

Challenging Gender Norms in the Republic of Iran: The Impact of Gendered Citizenship on Social Movements

EMILY BLAKE

ABSTRACT

Social movements have been extremely important in achieving both legal and social acceptance for sexual and gendered minorities across the globe. The growing phenomenon's of globalization and international communication have resulted in the spread of these movements and the formation of international networks. However, these movements face many challenges while attempting to effect change, as heteronormative gender roles are institutionalized and entrenched in many states. The Islamic Republic of Iran is an interesting case as gendered roles are outlined in Islamic law and strictly enforced. As a result homosexual acts are punishable by death for both men and women. Nonetheless, Iran is unique in that the state sponsors transsexual surgery and transsexual individuals are granted full legal rights after undergoing surgery. Although these two policies may seem contradictory, they are both a direct result of strictly enforced gender roles. Feminists have also been able to achieve greater social acceptance and legal changes for women than either transsexuals or homosexuals. This paper will explore the differences in strength in terms of legal and social acceptance between the transsexual, gay and lesbian, and women's movements in Iran and determine that these differences are a result of highly gendered citizenship institutionalized in Islamic law. It will also discuss the important role that global communications, international support, and individual and collective action have played in all three movements.

Most countries in the world have gender and sexual minority movements in some form or other. However, in more restrictive states these movements are weak and hidden. Such is the case in many Muslim theocratic states, where the law harshly punishes deviance from heteronormative gender roles, which adversely affects the mobility and visibility of these movements. Theocracies are defined by a lack of separation between the church and state where laws are based on religious codes. The Islamic Republic of Iran is a unique case in this regard, as the state enacts the death penalty for homosexual acts but sponsors and promotes sex reassignment surgeries and grants transsexuals full legal rights. This paper will compare and explain the differences in legal and social strength between the gay and lesbian, transsexual, and

women's movements in Iran over the last ten years, and examine the role that global communications, international support, and individual and collective action have played in strengthening these movements. It will conclude that the women's movement has been the strongest in terms of legal and social acceptance, followed by the transsexual, then gay and lesbian movements as a result of highly gendered citizenship based on heteronormative gender roles.

The Republic of Iran's restrictive theocratic nature has weakened the mobility and visibility of the gay and lesbian movement within the state at both the legal and cultural level. In Iran, the family unit has been imposed on citizens through policies and social views that promote heterosexual marriage and child rearing.¹ Family honour and shame are also used as methods of control to ensure adherence to hetero-gender norms.² State policies are effective in enforcing heteronormative gender roles as they carry harsh punishments for deviance. Homosexual acts are illegal for both men and women, and carry a maximum penalty of death. A high degree of power is vested in judges as they have the discretionary power to choose between one hundred lashes or the death penalty.³ The law regarding homosexual behaviour also reveals hierarchical gender norms. For example regarding the act of sodomy, the law prescribes harsher punishments for men that played a "passive" role than those who played an "active" role.⁴ This reflects a culture of hegemonic masculinity and the performative nature of gender, as men that are considered to be engaging in 'effeminate' behaviour face greater persecution. Lesbian sexual activity also carries weaker punishments than sodomy, only incurring the death penalty after an individual has been found guilty of four offenses.⁵ This is largely due to the fact that in patriarchal soci-

1 B.J. Carter, "Removing the Offending Member: Iran and the Sex-Change or Die Option as the Alternative to the Death Sentencing of Homosexuals," in *The Journal of Gender, Race and Justice*, (2011), 802.

2 Petra Doan, "Disrupting Gender Normativity in the Middle East," in *Global Development, Sexual Rights and Global Governance*, ed. Amy Lind (New York: Routledge NY, 2010), 151.

3 Alison Brooks and Rita J. Simon, *Gay and Lesbian Communities the World Over* (Maryland: Lexington Books, 2010), 113.

4 Saeed Kamali Dehghan, "Iran's Persecution of Gay Community Revealed," *The Guardian*, May 17, 2012, <http://www.guardian.co.uk/world/2012/may/17/iran-persecution-gay-community-revealed>.

5 Ibid.

eties, women are regarded as inferior to men, less sexual and belonging to the private sphere.

Although the gay and lesbian movement in Iran has faced many barriers, it persists largely due to the efforts of individuals, global communications, and the support of the international community. Arsham Parsi is an individual who has been essential to Iran's lesbian and gay movement, and exemplifies the utility of the Internet, and the international community for this movement. In 2001 Parsi created the Internet community Rainbow Group after learning through online research about movements in other countries that were successful in gaining rights.⁶ This group was aimed at increasing education about the persecution of sexual minorities in Iran and later evolved into the Persian Gay and Lesbian Organization in 2004 and the Iranian Queer Organization in 2006.⁷ In 2005 Parsi left Iran for Canada due to fear of persecution, and established headquarters for his movement in Toronto where he has been able to more freely support the Iranian LGBT movement, create networks and gain international recognition.⁸ In 2008 he created the Iranian Railroad for Queer Refugees, an organization that is still active in fighting for the rights of Iranian LGBT refugees.⁹ He also led a group of Iranian LGBTs in the 2011 Toronto pride parade.¹⁰

Parsi's example shows the importance of global communications and the international community in connecting LGBT Iranians, which is discussed in a recent report released by Small Media and human rights activist Peter Tatchell. The report reveals that while gay and lesbian Iranians are often unable to trust even those who are closest to them, the Internet has created a space where they can openly and anonymously connect with similar individuals.¹¹ Despite the increasing role of the Internet, it is not free of threat from the Iranian regime. Blogging platforms hosted in Iran are required to obey the laws of the state and

6 "Biography," Arsham Parsi, Arsham Parsi Iranian Queer Activist, June 5, 2010, <http://www.arshamparsi.net/index2.html>.

7 Ibid.

8 Ibid.

9 Ibid.

10 Ibid.

11 "LGBT Republic of Iran: an Online Reality?" Small Media, May 9, 2012, <http://issuu.com/smallmedia/docs/lgbtrepublic>, 5.

undergo government scrutiny.¹² There have even been cases of officials using Internet dating sites to entrap LGBT individuals.¹³ As a result many LGBT blogs are run on foreign platforms, which despite being blocked by the state can be accessed through anti-filters and proxies.¹⁴ These blogs have allowed the growth of internationally connected Iranian gay and lesbian communities. The Republic of Turkey (a non-theocratic Muslim state) has also been an important source of international support for the Iranian gay and lesbian movement. On May 22, 2011 the first Iranian gay pride parade was held in Ankara, Turkey.¹⁵ Turkey is also a popular and convenient destination for gay and lesbian Iranians fleeing the country as a result of persecution.

In comparison to the weakened mobility of Iran's gay and lesbian movement, the transsexual movement has been strengthened by legal protection. At surface value, the legalization of sex reassignment surgery in Iran appears contradictory to the strict legal and cultural enforcement of gender norms. However, it is precisely because of this highly gendered citizenship that the Iranian government has pursued the promotion of sex reassignment surgery. Gender norms necessitate that an individual's gender, sex and sexual orientation be clearly defined and that these elements align as per heteronormativity. The official view of the Iranian government is that sex and gender naturally align and transgenderism is an illness resulting in the misalignment of these elements, but which can be cured through sex reassignment surgery.¹⁶ As a result of the policy that the theocracy has pursued, Iran has the second highest rate of transsexual surgeries per capita in the world.¹⁷ After transsexual individuals have been "diagnosed" they may obtain a new birth certificate and begin preparing for surgery, which the state helps sponsor.¹⁸ This medicalization of transsexuality has allowed the movement greater visibility and mobility than the gay and lesbian movement but it remains restricted by cultural norms that deem transsexuality as

12 Ibid., 48.

13 Ibid., 4.

14 "LGBT Republic of Iran: an Online Reality?" Small Media, 48.

15 Ama, "Iran's Homosexuals Come out of the Closet...Everywhere but at Home," The Observers, June 6, 2011, <http://observers.france24.com/content/20110606-iranian-gays-around-world-speak-out-turkey-lgbt-pride>.

16 Carter, "Removing the Offending Member," 806.

17 Ibid., 799.

18 Ibid., 806.

taboo. As a result Iranian transsexuals' daily lives are impacted by social ostracism and persecution, and they are among the most marginalized in society. Transsexuals face routine harassment, have difficulty finding employment, and are often abandoned by their families and communities.¹⁹ In Iranian society, family connections are especially important due to the imposition of the family unit on citizens. Transsexuals also face high risks of transphobic violence including honour killings, where individuals are murdered for bringing shame to their families.²⁰ These murders exemplify the strength of family honour and shame as social methods of control. Even though transsexuals have yet to gain social acceptance in Iran, their mere existence challenges the highly gendered citizenship in Iran.

Similar to the gay and lesbian movement, gains in the transsexual movement have largely been the result of individual rather than collective action. The movement has its origins in the efforts of Maryam Khatoon Mokara, the first officially recognized transgendered person in Iran.²¹ Her multiple pleas to Ayatollah Khomeini resulted in a fatwa (religious decree) in the 1980s that legalized sex change surgery and she has continued to be an integral part of the movement.²² However, the legal recognition that she helped gain for transsexuals has had both positive and negative implications. Firstly the policy has helped to further entrench rigid heteronormative gender roles that restrict the mobility of individuals and social movements. Also there have been a large number of sex reassignment surgeries that have been performed on non-transsexual homosexuals due to the pressures of heteronormativity and desire for state recognition.²³ On this issue B.J Carter states:

The forced conversion of homosexuals into transsexuals is torture and cruel and inhuman punishment. Forced mutilation of the body, living dissection, and removal of anatomical structures are analogous to the actions of Nazi doctors sterilizing the concentration camp populations-only these mutilations are more extreme.²⁴

19 Carter, "Removing the Offending Member," 815.

20 Ibid., 815.

21 Yoshie, "Changing Sex, Changing Islam," Critical Montages, August 3, 2004, <http://montages.blogspot.ca/2004/08/changing-sex-changing-islam.html>.

22 Ibid., 807.

23 Carter, "Removing the Offending Member," 807.

24 Ibid., 820.

The diagnosis of transsexuals is also problematic as it is not regulated and can be assigned by multiple elites including judges, religious clerics, and doctors.²⁵

As well as individual effort, global media and the international community have played an important role in Iran's transsexual movement. Iran's unique identity as a Muslim state that legalizes sex reassignment surgery has made it a relatively popular topic in national and foreign media. For example Tanaz Eshighian's 2008 documentary *Be Like Others* has helped to educate people around the world about transsexuals in Iran. The film follows several transsexuals before and after they undergo surgery to become women and the pressures and challenges that they face. Anoosh, one of the subjects in the film, explains that he wants to have the freedom to live like everyone else and how surgery will help him do so. This shows the normalization of gender roles and the gendered nature of Iranian society. Ali (another individual in the documentary) feels that he has little choice on whether or not to undergo surgery and states that he would not make the choice to do so if he did not live in Iran. This film adequately expresses the pressures that transsexuals may face to undergo surgery as well as family and societal persecution for doing so. It also shows the support systems and networks that exist within Iran's transsexual community despite these external challenges.²⁶

As compared to the mobility and visibility of the transsexual, gay and lesbian movements in Iran, the women's movement has been much stronger. Iranian women enjoy more freedom than women in other Middle Eastern states.²⁷ In Iran, women have the right to drive and vote, and there have been two female vice presidents: Mesoumeh Ebtekar from 1997 to 2005 and Fatemeh Javadi from 2005 to 2009.²⁸ Progress has also been made in education as women now make up the majority of university entrants.²⁹ However, women do still face restrictions in a patriarchal theocracy, as they are considered unequal by society and

25 Ibid., 806.

26 *Be Like Others*, Directed by Tanaz Eshighian, (New York : HBO, 2008), DVD.

27 Caitlin Pendleton and Olivia Zhu, "New Feminism in Iran," *Harvard Political Review* (November 8, 2011), <http://hpronline.org/world/new-feminism-in-iran/>.

28 Ibid.

29 Rebecca Barlow and Sharhram Akbarzadeh, "Prospects for Feminism in the Islamic Republic of Iran," *Human Rights Quarterly* 30, no. 1 (2008), 24.

under the law. Legally women have unequal rights to divorce, inheritance and child custody, and their testimony is given only half the weight of a man's in court.³⁰ They must also be veiled in public, are unable to rent apartments on their own, and are unable to travel without the consent of a male.³¹ Nonetheless, despite state repression, gains for women in Iran have been growing as a result of the strength and collectivity of the women's movement.

Similar to the transsexual and homosexual movements, the women's movement has been inspired and supported by the international community, but has contrastingly been the result of largely collective rather than individual action. There are many international NGOs that support increased gender equality in Iran. An example is the One Million Signatures Campaign launched on June 12, 2006 by Noushin Ahmadi Khorasani and Parvin Ardalan.³² This campaign aimed to collect one million signatures to pressure the government to reform hierarchical gender laws.³³ In the face of the positive impact that international support has made, it has been used by conservative elites to criticize the women's movement. They have portrayed the women's movement as a result of female weakness and susceptibility to Western and dissident influence.³⁴ Despite the repressive efforts of the Iranian regime, the women's movement has remained strong but does face division between religious and secular aims. Some Muslim feminists claim that Islam does not support gender inequality and aim for a reinterpretation of religious texts and reformation of civil law.³⁵ Their cause is aided by the concept of *ijtihad* within Islamic law and the Qur'an, which allows intellectual re-interpretation of Islamic holy sources as applied to the Shari'a legal code.³⁶ Muslim feminism has been successful due to the fact that rather than challenging the Iranian regime it targets specific aspects of state policy that it sees as deviating from Islam.³⁷ Secular feminism by contrast, challenged the regime and aims for the separation of the state and Islam as a

30 Carter, "Removing the Offending Member," 813.

31 *Ibid.*, 813.

32 Fatemeh Aman, "Iran's Vibrant Feminist Movement," *Feminist School*, (May 21, 2009), <http://www.feministschool.com/english/spip.php?article275>.

33 Aman, "Iran's Vibrant Feminist Movement."

34 *Ibid.*

35 *Ibid.*

36 Akbarzadeh and Barlow, "Prospects for Feminism," 26.

37 *Ibid.*, 26.

means of providing greater gender equality.³⁸ Regardless of their different aims, secular and Muslim feminists have been able to co-operate to further the women's movement.

The strength of the Muslim women's movement is exemplified in the positive strides it has achieved in reformist policy over the past decade. Between 2000 and 2004 the parliament or sixth Majlis was reformist, and dominated by a strong women's faction. This women's faction was able to make important amendments to custody laws, increase the minimum age for girls to marry from 9 to 13, and remove barriers for women who wished to study abroad. In spite of this progress, reformist policy has been stagnant since this period. The seventh Majlis was conservative and saw the dissolution of the women's faction from the previous parliament. The current eighth Majlis has seen an even greater decline in the participation of women; the parliamentary agenda does not include women's issues at all. The Guardian Council of the Constitution, which is an extremely powerful institution responsible for interpreting the Constitution of Iran, has also challenged the feminist agenda, and has been able to veto progressive reform. As a result of this declining progress in reformist policy many women have become disillusioned towards pursuing this aim.³⁹

However, unlike the gay and lesbian, and transsexual movements, the women's movement has still been able to make gains in both the legal and social realm. As well as progressive legal reform under the sixth Majlis, Iranian women have been active in public life.⁴⁰ This has allowed the women's movement to enjoy great mobility and visibility despite state repression. As a result of disillusionment with the political reformist agenda, the women's movement has seen an increase in secular tactics. These tactics include public protest, and dissidence as well as more subtle methods of undermining gender norms. For example, women were very involved and visible in protests of the contested 2009 presidential elections, when conservative Mahmoud Ahmadinejad was re-elected.⁴¹ Also on June 12, 2005 there was a female sit-in at Tehran

38 Ibid., 32.

39 Elaheh Rostami-Povey and Tara Povey, eds., *Women, Power and Politics in 21st Century Iran* (London: Ashgate Publishing, 2012), 137-152.

40 Pendleton and Zhu, "New Feminism in Iran."

41 Ibid.

University to protest the Guardian Council's actions during the 2004 legislative elections where they disqualified one third of all candidates.⁴² Public protest and dissidence in Iran are risky as many women face violence and imprisonment as a response to challenging state authority. This has led many women to express protest through more subtle means. These tactics include *bad-hejabi*, a popular practice among young women that involves the improper wearing of the Islamic veil by showing hair at the front and sides or wearing bright colours and patterns.⁴³ This public challenge of heteronormative gender roles and state repression by women shows the strength of Iran's women's movement.

Despite the commonalities that the gay and lesbian, transsexual, and women's movements share in challenging heteronormative gender roles, these movements have been exclusionary of one another. Due to the risky nature of secular tactics in the women's movement, it has distanced itself from the lesbian movement in order to avoid further controversy.⁴⁴ The transsexual movement has also rejected connections to homosexuality in order to gain legal and social support. This is due to the fact that transsexuality is considered a medical condition, whereas homosexuality is considered sinful. Hojatol Muhammad Mehdi Kariminia, the religious cleric responsible for the bureaucratic administration of gender reassignment, has publicly expressed differentiation between the two movements.⁴⁵ He has compared making bread from wheat to sex reassignment surgery as an unnatural but not sinful change, in contrast to homosexuality, which is considered sinful due to its disruption of the social order.⁴⁶ His statements reinforce how state policy on sex reassignment is a result of heteronormative gender roles. The exclusionary nature of these movements in relation to one another shows the impact of gendered citizenship in Iran on social life.

This paper has outlined differences and similarities between the strength of the gay and lesbian, transsexual and women's movements in Iran in terms of legal and social recognition. It has shown how the gay and lesbian movement is the weakest of the three movements

42 Ibid.

43 Azbarzadeh and Barlow, "Prospects for Feminism," 36.

44 Ibid., 38.

45 Carter, "Removing the Offending Member," 805.

46 Ibid., 805.

having made few gains in terms of legal reform or social acceptance. The transsexual movement is the second strongest movement of the three as it has gained legal recognition but remains taboo. Finally, the women's movement is the strongest of the three in terms of both legal and social gains. The differences in strength among these three movements are a result of heteronormative gender roles, highly gendered citizenship, and interpretations of Islam in Shari'a law. However, these movements continue to exist largely as a result of international support and modern global communication. Despite the similarities that these movements share in challenging the state and heteronormative gender roles, they have failed to achieve the co-operation which exists among similar movements in other states. These movements would benefit from mutual support, and alignment with other movements aimed at the modernization of Iran, as it would strengthen their mobility and visibility as well as increase pressure on the Islamic republic for reform.

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