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Islamic Politics and Women’s Quest for Gender Equality in Iran

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Islamic Politics and Women’s Quest for Gender Equality in Iran

HOMA HOODFAR & SHADI SADR

ABSTRACT The unification of a strong and authoritarian state with religious laws and institutions after the 1979 revolution in Iran has resulted in the creation of a dualistic state structure in which non-elected and non-accountable state authorities and institutions—the majority of whom have not accepted either the primacy of democracy nor the premise of equality between men and women (or Muslims and non-Muslims)—are able to oversee the elected authorities and institutions. The central question posed by this paper is whether a religious state would be capable of democratising society and delivering gender equality. By analysing the regime’s gender policies and political development, the paper suggests that, at least in the case of Iran and Shi’ism, the larger obstacle to gender (and minorities’) equality has more to do with the undemocratic state–society relations that persist in Iran and less to do with the actual or potential compatibility (or lack thereof) of religious traditions or practices with democratic principles.

Religion has never been completely separate from the state in Iran, particularly since the establishment of the Safavid dynasty (1501–1722) when Shi’a Islam became the official religion of the country. However, its complete unification with the state in 1979, in the aftermath of the popular revolution, represented an experiment in crafting a new version of modernity in the era of globalisation. The coalition of conservative religious leaders who ascended to political power had not accepted the primacy of democracy nor the premise of equality between men and women (or Muslims and non-Muslims), both of which they viewed as contrary to their reading of divine scripture. The large segments of society that had internalised the equality of all citizens, at least theoretically, found themselves in ideological collision with a state that many of them had helped bring to power. Political players representing diverse social, political and gender visions were in competition for access to power and resources, culminating in the creation of a dualistic state structure in which non-elected and non-accountable state authorities and institutions were able to oversee the elected ones.

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In practice this has meant that religious doctrine has been (selectively) merged into the powerful, centralising and historically authoritarian state in Iran in order to pave the way for the conservative religious vision of a ‘good Muslim society’. Within this context women have been targeted as markers of identity and have been made the object of social and economic policies and restrictive legal reforms, with major resources directed to their implementation. These efforts have unleashed considerable resistance and subversion from women and other social forces seeking to pluralise and democratise Iranian society, the state and Islam/religion. Furthermore, inadvertently these policies have prompted the flourishing of a diverse and increasingly cohesive women’s movement that is in practice questioning the secular–religious divide (which both modernists and Islamists have tried so hard to erect) by crossing that boundary and coming together around concrete issues to demand gender equality. This state of affairs has led to lively, if contradictory, intellectual and political developments which continue to test the capacity of the Islamic regime to accommodate democracy, pluralism and gender equality.

In this paper we examine the implications of the religious state for gender equality and women’s citizenship rights in Iran by reviewing the evolution of some of the more prominent state gender policies, discourses and counter discourses since 1979. We also outline the innovative arguments that women (and other liberal religious intellectuals) have developed for gender equality from within an Islamic framework—a strategy that has minimised the gap between ‘Islamic’ and secularist/modernist/human rights perspectives. Theoretically these developments should have facilitated the incorporation of demands for democracy and equality (between men and women and for other minorities) into the state ideology, structures and programmes/policies, given that the state claims its legitimacy from a reading of divine scripture. However, while these attempts have been largely successful in winning public opinion and bringing together diverse liberal religious and secular democratic forces, the religious state has failed to respond positively. Worse, state authorities, relying on their monopoly of state power and resources, have adopted repressive policies that have stifled debate and contestation, even in the autonomous ‘religious’ spaces which existed historically within formal Shi’a educational institutions. Furthermore, since the election of Ahmadi Nejad in 2005, shari’a has taken a backseat and emphasis is placed on the conservative radical Islamist vision in relation to gender policies. Thus the paper suggests that, at least in the case of Iran and Shi’ism, the larger obstacle to gender (and minorities’) equality appears to have more to do with a lack of democratic state structure than with any intrinsic incompatibility between religious tradition and modern democratic principles.

Following a brief introduction, the first section of the paper provides a historical backdrop to the 1979 revolution. In the following section we explain the formation of the republican theocracy that has evolved over the past three decades, along with the gender policies that have taken centrestage and the social responses to them. This is followed by a more dynamic picture of politics in the Islamic Republic, which explores the spaces and openings
that women’s movements have occupied or created and used as a platform for making demands. In the concluding section we draw together our main arguments.

**Historical background: failed modernity**

By the middle of the 19th century the authoritarian rule of the Qajar monarchy (1785–1925) was increasingly criticised by liberal intellectuals and modernists influenced by Muslim intellectual discourses on the causes of stagnation and colonisation of Muslim societies. They advocated the establishment of a constitutional, representative parliamentary system. The religious leaders, *ulama*, having been marginalised by the Qajar monarchs, joined these modernists in an ultimately turbulent political relationship that has since coloured Iranian politics. There were two irreconcilable contentions between the more conservative *ulama* and their modernist allies. First, the conservative *ulama* claimed a divine source for law, while modernists viewed law as a social construction. Second, modernists assumed equality of all citizens before the law, at least in theory, regardless of social class (and, for some, gender or religion), while the most outspoken *ulama* claimed greater rights for Muslim men than for women and non-Muslims. Where the modernists viewed the expansion of public education and public roles for women (if not political rights) as integral parts of modernity, the conservative *ulama* recognised the ramifications of this expansion and were extremely hostile to these ideas, pronouncing them contrary to Islam.¹ These fundamental differences have continued to colour Iranian politics ever since.

With the establishment of the Pahlavi regime (1925–79), which was committed to modernist ideals, though not to democracy, the conservative *ulama* were largely marginalised from formal power structures. However, they continued to command moral authority and to nurture alliances with conservative social groups and those excluded from the fruits of modernisation. This alliance of conservative *ulama* and powerful patriarchal forces, most notably the *bazaaris* (the traditional merchants class) has strongly tinted Iranian politics and women’s struggle for gender equity ever since, particularly regarding family law reform and women’s political participation. Thus women’s citizenship rights remained at the centre of political contestation between modernist and religious conservative forces, even though neither side was interested in the plight of women.

Nonetheless, the modernist regime was cautious in introducing legal reforms that affected women’s status and gender relations. Aside from introducing a minimum age for marriage and a 1936 decree outlawing veiling, the most significant gender reform occurred in 1963, when women’s suffrage was introduced as part of the ‘White Revolution’. The latter consisted of six major reforms, including the long-delayed land reform, which were proposed and massively approved in a national referendum in which only men voted. The *ulama*, who controlled large tracts of land as religious endowments, bitterly opposed the package, which would severely reduce their economic power base. Recognising that land reform had massive support, the *ulama*
mobilised conservative oppositional forces by framing the extension of political rights to women as un-Islamic. Their unsuccessful uprising resulted in the exile to Iraq of the young Ayatollah Khomeini, the most outspoken political adversary of the Pahlavi monarchy.

In 1967 (and 1973), after decades of lobbying by women, moderate family law reforms were introduced. The Family Protection Act modestly improved the position of women within marriage: the right to divorce, previously a husband’s prerogative, became subject to a family court decision; and polygamous marriages became conditional on the permission of the first wife or the court. The act also slightly expanded women’s custody rights, based on the ‘child’s best interests’. Despite their modest scope, the reforms were virulently opposed by the conservative religious establishment, who resented watching their sphere of influence shrink. Thus Ayatollah Khomeini publicly announced (while in exile) that divorce under the new laws was not religiously recognised, and thus divorced women who remarried would be committing bigamy, and their children would be regarded as bastards, unable to marry Muslims.

Women’s rights continued to be used as a weapon in the power struggle between the modernising Pahlavi regime and conservative religious leaders. Further, while conservative religious leaders had little formal political or economic influence, they retained significant moral authority among conservative social groups, especially in relation to the ‘private’ issues of family, marriage and ‘appropriate’ roles for Muslim women. Their views were based on a restrictive reading of Shari’ā (Islamic religious law) without adjusting it to social realities in Iran. Inevitably women’s rights activists, sometimes passively, supported the limited legal and social advancement promoted under the Pahlavi regime, while others did so more actively by working through state structures and state-sponsored women’s organisations.

Using its vast oil revenues, the Pahlavi regime embarked on an ambitious project of industrialisation and urbanisation under Western-trained technocrats and advisors. Along with considerable economic and educational expansion, this period also witnessed increasing income disparity between the rich and the poor. Developmentalism went hand-in-hand with authoritarianism: the country was transformed into a police state with few intellectual or political freedoms, a process that culminated in the introduction of a one-party system. The state’s dictatorial tendency, the shrinking public sphere and silencing of even the mildest critiques, on the one hand, and the denigration of Iranian culture and mores in the name of modernity, on the other, alienated many segments of society, including women who might have been allies of the regime in its quest for modernity.

Not surprisingly in this environment, publications like Jalal Al-e Ahmad’s Gharbzadegi (1962, translated variously as ‘Western-struck’ or ‘Westoxification’), which articulated the perils of uncritical Eurocentrism, struck a chord with many nationalists and discontented secularists and provided a framework for reclaiming a modernity and development that was more ‘authentic’. However, unlike the religious opposition who enjoyed the considerable economic wealth of religious institutions and a network of mosques in all
corners of Iran, secular forces had neither the public space (although they had informal influence within the universities) nor the independent economic or institutional support with which to promote their views among the citizenry or to mobilise for social and political change.

Given the legitimacy that religious institutions enjoyed among many, particularly the socially disadvantaged segments of society, the state was careful not to tinker with them too much. Therefore mosques were the only space that remained relatively open to the public. Using this network, a broad opposition movement was cultivated, including religious and secular elements, religious and conservative nationalists, and Islamist and secular leftist university students during the uprising of 1978. This unlikely coalition was joined by public employees, whose general strike action led rather rapidly to the downfall of the monarchy in early 1979.

**Constructing the Islamic Republic, Islamicisation policies and public responses**

The unprecedented massive uprising against the Shah indicated the nation’s rejection of the political status quo. However, the rather rapid and abrupt fall of the state left the diverse political constituencies who took part in the protest movement without an opportunity for strategic negotiation and debate on political agendas and power-sharing arrangements. What emerged quite clearly, however, was a clamouring for democracy and public political participation which meant that Khomeini’s vision of a complete theocracy (Velayat-e faqih) could not be implemented. The emerging compromises resulted in a complex ‘republican theocracy’.

The political system that took shape in those formative years includes two (unequal) structures: first, a strong theocratic structure with the Supreme Religious Leader at its apex, whose legitimacy rests on a claim to divine power; and second, a weaker, but democratic structure, which includes the presidency and the parliament. The Supreme Leader holds his position for life and is not accountable to any person or body. He controls the regular Army, the Revolutionary Guards (a paramilitary force) and the Basij (militia) organisations charged with safeguarding the principles of the revolution, as well as the head of the judiciary and state-monopolised media. The 12 members of the Guardian Council, who oversee the elected parliament, ensure that any laws passed by parliament do not deviate from the Guardian Council’s interpretation of Islam.

Although not clearly stated in the Constitution, the Guardian Council has taken upon itself to oversee the approval of political candidates as well. By approving only ideologically conservative candidates deemed ‘insiders’, they attempt to eliminate any opportunity for competing, particularly secularist, political visions to emerge officially. This tendency was expanded and reinforced to include ‘reformists’ after the election of President Khatami in 1997 and the seventh parliament, in which reformists constituted a majority. This exercise of control over who may participate in elections by an unaccountable council has resulted in intolerance of any dissent, regardless of whether it is secular or operating from within a religious framework (as in the
case of many reformists). The irony is that this runs quite contrary to the long and valued Shi’a tradition of respecting a diversity of religious views among the ulama.

Nevertheless, while the members of the Guardian Council are handpicked by the Supreme Leader from among diverse conservative allies, differing views on economic and foreign policies do create room for change from within the system, although increasingly the conservatives have been trying to close even this narrow avenue for diversity. The disputed re-election of Mahmood Ahmadinejad in June 2009 and the subsequent political unrest is the outcome of such attempts to further monopolise state power.7

The less significant wing of the state is an elected parliament and president who have to be confirmed by the Supreme Leader; additionally, all laws passed by parliament have to be approved by the already-mentioned Guardian Council. In practice, Iran now has a theological political system in which a small, unelected group over-sees and controls the ‘elected’ government and law-making bodies, with considerable consequences for the development of democracy and gender equality, as we will discuss below. As tensions between the Guardian Council and the bureaucrats and technocrats who actually manage the day-to-day running of the country increased, Khomeini established the Expediency Council (EC) to ease such tensions. The EC could override decisions made by the Guardian Council deemed impractical for the functioning of the state machinery. Thus a regime that was established to govern in accordance with a conservative interpretation of Shari’a was forced in practice to acknowledge that administering a large, diverse nation requires some ideological compromises in order to retain legitimacy. The Expediency Council, at least initially, was receptive to more ‘woman friendly’ interpretations of the Shari’a and thereby became an important vehicle for addressing gender issues.

Although the president, parliament, and Assembly of Experts are ‘directly elected’ by the public, it is the Guardian Council that vets electable candidates, and the Guardian Council is appointed and approved by the Supreme Leader. The Supreme Leader also appoints or approves the Armed forces, Head of Judiciary and Expediency Council; thus unelected bodies dominate the state structure in Iran (see Figure 1).

Islamicisation policies and women’s responses

The complete amalgamation of political and religious power has had considerable implications for gender equality. The role of women in society was a significant platform in Khomeini’s opposition to the Pahlavi regime and a rallying point for diverse cultural and religious conservative forces. Immediately following the revolution, and even before the formulation of a new constitution, the government moved towards reviving gender segregation and undoing the existing family laws, in part to reward and ensure continuing support from conservative forces. The new regime’s ideologues envisioned an Islamic society based on gender apartheid, effectively eradicating the gains that women’s rights activists had made over seven decades.
Reasserting the clergy’s authority, Khomeini annulled the Family Protection Law within two weeks of coming to power. Men regained the unilateral right to divorce and polygamy, and ‘temporary marriage’ was encouraged. Women were barred from becoming judges in accordance with Shi’a tradition. The age of maturity for girls was set at nine years and for boys at 14. Sexual relations outside marriage became a crime against the state, punishable with stoning and lashes. Clearly, the regime took advantage of the post-revolutionary euphoria to introduce, without referenda, laws that might later have met with resistance. Ironically, while implementing these regressive laws, the new regime continued to insist that Islam provided all the rights that secularism had ever afforded women, and that only through Islam could women achieve their human dignity.

Women’s attempts to oppose these developments were immediately stifled by both the new government and a wide spectrum of political groups, who warned against creating divisions and weakening the ‘anti-imperialist’ state. Nonetheless, women’s responses to Khomeini’s announcement of compulsory veiling on the eve of 8 March, coincidentally International Women’s Day which would normally pass without much notice, saw the largest spontaneous demonstrations in the history of the women’s movement in Iran, and forced the regime temporarily to retract. Further, women’s large-scale participation in the revolution, and the newly iconic status of the veil as a revolutionary symbol, rendered the authorities unable to ignore women as political agents. Women’s political agency and public participation, the target of Khomeini’s harshest criticism when Iranian women gained the vote in 1963, was used to help legitimate his leadership when he asked women to take to the streets in support of the Islamic Republic. Clearly this is an indication that Khomeini’s opposition to women’s public participation in the past had more to do with political expediency than with divine scripture.

Nonetheless, conservative readings of Shari’a and gender segregation were woven into the Constitution. Aware of the unacceptability of their vision to
large segments of society, the drafting committee (comprised mostly of male clerics and one woman), debated long and hard the crafting of Article 20, which was supposed to frame the equality of citizens in the Constitution. They wanted to avoid formulations which suggested that women were equal or had equal rights to men, while still making Article 20 palatable to the millions of women who were committed to the revolution. Regardless, they argued that God had denied certain rights to women, and it was not up to any worldly bodies to change it.

Given the persistence of this mentality, it is not surprising that during the past 30 years the Guardian Council has tried to strike down every law that diverged from the conservative interpretation of Shari’a. Had it not been for the Expediency Council, the limited reforms which addressed the demands of women and other citizens would not have materialised. Nonetheless the law continues to state that the value of a woman’s life is half that of a man’s; in court two women witnesses are equal to one man; and women inherit half as much as their male counterparts.

Such blatant discrimination has incensed many secular and religious women who fought the previous regime in pursuit of social justice and democracy. They have taken the ulama to task, questioning why Islamic justice is applied only to men, even as they declared their support for the regime, forcing the ulama into a dialogue they were not prepared for. Secular women, who wielded no influence with the Islamic regime, launched their dialogues publicly through print publications (weeklies, monthlies), often arguing that Islam is unable to deliver justice to women. In response, Islamist women presented their own ‘woman-friendly’ readings of Islamic texts, challenging the conservative male interpretation of women’s rights in Islam. In another era these Islamist women’s claims would have been declared heresy, but in the heated political context of Iran they appeared as moderate attempts to save Islam and religion from disrepute. Indeed, the male-dominated political literature in Iran often overlooks the fact that reformism in Iran started with many women ideologues and women’s organisations long before it caught the imagination of male leaders.

As a result, within a few years the young state had to gradually reinstate many of the family law reforms Khomeini had eagerly annulled and, to a limited degree, to adjust to more gender-equitable readings of Shari’a, creating new divisions between the conservative and liberal ulama. Citizens, particularly women, used their political rights to elect relatively liberal-minded parliamentary and presidential candidates between 1989 and 2003, resulting in a number of small but significant gender-progressive legal reforms. They would develop a public discourse on particular topics such as divorce, child custody, or whether a woman can be elected president in an Islamic Republic; then the Islamist women would involve more liberal-minded ulama, both by asking their opinion and involving them in public debate, providing them with platforms and popularising their views. At the same time those closest to state power centres would lobby the political leaders, including the Supreme Leader.
Thus under President Rafsanjani (1989–97) many legal reforms were introduced via these strategies, such as the revision of the law on divorce, women being reinstated as judges in family courts, the introduction of the Office of Women’s Affairs, and so on. After the election of President Khatami (1997–2005) Iran witnessed the birth of a modern civil society and the expansion of political organisations, including many women’s organisations whose raison d’être was to advance women’s causes and keep gender justice at the centre of public discourse. While these steps were a long way from the development of a woman-friendly and pluralist society, they nonetheless created optimism about working from within an Islamic framework to advance women’s rights and public participation. However, conservatives, dismayed by what they viewed as ‘creeping secularism’, particularly after the 2001 re-election of the reformist President Khatami, mobilised their power to root out liberal-minded candidates.

The Guardian Council used its power to strike down all law reforms that parliament had passed. Significantly they disqualified all known reformist candidates, including all reformist sitting members of parliament for the 2004 parliamentary election. In an act of protest, all reformist members of parliament resigned en masse.15 The conservatives also used their control over the Revolutionary Guard and Basij and their access to massive state resources to mobilise their supporters among less-privileged social groups. The Office of the Supreme Leader funded and trained thousands of female Islamic preachers, using women’s religious gatherings to proselytise. In effect, these women became foot soldiers for the regime, popularising a religious world-order based on gender apartheid.

Women, electoral politics and the dawn of pragmatic women’s movement(s)

Although the conservatives and Ayatollah Khomeini had strongly denounced women’s suffrage in 1963, women’s right to vote was one of the few gains that was not annulled in the period immediately after the 1979 revolution. The motivations were largely instrumental: given women’s massive participation in the revolution, their formal political exclusion would mean alienating a potentially large constituency and vote bank. Nonetheless, through the erection of major barriers to women’s election, the presence of women in parliament has remained even lower than it was before the revolution (see Table 1), despite their enthusiastic participation in elections. This is largely because only women with ‘appropriate’ religious credentials (strong links by blood or marriage to male political elites, or occasionally a long history of religious activism and devotion to the Velayat-e faqih or Spiritual Leader) were approved as candidates. Furthermore, women were expected to toe the line in gratitude for being given any political rights. Thus women such as Azam Talaghani, an anti-Shah activist, daughter of Ayatollah Talaghani (second in popularity only to Khomeini), who was elected to the first post-revolutionary parliament with over 1 000 000 votes, was excluded as a candidate in subsequent elections because in parliament she had criticised the regime’s lack of commitment to gender justice.
The new regime was intent on shaping its identity as an Islamic state through its extreme suppression of divergent political forces, rather than adopting a pluralistic and democratic perspective. Gradually, during the economic liberalisation under Rafsanjani, organisations—by definition religious—that pledged loyalty to the Islamic Republic managed to obtain formal approval from the Ministry of Interior for their activity. Needless to this, this excluded many secular citizens from accessing formal political organisations.

Between 1979 and 1997 the distinctions between political factions and parties were primarily related to their position on economic policy: those favouring nationalisation and greater regulation of the economy by the state were referred to as ‘the left’; those favouring a more liberal economy and more privatisation were referred to as ‘the right’. While there was some overlap on issues of culture and democracy, ‘the left’ in Iran, in contrast to most other political contexts, tended to be more regressive on issues of democracy and women’s rights. Conversely the economic liberals, particularly under Rafsanjani, more strongly advocated improving women’s legal status and access to education. During Rafsanjani’s presidency women found more space to operate within political arenas both inside and outside government structures, yet his government never articulated concrete policies or programmes on gender.16

It was in this context that the 1997 presidential election emerged as a turning point in the electoral politics of Iran. It also represented a new chapter in women’s political struggle for equality. During this election Azam Talaghani, one time member of parliament, controversially presented herself

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**TABLE 1. Percentage of women in Iranian parliament, 1963–2008**

<table>
<thead>
<tr>
<th>Parliament</th>
<th>Elected from Tehran</th>
<th>Elected from other provinces</th>
<th>As percentage of all MPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1963: women gain electoral rights</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1963–67</td>
<td>3</td>
<td>4</td>
<td>3.5</td>
</tr>
<tr>
<td>1963–71</td>
<td>3</td>
<td>7</td>
<td>3.5</td>
</tr>
<tr>
<td>1971–76</td>
<td>3</td>
<td>14</td>
<td>6.5</td>
</tr>
<tr>
<td>1976–79</td>
<td>3</td>
<td>15</td>
<td>7.0</td>
</tr>
<tr>
<td>1979: establishment of the Islamic Republic of Iran</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1979–83</td>
<td>4</td>
<td>0</td>
<td>1.5</td>
</tr>
<tr>
<td>1983–87</td>
<td>4</td>
<td>0</td>
<td>1.5</td>
</tr>
<tr>
<td>1987–92</td>
<td>4</td>
<td>0</td>
<td>1.5</td>
</tr>
<tr>
<td>1992–96</td>
<td>5</td>
<td>4</td>
<td>3.3</td>
</tr>
<tr>
<td>1996–2000</td>
<td>6</td>
<td>4</td>
<td>3.7</td>
</tr>
<tr>
<td>2000–04</td>
<td>6</td>
<td>7</td>
<td>4.4</td>
</tr>
<tr>
<td>2004–07</td>
<td>5</td>
<td>7</td>
<td>4.1</td>
</tr>
<tr>
<td>2008</td>
<td>5</td>
<td>3</td>
<td>2.7</td>
</tr>
</tbody>
</table>

as a presidential candidate. She argued that, according to Shari’a, there are no Islamic injunctions against a woman becoming president. While her candidacy was rejected without explanation, debate lingered on during the election period, opening new space for public discourse over political equality for women. Thus when Khatami, a little-known cleric, ran against the conservatives’ favoured candidate (Nateq Nouri) on a platform of tolerance, freedom of expression, justice for women and a ‘dialogue of civilisations’, he emerged as the popular candidate. Many of the known reformist women, including Ayatollah Khomeini’s granddaughter, and reformist members of parliament openly supported him. Despite much disruption by thugs in support of conservative forces, Khatami won 70 per cent of the vote. Although Iran does not officially track election participation by gender, it is generally accepted that it was largely women’s and young people’s votes that gave him his overwhelming majority. His election created a new wave of optimism among women and social forces looking to democratise public politics and the public sphere. This new social mood also facilitated the closer participation of secular forces, particularly women, in the public and political life of the country.

Khatami’s unexpected success in 1997 shifted the categorisation of political parties and factions from being based on economic policies to their social and political perspectives. Women (and youth) had changed the political landscape. The success of reformists also opened the public sphere for intellectuals, including those who once were committed to the supremacy of the Spiritual Leader (Velayat-e faqih) to critique publicly the cost of the lack of democracy for the nation and for Islam. Secularism, meaning the separation of religion and state, regained currency in public debates, but this time among many devoted Muslims (including some clerics)—a development that was not welcomed by the conservative wing of the establishment, who used various means, including imprisonment, to silence these voices.

Nonetheless, the political victory of reformists translated into a freer public sphere, the formation of various civil society organisations (including women’s) and NGOs, and an easing of some restrictions (for example, on women’s dress code). However, it did not yield any democratic or gender-equitable legal reforms, given the constitutionally sanctioned structural impediments already alluded to in the previous section. The Guardian Council, as well as the judiciary, both under the control of conservatives, used their veto power over parliament to strike down parliamentary laws on the grounds that they were un-Islamic. This prevented reformists from delivering on their promises, while the conservatives found ways to win over different constituencies, including some groups of women. In many ways 1997 also signalled to conservatives that they could no longer assume that the religiosity of women would automatically translate into votes for them. Therefore they revived the volunteer Basij, encouraging women to get involved, and pushed conservative political parties to mobilise women in order to win local council elections.

Disappointed with eight years of much talk and little action by reformists, substantial numbers of women and youth boycotted the 2005 presidential
elections, contributing to the Reformists’ defeat. This brought radical political Islamists into the fray under the leadership of the current president, Ahmadinejad. They work in alliance with conservative political factions while holding more extreme views and devaluing the republican aspect of the state structure. Since 2005 the state and government policies have been directed to undo the reforms that women had managed to bring about over two-and-a-half decades, which they denigrate as ‘creeping secularisation’ and Westernisation. Soon after their electoral success, they launched a campaign to curb the relaxation of women’s dress code and to impose a stricter code of conduct, particularly between males and females in public. They introduced a quota system to curb women’s access to higher education because, they argued, the higher percentage of women in the universities was shifting power relations between men and women in the labour market and in the family in an un-Islamic direction (ie in favour of women). The fact that there were no justifications for these actions in Shari’a was not significant for the authorities. The radical political Islamists were more committed to building an Islamic society based on their gender vision, and at times that has meant that Shari’a was relegated to a backseat. These developments represented a step backward for those who were trying to develop an indigenous strategy to advance women’s rights through a new reading of Shari’a. This state of affairs raised the question of whether the present state structure could lend itself to democratisation.

Women’s political perspectives in their quest for gender justice

Faced with the lack of advancement and a threat of even more regressive gender policies, both reformist and Islamist activist women concluded they could not count on their male counterparts for the realisation of gender justice. In order to reach out to the public and use every possible political space, they revived or formed their own women-only organisations and coalitions around particular political platforms, even as many continued also to work with mainstream political parties. While these various coalitions are very fluid and may include different women around different topics, it is possible to identify two major coalitions: the Islamists and reformists, the latter often including secular activists.

Although women’s demands converged around family laws and women’s access to decision-making positions, their different social and political location vis-à-vis state power structures dictated different political strategies. These apparent divisions have at times meant that, as one appeared more ‘radical’, the other could appear more ‘accommodating’, bound by convention and thus less threatening to the conservatives. An assessment of these divisions must be understood in its specific political context.

Islamist women’s organisations’ readings of women’s rights under Islam are more liberal than the conservatives and often more moderate than the reformists. They tend to believe in gradual change, adopting more conciliatory language. Zeinab Society (Jameh Zeinab), the largest and most influential of these organisations, is chaired by former three-time MP Maryam
Behrouzi. It was founded by several anti-monarchy activists, many of whom received theological education in the city of Qom and thus know the concepts and language for framing their demands within an Islamic discourse. Their platform holds that Islam sanctions equality between men and women, and that the injustices women face result from patriarchal readings of Islamic texts. The organisation is not interested in passive membership. All members must participate in training workshops and be active in the political, cultural and religious life of their communities, while working to bring about change.

With more than 82 branches in Tehran and 60 in other cities and towns, Zeinab Society commands a formidable network for mobilising large numbers of women. Their political strategy is generally to attack one issue at a time, forming an umbrella coalition with other Islamist organisations and lobbying within the political system, especially among influential religious leaders. Many of the family law reforms, such as the introduction of the national marriage contract and martyr’s widows gaining custody of their children, were attributed to the leadership of Behrouzi and Zeinab Society’s efforts. Their relative successes brought them recognition among the Islamists and gradually they are making bolder demands.

For example, the abysmal representation of women in parliament (as indicated in Table 1) has been a major concern for all women activists, yet the male-dominated political parties continue to exclude women’s candidacies from their recommended lists. However, in 2004 Zeinab Society announced its intent to send a total of 38 MPs to the seventh parliament. In contrast, under the Reformists, the sixth parliament only had 13 women out of 290 MPs. Although the push was ultimately unsuccessful, it formally introduced a systematic debate on the question of quotas and women’s political representation. In 2007 Zeinab Society took another bold stand and, for the first time in the history of the Islamic Republic, put forward six women candidates for the historically clerical (and all-male) Assembly of Experts. Although the candidates were rejected, their action was viewed as a direct challenge to the conservatives in control of state structures, stimulating nation-wide debates on women’s equality while deepening the schism between reformist and conservative ulama.

Clearly, Zeinab Society is adept at mobilising its links with power brokers in the state machinery. One can deduce that they are well aware of the lack of democracy and accountability to the public. Thus a major criticism levied against them is that they spend a lot of energy persuading the political elite, but perhaps not enough time cultivating a female constituency. With the ascendency of radical Islamists to power, the influence of even these ‘insider’ Islamist women and the Zeinab Society has been reduced. They nonetheless successfully lobbied in 2008 for the reform of inheritance laws to ensure wives’ and husbands’ equal inheritance rights.

Women’s reform associations have a bold history, with many existing before the rise of Reformist political parties. With their overarching mandate to remove discrimination against women, improve women’s position within the family, and promote the presence of women at all top decision-making levels, these associations have consistently kept women’s concerns and gender
discourse at the forefront of national debates, particularly by popularising a woman-centred interpretation of Islamic texts. The major difference from the Islamist women is that they tend to be more outspoken and they insist on keeping their independence from male parties and factions and political structures. This is despite harassment by the authorities, especially since Ahmadinejad’s presidency.

Many of their leaders come from prominent religious families and have successfully used their connections for political protection while questioning the policies and gender injustices of the regime. For instance, in 1979 some leaders had advised the regime, in an open letter to Ayatollah Khomeini and other religious leaders, against the introduction of compulsory veiling. Azam Talaghani, the chair of the Association of Islamic Revolutionary Women set up in 1979, was an outspoken member of the first parliament. As was noted earlier, she has been disqualified from standing as a candidate ever since. And yet she was the first Iranian woman to announce her candidacy for presidency in 1997 and for every presidential election since. This has encouraged many other women from all walks of life to do so, with 42 women registering their candidacy in the 2009 election. Although all women’s candidacies have been rejected by the Guardian Council without explanation, discussion has permeated all layers of society and increased criticism of the Iranian leaders’ gender conservatism.

Several other organisations are publicly active, promoting diverse gender discourses and policy analyses, and demonstrating how rarely women’s interests are taken into account. They also publish and use the internet to reach a wide audience. Increasingly reformists have reached out and joined forces with the secularists in various campaigns. These coalitions became particularly active during the 2009 presidential elections.

Secular women’s politics and the dawn of pragmatic activism

Since the establishment of the Islamic Republic, secular activists and intellectuals have been squeezed out of the very limited political space that was previously open to them. In the aftermath of regressive laws, compulsory veiling and the generally undemocratic nature of the regime some secular women’s rights activists left the country. The majority of those who stayed have continued their activism through informal gatherings, and have tried to strengthen networking with Iranian expatriates and the transnational women’s movement, to pressure the regime. Their most prominent strategies include documenting and publicising human rights abuses like stoning, public lashings and the dismal situation of women in the family court system, questioning Islam’s ability to deliver gender justice. This indirect dialogue influenced Islamist women’s move to pursue new woman-friendly readings of Islamic texts, which brought to the forefront issues of rights and gender justice within Islamic discourses on gender. These re-interpretations were then successfully used to lobby and reform the draconian family laws.

A limited reopening of space for secular women’s movement began with the liberal policies of the Rafsanjani government. In order to refute the image
of Iran as a dictatorial theocracy, the government was supportive of service-oriented NGOs, which operated primarily under the leadership of wives and daughters of officials, although secular women also managed to set up some, albeit ‘non-feminist’, organisations. Khatami’s Reformist government encouraged a limited expansion of civil society and public participation, and secular women began writing more openly for Islamist women’s magazines, engendering more direct communication and collaboration between ideologically diverse forms of feminist activism. In a way this was the dawn of a pragmatic feminism.

However, it was Shirin Ebadi’s receipt of the Nobel Peace Prize for her promotion of democracy and women’s and children’s rights that brought recognition and energy to the Iranian women’s movement as a whole, but especially to the secular women’s movement, which was now firmly a force to be reckoned with. In fact, in June 2005, secular women collaboratively organised the largest oppositional protest since the early years of the Revolution, demanding a revision of the Constitution to put an end to legal discrimination against women. However, since the election of Ahmadinejad, government harassment, imprisonment of secular activists, closure of women’s NGOs and of hundreds of print media outlets has dampened women’s open activism, but not quelled the movement, which developed a new strategy.

Collaborative campaigns and a digital public sphere

This stifling of the public sphere has led women’s organisations to use websites, blogs, virtual networks, and arenas for citizen’s journalism as the main channel to remain engaged in politics and the public sphere. That they successfully used the internet to transfer news and images of violent state suppression of protesters during the June 2009 rallies over election fraud, capturing the world’s attention, is an indication of their success. Although Iran’s government, like China’s, is investing heavily in methods of controlling or disrupting web-based activism, it has not yet fully mastered the art.

Regardless of the difficulty of public activism, the majority of women (regardless of class) view the clash between the needs and aspirations of women in daily life and state-imposed roles, values, and ideology as unacceptable, and activist women continue to find ways to resist and to push for reform. The face-to-face collection of signatures for the One Million Signatures campaign, aimed at reforming the constitution and removing the discriminatory laws, by a broad coalition of secular and reformist women in August 2006 is also an indication of the deepening of a more pragmatic women’s movement. Despite considerable arrests and imprisonments, this campaign has become very popular with young women. The support of Nobel Peace Prize-winner Shirin Ebadi has also greatly helped them cultivate linkages with transnational women’s and human rights organisations.

Learning from their own recent history and the fact that women activists did not have an independent political organisation or structure through
which to articulate their demands during the 1979 revolution, there has been an increasing desire to create a ‘collective aspirations document’ or a ‘women’s charter’ outlining women’s most pressing demands. After four years of strategising on how to make such a document as inclusive as possible under a repressive regime, the charter project was launched in October 2006, co-ordinated by a feminist website, Meydaan. A ‘Living Draft’ of the charter was publicly launched for wider consultation in May 2009 during the presidential campaign.26

Another example of a successful campaign is the Stop Stoning Forever initiative. A response to the revival of stoning with Ahmadinejad’s rise to power, it was a rallying point for many women and caused widespread dissent, undermining the government’s legitimacy. Launched by a small committee, including one of the authors, human rights lawyer, Shadi Sadr, the initiative attracted international media attention and led to the formation of larger transnational coalitions of women struggling to stop violence against women perpetrated in the name of culture and religion. These developments culminated in the ‘Global Campaign to Stop Killing and Stoning Women’ by the transnational network, Women Living under Muslim Laws.27 It greatly embarrassed the regime, to the point that it developed a legal and theological argument to drop stoning from the Iranian legal system.

The heavy handedness of Ahmadinejad’s government has brought women of all tendencies together to form pragmatic coalitions to challenge the government, particularly in response to the imposition of a more restrictive dress code, greater control over public spaces using a larger and better-paid ‘moral police force’, the quiet implementation of a quota system to limit women’s access to universities, and especially the proposed family code, which in practice would nullify almost all the reforms women have managed to push through over the previous decades. For the first time in the history of the Islamic Republic Islamist women, reformist women and secular women, including Shirin Ebadi and other women from the left, appeared side by side, unannounced, in parliament to protest against the proposed regressive family laws, which would make it easier for men to enter into polygynous marriages and limit women’s right to divorce. While their united action temporarily postponed the ratification of this law, in the aftermath of the disputed election and political unrest the parliament quickly passed the law in autumn 2009, showing once again its contempt for public opinion.

Having ‘forced’ the political establishment to recognise the significance of women’s votes, women demanded to be taken seriously as a political constituency in the 2009 presidential elections. Islamist, secular and reformist women organised coalitions to discuss and announce their demands in public. Furthermore, they organised meetings and public talks in which they questioned different presidential candidates on their gender platform. This proactive strategy not only brought women’s issues to the forefront of the election debates but also pushed the reformist candidates to accommodate women’s demands. In turn this attention to women’s concerns brought tens
of thousands of women who had planned to boycott the elections back into the electoral process.

Even Ahmadinejad felt obliged to nominate three women for ministerial posts following his disputed re-election victory in June 2009 (although only one was confirmed), in order to deflect accusations that his programme is regressive towards women. Despite controversies around his announcement, this in itself indicates the power of sustained demands for democracy and accountability.28

Conclusions

The experience of Iran indicates that religion, like other ideologies, is constantly manipulated, shaped and reshaped by its adherents. At least in theory, theological debate has the potential to accommodate gender equality, or at least gender equity, once women raise their voices and present women-centred readings of Islamic texts.29 However, the translation of these developments into actual laws to benefit women has been slow and stifled by the existing undemocratic state structure. Therefore the existence of a minimally democratic and accountable state structure, whether religious or secular, which promotes a vibrant civil society and public sphere is pivotal to the advancement of gender equality and any expansion of democracy and government accountability. Presently in Iran, given the subordination of the democratic sector to the undemocratic state structures, freedom of expression and organisation in civil society are easily suppressed if they contradict the interests of the conservative wing of the state—even if their demands come from within an Islamic framework. The reformist movement, which was a genuinely indigenous effort to build a democratic system from within a religious world-view, managed to mobilise a large segment of the population. However, without available mechanisms in the present state structure and given the highly repressive tactics employed by the ruling elite, the public has not been able to translate their demand for democracy, gender equality and human rights into legal change or demand responsiveness from state authorities. Iran’s recent history indicates that, without strong democratic and accountable state–society structures in place, a religious state tends to gravitate to dictatorial rule using both the instruments of the state and religious ideology to suppress dissent, particularly around gender issues which have been highly contested.

Notes

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The major slogan during the final month of revolution was ‘Freedoms, Independence, Islamic Republic’. The demand for a Republic meant to do away with the monarchy, which the public associated with a lack of democracy.

In Iran reformism refers to the effort to create a more democratic system while operating within a broadly Islamic framework. Reformists are therefore activists who have emerged from within the system (even if some reformists have come to question many of the premises of that system).

Article 20 reads ‘All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria’.

The detailed account of debates during preparation of the IRI’s Constitution, the 55th session, published by the Public Relations and Cultural Affairs committee of Parliament, first edition, pp 6150–6164.


Ibid.


Sadeghi, ‘The foot soldiers of the Islamic Republic’s “culture of modesty”’.

In 2008, 18 out of 244 registered ‘political parties’ were exclusively women’s, and new political strategies by women have given increased vitality and urgency to women’s demands for full citizenship rights.

We define as secular those who want to see the separation of religion and state and prefer to engage in activism from a human rights perspective.


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