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Arzoo Osanloo: The Politics of Women's Rights in Iran

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Human Rights and Cultural Practice

GIVEN THE NATURE of the Islamic state, Iran's claim to a 2,500-year-old civilization, the effects of prerevolutionary "Western"-style modernity, and the influences of globalization, one of my central questions when I began this study was whether women in this "Islamic society" envision their rights solely through the lens of Islam, especially Islam as handed down by state agents. As a complement to this question, I also wondered if the women who referred to their "rights" (*haqq* in Persian) or their "human rights" indeed referred to a Western or international vision of rights. In my research, I sought to explore how the women I came to know made sense of their status and "rights," and I aimed to do this by observing their daily practices in different aspects of Iranian society.

By exploring "women's rights" in the context of postrevolutionary Iranian society, I sought to move scholarship on women's rights in non-Western societies away from a premise based on a simplistic dichotomy of liberal and universal "rights" versus insular and local "culture" and instead account for the people I encountered as multifaceted, dynamic, and contingent subjects (McRobbie 1996) who are shaped through layers of discourse that we all inhabit, including human rights.

Many human rights studies that look beyond "Western" cultural practices suggest that there is an antagonism between the ideal of a universal system of human rights and the notion that human rights are relative to discrete cultural values (Donnelly 1984; Mayer 1991). Relativism understood in this way is characterized as a limit concept that prohibits any judgment or critique by outside observers regarding local cultural practices. In such a case, cultural relativism appears to oppose the notion that human rights as universal principles form the bottom line of values to which all societies in the community of nations must adhere. The contention that universalism and relativism are in opposition to one another, however, implies that both culture and rights are static rather than ever-changing concepts (Merry 2001). By placing rights outside of culture, this assertion fails to recognize that "rights" in general, and rights talk in particular, are themselves cultural practices emerging from a specific Euro-American historical and political trajectory that encompasses colonialism and thus are shaped by global power relations (Cowan, Dembour, and Wilson 2001; Preis 1996).

The universal language of rights, which privileges individual autonomy, has inhaled throughout much of the world, especially since the creation of the United Nations in 1945. The notion of the universality of rights is itself a category constructed in an ever-increasing world of global traffic and dialogue. After World War II, the victors decided to create a document based on standards agreed upon by numerous state parties and thus entitled “universal” standards. This process, as documented in studies of the “making” of the Universal Declaration of Human Rights, points to “universal human rights” as constructed through social, political, and economic relations with specific geographical significance (Glendon 2000). Thus, while human rights standards and practices are localized, they are also constructed within global economic and geopolitical practices. Although human rights are put into practice locally, this is a particular discourse of rights that carries with it cultural values associated with Euro-American liberalism. In this sense, human rights, even as they are translated into a vernacular, carry with them distinctly Western cultural markers (Merry 2006).

Finally, this false opposition conflates rights, the object of our study, with the challenge posed by how to study rights in non-Western societies. Said differently, what methodological approach will allow us to contextualize rights, which are rooted in Western legal and philosophical traditions, in other contexts? In this way of looking at it, relativism is not meant as a concept that implies limiting judgment, but rather, in the anthropological context, relativism references a need for historical, political, and local specificity in order to better make sense of distant practices. Thus it highlights the need for *an approach* to studying cultures outside of our own. The ethnographic method in sociocultural anthropology provides a systematic approach for conducting studies that are situated in both local systems of meaning and global relations of power.¹ In the anthropological sense, then, relativism suggests that in order to understand the meaning that humans give to certain practices, here human rights, we must better understand the contexts through which they attribute meaning and give significance to such practices.²

“RIGHTS TALK” IN POSTREVOLUTIONARY IRAN

On International Women’s Day, March 8, 1979, thousands of women in Iran marched to protest state officials’ interference with what they considered to be unsanctionable spaces: their hard-fought civil and personal liberties. Women took to the streets to rally against newly imposed restrictions on their dress, the suspension of the 1967 Family Protection Law, which had given them some rights in marriage dissolution, and their possi-

ble disenfranchisement. Ayatollah Ruhollah Khomeini, a high-ranking religious leader who had spent the previous fifteen years outside the country in exile, had returned to Iran only a month earlier, while the shah, Mohammad Reza Pahlavi, had tearfully departed just two weeks before.

On March 8, and for three days after, women's marches went on at different locations within Tehran and throughout the country. Iranian newspapers reported that at the height of the demonstrations, some twenty thousand women marched from Tehran University to Freedom Square carrying banners that demanded "freedom in the choice of clothes," "equal rights with men," "the abolition of laws discriminating against women," and "free speech and association" (Paidar 1995). Revolutionary guards stood by as counterdemonstrators armed with knives, bottles, and clubs attacked the protestors and caused numerous injuries. Angry supporters of the new government dubbed the protesting women "Barbie dolls," "Western puppets," and Western-struck (*gharbzadeh*), a term also denoting that they were diseased by the West.³ The women were primarily urban, working class, middle class, and upper-middle class, many of whom were educated, and thought of themselves as modern precisely because of the way they dressed, their mobility, and their self-perceptions as bearers of rights.

Just after the revolution and until recently, various state forces of the Islamic Republic of Iran denied the legitimacy of a language of rights as these women used it, that is, in this individuated liberal sense. At the time, proponents of the new government condemned the women's outcry for civil and personal rights as the tools of Western imperialist forces who sought to undermine Iran's commitment to Islam.

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Jumping ahead twenty years to April 1999, Azam Taleghani, a supporter of the revolution and then head of her own NGO, the Association of the Islamic Revolution's Women, told a local newspaper, "Throughout history, women have won certain rights but unfortunately were never officially entitled to them. . . . The laws of the country have to be modified to enable women to truly exercise their legitimate rights" (*Iran Daily*, April 29, 1999). She directed Iranian women to familiarize themselves with their rights and added that as long as women were not fully aware of the governing laws, they could not stand up for their rights. Taleghani called on women to "avail themselves of all the relevant information pertaining to the rights of women and get more effectively involved in social and political activities." Another newspaper quoted Iran's judicial chief, Ayatollah Yazdi, a hard-line religious leader, reaffirming "equality of people before the law" (*Tehran Times*, April 6, 1999). In 1998 Ashraf Gera-

mizadegan, a newspaper editor who previously edited the monthly *Zan-e Ruz* (Woman of Today), started a monthly magazine, *Hooqooq-e Zan* (Women's Legal Rights) to teach women about their legal rights.⁴

While conducting fieldwork in early 1999, I heard many views that echoed these accounts. One of the attorneys I came to know told me that “nowadays women are much more aware of their rights than ever before. They seek information about their legal rights before they marry.” A receptionist in another law office conveyed a similar sentiment: “Today it is much easier for these girls than when I got divorced [in the early 1980s]. They are more aware of the system and are not afraid to go to court and say ‘this is my right.’” Clients in those offices repeatedly told me that they were going after their “rights.” In fact, I observed newspapers, magazines, and other media and educational outlets replete with similar messages to women. Likewise, discussions about rights were ongoing in the streets, in parks, in taxis, on buses, in people's homes, and at public meetings. Well-known supporters of Iran's 1979 revolution spoke publicly in support of women's civil and political rights, and many openly declared women equal to men. Calls for women to learn about their rights, to participate in government, and to vote in elections were also common both in the press and in everyday conversation. Appeals like Ms. Taleghani's and others I mentioned provide examples of how women were again appropriating a discourse of rights cut partly from the cloth of liberalism, the very ideological tenets that the women protestors of 1979 were attacked for mobilizing. At stake in these references to “women's rights” was precisely the ideological location of the concept of rights in postrevolutionary Iran. But now, these new liberal calls for attention to women's rights, deployed in numerous spaces, are sanctioned by Islamic values and appear to be acceptable even to hard-line officials and state agencies as legitimate expressions of entitlements and claims. Today, this renewed emphasis on a language of rights marks an ideological shift in the meaning of rights—one that emerges through the confluence of Islamic principles and republicanism.

In Iran, the debate between “Islamic republic” and “Islamic government” has simmered since the early days of the formation of the Islamic Republic of Iran. Given the number of groups that participated in the shah's overthrow and those that were vying for control of Iran's postrevolutionary state apparatus, the resulting government was a mixed constitutional design incorporating theocratic, republican, and even direct democracy components. The once taboo language of individuated rights has taken on new meaning in Iran's Islamic republic and is employed copiously by members of Iran's polity, including women and national leaders, in spite of their internal fractiousness. This book about “women's rights” discourse begins with the premise that this discourse is highly charged precisely because it has been defined since the revolution through these

and other contemporary debates about the status of women, the role of Islamic values, and the centralization of authority in Middle Eastern countries in general. In the international community, moreover, “women’s rights” has become a measure of “progress,” “modernity,” and “democracy.” I consider how such debates contribute to the way women’s rights are practiced by myriad groups, including state officials, nonstate legal experts (i.e., lawyers), as well as nonexperts who engage with the legal system. Postrevolutionary state institutions came into being through debates of this kind and have contributed to a complex and often unpredictable hybrid legal order and discourse about rights. This book seeks to locate and trace some of the small actions by women on behalf of their rights. These are the actions that animate the conditions of possibility presented by the state formation and its hybridized institutions. In broader terms, this book reveals the incomplete and dynamic nature of the state form that is made legible when women and others act on its bodies and set into motion a range of effects that further give shape to the novel enterprise of the Islamic Republic of Iran. The importance of rights talk in Iran, moreover, has pushed the international human rights agenda more broadly, effectively challenging and even transforming the parameters of human rights claims in Europe and North America.⁵

SPEAKING OF RIGHTS

While talking about rights may appear as a natural way to express one’s sense of entitlements in society—a self-evident or ahistorical term of common parlance—the way women in Iran talk about their rights today emerges from a specific post–World War II historical trajectory in which some rights, while guaranteed by the state, are deemed actually to precede the state, in that they are inherent in all human beings (Arendt 1951).⁶ Speaking in terms of rights has become the primary way for people around the world to make claims, both domestically and internationally, about grievances and entitlements (Chanock 2000; Glendon 1991; Henkin 1990; Ignatieff 2000).⁷ Since World War II, rights talk has spread throughout the world through international accords, especially the Universal Declaration of Human Rights, and rests on the notion of individual autonomy and free will in society, tied to property ownership, labor, and the market economy.

More specifically, rights talk, as I refer to it, references the language of legality expressed by individuals through claims of positive rights or negative freedoms that are guaranteed by state institutions or actors and are founded on the fact of some legally recognized personal status. Rights-based claims made by individuals are founded on specific relationships

that they have with the state on which they are making their claims—citizenship or some other legally recognized category of individual, such as legal resident. The human rights movement shifts the idea of lawful protection beyond the state-based relationship to one that recognizes legal protections simply or merely because an individual is human, and nothing more. That is, it is not *supposed to be* based on the relationship the individual has with the state. The troubling dilemma of human rights protections remains, however—that in a state-based world system it is difficult, if not impossible, to guarantee stateless individuals those protections that are afforded uniquely by nation-states. Thus, despite novel thinking and transnational institutions that recognize human rights, state recognition still appears to precede human rights protections in practice.

Rights talk is an essential concept for understanding how various groups use legal institutions to address social grievances (Engel and Munger 2003; Gilliom 2001; Lazarus-Black 2001; McCann 1994). While most claims are made through the mobilization of rights-based claims, rights talk problematically privileges the individual with disregard for social or communal responsibilities in larger social relations (Glendon 1991). Premised on the inherent dignity of the human who is endowed with certain inalienable (nondelegable) rights, rights talk presents possibilities for democratic pluralism (Ignatieff 2000). And the global human rights movement has built upon the essential quality of human dignity for approaching grievances worldwide (Henkin 1990). The international human rights movement has made the concept of rights, as a way of stating grievances, an everyday part of life in a broad range of environments. Through the spread of an international legal framework and the networks they generate, transnational actors have been adept at finding connections through human rights language and the legal system generated by the post-World War II order (Keck and Sikkink 1998). Thus, human rights principles can become normative in local contexts through the transnational mobilization of human rights-type pressures on national government practices (Risse, Ropp, and Sikkink 1999). In local contexts, however, international human rights talk takes on a vernacular language, mindful of indigenous values, consisting of a layering of social concerns (Merry 2006).

But exclusionary practices also premised in liberal individualism have spread alongside of the universalizing discourses of rights.⁸ Liberalism simultaneously allows for the “lawful” exploitation of peoples yet makes claims to universal human rights. The contradictory logic of human rights, drawn from liberalism, uses the same logic that underlies colonization (Wallerstein 1995). First, in the colonial era, liberal sentimentality justified “civilizing missions,” and second, in the postcolonial context, liberal state-formations depended on recognized legal categories and identities, such as citizen, while excluding others who did not fit into those categories (Co-

maroff 1995). Even though human rights discourse was said to be universal, the necessary element in protecting human rights, the state, was in fact the arbiter of the propertied classes. And liberal categories produced particular legal subjectivities, borne of Locke's "possessive individual."

The relationship between rights talk and subjectivity suggests that a consciousness about rights emerges in tandem with exposure to courts and civil process (Lazarus-Black 2001; Merry 2003). Exposure to civil process illuminates the deep connection between liberal legal institutions and subject formation (Fitzpatrick 1992). The civil legal administration of the modern liberal state produces individuated subjects—subjects both *with* and *of* rights. Indeed, a nation-state's legitimacy depends on managing populations through legal regulation (Foucault 2003). The quandary that rights talk presents, however, is that while the people have certain claims on the state, simply because they are human, they need to be a part of a state and recognized in some way by the state to be able to make those claims. Rights, then, come to be part of the circular logic of sovereignty where individuals legitimize a power over themselves and believe in their ability to rein in that power through a rights-based discourse (Buck-Morss 2000), while the state's laws simultaneously come to give state actors a monopoly on "legitimate" violence (Benjamin 1978).

The difficulty with *supranational* human rights ideals is made visible when observed from the perspective of those humans without a state, for whom human rights protections are intended (Arendt 1951; Agamben 1998, 2000). The problem with the logic of rights is that they depend upon state recognition of the humanity of an individual; only those who are already endowed with citizenship can actually make claims to rights.

Rights talk, generally, can refer to myriad kinds of claims, in numerous contexts. Indeed, I have written elsewhere about the shifting meanings of rights when the local comes into contact with the international human rights movements (Osanloo 2006b). But rights talk is also heavily laden with political implications, especially outside of Europe and North America, where it is perceived to be "Western" and often carries with it the weight of ethnocentrism. Thus the issue with which I am concerned is not rights in general, but the resurgence of the Euro-American rights talk initially proscribed by Iranian revolutionaries who considered it to be an attack on revolutionary values, specifically for its emphasis on individuality over the needs of the community. In Iran today, women and their advocates are at the forefront of these increased public discussions of rights (Najmabadi 1998a). The main questions that I consider, then, are what conditions have allowed for the discussion of rights to materialize in a language that was unacceptable just after the revolution, and what possibilities it presents today.

Thus, I explore the relationship between the postrevolutionary state form and its institutions and the ways that some women come to make rights-based claims on the state. In doing so, I seek to bring into dialogue two seemingly distinct but closely related areas of scholarship on Iran: that is, analyses of the postrevolutionary state (Abrahamian 1993; Arjomand 1988; Zubaida 1989) and scholarly work on Iranian women's rights (Afshar 1998; Mir-Hosseini 1993, 1999; Najmabadi 1991; Paidar 1995; Tohidi 1991, 1994). The former include extensive writings about the hybrid nature of the state and its formation as a republic alongside its conformity with principles of Shi'i Islam. The latter concentrate on women's rights and status since the revolution. In bringing these works together, I explore the productive relationship between the hybrid state and conceptualizations of women's rights, recognizing that rights talk is a politically and historically laden discursive practice. Understanding how some Iranian women are talking about and envisioning their rights also depends on understanding the complex historical processes of Iranian state formation and its relationship to subject-making.

The postrevolutionary formation of an Islamic republic has been fashioned through a dynamic and modern notion of Islam alongside of newly developed and redeveloped political and legal institutions. Herein unfolds a story of modernity that is neither a blind acceptance nor a wholesale rejection of "Western values," a common trope for modernity, but rather a hybrid discourse that locates a distinctive form of modernity at the juncture of Islamic revivalism and Western political and legal institutions.

My central concern is to understand how this new rights discourse presents a form of modernity arising out of Khomeini's message of a return to "pure" Islam. What conditions resulting from this new modernity have allowed for the emergence of sites for dialogue and debate? By modernity, I refer to a post-Enlightenment idea of liberalism, premised on Locke's notion of the sovereign individual, which I will elaborate on shortly. By a *new* modernity, I refer to the effects of the merging of republicanism, born of liberalism, with the concerns and values of Iranian Shi'i Islam, which came about upon the Iranian Revolution and continues through today.⁹ The Islamic republic was founded at the crossroads of these discourses of modernity even while some of its founders claimed to be reaching into modernity's other: tradition. Some readers may sense that these legal and political institutions are not new; Iran had a constitutional revolution over one hundred years ago. In this context, however, I highlight the sanctioned linking of "secular" institutions with the appeals for the creation of a true Islamic society.

NOTES ON METHOD: STUDYING RIGHTS AS DISCURSIVE PRACTICE

One of the biggest methodological challenges I faced was to determine how to collect data that would illuminate the shifting meanings of women's rights over time in Iran. These shifts reflect ideological changes brought on by a larger cultural revolution. In order to learn how women I met perceived their rights, I first had to explore the contingent histories of rights that served as a backdrop for my informants' perceptions of their rights.

Discussions of rights often draw on liberal Enlightenment values, including the autonomous individual endowed with free will, but Iran's revolutionaries made explicit their intent to purge this "Western" individualized subject from the values of the new Islamic state. Yet the postrevolutionary Iranian state was modeled on a republic, a state form that produces autonomous subjects with and of rights. I sought to develop a research design that would capture the expression of rights in the new political and ideological climate of postrevolutionary Iran and reveal how women's contemporary rights talk is produced through this contradictory dialogic. For this reason, rights talk, as a discursive practice, is a starting point for this book.

My knowledge of the political history of "women's rights" in Iran led me to choose Tehran as research location and to concentrate on a demographically specific group of women whose status and rights were affected in particular ways by the 1979 revolution. Fieldwork in an urban setting presented the challenge of specificity that research within a small village, by virtue of demographic limits, may not. In my case, the realization that women's status was politically and socially reconfigured by an ideological rupture in the meaning of the term "rights" just after the revolution was a defining constraint of my research design. This constraint helped me locate specific sites in which I could observe women's discussions about and perceptions of their rights.

I also sought to collect data that would account for the historical and ideological ruptures that impact women's perceptions of rights and then resurrect the political dimensions of these shifts through ethnographic fieldwork. At the same time, I had to determine how to handle the contingent definitional authority of research terms—"women's rights" in my case, a term densely packed with political implications.

When I embarked for Tehran in January 1999 to conduct the initial twelve months of fieldwork, I was already aware of the connections between the ideological reconfiguration of political and social discourses in Iran some twenty years earlier, and the situation in which women find themselves today. Women's rights were caught in the fold of a historic

project: the new government's proclaimed turn to Islam. The government was determined to rewrite the national laws and, in turn, the nation's identity to reflect the renewed embrace of Islam. Women were placed in central focus and perhaps were even the objects of the materialization of this ideological shift, ostensibly, away from liberal Western values to "pure" Shi'i jurisprudence.

As I set out for fieldwork, I envisioned my data to emanate from the institutionalized legal arena, such as courts. It did not take me long to realize that such a methodologically rigid locus concealed the complex politics of rights and restricted the issue that I wanted to explore, which was how women themselves perceived their rights. Rights are not born in a vacuum, nor are they mere abstractions, but are framed by their specific political and historical contexts and thus manifest differently in peoples' lives. It became increasingly apparent in the course of my fieldwork that the locus of rights existed throughout the society, in the minutiae of everyday life. Now I had to face the methodological challenge of capturing the complex and dynamic social flows that, taken together, offer not just a picture, but a diorama of the genealogical history of rights in Iran. I set out to collect data that would bring women's rights to life.

"Sites" of Rights

To gain a better understanding of how universal ideals of human rights play out in local Iranian contexts, I consider how actors mobilize human rights and women's rights in dialogue with both global and local politics. Herein lies an intense production of new problems and solutions, and instead of offering a view of Iran as a blocked or closed society, this approach offers a view that there are a lot of forces moving, issues arising, and solutions imagined; thus it is a view of disseminated openness. That is to say, when I asked questions without preprogrammed answers, I was met with openness—the process of reinterpretation and reconfiguration. What is the best way to show the process? In addition to exploring sites through scales, I move from well-structured settings to more loosely framed sites—from women's scriptural reading groups to the Islamic Human Rights Commission. Both are sites where rights are debated and produced. Thus I break apart the barriers between individuals, the community, and the state by showing the interaction between individuals, groups, and state actors and then weaving together these interactive processes on multiple social and political scales.

Beginning with Iran's newly formed republic and the apparent acceptance and mobilization of a discourse of rights by the state actors and my women interlocutors, I sought to understand how it is that a liberal rights talk was once again becoming the primary mode of referring to the prom-

ises made by agents of the state. Through the combination of Islamic principles and the republican state formation, new and renewed “sites” for public discourse and debate have emerged, but the nuances that have made these sites possible are not captured by Habermas’s concept of public sphere alone (1989, 1992). I seek to move beyond the homogeneous and monolithic public sphere, laden with an inside-outside binary, by exploring the public “sites” constituted by the issues I consider, thus allowing for a cartography of public sites. The point is not to investigate all such sites; that is not possible, as it is not possible to conduct an exhaustive survey of sites of rights. The aim, rather, is to visit some sites that I found important for illustrating how some women are developing interpretations of rights within the possibilities of the Islamic republic.

Intent upon tracing the political changeability of rights through time and in different contexts in everyday life, I located those sites where women talked about their rights, where they expressed concerns, showed understanding, and questioned rights. I began attending scriptural reading groups, visiting newspaper and magazine offices and NGOs, and observing women at their places of work, in their homes, and in schools. When I observed that distinctions in women’s rights emerged as women’s activities changed, I started to travel throughout the city from home to work and to other sites as my informants went about their day. My insights, and consequently my methodologies and my data, emerged organically as my research plan unfolded during the early months of my project (Osanloo 2004). Following Tsing’s (1993) admonition to find out what issues women really care about, I had to learn how my informants’ shifting identities—arising from various economic, religious, social, and political histories—informed their perceptions of rights. For this reason, and also because it influenced their perceptions of me as a researcher, I paid close attention to the personal locations of my informants.

The term “rights,” moreover, carried different meanings for women as their settings changed. Such changes included temporal, life-altering ones, such as the revolution, the war with Iraq, marriage, or divorce, and spatial and quotidian ones, such as going from home to the workplace. I sought to record how the women I came to know thought about, talked about, and put into practice their notions of rights in various contexts. To show how this happened in everyday practices, I found I needed to locate the “sites” where the women I encountered spoke in terms of rights.

To show the distinctiveness of the rights discourse in Iran, I explore how these sites are effects of the bringing together of seemingly liberal values with Islamic values. I do this in multiple venues by locating “sites,” like nodes within a network where I found women’s ideas of their rights and roles come to be shaped. Drawing from Bakhtin (1981), I refer to these as “dialogical sites” that the women themselves are, in part, creating

in urban centers today. These sites afford women a place in which to voice and shape their opinions on topics previously out of their domain—topics that, nonetheless, shape their lives and guide their roles as women in Iranian society.

Dialogical Sites

Often discourses appear to be and even sometimes act as self-evident objects reified through constant employment and repetition. In this case, I seek to identify and open up the discursive formation of rights talk to find out what kinds of assumptions are associated with it when the Iranian women I encountered mobilized the term rights. As such, I seek to investigate how that object (rights) is being considered—what kind of work that object performs, and what uninvestigated assumptions are associated with it that I can lay bare. In doing so, I seek to undo the sedimented nature of the rights discourses by investigating in context what the discursive object, women's rights or human rights, might mean to the multiple players shaping the term through their use of it. What meaning is being carried with the utterances "women's rights" or "human rights," and what other meanings are associated with them in the particular contexts in which I observe these ideas being discussed? Dialogical understanding of rights, then, would mean jettisoning the idea that rights come from a finite or "monologic" source, (i.e., the state or Islam).

Discourses and practices of rights are not limited to certain sites and people but are more widespread. Thus my approach suggests itself in multiple sites. Exploring these as dialogical sites, moreover, I can discern the heterogeneity of groups that are developing interpretations of rights. As I do, I also point to new actors in unlikely places and consider the institutions that constrain, define, and delimit sites of rights production. Each site is an exploration and a sample of sites where women are engaging in interpretation, discussion, and, sometimes, action with other groups. I am not seeking to present an exhaustive or representative picture of all women or rights but explore some of the sites of rights production I encountered and through which I explored the effects of the multiple layering of history and politics on women's discursive rights practices. While my entry point is law and these are all sites in which the law is being discussed, I follow the discussions of law as a heuristic device that can help explain the connection between governance and rights, between state institutions and rights talk. Exploring Iranian women's rights talk through dialogical sites, then, allows us to see and hear how this knowledge about rights in Iran is dynamic, collectively engaged, and relational.

From an analytical point of view, it is not easy to delimit the sites of rights production, since questions about rights are raised in multiple environs: "What do rights mean in this context?" This points to the circuits

or networks of configurations of sites, and a dispersed notion of sites thus emerges. For this, I focus on the possibility of productivity and performativity of these conversations about rights. Said differently, I consider the capacity in those sites for the discussions to perform and shape some categories and entities, such as relations between Iran and other nations, sovereignty, justice, human rights. In this way, we can understand that all the sites in my book are related, all perform the social reality of Iran. But this is not just a question of adaptation, enforcement, or relations between individual and institutions—not as Wallerstein (1995) says, about relations between imperialism, but a coproduction of categories that are transformed, in which a new type of Iranian woman is invented, not a “Western” woman, not the monolithic “Muslim” woman.

The site-based dialogical analysis shows that rights are redefined, reconstituted, and reshaped in every day practice. I am not just envisioning an adaptation and accommodation but rather am observing the ongoing process of the elaboration of new categories, inventions of a new reality. Certainly state and nongovernment actors mobilize around women’s rights or human rights, as we see in the news or mainstream press, but smaller actors exist, too. This book explores some of the smaller groups, nonstate actors who, on their face, appear to have less power than statist actors yet are able to mobilize the law and legal processes to forge new interpretations of rights. As a result, the diversity of actors involved in this process makes possible the reconstruction and performance of new realities and fresh alliances.

Thus, the sites I explore are those spaces where the reshuffling of ideas and reformulation of law are happening. I open up the existence of a diversity of voices and perceive the sites as *moving alliances*, even though the organization of the book is site-specific, organized to show the diversity of views more within each site than across them. The book is organized on the basis of scale, shifting from an exploration of individual enactment and perception to a larger scale of a broader community—law firms and courts, and concluding in the international, or perhaps even transnational, and geopolitical arenas.

To open up the “sites” and “scales” of rights discourse and practice, I begin by exploring several sites in which “rights talk” emerges as a common activity or practice and highlight the ways in which women I spoke with thought about and put into operation “rights talk.” The book is divided into three substantive sections that inform one another. In chapters 2 and 3, I explore discussions about rights, first from the historical and scholarly record, interlaced with interviews I conducted, and then in women’s Qur’anic meetings.

Chapter 2 is a portrait of some of the events that have shaped the recent popular awareness of, if not contempt for, the institutions of the state. The goal is to provide some sense of the landscape through which wom-

en's rights activists must navigate. I briefly describe the political events that led to the creation of the Islamic republic and set the stage for the kinds of contests that are now emerging in Iran. I also show how the private and public sites are connected to one another.

Chapter 3 introduces Qur'anic meetings as one such site. Through these women-only scriptural reading groups, I show how nonexpert women interrogate and shape their rights through dialogue, not just through religious exegesis, but through articulations of their own and shared experiences of life as well. There, women strategize about their roles and rights. Qur'anic meetings, loosely organized to meet the psychic needs of participants, are informal social and informative gatherings designed to bring together women with an interest in exploring spiritual questions in light of present-day concerns. While the women participants use the same scriptural sources as theological scholars, they assert the validity of their own interpretations of the Qur'an over those of the religious community (*'ulama*), to which state actors defer. Qur'anic meetings are sites of social production where new concepts and ideas can emerge, and in which women carve out conceptual sites of agency in other aspects of their lives.

In chapters 4 and 5 I move on to the arena of the courts and lawyers. First, an analysis of Tehran's family court, an official state context, stands in contrast with the Qur'anic meetings. Legal sites—courts and law offices—are spaces that inform women's perceptions of their rights. Seemingly a fixed institution of the statist discourse on rights, the court, I argue, is anything but a place where agents of the state pronounce dogmatic doctrine. Law offices permit productive exchanges of ideas about rights and place new legal formulations that lawyers and activists have carved out of the Islamico-civil institutions into the public spaces. In these chapters, I consider the specific conditions that constitute the plurality of laws in Iran today and show that this plurality is shaped by historical and political conditions, which in turn produce the specific discursive rights practices we see in the courts. The lively contests in the courts over women's rights are a set of practices distinct from the kinds of contests that occur outside of the courts, which do not necessarily entertain the infrastructure of modern republicanism in the same way. The domain of law has its own cultural productions, the effects of which are distinct and uneven in different settings.

Finally, in chapter 6, I move beyond the legal setting of courts and law offices and explore the sites in which human rights discourse circulates. This chapter is a more fluid, less regimented search for sites given the openness of the discourse of human rights. To do this, I explore the formation of a quasi-nongovernmental organization, the Islamic Human Rights Commission, and another organization, formed in the executive branch of the Islamic republic, the Center for Women's Participation. Through

the creation of these organizations and Iran's uncertain participation in the transnational human rights framework, I explore how state officials assert a local human rights discourse to lay claim to the fruits of modernity: nation-state legitimacy and sovereignty.

Through the creation of an Islamic state, Iranian state officials have strived to construct the "state" as a legitimate independent nation. Women's rights in Iran are very much constructed through transnational legal discourses and emerge through Iran's claims of ideological opposition to the "West." In doing so, however, the local discourses of rights become manifestations of broader global processes, demonstrating that Iran is already working within the international rights framework, even if unwittingly.

Which Women?

Given my contention that the ideological field of rights had shifted, how I chose to set the limits of my field site became increasingly important, since I wanted my data to reflect what I saw as a rupture, crystallized when *Iran Daily* printed an interview with Azam Taleghani, a major figure in the women's rights movement in Iran since the revolution. Taleghani's statements were comparable to those of the women protesters in 1979 who were attacked and discredited when they made similar demands twenty years earlier. I wanted to understand how women could now make the same kinds of statements publicly without violent reproach. For this reason, I chose to focus my data collection on women whose demographic characteristics were similar to those in the 1979 protests: urban middle class; most with high school education or more, and willing to express an opinion about religion.¹⁰ Many of them also work outside of the home, some in professional capacities and some in nonprofessional roles. In this work, I try to understand how rights talk shapes legal and other social practices by trying to understand the experiences of the women themselves, and not women as the object of policy or discourse. In doing so, I see these women as nonexperts who are actively shaping a practice about and around women's rights, but whose contributions are often neglected by scholarship on Iran.

Due to the major demographic shifts in Iran since the revolution, data collection from this group had other implications for research as well. Even before the revolution, industrial development had led to the rapid increase of urban populations. Currently, roughly two-thirds of Iran's approximately seventy million inhabitants live in urban areas (*Iran Statistical Yearbook*, 1379 [2000]). About 37 percent of the over two hundred women in my study had moved from a rural area to the city. That percentage doubled when I considered the parents' origin. Only about 25 percent

of the women said that both parents were born in Tehran. Class is an increasingly difficult category to employ as a data-gathering variable, particularly in developing countries, given that class analyses derived from the Marxist tradition presuppose an industrial labor market. I found it best to allow my informants to self-identify. Based on my assessment of literacy and standard of living, and on self-identification, most of my informants belonged to the middle class.

I limited my study to a particular group of women whose urban middle-class characteristics matched those of the women protestors of 1979 for several reasons. First, I began this project with a question about how women perceive their rights since the revolution, given the particularities of everyday life in the Islamic republic. I thus situate the project in a historical trajectory that began with women protestors of 1979, whose use of a liberal discourse of rights brought them much criticism at a time when the postrevolutionary state was still in its nascent form. Now, some thirty years later, the language of rights seems to have a legitimate place in the discussion about women's status in Iran. I sought to discuss with women of comparable backgrounds their experiences of rights from the revolution through to the present.

Second, it is the lives of these women that were most drastically altered by the revolution. The effects of the reinvigoration of Islam in the Iranian state disparately affected women living in urban areas, who were also among the shahs' (both Reza Shah and Mohammad Reza Shah) primary targets during the modernization schemes of their times. Such measures included unveiling and modern education. After the revolution, the new government also placed particular emphasis on "the woman question" and targeted urban, educated women to serve as primary symbols of change in Iranian society. Middle-class urban women felt disproportionate changes in their everyday lives in comparison to the upper and lower classes for a number of reasons. For instance, upper-class women had the means to insulate themselves from many of the effects of the revolution, while lower-class women did not experience the effects of the social regulations to the extent that middle-class women did. For lower-class women, the everyday minutiae of their lives was based on material concerns that kept them closer to home than middle-class women, who were more likely to venture outside the home for work or school and thus fell within the newly introduced regulations. This is not to suggest that the categories of class are in any way static. Many of the women whom I interviewed came from rural or lower-middle-class families who had moved to urban hubs in search of higher education or nonagricultural work.

The focus on middle-class women also emerges from a disciplinary concern for parity or greater breadth in choices of interlocutors. Much research on women in Muslim societies portrays women from small villages

as representative, or worse, as somehow more authentic, which tends to support the prevailing views of women in Muslim societies as underdeveloped and undereducated. In Iran, noting that fully one-fifth of the country's population lives in Tehran, not to mention the four or five other urban centers, it is all the more crucial to highlight urban women's lives.¹¹ Some of the most popular studies of women in Muslim contexts locate their study group in small, rural villages, making it difficult for Western audiences to appreciate the breadth and variety of social positions in a given society.¹² By providing a sampling of the urban women in these classes, I seek to add to a literature that has an abundance of scholarship representing voices of rural women.

One of the effects of the revolution was the reinvigoration of Islam in political and social life. Even in talking about rights, it was important to understand how women integrate their faith into their lives, and particularly into their roles in society. Islam appeared to be more in evidence in the everyday lives of my women informants after the revolution, though I am not suggesting that prior to the revolution faith or spirituality was absent. Finding out how the visible and seemingly austere permeation of Islamic values in the Islamic republic affected women daily was not a problem; most women readily expressed an opinion about religion. Ninety-nine percent of the women I interviewed referred to themselves as Muslim. Rarely did I meet a woman who said that she did not give spirituality an important place in her life, even if it was not always within institutionalized religion. Less than one percent told me that they did not believe in God.

In collecting data that captured the fluid nature of rights, I was careful to obtain generational diversity. Older women in Iran have lived through periods that profoundly affected their rights. For instance, in 1935 women were prohibited from wearing the veil; now they are required to wear it. Women in mid-adulthood today may well have marched through the city streets some three decades ago in protest of the abrogation of their rights—indeed, some of my informants had done so. About 65 percent of Iran's population is below the age of thirty. The youth in Iran represent an important section of the population not just because of their numbers. Because they are products of this government, their demands for reform cannot credibly be labeled as *gharbzadeh*. Age, then, became an important factor in helping to demonstrate women's fluid perceptions of rights in the course of the history of rights discourses in Iran.

WHEN THE "FIELD" IS NOT QUITE HOME

Tehran, February 1999. I arrived at Tehran's Mehrabad Airport and filed in line for the passport and customs inspections. When my turn came, I perilously entered the gate that, with a buzz from the customs inspector,

unlocked to let me in. Out of a desire to cooperate and even convey my solidarity to the young customs official, I casually pulled my black headscarf forward, hoping the action might appear as modesty on my part. Frankly, I had no idea what the officer might say to me and wasn't about to risk being sent home for inappropriate attire. Although only a glass window separated us, I felt as if we were still worlds apart, for I had not yet entered the world of the Islamic Republic of Iran. The inspector could not have been more than twenty-five years old. His mustache and full beard were short and to the point. He wore the official uniform of the airport customs officials, a light green uniform shirt with black pants. I didn't dare look him in the eye as I silently slid my newly acquired Iranian nonresident passport under the slot. I was conscious of following what I had heard were the rules of public comportment; men and women who do not know each other should not look into one another's eyes. The customs inspector took my newly obtained Iranian passport and swiftly paged through the unmarked booklet. His large brown eyes, seemingly alive at three a.m., glanced up at me—not avoiding eye contact. Then he glanced down again . . . and up again, and finally looked me straight in the eyes and exclaimed, "You haven't been here for twenty-nine years?" I couldn't help but crack a small smile. I nodded and quietly spoke the polite word for yes, "balleh." He took his stamp and triumphantly branded my unmarked passport, and I was in. I sailed out of the baggage claim and into the vast crowd of people awaiting loved ones from overseas. I quickly found mine and we scurried off in a taxi.

When a researcher is thought to be returning "home," the question of what it means to be a native anthropologist arises (Abu-Lughod 1986, 1993; Narayan 1995). My own background became a curiosity for friends and informants who saw me as Iranian, but not quite so. I had lived in the United States for all but the first two years of my life and in 1999 was returning to Iran for the first time in almost thirty years. I spoke fluent Persian, but with an American accent. Unlike many Iranian expatriates who had left after the revolution, my family had left Iran a decade earlier and had remained in the United States for no apparently political reasons. For this reason, government officials and religious groups regarded me with less suspicion than they did people who had left Iran just after the revolution. Since I was born in Iran, authorities in the more reformist administration of that time more readily gave me permission to conduct fieldwork in governmental offices, which, they sometimes told me, they saw as an educational opportunity for me to learn about Iran, "my fatherland."

Several government officials remarked that I was in a better position to explain women's rights in Iran to Americans than they were and briefed me on the ways the new government had improved the quality of women's

lives. But there was also no shortage of suspicion toward me. Perhaps I was a spy for agents of the Islamic republic, who might be checking on their government employees, or maybe I was working for the U.S. government. I was not blind to the fact that people were telling me things based on their perceptions of my bias. I had many conversations that started out with “What are you looking for?” and in many cases I was presented with a seemingly ready script of commentary—about the headscarf, divorce and inheritance laws, how badly women were treated under the previous system, or how women’s rights were not respected in the United States either, all ending with the assertion that the postrevolutionary government had ultimate respect for “woman” and the integrity of her character.

Of course I found none too many detractors, most of whom did not occupy government positions, who sought me out after my interviews with government officials, asked me what I had learned, proceeded to debrief me on how I had been lied to, and armed me with questions to ask the government official the next time I spoke with him or her. I also had more nuanced conversations with both government officials and non-government personnel about the status of women, what forms the improvements took, what still needed to be done, and who they helped.