

Islam, Gender and Democracy in Iran

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In 1995, in the course of research on gender and religious discourses in Iran, I came across a statement by the controversial religious intellectual Abdolkarim Soroush. It was in a lecture (audio-taped) that he gave to the annual meeting of the main student organization on the recent emergence of rights-based as opposed to duty-based approaches to Islam's sacred texts. As usual, in the break following Soroush's lecture, audience members handed in questions that he responded to after the break. In response to a question about why human rights were only weakly grounded in Islamic discourses, Soroush said something to the effect that "we can speak of human rights in Islam only when we treat a violation of *haqq* (rights) as we are used to treating a violation of *namus* (honour)."

Namus is a complex concept. In Iran, as in many neighbouring countries, it is a core value, so deeply ingrained in the dominant culture that it is rarely questioned or even discussed – except when it is attacked or infringed. It is very much linked with the notion of the sexual integrity of the family and the group. Girls are brought up to understand that their *namus* resides in their bodies; boys are raised with one of their prime duties being to protect the *namus* of their close female relatives, especially their sisters. These practices mean that a woman's sexual propriety is always the concern of some man: her father, brothers, husband, sons.

Before the 1979 revolution, these values and practices were strong throughout Iran, but the spread of education and liberal ideas had weakened them in certain sectors of society, mainly among the educated middle class in the larger cities, and particularly in affluent north Tehran. Notions of women's right to control their own bodies were germinating, and certain liberal laws were passed that improved the gender imbalance. Notably, the 1967 Family Protection Law restricted polygamy and gave women more or less the same rights as men to divorce and child custody.

The analogy between *haqq* (rights) and *namus* (honour) is intriguing, and of course gendered. It captures the obsession with sexuality and the control of women in Islamist discourses. But it was not until the disputed 2009 presidential election in Iran, and the

emergence of the ‘Green Movement’¹ in its aftermath, that I came to realize how much the two are associated. It is this association that I shall explore here; its dynamics, I suggest, have animated Iranian politics since the start of the twentieth century, when the quest for democracy began.

I argue, first, that to understand how Iranian politics have been shaped since the 1979 revolution, we need to question the conventional emphasis on a polarized struggle between ‘Islamic’ and ‘secularist’ tendencies. A tension between religiosity and secularity, and a radical difference of views over the proper place of religion in politics and the moral basis of legitimate authority, have always been integral to the main struggle, which has been, and continues to be, between the ideologies and practices of despotism and patriarchy, on the one side, and those of democracy, pluralism and gender equality, on the other. This struggle first emerged in the 1906-11 Constitutional Revolution, though the battle lines have shifted, as have the scope and nature of women’s participation in society and politics.²

Secondly, I argue that one of many unintended consequences of the merger of religious and political authority in post-revolutionary Iran has been a growing popular understanding of the nature of this struggle. This understanding made the 2009 election and its aftermath a turning point; by then, the traditional cultural value of *namus*, sexual honour, was indeed, for many Iranians, outweighed by the notion of *haqq*, rights, especially the right to vote and to have one’s vote counted. The regime’s violation of this right in the 2009 presidential election created such fury, such a gut reaction, that huge crowds came out on the streets of the cities, with men and women side by side in the demonstrations in open defiance of the regime’s rule of public gender segregation (designed to protect the ‘honour’ of women and the state). Popular anger was at first focused into a single slogan: “Where is my vote?” But as the protests developed and then were brutally suppressed, both the regime’s actions and the Green Movement’s responses increasingly played on the links between political rights and sexual honour.

I begin with an outline of political developments since the 1979 Revolution, leading to the 2009 presidential elections. Rather than framing my narrative in terms of whether the project of an ‘Islamic Republic’ has succeeded or failed, which has been the subtext of much literature on post-revolutionary Iran,³ I focus on how the inbuilt tension between

¹ A distinctive green colour was adopted by supporters of Mir-Hossein Mousavi, one of the reformist candidates, who promised to bring about a democratic shift in the political structure. See the collection edited by Nader Hashemi and Danny Postel, *The People Reloaded: The Green Movement and the Struggle for Iran’s Future* (New York: Melville House, 2010). The present chapter is a development and elaboration of my brief contribution to that collection, originally published as ‘Broken Taboos in Post-Election Iran’, *Middle East Report Online*, December 17, 2009, www.merip.org/mero/mero121709.

² This struggle first emerged in the 1906-11 Constitutional Revolution, though the battle lines have shifted. For a concise discussion, see Nader Hashemi, ‘Religious Disputation and Democratic Constitutionalism: The Enduring Legacy of the Constitutional Revolution on the Struggle for Democracy in Iran,’ in Ramin Jahanbegloo (ed.) *Civil Society and Democracy in Iran* (London: Lexington Books, 2012), 97-112.

³ For example, Olivier Roy, *The Failure of Political Islam* (London: I. B. Tauris, 1999).

‘Islamic’ and ‘Republican’ elements became a catalyst for ideological and social transformation.

The Quest for Democracy in Iran

During the twentieth century Iran experienced two popular revolutions. Both were animated by contestation over the proper place of religion in politics and the moral basis of legitimate political authority, and in both the main demands were independence of foreign powers, democracy and the rule of law; but both led to dictatorships, the first secular, the second religious.

In the 1906-11 Constitutional Revolution, secularist democrats initially gained the upper hand but, for a combination of internal and external reasons, democracy and the rule of law failed to take root; the resultant impasse was resolved in the 1920s by the modernizing and secularizing, but despotic, Pahlavi monarchy. A brief resurgence of democracy in the late 1940s was ended in 1953 by foreign intervention when a CIA-funded coup restored the Pahlavi autocratic monarchy. Over the next 25 years, both democratic and religious opposition to Pahlavi rule grew until they erupted in 1978-79 in the second revolution. The monarchy was replaced by an Islamic Republic, a novel combination of clerical theocracy⁴ and populist democracy, under the leadership of Ayatollah Khomeini.

This new Islamic Republic merged religious and political powers, declared Shari‘a the law of land and embarked on a fierce process of ‘islamizing’ law and society, with some devastating consequences for women, religious minorities and secular Iranians. In the process it came to confront two urgent late-twentieth-century demands: for democratic pluralism and for gender equality. These two demands transformed the Islamic Republic from within, challenging its uneasy amalgamation of Islamic and republican elements.

The post-revolutionary regime’s attempt to ‘Islamize’ law and society began with attempts both to safeguard women’s ‘chastity’ and to redefine the nature and scope of their rights. One of the first acts of the revolutionary regime was to dismantle the 1967 Family Protection Law. The victorious Islamist ‘brothers’ took upon themselves the duty of ‘protecting’ – in other words, controlling – the *namus* of all their ‘sisters’. Honour became collective and the state took charge of it. The authority of the regime, in fact, came to hinge on its success in policing sexual morality. Women’s ‘rights’ were only those granted them by the rulings of Muslim jurists, and relations between the sexes – in private as well as in public – were strictly confined by the red lines set by old jurisprudential texts. An official gender policy and culture were instituted, epitomized by compulsory head covering for women and promoted as the ‘culture of hijab’. The government instituted gender segregation in public space, criminalized sexual contact

⁴ I use theocracy in the sense of ‘government by divine guidance’, which as we shall see became enshrined in the Constitution of the Islamic Republic.

outside marriage, and reduced women to sexual objects, depriving them of many legal rights they had acquired before.

This effort to put the clock back was thwarted by the fact that, after the revolution, women retained the right to vote and participated at a much higher rate in education and public life. The state's appropriation of the role of protector of women's honour gave women from traditional and religious families the licence to be in public space, which now, in the eyes of their families, was purged from 'corruption'. This not only reduced the role of fathers and brothers and made the experience of patriarchy impersonal, thus psychologically much easier to reject; it also made it possible for those men who were not 'Islamic brothers' to identify with women's experience of oppression.

The literature on the politics of gender and law in post-revolutionary Iran is extensive.⁵ Much of the discussion in the early 1980s focused on dire predictions on the fate of women and their status as chattel under an Islamic Republic committed to application of the Shari'a. By the early 1990s the discussion moved to documenting women's increased gender consciousness, and how they were resisting state-imposed restrictions and struggling to retain their legal rights. In my own writings, I have argued that by identifying the 'Shari'a' with state law, the regime turned it into a site of political contestation and opened its rulings to scrutiny and public debate. Premised on a pre-modern notion of justice, these rulings entitle individuals to different rights on the basis of faith, social status and gender: they subject women to male authority and treat women and non-Muslims as second-class citizens. The result has been so out of touch with current understandings of justice, with popular aspirations, and with the ideals of the revolution, that ordinary people, as well as the religious and political elite, have come to rethink and redefine their notions of the sacred and the Shari'a.⁶ Paradoxically, by transforming Shari'a from an ideal into a state ideology and applying its legal mandates through the machinery of a modern nation state, the Islamic Republic has unwittingly set in motion a process of 'desanctification' and 'secularization' of its legal mandates. As we shall see, what made this possible was the ambiguity in founding theory of the state as to where the base of political and religious authority should lie.

⁵ This literature is too varied and complex to discuss here. Much of it has been produced by Iranians in exile. For a bibliographic essay on this literature until mid 1990s, see Ziba Mir-Hosseini, *Islam and Gender: The Religious Debate in Contemporary Iran* (Princeton: Princeton University Press, 1999; London: I. B. Tauris 2000). pp. 283-85; for insightful analysis, see Parvin Paidar, 'Feminism and Islam in Iran', in Deniz Kandiyoti (ed.) *Gendering the Middle East* (London: I. B. Tauris, 1996), 51-68; Afsaneh Najmabadi, 'Feminism in an Islamic Republic: Years of Hardship, Years of Growth', in Yvonne Y. Haddad and John L. Esposito (eds) *Islam, Gender and Social Change* (New York: Oxford University Press), 1998, 59-84; Nayereh Tohidi, 'The Women's Movement and Feminism in Iran: A Global Perspective', in Amrita Basu (ed.) *Women's Movements in the Global Era* (Boulder: Westview, 2010), 375-414.

⁶ See in particular Ziba Mir-Hosseini, 'Stretching the Limits: a Feminist Reading of the Shari'a in Post-Khomeini Iran', in Mai Yamani (ed.) *Islam and Feminism: Legal and Literary Perspectives* (London: Ithaca Press, 1996), 285-319; 'Muslim Women's Quest for Equality: Between Islamic Law and Feminism', *Critical Inquiry* 32 (summer 2006), 629-45; 'Debating Women: Gender and the Public Sphere in Post-Revolutionary Iran', in Aryn Sajoo (ed.) *Civil Society in Comparative Muslim Contexts* (London: I. B. Tauris & Institute of Ismaili Studies, 2002), 95-122.

“Islam” vs “Republic”

Brought into existence following a popular revolution, the idea of an ‘Islamic Republic’ was premised on two broad assumptions: first, that what makes a state ‘Islamic’ is adherence to and implementation of the Shari‘a; secondly that, given free choice in elections to political office, the people will choose ‘Islam’ and thus vote for clerics, as the custodians and interpreters of the Shari‘a.⁷

The constitution of the Islamic Republic clearly recognizes the people’s right to choose who will govern them, establishing democratic and legislative institutions such as the parliament and the presidency, both elected by direct popular vote. But it subordinates the people’s will to that of the clerical establishment through the unelected institutions of the Rule of the Jurist (*velayat-e faqih*), or Leader (*rahbar*), and the Guardian Council, composed of twelve members, six of whom are jurists appointed by the Leader, the other six being laymen nominated by the head of the judiciary and approved by parliament, with a tenure of six years. The Leader has a wide mandate and a final say in running the state. Guardian Council members are charged with deciding whether laws passed by parliament conform to the Shari‘a and the constitution; in effect, they are the official interpreters of both constitution and Shari‘a.

The constitution named Khomeini as Leader for life, and created an Assembly of Experts to choose his eventual successor and to supervise his activities by ensuring that he complies with his religious and constitutional duties. The 86 members of this Assembly are popularly elected every eight years; but only qualified clerics are eligible to stand, and from the outset conservative clerics have dominated the Assembly. In practice so far, the Assembly has merely endorsed the actions of the Leader. The Constitution allows the Guardian Council to supervise all elections, which they have interpreted as the right to vet candidates’ eligibility to stand. This means that, in effect, the Assembly of Experts and the Guardian Council form a closed system that allows the Leader unlimited power. Through his appointees to the Guardian Council, he can control both legislative and executive powers.⁸

⁷ This section draws on my earlier writings, in particular, ‘Women and Politics in Post-Khomeini Iran: Divorce, Veiling and Emerging Feminist Voices’, in Haleh Afshar (ed.) *Women and Politics in the Third World* (London: Routledge, 1996), 149-69; ‘The Conservative and Reformist Conflict over Women’s Rights in Iran’, *International Journal of Politics, Culture and Society* 16/1 (Fall 2002), 37-53; ‘The Politics and Hermeneutics of Hijab in Iran: From Confinement to Choice’, *Muslim World Journal of Human Rights* 4/1 (Summer-Fall 2007), Art 2 [no page nos]; and Ziba Mir-Hosseini and Richard Tapper, *Islam and Democracy in Iran: Eshkevari and the Quest for Reform* (London: I. B. Tauris, 2006), 1-38.

⁸. For the Constitution, see Asghar Schirazi, *The Constitution of Iran: Politics and the State in the Islamic Republic* (London: I. B. Tauris, 1997). For the political structure see Wilfred Buchta, *Who rules Iran? The Structure of Power in the Islamic Republic* (Washington DC: Washington Institute for Near East Policy, and Berlin: Konrad Adenauer Stiftung, 2000). For further developments and amendments of the Constitution, see Said Amir Arjomand, *After Khomeini: Iran under his Successors* (Oxford University Press, 2009). For a reassessment of the process of drafting the constitution, see Ali Rahnama, ‘Ayatollah

As the revolutionary fervour subsided, neither of the initial assumptions proved as valid or clear-cut as the framers of the constitution hoped, and cracks in the system soon appeared. Either the notion of 'Islamic' must adapt to the political exigencies of a modern democracy; or the people's choice must be restricted or bypassed, which meant betraying the revolution's ideals and losing the popular support from which the regime drew legitimacy.

The story of the Islamic Republic has been the story how the rulers have sought to manage this basic problem of legitimacy, and their success or failure has been measured in regular elections. Simply put, it is the story of the unfolding of the structural tension between the elected and unelected institutions within the state, embodied in the concepts of 'Islamism' and 'republicanism'.

As long as Ayatollah Khomeini was alive, this tension was managed and did not confront the state with a crisis of legitimacy. There were several reasons for this. First, apart from Khomeini's personal charisma as Leader, and his religious standing as supreme religious authority, his style of leadership helped to diffuse the tension. Not only was he mindful of – and responsive to – the popular will, he managed to rise above factional politics and to avoid being claimed by any faction. Perhaps the most important reasons were the freshness of the revolutionary momentum, and the fact that the politics of the period were preoccupied with the Iran-Iraq war (1980-88), a unifying force that provided the mechanisms for suppressing dissent.

Islamist hardliners eventually gained the upper hand and excluded secularist and liberal Islamists from structures of power. But the issue of legitimate authority remained crucial, revealing the ambiguity in the founding theory of the state as to where the base of political and religious authority should lie. In Twelver Shi'ism, supreme religious authority is encapsulated in the institution of *marja'iyat*, embodied in the person of the *marja'-e taqlid* (the 'source of emulation') – that is, a high-ranking cleric whose opinions in matters of religious law are binding on those who choose to follow him. *Marja'iyat* as an institution emerged in the nineteenth century, and, on the eve of the Revolution, there were five *maraje'* in the Shi'i world. Ayatollah Khomeini was one of them. Each had his followers and supporters among ordinary Shi'a all over the world and among clerics and students in various seminaries.⁹ They were equal in rank and religious authority; none was recognized as sole *marja'*, and none had a modern state apparatus at his disposal.

Khomeini's Rule of the Guardian Jurist: From Theory to Practice,' in Arshin Adib-Moghadam (ed.) *A Critical Introduction to Khomeini* (Cambridge: Cambridge University Press, 2014), 88-114.

⁹ Ayatollah Khoi'i (d. 1992) lived in Najaf, the rest in Iran: Ayatollahs Shari'at-Madari (d. 1982), Mar'ashi-Najafi (d. 1992) and Golpaygani (d. 1993) in Qom, and Khonsari (d. 1985) in Tehran; see Moojan Momen, *An Introduction to Shi'i Islam* (New Haven & London: Yale University Press, 1985), p. 249; Michael Fischer, *Iran: From Religious Protest to Revolution* (Cambridge MA: Harvard University Press, 1980), 88.

As the Islamic Republic consolidated itself, a structural contradiction between the two notions of authority – the *marja'iyat* and the *velayat-e faqih* – became increasingly evident. The first has no overt political claims, having evolved through a tacit consensus between Shi'a masses and clerics. The second, a child of the Revolution, has no precedent in Shi'a political thought, but exerts power over and demands allegiance from all the Shi'a. It invests the ruling Jurist with the kind of powers and mandate that Shi'a theology recognizes only for the Prophet and the twelve Infallible Imams.¹⁰

By 1988, the tension between these two notions of authority intensified and brought about a constitutional crisis. There was conflict not only between the clerical supporters and opponents of *velayat-e faqih*, but also between the factions within the ruling elite, who held differing views of authority. Khomeini's dismissal of his designated successor, Ayatollah Montazeri, in March 1989, added a new edge to the tension. Montazeri was the most senior clerical supporter of the principle of *velayat-e faqih*, and also the only one whose own *marja'iyat* was recognized. He had impeccable revolutionary credentials: he had spent years in the previous regime's prisons, played an instrumental role in inserting the *velayat-e faqih* into the Constitution, and published discussions on the subject from both theoretical and theological angles. But he was also a vocal critic of state policies, and was not willing to compromise his religious standing and beliefs for the sake of power. Montazeri's dismissal, the outcome of an acrimonious struggle for the succession, was in effect a proof of the impossibility of combining the old and new notions of authority.

The crisis was resolved when Khomeini himself gave his blessing to the separation of *velayat* and *marja'iyat*, and set up a committee for revision of the constitution. His death in June the same year forced a redefinition of the relationship between religious authority and the state.¹¹ In July 1989, parliament speaker 'Ali Akbar Hashemi Rafsanjani was elected president. A popular referendum ratified a revised Constitution that no longer required the Leader to be a *marja'* but merely a cleric qualified to issue fatwas in all fields of Islamic law. The revised constitution also abolished the office of prime minister (filled since 1981 by Mir-Hossein Mousavi), and transferred its executive powers to the presidency. Rafsanjani's priorities and his pragmatic approach reversed some of the earlier policies, notably in the areas of economy and foreign affairs. The welfare policies of the wartime government under Prime Minister Mousavi were replaced by measures that encouraged the growth of the mercantile bourgeoisie and state-connected entrepreneurs.¹²

¹⁰. See Said Amir Arjomand, *The Turban for the Crown: The Islamic Revolution in Iran* (Oxford: Oxford University Press, 1988); Abdulaziz Sachedina, *The Just Ruler in Shi'ite Islam: The Comprehensive Authority of the Jurist in Imamite Jurisprudence* (Oxford: Oxford University Press, 1988); Shahrokh Akhavi, "Contending Discourses in Shi'a law on the Doctrine of *Wilayat al-Faqih*," *Iranian Studies* 29/3-4 (1996), 229-68.

¹¹. For a succinct discussion see Said Amir Arjomand, "The Constitution of the Islamic Republic", *Encyclopaedia Iranica* 6 (1992), 151-8.

¹². Ali Ansari, *Iran, Islam and Democracy: The politics of managing change* (London: Royal Institute of International Affairs, 2000), 52-81.

Khomeini's successor as Leader, Ali Khamene'i, a middle-ranking cleric, lacked his religious authority and charisma, which made him hostage to the seminary and factional politics. Using the institutions at his disposal, Khamene'i started to expand his own power base and to narrow the scope of democracy, especially by introducing a more stringent vetting of candidates for elected office. This upset the delicate balance of power and the working relationship that had developed between the two ruling 'factions', the so-called 'Rightists' and 'Leftists'. Although often spoken of as polarised factions, these terms are relative, the Rightists being more conservative and theocratic, the Leftists more progressive and democratic; they were all, of course, Islamists and supporters of the principle of *velayat-e faqih*. Indeed, differences among them are best seen as positions around which people gathered in relation to specific issues, many in the centre shifting position according to the issue.¹³

By the mid-1990s the Leftist faction had lost all their influence in the judiciary, and, while they kept their middle-rank officials in government, they lost their ministers. One of them was Mohammad Khatami, Minister of Islamic Guidance and Culture since 1982. In 1992, he resigned under pressure from the Rightist faction, who saw his liberal policies as allowing a form of 'cultural invasion'. Set aside from decision-making bodies, some of the senior Leftist clerics retired from politics and returned to the seminaries,¹⁴ others formed political groups and bodies in the seminaries,¹⁵ or set up research and study groups in Tehran and devoted themselves to 'cultural activities'.¹⁶ They went into a period of political retreat and reflection, during which some of them broke away from absolutist ideology and started to argue for democratic principles and the rule of law.¹⁷ In so doing, they joined the increasing numbers of ordinary citizens who were becoming disillusioned by the widening gap between the ideals of the Islamic revolution for which they had fought and the realities of the Islamic state they had helped to create.

Gender Debates Resurface

Women, more than any other sector, had reasons to be disaffected. They felt the harsh reality of subjection to a patriarchal interpretation of Islamic law when applied by the

¹³. For factional politics, see Bahman Baktiari, *Parliamentary Politics in Revolutionary Iran: The Institutionalization of Factional Politics* (Gainesville: University Press of Florida, 1996) and Mehdi Moslem, *Factional Politics in Post-Khomeini Iran* (Syracuse: Syracuse University Press, 2002).

¹⁴. For instance, Ayatollah Yusef Sane'i, head of the Guardian Council until 1984, and Ayatollah Musavi Ardabili, head of the Judiciary until 1987. Both are now among the main supporters of reform.

¹⁵. For instance, *Majma'-e Modarresin va Mohaqeqin-e Houzeh-ye 'Elmiyeh* (Assembly of Teachers and Researchers of Qom Seminaries) was founded as an alternative reformist body to the conservative-dominated *Jame'eh-ye Modarresin-e Houzeh-ye 'Elmiyeh* (Society of Teachers of Qom Seminaries)

¹⁶. For the different circles of religious intellectuals and their link with the reformist movement, see Hamid Reza Jalaeipour, 'Religious intellectuals and political action in the reform movement', in Negin Nabavi (ed.), *Intellectual Trends in Twentieth-Century Iran: A Critical Survey* (Gainesville: University Press of Florida, 2003), 136-146.

¹⁷. For an overview of the intellectual and socio-political roots of this transformation, see Ahmad Ashraf and Ali Banuazizi, 'Iran's Tortuous Path toward "Islamic Liberalism"', *International Journal of Politics, Culture and Society* 15/2 (Winter 2001), 237-56.

legal machinery of a modern state. They kept their suffrage rights, but most of the pre-revolutionary legal reforms were abolished. Men regained their rights to unilateral divorce and polygamy, while women's rights to divorce and child custody were limited and they were forbidden to study mining and agriculture, to serve as judges, and to appear in public without hijab. Many Islamist women, who had genuinely, if naively, believed that women's position would automatically improve under an Islamic state, were increasingly disappointed. They included some early activists, who had played instrumental roles in discrediting feminists and destroying the pre-revolutionary women's press and organisations, as well as many ordinary women for whom Islam meant justice and fairness.¹⁸

Yet despite women's experience of legal setbacks and other discrimination, the Islamic Republic's 'Islamization' and segregation policies paradoxically became a catalyst for their increased participation in society. As the coalition of forces that had brought about the Revolution collapsed, the religious authorities came to rely more and more on popular support, including that of large numbers of women. This gave an opportunity for political activity to so-called 'traditional' women, who until then had seen politics as beyond their realm. At the same time, the long-drawn-out war with Iraq, and the accompanying rapid price inflation, forced women into the labour market, while the state's moralistic rhetoric and compulsory veiling made women's activity outside the home respectable in the eyes of religious and traditional families.

The 'pragmatic' presidency of Rafsanjani brought some modification in official discourses and policies, and some opening of public space. Some of the earlier restrictions on subjects women could study were removed; family planning and contraception became freely available; divorce laws were amended so as to curtail men's right to divorce and to compensate women in the face of it; and women were appointed as advisory judges in family courts.¹⁹ Debates about gender issues, harshly suppressed after the revolution, resurfaced. Conducted publicly in the women's press, these debates revealed a growing dissent and pressure for legislation to curb the inequity of men's Shari'a rights. By the early 1990s, there were clear signs of the emergence of a new gender consciousness and a critique of the gender biases in Islamic law. *Zanan (Women)*, a women's magazine, was the first to air this critique. Its editor and founder, Shahla Sherkat had played a role in the Islamization of the women's press; in 1982 she became an editor of *Zan-e Ruz*, the most popular and outspoken pre-revolutionary women's magazine that the Islamists had taken over, but in the process she became a critic of patriarchal interpretations of the Shari'a and found allies in feminism.²⁰ It is certainly true

¹⁸. Ziba Mir-Hosseini, 'Divorce, veiling and feminism in post-Khomeini Iran', in H. Afshar (ed.), *Women and Politics in the Third World* (London: Routledge, 1996), 142-170.

¹⁹. Nesta Ramazani, 'Women in Iran: The revolutionary ebb and flow', *Middle East Journal* 47 (1993), 409-428.

²⁰. See Afsaneh Najmabadi, 'Years of Hardship, Years of Growth,' in Yvonne Y. Haddad and John Esposito (eds) *Women, Gender and Social Change in the Muslim World* (New York: Oxford University Press 1998), 59-84; Ziba Mir-Hosseini, 'Stretching the Limits: a Feminist Reading of the Shari'a in Post-

that the Islamic Republic's rhetoric and policies in the 1980s marginalised and excluded so-called 'Westernised' women, but it is also true that they empowered many other women, who came to see themselves as citizens entitled to equal rights. It was becoming increasingly apparent to them that they could not become full citizens unless a modern, democratic reading of Islamic law was accepted.

Rise and Fall of the Reformists

Such a reading was the objective of a group of Muslim intellectuals, advocates of what came to be known as 'New Religious Thinking'. They included laymen and women as well as clerics, all of whom now saw a widening gap between the ideals of the revolution and the realities and policies of the Islamic state in which they lived. Representing various strands of modernist Islamic thought that had remained dormant during the war with Iraq, they offered new interpretations of Islam and began to articulate a theoretical critique of the Islamic state from an Islamic perspective.²¹ Most prominent was Abdolkarim Soroush, who published a series of controversial articles between 1988 and 1990 on the historicity and relativity of religious knowledge, later developed as a book on 'The Theoretical Contraction and Expansion of Sharia'. In a direct challenge to the religious authority of the clerical establishment, Soroush sought to separate religion from religious knowledge, arguing that, while the first was sacred and immutable, the second was human and evolved over time as a result of forces external to religion itself.²²

Thus, after over a decade of the experience of Islam in power, Islamic dissent began to be voiced among 'insiders'. Whereas in the 1980s these men and women worked to consolidate the Islamic Republic, in the 1990s, armed with Soroush's theory of the relativity of religious knowledge, they sought to create a worldview reconciling Islam and modernity, and argued for a demarcation between state and religion. They tried to redefine and rework Islamic concepts and succeeded in producing discourses that were to become highly attractive to youth and women. They argued that the human understanding of Islam is flexible, that Islam's tenets can be interpreted to encourage both pluralism and democracy and to allow change according to time, place and experience. For them the question was no longer who should rule, but how they should rule, and what mechanisms there should be to curb the excesses of power. In this way, they began to cross the red lines that had previously circumscribed any critical discussion of the political dogma that sanctioned the concentration of power in the institution of Leadership. Meanwhile, the

Khomeini Iran', in Mai Yamani (ed.) *Islam and Feminism: Legal and Literary Perspectives* (London: Ithaca Press, 1996), 285-319.

²¹. For the emergence of this discourse and its key figures, see Mehran Kamrava, *Iran's Intellectual Revolution* (Cambridge: Cambridge University Press, 2000), 120-72.

²². See Frough Jahanbakhsh, *Islam, Democracy and Religious Modernism (1953-2000); From Bazargan to Soroush* (Leiden: Brill, 2001); Mahmoud Sadri, 'Sacral defense of secularism: The political theologies of Soroush, Shabestari, and Kadivar', *International Journal of Politics, Culture and Society* 15 (2) (2001), 257-270; Charles Kurzman, 'Critics Within: Islamic Scholars Protest Against the Islamic State in Iran', *International Journal of Politics, Culture and Society* 15 (2) (2001), 115-35.

struggles between traditionalist and pragmatic interpretations of the Shari‘a intensified; and there were increasing signs of popular dissatisfaction with state policies and resentment of the many injustices brought by the ‘Islamization’ of the legal system, which placed the administration of justice in the hand of clerics, and focused on two areas of law: family and criminal law.

Almost every other year under the Islamic Republic there have been elections. Electoral campaigns are those rare moments when the regime’s tolerance level rises, and contentious issues can be raised with less fear of repression; they have become occasions for dialogue between the Islamic and Republican sides of the state, as well as between the regime and civil society. This dialogue fostered the emergence of reformist forces seeking to democratize and liberalize the regime from within. Just before the 1996 parliamentary election, with the support of Rafsanjani whose liberalizing policies were increasingly meeting opposition from the traditional right faction, a group of technocrats formed a new political group (Servants of Construction). Representing the new and moderate right, this group entered the election campaigns with a separate list of candidates. Among them was Rafsanjani’s youngest daughter, Fa’ezeh, who had played an important role in prompting women’s access to sports both at the national and international level. She won the second highest vote in Tehran; it was rumoured that she had in fact topped the poll, but the candidate of the traditional right, Akbar Nateq-Nouri, who was reportedly being groomed for the presidential elections due the following year, was declared the winner.²³ Then in 1997, a last-minute political alliance between outgoing president Rafsanjani’s pragmatic modernist right and the Islamic left put forward former culture minister Mohammad Khatami to oppose Nateq-Nouri. The people voted *en masse* for Khatami, who stood for ‘rule of law’ and ‘civil society’, and whose ideas and language were drawn largely from the New Religious Thinkers.²⁴

The public will asserted itself once again in 1997, when Khatami was elected president, bringing a shift from the theocratic to the democratic side. Almost overnight, new cleavages opened and new political alliances were forged. The major cleavage was now between ‘Conservatives’, who insisted on keeping the ideological construction of ‘Islam’ intact, and ‘Reformists’, who sought to reconcile Islam with the discourses of democracy and human rights. The relatively liberal policies of Khatami’s government allowed the voices of dissident intellectuals, both lay and clerical, to be aired in the press and to reach the public. A new public space emerged, comprising a vocal and dynamic press, the universities, the seminaries, and parliament, where the ambiguities and contradictions in the original idea of the Islamic state, its translation into law and policy, the nature of the Shari‘a and its place in everyday life, were all subjects of debate.²⁵

²³. See Ziba Mir-Hosseini, ‘The Rise and Fall of Fa’ezeh Hashemi: Women in Iranian Elections,’ in *Middle East Report* 218 (Spring 2001), 8-11.

²⁴. For elite factionalism, see Moslem, *Factional Politics*; and Mathew C. Wells, ‘Thermidor in the Islamic Republic of Iran: The Rise of Muhammad Khatami’, *British Journal of Middle Eastern Studies* 26 (1) (1999), 27-39.

²⁵. Some of these debates are translated in Mir-Hosseini and Tapper, *Islam and Democracy in Iran*.

The victories of reformist candidates in the municipal and parliamentary elections of 1999 and 2000, and Khatami's re-election in June 2001 with over 77 per cent of the vote, showed the strength of mass support for the advocates of the new discourse and their vision of Islam. But despite these electoral gains, which put them in charge of both executive and legislative powers, the reformists were unable to fulfil their electoral promises. Instead, they became both internally divided and locked in a fierce political battle with their conservative opponents, who were now identified and aligned with the theocratic and unelected side of the Islamic Republic.

Gender issues became a major area of confrontation. Women's rights and the reform of family law were central issues in the reformists' successful campaign for the 2000 parliamentary elections, but the Guardian Council frustrated their subsequent legislative moves.²⁶ Despite the slow pace of legal reforms, the Islamic Republic's gender codes began to be relaxed, and the wisdom of compulsory *hijab* came to be questioned: an issue that until then had been a red line that no one had dared to cross. In theory no debate had been tolerated; but in practice, many women had challenged the imposition of *hijab* from the outset, and constantly pushed back its frontiers, and the gender segregation codes had also been flouted.²⁷ By the early 2000s, colourful and stylish outfits had made their way back onto the streets, and young people increasingly broke gender segregation rules with impunity. Celebrations of International Women's Day, 8th March, which had been held during Rafsanjani's presidency by some women activists in their private homes, now became public events. Activists directed their energies into 'cultural activities', a euphemism for criticism of biases in law and society. New NGOs were created, with briefs ranging from environmental issues to defending the rights of political prisoners, providing legal services for disadvantaged women and the protection of abused children. Some of these activists openly called themselves 'secular feminists' and started to distance themselves from the reformists in government.

But the conservatives, led by Khamene'i, successfully used the power of the un-elected bodies to frustrate all the reformists' initiatives in government and legislative moves in parliament. They also silenced key reformist personalities, first by assassinating, then by prosecuting and jailing them, and closed down the vibrant free press that was one of the main early achievements and a platform for the reformists. These measures, however, failed to silence the debates and to circumscribe the public sphere, but rather highlighted the urgency of the debates and the necessity for such a sphere.²⁸

²⁶. See Ziba Mir-Hosseini, 'Fatima Haqiqatjoo and the Sixth Majles: A Woman in Her Own Right', *Middle East Report* 233 (Winter 2004), 34-38, www.merip.org/mer/mer233/fatemeh-haqiqatjoo-sixth-majles.

²⁷. See Ziba Mir-Hosseini, 'The Politics and Hermeneutics of Hijab in Iran: From Confinement to Choice,' *Muslim World Journal of Human Rights*, 4(1), ISSN (Online) 1554-4419, DOI: 10.2202/1554-4419.1114, September 2007.

²⁸. For an overview of this period, see Ghoncheh Tazmini, *Khatami's Iran: The Islamic Republic and the Turbulent Path to Reform* (London: I. B. Tauris, 2013).

Nonetheless, divided and unable to deliver on their electoral promises or to bring about a democratic shift in the structures of power, the reformists started to lose popular support. By the time of the February 2003 council elections, the stalemate produced what the reformists had feared most: voter apathy. Conservatives won the major cities by default – in Tehran, the turnout was a mere 14 per cent – though not the villages and small towns.

For the parliamentary elections the following year, the Guardian Council disqualified a large number of reformist candidates, including eighty sitting members. The reformists protested, members organised a sit-in, and there was talk of President Khatami's resignation, but to no avail. The election went ahead without the participation of the largest reformist parties. The conservatives won the election, but victory came at a price: in order to appeal to the popular legitimacy on which the Islamic Republic was founded, they had to appropriate the reformist platform, or at least its rhetoric. The turnout of around 42 per cent was the lowest for any parliamentary election in the Islamic Republic.

In the June 2005 presidential elections, having lost the popular argument to the reformists, but strengthened by the reformist government's failures in both domestic policy and foreign relations, the theocratic forces relied on the Revolutionary Guards to ensure the election of their candidate, Mahmud Ahmadinejad. The means by which this was done – rigged ballot boxes, interference with the electoral process by organising mass votes for their candidate – further undermined the popular legitimacy and mandate on which the Islamic Republic had so far rested.

The failure of the reformists in the 2005 election was also a consequence of U.S. policy in the Middle East. Despite Iran's assistance in dislodging the Taliban in Afghanistan in 2001, U.S. President Bush included Iran in his 'Axis of Evil' in early 2002. Even after Iran helped to stabilize Iraq following the U.S. invasion in 2003, the Bush administration refused to talk to Iran about nuclear and other issues and appeared determined on regime change. These rebuffs all had a decisive impact on Iranian internal politics. The conservative and theocratic forces in Iran were able to point to the reformists' foreign policy failures, and to use the threat of invasion to silence voices of dissent and to derail the democratic process. The hardliners had what they needed internally as well as the opportunity to aim for regional influence and popularity in the Muslim world.

During Ahmadinejad's first presidential term, the Revolutionary Guards, from which many of his ministers had emerged, gained increasing control of the country. His government tried to resurrect the early revolutionary gender discourse and policies, and to undo the modest but steady gains of women and civil society during the reformist phase. They reinstated restrictions on celebrating 8th March, and cancelled some women's meetings planned in universities. In April 2006, police and paramilitary forces broke up the 8th-March meeting organized by women activists in a central Tehran park. In same month, the police launched an unprecedented aggressive drive to re-impose the rigid codes of dress and comportment that prevailed in the early days of the revolution. The initiative – called 'Moral Security Plan' – involved female police in full chador, and

targeted young women sporting the new hijab fashion, consisting of tight tunics, short trousers and narrow scarves. Thousands of women were arrested in big cities, with many hundreds of thousands receiving verbal warnings. Then in June, when women tried to stage a rally in a main square in Tehran to protest against discriminatory laws, they were beaten and many were arrested, including a number of men. Most detainees were released within a week, some on bail, to appear in a Revolutionary Court on charges of ‘propaganda against the system’, ‘acting against national security’ and ‘participating in an illegal demonstration’.²⁹ The government introduced a number of regressive measures, notably gender quotas to limit women’s admission to university – by then they numbered nearly two thirds of students; and a family bill that made it easier for men to marry polygamously. In January 2008 *Zanan* magazine was closed down for ‘blackening the authorities’ by reporting incidents of militia forces raping girls they had arrested on the pretext of ‘bad hijab’.³⁰

Yet despite increasing pressures (such as regular interrogation by security forces, and detention after attending meetings abroad) and disagreements over what actions to take, women’s rights activists remained undaunted and launched a number of campaigns. These campaigns, conducted through the Internet and on their websites, became the focal point for opposition to discriminatory laws, raising consciousness, and opening a new forum for discussion and debate in the face of the increasing censorship of the press and the closure of NGOs. Prominent among them was ‘One Million Signatures Demanding Changes to Discriminatory Laws’, which became the model for other campaigns and connected women activists inside with Iranians in the diaspora. Launched in August 2006, and inspired by Moroccan women’s successful 1992 campaign to change family laws, it became a magnet for activists to take the message of gender equality into civil society, by doorstep meetings with ordinary women, and by workshops and online discussions.³¹

Instead of silencing reformists and human rights and women’s activists, Ahmadinejad’s government succeeded only in uniting them and making their demands more radical. Reformist and women’s websites, now the only forum in which activists could still interact, continued the debate and became bolder in their critique of violations of what they considered to be their basic human rights. In this way, the public sphere that emerged after Khomeini’s death and was nurtured during Khatami’s presidency (1997-2005) not only survived but became more and more oriented towards rights.³²

²⁹. Ziba Mir-Hosseini, ‘Is Time on Iranian Women Protestors’ Side?’, in *Middle East Report Online*, June 16, 2006, <http://www.merip.org/mero/mero061606>.

³⁰. See http://www.nytimes.com/2008/02/07/opinion/07thu1.html?_r=0

³¹. For the campaign site, see we-change.org and we-change.org/site/english/. For other campaigns, see meydaan.info; the website has not been updated since July 2009 but contains important campaign documents at meydaan.info/campaign.aspx?cid=46

³². See Negin Nabavi, ‘From “Reform” to “Rights”’: Mapping a Changing Discourse in Iran, 1997-2009,’ in Negin Nabavi (ed.) *Iran: From Theocracy to Green Movement* (London: Palgrave, 2012), 39-54.

Rights and Sexual Honour in the 2009 Election: A Turning Point

The 2009 presidential election, when Ahmadinejad stood for a second term, took place against the background of these developments. As the election date approached, reformist personalities and groups started to mobilise people to vote. Former President Khatami was persuaded to run again. The reformist Mehdi Karroubi, who had lost the 2005 election to Ahmadinejad, also announced his candidacy on behalf of the party he had formed then, shortly after resigning from all his governmental posts in protest at what he described, in an open letter, as election-rigging by the Revolutionary Guards and one of Khamene'i's sons. Then in March Mir-Hossein Mousavi, the former prime minister, entered the presidential race after over twenty years of political silence, and before long Khatami withdrew in his favour. Having had Ayatollah Khomeini's backing and a popular base due to his welfare policies, Mousavi now stood as an independent centrist candidate. His campaign, reminiscent in many ways of Khatami's in 1997, was run by a group of young activists, who, lacking access to state-controlled media – in particular television, which was heavily biased toward Ahmadinejad – skilfully used digital media to reach large numbers of people.

On election day, 12 June, the turnout throughout the country was high. But it was followed by what many have interpreted as a coup d'état by theocratic forces. From the beginning, numerous serious irregularities were reported: Revolutionary Guards and the Interior Ministry clamped down on Ahmadinejad's opponents; in many cases, they kept their representatives out of both polling booths and counting stations; they attacked Mousavi's campaign headquarters and arrested his aides and other prominent reformists and journalists. The official result was announced on TV only two hours after polling ended, declaring Ahmadinejad the winner with 63 per cent of the votes, Mousavi second with less than half that, and the other two candidates Karroubi and Mohsen Reza'i (a former head of the Revolutionary Guards) with single figures: there were indications that these proportions had been decided in advance of the polling.³³

Mousavi and Karroubi refused to accept the results, and asked for a recount. On 13 June, Ahmadinejad celebrated his victory, and in a provocative speech referred to those objecting to the poll as 'dirt and dust' that would be soon washed away. On 15 June, an estimated 2 million protesters marched through Tehran with the single slogan, 'Where's my vote?' This was the biggest protest march since the 1979 revolution, and a direct challenge to the theocratic forces. It was followed by more protests, which the government met with violence. In a much-awaited Friday prayer speech on 19 June, Khamene'i, instead of finding a healing formula, threw oil on the fire. He blamed foreign media for 'doubts over election results', dismissed the protesters and warned them of further government violence if they persisted. But the protests continued, leading to the formation of the popular movement for change, which came to be known as the Green

³³. For an insightful analysis, see Farideh Farhi, 'The Tenth Presidential Elections and Their Aftermath,' in Nabavi (ed.) *Iran: From Theocracy to Green Movement*, 3-16.

Movement, under the joint – but very diffuse – leadership of Mousavi, Karroubi and Khatami, with Rafsanjani attempting to mediate reconciliation with the Leadership.

In the 2009 election and its aftermath, both the protests of supporters of the Green Movement and the reactions of the regime were pervaded by implicit and explicit links between rights and honour – *haqq* and *namus*. This, as I argued earlier, was a by-product of the gender policies of the Islamic Republic and the politicization of sexual honour, which had been previously a private matter for the family and the local community. Not surprisingly, over the decades since the revolution, many men and women, particularly the young, have come to challenge the rhetoric and values of honour, as a way of challenging the state's denial of their personal and political rights.

In my view, we can identify four key moments in the 2009 election and its aftermath that heralded a new phase in Iranian political culture that is bound to affect the deep structures of power. The first moment was the nature of women's political participation. For a long time, a division, if not an antipathy, between 'secularist' and 'religious' women had marked the politics of gender. The distinction refers to political attitudes, not personal piety. 'Religious' women, in the main, believed that the country's laws and social norms should be based upon Islam, while 'secularist' women might be anti-clerical or advocate the complete separation of mosque and state. Many women of all persuasions backed the reformist President Mohammad Khatami because he promised concrete improvements in women's lives, but the divide lingered nonetheless.

On the eve of the 2005 election, at the end of Khatami's second term, when secularist women's groups organized a rally in front of Tehran University to ask for equality, framing their demands in constitutional terms, women from the official reformist parties did not join them. They did not want to break all ties with the establishment and to be seen as siding with the newly vocal secularist feminists, who for their part were keen to keep their distance from religious reformists.³⁴

But four years later, in April 2009, 42 women's groups and 700 individuals, including both secularist feminists and religious women from the reformist parties, came together to form a 'Women's Convergence'.³⁵ Without supporting any individual candidate, the coalition posed pointed questions to the field. They raised two specific demands: first, ratification of the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), which had been approved by parliament when the reformists were in the majority but was then rejected by the Guardian Council; and second, revision of Articles 19, 20, 21 and 115 of the Iranian constitution that enshrine gender

³⁴. See Ziba Mir-Hosseini, 'Is Time on Iranian Women's Side?', and Mahsa Shekarloo, 'Iranian Women Take on the Constitution,' *Middle East Report Online*, 21 July, 2006, www.merip.org/mero/mero072105.

³⁵. See my earlier analysis of the 2009 election, 'Broken Taboos in Post-Election Iran'; see also Nayereh Tohidi, 'Women and Presidential Elections: Iran's New Political Culture,' *Informed Comment*, 30 September, 2009, <http://www.juancole.com/2009/09/tohidi-women-and-presidential-elections.html>; and Fatemeh Sadeghi, 'The Green Movement: A Struggle Against Islamist Patriarchy,' in Nabavi (ed), *Iran: From Theocracy to Green Movement*, 123-136.

discrimination. Using the press and new media, they put the candidates on the spot to respond. Women's demand for legal equality became a central issue in the campaign season. Distinguished filmmaker Rakhshan Bani-Etemad made a documentary, available on the Internet, which registered the voices and demands of these women and the replies of the candidates. Ahmadinejad was, of course, the only candidate not to appear.

The second moment in the campaigns was the appearance of Zahra Rahnavard at the side of – and even holding hands with – her husband, the candidate Mir Hossein Mousavi. Though many women politicians have served in the Islamic Republic's legislature, they had been absent from high-level politics, and the 2009 campaign was the first time that a woman appeared as an equal partner and intellectual match for her man. Rahnavard, in fact, was the more charismatic and articulate of the couple. Her open support for women's rights and human rights changed the tone of the campaign. She was also blunt in many of her remarks, which inspired the youth of the country. For instance, in Mousavi's second campaign film, Rahnavard is shown in conversation with the renowned actress, Fatemeh Motamed-Arya. At one point she complains that, in Iran today, "A woman does not even own her own body: If you go to the hospital for an operation, you need the permission of a man."

The third moment was in the election aftermath: the availability on the Internet of letters to male political prisoners – key reformist figures and people active in Mousavi's campaign – from their wives. What makes these often very affecting love letters especially significant is that many of the writers are women from religious backgrounds who have no qualms about speaking of their physical longing for their men and question the very justice of the system that has imprisoned them. They are breaking another taboo, according to which they should have confined expressions of sexual desire and love to the private sphere. So the policies of the regime have generated another paradox: Having politicized the sexuality and honour of all Iranian women, the regime now finds its own adherents taking this policy to an uncomfortable extreme – by making the personal political, in true feminist fashion.

The fourth and perhaps the most important moment was that the regime was caught breaking its own taboos, when the extensive sexual abuse and rape of detainees of both sexes were revealed. Those who demand political rights, the government implied, have no sexual honour. The imagination of the world was caught by the on-camera death of Neda Agha-Soltan – the 26-year-old philosophy student shot dead during the protests on 26 June, 2009. But in my view, a more significant martyr was Taraneh Mousavi, a young girl who was detained, reportedly raped and murdered, and her body burned and thrown out.

These atrocities, and the allegations of more, horrified the public – and many leading clerics. They discredited the 'culture of hijab' that the regime had advocated for 30 years in the name of Islam and of protecting women and keeping society safe. The 'Islamic brothers' were now implicated in the violation of the honour (*namus*) of the families that they were supposed to protect. The role played by defeated reformist candidate Mehdi

Karroubi in the disclosure of these sexual abuses, his support for the victims, and the authorities' refusal to allow proper investigations, added further to the rumours and led gradually to other victims breaking their silence. One of Karroubi's witnesses, a male rape victim, refers to his decision to disclose what happened to him as "committing social suicide," which speaks to the power of the taboo – but then, once a taboo is broken, it loses its power. In December 2009, Britain's Channel 4 TV broadcast an interview with a refugee member of the Basij, the paramilitary force charged with carrying out the arbitrary detention and abuse of protesters; he movingly detailed his horror at what occurred. "I have lost my world," he says, choking back tears. "I have lost my religion." The clip rapidly spread through Iranian cyberspace.

The fate of Majid Tavakoli, the student leader, is even more telling of the radical shift in Iranian gender politics. He was arrested after a fiery speech denouncing dictatorship during the demonstrations on National Student Day, 8 December 2009. Following his arrest, pro-government news agencies claimed Tavakoli had been caught trying to escape dressed as a woman, and they published a series of photographs showing him wearing a headscarf and a chador.

Attempts at flight in such gender-bending disguises are a classic trope in Iranian political history. The best-known instance in the Islamic Republic was when the first president, Abol-Hasan Bani-Sadr, after his deposition in 1981, allegedly fled the country in women's dress – and now the Fars News Agency, close to the Revolutionary Guards, put a photo of Bani-Sadr in a scarf next to that of Tavakoli. But pro-government media outlets chose to ignore the fact that, in pre-revolutionary Iran, clerics too, such as Ayatollah Bayat, are said to have evaded the Shah's authorities by concealing themselves beneath chadors.

To be nabbed in this act is portrayed by the state as doubly shameful: a prisoner so afraid of punishment that he literally denies his manhood. In this case, the shame was pictured not only draped over Tavakoli's head and shoulders but also etched on his face – unshaven, his eyes downcast. The exposure of Majid Tavakoli's 'cowardice' was intended to humiliate a hero of the student movement, but it backfired when an Iranian photographer invited men to post pictures of themselves wearing hijab on Facebook. Men responded en masse, inside and outside Iran, asserting, "We are all Majid."

The campaign in support of Tavakoli became an occasion for both solidarity and spirited debate among different elements in the Iranian opposition, as well as for condemnation of state-imposed hijab and gender discrimination, and a celebration of women's equality and their involvement in the Green Movement. "Majid Tavakoli Was Multiplied, Not Humiliated," reads one poster. The students issued a statement referring to Tavakoli as the 'honour of the students' movement' (though the word for 'honour' here, *eftekhar*, unlike *namus* is neither sexual nor gendered). The statement stressed that what matters was resistance to injustice and the struggle for freedom, a struggle that would undoubtedly continue, whether in male or female clothing. Likewise, what Mohsen

Rezaie, former head of Revolutionary Guard, had said during his unsuccessful election campaign came to haunt him: he had promised to defend people's vote like his *namus*. When he failed to join Mousavi and Karroubi in denouncing the results, countless comments on his website called him *bi-namus*, shameless.

After the events of summer 2009, the Green Movement moved beyond the stage of "Where is my vote?" to tackle a range of issues that animate the population, not just the restive middle-class urban youth, but many strata of society. The government, supported by Khamene'i, continued with a massive and brutal crackdown. Almost all reformist personalities, women's rights and human rights activists were either imprisoned or forced to leave the country, or were silenced in some other way. Ayatollah Montazeri, one of the founders of the Islamic Republic, who became the Green Movement's spiritual leader, died in December 2009. His seventh-day memorial was suppressed, his supporters were forced to withdraw from the streets, and they were inactive in public throughout 2010. But they came back on 14 February 2011, following Mousavi and Karroubi's call for a show of solidarity with the democracy movements in Tunisia and Egypt. This was the movement's last public manifestation; it was Valentine's Day – the day of lovers that in recent years has been also celebrated in Iran – a very curious coincidence! Soon after, Mousavi and Karroubi and their spouses were put under house arrest. Fatemeh Karroubi was released after a year, but the other three remain confined at the time of writing; and the brutal crackdown on dissent continued unabated.

The Islamic Republic survived, but its very basis was shaken; its legitimacy and its credibility were questioned by some of those who played a central role in its creation. Before his death Ayatollah Montazeri had denounced the state as a religious dictatorship and declared that it was now neither Islamic nor a republic.³⁶ Economic mismanagement by Ahmadinejad's government, harshening US-initiated sanctions and the continuing external threat and confrontation with the West, the Arab uprisings – all these left the theocratic forces with no other choice than to return to the ballot box in June 2013. The presidential elections were highly orchestrated, and the candidates handpicked; those with the slightest history of sympathy by association or action with the Green Movement were weeded out – notably, Rafsanjani was disqualified. The campaigns began in a low key, and it was only a week before election day that there was any momentum in the TV debates among the candidates. Apart from the alliance of moderate conservatives and reformists, what brought the victory of Hassan Rohani – a pragmatic and moderate insider – was people's willingness to vote. Supporters of the Green Movement energized his election rallies with slogans in support of Mousavi and Karroubi and demanding the freedom of all political prisoners.

The convincing first-round victory of Rohani, the candidate who was most articulate in his critique of Ahmadinejad's era, must be seen as a concession that people extracted

³⁶. See Massoumeh Torfeh, 'Neither Islamic nor a Republic', *The Guardian*, 29 August, 2009, www.guardian.co.uk/commentisfree/belief/2009/aug/29/iran-clergy-infighting-ayatollah.

from the theocratic and undemocratic elite now surrounding the Leader, among whom there is a very serious rift. Running under the slogan of ‘Prudence and Hope’, Rohani chose as his campaign emblem a key, implicitly for the locked doors behind which the representatives of the republican side of the state are kept.

At the time of writing (January 2016), Rohani has not yet opened any locked doors. Despite some success in lifting social and political restrictions, he has not yet achieved the release of Mousavi or Karoubi and those arrested in the aftermath of the 2009 election. He has encountered fierce opposition from unelected elements in the state, which control vast economic, political and military resources. His government, a mix of reformist and conservative personalities, is severely constrained by the legacy of Ahmadinejad’s disastrous foreign and domestic policies and the acute economic crisis that the country faces. The removal of international sanctions, announced in January 2016, could strengthen the hand of reformists and moderate conservatives, and determine the success of Rohani’s government; it could also be decisive in re-opening political space, particularly for the two elections, due in February 2016, for two bodies that hardliners have dominated for many years: the parliament and the Assembly of Experts (charged with choosing and supervising the Ruling Jurist).

Concluding Remarks: The Struggle Continues

After over three decades of intense contestation between the ‘Islamic’ and ‘Republican’ components of the state, what has emerged is a wider confrontation between the backward-looking forces of autocratic and patriarchal despotism on the one hand, and the growing popular demand for free elections, the accountability of those in power, and the abolition of legal and extra-legal discrimination between men and women. The present younger generation knows that democracy and patriarchy are incompatible; and they are the future.

It is true that the reformist and democratic factions in the Islamic Republic have so far failed to bring tangible changes in the structures of power; they have lost many battles; they faced, and continue to face, many political setbacks. But they have had one major and lasting success: they demystified the power games that authorities conducted in a religious language and the rulers’ instrumental use of ‘Sharia’ to justify their autocratic rule. It was this demystification that gave birth to the Green Movement in 2009, whose advocates are slowly but surely breaking down dichotomies such as ‘secular’ versus ‘religious’ democracy, or ‘Islam’ versus ‘human rights’ that infested Iranian politics in the course of the 20th century.

The contestation between theocratic and democratic elements in the Islamic Republic is far from over. In 1989, it was partially managed by amending the Constitution and divorcing *velayat-e faqih* from *marja’iyat*. How it plays out in future partly depends on whether the proponents of clerical theocracy can accommodate the democratic and feminist aspirations of the citizens. The events of 2009-11 may prove to have been as

important as those that brought the 1979 Revolution. Despite the regime's propaganda and the brutal suppression, imprisonment or exile of many leaders and rank and file supporters, the Green Movement's values and demands have gone deep into Iranian society, and are changing the political culture and dynamics of the Islamic Republic.³⁷ The Movement's advocates remain active in cyberspace and outside Iran. New media is enabling them to bypass the authority of state-controlled media narrative to influence public agenda and debate. What is certain is that Islamist ideology has lost much of its political lustre and popular support; there is a popular rights movement that is seeking a definite separation of the religious institution from the state.³⁸

The Iranian quest for democracy that started in 1906 has had its successes, but it has been regularly frustrated, either by the unresolved internal tensions between religion and secularism and between absolutism and democracy, or as a result of external interventions. One thread running through the quest from the start has been the struggle for national sovereignty and freedom from interference by Western powers. This common struggle united the diverse forces that made the 1979 revolution, which was eventually appropriated by Islamist forces. The resultant Islamic Republic assumed the duty of protecting the *namus* of all Iranian women; but they also sought a closely related value on the world stage: *ehteram*, recognition and respect. This they have continually been denied, especially by their chief enemy, the US, whom they in turn have termed 'the global arrogance'. It became recognized that the chief motive on the Iranian side in the 2014-15 nuclear negotiations was the same: an insistence that Iran be respected as an equal partner. Rohani's choice of Javad Zarif as chief negotiator was astute: an experienced diplomat, widely respected in both the US and the United Nations. While the Iranian regime may have lost the respect of many of its citizens, by infringing both their honour and their political rights, I suggest that at the international level they are seeking the respect that in some ways transcends, or perhaps amalgamates, both national honour and international rights. But what the Islamic Republic's clerical theocrats have so far failed to understand is that this cannot be achieved without honouring its republican side. The 'culture of hijab' and the regime's ability to manipulate the discourse of honour have passed their sell-by date, and a 'culture of rights' is taking over the popular imagination. For many Iranians, *haqq* has become as important as *namus*.

³⁷ See for instance the contributions to Jahanbegloo (ed.), *Civil Society and Democracy in Iran*; and Annabelle Sreberny and Massoumeh Torfeh (eds) *Cultural Revolution in Iran: Contemporary Popular Culture in the Islamic Republic* (London: I. B. Tauris, 2013).

³⁸ Farhad Khosrokhavar, 'The Green Movement in Iran: Democratization and Secularization from Below,' in Jahanbegloo (ed.) *Civil Society and Democracy in Iran*, 39-78.