UNRAVELING THE PARADOX:

THE RESILIENCE OF WOMEN'S RIGHTS ACTIVISM IN IRAN WITHIN THE CONTEXT OF A CHANGING POLITICAL ENVIRONMENT

Master of Arts in Law and Diplomacy Thesis

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Someone will come…
I feel that she is growing on the other side of the fence,
I feel that she is singing with all the drops of the rain
and the falling of the leaves.
-- Forough Farrokhzad[1]

INTRODUCTION

A few years ago, I stumbled upon an old photograph of my mother from before the Iranian Revolution. She was smiling brightly, dressed for a party, wearing a short brightly colored dress, and posing with other laughing young people, men and women. It was a picture that was deeply anachronistic with everything else that I knew about life in Iran. Having left Iran when I was just a child, I have almost no memories of my own and have relied on television, movies, and family anecdotes to piece together the pieces of my country of birth. The more I have learned about Iran, the more it has been divvied up into two distinct temporal pieces—"the time of the Shah" and "the Islamic Republic," joined together by a "revolution." Consequently, I have long had a myriad of questions concerning the many paradoxes of the Iranian Revolution, especially regarding its impact on women: how did women seemingly go from liberated to oppressed within the span of a single revolution in which they were key participants? Why were the reforms that had passed before the revolution not able to endure ("stick") under the Islamic Republic? And if the stories of the brutality and repression of the Islamic Regime were true, then what accounts for stories of women forcing their way into soccer stadiums, writing inflammatory books, winning Nobel Peace Prizes, and getting arrested for publicly

[1] *Someone who is like no one.* Translation by Maryam Dilmaghani (accessed March 15, 2008); available from http://foroughfarrokhzad.tripod.com/id26.html.

demonstrating for their rights? How do these seemingly fractured temporal pieces fit together to make a united whole?

This thesis proposes to unravel the paradox of women's rights activism in Iran through a critical examination of women's rights activities starting in the time of the Shah and continuing into the first twenty years of the Islamic Revolution. By paradox, I mean that despite all of the legal gains women achieved during the Shah's regime, they were not able to make these rights stick once the Islamic Republic emerged after the revolution. In contrast, despite the imposition of restrictive Islamic laws following the revolution, women's rights activism has continued to flourish and today, women have emerged as a deliberate and indigenous constituency in their own right. Unraveling the paradox means studying the factors and events that have shaped women's activism in Iran and realizing that despite changing political contexts and changing strategic tactics, the basic demands and desires of women in Iran have remained basically the same for the past forty years. They want equal rights and equal protection under the law particularly as they pertain to the right to file for divorce in an unhappy marriage, retain custody of their children, and the ability to participate in society as fully active citizens—to vote and to work alongside their husbands, fathers, and sons.

I will begin with a historical overview of women's rights in order to provide a context for the gains women made during the Shah's era. I will then focus on the primary reforms and changes to women's status that occurred between 1962 and 1979—namely the right to vote and the Family Protection Act—and consider why these reforms did not make it to the other side of the Iranian Revolution. Finally, this section will consider women's participation in the revolution, particularly in light of the negative effect that the revolutionary regime was to have on their legal status.

The bulk of this thesis will examine women's activism in the years since the revolution. Due to the availability of sources, the majority of this section will pertain to the first two decades (give or take a few years) following the revolution, particularly the period of the Rafsanjani and to a limited extent, the Khatami administrations. First, I will consider the emergence of the Islamic Republic, which resulted in a return to *Sharia* law and fundamentally stripped women of all the personal status gains they had made in the years preceding the revolution. This thesis will then focus extensively on three key strategies undertaken by women living in the Islamic regime. The first is their persistent public presence—I will argue that Iranian women have subverted the regime's attempts to push them back into the home by refusing to stay there. Second, I will examine the practical concessions that a ruling religious establishment has had to make in the wake of women's insistence and common sense. Third, I will consider women's use of an Islamic framework through which they can argue for women's rights without accusations of Western idolatry.

Finally, I will consider the 1997 election of President Mohammad Khatami and the so-called 2nd revolution, in which women once again played a key role. However, in contrast to their participation in the 1979 revolution, women's mobilization and support of Khatami is a testament to their influence and emergence as an indigenous constituency. This section will consider the future implications of this constituency particularly in light of external calls for democracy.

PART I: THE PAHLAVI PERIOD AND THE REVOLUTION

A. Women's Status in the First Half of the 20th Century

The gains made by Iranian women by the time of the 1979 Iranian Revolution are particularly impressive when we consider that less than a century before, women had occupied a strictly domestic and segregated sphere. Their access to education was virtually non-existent. Their lives consisted of marrying at an extremely young age a man not of their choosing and producing children (preferably of the male gender). On the rare occasions when she did venture outside of the house, she did so wearing a black shroud that covered her entire body with the exception of two small slits for her eyes. She was allowed to walk on one side of the street while men walked on the other and if she needed to cross the street, she would have to receive permission from a policeman.[2]

By 1905, a small group of women began to take more of an interest in public matters and their participation in the Constitutional Revolution by way of organizing strikes and boycotts, spreading news, and encouraging the public to protest against the influence of foreigners and the despotic rule of the Shah is on record.[3] Despite their participation, political leaders who on the one hand were concerned with turning subjects of the Shah into citizens of Iran,[4] viewed women as subjects of their fathers and husbands whose political participation was supposed to be in support of their male kin."[5] In fact,

[2]Mahnaz Afkhami, "Women's Organization of Iran," in *Women in Iran: From 1800 to the Islamic Republic*, eds. Lois Beck and Guity Nashat (Urbana: University of Illinois Press, 2004), 110-111.
[3] Homa Hoodfar, "The Women's Movement In Iran: Women at the crossroads of Secularization and Islamization" *WLUML-The Women's Movement Series* 1 (Winter 1999): 7. For more on the role of women in the Constitutional Revolution, see Mansoureh Ettehadieh, "The Origins and Development of the Women's Movement in Iran, 1906-41," in *Women in Iran: From 1800 to the Islamic Republic*, eds. Lois Beck and Guity Nashat (Urbana: University of Illinois Press, 2004), 85-95.
[4] Lecture: Vali Nasr, Iran in Global Politics, The Fletcher School of Law and Diplomacy (January 17, 2008).
[5] Hoodfar, "The Women's Movement In Iran," 8.

the representative of the grand Mufti in the *Majlis* (Parliament) even claimed that God had not given women the capacity to engage in politics, claiming that the Qur'an has placed women in the custody of men.[6] Nevertheless, their participation (particularly of elite upper class women) in this movement sparked the initial flame that would eventually result in women's enfranchisement and legal recognition.

Women's disappointment with the outcome of the constitution and their lack of legal standing motivated activists to focus on women's issues. They formed semi-secret associations and directed their efforts to promoting girl's education based on the premise that education would enable women to become useful members of society and would provide future recruits for the women's movement.[7] The first school for girls was founded in Isfahan in 1917, but such was public resistance to the idea of female education that shortly after its founding, its principle, Mrs. Badreuduha Dirakhan was arrested, beaten, and imprisoned by the authorities for three months.[8] Owing largely to the resilience of these early women activists, the first public school for girls opened a year later in 1918. Although the 1907 constitution had actually enshrined the principle of public education for girls, it was only during the rule of Reza Shah (1924-1941) that the law began to be seriously implemented. Gradually, more and more affluent urban families became convinced of the benefits of modern education, and an ever increasing number of girls began to enroll in these newly opened schools.[9] Reza Shah further advanced education opportunities for women by sponsoring a number of secondary schools, which paved the way for women to enter the newly formed Tehran University in

[6] Ibid.
[7] Guity Nashat, ed. "Women in Pre-Revolutionary Iran: A Historical Overview," in *Women and Revolution in Iran* (Boulder: Westview Press Inc., 1983), 23.
[8] Ibid., 24.
[9] Ibid., 19.

1935.[10] Of course it would be several decades more before these educational opportunities were widely available and accessible to girls from rural and less well-to-do families.

Reza Shah's emphasis on women's education was a result of his modernization campaign modeled on that of Mustafa Kemal Ataturk in Turkey and included a strict campaign of mandatory unveiling in 1936. Homa Hoodfar has called this combination of unveiling and education in one package a strategic mistake by reformers and modernizers in that it provided the clergy with "the opportunity to legitimize their opposition to the proposed changes in the name of religion and galvanized public resistance to the education of women."[11] Unveiling also had highly contradictory effects on different segments of the population. Mahnaz Afkhami, while recognizing the opposition to this policy by traditional urban men and women, hails unveiling as "the single most important step toward ending the segregation of women in society."[12] Hoodfar meanwhile, maintains that:

> …for lower middle class and low-income urban women, who were socialized to see veiling, in the form of *chador*, as the only legitimate, acceptable way of dressing, the unveiling law was far from liberating. Many felt obliged to stay home, and gave up their public activities including shopping for the family, engaging in economic activity outside the home, visiting neighbors, and worst of all, going to the public baths…enforcement not only failed to liberate women of these classes, but sequestered them and forced them to rely on their husbands, sons, and male relatives for public tasks which they normally carried out.[13]

Thus, for many women of that time, forced unveiling pushed them back to the absolute social segregation of the turn of the century. By the end of Reza Shah's rule in 1941,

[10] Ibid., 25.
[11] Hoodfar, "The Women's Movement In Iran,"14.
[12] Afkhami, "Women's Organization of Iran,"112.
[13] Hoodfar, "The Women's Movement In Iran," 14.

women had increased access to education and the public sphere although (with the exception of his forced unveiling program), no major change occurred in the legal position of women during his reign.

B. Women Under the Shah

When Mohammad Reza Pahlavi (hereafter, the Shah) took over the reigns of power following the abdication of his father in 1941, women in Iran were not yet enfranchised nor did they have the legal right to initiate divorce. Rather, women's status in society continued to be guided by Iran's 1928 civil code whereby "a woman's function [was] to satisfy a man's sexual desires and to produce his children."[14] However, women activists continued to press hard for the right to vote by writing articles, petitioning the Shah and the government, and by drawing unfavorable comparisons between their lot and that of enfranchised women in neighboring Turkey.[15] Finally, in 1963, the Shah included women's enfranchisement as one of the reforms proposed in his *White Revolution*. However, he did not permit women to participate in the nationwide referendum held in January of that year regarding the six measures included in the reform package. On the eve of the referendum, women leaders were inspired by a tacit suggestion made by then Minister of Agriculture, Hasan Arsanjani, to set up their own voting stations to poll women. The morning of the referendum, it was up to these women to get the word out to other women—they did so through the radio, newspapers, and by mobilizing an extensive telephone network. One activist, Hajar Tarbiat, "took a loudspeaker and went to the south of Tehran and other parts of the city and urged the people, the women, to come out

[14] Haideh Moghissi, "Women, Modernization and Revolution in Iran," *Review of Radical Political Economics* 23, no. 3&4 (1991): 209.
[15] Haleh Esfandiari, *Reconstructed Lives: Women and Iran's Islamic Revolution* (Washington DC: The Woodrow Wilson Center Press, 1997), 27.

of their homes and go to the ballot boxes and not lose this opportunity."[16] Another activist of the time, Mehrangiz Dowlatshahi has recalled "that in some provinces where no ballot boxes existed, women cast their votes in garbage containers."[17] Although many thousands of women participated in the referendum, the government refused to include the women's ballots in the official tally. Newspapers, however, did publish the results alongside pictures of women voting. Not surprising, the results of the women's vote unequivocally endorsed the referendum.[18] A month later, in February 1963, the Shah announced that he was granting women the right to vote as well as the right to be elected to parliament. Thus, women's enfranchisement in Iran was far from a simple royal grant. Rather, it resulted from the steadfast and creative activism of women who eventually convinced the Shah that giving women the right to political participation was not only inevitable, but that it was also in line with his broader plan for modernization.

The enfranchisement of women resulted in the election of six women to the Majlis. In addition, the Shah appointed two women to serve as senators. The presence of these women in the legislative bodies paved the way for the 1967 Family Protection Law (FPL). Although this initiative did not annul the articles of the civil code and avoided a radical break with *Sharia*, it did modify several important aspects of the law in favor of women. First of all, the FPL curbed the unilateral privilege of men regarding divorce and polygamy, whereby a man could no longer arbitrarily divorce his wife, but required the permission of the newly established family court. Likewise, a man could not marry a second wife without the permission of his first wife, which also had to be given in court. This law also gave women the right to divorce under certain conditions regardless of

[16] Haleh Esfandiari, "The Role of Women Members of Parliament, 1963-88," in *Women in Iran: From 1800 to the Islamic Republic*, eds. Lois Beck and Guity Nashat (Urbana: University of Illinois Press 2004), 140.
[17] Ibid.
[18] Esfandiari, *Reconstructed Lives*, 27-28.

whether or not this right was stipulated in her marriage contract (which was the prior pre-requisite for a woman to initiate a divorce). The marriage age was raised to fifteen for girls and seventeen for boys. The law also addressed custody of children in case of divorce or the father's death, which was to be decided by the court rather than the previous standard where boys over two and girls over seven automatically belonged to the father.[19] The FPA was then amended in 1975 to address discriminatory employment laws. New regulations gave working mothers up to seven months paid maternity leave and the option of working halftime up to the child's third birthday. In the same vein, workplaces with above a certain number of employees were mandated to provide on-sight childcare for working mothers.[20]

Despite the gains made by women in the area of family and employment rights, there were several areas where discriminatory practices were still sanctioned by the state. For example, a divorced wife was still not entitled to alimony. Women's inheritance laws continued to be half of a man's. Husbands could still prevent their wives from engaging in "any sort of employment which he thought was incompatible with the family's best interests or his and his wife's respectability."[21] There was also continued restrictions on women's mobility with continuation of the so-called "passport law," whereby a woman was required to obtain notarized written permission from her husband in order to leave the country.[22] Article 179 of the criminal code was also a contentious issue among activists and state officials—under this law, there was no punishment whatsoever given

[19] Vatandoust, Gholam Reza, "The Status of Iranian Women During the Pahlavi Regime," In *Women and the Family in Iran*, ed. Asghar Fathi (Leiden: E.J. Brill, 1985), 118.
For more on the 1967 Family Protection Act, see Moghissi, "Women, Modernization and Revolution in Iran," 209-211, Esfandiari, "The Role of Women Members of Parliament, 1963-88," 150-1, and Hamideh Sedghi, *Women and politics in Iran: Veiling, Unveiling, and Reveiling* (Cambridge: Cambridge University Press, 2007), 134-141.
[20] Esfandiari, *Reconstructed Lives*, 34.
[21] Moghissi, "Women, Modernization and Revolution in Iran," 209.
[22] Hoodfar, "The Women's Movement In Iran," 20.

to a husband who found his wife in bed with another man and killed her.[23] However, despite these and other continuing social and legal inequities, there can be no doubt of the gains made by women's activists during the second Pahlavi era. An examination of the strategies employed by these women is helpful in discovering how they made these gains and indeed, why many of these rights were later stripped by the newly formed Islamic Republic.

C. Women's Rights Activism Under the Shah

As discussed in the first section of this paper, the initial agitation for women's rights began at the highest levels of society. Thus, it is not surprisingly that this class of women continued to promote women's rights up until the time of the revolution. However, far from seeing themselves as elitist, these women viewed themselves as promoting the rights of lower and working class women who, owing to their resource and power limitations, were the most in need of firm legal protections.[24] Starting in the 1950s, these women began to form organizations dedicated exclusively to women's rights. One illustrative example was the New Path Society -- *Rah-e No* -- founded in 1954 and popular among affluent Tehran women, which later became the High Council and eventually the Women's Organization of Iran. The main focus of the New Path Society was the political rights of women, but their emphasis was more on family law than universal suffrage. The reason for this was given by one of the original founders Mehrangiz Dowlatshahi as:

> [I]f we have the vote, many will not pay attention [*tavajuh*] to it. And women don't vote and if they do they cast a vote but don't really participate the way that

[23] Esfandiari, *Reconstructed Lives*, 31.
[24] Esfandiari, "The Role of Women Members of Parliament, 1963-88," 158.

> they should. But if family laws are fixed, any person, whether they are aware or unaware [of family law] is included and will utilize it [family law].[25]

Thus, there was a keen understanding by these early women's activists that suffrage alone would not necessarily improve the lot of most women because of the existing power dynamics that may have precluded wide-spread participation. Their reasoning therefore was to change the law so as to have the widest overall impact on women living in Iran. However, it remains unclear how they planned to ensure that these laws would indeed trickle down into the everyday lives of average women who were "unaware" of the laws to begin with.

In 1956, seventeen of the organizations working on women's issues decided to form a federation in order to foster greater cooperation. Although the High Council was initially meant to maintain the autonomy of the individual organizations, the "consciously pragmatic" choice was eventually made to accept Ashraf Pahlavi, the Shah's twin sister, as the honorary president, particularly after the Shah insisted on her leadership. His logic was that if she were to head one organization, which had explicitly asked her to serve as its figurehead, then she should head all of the organizations in order to avoid charges of leadership.[26] Dowlatshahi maintained that this decision was largely motivated by the Shah's desire to prevent the women's organizations from being co-opted by the Leftist movement and she acknowledges an outcry among some activists over the question of autonomy within the Federation.[27] Ultimately however, the women activists chose to surrender a degree of control in exchange for the promise of increased effectively in their work, based on the premise that "pro-establishment does not mean pro-status in terms of

[25] Quoted in Mana Kia. "Negotiating Women's Rights: Activism, Class, and Modernization in Pahlavi Iran," *Comparative Studies of South Asia, Africa and the Middle Eas*t 25, no. 1 (2005): 234.
[26] Ibid., 235.
[27] Ibid.

the laws of that establishment."[28] However, as will be discussed in depth, this association with the Pahlavi regime would later increase with the creation of a further centralized Women's Organization of Iran (WOI) and would be used by critics of the women's movement as a means of de-legitimizing the work done by these women as a "discredited venture at the service of the state or as foreign colonial importation."[29]

The WOI, created in 1966, has been described as having had a "virtual monopoly on women's rights activism"[30] in that it served as an umbrella organization for fifty-five of the women's organizations operating in Iran at the time. According to Mahnaz Afkhami who served as its secretary-general from 1970-1978, the WOI grew into "an extensive network of 350 branches and 113 centers offering literacy and vocational classes, birth control and abortion information, job and legal counseling and childcare as well as youth programs and discussion groups."[31] Its defenders claim that the WOI directed most of its developmental and educational programming at lower class-women and focused on establishing contact among women belonging to different social strata.[32] Its aim was to develop concepts and strategies to bridge legal and political conditions arising from local traditions, with aspirations emerging from their common belief in the unfair status of women in Iran.[33] They also point to their international activities including WOI's participation in the activities of International Women's Year in 1975. Most notably, the consultative committee that produced the draft of the World Plan of

[28] Ibid.
[29] Paidar, Parvin. "Gender of Democracy: The Encounter between Feminism and Reformism in Contemporary Iran," *Democracy, Governance and Human Rights Programme Paper Number 6*. United Nations Research Institute for Social Development (October 2001): 10.
[30] Kia, 237.
[31] Mahnaz Afkhami. "Women in Post-Revolutionary Iran: a feminist perspective," in *In the Eye of the Storm: Women in Post-revolutionary Iran,* eds. Mahnaz Afkhami and Erika Friedl (Syracuse: Syracuse University Press, 1994), 192.
[32] Esfandiari, *Reconstructed Lives*, 31-34.
[33] Afkhami, "Women's Organization of Iran," 117.

Action for the improvement of women's status at the First World Conference held in Mexico, was chaired by Ashraf Pahalvi, head of the Iranian delegation.[34]

Afkhami also ardently defends WOI's association with the Pahalavi regime saying: "the modernizing government was a great help to women's aspirations…We therefore presented women's rights as primary requirements for modernizing the society and state."[35] She further supports WOI's use of government funds, claiming that it was "women's fair share of the common patrimony."[36] In effect, Afkhami viewed the WOI much like a development organization for women who used state funds to promote the issues (such as economic self-sufficiency and literacy) that were of utmost importance to Iranian women. Thus, compromise with the state was viewed by these activists as

> …a matter of practicality…[whereby] if the state could include women's rights as part of its modernization projects, women's rights could be framed to make this incorporation possible…Thus, special programs to combat illiteracy among rural women were not demanded on the basis of women's right to education, but as a necessary means of modernization.[37]

D. Critique of Pahlavi-era Women's Rights Activism

Notwithstanding these activists fervent insistence on the legitimacy and autonomy of their efforts, many scholars have pointed out that WOI's alignment with the state effectively led to a "loss of independence for the [women's] movement and a tacit agreement that the only demands put forward would be those the state was willing to grant."[38] Even if we take as given the courage, vision, and dedication of these activists to the cause of women's empowerment and equality, the fact remains that aligning their

[34] Ibid., 123.
[35] Afkhami, Mahnaz. "At the Crossroads of Tradition and Modernity: Personal Reflections," *SAIS Review* (Summer-Fall 2000): 88
[36] Afkhami, "Women's Organization of Iran,"116.
[37] Kia, 239.
[38] Hoodfar, "The Women's Movement In Iran," 22.

movement with the Shah meant that "as the regime lost legitimacy with the public, all institutions and issues closely tied to the state (and in particular to members of the Shah's family) lost credibility regardless of their political intent."[39] This negative association was further reinforced by their emphasis on modernity, which further alienated and threatened many traditional segments of society. Their cause was also not helped by the Shah himself whose policies may have promoted women's rights, but whose personal rhetoric did just the opposite. As can be seen in the following quotation from the Shah given in a 1973 interview, it is easy to understand why many of his critics believed that the government was not sincerely concerned with improving the position of women in Iranian society:

> In a man's life, women count only if they are beautiful and graceful and know how to stay feminine…and this Women's Lib business, for instance. What do these feminists want? What do you want? Equality you say? Indeed! I don't want to seem rude, but…you may be equal in the eyes of the law, but not I beg your pardon for saying so, in ability."[40]

Thus, while the pragmatic decision by women's rights leaders to hitch their wagon to the Shah may have eased their ability to pass important legislation and receive funding to promote women's development, it ultimately may have undermined their legitimacy in that they were viewed as "active agents in the nationalist project."[41] As such, they were lumped in with the Shah and their cause was viewed as co-opted by his regime which made them the subject to public ire and condemnation despite their sincere intentions to the contrary.

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[39] Ibid., 19.
[40] Cited from an interview by Oriana Fallaci in "The Shah of Iran," *The New Republic* (December 1, 1973) in Anne H. Betteridge. "To Veil or Not to Veil: A Matter of Protest or Policy." In *Women and Revolution in Iran,* ed. Guity Nashat (Boulder: Westview Press Inc., 1983), 115.
[41] Kia, 239.

Another major and related obstacle to significant legal reform of women's rights in Iran was the clergy, who vehemently opposed both the enfranchisement of women as well as the changes in personal status laws as outlined above. Chief among these critics was Ayatollah Ruhollah Khomeini who used the White Revolution and especially women's right to vote as fodder for launching a major uprising, saying: "By granting voting rights to women, the government has disregarded Islam and has caused anxiety among the Ulama and other Muslims."[42] Khomeini's protest movement in 1964 was strongly anti-state, resulted in violent clashes between protestors and government forces, and led to Khomeini's exile to Iraq.[43] Later, in response to the passing of the FPL, Khomeini announced "that women whose divorces had been decreed by the court against their husbands' will would be committing adultery if they remarried."[44] Of course, Hoodfar also points out that such hostility may have been engendered more by the exclusion of clergy from the political and legal power structures than by the content of the law.[45] In effect, the clergy felt threatened by the Shah's modernization campaign, particularly since the establishment of family courts overseen by secular judges was an infringement on family matters that they viewed as being within their purview. Thus, women's rights became a convenient proxy for what was really a power struggle between the Shah and the clergy in Iran.

Given the emphasis on modernization and so-called "westification," the 1970s also brought a traditional backlash against the women's movement. "Many women saw concentration on religion as an alternative to the behavior advocated by the Shah—

[42] Quoted in Azadeh Kian,"Women and Politics in Post-Islamist Iran: the Gender Conscious Drive to Change," *British Journal of Middle Eastern Studies* 24, no. 1 (1997): 77
[43] Ali Gheissari & Vali Nasr, *Democracy in Iran: History and the Quest for Liberty* (Oxford: Oxford University Press, 2006), 59.
[44] Hoodfar, "The Women's Movement In Iran," 20.
[45] Ibid.

western style of dress and behavior was viewed as immoral and as 'provoking the deterioration of family structure.'"[46] Evidently, despite Afkhami's assertions to the contrary and insistence on the need to find a conceptual framework for the movement that was neither a Western nor a traditional Iranian model, the efforts of women like herself and their organizations were often perceived as being too Western and therefore "immoral." This view was echoed by Ayatollah Khomeini during a pre-revolutionary speech in which he encourages Iranian women to reject the Shah's and by extension women's activists perverse idea of freedom in favor of embracing Islam:

> As for women, Islam has never been against their freedom. It is, to the contrary, opposed to the idea of woman-as-object and it given her back her dignity. A woman is a man's equal: she and he are both free to choose their lives and their occupations. But the Shah's regime is trying to prevent women from becoming free by plunging them into immorality. It is against this that Islam rears up. The regime has destroyed the freedom of women as well as men…We want to free them from the corruption menacing them.[47]

As will be discussed in the next section, this rhetoric of contrasting the corrupting influence of the Shah's policies with the dignity and freedom inherent in Islam proved a very effective tool for Khomeini in mobilizing women's support before and during the revolution.

Religious opposition notwithstanding, another important consideration of the Pahlavi era reforms was their permeability, that is, the extent to which they impacted the lives of ordinary Iranian women. According to several scholars including Homa Hoodfar, Haleh Moghissi, and Valentine Moghadam, all of whom have written extensively on this subject, the FPA and its 1975 amendment benefited only a certain class of women. Hoodfar asserts that "these reforms primarily benefited only women

[46] Betteridge, 116.
[47] Quoted in Betteridge, 118.

who had access to information as well as the social and economic support necessary to take advantage of the legal system."[48] Likewise, Moghissi points out that

> "[n]ew middle and upper class women took advantage of these favorable legal changes to leave difficult marital situations and retain custody of their children. However, for the majority of women with no education or gainful employment, the right to initiate divorce proceedings did not really mean much."[49]

Finally, Moghadam echoes these sentiments when she says "the beneficiaries of Pahlavi-style modernization were primary middle-class and upper-class women, while the majority of women from working class and peasant households remained illiterate and poor."[50] This critique of the limited social impact of these reforms is particularly noteworthy given the perceptions of the activists who were promoting these changes that the vast majority of the their beneficiaries were traditional working class women, who were in fact the most urgently in need of legal protection in marriage, divorce, and child custody cases.[51] It also helps explain why working class and peasant women did not participate more actively in the immediate post-revolution struggle to retain these rights—simply put, they never really had them to begin with.

At the dawn of the Iranian Revolution, women in Iran had made significant headway in their social status from only twenty years prior: they were serving in the cabinet; they were ambassadors in the diplomatic service; they sat as judges; they ran private businesses; worked as engineers, lawyers, doctors, and teachers; and they sat in parliament and served on local councils. They had come a long way from being forced to walk on the opposite side of the street and the women of that time and generation

[48] Hoodfar, "The Women's Movement In Iran," 22.
[49] Moghissi. "Women, Modernization and Revolution in Iran," 210.
[50] Valentine Moghadam, *Modernizing Women: Gender and Social Change in the Middle East* (Boulder: Lynne Rienner Publishers, Inc., 2003), 197.
[51] Esfandiari, *Reconstructed Lives*, 34.

undoubtedly deserve a great deal of credit for their steadfast dedication and creative maneuvering of the political system. However, as the above analysis demonstrates, a mindset of women's equality was not pervasive or settled upon most of mainstream society. This was largely because the dialogue for reform was held primarily at the level of the state as women negotiated their rights using a discourse of modernity instead of at the public level. In essence, women activists used the Shah's authoritarian system to their advantage, but then failed to recognize the limited impact of these newly passed laws given the enduring religious mentality and resentment of the Shah among the general population. Thus, their reforms, while enormously significant for a small percentage of the population, were not able to garner mass support or participation. In fact their emphasis on modernization generated a significant backlash that propelled many women to adopt a more traditional mode of dress and behavior. However, their mobilization efforts did result in the widespread participation of women in the ensuing revolution against the Shah.

E. The Role of Women in the Iranian Revolution

"I participated in the street protests against the Shah. We all did. Under the Shah, we couldn't speak our minds and we wanted a better system, a better government to take over his authoritarian regime."

--Razieh Modiri-Tafreshi (my grandmother)[52]

The 1979 Revolution was a paradoxical event for women in Iran for several reasons. First of all, it marked the mass participation of thousands of ordinary women, often the first overtly political act of their lives. Also, in that the revolutionary movement was rooted in opposition to the Shah, many women, including secular women, voluntarily

[52] Interview with the author, March 15, 2008.

adopted the veil in a rejection of the Shah's modernization policies. Finally, the participation of women in the revolution was so decisive that members of the clerical community most notably Ayatollah Khomeini engaged in a complete about-turn of their previous position and praised women as a critical component to the revolution's ultimate success. However, despite this recognition, the Islamic Regime that eventually assumed control of the government following the revolution adopted a hard-line towards women and essentially stripped them of most of the rights that they had gained during the Pahalvi era.

The Iranian Revolution included the massive participation of women in the daily demonstrations. Many women including my own mother and grandmother marched alongside men in demanding the end of the Pahlavi regime. Haideh Moghissi has described the women who joined the revolution as belonging to three different social groups. The first of these groups included highly educated women of the new middle class with nationalist or socialist tendencies who supported the revolution and not the clerics. The reasons for their support were no different than their male counterparts—they sought the overthrow of the Shah and an end to foreign economic and political domination and, in the absence of an alternative, readily accepted Khomeini's leadership. The second group comprised the marginalized urban lower-class women for whom the revolution provided a prospect for change in the material conditions of their lives. Moghissi refers to these women as having neither a coherent sense of themselves as distinct nor a particular affiliation with Islamic ideology. Rather, like the men in their lives, these women supported the clerical leaders who made specific economic promises such as lowering the prices of water and electricity as well as the more equitable distribution of oil revenues among the general population. The third group of women

participants were from the *bazaari* (mercantile) and traditional households. These women were the most resistant to and disturbed by the modernizing policies of the Shah. They had the least amount of education and identified most closely with conservative Islamic values and beliefs. This group was, and many still are, the most ardent supporters of the clerical leaders of the revolution.[53]

No matter their group affiliation however, these women were acting primarily as Iranians with the same basic complaints about the regime as their male counterparts.

> They too opposed the corruption and repression of the Pahlavi government and experienced the economic hardship which accompanied increasing inflation. Women were as horrified as men by the violent way in which peaceful demonstrations were dealt with by the government. They also suffered: women perished in the fire at the Rex movie theatre in Abadan attributed to the regime; they died in great numbers in Jaleh Square on Black Friday—September 8, 1978—alongside men.[54]

Because of the close affiliation between the women's movement and the Shah's regime, women's issues were explicitly not raised in the demonstrations. The most attention that gender issues were given by political groups was the vague commitment to "restore women's true rights and dignity, which they believed had been lost due to the Westernized style of Pahlavi modernization."[55] Even secular and leftist opposition groups who often had their own women's groups "actively discouraged any targeted campaign for women's groups as divisive, saying that once they attained power all such issues would be solved."[56] Women themselves, many of who had actively campaigned for the Pahlavi era reforms, acquiesced to this state of affairs whereby women's issues

[53] Moghissi, "Women, Modernization and Revolution in Iran," 206-208.
[54] Betteridge, 114.
[55] Paidar, 6.
[56] Nikkie Keddie,"Women in Iran since 1979," *WLUML Dossier* 23-24 (July 2001): 2.

were essentially divorced from the revolutionary discourse, presumably owing to their confidence in the durability of those rights.[57]

Yet another peculiar development of the revolution concerned the issue of veiling. In the years since Reza Shah's abdication, forced unveiling (although technically still a law) was no longer strictly enforced, which meant the return of veiled women alongside secular non-veiled women on the streets of Iranian cities. However, during the revolutionary era, many secular middle-class women adopted the veil as a temporary action that symbolized their rejection of the regime and its "immoral" gender ideology. In time, wearing a traditional black *chador* (full body sheath) became the symbol of the popular revolution[58] and its denunciation of the Shah, rather than an overtly religious or Islamic statement. Nevertheless, adoption of these religious symbols and slogans did induce more and more women, particularly from the more traditional segments of society to join the demonstrations.[59]

There are several reasons to believe that women's participation was instrumental in the triumph of the Revolution. Charles Kurzman has written about the likely first time "Death to the Shah" was chanted, which a SAVAK memorandum attributes to women:

> A large number of women wearing *black veils* on their heads, who were leaving the Molla Mosque by the women's door, saw the officials in front of the mosque beating a few [protesters] and raised the slogan, "Death to the Shah!" The slogan was taken up inside and outside the mosque.[60]

It is also likely that the presence of women in large numbers at demonstrations resulted in the unwillingness of the Shah's army to react more brutally against the demonstrators. Although many of the demonstrations were met with a fair amount of violence, scholars

[57] Esfandiari, *Reconstructed Lives*, 3.
[58] Hoodfar, "The Women's Movement In Iran," 22.
[59] Ibid.
[60] Charles Kruzman, *The Unthinkable Revolution in Iran* (Cambridge: Harvard University Press 2004), 27 [Emphasis added].

have remarked that the reaction was clearly not brutal enough to deter the demonstrators—i.e. the cost of demonstrating was reduced for all demonstrators because those charged with curtailing the protestors were constrained by the unprecedented presence of women at those demonstrations.

The large-scale participation of women in revolutionary activities was also noted by the clerical establishment. In fact, Ayatollah Khomeini, who in 1963 was the chief opponent to women's voting rights, publicly acknowledged women's social and political agency during the revolution:

> Women do more for [revolutionary] movement than men; their participation doubles that of men. That Muslim women are to be locked up in their homes is an utterly false idea that some attribute to Islam. Even during early Islam, women were active in the armies and war fronts.[61]

This was an important development as it served to alter women's consciousness and increase their confidence, particularly among lower class women, in terms of their political potential.[62] Thus, the traditional undertones and the unified anti-Shah sentiments of the revolution, coupled with the overt invitation from Islamic leaders to ordinary women to participate in the demonstrations, encouraged many women to enter the public sphere for the first time. Consequently, the revolution politicized a much broader proportion of Iranian women in a way that the political rights granted during the Shah's regime did not do. However, without those reforms in place and without that previous mobilization experience, it is unlikely that the first, already politicized groups of women would have joined the demonstrations and paved the way for the massive influx of women that followed their lead.

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[61] Asef Bayat, "A Women's Non-Movement: What It Means to Be a Woman Activist in an Islamic State," *Comparative Studies of South Asia, Africa and the Middle East* 27, no. 1 (2007): 172.
[62] Keddie, 4.

The final paradox of the revolution was that which came after the chanting and protesting had died down. Once the Shah abdicated and his government fell, the Islamic Regime assumed the reigns of power and one of their very first initiatives was abrogating the Pahlavi-era social reforms pertaining to the rights of women. As will be discussed in the next section, notwithstanding women's active and publicly lauded participation during the revolution, they were soon targeted by the regime's rapid Islamicization policies. In her memoir, *Iran Awakening*, Nobel laureate Shirin Ebadi remarks on this contradiction:

> That day, a feeling of pride washed over me that in hindsight makes me laugh. I felt that I too had won, alongside this victorious revolution. It took scarcely a month for me to realize that, in fact, I had willingly and enthusiastically participated in my own demise. I was a woman and this revolution's victory demanded my defeat.[63]

[63] Shirin Ebadi, *Iran Awakening: A Memoir of Revolution and Hope* (New York: Random House 2006), 38.

PART II: THE ISLAMIC REPUBLIC

A. The Immediate Aftermath of the Revolution

[F]ollowing the revolution, everything which remained from the pre-revolutionary time was rejected…Under the pretext that the West and its model is evil, women were dismissed from the administrative system, and the home was considered the best and the most suitable place for them.

--Zhaleh Shaditalab (Professor at Tehran University)[64]

Within two weeks of coming to power, Khomeini annulled the Family Protection Law. Instead, his government reverted back to a system based on *Sharia* that severely curtailed women's rights in the domain of marriage and family.[65] This meant that all the gains women had made in terms of the right to initiate divorce and to retain custody of their children were abolished. Temporary marriage, which had been severely curtailed under the Shah's regime was not only legally sanctioned but was openly encouraged.[66] The age of maturity was lowered to nine for girls and fourteen for boys, which was interpreted to mean that girls could be given in marriage as well as be punished for criminal offenses at the age of nine. In addition, employment policies were adopted with the aim of encouraging women to drop out of the workforce and return to their domestic duties in the home. Compensation packages were enacted that allowed women to retire after only 15 years of employment. Day-care centers were closed down and women were given the option of transferring their full salaries to their husbands or working part-time

[64] Quoted in Kian, "Women and Politics in Post-Islamist Iran," 77.
[65] Shahra Razavi, "Islamic politics, human rights and women's claim for equality in Iran," *Third World Quarterly* 27, no. 7 (2006): 1225.
[66] Hoodfar, "The Women's Movement In Iran," 23.
For a discussion on temporary marriage, see Shahla Haeri, *Law of Desire: Temporary Marriage in Iran* (London: I.B. Tauris, 1993).

in order to devote themselves more fully to their husbands.[67] Women were also restricted from certain professions and directed into other sectors seen as more in-line with their domestic and motherhood responsibilities such as nursing and teaching. Most significantly, in accordance with Islamic tradition, women were barred from being judges which coincided with the closing of the special family courts created during the Shah's regime. Finally, mandatory *hejab* (veiling) was instituted, first for women at their place of work and later for women in all public places. The punishment for improper *hejab*, such as showing some hair, was placed at 70 lashes.[68]

Despite being defined in the new constitution solely in terms of their familial status and duties,[69] women's continued politicization was seen as an important safeguard for the survival of the regime. In effect, "women's political participation legitimized the gender policies of the state and created an image of popular support and stability internally and internationally."[70] Consequently, Khomeini retracted his previous position about the unsuitability of women's voting rights within Islam and vehemently endorsed women's rights as a religious duty, saying: "Women have the right to intervene in politics. It is their duty…Islam is a political religion. In Islam, everything, even prayer is political."[71] Through this endorsement, Khomeini intended to obtain women's unconditional allegiance to the Islamic Republic, particularly on the occasion of the 1979 referendum. To that end, Khomeini stated: "all of you [women] should vote. Vote for the Islamic Republic. Not a word less, not a word more…You have priority over men."[72] Thus, Khomeini managed to harness the energy and legitimacy provided by women's

[67] Esfandiari, *Reconstructed Lives*, 41-42.
[68] Ibid., 41.
[69] Keddie, 41.
[70] Paidar, 9.
[71] Quoted in Kian, "Women and Politics in Post-Islamist Iran," 76.
[72] Quoted in Kian, "Women and Politics in Post-Islamist Iran," 77.

participation in the revolution for the entrenchment of the resulting Islamic regime. Contrary to his previous position during the White Revolution, Khomeini seemed to believe that women's political participation was appropriate so long as it was directed by a higher authority and took place in a "[purified] public space made possible through *hejab* and the imposition of the state's authority."[73]

Consequently, the regime projected an image of the ideal Iranian women as "exalted Muslims…both guardians of the family and active public agents."[74] This image was inspired largely by the writings of Ali Shariati and Morteza Motahari, whose abstract constructions of the model Muslim woman were based on personages of the Prophet's daughter, Fatimeh and his grand-daughter Zeinab who were simultaneously "'true' homemakers and public persons."[75] This "women in the family" social framework posited that by virtue of their biological differences, men and women were better suited for different social roles. This model was adopted by the Women's Association of the Islamic Revolution (formed soon after the revolution), who gathered prominent Islamic women including Azam Taleqani, Fereshte Hashemi, Shahin Tabatabaii, Shahla Habibi, etc…most of whom were members of prominent clerical families and who advocated the complementary nature of men and women. These women viewed Western feminists as "sex-objects" and as antagonistic to men. Furthermore, these women placed an emphasis on the "family [as] the heart of the society, and women the heart of family."[76] Furthermore, these Islamic women contended that within the confines of "an Islamic state

[73] Paidar, 10.
[74] Bayat, "A Women's Non-Movement," 162.
[75] Ibid.
[76] Ibid.

led by *velayat-e faqih*, there would be no need for special organizations to defend women's rights."[77]

Secular women were caught unaware by these abrupt Islamicization policies. Many had barely finished celebrating the success of the revolution when the government began to impose restrictions on their appearance and family rights. One of the few independent women organizations, The National Union of Women affiliated with the Marxist organization, *Fedayan-e Khalq* made the following statement in December 1979, reflecting the sense of betrayal secular women felt toward the revolution:

> The women who made history by their equal participation with men in the struggle for life and death gained nothing but a return to the rotten old household of ignorance and silence. Once again, instead of politically conscious hearts and minds, the regime asks for women's motherly protection for a 'warm family center.'[78]

Nevertheless, women responded to Khomeini's call for the re-veiling of women with a series of spontaneous protests culminating in the March 8, 1979 demonstration in commemoration of International Women's Day, which "was the first subversive act of protests against not only the new regime, but Khomeini himself, who until then had been sacrosanct."[79] Staging a sit-in at the ministry of justice, women held placards that read, "In the dawn of freedom there is no freedom."[80] Such acts of resistance in the wake of the revolution were for the most part ignored or branded as "bourgeois deviations" by many secular leftists or reverting back to their pre-revolutionary narratives, as Western or "Westoxicated" by nationalists and Islamists.[81] The unofficial government response was

[77] Ibid., 163.
[78] Moghadam, *Modernizing Women,*194.
[79] Moghissi, "Women, Modernization and Revolution in Iran": 206
[80] Moghadam, *Modernizing Women*, 195.
[81] Tohidi, Nayereh, "The Global-Local Intersection of Feminism in Muslim Societies: the Cases of Iran and Azerbaijan," *Social Research: An International Quarterly of Social Sciences* 69, no. 3 (Fall 2002): 856.

to send mobs of their own supporters, mostly men but also some women armed with knives, broken glass, bricks, and stones to attack the women demonstrators.[82] Meanwhile, the official response was delivered by Prime Minister Bazargan who assured women that Khomeini's remarks had been misunderstood and that while government and religious leaders supported the veil, there were no plans to make it compulsory. However, by June 1980, Khomeini declared that all women were required to practice *hejab* at their workplaces, which resulted in the firing of numerous women, particularly female television broadcasters, who refused to follow this edict. By 1981, *hejab* had become compulsory in all public spaces.[83]

Just as women's rights were subverted during the revolution by supposedly egalitarian leftist groups, so too was the forced Islamicization of women treated as secondary to more important concerns by the leaders of these groups. Thus, women were told that "they should sacrifice their democratic and equal rights for the success of a revolution that had chosen them as the first victims of an un-democratic agenda."[84] Secular women realizing the price of not having their own independent organization tried to organize themselves, but were ultimately unsuccessful in these endeavors for several reasons: first, many were also members of other political organizations with divergent views which prevented them from agreeing on a gender-based political platform; second, these women's organizations were high on the regime's hit-list which resulted in many of these activists going into exile; third, the Iran-Iraq war cut short these activities as the country was distracted by the impending conflict. In short, following the revolution,

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For more on the Leftist response to women's rights during and after the revolution, see Hammed Shahidian, "The Iranian Left and the 'Woman Question' in the Revolution of 1978-79," *International Journal of Middle East Studies*, 26 (1994): 223-247.

[82] Hoodfar, "The Women's Movement In Iran," 24.

[83] Ibid., 25.

[84] Ibid.

secular women lost the ability to publicly express their views on gender issues. From that point forward, women's rights activists needed to find alternative and subversive means of expressing their discontent with the regime's gender policies.[85]

B. Women's Rights Activism Under the Islamic Republic

"A series of regressions were imposed on women's rights, and even revolutionary [Islamist] women were thrust aside. The authorities only needed us to demonstrate in the streets but when the revolution triumphed they wanted to send us back to domestic work. I then realized the revolutionary social activity was meaningless when women were losing their rights, and started to defend women's rights."

--1994 Interview by Azadeh Kian with an Islamist activist[86]

Although the massive participation of women in the anti-Shah movement effectively ended their political invisibility, the immediate intention of Khomeini's institution of *Sharia* law was a one hundred year Islamic social and legal regression. Most women, even those not directly impacted by pre-revolutionary reforms were not willing to engage in Khomeini's notion of time travel and thus, they continued to lead lives that took place very much within the public sector even as they used their roles as wives and mothers to ensure that they received those rights granted to them under Islamic law. During the 1980s, this activism operated predominantly through informal channels as the country was preoccupied with the ramifications of the Iran-Iraq war. Then, starting in the late 80s and 90s, women began to play a more assertive public role, particularly starting in President Rafsanjani's administration whose reconstruction campaign and sporadic cultural freedoms and somewhat relaxed social restrictions "jump-started the

[85] Ibid., 26-30.
[86] Kian, "Women and Politics in Post-Islamist Iran," 77.

empowerment process,"[87] which ultimately culminated in President Khatami's election in 1997.

However, in the context of a new political climate, Iranian women have had to adapt their activism from the strategies used during the time of the Shah and even directly after the revolution. First, women have tapped into their "power of presence," meaning that they have asserted their voice by continuing to lead public lives and engaging in mundane activities such as going to work, attending university, and playing sports. This has challenged the regime's promotion of women within a primarily domestic sphere. Next, they have leveraged this public presence as well as their dissatisfaction with their legal status to influence women (and men) within the regime to change course on numerous issues. This "practical politicking" has meant convincing the ruling clerics of the pragmatic reasons for changing enshrined Islamic practices. Finally, the 90s and the surge of women's magazines has promoted the notion of "Islamic Feminism," that is, arguing for women's rights within an Islamic framework. All of these tactics will be flushed out in detail in the following sections, but taken together, they have advanced women to a social position that is stronger, more broad-based, and arguably more influential than the status of the majority of women under the Shah's regime.

[87] Robin Wright, "Iran's New Revolution," *Foreign Affairs* (January/February 2000), (accessed March 25, 2008); available from http://fullaccess.foreignaffairs.org/20000101faessay10/robin-writght/iran-s-new-revolution.html

1. The Power of Presence

i. Everyday Forms of Resistance[88]

Far from disappearing back into the private sphere as was encouraged by the Islamic Republic in the wake of the revolution, Iranian women have flooded the public domain often using the regime's very own policies to do so. For example, women have used the imposition of *hejab* as a catalyst for their public participation in that it has made public space morally correct in the eyes of traditionalist families and has legitimized women's public presence.[89] Iranian women have utilized their access to the public domain by engaging in what Asef Bayat has termed the "politics of nagging," whereby women air their grievances against the Islamic regime on a daily basis in taxis, buses, bakery lines, grocery shops, government offices, etc…[90] Considering that the average urban housewife spends at least two hours a day in public, at times until late at night, public nagging takes shape as an effective, if somewhat diffuse means for Iranian women to voice their collective complaints against the regime in the streets of Tehran rather than within defined institutional settings.[91]

This informal system of voicing complaints was particularly effective during the Iran-Iraq war particularly because the regime itself mobilized many of the lower classes in support of the war effort through street rallies and Friday prayer. This resulted in a dramatic increase in the public presence of women who would otherwise have remained in the confines of their homes.[92] However, even as the regime encouraged women to

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[88] Phrase coined by James Scott to describe struggles of the Javanese peasants to withstand the encroachment of upper-classes through discrete, illicit, and individual actions in *Weapons of the Weak: Everyday Forms of Resistance (*New Haven: Yale University Press 1985).
[89] Mir-Hosseini, Ziba*, Islam and Gender: The Religious Debate in Contemporary Iran* (Princeton: Princeton University Press 1999), 7.
[90] Bayat, "A Women's Non-Movement," 163.
[91] Asef Bayat, *Making Islam Democratic: Social Movements and the Post-Islamic Turn* (Stanford: Stanford University Press, 2007), 82.
[92] Bayat, "A Women's Non-Movement," 164.

come out in support of the war, they also closed off official channels of protest as being unpatriotic as evidenced by the following quotation from a woman living in Tehran at the time of the war:

> Like many others, I actively participated in war efforts. We established emotional ties with Imam Khomeini and though that through martyrdom we could achieve communion with God. Many of us lost our loved ones in the war…Yet, I also realized that women's condition was alarming. Not only were they losing their rights but were also faced with immense social problems caused by the war. Female prostitution and delinquency was increasing among widows and orphans who had lost their heads of households. But each time we wanted to emphasize these social problems, the power elite restrained us under the pretext that the country was at war.[93]

One particularly contentious issue facing women during this time was in regards to child custody following the death of the father, often as martyrs of the revolution or the Iran-Iraq war. Under *Sharia* law, upon the loss of their husbands, women were forced to surrender custody and guardianship to the closest paternal male relative of their children. However, many women tapped into their legitimacy as widows and mothers and used this "maternal impunity"[94] to protest against this law as contradictory to Islam's formal praise of the "holy" task of motherhood. These women spoke publicly of "having given their beloved husbands to the revolution for Islam, to be rewarded by having their children, their flesh and blood, torn from their bosoms in the name of Islam."[95] Their campaign proved successful and resulted in a decree from Ayatollah Khomeini granting martyrs' widows custody (but not guardianship) of their children even after remarriage.[96]

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[93] 1994 interview quoted in Azadeh Kian-Thiebaut,"From Islamization to the Individualization of Women in Post-revolutionary Iran," in *Women, Religion and Culture in Iran*. eds. Sarah Ansari & Vanessa Martin (Richmond: Curzon Press 2002), 129.
[94] Bayat, *Making Islam democratic,* 82.
[95] Hoodfar, "The Women's Movement In Iran," 34.
[96] Ibid., 35.

Additionally, "public presence gave women self-confidence, new social skills, and city knowledge."[97] Thus, women were not just present in the public sphere in large numbers, but they also took advantage of this presence to express their opinions against the regime. This initial "nagging" was soon expanded as

> ordinary women grew tired of waiting for the regime to fulfill its promises of fundamental changes to society [and began] to agitate in their own right. Women started asking questions, sending protest letters to the leaders, national newspapers, and women's magazines... [Consequently] shrewd religious and political leaders grew more amendable to compromise on gender issues.[98]

One strategy frequently employed by women was to point out the contradictions inherent in the regime's positions. For example, if conservative dress allowed women greater access to public spaces, why was sex segregation still necessary? If women's roles as mothers were so sacred, why was the family law amended so they lost custody of their children after divorce? Furthermore, if the work that women do in the home is of equal value as work done outside the home, why were women not paid for this work and to that end, if women were experts in matters of the family, why were they excluded from participating in family courts?[99]

As will be discussed in a later section, this agitation was complimented by women's journals that provided an even broader audience for issues of concern to women. Rather than using an external (Western) model of what women's rights should look like, women's advocacy after the revolution was more holistic and indigenous in that it was responding to the concerns of ordinary Iranian women. For example, in 1998, women responded in earnest to the brutal death of an eight year old girl weighing only 35

[97] Bayat, "A Women's Non-Movement," 164.
[98] Hoodfar, "The Women's Movement In Iran," 31.
[99] Poulson, Stephen C. *Social Movements in Twentieth-Century Iran* (Lanham: Rowman & Litterfield Publishers, Inc., 2005), 278-9.

pounds with a fractured skill, two broken arms, and burn marks covering her body. The child had been killed by her father, a drug addict with a criminal record and documented history of child abuse. Women packed the courtroom and protested the Islamic tradition that allows a mother to keep a daughter only until the age of seven and a son until the age of two when full custody switches to the father. As a result of this public outrage, Parliament subsequently revised the law in 1998 to stipulate that a child could no longer be awarded to an unfit father.[100] It is important to note that many of the post-revolution demands of women such as personal status rights in divorce, custody, and employment arose as a result of rights women had unwittingly enjoyed under the Shah. This dissatisfaction implies that "the pre-revolutionary reforms had been deeper and more popular than many people realized, and many felt it when they were annulled."[101]

ii. Advancements in Women's Literacy

Women's educational advancement has been another beneficiary of the increased access of women to the public sphere. One reason for this has been the perverse effect of mandatory veiling, which has effectively removed feelings of uneasiness among traditional families about allowing the women in their family to attend public (and segregated) schools.[102] This cultural acceptability combined with the existing pre-revolutionary emphasis on education has led to a substantial increase in literacy rates among Iranian women as indicated by the graph below:

[100] Wright.
[101] Keddie, 3-4.
[102] Bayat, "A Women's Non-Movement," 164.

Literacy Rates for Women in Iran (1956-1999)[103]

	Urban	Rural	Total
Year	% Literate	% Literate	% Literate
1956	22.4%	1.2%	8%
1966	38.3%	4.2%	17.4%
1976	55.6%	17.4%	35.5%
1986	65.4%	36.3%	52.1%
1999	80%	62.45%	70.4%

Not surprisingly, urban women have traditionally enjoyed a much higher literacy rate than women in rural settings. However, compared to the 1956 figures cited above, rural women have kept relatively apace with the overall gains made by women whose overall literacy has improved dramatically in just four decades. These educational advancements have also extended into the realm of higher learning such that in 1998, more women than men were admitted to the competitive national university entrance examinations.[104] And starting in 2000, women comprised 60% of students enrolled in university, making them the majority gender engaged in higher learning.[105] Thus, women have been taking advantage of educational opportunities at all levels and are not content to follow the Islamic doctrine of the early post-revolutionary years of being restricted to the domestic sphere. In fact, in 2005, the Sanjesh organization who is charge of Iran's higher education decided to implement restrictions on female enrollment rates for the following years in order to alleviate "problems related to increasing female presence in universities and centers of higher education."[106] Clearly, the government has taken notice of the large numbers of educated Iranian women who are being unleashed on society and is concerned with the social ramifications of this trend on the Islamic Republic. The other

[103] See Vatandoust, 126., Paidar, 9., & Patricia J. Higgins and Pirouz Shoar-Ghaffari, "Women's Education in the Islamic Republic of Iran," in *In the Eye of the Storm: Women in Post-revolutionary Iran,* eds. Mahnaz Afkhami and Erika Friedl (Syracuse: Syracuse University Press, 1994), 24.
[104] Siavosh Ghazi, "Emancipation under the veils (women's rights makes headway in Iran, but much remains to be accomplished)," *UNESCO Courier* (June 2000): 22.
[105] Paidar, 9.
[106] Asieh Amini, "Limiting Female University Enrollment Rates," *Rooz Online*. March 9, 2008 (accessed April 2, 2008); available from http://www.roozonline.com/english/archives/2008/03/limiting_female_university_enr.html.

important consequence of note is that the benefits of increased literacy have permeated all across Iranian society. Unlike during the time of the Shah, the argument can no longer be made that the benefits are limited to only a select socio-economic class of women—as the rural statistics indicate, educational advances have been inclusive across all classes in Iran irrespective of their class or politics. Nahid Moussavi, a secular journalist working in Iran has effectively expounded on this post-revolution development:

> Islamist women are no longer confined to the private sphere of the home. They enroll in universities, actively participate in social, economic and political life and try to promote their status. The scope of change in their self-perception and status becomes clear when compared to traditionalist-religious norms and values according to which women are not allowed to leave the home without their father's or husband's authorization. Likewise, they are not supposed to talk with men who do not belong to their family. The presence of several Islamist women in the Majlis, some of whom are outspoken, shows that despite the regressions these women have had important achievements.[107]

iii. Bad-hejabi

Women have been defying cultural expectations in other ways as well. For example, despite the emphasis on marriage (and in fact, official reduction in the marriage age) by the Islamic Republic, the average age of marriage for women has actually increased from 19.75 before the revolution to 22 in 1996.[108] Women are also significantly more "sporty" than before the revolution. In 2000, Tehran had 85 women's basketball teams and over two million women were participating in soccer, basketball, swimming, tennis, skiing, etc…compared to only ten thousand women who engaged in sports on the eve of the revolution.[109] Championed by Faizeh Hashemi, the youngest

[107] 1996 interview with author in Kian-Thiebaut, "From Islamization to the Individualization of Women in Post-revolutionary Iran," 137.
[108] Ibid., 140.
[109] Wright.

daughter of former President Hashemi Rafsanjani, Iranian women have ignored Islamic propriety and argued for separate facilities for indoor activities as well as the right to engage in outdoor activities, such as bicycle riding as long as they are properly dressed.[110] And in 1998, thousands of women broke a long-time barrier preventing women from attending sporting events when they poured into Tehran's stadium to greet the Iranian soccer team after it qualified for the 1998 World Cup, which resulted in special sections of the stadium being designated for female spectators.[111] Clearly, women in Iran continue to be restricted by the Islamic policies of the state. However, they have consistently found ways of circumventing these policies so that they can remain active members of their society.

The issue of *hejab* or as Haleh Esfandiari has termed it, the "battle of the hairlines,"[112] i.e. the endless tug of war between Iranian women and Islamic authorities, is perhaps the most obvious example of female resistance. Ever since the imposition of mandatory *hejab* by Khomeini's government, Iranian women have subverted the regime with daily instances of *bad-hejabi,* which consists of women showing bits of their hair, wearing short and tight robes, using brightly colored headscarves instead of the preferred dark blue or black, and wearing make-up or having manicured nails. The punishment for neglecting to follow Islamic rules of dress can be jail or corporal punishment, but no matter how many women the regime has arrested or how many affidavits of wrong-doing they have forced them to sign, *bad-hejabi* has become institutionalized with greater numbers of women flouting Islamic propriety for personal autonomy.[113]

[110] Moghadam, *Modernizing Women,* 217.
[111] Bayat, "A Women's Non-Movement," 164.
[112] Esfandiari, *Reconstructed Lives*, 48.
[113] Bayat. "A Women's Non-Movement," 165.

The preceding examples have all exemplified the notion of "politics of presence," as argued by Asef Bayat. She contends that efforts by Iranian women "to assert their public presence in society, not necessarily by undertaking extraordinary activities, such as involvement in contentious politics, but through the practices of everyday life, such as working outside the home, pursuing higher education, engaging in sports, performing art and music, traveling, [etc]…"[114] are significant forms of resistance in their own right. Bayat argues that these mundane desires and demands redefined the status of women under the Islamic Republic because they forced authorities not only to acknowledge women's role in society, but also to grant them the cultural concessions necessary to fulfill these social roles and obligations. This has in turn created a snowball effect as each step forward has encouraged further demands to remove even more restrictions.[115]

2. Pragmatic Politicking

As the post-revolutionary period advanced, the regime found itself reversing several of its earlier *Sharia* based laws not least because of pressure being exerted on the government from many of its former revolutionary supporters. Women outside the Majlis began exerting greater pressure on women deputies and demanded the reintroduction of the Family Protection Law—i.e. an end to divorce on demand, the re-instatement of the child-custody rights of mothers, and lifting of barriers to women in certain fields of study. Women in parliament thus became spokespersons for the average Iranian women.[116] These efforts to influence policy internally were benefited by the pragmatic decisions faced by the ruling clerics. As Mir-Hosseini has correctly posited,

[114] Bayat, Asef, *Making Islam Democratic,* 202.
[115] Ibid., 75-83.
[116] Esfandiari, "The Role of Women Members of Parliament, 1963-88," 156.

> when they were in opposition, the clerics, as guardians of Islam, could deal with practical issues at an abstract and generalized level, leaving it to the conscience of the believer to interpret and carryout the appropriate practices…but when *Sharia* [became] part of the apparatus of a modern nation state, its custodians [had] to accommodate, even seek novel interpretations. This opens the room for change on a scale that has no precedent in Islamic history.[117]

Thus, now that clerics were in the position of making law, they were forced to deal with the real-world consequences of those laws, such as the feasibility of forcefully removing children from war widows. For example, a new family law that was instituted by Ayatollah Khomeini introduced an official marriage contract that stipulates certain conditions that put women in a stronger legal position by inserting conditions protecting their right to seek divorce such as their husband's insanity, infertility, and physical abuse. This standard contract removed the onus from women of having to insert conditions protecting their right to ask for divorce.[118]

Other changes to the legal standing of women followed a similar trajectory. For example, women parliamentarians in 1986 were able to remove restrictions on subjects that women could study at university. Divorce laws were amended in 1992 to curtail men's right to unilaterally divorce their wives at will and *mehr* (bride-price) was made payable in the current value. In cases where men initiated divorce, women won the *ojrat al-methl* (financial compensation) equal to the value of their housework during the marriage. In addition, women and children deprived of male support were offered a measure of financial support. New laws increased maternity leave (previously unavailable) to four months, reestablished nurseries for the children of working women, and decreased women's working hours to 75 per cent of the time required of men. Also

[117] Mir-Hosseini, *Islam and Gender,* 273.
[118] Hoodfar, "The Women's Movement In Iran," 35.

of considerably significance was the return of a family court and women's appointment as "advisory" judges in 1992 followed in 1998 by their change in status to full judge (limited to the family court system).[119]

The importance of these laws is not just that they reversed earlier Islamic laws, but also that they were passed from within the political structures of the regime. That is, the parliamentarians that promoted these laws were often "relatives (wives, daughters) of prominent clerics or revolutionary figures [who] identified with the new regime."[120] Thus, they were advocating change from within the system in response to pressure from ordinary women who would bring their problems to the attention of these women. Two such figures who served on the first Majlis (1980-1984) were Azam Taleqani and Mariam Behrouzi and are illustrative in this regard. Both of these women had close affiliations with prominent clerical families and the ruling elite and Taleqani was among the founding members of the Women's Association of the Islamic Revolution. However, despite their initial ardent support of the Islamic Republic, by the end of their tenure in parliament, both of these women would become strong advocates for women's rights. Behrouzi employed tactics such as criticizing discriminatory laws against women, like the law that prohibited unmarried women students from receiving government scholarships to study abroad. In 1994, she was quoted as saying

> "We don't believe that every social change is harmful. Cultural refinement of some traditions, such as patriarchy (*mard-salari*), anti-woman attitudes (zan-setizi) and humiliation of women (taghir-e *Zanan*) must disappear. These have been fed to our people in the name of Islam."[121]

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[119] See Hoodfar, "The Women's Movement In Iran," 35-36 and Bayat, Asef, *Making Islam Democratic*, 79-80.
[120] Esfandiari, Haleh. "The Majlis and Women's Issues in the Islamic Republic of Iran," in *In the Eye of the Storm: Women in Post-revolutionary Iran,* eds. Mahnaz Afkhami and Erika Friedl (Syracuse: Syracuse University Press, 1994), 61.
[121] Moghadam, *Modernizing Women*, 216.

Likewise, Taleqani who began her political career "more concerned with the promotion of her radical political stands, [but whose] quest for social justice brought her into contact with the plight of women,"[122] was eventually convinced to found a political group, a research group, as well as a magazine entitled *Payam-i Hajar* to promote the cause of women. She recalls her dawning awareness of the need to promote women's issues as a consequence of meeting ordinary Iranian women: "I was persuaded of our need for an organization to serve women who had both legal and economic problems…After the revolution, many women came to see us complaining about their condition. Their grievances made us realize that our women had specific problems under the new circumstances."[123] Later, in 1989, Taleqani was famously quoted as saying "Poverty and polygamy are the only things that poor women have obtained from the revolution."[124] These statements are a far cry from the blind faith that these women placed in the Republic's conception of women at the dawn of the revolution and signify the role that ordinary women played in so fundamentally altering their consciousness and inducing them to promote women's rights within the official channels (i.e. the Majlis) of the Islamic Republic.

i. Changes in Family Planning Policy

Another example of a pragmatically driven policy shift under the Islamic Republic pertained to family planning. Upon gaining power in 1979, the Islamic regime quickly dismantled the Shah's rather progressive family planning program and introduced "pronatalist" policies as a means of "promoting Islamic culture through [the] promotion

[122] Kian, "Women and Politics in Post-Islamist Iran," 80.
[123] Ibid.
[124] Bayat, "A Women's Non-Movement," 163.

of the Muslim family."[125] However, when the 1986 national census estimated a population increase of 14% in one decade, there was a growing recognition that "a rapid increase in population would create a greater burden on the limited resources of the government."[126] The challenge was for those in the government who felt an urgent need for an effective population program to convince the government's religious leaders to also support the idea. They did so with a two-fold strategy; generating public support through use of the national media and privately educating government leaders on the importance of the population issue particularly as it pertained to resource management and the high cost of rapid population growth.[127] The end result was one the most successful family planning programs in the developing world that was not only ratified by Ayatollah Khomeini shortly before his death, but which also decreased Iran's fertility rate from 5.6 in 1986 down to 2 in 2006.[128]

ii. Women's Labor-Force Participation

Women's participation in the labor force has also been caught in the cross hairs between religious ideology and socio-economic pragmatism. Owing largely to the fact that most domestic and informal labor done by women is not accounted for in the official statistics,[129] women's labor-force participation (even during the Pahlavi era) has been rather low as indicated by the graph below:

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[125] Hoodfar, Homa & Samad Assadpour, "The Politics of Population Policy in the Islamic Republic of Iran," *Studies in Family Planning* 31, no. 1 (March 2000): 22.
[126] Ibid.
[127] Ibid., 22-23.
[128] UNICEF *At a glance country statistics for Iran*, (accessed April 15, 2008); available at http://www.unicef.org/infobycountry/iran_statistics.html.
Total fertility rate is defined as the number of children that would be born per woman if she were to live to the end of her childbearing years and bear children at each age in accordance with prevailing age-specific fertility rates.
[129] For more on the exclusion of women's informal labor activities from official labor statistics see, Maryam Pooya, *Women,Work , and Islamism: Ideology and Resistance in Iran* (London: Zed Books, 1999).

Approximate share of Employed Population (10 years and older) by Gender, Iran 1956-1996 (economically active)[130]

Years	Men	Women
1956	90%	9.2%
1966	88%	12.6%
1976	85%	12.9%
1986	91%	8.2%
1996	89%	12.9%

As previously discussed, the Islamic Republic's initial policy towards women's employment was to push as many women out of the workforce, particular public sector jobs, and back into the home as possible. Women, in turn, to the extent possible, resisted these purges and found work in the private sector. However, by 1986, the regime's policies did result in an approximately 5% drop in the percentage of economically active women in Iran. Following the end of the Iran-Iraq war and the launch of the reconstruction era, it was revealed that Iran suffered from a dire shortage of professionals, many of whom had emigrated during the war. Furthermore, in light of increasing financial difficulties, middle class families could no longer survive on one salary earner. This resulted in a major concession by political elite who were forced to rehire many of the thousands of professional women who had been purged or forced into early retirement following the revolution.[131] This about-face led to a steady increase in women's "official" economic activity, which only increased their presence and influence in the public sphere.

[130] Moghadam, *Modernizing Women,* 214 and Amir Meyryar, Gholamali Farjadi, & Mohammad Tabiban, "Labor-Force Participation of Women in Contemporary Iran, " *Women in Iran: From 1800 to the Islamic Republic,* eds. Lois Beck and Guity Nashat (Urbana: University of Illinois Press 2004), 187-8.
[131] Azadeh Kian, "Gendered occupation and women's status in post-revolutionary Iran," *Middle East Studies* 31, no. 3 (July 1995): 410.

3. Islamic Feminism

i. The Time for "Ijtihad"

Notwithstanding women's "everyday forms of resistance," women in Iran did not completely abandon religiosity. Instead, they "insisted on exerting individual choice and entitlement, which both challenged the egalitarian claims of the Islamic state and the premises of orthodox Islam."[132] Whereas during the period of the Shah, women's rights were perceived from within a primarily Western and Secular feminist lens, the post-revolutionary era ushered in a different framework—one which encompassed "a new consciousness, a new thinking, a gender discourse that is 'feminist' in its aspirations and demands, yet 'Islamic' in its language and sources of legitimacy."[133] In other words, a kind of activism has emerged in Iran which argues that women's rights are indeed compatible with Islam and that what is needed is not a change in religion, but rather a change in interpretation or *ijtihad*. This new approach to feminism has been largely inspired and influenced by the work of Abdolkarim Souroush and other clerical figures such as Mohsen Sa'idzadeh who want "to reconcile Islam with the discourse of human rights, democracy, and gender equality through what is called 'dynamic jurisprudence.'"[134] Most significantly, these clerics have argued that *Sharia* should be time and place sensitive and that the provisions advocated by the Islamic Republic were largely written for a different time, place, and social context.[135] Exemplifying this need for an updating of the Islamic narrative, Souroush has stated:

> That is why the medieval version of Islam has to be sharply different from the modern version, and that is why the modern versions have to be different from each other according to the context…and this is also why religious

[132] Bayat, *Making Islam Democratic*, 75.
[133] Ziba Mir-Hosseini, "The quest for gender justice: emerging feminist voices in Islam," *Islam* 21 no. 36. (2004): 3.
[134] Razavi, "Islamic politics, human rights and women's claim for equality in Iran," 1227.
[135] Ibid., 1228.

> knowledge…not being divine by virtue of its subject matter, is open to [debate and] criticism.[136]

According to Mir-Hosseini, Souroush's position on women is not particularly progressive, however his "conception of Islam and his approach to the sacred texts has empowered women…to argue for gender equality."[137]

Sa'idzadeh on the other hand has taken a decidedly egalitarian stance on gender issues saying that:

> a substantial number of *hadith* and *feqh* theories obstruct the way to establishing equality between the sexes. A majority of jurists and all *hadith* specialists have sacrificed the Principle of equality in Islam to endorse a set of theories resting on assumptions that are no longer valid but still remain part of *feqh*…equality is such an unequivocal Principle that we cannot set it aside for the sake of *feqh* theories.[138]

Sa'idzadeh was among the first members of the clergy to write publicly about these issues under a pseudo name in *Zanan* (Women) Magazine and was eventually imprisoned and defrocked for writing an article about the conservative clerics in Iran who preach a Taliban-like version of Islam, his point being that Islam is open to many interpretations including the Taliban's version.[139]

There is considerable debate among scholars and activists themselves of how to label this new approach, with many settling on the term "Islamic feminism" to distinguish their novel and women-centered interpretation of Islam as distinct from the adoption of a purely Western model. For the purposes of this thesis, the precise label of these activists

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[136] Ibid,. 1227.
[137] Mir-Hosseini, *Islam and Gender,* 238. For more on Soroush, see Chapter 7.
[138] Razavi, "Islamic politics, human rights and women's claim for equality in Iran," 1228.
[139] Nayereh Tohidi, "The Global-Local Intersection of Feminism in Muslim Societies," 10. For more on Sa'idzadeh and his views on gender and Islam, see Mir-Hosseini, *Islam and Gender*, Chapter 8 and "The Conservative-Reformist Conflict Over Women's Rights in Iran," *International Journal of Politics, Culture, and Society* 16, no. 1 (Fall 2002).

is not as important as their deliberate strategy of re-positioning many of the most contentious issues facing Iranian women within an Islamic framework that makes discussion of these topics more of a reality than ever before. In fact, perhaps a more accurate description of this development has been advocated by editor-in-chief of *Zanan* Magazine, Shahla Sherkat who prefers the term *"feminism boomi"* (indigenous feminism) because "it relates to the social and cultural specifics of Iran."[140] Thus, whether they are defined as Islamic or indigenous, this new breed of activists include publishers, writers, academics, and politicians who promote gender equality in accordance with a discursive re-interpretation of Islamic theology. Many of these women emerged from within the revolution and are from traditional families. And, while many of them have religious tendencies and would even choose to practice some form of *hejab* even if it were not required, their goal is to "turn the tables"[141] on Islamist authorities by advocating for a change in perspective as it pertains to Islam and issues of gender equality. The following two examples demonstrate how women are re-shaping these debates and in the words of noted human rights activist, Mehrangiz Kar arguing unequivocally that "It is time for *ijtihad.*"[142]

In her memoir, Shirin Ebadi recounts an example of when she was asked by some female parliamentarians during the Reformist era to draft a law pertaining to a woman's right to divorce that was grounded within Islamic precedent. Ebadi describes the painstaking process of digging through old *Sharia* legal tomes, specifically the Shia Textbook of Jurisprudence and discovering that in fact, *Sharia* does allow for a woman to divorce her husband not because he is infertile, mentally ill, or abusive, but rather for the

[140] Moghadam, *Modernizing Women*, 220.
[141] Nayereh Tohidi "'Islamic Feminism': Perils and Promises," *Middle Eastern Women on the Move*, Woodrow Wilson International Center for Scholars: Middle East Project, (2003): 140.
[142] Fereshteh Ahmadi, "Islamic Feminism in Iran: Feminism in a New Islamic Context," *JSFR* 22, no. 2 (2006): 37.

simple reason that she does not like him, provided she forfeits her *mehr.*[143] Thus, Ebadi maintains that even the most central texts which are taught in the holy city of Qom demonstrate that "a basic right for women can be guaranteed within an Islamic framework of governance, provided those in government were inclined to interpret the faith in the spirit of equality."[144] Her qualifier in this statement is rather telling and speaks to much of the criticism that is often directed at this approach. Nonetheless, given the restrictive and oppressive environment within which these women are living, their creativity and resilience is certainly worthy of greater consideration.

Yet another example of this persistence concerns the right of women to political leadership, namely the Office of the President. According to Article 115 of the Iranian Constitution, candidates for the presidency must be a *rajol,* the Arabic word for man. However, women activists contend that given the gender neutrality of the Persian language, the word *rajol* as used in the Constitution has a meaning closer to "mankind" and therefore does not exclude women. In effect, women activists have contended that excluding women from the position of president is a matter of linguistic interpretation and not Quranic law.[145] This position was expounded upon by Azam Taleqani who not only defended the right, but also promoted the social need of female political leadership:

> How can we know and ensure what "rajol" (the qualified) means in the Islamic law? It is not specified that women are NOT eligible. Qu'ran says: Unless one society, one group or one individual want and demand change themselves, no social change is possible. Each Muslim woman is a capable and autonomous individual. They are those who carry the burden of morality of our whole society.[146]

[143] Ebadi,187.
[144] Ibid. 190.
[145] Bayat, "A Women's Non-Movement," 167.
[146] Ahmadi, 49-50.

Another prominent Islamic activist, Faezeh Hashemi, likewise weighed in on this issue of interpretation; she however provided a more pragmatic argument based on leadership positions women already held within Iranian society and argued that a broader definition of the term *rajol* was a matter of common sense: "What's the difference between being president of the republic and running a government department? None. They're both executive jobs. So why can't a woman run the country when she can be head of a government department."[147] Seemingly in support of these arguments, in 2001, 47 women nominated themselves for Iran's presidential election. Not surprisingly, Iran's Guardian Council, who has the right to determine eligibility with respect to Iranian elections, rejected all 47 candidates.[148] Nevertheless, the actions of these women were significant for several reasons. First, they clearly demonstrated their belief in their right to full political participation. Also, far from being comprised of only elite or upper-class women, these 47 candidates represented women from different walks of life and included journalists, lawyers, professors, teachers, and even housewives—yet another example of the persistence of women's public presence after the revolution. Finally, the willingness of these women to challenge mainstream Islamic doctrine was symbolic of just how pervasive the notion of women's rights has become in Iran.

[147] Azadeh Kian-Thiebaut, "Islamist and Secular Women Unite: Iranian women take on the mullahs," *Le Monde diplomatique*, November 1996 (accessed March 18, 2008); available from http://mondediplo.com/1996/11/women.
[148] Shahla Haeri, "Mrs. President: Women and political leadership in Iran," (Film): 2002.

ii. Women's Popular Press

Although the notion of *ijtihad* and interpretation initially arose from work being done by male reformers such as Souroush and Sa'idzadeh, the major novelty of women's post-revolutionary activism has been that it is primarily women themselves who have waged these theological debates, predominantly on the pages of popular daily press.[149] Historically, the media in Iran, given the absence of political parties, has served as a forum for people to express their opposition and participate in political debates.[150] This strategy of taking issues directly to the public through the use of print media has proven particularly effective among women activists, especially given the rise in literacy among Iranian women at all socio-economic levels. In so doing, the publishers and writers of these magazines have transformed the issue of *ijtehad* into a national discussion and have created a public space within which to engage in this debate. The authors of the articles are thus posed as "public intellectuals" rather than as private teachers or preachers. Their audience likewise is compromised of ordinary citizens (men and women) rather than theological students or clerical commentators. Afsaneh Najmabadi has argued that the ability to engage in this level of national debate is imbedded within the very heart of Khomeini's notion of *velayat-e faghi*:

> This new public space for interpretation of theological texts is in part produced as an unintended consequence of Khomeini's doctrine of ruler-ship of jurisprudence, which became encoded into the new Iranian constitution. Where the jurisprudent is granted the power of political rule and the constitution is said to be derived from canonical texts, every citizen by virtue of rights of citizenship becomes entitled to take charge of these texts and to exercise power of interpretation.[151]

[149] Bayat, "A Women's Non-Movement," 167.
[150] Bayat, *Making Islam Democratic*, 84.
[151] Afsaneh Najmabadi, "(Un)Veiling Feminism," *Social Text* 64 vol. 18, no. 3 (Fall 2000): endnote 8.

Directly after the revolution and throughout much of the 1980s, the political environment coupled with the gravity of the Iran-Iraq war precluded the advancement of any serious independent journalistic endeavors by women. Instead, government-sponsored journals such as *Zan-e Rouz* (Today's Woman) promoted an ideal of an Iranian women as wife and mother—a devout Muslim wearing a chador and carrying a gun.[152] However, President Rafsanjani's government and their emphasis on reconstruction created some space for public dialogue. Thanks to their persistent public presence up to that point, women were able to carve their own niche and publish journals and write articles responding to their particular needs, a trend that was magnified significantly under President Khatami whose presidency was marked by greater freedom of the press. The result was a plethora of women's magazines covering a wide range of issues including politics, religion, family-life, sewing, sports, health, etc…Some of the most popular of these journals included *Zanan*, *Farzaneh*, *Hoquq-e Zan* (Women's Rights), *Neda*, and *Jens-Dovom?* (The Second Sex?). [153] Even the religious establishment stepped into the fray by publishing *Payam-e Zan*, a woman's magazine published by a seminary in Qom with an editorial board composed exclusively of men.[154] Faezeh Hashemi founded *Zan* (Woman), Iran's first and only woman's daily newspaper which was banned after only one year under "the spurious pretext that it had printed an announcement from the exiled former empress, and a cartoon critical of women's freedoms under Islam. (The full text of the empress's announcement had earlier appeared in a conservative paper.)"[155] As the previous story demonstrates, these journals were engaged in a constant tug of war

[152] Roza Eftekhari, "*Zanan*: Trials and Successes of Feminist Magazine in Iran," *Middle Eastern Women on the Move*, Woodrow Wilson International Center for Scholars: Middle East Project, (2003): 15.
[153] Tohidi, 12.
[154] Kian, "Women and Politics in Post-Islamist Iran," 93.
[155] Persheng Vaziri, "Caught in the Middle: Women and Press Freedom in Iran," Middle East Report Online, February 16, 2001. Available at http://www.merip.org/mero/mero021601.html. Accessed April 5, 2008.

with governmental officials, eager to shut them down. Nevertheless, the circulation enjoyed by these journals, however briefly, provided yet another opportunity to engage Iran's increasingly literate women on a variety of issues including those related to women's rights under the Islamic Republic.

iii. *The Case of* Zanan

Zanan, literally "Women," was the first independent journal after the Iranian Revolution to focus specifically on women's issues and is often cited as the trailblazer in the arena of women's rights. *Zanan* was started by Shahla Sherkat in February 1992, formerly managing editor of the government-sponsored *Zan-e Rouz*. Sherkat, had been active in the revolution and her association with the governmental publication in an indication of her support for the regime. Following the end of the Iran-Iraq war, the post war factional tensions resulted in her ousting form Zan-e Rouz, a decision that was well-received by Sherkat who described herself as tired of promoting a clichéd image of the ideal Iranian women. Sherkat had a different vision for a woman's magazine—one that put forth women's issues and religious discussions in a way that promoted analysis of Islamic jurisprudence in relation to family law, social status, and political participation with the goal of creating pathways for change.[156] This conception was very much in line with the notion of *ijtihad* as it pertained to women's rights in the Islamic Republic. In fact, Sherkat's inaugural editorial directly alluded to the idea of a context-specific interpretation of Islam saying:

> Radical legal changes are needed to solve women's problems. Many articles of the civil code are based on the *Sharia* , which must, therefore be reinterpreted. Moreover, women should be involved in the undertaking. Our understanding of

[156] Ibid., 17.

> religion varies in each historical period, and religious interpretations should account for factors of time and space…[157]

Referring specifically to the words of Abdolkarim Soroush, she asserts "through their works, some religious intellectuals have posited the necessity of radical reforms in religious thought. If they succeed, these reforms will undoubtedly be expanded to women's issues."[158] Thus, the formation of *Zanan* was very much in line with the broader evolution of women's activism in Iran and, as will be demonstrated in this section, *Zanan* has greatly shaped and promoted the development of this trend.

As part of its goal to advance the discussion on women's rights, *Zanan*'s content focused on three categories: religious discussions, feminist discussions and social discussions. Like other women's journals of the time, one of *Zanan*'s most important social contributions has been its focus on publishing personal stories that reveal women's unjust treatment under the Islamic Regime; these included accounts of women divorced without their consent, stories form female prisoners and run-away girls, as well as descriptions of domestic violence against women, among other issues.[159] By including these grievances experienced by the general female population, *Zanan* not only expanded the notion of "public nagging" as discussed in the previous section, but also compelled more traditionalist women to join their readership.[160]

Zanan's strategy with regard to religious discussions has been to deconstruct "patriarchal readings" of the scriptures and provide gender-sensitive perceptions whereby women can be viewed as equal with men. In this vein, *Zanan* has argued "There are no deficiencies in Islam [with regard to women]. Problems lie in political and patriarchal

[157] Kian, "Women and Politics in Post-Islamist Iran," 91
[158] Ibid.
[159] Eftekhari, 20.
[160] Kian, "Women and Politics in Post-Islamist Iran," 94.

perceptions."[161] More specifically, *Zanan* has actively rejected the premise that differences between men and women are either biologically or religiously sanctioned. Rather, its issues have promoted the ability of women to take on political and social positions as judges and presidents as well as religious roles such as *marja'* (religious leader) or *faqih* (religious jurist): "A man has no natural privilege over a women. If a man can become a judge so can a woman, and if a man can become a source of imitation, so can a woman."[162] Sherkat herself has also promoted the position that inequality between men and women stems from interpretations of divine laws and *not* the laws themselves:

> The Quran has not banned women from becoming a judge. This prohibition was initiated in the history of jurisprudence and in the opinions of the previous religious authorities, whose ideas on women were probably shaped by the examples of their own wives or female relatives whom they generalized to the entire female population.[163]

Thus, since its inception in 1992, *Zanan* has been on the cutting edge of promoting women's rights from the perspective of re-reading canonical texts.

Part of *Zanan*'s innovation vis a vis the gender debate in Iran has been its willingness to bridge the decades long divide between secular and Islamic activists. For years, owing in part to religious women's feelings of marginalization before the revolution and secular women's resentment after the revolution, these two groups were ostracized from one another. However, *Zanan* -- and several of its counterparts such as *Farzaneh* -- have invited several noted secular activists such as Mehrangiz Kar and Shirin Ebadi to participate in their judicial and religious discussions. Kar, working alongside male religious scholar, Mohsen Sa'idzadeh, penned extensive critiques of existing laws in

[161] From *Zanan* no.9/1993 as quoted in Bayat, A Women's Non-Movement: What It Means to Be a Woman Activist in an Islamic State," 166.
[162] From *Zanan* vol. I, no. 5 and vol. I, no. 5 as quoted in Kian, "Women and Politics in Post-Islamist Iran," 92.
[163] 1994 interview with Kian, "Women and Politics in Post-Islamist Iran," 92.

a language that was simple enough to appeal to a broad audience particularly because it was peppered by her own personal experiences as a woman before, during, and after the revolution.[164] Although *Zanan* and by extension Sherkat have come under intense security for including these secular women, Sherkat has defended their inclusion saying that "we must all tolerate and respect each other's convictions. Even if we don't share the same philosophy, the same beliefs and thinking, we can and should work together."[165]

Sherkat's broader point is that associating with different experiences, philosophies, and perspectives provide important learning opportunities which is why her magazine has gone even further afield to affiliate itself explicitly with global and Western feminists as well as to cite and translate non-Iranian feminists and secular Iranian feminists residing outside of Iran. In so doing, *Zanan* is "reversing the important historical trend within which the West and East, modernism and Islam, feminism and cultural authenticity, have been constructed as exclusionary categories."[166] Thus, *Zanan* and its contemporaries have made important strides in moving away from the "westphobia" that characterized so much of the backlash to Pahlavi era women's activists. Nevertheless, *Zanan* has faced constant criticism from conservative quarters not only for its daring stand *vis-à-vis* its religious discussions, but also because of its insistence on providing "a forum for the articulation of diverse views, including those that are officially unpopular."[167] Finally, in February 2008, one month before parliamentary elections, *Zanan* was shut down by government authorities who claimed the magazine was a "threat to the psychological security of the society" because it

[164] Eftekhari, 17-20.
[165] Ahmadi. 45.
[166] Razavi, 1231.
[167] Moghadam, "Islamic Feminism and Its Discontents: Toward a Resolution of the Debate," 1155

represented Iranian women in "black light."[168] As will be discussed in the next section, this action is a reflection of just how dynamic and influential women's advocacy has become in the post-revolutionary period.

iv. Iranian Women as a Cohesive Constituency: The Election of Mohammad Khatami

The April 1997 front cover of *Zanan* featured a smiling picture of a heretofore little-known cleric who was running for president.[169] His name was Mohammad Khatami and he was running on a platform that included elements of political reform and social change. His interview with *Zanan* echoed many of his campaign speeches which made frequent references to issues such as women's status, democracy, and civil society, as well as cultural freedoms.[170] In his interview, Khatami was asked if he would consider appointing women to his cabinet. Khatami responded, "I think women are qualified for far better posts than they are holding presently and they must be permitted to have a wider presence in management levels."[171] Whereas Khatami's campaign speeches may have reached tens or hundreds of people, the *Zanan* interview increased his exposure by thousands. This was incredibly significant given that *Zanan*'s readership was comprised mainly of women thirsty for change who had been silently simmering and waiting for an opportunity to transform public presence to public action. The same issue also included a proposed interview with Khatami's chief rival and the election front-runner, Nateq Nouri, the nominee of the conservative faction who represented the "retrenchment of the values

[168] "Shutting Down *Zanan*," editorial, *The New York Times*, February 7. 2008
[169] Hossein Shahidi, "Women and Journalism in Iran," in *Women, Religion and Culture in Iran*. Eds. Sarah Ansari & Vanessa Martin. Richmond: Curzon Press (2002): 73.
[170] Gheissari & Nasr: 133
[171] Shahidi, 73.

and norms of the Islamic Republic."[172] The contrast between the two candidates was striking and undoubtedly boosted Khatami's popularity at the expense of his rival.

In addition to his reformist policies, Khatami's theological position on women's status and participation was quite striking and differed significantly with the party line, whereby a woman's chief asset was her role as wife and mother. In contrast, Khatami advocated a more humanistic approach which rejected the notion that "woman is the second sex and man the first sex and superior." While he acknowledged the difference between the two sexes, he stressed that "both are parts of the same humanity; each occupies her or his own particular position [in society] and both are dignified humans."[173] On the face of it, this statement seems to echo post-revolutionary sentiments whereby men and women, by virtue of their biological differences are better suited to different social roles. However, in the same speech Khatami qualifies the above statement with a rather stark and critical assessment of women's rights in the wake of the Islamic revolution:

> Women have always been oppressed in history. We have always said that the Islamic revolution has liberated women from their oppression, yet…whenever there is a discussion of rights, it has mostly addressed the rights of husbands or men over women…We have witnessed that even the *fighi* [Islamic jurisprudence] rights have not been observed in many families. I believe that even the rights [to women] by *fighi* were not just, taking into account the temporal and spatial factors.[174]

Thus, despite appearances of towing the party line, Khatami actually displayed a much more nuanced and some might argue "feminist" understanding of women's rights (or lack thereof) under the Islamic regime. This theological compatibility combined with his

[172] Gheissari & Nasr, 130.
[173]Quoted in Farzin Vahdat, "Religious Modernity in Iran: Dilemmas of Islamic Democracy in the Discourse of Mohammad Khatami," *Comparative Studies of South Asia, Africa and the Middle East* 25, no. 3 (2005): 660.
[174] Quoted in Vahdat, 659.

social and political reform platform explain why Khatami became the "woman's candidate" as well as how he gained his landslide victory in the 1997 presidential election.

In her memoir, Shirin Ebadi vividly recalls women's overwhelming support of Khatami's candidacy in the 1997 election. Her description of the three generations of women in her family casting their votes on Election Day is particularly illustrative in this regard. After she and her daughter (for whom this was her first election) voted for Khatami as president, Ebadi accompanied her mother to the voting booth:

> It was the first time since the 1979 revolution that my mother, now eighty years old, had voted. The polling staff saw her waiting and clucked around her until she agreed to sit in a folding chair, while I held her place in line. A few other older ladies who had already cast their votes gathered around her, and from their circle snatches of conversation---'Things have gotten so awful,' 'Inshallah, Khatami can do something for us'—floated back to me. When her turn came, I called her up and began filling out her ballot. But she grabbed my wrist, saying 'Please, Shirin *jan*, I have to do it myself.'[175]

Of course, given that Khatami received 70 percent of the vote, it would be naive to attribute his victory solely on the female vote. However, opinion surveys of the time "show that more that 80 percent of women, often disregarding their husbands' preferences, favored Khatami in the 1997 presidential election."[176] Thus, while Khatami did not win solely *because* of the women's vote, it is difficult to imagine him winning *without* the women's vote. Kar has referred to the women's vote in Iran as a "conscious vote," whereby women "carefully choose candidates who are in favor of their rights."[177] And indeed, in the 1997 election, women voters emerged as a constituency in their own

[175] Ebadi,143-4.
[176] Scott MacLeod, "Our Veils, Ourselves: Can Iran's Islamic rulers deal with the challenges of a burgeoning women's liberation movement?" *Time* 152 no. 4 (July 27, 1998), (accessed March 20, 2008); available from http://www.time.com/time/magazine/1998/int/980727/middle_east.our_veils_ou11.html.
[177] Quoted in Ghazi, 22.

right and were driven to the ballot box by their own brand of politics. This mobility is reminiscent of and drastically different from women's participation in the revolution less than two decades prior. During the revolution, women (as a constituency) were absorbed and co-opted by communist groups who privileged social equity over women's equality on the left and by conservative religious groups on the right who from the outset utilized women's participation as a means of gaining legitimacy for their Islamic platform. While all of these groups were united in their opposition to the Shah, women's rights were not a priority—as evidenced by the rapid Islamicization targeted at women once the revolution was "victorious." The 1997 election, on the other hand, also brought mass participation of women. Women who had been politicized by the revolution came out in large numbers with the distinct difference that this time around, their support was driven by their own agenda—a clear indication of the gains women had made in regard to their mobilization as a coherent and self-interested constituency. In 1979, Ayatollah Khomeini, impressed with women's engagement during the revolution, encouraged their political participation in a bid to garner greater legitimacy for his budding Islamic Republic. Eighteen years later, this same mobilization led to a drastically different result—one that led to the defeat and outright rejection of the conservative faction, a so-called "second revolution."[178]

v. The Aftermath of the "second revolution"

Despite his overwhelming victory of the polls, Khatami's two terms as president proved to be a disappointment to many of his supporters. Most of his legislative reforms were blocked by conservatives, notably the Council of Guardians, who also used their power of vetting candidates to prevent reformists from running for public office in

[178] Gheissari & Nasr, 131.

subsequent elections.[179] Consequently, the reform movement lost much of its momentum and conservatives learned from their lapse in judgment of 1997 -- i.e. the decision to allow Khatami to run for president -- by consolidating their power and tightening their control of the candidate selection process.[180] Khatami's election also resulted in a significant conservative backlash as the Islamic leadership became sensitized to the latent power of ordinary Iranians to effect change. Ironically, this paranoia in the wake of Khatami's victory is further evidence of just how far Iranian women and activists have come in their resistance to the Islamic Republic. In response, the government has engaged in a campaign of repression that now targets women as frequently as other more traditional dissidents. This is a significant change in that "prior to 1998, women were not as likely as men to be targeted by the judiciary."[181]

Thus, the real legacy of Khatami's presidency has been greater and bolder repression. Much of this repression has been aimed at the press in an attempt to silence those publications that provide space for discussion of the human rights situation in Iran. Since 2005, more than 40 Iranian publications have had their licenses revoked or been banned by the Press Supervisory Council and the recent closure of *Zanan* is just one more example of this trend of press censorship.[182] Women have been targeted in other ways as well including through violent suppression of peaceful demonstrations, such as when police attacked women staging a peaceful assembly in recognition of International Women's Day in March 2006.[183] In June of that same year, police brutally beat hundreds of women's rights activists and arrested 70 women for participating in an "illegal

[179] Ibid., 136-141.
[180] Ibid, 140.
[181] Poulson, 283.
[182] "What's At Stake? Protest Closure of Iranian Women's Magazine," *human rights* first, February 12, 2008. (accessed on April 10, 2008); available from http://action.humanrightsfirst.org/campaign/Zanan/explanation.
[183] "Iran: Police Attack Women's Day Celebration," *Human Rights Watch*, March 9, 2006. (accessed on April 10, 2008); available from http://www.hrw.org/english/docs/2006/03/09/iran12832.htm

gathering," which was really nothing more than a peaceful demonstration in support of women's rights.[184]

In response to this changing context, women activists have once again changed their strategy of resistance. They have increasingly turned to technology and the use of the Internet, blogging, and the world media "to publish their own ideas and images to reach a wide [and global] audience."[185] They have linked with international organizations, attended conferences, and established solidarity networks with members of the diaspora who raise awareness and mobilize international pressure against violations of women's rights in Iran. Perhaps most significantly, they have launched new campaigns such as the *One Million Signatures Campaign for Women's Rights in Iran,* whose goal is to mobilize Iranian women, often by going door to door, to raise awareness and collect signatures demanding an end to discriminatory laws against women in Iranian law.[186] While a more thorough analysis of these new (updated) forms of activism is beyond the scope of this thesis, it is important to note that women's resilience and creativity has continued unabated despite the disappointment of Khatami's presidency or the conservative backlash that has resulted in imprisonment, harassment, and violence against women activists. Notwithstanding these and other setbacks, they continue their non-violent and seemingly irrepressible march forward.

[184] "Iran: Police Assault Women's Rights Demonstrators," *Human Rights Watch,* June 15, 2006. (accessed on April 10, 2008); available from http://www.hrw.org/english/docs/2006/06/15/iran13548.htm.
[185] Mehrangiz Kar, "Second class: The legal status of Iranian women," *The Iranian*, April 18, 2000. (accessed March 17, 2008); available from http://www.iranian.com/Opinion/2000/April/Women/.
[186] For more information, see website of the One Million Signatures Campaign, (accessed on April 10, 2008); available from http://www.we-change.org/english/.

CONCLUSION

"If we see Iranian women on the move, it is because they had a solid foundation on which to build."

--Haleh Esfandiari[187]

Unraveling the Paradox

This thesis began with the aim of unraveling the paradox of women in Iran. To that end, I have considered the subject of women's activism and strategic tactics within an optic of the different political contexts within which they have operated. Looking at these issues through such a historical lens has revealed several important themes.

The first major theme to emerge is the ever-constant tension between religion and modernity or rather, Islam and the West. During the time of the Shah, women activists made a strategic alliance with the Shah whereby they linked their reforms with his Modernization campaign. Although this led to important gains such as enfranchisement and legal family protection, the rapidity of these changes resulted in significant religious backlash which branded changes to women's status as Western and immoral. This in turn meant that most of the reforms did not have the chance to be very downwardly permeable, meaning that the beneficiaries of the reforms were largely urban and upper-class women.

In contrast, by virtue of the Islam-centered policies of the post-revolutionary regime, women's activism in Iran has shifted to incorporate a more Islam-friendly approach. Not only has this created a space for the promotion of women's rights within the regime, but it has also made it more culturally acceptable for women from traditional

[187] Esfandiari, Haleh. "Introduction," *Middle Eastern Women on the Move*, Woodrow Wilson International Center for Scholars: Middle East Project, (2003): 6.

families to participate in this activism. Tohidi has summed up this development as follows:

> While Islamism has brought about many setbacks for the individual rights of modernized and privileged urban upper and upper-middle class women, it has paradoxically pushed a growing number of previously marginalized, recently urbanized middle class traditional women into social, political and religious activism. Dominance of religious politics in all aspects of social as well as private life has ironically opened new arenas of intervention for women, arenas that were earlier rendered inaccessible to women (i.e. physical spaces such as mosques or intellectual arenas, such as learned theological debates).[188]

The fact that so many more women are now willing and able to participate in the "arenas of intervention for women" is itself a significant change from the pre-revolutionary period. It is an important indication that activism has moved from a top-down to a bottom-up approach and could be mean that the permeability that alluded the Pahlavi-era reforms has finally taken root among ordinary Iranian women.

Additionally, conducting these activities within an Islamic environment has significantly shifted the role of religious leaders with regard to the woman question. As long as they were sidelined from actual governance, Islamic clerics could denounce women's rights, political participation, and employment as anti-Islam without challenge. However, once they attained decision-making power, the consequences of their antiquated policies forced pragmatic concessions, such as in the family planning example cited above. Often these concessions have been promoted by women working inside the government because of the pressure placed on them by ordinary women making their voices heard. Thus, one of the real ironies of the revolution seems to be that it has "given

[188] Tohidi, "'Islamic Feminism': Perils and Promises," 135.

women a keener sense of their rights, created among them a sense of community, and turned them into an informal...pressure group.[189]

The second important theme to arise from this analysis is the tension between women's social status as it pertains to the private (domestic) sphere and their public presence. Prior to the revolution, women activists comprised a select group of upper class women who worked on behalf of other less-privileged women. They were in the public sphere while the majority of ordinary Iranian women remained confined to their private sphere. Not withstanding this disconnect however, it is important to acknowledge the intrinsic value of their activism as well as to recognize their vision, courage, and diligence. In many ways, these early activists set the ball in motion for future women's activism and most importantly, paved the way for the mobilization of thousands of women during the revolution. Subsequent to the revolution, Iranian women have emerged from their domestic cocoon and have pushed back against the regime's efforts to encourage them back to hearth and home. Ordinary Iranians have seized upon their revolutionary experience to assert their "power of presence."

Finally, looking at women's activism before and after the revolution reveals an important element of creativity and pragmatism that has enabled women to package their demands within the most relevant discourse of the time—as one of modernity under the Shah and as an Islamic imperative within the Islamic Republic. Shahla Sherkat has alluded to this resilience in women's ability to pressure the government into passing Pahlavi-era reforms regarding divorce, custody, employment, etc…but with an Islamic brand:

> The most important negative impact of Islamicization on women after the revolution was the reversal of the family law. This reform was so important that

[189] Esfandiari, *Reconstructed Lives*, 7.

> we have gone back to it and are using many parts of it now under the Islamic state. Women's demand for change is a movement that will not stop and will carry on, that is why I feel that the future is bright.[190]

In fact, this "movement" as she calls it, has been through mundane daily practices such as working, playing sports, and studying at university. It is the very ordinariness of this resistance that has made it both socially pervasive and virtually irrepressible.

Although women activists promoted a western model of feminism before the revolution, another indication of women's dynamic activism has been the shift in their argument for the compatibility of Islam and women's rights. Although this insistence on *ijtihad* as the vehicle for change has put women activists at odds with the conservative religious establishment, the tactic of using Islam as their backdrop has created a space for dialogue. This is not to say that these women do not fundamentally believe in this compatibility, just as women during the Shah did subscribe to the notion of women's rights as a necessary component of a modern society. Rather, the larger point is that Iranian women have managed to navigate the thorny politics of two authoritarian political systems and have gained and re-gained social, political, and legal rights for women despite the seemingly opposite politics practiced within each regime. This is a testament to their creativity and their resilience.

However, as many scholars and activists themselves have rightly pointed out, relying too heavily on *ijtihad* as the sole vehicle for promoting women's rights can detract from their universality and leave them vulnerable for interpretation in ways that are antithetical to women's equality. In fact, Shirin Ebadi who is one the foremost proponents of the compatibility between Islam and women's rights has cautioned that its use may result in unanticipated consequences:

[190] Quoted in Moghadam, *Modernizing Women,*193.

> On the one hand, *ijtihad* imposes flexibility on Islamic law and creates an exciting space for adapting Islamic values and traditions to our lives in the modern world. But, this flexibility is also precisely what makes *ijtihad* and Islamic jurisprudence altogether, a tricky foundation on which to base inalienable, universal rights. *Ijtihad* frees us by removing the burden of definitiveness—we can interpret and reinterpret Koranic teachings forever; but it also means clerics can take the Universal Declaration of Human Rights home and argue about it richly for centuries. It means it is possible for everyone, always to have a point. It means that patriarchal men and powerful authoritarian regimes who repress in the name of Islam can exploit ijtihad to interpret Islam in the regressive, unforgiving manner that suits their sensibilities and political agendas.[191]

Ebadi's intention in this passage is not to criticize the use of *ijtihad*, but rather to encourage women to move beyond mere interpretation to a more certain arena—one of universality that is based in half a century of international law and practice.

Snapshots: Past and Present

On March 3rd of this year, the BBC ran an innocuous article, whereby an Iranian court had ordered a man to give his wife the 124,000 roses that he promised in her dowry, after she filed a complaint to claim it. The wife claimed that she wanted the dowry in order "to punish her very stingy husband" and that under Iranian law, she could claim her dowry at any time during her marriage. When one considers that a single long-stemmed rose costs about $2, the court's ruling effectively granted the wife $248,000.[192] This case is interesting because it is an example of an Iranian woman asserting her rights within the Iranian legal system. This speaks of confidence not only to challenge her husband, but also to expect that Iran's judicial system would uphold her rights instead of her

[191] Ebadi, 191.
[192] "Iranian to pay 124,000-rose dowry," *BBC NEWS*, March 3, 2008. (accessed March 4, 2008); available from http://news.bbc.co.uk/go/pr/fr/-/2/hi/middle_east/7275506.stm.

husband's. It is also another concrete example of a woman asserting her place and her power within the public domain.

In applauding the resilience of the women's movement, I do not wish to downplay the very real repression that women continue to face on a daily basis. Nor do I wish to oversell the gains they have made. As many scholars and activists have pointed out, the legal gains made by women in the years since the revolution have merely returned women's status to that of thirty years ago under the Shah—hardly a reason to celebrate. However, I would argue that it is not merely the end product that is at issue here, but rather the process that must be taken into consideration. Through their systematic and persistent resistance to the repressive policies of the Islamic Republic, women have established themselves as part of Iran's "indigenous democratic movement."[193] Even as they have advocated for their own rights, they have promoted democratic ideals given that "one of the major requirements for a democracy in contemporary societies is that it should represent all citizens, providing equal opportunities and voice in the governance of the public domain."[194] Whereas the revolution mobilized women as part of a larger whole, the 1997 elections established women as a constituency in their own right. In supporting Khatami, women were not merely following their husbands or fathers, but rather were choosing the candidate whose platform most closely matched their own social, cultural, and political demands. Even the recent outbreak of violence against women is indicative of just how far they have come in terms of asserting themselves as public citizens rather than private wives and mothers.

[193] Abbas Milani, "U.S. Foreign Policy and the Future of Democracy in Iran," *The Washington Quarterly* 28 no. 3 (Summer 2005): 42.
[194] , Shahra Razavi, "Women in Contemporary Democratization," *International Journal of Politics, Culture, and Society* 15, no.1 (September 2001): 202.

In short, as this analysis of women's activism in Iran has shown, social change in Iran can and has stemmed from bottom-up action and through internal agitation and struggle. This is an assertion that seriously challenges Western political and activist notions that social change in Iran can only happen through external pressure and top-down action. The implication is that the best way to promote women's rights in Iran from an external point of view may simply be to get out of the way and not create further problems for activists by giving the government ammunition (i.e. Western association) to use against them.

There is still a long way to go. However, if history is any indication, Iranian women will likely not quit until they get to the finish line. In fact, as recent events have shown, the younger generation of Iranian women is proving to be even bolder and more demanding than the generations of women who paved the way before them.

And going back to that snapshot of my mother that started this whole process, I think the answer to that particular paradox is about perception versus reality. While the perception portrayed through that photograph taken sometime in the mid-1970s was one of a liberated and progressive society, the reality was that most women in Iran at that time were still subject to traditional cultural and religious norms that strictly limited their social and political participation. Conversely, today, the public perception of women in Iran may be one of oppression and forced *hejab*, however the social reality is that more women are politically, socially, and economically active than during the "liberated" period of the Shah. In fact, behind closed doors, who knows how many snapshots are daily being taken of other young women smiling brightly, dressed for a party, and posing with other laughing young people, men and women.

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