cultural norms alongside statutory law, aiming to preserve familial harmony and prevent conflicts from escalating.

For instance, if a younger son or daughter challenges the authority of the eldest son over a business decision or the management of family property, the courts are likely to evaluate the situation based on both the legal merits and the traditional expectations of family roles.

Unless there is clear evidence of mismanagement, fraud, or breach of trust, the judiciary generally upholds the decisions of the family head. This approach underscores the judiciary's role in reinforcing the pyramid of power within Iranian families, maintaining social order by aligning legal outcomes with cultural values.

Legal Mechanisms and Challenges to the Pyramid of Power

While the pyramid of power is a deeply entrenched feature of Iranian family dynamics, there are legal mechanisms through which it can be challenged or restructured. For example, if there is evidence that the eldest son, as the new head of the family, is abusing his authority, mismanaging family assets, or violating his fiduciary duties, other family members may seek legal recourse. Iranian civil law provides for legal remedies in cases where an appointed trustee or guardian acts contrary to the best interests of the family or estate. However, such challenges must be backed by strong evidence and are often viewed through the lens of both statutory law and cultural propriety.

In some cases, the courts may intervene to appoint an independent guardian or administrator if the family's internal governance breaks down or if the parties cannot reach an agreement. These legal interventions, while rare, reflect the judiciary's capacity to adjust the traditional pyramid of power when necessary to protect the rights and interests of all family members. This balancing act demonstrates the legal system's ability to adapt cultural norms to modern legal standards while still respecting the foundational elements of Iranian family dynamics.

The Pyramid of Power and Minority Communities in Iran

It is also important to note that the pyramid of power may differ slightly in minority communities in Iran, such as Jewish, Christian, and Zoroastrian families. These communities are legally permitted to follow their own religious and cultural practices for family matters, provided they do not conflict with Iranian civil law. While the general concept of a hierarchical family structure is often preserved, the specific roles and distribution of authority can vary according to religious or community-specific norms.

For instance, within some minority communities, the role of women may be more pronounced, or the transfer of authority may follow different criteria than the traditional Iranian model. However, these variations are still subject to the overarching legal framework that governs all citizens of Iran, ensuring that the pyramid of power, while adaptable, remains consistent with national legal standards.

Conclusion

The pyramid of power in Iranian families is a multifaceted concept that blends cultural tradition with legal authority. At its core, this hierarchical structure defines the roles, responsibilities, and expectations of family members, shaping both daily life and legal disputes. The legal system in Iran, while rooted in civil law, often reinforces this traditional hierarchy, balancing cultural norms with statutory requirements to achieve outcomes that reflect both social order and legal propriety.

Understanding the pyramid of power is crucial for legal practitioners dealing with Iranian family law, as it provides insight into the legal rights, duties, and expectations of different family members. Navigating this complex terrain requires a deep appreciation of both the cultural context and the legal framework, as well as an awareness of the potential for conflict and the legal remedies available to address it. In this way, the pyramid of power serves as both a guiding principle and a legal reality, influencing the administration of justice in family law cases throughout Iran.

- 1 This article was published first on October 7, 2024 in *the Los Angeles Daily Journal*. In reaction Panteha Abdollahi, Esq., an Iranian-American attorney issued a public letter urging its retraction. Citing the achievements of Iranian women across multiple professions—from Nobel laureates to law firm partners—Ms. Abdollahi asserted that Iranian society is not monolithic and that, in many cases, women are at the forefront of leadership and social change, not confined to subordinate domestic roles. She urged recognition of alternative family models that invert or even reject the patriarchal pyramid altogether.

While traditional hierarchies remain influential in many Iranian families—particularly in contexts of marriage, inheritance, and dispute resolution—it is equally true that Iranian society is evolving. The co-existence of patriarchal norms and emerging egalitarian structures is itself a feature of the contemporary Iranian experience. This article, therefore, offers a culturally specific lens rooted in familial tradition while welcoming and incorporating contrasting perspectives that challenge or revise those traditions.

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