Marriage Across the ‘Color’ Spectrum: Making Commitment Palatable in Iran

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A dissertation

Submitted in partial fulfillment of the

Requirements of the degree of

Doctor of Philosophy

University of Washington

2023

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Program Authorized to Offer Degree:

Interdisciplinary Near and Middle Eastern Studies

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Abstract

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In the twenty-first century, marriage practices in the Islamic Republic of Iran have evolved rapidly as unfulfilled expectations of intimacy in marriages have caused an increase in divorce rates, and the tendency to postpone marriage and engage in unsanctioned intimate partner relationships. In the past decade, the emergence of 'white marriages,' or cohabitation, has made these unsanctioned relationships more publicly visible. This practice exacerbates what the state has for decades called a marriage crisis. Prominent clerics and state officials condemn white marriage because it violates Islamic principles. Still, some Iranians prefer this conjugal arrangement to sanctioned permanent or temporary marriages.

Through an ethnographic analysis of narratives from clerics, legal experts, and practitioners of white marriage in Iran, I show that through their everyday practices, white marriage practitioners have sparked a public discussion on the politics of intimacy and forced state actors and clerics to revisit legal and Islamic debates about marriage and more broadly,

about gender. It also examines the relationship between Islamic jurisprudence and the civil legal code, and the implementation of the state's hybrid Islamico-civil laws, beyond what is in the official discourse. At a time when state repression and gender oppression are used to justify isolation or military intervention throughout the Middle East, this project brings to light the co-constitutive power dynamic between the state and society, where white marriage practitioners contribute to social non-movements that effect social change. In so doing, this work asks us to reexamine the dichotomous language that scholars often use when talking about liberal, illiberal, or authoritarian legal orders.

To my younger brother, who always looked up to me, not knowing that all the while I was looking up to him.

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Acknowledgements

This project would not have been possible without the people in Iran, who invited me into their most intimate gatherings, introduced me to their families, embraced my ambitions, and guided me to resources even when they did not fully understand the goals of my project. From my many interlocutors who I will not name who shared some of the most intimate parts of their lives with me, to café workers or taxi drivers who shared their opinions of white marriage, and countless others, I am forever indebted. I am deeply grateful to Soheila Shahshahani and Jabbar Rahmani, two of the several scholars in Iranian institutions who responded to my emails with enthusiasm and offered their expert analyses on white marriage and gender trends more broadly which helped me frame my data and informed my interview questions. I would also like to thank the many professionals such as lawyers, judges, therapists who embraced my work and questions with a genuine desire to help. I owe my deepest gratitude to Hamidreza, Mina, Mehrdad, Melika, and the Mohammadi family, who in addition to facilitating my relationships with interlocutors helped me translate and navigate cultural codes as I moved in different spaces while I lived in Iran. Along the way, I also had the privilege of discussing my observations and analyses with each of them, whose unique insights have been instrumental to the development of my project.

I would like to thank my advisor and mentor, Arzoo Osanloo, whose unwavering support has been pivotal in my project's evolution and improvement since its start. She regularly encouraged me to participate in workshops and conferences where I discussed my project with other scholars and established professional networks. During my fieldwork, Arzoo facilitated contact with some of my interlocutors in Iran. In my writing stages, she deeply engaged with my work and offered expert feedback that challenged me to think critically and to not shy away from

saying more. Arzoo's faith in the value of my work helped me to find my voice as a writer, and it was a privilege to have her mentorship on this journey.

I am also grateful for my reading committee members. Arbella Bet-Shlimon's expertise was integral to my ability to situate my work in a region beyond the borders within which I conducted fieldwork. Her mentorship has helped me navigate being a scholar since the early stages of my journey, and her support for my work and my professional career has been boundless. The empathy with which Radhika Govindrajan taught, mentored, and supported me in my academic journey is a model I hope to one day replicate. She offered tremendous expert guidance in theorization of my work and was a solid anchor when everything else felt like it was in the air. Michael McCann's mentorship has been a source of validation as my project started to take a sociolegal turn about which I felt apprehensive. Through his teachings and in conversations about my project, he not only showed me the tools to use to enter sociolegal debates but also helped me feel unafraid to use them. I am very grateful to Ileana Silva Rodriguez, who in a pinch, stepped onto my committee as GSR, and offered critical feedback about my work while simultaneously inspiring confidence in me. I only wish we had met sooner.

Support from the Roshan Cultural Heritage Foundation made this research possible, and I am grateful to them and the Department of Middle Eastern Languages and Cultures at UW for facilitating that. Selim Kuru helped fund my time in the field and Aria Fani supported my writing stages through the Roshan Institute Fellowship for Excellence in Persian Studies. I would also like to thank Cabeiri Robinson and the program in Near and Middle Eastern Studies as well as the Department of Law, Societies, and Justice for funding the years during which I wrote. They funded opportunities for me to teach courses to undergraduates on topics related to specific chapters of this project. In designing these courses and discussing these topics with my students

in lectures, I developed a deeper analytical lens. In addition, the program in Near and Middle Eastern Studies supported me with two Research Assistant Fellowships. My language training at the UW in Arabic and Persian was made possible in part by the Foreign Language and Area Studies Fellowship, which I was awarded through UW's Middle East Center. Professors Samad Alavi and Khalid Ahmed helped me hone and develop my language skills which improved my fluency in reading Persian news sources and in understanding legalese.

My MA thesis advisor Steven Rousseau-Schindler has been a continuous fountain of support over the years as I completed this work, offering critical feedback on publications and conference presentations, discussing my ideas with me as though I have always been a colleague, and reminding me that I am here because I have something important to say. I would also like to thank Soraya Tremayne, who invited me to give a presentation just after I returned from the field, as a part of the Women's Rights Research Seminars hosted by Oxford University's Middle East Center. This opportunity was when I first sketched a complete outline of this work, and Soraya Tremayne's enthusiasm for this project has since been a source of my support.

Throughout my journey in completing this work, there has been an incredible support system of friends and loved ones holding me together. Katia jan, my first academic colleague turned friend rode a Foucault course rollercoaster with me which was the start of an ever-blossoming friendship as we journeyed through fieldwork simultaneously and then tackled the pandemic dissertation writing avalanche together. I am also thankful for Kiran's rays of sun that brightened my otherwise dull writing days and just made life divine. Ayda jan, you came to my rescue all the way from Gaziantep during the pandemic and never left my side since then. Burcu jan, you have held me tight, dried my tears, and helped me stay sane by me kicking, punching, and dancing the stress away. Mediha jan, your heart of gold has always been a source of comfort

and your scholarly expertise on gender has contributed to my theorization in this work. Caro jan, thank you filling all the empty spaces with me and listening with the utmost empathy as I vented about the challenges of teaching about and researching on Iran. Gurbey jan, your boundless love and support has been invaluable, and I aspire to be a scholar like you. Jennifer jan, I don't know what I would do without you, my rock in the final stretch of this project. Roman, Michael, Sergen, Tuna, and Busra janam, thank you for being incredible colleagues and listening to me discuss, think about, and expand on my quality ideas.

Sahar, Zahra, Dema, Eroldin, Amanda, Amber, and Lindsey, thank you for being so patient with me, for constantly reminding me of how proud you are, for keeping me sane, and for being my loudest cheerleaders. Sahar, your daily affirmations were everything, thank you for showing up, like the sun. Zahra, for countless zoom Pomodoro sessions, snacks from different time zones, and reminders that I should live helped me keep my head above the water. Dema, my solid friend, and forever support who will always feel like home, thank you. Eroldin, thank you for your patience with me as I talked about my project and for teaching me to see the world differently. Amanda and Amber, your friendship and unconditional love and support for me and my work helped me keep moving forward. You have both been models of strength for me. Lindsey, thank you enough for always reminding me to pause and inhale, then exhale, and for our invigorating conversations that led to analyses that have been folded into this work.

My brother, to whom this book is dedicated is a model of strength and perseverance who I looked to whenever I was running on a thread. I would like to thank him for reminding me to fight through the toughest, and I mean the toughest times. My mom's unwavering comfort and security and my dad's unconditional love, encouragement, and support for pursuing my dreams have been pivotal not only in the completion of this work, but since it was an idea when I was a

bright-eyed undergraduate student. I was privileged to have access to their very generous funds that supplemented my fellowships and allowed me to live comfortably while I was a graduate student. When I struggled to secure funding for my fieldwork or for the latter stages of writing, they put my mind at ease by assuring me that they would support my project up to its completion by any means. They patiently observed me discover my dream, and then supported my pursuit of it in every way they could, without hesitation. They gave me everything they did not have and did not pursue their dreams so that I could pursue mine. I will never be able to thank them enough.

Introduction

One afternoon in September 2021, I unrolled my rental yoga mat onto the hexagonal mosaic tiles in the gated courtyard of a yoga studio in Mashhad. By the start of class, there were eight of us, all women in our thirties, socially distanced and waiting to be guided through our practice. About half-way through class, by the time I had sorted in my head the "*dam, bāz dam*" (inhale, exhale), my instructor recalled a time when she held this class in a nearby park. In response, the students began chiming in, "Wouldn't it be nice to practice in *tabiyat* (nature) again?" I learned that a month earlier, this same class was held at the entrance of one of Mashhad's largest parks, on a weekend. The heavy visitor traffic that day compelled the park ranger to offer a verbal warning to the group suggesting they leave, to which the instructor would respond "just give us five more minutes." As she recounted the day's events, she chuckled, "we had a full hour class with these little five-minute permissions that I got from that ranger!" Another woman said, "but we were wearing loose-fitting clothes and we were fully covered!" Aware of gender-segregation in public spaces such as recreational parks, I asked, "fully covered?" She replied, "Oh I mean we wore long sleeves and long pants; it's obvious no one covered her hair." Then she told the class, "*Bāyad har hafteh berim ke cheshmāshūn ādat koneh beh didanemūn*" (we must go every week, so that they get used to seeing us).

While this anecdote speaks to dress codes and women's rights issues, I use it to illustrate what I mean when I talk about a social non-movement or a movement through presence, and to frame white marriages in a broader context of social change around gender issues in Iran. Yoga and dance classes in public parks, short-sleeved manteaus, and shawls draped on shoulders of women rather than covering their hair have become an increasingly common part of the public landscape in larger, urban Iranian cities, just over the last few years. As they have historically

done so, Iranian women individually participate in a collective behavior with hopes of achieving the shared goal of gendered rights. Some scholars have discussed the ways in which women are agents of social change through their everyday practices in public spaces (Bayat 2010, Shahrokni 2020). In my work, I extend the theory of social non-movements to the everyday practice of white marriage, the vernacular for cohabitation, that both takes place in private and navigates public spaces. Practitioners of white marriage navigate public spaces whether they are signing a rental contract with landlords, greeting neighbors, booking hotel rooms while traveling, or even hosting or attending social gatherings among friends and family. They hope that these everyday encounters help to normalize the idea of being in an unsanctioned intimate partner relationship.

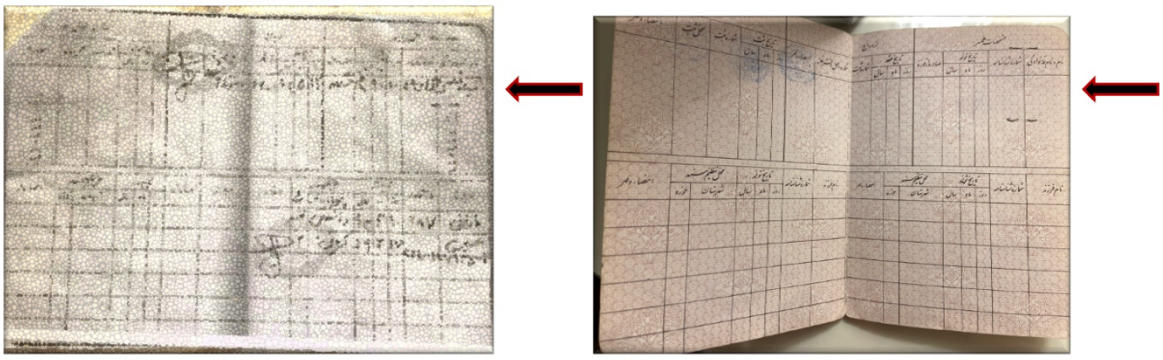
The idea of continuing to attend yoga classes in a public space until it is normalized resembles the way some of my interlocutors described white marriage. "Everyday life might be thought of as the site of routine and habit… everyday life provides the site through which the projects of state power or given scripts of normativity can be resisted" (Das 2010, 376). Shiva, a self-proclaimed white marriage practitioner whose family did not approve of her relationship for years, was certain that her persistence would outlast her parents' resistance. Two years after I first met Shiva, I saw her at a dinner party at her sister's house in Tehran. The guests were all colleagues and friends in their forties and fifties, until her parents arrived. When Shiva's mother, a modestly dressed older woman who kept her headscarf on throughout the evening greeted Shiva's partner Majid with a hug and a kiss on each cheek, Shiva turned to me and excitedly shouted, "Do you see this? This is the same mother who refused to speak to me because she disapproved of my relationship with this man. Now she is kissing him even though they are not *mahram*!" Shiva was referring to her mother's physical interaction with her partner, which is not permissible under Islamic law since Shiva and her partner's intimate relationship is

unsanctioned. Intimate interactions such as hugging and kissing between genders are permissible between two *mahārim (pl.)*, a relationship that is established based on consanguinity and signifies individuals that one is forbidden from marrying. If Shiva and Majid's relationship was Islamically sanctioned, her mother would have the status of mother-in-law and would be *mahram* to Majid. The last time I saw Shiva she expressed that her mother's traditional and religious values impeded her ability to take her partner to many family gatherings where her parents were present. She was hopeful, however, that in time, her parents would come around. And here, two years later, they had.

Iranians use the term "white marriage" to describe cohabitation. Identifying it as a type of "marriage" brings attention to its unsanctioned status in contrast to *aqd* (permanent marriage)[1] and *siqeh* (temporary marriage)[2]. While permanent marriages and divorces are officially recorded in the civil status section of birth certificate booklets, for someone who has never been married, that space remains blank, or "white." Those who cohabit in Iran consider themselves committed but prefer the liberty of entering and exiting relationships without carrying a permanent record with them. In the United States, cohabitation serves a similar role, what scholars Sassler and Miller call "marriage lite," a way to share costs while experiencing companionship, with all the fun but fewer of the role expectations (2017, 13). Cohabitation everywhere may serve as a precursor for marriage or an alternative to marriage, for individuals who are in romantic or intimate partner relationships. In Iran, this extramarital intimate partner relationship is unsanctioned as it violates Islamic values and is deemed a *namashroo* (illicit) relationship. In Iran, a violation of Islamic values ostensibly bears legal consequences. However,

[1] *Aqd* is the Persian reference to an Islamic permanent marriage, like the Arabic *nikkah*. The same term *aqd* is also a reference to a contract in Persian.
[2] Muttah in Arabic.

after an ethnographic investigation on the legality of white marriage, my data revealed the contrary. The question "what are the legal consequences of engaging in a white marriage?" evolved into "is white marriage legally sanctioned?"



Identification booklet of a Married Individual

Identification Booklet of an Unmarried Individual

Figure 1. Identification booklet of Iranian citizens

I began this project a year after an article was published in a women's monthly periodical, *Zanān-e Emrūz* in 2014, which brought attention to the topic of white marriage in various public fora as well as in media headlines in in Iran. This piece entitled "White Marriage: Ailment or Remedy?" delved into stories of men and women who had experienced white marriages and highlighted the fact that women who terminate such relationships often face social and emotional consequences not experienced by their male counterparts. Bringing attention to a practice that violates Islamic values became grounds on which the publication was shut down for several months. The *Zanān-e Emrūz*[3] office was reopened several months later when the editor Shahla Sherkat argued that her intention was not to encourage people to engage in white marriage but rather to caution them of its consequences, especially women readers of her periodical.

[3]In my transliterations, I use the guidelines provided by the Association of Iranian Studies.

"White Marriage: Ailment or Remedy?" cover of periodical (*Zanān-e Emrūz*, 2014).

I build on the work of other socio-legal scholars, and argue that in Iran, movements for social change take place outside of formal institutions, in individuals' everyday lives (Chua 2012, Gallagher 2017, Moustafa 2013, McCann 1994, Poletta 2000). With this focus on the everyday in a Muslim-majority context, I also build on the work of other anthropologists who discuss and complicate the meaning of everyday Islam (Deeb and Harb 2013, Tobin 2016). I engage with everyday Islam in a later section in this chapter and will focus on the socio-legal lens first. Those who engage in white marriages today are aware of legal structures that may confine them yet continue to challenge those very structures through their everyday practices. Using Asef Bayat's concept of social non-movements, I argue that by simply being, through the "power of their presence,"[4] Iranians who engage in white marriages participate in a social movement that undermines the sacred institution of heteronormative marriage and gradually leads to social change (2007, 83). In doing so, I demonstrate how people's lived experiences both challenge and revise what others often present as normative or doggedly unalterable in Islam,

[4] Asef Bayat suggests that nonmovements draw their power from a "power of presence" which he defines as "their [nonmovements'] ability to assert collective will, despite all odds, by circumventing constraints, utilizing what was possible, and discovering new spaces within which to make themselves heard, seen, and felt" (Bayat 2007, 83). That is, in the absence of any formal network or organization, individual actors participate in a collective behavior that the state comes to view as a threat.

and that ordinary Iranians control the legal debates and practices surrounding gender and rights much more so than most observers realize.

The Islamic Republic's civil-religious legal system has afforded a space for individuals to not only engage in practices that transgress the religious side of the law and evade consequences, but to also establish a public presence that leads to unconventional forms of movements that bring about social change. Asef Bayat's accurate assessment of social movements in Iran suggests that in establishing a collective presence, the post-revolutionary Iranian women's, youth, and student movements have been "movements by implication," non-movements that fall outside of the conventional forms of legal mobilization and resistance (2007, 82). For a social movement to emerge and succeed in bringing about social change in non-authoritarian contexts, a series of opportunity structures need to be in place such as acquiring funding resources and managing public protests (McAdam 1999). In authoritarian states, a category in which the Iranian state finds itself, these opportunities are unavailable. For decades, socio-legal scholars have observed that in the absence of these opportunities, marginalized groups engage in unique forms of mobilization that incrementally lead to social change (Chua 2012, Gallagher 2017, Moustafa 2013).

In Iran, in 2007 when women established the Million Signatures Campaign with the goal to mobilize women against misogynist laws, many of them faced harassment and repression at the hands of the state and police as well as from their male guardians (Bayat 2010). As a result, women resorted to a strategy that involves the mundane practices of everyday life. In legal battles, women had been challenging courthouses and judges' decisions in matters of child custody, divorce, and other personal status provisions (Osanloo 2006). As women began graduating from universities at a higher rate than men, they gradually assumed similar public

roles as men, which would pave the way for demanding equal rights in personal status laws (Bayat 2007, 82). Each claim made on the state would become a steppingstone for a further claim for gender rights, which included gender equality but also the gender justice that is promised in Islam and expected of an Islamic government. These steppingstones are a result of mobilization by everyday actors that are farthest from the centers of power and yield incremental claims-making through everyday life practices.

Legal Mobilization

To unpack and understand legal mobilization and social movements in Iran, I use a sociolegal analytical framework which offers the everyday as a locus of legal mobilization. In the 1970s, in response to the Civil Rights movement in the United States, sociolegal studies emerged as a discipline aimed at explaining the gaps between substantive and procedural law, commonly referred to as "the law on the books versus the law in action." Scholars began drawing on a combination of Durkheimian and Geertzian methods to better understand this gap they observed between the laws and the implications of those laws in the everyday experiences of individuals. For too long, philosophic and jurisprudential inquiries into laws and rights had been normative and abstract, thus insufficient at explaining different social phenomena. Sociolegal scholars began integrating empirical data into their theoretical interventions, which helped them arrive at more sound theories about legal mobilization and social change.

One of the pioneers of sociolegal studies, Stuart Scheingold, suggested that instead of focusing on the direct effect of court-articulated rights, or what he called the "legal perspective" in examining the law and change, we should use a "political approach," one that combines theories with empirical analysis of the law in action (1974, 4). At its best, Scheingold argues, litigation is more useful in igniting change when it is used as a tool for political mobilization

than when it is used for asserting rights and winning cases in court (1974, 9). Building on Scheingold's work, McCann refers to indirect and constitutive effects of court-articulated rights as optimal sites to explore legal mobilization (1994). Strategies used by everyday actors who mobilize the law in negotiating their rights make meaningful contributions to transformative politics, often in complex and unpredictable ways. Under authoritarianism, these strategies may include protests, recruitment, organizing, and at minimum consciousness raising (Chua 2019).

As scholars of Iran Bayat (2010) and Shahrokni (2020) have argued, and those who mobilized under the banner, Women, Life, Freedom have demonstrated, Iranians contribute to gradual, transformative politics unpredictable ways. Mobilization does not happen spontaneously and is often the result of everyday actors stewing over their resentments and grievances for too long. It may produce counter-mobilizations or trigger responses from the state, which destabilizes the political arena and creates previously unimaginable opportunities.

The relationship between everyday actors and the law is constantly refashioned through everyday people's claims and the responses to their claims (Yngvesson 1989). Contemporary sociolegal scholars propose that movements that yield social change come through grassroots channels that are often farthest from centers of power and usually do not involve litigation (McCann 1994, Polletta 2000, Zemans 1983). While the involvement of court officials or attorneys as allies is often helpful to grassroots efforts in achieving their goals, the core of social movements usually consists of those in positions of less power (Zirakzadeh 1997). In other words, legal mobilization takes place not only when people actively litigate or are involved with legal structures but also when people become aware of the law and their role in using it for political participation (Epp 1998). While these scholars highlight the grassroots level as the locus of legal mobilization and a site for fomenting change, they do not lose sight of the fact that those

same laws and rights than can be changed by everyday practices in fact constitute everyday practices.

Challenging scholars who locate power within the courts (Rosenberg 1991), many recent sociolegal scholars argue that shifting our focus away from centers of state and even movement power allows us to observe the widespread embrace of the language of rights by everyday actors. This embrace is the catalyst that allows individuals to begin to make novel rights claims (Polletta 2000). These novel rights claims, however sporadic, lay the grounds for gradual social change by producing discourses for movements and raising consciousness among individuals (McCann 1994). The efforts of everyday actors' claims-making leave a residue of rights consciousness which can later be invoked for legal mobilization that brings change. In Iran, rights consciousness has led everyday actors to challenge centers of power and mobilize for social or political change.

Sociolegal scholars suggest that the relationship between everyday actors and the law is mutually constitutive. Laws construct meaning in society that can be observed in peoples' everyday practices (Merry 1995). The production of law entails a continuous negotiation of power between legal and state institutions and everyday actors. As I lay out in Chapter 4, most of the legal experts and clerics that I interviewed in Iran confirmed that laws reflect society if not more than, at least as much as, social norms and practices of everyday actors reflect the law. The rule of law ostensibly applies to not only everyday actors but also to legal and state actors. Historian E.P. Thompson argues that the state is open to the possibility of being held accountable by the rule of law only when it contributes to the state's hegemony and rhetoric of legitimacy (1975). In my work, I argue that in Iran, while the state attempts to shield itself from accountability, everyday actors at times force the state's accountability to the rule of law.

The Islamic Republic's hybrid civil-religious legal system has unwittingly afforded a space for individuals to not only engage in practices that may transgress the religious side of the law and evade consequences, but also to establish a public presence that leads to unconventional movements that foment change. In post-revolutionary Iran, the women's movement produced an "irrepressible" court of public opinion when women began expressing their dissent in public spaces after mobilization for the war with Iraq had made them conscious of their power (Bayat 2010). Critical legal scholar Arzoo Osanloo (2009) and others highlight the unintended role that Islamico-civil[5] courts played in secularizing Islam (Ghamari-Tabrizi 2014, 235). Osanloo further asserts that the combination of Islamic and republican guidelines for laws have allowed for new articulations of the women's rights and human rights (2009). I build on these works and argue that this unintended role has opened a space for individuals to make their extramarital intimate partner relationships visible through white marriages. Whereas in past decades, unsanctioned intimate partner relationships were often kept hidden from neighbors, coworkers, friends, and family, ever since white marriage has grown salient in Iranian society's lexicon, increasingly couples who choose to cohabit are also choosing to ignore social norms or taboos as well as Islamic principles that appear in laws. My interlocutor Mojdeh, among others, embodies this practice. In the 1990s she remained in an abusive marriage despite her husband's drug addiction which was a solid ground on which the court would grant a divorce. In the mid-2000s when divorce gradually became less stigmatized, she initiated the divorce. By 2018, she was inviting

[5] I use "Islamico-civil" the way Arzoo Osanloo (2006) uses it to describe the blending of Islamic and civil laws into Iran's hybrid legal system today. Recodification of Islamic family law, Osanloo claims, "has created the situation in which Islamico-civil law is part of the state's central authority, has transparency and a definitive quality, and allows for rights talk" (2006, 203). My work is interested in the ways in which this hybrid legal system in Iran gives everyday actors access to legal debates and opens a space for holding state actors accountable to undelivered promises.
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her father, brother, and extended family to parties that she hosted with the man with whom she was in a white marriage.

In the first decade of the twenty-first century, young couples entered marriages with greater expectations about companionship and emotional intimacy. The lack of fulfillment of these expectations contributed to a soaring divorce rate, which deterred some, and led many to postpone marriage (Afary 2009). Postponement of marriage led to a rise in premarital intimate partner relationships and thus a drop in child-bearing potential. Since the 2000's this has caused a decline in population growth, which is a grave concern for the state today. In Chapter 1, I explain some of the ways in which the state attempts to mitigate this concern by facilitating and incentivizing marriage.

Debates on gender and conjugal arrangements shed light on the challenges that an Islamic republic faces when balancing Islamic jurisprudence with expediency, which I discuss in the following section, in delivering the revolution's promises of emancipation and equality. As sociolegal scholars argue and as I have observed in Iran, people's everyday practices are as influential in legal discourses and movements as litigation is in the courtrooms and in enforcing the rule of law. Shifts in power may challenge or weaken social nonmovements and individuals making rights claims over time, but the rise of rights consciousness and the influence of legal mobilization on the court of public opinion are lasting. The widespread protests across different Iranian provinces that began in September 2022 quickly gained momentum in part due to a court of public opinion that had long been primed in prior decades.

Rule of law and Expediency

The revolution of 1979 resulted in the establishment of an Islamic Republic, under the guidance of a supreme leader, Ayatollah Khomeini. Khomeini's pre-revolution use of populist

rhetoric that criticized the cultural imperialism to which Iranian leaders of the past had submitted gained him massive support and popularity (Abrahamian 1993). Khomeini envisioned that only an Islamic government could detach Iran from its corrupt monarchical past and had drafted a manual for an Islamic Republic that would operate under *velayat-e-faqih* (guardianship of the jurist), the highest Islamic authority in the country. Additionally, Khomeini called on the need for implementing *shari`a* jurisprudence*,* which allows exegetes to consider categories of time, era, age, as well as place, location, and venue (Abrahamian 2008):

> "Under the Islamic Republic the door of *ijtihad* ought to remain open. The nature of the revolution requires the free exchange of diverse opinions in *ijtihad* on different issues, even if they contradict one another; no one has the right to obstruct it"[6] (Ghamari-Tabrizi 2008, 84).

In so doing, Khomeini authorized jurists to interpret Islamic law through *ijtihad* (independent reasoning)[7] in a way that would accommodate for the contemporary demands of society. The fluidity of jurisprudence paired with the hybrid Islamico-civil institutions inevitably opened a space for the articulation of contemporary rights discourses and what Osanloo calls "Conditions in which some Iranians might access a discourse of rights, demand transparent process…and in which new kinds of claims and remedies can emerge and potentially challenge those state institutions" (2006, 203).

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[6] Excerpt from the *Sahifeh-ye Nūr* (1983-1994), a multi-volume series of speeches, decrees, and letters by Ayatollah Ruhollah Khomeini on the role of clerics and jurists in government, quoted by Ghamari-Tabrizi (2008).

[7] There are four sources in Islamic law: the *Quran* (Islamic sacred book), the *Sunnah* (traditions and practices of the Prophet Muhammad), *qiyas* (analogical reasoning), and *ijma* (consensus). *Qiyas* is a restricted form of *ijtihad* (independent reasoning, interpretation), reasoning by analogy, or precedent, and ijma is the unanimous agreement of jurists of a particular age on an issue. *Ijma* contributed significantly to the body of law such that if questions arose about a *Quranic* text or tradition, or a problem for which no *sunnah* existed, the jurists applied their own reasoning (*ijtihad*) to arrive at an interpretation. By the 13th century, all schools of Islam encouraged relying on past rulings rather than keeping the historical dynamic relationship between interpretation (*ijtihad*) and consensus (*ijma*). The denial of the right to exercise *ijtihad* led to religious revivals of 18th century which were precursors to the modernist and Islamist movements of 19th and 20th centuries (Esposito and DeLong-Bas 2001).

The final version of the new Iranian constitution was not drafted until a decade after the revolution. In leading discussions among the drafters of the constitution, Ayatollah Khomeini gathered support from clerics across the ideological spectrum. While they showed support for political rule and Islamic jurisprudence, the concept of expediency became the line of division between Khomeini and his supporters and the more conservative clerical factions. Khomeini was more interested in preserving the power and interests of the state than in preserving the *shari`a*. For example, in 1981, Ayatollah Khomeini issued a *fatwa* (legal decree) giving parliament the authority to proclaim legislation with an absolute majority of votes even if the legislation conflicted with *shari`a*. When the Guardian Council[8] ignored his decree, he issued another authorizing parliament to create legislation based on *zarurat* (necessity) and *maslahat* (expediency) with a 2/3 majority of votes (Mir-Hosseini 2010).

While the conservatives feared that Islamic jurisprudence would be threatened by an application of *ijtihad* for the *maslahat* of society (Ghamari-Tabrizi 2008), Khomeini argued that *maslahat* would be prioritized over *fiqh* (Islamic jurisprudence):

> The commonly practiced *ijtihad* in the seminaries does not qualify anyone to discern the expediencies of our society. Those who do not have the depth of knowledge required for managing a world of politics and leading the society in this complicated world must not take over the responsibility of running the country. [quoted in Ghamari-Tabrizi 2008:156]

Khomeini envisioned a *fiqh-e puyā* (dynamic jurisprudence) that would yield to temporal and societal expediencies and would lead to division among conservative jurists and scholars of the

[8] The Guardian Council is a partially elected arm of the government that is made up of 6 expert scholars of Islam appointed by the Supreme Leader and 6 jurists who are elected by parliament after being vetted by the Chief Justice. They have the power to vet candidates for parliament and veto bills passed by parliament if they are deemed contrary to the constitution or to Islamic principles. "All laws must conform to the principles of Islam. The Guardian Council has the authority to determine these principles. All legislation must be sent to the Guardian Council for examination" (Abrahamian 2008).

fiqh-e sonnati (traditional jurisprudence) (Ghamari-Tabrizi 2008, 147). As an inevitable consequence, civil society started demanding rights through both religion and expediency, as previous scholars on women's rights in Iran shown, and as I observed take place in public discussions between clerics, legal experts, and activists. The revolution created the conditions for the rise of rights-based ideas and movements that aimed to transcend Islamism in society and governance (Bayat 2010). A turn to the rule of law in practice and not just in theory was a challenge awaiting the post-Khomeini state. Operating from a place of dynamic jurisprudence would require constant revision and reinterpretation of laws to keep up with the expediency of society. The mandatory hijab law which has been contested since even before it was enacted over forty years ago is one such example to which attention was called most recently in September 2022.

In the decade following the revolution, Khomeini's system of government evolved into a system of elected and unelected branches of government and institutions, with a separation of powers applying to mainly non-clerical arms of the government. As the constitution was drafted and amended, the constitutional powers of the Supreme Leader expanded to absolute authority over resolving conflicts between the three branches, appointing the head of the judiciary, broadcasting, and national security (Boroujerdi and Rahimkhani 2016). The locus of state power would remain in the hands of the supreme leader. The 1997 landslide election of reformist President Mohammad Khatami who campaigned on granting civil liberties, free expression, women's rights, and political pluralism laid the groundwork for introducing transparency and enforcement of the rule of law. During President Khatami's eight-year term in office, many former Khomeini supporters who had become reformists popularized discourse of democratization and participation as antidotes to authoritarianism (Rivetti and Cavatorta 2013,

648). This interest in limiting the power of the supreme leader was illustrated by Khatami's involvement of experts from civil society in policymaking (Rivetti and Cavatorta 2013, 649). During those eight years, the Islamic Republic increased participatory elements of the government and opened the possibility for the emergence of rights discourse.

When I examine my data on white marriage in the context of gender and marriage norms and practices over the past decades, there is no doubt that Iranians' practices and therefore needs have shifted. For example, a barista in Iran's seminary capital Qom, says, "The decade of the 2000s carried the chador out of Qom." Firūzeh, 26-year-old Shabnam's mother, explains that she encourages her daughter to be in a white marriage and ensures me that neighbors no longer intrude in each other's private lives as they did before. Hesam tells me that in his encounters with young women born since the 1990s, preservation of virginity is an obsolete concept, a sentiment I observed not only among my interlocutors who were white marriage practitioners but among mental health professionals, legal experts, and seminary scholars as well. If the shift in societal demands and norms is apparent to these different groups of actors, then it is undoubtedly also apparent to the state officials. Consequently, as the state's policies prioritize expediency, my work explores the official position on and approach to white marriage as its frequency reflects the need for such conjugal arrangements. Clerical authorities' condemnation of white marriage on grounds that it violates Islamic principles led me to ask whether the expediency of white marriage might outweigh its violation of Islamic principles, and furthermore, whether jurisprudence, that is ostensibly dynamic, can make room for white marriage as a sanctioned practice. In so doing, I found that through their everyday practices and what Asef Bayat calls the "power of their presence," white marriage practitioners have sparked discussions and debates in

a variety of public arenas where experts attempt to reevaluate not just the marriage crisis but also many other *fiqh*-based gender laws (2007, 83).

Iran, an Authoritarian Context

When I first began developing a theoretical framework for my work on Iran, I found myself searching through sociolegal scholarship that focused on "authoritarian regimes" such as China, Singapore, and Malaysia. As I read about legal mobilization and the relationship between everyday actors and the state in these contexts, I began questioning sociolegal scholarship's language, and the implications of applying theories from a discipline that originated in the United States, making it susceptible to Americentrism[9]. Within this category of authoritarian regimes, Malaysia and Iran are perhaps deemed even more exceptional given their hybrid civil-religious legal systems. While living in Iran, I often heard and observed things in people's everyday lives that contradicted the textbook definition of what it means to live under an authoritarian regime. The ways in which Iranians spoke about the law and its enforcement, which was reflected in their everyday behavior including in their interactions with state institutions, triggered my interest in interrogating the shade of authoritarianism in Iran and the effects of an Islamico-civil legal system, and in learning about what makes Iran so exceptionally authoritarian.

"Ma'am, in this country, for every law they create, there is a way to circumvent that law."- Iranian Customs Agent in Mashhad, February 2019

After having collected preliminary ethnographic data for a couple of summers, I returned to Iran to begin my extended fieldwork in the fall of 2018. I took the cellular phone I was using in the United States, an old iPhone 6, to use in Iran during my fieldwork. An hour after I arrived, I inserted a local prepaid Irancell-issued SIM card into my phone and received an automated text

[9] This Americentric view has recently been challenged by scholars including McCann and Lovell 2020, and McCann and Kahraman 2021. I discuss the latter's work in the next section.

message from the Iranian Customs enforcement office informing me that I could use my phone in the country for thirty days, after which it would be inoperable unless I paid the custom's fee and registered it. I inquired about the quickest way to register my phone, and after my interlocutors and relatives who were iPhone users complained about the inaccessibility of Apple products, applications, and repairs due to U.S. sanctions, I learned that the most secure way to register my phone required that I visit the customs office in Mashhad, located near the railway station, at the opposite end of the city from where I was staying.

One late morning that week I sat through rush-hour-like traffic in the backseat of a taxicab and made it to the railway station that sat on the edge of town. The customs office was temporarily housed in a small white steel bungalow in the middle of the large, uncovered lot used to store and process shipping containers brought into Mashhad. I walked onto the lot through the narrow passageway between the security kiosk and the vehicle entrance, and the soldier sitting in the booth guided me to the bungalow. Because I was a traveler, I would use my passport to register my iPhone within my 30-day window which began upon my entry into the country. As I stepped inside, I realized I was standing at the back of the line with just enough space behind me to close the door. There were five others who were waiting to speak to one of two customs agents sitting behind the reception desk, and a couple of men seated along the wall adjacent to the desk who appeared irritated as they made multiple phone calls to sort out issues with registering their mobile devices. They shared grievances about phone registration laws changing abruptly, or overnight as they framed it, leading to a much more arduous process than they had anticipated. Most held passports either from Iraq or Afghanistan. Those from Iraq spoke minimal Persian mixed with Arabic and were likely visiting Mashhad on pilgrimage.[10] The

[10] I provide greater background on Mashhad in my methodology section.

others spoke Persian with an accent, and either had family living in Mashhad or on the city's periphery. Mashhad's proximity to the western border of Afghanistan makes it a destination for many who seek refuge or employment.

The line moved very slowly as it took at least thirty minutes to process each client. Internet service interruptions and the customs website's periodic freezing increased the frustrations of both clients and customs agents. Eventually, to make the time pass, those of us in line rotated between standing in line, sitting in the few chairs lining the wall, and stepping outside for fresh air. We had a shared solidarity in having to endure the painstaking process of registering our phones which we communicated to each other via nonverbal sighs, hands on hips, head nods, and eyerolls. Complaining to the agents was futile as we soon learned that they were even more fed up with the circumstances and did not shy from being vocal about it. By the time I reached the reception desk, it was almost 2 p.m., when the office was due to close. As I approached the tall ledge of the reception desk, the young woman agent smiled at me and nodded as she gestured toward the computer monitor in front of her and said, "The government creates laws to curb the smuggling of mobile phones, and while we have to deal with the hassle of these new laws, I am certain that the smuggling problem persists." I handed over my documents and she began entering my information into the registration form on the customs website. I asked about the limitations of phone registration and was told that upon each entry, every passport holder can register two iPhones to their name.

I took a break from my fieldwork in the winter of 2019. Before returning to Mashhad, I upgraded my phone, with the intention of using it during my fieldwork. This time I knew the customs registration drill and made my way to the customs office near the railway station that I had visited the previous month. The temporary bungalow was still there. I walked past the

security kiosk enthusiastically in anticipation of registering and using my new iPhone. As I entered, I recognized one of the agents from my last visit standing behind the reception desk, asking those who were in line what services they needed. I explained that I wanted to register my upgraded phone, after having registered my old phone a few months earlier, only to learn that the law had since changed, and that each passport carrier was only permitted to register one phone per year. I responded in disbelief, "But I confirmed with another agent that I can register two iPhones." I immediately had a flashback of the complaints of individuals I had encountered on my last trip to this office, about the sudden changes in phone registration laws. I asked if I could unregister my old phone as I was no longer going to use it and register my new one instead, to assure that I do not intend to smuggle an extra phone into the country.

The agent calmly responded, "It doesn't work that way. Look, here is the solution. There are many workers here from Afghanistan. If you just step outside this gate, you'll see them standing around waiting to be picked up for menial day jobs. Offer one of them some money, not a lot, in exchange for using their passport to register your phone. Once your phone is registered to their line, have them come here and request a transfer of the phone to your SIM card. I will take care of that." In greater shock than before I told him that this seemed unethical and that there must be another solution. He chuckled and casually said, "Ma'am, in this country, for every law they create, there is a way to circumvent that law." If the law prohibited me from registering my new phone, I was being offered a workaround by a customs agent who very matter-of-factly informed me that in Iran, there is an exception to every rule.

Now, customs laws and regulations are not the focus of my work, nor do they have foundations in Islamic law. I share this story because by declaring that for every law there exists a way to skirt it, this civil servant in Mashhad was sharing his understanding of procedural law

within the Iranian Islamico-civil legal system. His everyday life experience-based understanding of "the law in action" as a customs agent offered me insight into the way in which an everyday actor relates to the law. It made me wonder whether white marriage practitioners consider their actions in the same light. That is, for every form of sanctioned intimate partner relationships outlined in the law, is there room for circumvention?

Anthropologist Lawrence Rosen, who examines Islamic law in different Muslim contexts states, "If we think of Islamic law as substantive rules alone, we will miss out on understanding why the legal process is so integral to the law's legitimacy and such a crucial vehicle for the articulation of social values at large" (Rosen 2018, 8). Scholars of Muslim-majority contexts emphasize that a nuanced understanding of Islamic law requires engagement with today's everyday Muslim because prior to the codification of Islamic jurisprudence, legal rulings were made by judges in response to questions raised by ordinary individuals (Hefner 2016). Some of the legal experts and judges that I interviewed about white marriage made a similar claim about scholars of Islam issuing decrees based on the needs of society, which I describe in depth in Chapter 4.

Looking closely at everyday perceptions of and relationships to the law in Iran whether in my interactions with civil servants, taxicab drivers, or service employees that I encountered as I carried on with my daily routine, or with my interlocutors showed me that in Iran, "the law is both a coercive and cohesive force" (Osanloo 2020, 5). In her ethnography on criminal sanctioning for first-degree murder cases, Osanloo suggests that legislation is productive in both producing and preserving localized rules and customs, which entail a series of civil society initiatives for forgiveness work (2020, 5). In my work on gender and marriage in Iran, I have found that while Islamico-civil laws may on the one hand sanction transgressive behavior

deemed contrary to Islamic principles, at the same time, however inadvertently, it brings Islamic jurisprudential texts out into public conversations, where everyday actors can subject it to scrutiny (Mir-Hosseini 2016). Filing Iran away as an authoritarian regime obscures these nuances in the productive nature of Iranian Islamic law and by extension disparages everyday Iranians by perpetuating mass-media representations of Iranians as oppressed by a brutal authoritarian regime and in need of saving. It was in fact European countries, according to Rosen, who used law as an instrument for the centralization of the state, in contrast to divisible power common in the Arab world, which has "deep roots in the cultures of the region" (2018, 5).

My ethnographic experiences in Iran have led me to build on sociolegal scholar Lynette Chua and others' works in suggesting that authoritarianism can be applied to most if not all governments and only differs in degree and form. Chua defines authoritarianism as "involving domination over a particular hierarchy of social relations by individuals or a group of people at the top of the hierarchy… who continuously exert power to instill order from all or most segments of the population" (Chua 2019, 357). Authoritarianism, as it refers to the possession and preservation of power of and by dominant individuals, exists everywhere, and to accurately understand it, as scholars, we must decenter sociolegal scholarship and apply a non-Americentric lens that allows us to talk about authoritarianism, rather than authoritarian regimes, and democratic processes, not democratic states.

As I briefly mentioned earlier, some sociolegal scholars who examine the United States have recently complicated the categories of liberal, illiberal, and authoritarian as descriptors for legal orders[11] (McCann and Kahraman 2021). Liberal, illiberal, and authoritarian legal forms,

[11] McCann and Kahraman state that whereas authoritarian refers to a legal order that is limited in its accountability to its subjects, illiberal refers to a legal order that "denies core rights status and rights protections to large swathes of legal subjects" (2021, 484).

they aptly argue, are mutually constitutive in the United States, creating a hybrid or "dynamic mosaic" of these forms (McCann and Kahraman 2021, 498). This work is pivotal in destabilizing the view of the liberal United States and its illiberal others and takes us a step closer toward demystifying the assumption of a United States (and western Europe) with a liberal legal order in juxtaposition to an authoritarian or illiberal rest of the world. The United States' legal order has grown out of a unique history rooted in a colonialism, racial capitalism, and patriarchy which has disproportionately punished groups like women, racial minorities, and the poor, all the while masking its authoritarian practices (McCann and Kahraman 2021, 493). Still, the description of its hybrid legal practices that are at once liberal, illiberal, authoritarian, and constantly changing help us understand legal orders in non-American contexts including Iran, and most importantly, shows the ways in which the gaps and tensions in the competing legal forms within a hybrid system can be exploited by everyday actors. Everyday actors use these unintended gaps as spaces for legal mobilization that lay the conditions for social change that may have previously been unimaginable.

Scholars of authoritarian governance in the Middle East, Heydemann and Leenders (2013), define the regimes of Syria and Iran as "recombinant authoritarianism."[12] This quality, they suggest, allows the governments to modify the ways in which they rule and maintain their authority, albeit without a guarantee of the regime's long-term survival (2013, 9). In Iran, in contrast to most of the rest of the Middle East, they have observed that institutional fragmentation and decentralization of political power offers social actors an opportunity for sustained collective action (Heydemann and Leenders 2013, 21), a concept that is echoed by

[12] Citing Stark (1996), Heydemann and Leenders define recombinant authoritarianism as systems of rule that possess the capacity to reorder and reconfigure instruments and strategies of governance, to reshape and recombine existing institutional, discursive, and regulatory arrangements to create recognizable but nonetheless distinctive solutions to shifting configurations of challenges" (2013).

Harris (2007) in his analysis of Iran as a welfare state. In her work exploring the 1999 and 2009 protests in Iran through the lens of women's status and their rights claims in the arena of family law, Osanloo found that the Iranian "state institutions produce both systematic repression, and at the same time, a strong protest movement with considerable consciousness of individual rights and democratic principles" (2013, 138). The hybrid Islamico-civil legal system has created a condition where "women are at the vanguard of reform" even as the state increases its repressive policies, and maintains its resilience (2013, 142). Osanloo's description of the Iranian context dovetails McCann and Kahraman's notion of a hybrid legal order that is at once liberal, illiberal, and authoritarian. The ethnographic data I present in the coming pages support these claims.

In the same vein that postcolonial scholars such as Talal Asad (1973), Edward Said (1978), and Abu-Lughod (1991) have demystified hegemonic discourses of binaries such as religious vs. secular, modern vs. traditional, and east vs. west, sociolegal scholars should continue to demystify the false binary of liberal and its other. Binaries are fixed categories that create the false perception that the contexts they describe are static and unchanging. Studies of legal mobilization that examine the lives of everyday actors living in these "other" authoritarian contexts reveal the contrary not just in Iran, but everywhere. Through their nuanced analysis of the United States' legal order, McCann and Kahraman (2021) offer hope as they expose its hybrid liberal, illiberal, and authoritarian features. Their approach also offers insight into understanding non-U.S. contexts as hybrid legal forms that are also constantly changing and not strictly authoritarian.

It is not enough, however, to apply an equally critical lens to the American context as we do to non-American contexts, and the reason lies in the consequences of imbalanced knowledge production between the United States and post-colonial contexts. The political implications of

calling the United States' legal order authoritarian or illiberal drastically differ from describing Iran's as such. To be more specific, as many of my interviews with interlocutors concluded, I faced questions that diverged from my topic of research, either about the potential for the lifting of U.S.-led sanctions or the possibility of U.S.-led military intervention into Iran. I doubt that a U.S. citizen would ask similar questions of an Iran-based researcher studying cohabitation. The unlikelihood of the latter arrangement is a testament to the severe imbalance of knowledge production. I am not naïve to think that the way we as sociolegal scholars talk about "the other" will be the source that pulls the lever for a military invasion, but I am aware of the court of public opinion we contribute to shaping when we publish or give talks to public audiences in the U.S. As I write against the grain of hegemonic knowledge production and a gradually revamping Americentric sociolegal scholarship, like Chua, I ask that this contribution to legal mobilization not be treated as the "other" exotic case, and instead be a part of the scholarship's norm (Chua 2019, 370). Put differently, using Talal Asad's words from his work *Anthropology and the Colonial Encounter*, I invite my audience not to be "concerned to contrast Islamic society and civilization with their own, and to show in what the former has been lacking" (1973, 115).

'Everyday Islam'

Anthropology of the everyday is an analytical framework that employs everyday routine activities of individuals to inform our understanding of larger social, political, economic, and religious phenomena. Within the anthropology of Islam, the *everyday* is invoked to disintegrate binaries, dispel essentialist and Orientalist misconceptions, and to portray nuance in Muslim societies. Some anthropological attempts (Mahmood 2005, Hirschkind 2006) at capturing this nuance followed Talal Asad's tradition of approaching Islam as a discursive tradition in discovering Islamic piety as "interlocutors made themselves into virtuous Muslim subjects"

(Fadil and Fernando 2015, 63). In contrast, other anthropologists emphasize the duality of religion as an everyday practice and a normative doctrine that "often come together in contradiction as people navigate a complex and inconsistent course of life partly by evoking a higher moral, metaphysical and spiritual order" (Schiekle and Debevec 2012). For Fadil and Fernando, by focusing on the impious or secular elements of everyday life and their incongruence with piety, scholars such as Schiekle and Debevec are perpetuating the very Orientalist discourses of tension, resistance, incoherence, contradiction in Muslim societies. Fadil and Fernando warn that through an analytical framework of 'everyday Islam,' discursive traditions are ignored, and instead mundane activities are posed in opposition or contradiction to the pious, thus recreating problematic binaries.

Lara Deeb's response to Fadil and Fernando appropriately suggests that, in fact, their critique is what reifies problematic binaries. By focusing on everyday Islam's examination of the 'secular' and alleging that this framework ignores piety, Fadil and Fernando drive a wedge between the normative and the everyday, implying that religion is not an integral part of the everyday. In contrast, other proponents of everyday Islam look at the everyday as irreducible and inclusive of everything including religion (Orsi 2012,151). They suggest that everyday lives and religious practice are entirely relational and cannot simply be deducted from discursive doctrines (Schielke and Debevec 2012). In their discussion of morality as grounded in an acceptable code of conduct for Shi`i Muslims in South Beirut, Deeb and Harb claim that by situating a sense of virtuosity in piety, scholars like Mahmood flatten and simplify the complexities and nuances of life in Muslim societies (Deeb and Harb 2013). If the anthropology of Islam aims to capture nuance through ethnographies of particulars, then the boundaries of the everyday should be

limitless. Whether pious or secular, individual choices are most often driven by the desire and effort to make life livable.

The post-colonial turn in the anthropology of Islam aimed to give individuals in Muslim societies the agency they had been stripped of in Orientalist discourse. The role of the ethnographer is to represent stories as closely as possible to the way that interlocutors tell them. In their analyses, some contemporary post-colonial anthropologists have slipped into problematic representations of interlocutors that stem instead from the ethnographers' own meaning-making. Here, Fadil and Fernando legitimately raise the question of the role of the ethnographer in Muslim societies as they allege that anthropologists of 'everyday Islam' are not committed to "taking native voices seriously" (Fadil and Fernando 2015, 82). In other words, they claim that such scholars of 'everyday Islam' reproduce Orientalist discourses when they suggest that everyday Muslims grapple with contradictions and incoherencies.

Centering interlocutors' voices is pivotal here, whether in describing behaviors or beliefs as contradictory or in defining what it means to be pious. In a recent work framed through 'everyday Islam' that looks at Palestinians living in Jordan, Sarah Tobin problematizes limiting the definition of orthodoxy to adherence to doctrine, as some of her interlocutors dismiss or reject some doctrinal tenets but still "consider themselves as practitioners of real Islam" (Tobin 2016, 11). In examining the everyday lives of self-proclaimed practitioners of real Islam, Tobin calls into question the practice of ethnographers who determine or define the boundaries of what it means to be pious and Muslim. She finds that "real Islam" pertained to the things that people had learned about their religion and the ways in which they engaged with their learning in their everyday economic practices.

I extend Tobin's argument to Iranians who engage in white marriages. Like other scholars of 'everyday Islam,' Tobin finds that the everyday is so capacious that it encompasses all practices and beliefs, whether directly tied to doctrine, and uses localized definitions to discover what it means to be pious. She gives "native voices" agency in their own meaning-making of what it means to be pious. In my work, in the everyday interlocutors' stories, I attempt to do the same. For example, when Hesam identifies as a Shia Muslim and constantly cites Islamic scholars' legal rulings about intimate partner relationships when we discuss his white marriage, only Hesam can define his piety. Alternatively, when Laleh invites me to visit the Holy Shrine in Mashhad once a week where she prays and listens to the sermon before we meet up with her cohabitation partner, Laleh is no more or less pious than Hesam.

Methodology

As an ethnographer of gender and marriage in Iran for over a decade now, I have experienced the challenges of asking interlocutors to divulge some of the most intimate parts of their lives with me, a stranger, a scholar from a western institution. For this project, I conducted over 14 months of ethnographic fieldwork in Mashhad, Iran, which is located less than a thousand kilometers east of Tehran and is one of Iran's most populous and prosperous cities. This Muslim pilgrimage center was established in the ninth century as the shrine of Imam Reza and became a Shia pilgrimage site by the 15th century under Safavid rule. Mashhad is commonly perceived as a holy city, where pop concerts are not permitted by the local grand Imam because they perpetuate un-Islamic values (Olszewska 2015). An ethnographic study on temporary marriage in Iran in the 1980s found Mashhad to be one of two cities with the highest rate of temporary marriages (Haeri 1989). With the help of some local clerics, men visiting the shrine enter short-term marriages in order to sanction brief sexual relationships with local women.

Mashhad is an ideal setting for collecting stories from individuals engaging in white marriage and rejecting temporary marriage due to the stigma that it is mostly used by sex workers and married men having extramarital affairs on one side of town, while temporary marriage is quite common on the other side of town. White marriage is similar to temporary marriage in terms of its results but has greater risks as it is illegal and not religiously sanctioned. In other words, the binding contract of a temporary marriage legitimizes a relationship between two people who are not permanently married in the eyes of the law and God.

My primary interlocutors were 48 self-proclaimed practitioners of white marriage of which most were based in Mashhad, a few in Tehran and in the northern coastal region. These individuals were between the age of 21 and 52, from urban cities, and from either middle- or upper-class backgrounds. All had four-year university degrees or higher and either held jobs in the private and public sectors. The interlocutors whose stories I tell were in heteronormative relationships. In Iran, while non-heteronormative couples increasingly engage in public displays of affection in larger urban cities, there is still a negative stigma associated with non-heteronormative relationships. Consequently, as my research topic lends itself to disclosure of very intimate and sensitive information, I did not come across anyone in a non-heteronormative white marriage, nor did I deliberately seek it out.

Regarding non-heteronormative cohabitation, several of my interlocutors echoed something that is also mentioned by historian Afsaneh Najmabadi in her book on transsexuality and same-sex desire in Iran (2013). That is, given Iran's homosocial norms and practices, when individuals who appear to be of the same sex cohabit, outsiders including immediate family members and neighbors do not raise questions about their living arrangement. The norm would be to assume that the individuals cohabiting are roommates. White marriages gained the supreme

leader's attention not because same-sex individuals were cohabiting, but because opposite-sex individuals were. It is possible that many non-heteronormative couples who cohabit describe their relationships as white marriages, but for now they can stay under the neighbors' and the state's radar. In a piece on unusual topics and taboo themes for research in Iran, anthropologist Christian Bromberger asks if we can imagine an anthropology of stigmatized minorities, be they ethnic, racial, religious, or sexual (2012). Perhaps ten years from now more individuals in non-heteronormative white marriages will be more comfortable making their relationship public and thus more comfortable speaking about their relationship to a researcher. Just as a decade ago my female interlocutors hesitated to discuss their divorces but have no hesitations now that divorce is much less a taboo.

While stories of my primary interlocutors drove the direction of my project, I also interviewed journalists, family law attorneys, women's rights activists, psychologists, Islamic scholars and clerics, and academics who study the contemporary family in Iran. As my time in the field passed, I became increasingly aware of the interconnectedness of infinitely different actors entangled in one form or another with this new practice. Women's rights activists and academics have been debating white marriage for almost a decade now, in public spaces that have not received widespread media attention. While family law attorneys do not litigate white marriage cases because they are not legally recognized, they observe it as a cause for divorce among permanently married couples, where one spouse is secretly engaged in a white marriage.

Prior to and during my fieldwork, I collected evidence of this discourse in media and public forums. Since the start of my preliminary work in 2016, I began collecting and analyzing articles published in Persian from state-sponsored and private media agencies as well as recordings of conferences in which white marriage was debated in Tehran. These sources include

expert analysis from officials from the Health Ministry, social workers, psychologists, and most commonly from clerics. The overwhelming input from clerics in public interviews and debates is striking as it exposes a diversity in their opinions and decrees on marriage and sexual relationships. While no cleric explicitly condones white marriage, some prescribe remedies through modifications of temporary marriage, as others bring into question the socially accepted definitions of marriage, commitment, and virginity. This diversity speaks to the nuance in hybrid subjectivities that are both Islamic and modern, secular, and rights-bearing.

In order to meet self-proclaimed practitioners of white marriage, I used the ethnographic method of participant observation which creates an intimate familiarity with individuals (Abu-Lughod 2013). I spend my time at local coffee shops where many unmarried Iranians spend their time when they are not at work or school. I attended day trips to the outskirts of town, a weekly ritual among residents of Mashhad as morality police patrols are less common than in the city. In these small towns, restaurants, cafes, and hookah lounges were rarely patrolled by the authorities, and my pilot research revealed that many prefer these spaces where men and women can comfortably interact. I attended social, educational, and family functions to which I was invited by my interlocutors, in order to observe their interactions with and relationship to others. I then conducted in-depth semi-structured interviews with my interlocutors. These interviews took the form of a dialogue as I elicited personal responses about the emotional, legal, and social consequences of white marriage and why it is desired.

In order to locate additional primary interlocutors, I used snowball sampling (Bernard 2011, 163). The intimate nature of this project's topic makes snowball sampling an optimal method for finding more interlocutors. In collecting data from journalists, family law attorneys, women's rights activists, and academics who study the family in Iran, I used structured and

semi-structured interviews. These interviews were more formal and often required follow-up interviews in Mashhad, Tehran, and Qom. As I asked questions and analyzed the everyday lives of a Muslim-majority society, using mostly western academic literature to make sense of it all, I have had to constantly decenter my assumptions, definitions, and understandings away from what that to which I am accustomed.

Ethnography and Positionality

My positionality as an ethnographer in Iran determined the type of data to which I had access during my fieldwork. Historically, anthropology emerged as the "handmaiden of colonialism" (Harrison and Harrison 1999) which would account for difference through the construction of categorical tools including race, gender, and culture. While these labels underwent evolutionary shifts influenced by temporal socio-political conditions, they continue to be used to reinforce global and local hierarchies. Anthropology as a discipline was forced to confront the violence it inflicted in its ethnographic engagements with the constructed other, and the gender and racial hierarchies embedded in the discipline that have long facilitated its subjugation of particular discourses. Centering the works of several feminist and "native" anthropologists whose discourses only established a public presence in anthropology's post-colonial era, I view the ethnographer's task in representation as one that entails a constant reexamination of positionality and situatedness of discourses against the power relations and structures within which knowledge production sits. I intend to complicate the relationship between the subject and object of ethnography, representation, and the category "native."

Situating anthropology in its history is a necessary reminder of the need to constantly reevaluate power relations embedded in the self, the other, and the text that we produce. While anthropology was taking its post-structuralist turn, Asad identified the discipline as having been

"carried out by Europeans, for a European audience—of non-European societies dominated by European power" (1973, 15). It is a discipline built on the constructed binary that separates the West and the non-West (Abu-Lughod 1991). Similarly, in their book on the works of pioneers of color in anthropology, Harrison and Harrison (1999) propose that there has been a racial division of labor within the discipline whereby scholars of color are required to study their own cultures while whites are required to cross into and study populations that have been dominated. Populations that have already been politically, economically, socially, and culturally dominated—whether through the genocide of Natives, enslavement of Africans, or colonization of the non-western periphery—are then spoken for by whites. Where scholars of color have produced subjugated knowledges, they have been invisibilized by the academy (Harrison 1992, Harrison and Harrison 1999, McClaurin 2001).

Anthropologists produce texts that are created by social realities embedded in power hierarchies and must be considered in relation to imperialism (Rosaldo 1989). In one of my earlier trips to Iran where I established contacts who would become interlocutors, a young man asked me how I would feel if the product of my research became a resource used by a U.S. government agency to justify a military attack on Iran. I am after all using the master's tools to make sense of the practices of a society that was historically the victim of imperial greed. Ethnographies are socially constructed (Harrison and Harrison 1999) and entail power imbalances between the subject and object of the study. As culture was a construct used to replace race in creating a new "other" (Visweswaran 1998), the task of the post-colonial anthropologist is to write "write against culture" through "ethnographies of particulars" that represent geographically and temporally contingent experiences (Abu-Lughod 1991). An ethnography of a particular attempts to destabilize essentializing constructions of the concept of

culture that reinforce binaries, hierarchy, and difference, which tie anthropology to its imperial past. In doing ethnography, categories of the subject (self) and object (other) are perpetually constructed and renegotiated.

Abu-Lughod coins the term "halfie" to describe the anthropologist that is constantly creating the self in relation to the "other," which it often finds the self in opposition to, and she identifies positionality, audience, and power as the issues that the anthropologist who is a halfie or a feminist must contend with. These three issues become critical in the anthropologist's representation of the other because they determine the very real consequences that the ethnographic production can have on the other. In particular when the halfie is working in non-western societies and has some form of tie to that region which could include a level of "native" connection, the anthropologist must be aware of the politically-determined structural inequalities that have historically allowed white men to study and speak for this other. The halfie must carefully navigate the between "speaking for and from," which complicates their position as an authority that is creating a partial, positioned truth.

Discourses of halfies that contend with the challenge of the category "native," and feminists who confront the issue of power in speaking for a constructed other, suggest that the very labels are themselves unstable and unfixed. Both Appadurai (1988) and Narayan (1993) use India as the region in which the construct of a native becomes problematic in doing ethnography. Narayan points to the ways that positioned knowledges became constructed through interactions within fields of power relations beginning in the 1980s (1993, 679). In sharing some of her own fieldwork interactions with her interlocutor Swamiji, Narayan suggests that he completely challenges and flips upside down her positionality as the anthropologist who is presumably in the position of power within the structured power relations between the subject and object of the

ethnography. In his description of the way that "educated people" behave, obviously referring to Narayan, he very bluntly makes her aware of her own positionality and he disrupts the power relations between the two when he completely undermines her entire project by telling her "You should realize that in the end this means nothing." Before this, Swamiji draws a stark contrast between himself and Narayan, making her realize the gap between her 'self' and the other that she had immersed herself into by dedicating her life and investing her career in a decolonized representation of this region.

The category of 'native' is entirely conditional and situated, vulnerable to being disrupted at any moment. Swamiji inadvertently highlights the problematic assumption that the 'native' is the other and can therefore provide an authentic description of the other for the Western audience. For Appadurai, the nomenclature itself is problematic because it is not attributed to an ethnographer with any one particular experience as it can describe someone who is born in and thus belongs to a region that they are writing about, or to someone like Narayan who has ancestral ties to the region and belongs in a different way. Anthropology's fascination with the "native" ethnographer grew from an assumption that somehow, they can provide a more accurate representation of the other by virtue of belonging (Appadurai 1988). Swamiji makes it clear that the category the constructed 'native' is merely a "creature of the anthropological imagination" (Appadurai 1988, 37).

Appadurai and Narayan both challenge the idea of a fixed native or anthropologist, suggesting instead that these identities are always negotiated through an ongoing process. The fixedness of identity categories can only exist when we subscribe to the geographical and temporal fixedness of people and boundaries. Shifting the focus away from looking for differences in culture erases the possibility of constructing such categories as 'native' and

consequently inflicting violence (Appadurai 1988). If the task of the ethnographer is to overthrow the discipline's long standing ethnocentric assumptions, then the knowledges we produce must be situated with respect to the negotiation of identities and acknowledgement of multi-directional power relations between the subject and object of the ethnography.

The search for an authentic native anthropologist is as futile as the search for an authentic native people. Narayan recommends that instead, we engage with our own subjectivities as ethnographers and instead focus on understanding our situatedness in relation to those we write about and represent, through the "enactment of hybridity" that involves blending narrative with analysis (1993, 682). Ethnographies must be "reflexive, dialogic, and polyvocal" (McClaurin 2001, 49) that represent multiple subjectivities that account for race, gender and class. Like the previous scholars mentioned, McClaurin problematizes the concept of the 'native' and identifies with Abu-Lughod's halfie anthropologist who must engage in a perpetual process of negotiating between the boundaries of the personal and the political as halfies and as women. For the Black feminist anthropologist, McClaurin proposes that autoethnography be used as the 'native' perspective that mediates between the cultures of her community and those who have been long appropriating and misrepresenting her community. McClaurin also contends with the issue of positionality and acknowledges the need to simultaneously re-position herself for each audience. Choosing to wear a *chador*[13] in some spaces and not others, evaluating how much of my hair needs to be covered in each space, and even divulging to a group of very pious women in Qom that I do not cover my hair in public outside of Iran. My ethnographic experience in Iran was one of simultaneous re-positioning.

[13] A large and loose piece of cloth worn by Muslim women that covers the body and leaves only the face exposed. In Iran, outside of pilgrimage sites, it is not a required form of dress, but is also often worn on the streets of urban cities by those who identify as "more practicing" Muslims. In less urban regions, the *chador* has more customary significance than religious. A photo of the author wearing one style of *chador* is provided in chapter 4.

Without consistent efforts to write against culture, ethnographers will remain "subtle agents of colonial supremacy" (Asad 1973, 15). As a conscientious scholar and ethnographer that is aware of not only the subjugation of Muslim women but also the Middle East and Iran, I must mindfully contend with the implications of my work. As I carefully choose the language to tell the everyday stories, and the terms I use in my theoretical interventions, I navigate the process of constructing the self and the other, speaking with and not for, as halfie and feminist, only to realize that as Swamiji says, "in the end this all means nothing" (Narayan 1993).

As I conducted fieldwork in Iran with the goal of producing something that in the end does not mean nothing, I faced some difficulties. Fear of detention whether I was entering Iran on my Iranian passport or returning to the United States using my U.S. passport hung over my head on every trip I took during my fieldwork. I had security concerns on both ends. Iran has accumulated a record of detaining dual-citizen journalists and scholars with western academic affiliations on security or espionage charges. I was anxious each time I traveled back to the U.S. after having collected data as I worried that my contact with an Iranian university professor or judge would violate some arbitrary sanctions-related law.

Prior to conducting my fieldwork, I had been warned about actions that would violate U.S. sanctions on Iran when I was interviewed by the U.S. Department of Treasury's Office of Foreign Assets Control representative at the University of Washington. The university's Office of Global Affairs oversaw a grant I intended to apply for and requested that I participate in that interview prior to submitting my application. In that interview, I learned that if I used their funds to conduct my fieldwork in Iran, I would be prohibited from scholarly collaboration with any public university professors, as they were classified as government officials, and collaboration with government officials violated sanctions. In addition, there would be restrictions on goods I

purchased and brought to the U.S. as well as venues in Iran where I spent the funds. Luckily, I was not awarded that grant, so I avoided being subjected to their strict monitoring while conducting fieldwork.

Securing funding for my research was also challenging as sanctions concerns limited the resources that were available to me. Iran's negative image in the world and particularly in western countries has dissuaded enough of the younger generation of scholars from doing research there (Bromberger 2012). Given the paucity of contemporary ethnographic research on Iran, it is somewhat ironic that funding sources are scarce for those who are interested in conducting fieldwork there and have access to the country, especially when the media has become nearly the only source of representation, or rather misrepresentation of the Iranian state and people.

Finally, perhaps the greatest difficulty I faced was making sure that my research in Iran did not raise any red flags for Iranian state officials, and by extension for my interlocutors. I did not audio record any of the interviews I had with any of my interlocutors. I only used my recorder at conferences, symposia, or other public lectures such as religious sermons at shrines or mosques. In my fieldwork experience, I have found that even when they consent to being recorded, when the recorder stops in interviews about particularly intimate topics, interlocutors change their demeanor such that they appear significantly more comfortable and go on to explain in much more detail. To protect my interlocutors even further, I used pseudonyms as I collected data in my fieldwork notebook and kept the key in a separate notebook stored at home in a secure box.

When I visited with a cleric on my first day in Qom, I experienced a heightened fear of being exposed and reprimanded for conducting contentious research, which I detail in chapter 4.

As we all sat down at the conference table, the cleric's research assistant pulled out a recorder and asked for permission to record our conversation for their archives. I was most interested in gaining their trust, so I consented. During that interview, at times I felt as though I was being interviewed, because their device was recording, not mine. My interlocutor turned Qom and seminary guide who observed my anxiousness marked by my reticence managed to surreptitiously assure me not to be concerned because my topic was unrelated to matters of national security. Still, the opaqueness of the past detention cases involving dual-citizen scholars made me feel apprehensive frequently throughout my fieldwork.

Outline of Chapters

The following chapters are organized in a fashion to illustrate the organic evolution of my ethnographic journey. I first learned about white marriages in Iran in 2015 when I read the *Zanān-e Emrūz* article published in late 2014 that exposed the rise in white marriages. I began archiving newspaper articles that covered this topic in state and non-state media as I conducted my pre-dissertation fieldwork and through the end of my official fieldwork in 2020. In chapter 1, I review newspaper archives that reported on public debates about white marriage and suggest that these media discourses are a form of discursive opportunity structure that contribute to legal mobilization in illiberal contexts. In the short trips I took to Iran in the years leading up to my fieldwork, I met and established rapport with scholars and experts who have familiarity with the practice in Iran, as well as with those who engage in white marriages, which takes us to chapter 2 which offers background and context on conjugal arrangements in Iran from the perspective of social scientists in Mashhad and Tehran today as well as a historical overview of gender, marriage, and intimate partner relationships in the region.

By the time I began my official fieldwork in 2018, my ethnographic path guided me toward listening to the reasons why some Iranians engage in white marriages. These stories of everyday actors became the drivers of the project, and chapter 3 consists of the stories of my interlocutors who were self-proclaimed practitioners of white marriage, as it was defined by them. I spent most of my fieldwork in the company of these interlocutors, and my data is reflective of that. It is where I engaged in heavy participant observation simultaneously with unstructured or informal interviews. This section also includes everyday extrinsic perspectives from those with whom they interacted in different capacities. In this chapter I show the ways in which the everyday practice of white marriage contributes to legal mobilization and complicate the meaning of piety in everyday Islam. Finally, chapter 4 emerged after my conversations with my interlocutors from chapter 3 led me to ask questions that required the consultation legal experts. I conducted interviews with legal experts in Tehran and Mashhad sought out and attended conferences on women's issues as they came up while I conducted fieldwork.

Based on the data I collected from legal experts, I developed new questions that would take me to Qom and into the seminaries. I conclude the last chapter with clerical and legal-clerical perspectives from Mashhad and Qom, both seminary cities in Iran. As an ethnographer, I decided to lay out my chapters in an order that corresponds to the chronology of my fieldwork. It is my attempt to both offer my readers transparency and to represent my data with accuracy.

Within socio-legal scholarship, this work offers an alternative vision of state and society relations in Iran's hybrid legal system that challenge established theories about legal mobilization under authoritarian regimes. It also reveals that the combination of Islamic and republican guidelines in the law allowed for not only new negotiations of gender-related rights but also a discussion about new ways of being Muslim. These new negotiations, I argue, have

created the space for the public debates I present in chapter 1, which signal a social non-movement illustrated in chapters 2, 3, and 4.

Finally, I would like to emphasize the importance of narratives in weaving together the chapters in this piece. Narratives are integral to every anthropologist's work, as they are the empirical data, the evidence for the theoretical arguments we dare to make as scholars. I follow in the footsteps of other anthropologists but especially Lila Abu-Lughod, whose pioneering ethnography exploring discourses of love through narratives from Awlad-Ali men and women in Egypt has been a model for those of us writing stories of intimacy (1986). In Iran, the limited access for researchers also limits the number of scholars who conduct research and share narratives of intimate partner relationships and interactions. Scholars Babadi (2021) and Kousha (2002) offer narratives of waithood[14] in Iran today and of marriage beliefs and practices from over two decades ago. Sadeghi (2008) and Sharifi (2018) share intimate stories of women's shifting attitudes around marriage, sexuality, and virginity in Iran.

My narratives emerge from qualitative research methods that require long periods of observing, listening without prompting, in multiple environments, over an extended period, and in the absence of a recorder. Just as my methods in collecting stories are driven by my interlocutor's narratives, so is my presentation of their stories. I weave stories throughout the following chapters as a reminder to myself and my audience that my arguments and theorization are accountable to those narratives. I try to remember my situatedness in relation to those I write about and represent as I blend narrative with analysis.

[14] Babadi defines waithood as an extended period of young adulthood in which marriage and childbearing are delayed. He builds on Singerman's (2013) definition of waithood as a prolonged period of stagnation in the life of young people in the larger Middle East who have been disadvantaged by neoliberal economic policies and a demographic youth bulge. Waithood is a "liminal" stage for these young people as they are neither adolescents nor adults (2021, 252).

Chapter 1: White Marriage Debates in Official Discourses

In making visible extramarital sex amidst Iran's marriage crisis, the emergent discourse and practice of white marriage unveils the novel means by which Iranian society forces state authority officials into a debate that undermines state-sanctioned marriage. Practitioners of white marriage label this unsanctioned practice as an alternative marriage, in contrast to the state-

sanctioned practices of permanent marriage, *aqd*, and temporary marriage, *siqeh*. It is a marriage that entails a shared life with full consent of both parties and is initiated without registration or involvement in the civil or *shari`a* legal process. By analyzing white marriage and related debates in Iran through local state-sponsored and privately owned online publications between 2014 and 2020, this chapter demonstrates the power of a "collective presence" of white marriage practitioners in forcing state officials into a conversation about a topic which would otherwise be in their best interest to ignore (Bayat 2007). The widespread media coverage of debates about white marriage is a testament to everyday actors' engagement in legal mobilization as they navigate but also inform and ultimately transform these debates.

As I mentioned in the introduction, studies of social movements in non-authoritarian contexts conclude that a set of political opportunity structures must be in place before a movement can develop and mobilize for change. Scholars of social movements later found that casting a wider analytical net that encompasses political discourse analysis would better explain social movements and their futures. Political discourse analysis looks at how movement actors attempt to challenge dominant definitions of political reality by mobilizing new interpretations of contested social relationships and making them visible in the public sphere (Koopmans and Statham 1999). While I have already argued that what we see in Iran is not a social movement but a nonmovement because the same political opportunity structures are unavailable to Iranians, I find Koopmans and Statham's concept of "discursive opportunity structures" helpful in understanding social nonmovements in Iran, and specifically, the nonmovement in which white marriage practitioners participate (1999, 228). The concept of discursive opportunity structures grew from what scholars referred to as "framing," which refers to interpretive frames that can link a movement and its cause to the interests and ideologies of constituents (Snow et al. 1986).

These frames often appeared in media discourse which both reflected and helped to create the culture around an issue (Gamson 1988, 224).

Koopmans and Statham broaden this idea of social movement frames as they combine it with political opportunity structures and coin discursive opportunity structure in referring to ideas in the broader political culture believed to be "sensible," "realistic," and "legitimate" (1999, 228). When a discourse is acceptable to the public for being either sensible, realistic, or legitimate, or all three at once, it speaks to preexisting ideas and cultural norms, which facilitates a stronger collective action framing. Discursive opportunity structures show that cultural elements can facilitate and constrain successful social movement framing (McCammon 2022). While social movements and social change in Iran do not follow conventional paths observed in non-authoritarian contexts, examining the media using the discursive opportunity structure approach offers insight into the ways in which individuals engage in claims-making vis-a-vis the state in the absence of political opportunity structures.

In the Iranian context, Bayat describes Ayatollah Khomeini's acknowledgement of women's social and political agency as a discursive opportunity created by women's struggles and their participation in the revolution, which had prompted Khomeini to appeal to women voters (2007, 83). In my work, I suggest that discursive opportunity structures provide a space for articulation of ideas about sensible and realistic concerns of everyday actors such as marriage, childbearing, rising costs of living, etc. This discursive opportunity structure helps to bind a group of everyday actors that participate in white marriages and collectively engage in legal mobilization.

The differences in opportunity structures, be they political or discursive, within authoritarian contexts, lead to different social movement behaviors including legal mobilization.

By examining discursive opportunity structures available to Iranians through a review of media coverage on white marriage, this chapter will build on socio-legal scholarship on social movements in authoritarian contexts, focusing on legal mobilization in Iran, and show that state and society relations in Iran's hybrid legal system challenge established theories about social movements. The Islamic Republic's attempt to moralize the public space makes the public discourses of white marriage an optimal site to observe discursive power as it shifts from the hands of non-state actors' such as white marriage practitioners to state officials and authority voices, and back.

White Marriage in Public Iranian Discourses

While the exact time at which white marriages began to take place in Iran is unclear, its entrance into public discussions and media can be traced back to 2014. Prior to that, while the causes and consequences of such relationships were investigated by clinical psychologists, white marriage had not become a household term in many parts of the country where it is today, nor was it making headlines in state and non-state media. This section is divided into two sub-sections. The first highlights non-authority voices including the source that triggered the engagement of public dialogue regarding white marriage. It also includes reports of some of the many colloquia held on college campuses from Tehran to smaller cities such as Kerman and Bandar Abbas, where faculty members, clerics, and legal actors debated both in favor of and against white marriage. The second section represents authority voices that include the supreme leader as well as two Islamic jurists who themselves hold the position of *mujtahid.* I have included the Ayatollah Makarem Shirazi school which is known for its relatively social conservatism while. In this chapter, I engage with published media interviews of Ayatollah Makarem Shirazi regarding white marriage, and in chapter 4, I analyze interviews I conducted

with scholars from his seminary. Later, in chapter 4, I analyze the perspectives of the Ayatollah Yousef Sanei school, known for offering less socially restrictive guidelines and prescriptions in my analysis of discussions at a conference I attended in Mashhad while doing fieldwork.

Non-Authority Voices

The Tehran-based publication *Zanān-e Emrūz*, "Today's Women," ignited public debates of white marriage (Bayat and Godousi 2014). It provided a detailed account of narratives from young men and women in Tehran about the types of conjugal arrangements that they engage in, and the ways in which their families and society has interacted with them. All of the interlocutors in this report held at least one college degree. While none of these accounts mention direct interaction with law enforcement authorities, they all emphasize the need to keep their relationships hidden as they transgress both social and legal norms. In these narratives, both men and women express that while on the one hand, commitment in a white marriage is permanent, it can also end. It provides those who engage in it with a sense of commitment that is greater than a relationship that involves a "boyfriend or a girlfriend." One woman who was interviewed by the authors of the report said, "In a girlfriend-boyfriend relationship, the commitment lasts only as long as both parties are enjoying themselves. But in a white marriage, this commitment is permanent, although it is still possible that just as in an official marriage, the couple may break up" (Bayat and Ghodousi 2014, 7). This sentiment about a sense of greater commitment in a white marriage as opposed to a relationship without cohabitation was echoed by many of my interlocutors, both men and women.

The narratives reveal that there is a sense that a white marriage is much like a permanent marriage, without the added caveats of a formal wedding and recognition by extended family members. Like an official permanent marriage, it too can dissolve, but its dissolution will have

fewer social and legal consequences. A 29-year-old divorced woman who had been in a white marriage for a year expressed, “In a temporary shared life, you only pay an emotional cost, but the social costs of a divorce really drive you into the ground!” (Bayat and Ghodousi 2014, 9). As its name implies, “white” refers to the blank page in the individuals’ birth certificate booklet that is used to record marital status. On the one hand, engaging in a white marriage allows one to leave the relationship with fewer consequences. On the other hand, women express that they face an unspoken scrutiny among their peer family members who are in permanent marriages.

While the content of these narratives is significant to my analysis in chapter 2, and I used it to construct guiding questions in the semi-structured interviews I conducted, for the remainder of this chapter, I focus on the importance of this article in triggering massive waves and bringing unexpected participants into the debate. The *Zanān-e Emrūz* report contained extensive background information about the marriage crisis and included the state’s statistics on the rising divorce rates. Between 2002 and 2013, the average divorce rate has doubled from 10.3% to 20%, and in Tehran, it has reached 32% (Bayat and Ghodousi 2014, 1). The article also reported that the average age of marriage has increased from 23.8 for men and 19.7 for women in 1986 to 26.7 for men and 23.4 for women in 2013.

The government ordered the publication’s office to be shut down for several months based on the allegation that the article published on white marriage promoted the un-Islamic practice. In an interview with the Iranian Students’ News Agency (ISNA), editor Shahla Sherkat stated, “not only were we not promoting white marriage, but we were critiquing it because our report found that women were being denied their rights” (ISNA 2015). She explained that as the editor of a women’s magazine, her mission is to support women, and this article was intended to warn women of the dangers and negative consequences of white marriage. In reference to her

publication office's shutdown, Sherkat concluded the interview with "If the interior ministry did not want this topic to be discussed, then why were they the first to mention it" (ISNA 2015). This discourse of white marriage—religiously and thus legally unsanctioned intimate relationships—has sparked a conversation about the institution of temporary marriage which sanctions limited term marriages and intimate relationships with emphasis on mutual consent and terms of a contract.

Temporary marriage exists in a post-revolutionary Iran where sex segregation dominates the social structure (Haeri 1989). It is a view that at once "celebrates sexuality yet tries to contain it within religiously sanctioned boundaries, a view that on one level denies the association of genders yet on another level provides alternative legal frameworks for making such associations easily attainable" (Haeri 1989, 5). In a Donya e Eqtesad newspaper article published in February 2015, a Tehran-based women's rights activist Touran Valimorad unpacked white marriage in a broader discussion about *siqeh*. "Although *siqeh* is a viable option for Iranians seeking temporary relationships," she explained, "many Iranians avoid it on the grounds that it enforces gender inequality, opting for white marriage instead" (Donya-e Eqtesād 2015). "There are two reasons why Iranians perceive *siqeh* negatively: most practitioners are married men who engage in extramarital affairs, and it is often viewed as a tool used by sex workers to legalize their behavior." Valimorad insisted that because of the inherent disadvantages of a white marriage for women, it is the government's duty to change the prevalent perception of *siqeh* and redefine it through legislation reform. "For example, illegalizing one-hour marriages would eliminate the association of *siqeh* with sex-workers" (Donya-e Eqtesād 2015). Officials, legal experts, and some activists including Valimorad advocate for temporary marriage over white marriage because the latter does not legally hold a man to any responsibilities nor guarantee a woman any

rights. In a *siqeh*, a contract is negotiated, and if the laws are reformed according to Valimorad's recommendations, a woman will be granted more negotiating power and legal rights that do not exist as part of a white marriage. Currently, if the *siqeh* is registered, which is not an Islamic or legal requirement, in practice, a woman can seek legal recourse with greater ease than if the *siqeh* is a verbal contract without the presence of witnesses. In my interviews with lawyers, I learned that in some cases where the *siqeh* was verbal contract, some women have been able to appeal to the judge's discretion and compel men to fulfill some of their obligations. In contrast, no one can appeal to the judge's discretion with demands by saying that they were in a white marriage.

Following the controversial *Zanān-e Emrūz* article and subsequent investigative reports, in addition to gaining coverage in newspapers, white marriage discussions were held at colloquia at university campuses across different provinces in Iran. The discussants on most panels were university faculty members from law or social science departments, clerics, lawyers, and judges. One of the first university campus debates on white marriage was covered by the Azad News Agency (ANA) which is the publication affiliated with the network of Iran's Azad Universities. It took place in December of 2015 in the southern city of Bandar Abbas, at the Islamic Azad University. This colloquium involved four faculty member discussants from the departments of law, sociology, and *fiqh* (Islamic jurisprudence), two prepared to argue in favor of white marriage and two against, before an entire auditorium filled with an audience of students (ANA 2015).

News article on meeting in Bandar Abbas, Iran, entitled, "Heated Debate on White Marriage" (Photo from Azad News Agency 2015).

One of the scholars who was critical of white marriage claimed that the constitution of the Islamic Republic states that it is the government's duty to provide the proper cultural foundations and structures for people to gravitate toward permanent official marriage, which would protect them from the harms of white marriage. Mansoor Akhlaghi, who defended white marriage suggested that Iranian society is experiencing a conundrum that stems from an identity crisis as individuals are uncertain as to whether they identify with an identity that is Iranian, Islamic, or western. Echoing the defense of white marriage, Pouria Razi confirmed that while the concept of white marriage does not exist in Islamic jurisprudence, it would be worthwhile to investigate whether white marriage is the same as *nikkah-e moatati*.

While I was conducting fieldwork, one night I arranged a meeting with a Tehran-based criminal court judge, Majid, who you will be better acquainted with in chapters 3 and 4. My advisor recommended that I reach out to him as my fieldwork pointed me in the direction of questioning the legality of white marriage. Our interaction began with an informal conversation

about my work and my career ambitions on the 6 p.m. car ride to a nearby cafe. The scorching June sun was setting on the skyscraper-filled city as we approached a popular high-end shopping center. After a stop at the café, about which I provide details in chapter 3, we went to his luxury apartment in a high-rise in northern Tehran, on the pretext that I would meet his partner. His partner Shiva greeted me at the door of their 3-bedroom flat as the mirrored doors of the elevator opened. Hesitant about whether I should remove my loosely draped shawl and thin, open-front manteaux, I walked into the living room only to be approached by Shiva, who was in a mini-dress enthusiastically asking to take my shawl and manteaux, "You don't have to wear that anymore!" Her tone suggested that I must surely be inconvenienced by the dress code in Iran and impatiently waiting to remove it.

Majid briefly went into one of the rooms at the end of the hallway, and came out in loungewear, ready to enjoy the watermelon puree that Shiva had prepared for us. Then, Majid approached me with a thick hardcover book and opened to a page, using his finger to skim the lines of several pages. Having offered me a summary of his view on white marriage in Tehran earlier that evening, Majid advised me to look at *nikkah-e moatati* more closely, as he pointed it out in Article 1062 of the civil code. *Nikkah-e moatati* is a contested version of permanent marriage which does not require official registration. Under Iranian law, permanent marriages must be registered but a *moatat* marriage does not. The legal code defines *nikkah-e moatati* as a "legally sanctioned relationship between a pair that intends to be bound by marriage (*ghasd-e zowjiyat*) but neither verbally recites the *siqeh* oath nor signs the contract as in a *nikkah* (aqd).

A Khabar Online article published a report on a 2016 meeting open to the public (see the event's flyer below), several University of Tehran professors and Islamic jurists discussed whether white marriage as an unsanctioned practice could be criminalized (Khabar Online,

2016). Tehran University law school's Professor Borhani asserted that white marriages yield similar social consequences as temporary marriages, and their criminalization would lead to a broader discussion of *siqeh*. He echoes Makarem Shirazi's suggestion and that individuals in white marriages can be "guided to *siqeh*," thus rendering the criminalization of white marriage irrelevant. Furthermore, in order to legally punish white marriages, they would have to fall in line with the legal categories for unsanctioned intimate relationships. These categories are *zina* (adultery) and *namashroo* (in violation of the *shari`a*). Borhani concluded that white marriages do not constitute adultery, and if they fall in the category of violating the *shari`a*, then the illicit relationship must be discovered and proven by other members of society. Encouraging citizens to probe into the private lives of their fellow neighbors would promote *fozooli* (nosiness) which itself is a worse social ill than the white marriage which takes place in private.

"Second Session on Family Law: Cohabitation without Marriage" (Khabar Online 2016)

Another panelist, Tehran judge Hojjat-ol-Islam Dehghaninia argues that criminalization of white marriage blatantly contradicts two principles within Islamic jurisprudence. He explains

that the first principle within Islamic jurisprudence is *asl-e adam-e tajasos* (Principle of refrain from investigation), which recommends that jurists refrain from searching and probing for evidence. Judges and lawyers are highly discouraged from probing too far into intimate partner relationships (Khabar Online 2016, 2). In other words, labeling white marriage as a crime would require it to be investigated, which contradicts this principle of Islamic jurisprudence. Dehghaninia then suggests that the second Islamic jurisprudence principle that contradicts the criminalization of white marriage is that of *asl-e kamineh* (principle of minimal punishment) which encourages minimal punishment for transgressive behavior. Here the judge applies this principle to the overall criminalization of white marriage. He stated that as this principle prescribes the minimum punishment for a crime, it also implies that criminal punishment should be a matter of last resort, especially when it concerns punishing behavior that takes place in private.

An article published by Javan Online in 2017 published an interview with a behavioral scientist Dr. Majid Abhari who intended to address the damaging effects of white marriage on society. An obvious critic of white marriage, Dr. Abhari suggested that those who are in white marriages can retroactively legitimate a white marriage by shifting to a *siqeh*. While seemingly counterintuitive, this idea was previously proposed as an option by Professor Borhani and is prescribed by Ayatollah Makarem Shirazi. Dr. Abhari's concern is maintaining a healthy society, for which the potential birth of illegitimate children from white marriages is a threat. His solution is that society develops a positive view of temporary marriage. Given that children born within a temporary marriage are legitimate, Dr. Abhari emphasizes the relative ease with which one can officially (registered) or even unofficially (unregistered) enter a temporary marriage contract, "Temporary marriage is the best solution for determining the status of children born into a white

marriage" (Khabar Online 2017). Dr. Abhari and another expert in Family Affairs compare the relatively high rates of children born out of wedlock in non-Muslim countries with the lower rates in Muslim countries, and more specifically in Iran. Here, the comparison of the rate of birth of illegitimate children proves that Islamic jurisprudence offers a viable solution to this crisis of white marriage.

In October 2017 a heated debate hosted by the Association of Basij students took place in University of Tehran's Social Science department. I was alerted to search for this video by a colleague who had just returned from her fieldwork in Tehran and attended that meeting. Video clips of this debate were circulated on YouTube shortly after. I watched several clips from different segments of the event and read summaries in multiple news sources. Mehr News Agency's article entitled "White marriage or Black Cohabitation!" reported that this meeting's objective was to examine the phenomenon of white marriage regarding its causes and practical solutions. Early in the conversation, Professor Ebrahim Fayyaz explained "the term 'white' in white marriage signifies an unwritten and unregistered marriage, in contrast to its opposite, a black cohabitation which is registered in black ink" (Mehr 2017). His opponent responded, "There is neither a marriage nor anything white or promising in such a relationship explains that these conjugal relationships emerged as early as 1975. They were referred to as *khanvar* (household) and did not constitute a family. The re-emergence of this type of conjugal arrangement is attributed to the state's focus on development and industrialization which led to society's prioritization of achieving financial success over starting a family" (Mehr 2017). He further argued that the rapid rise in the minimum financial asset requirement that deems someone fit for marriage according to norms means that marriages are increasingly limited to the affluent class.

Photo from session entitled “White marriage or Black Cohabitation!” hosted by University of Tehran student group (Mehr 2017).

Both scholars placed the burden of combating this crisis on the state and hold it accountable for ignoring social phenomena and prioritizing development over the last few decades. Fayyaz recommended that the only path toward understanding and engaging with broad family issues is to approach it from a societal level and employ tools that combine justice with religious reasoning to educate the public. He insisted that the state should begin relying on the expertise of social scientists both to accurately understand the existing social phenomena and in implementing educational strategies to deal with these issues.

Authority Voices

The overwhelming consensus among clerics in Iran is that white marriage contradicts Islamic values and is therefore condemned. In February 2019, Iran’s Supreme Leader, Ayatollah Khamene`i, addressed white marriage at the end of a speech targeting young people. He called these the “darkest kinds of marriages and a plot by the west to bring the end of humanity, by destroying modesty, sexual reserve, and the family unit” (ION 2019). This speech was not only published by news agencies and Khamenei.ir, the supreme leader’s official website and Instagram page, but was also broadcast on state television. That the supreme leader views this as

a public health and social crisis reveals again of the power that individuals have in bringing the state into this uncomfortable debate.

Supreme Leader Ayatollah Ali Khamene`i pictured in the news clip, "White marriage is the blackest of marriages," (Fars News, February 26, 2019).

The state's concern for the birth of illegitimate children is also a grave concern for clerics. While none of my interlocutors who were in white marriages intended to have children, a couple of them shared known cases where couples had children. This possibility, however rare it may be now, raises the state's concern for the birth of illegitimate children. Not only do health experts propose that couples sanction their relationships through temporary marriage contracts privately without formally registering them (Khabar Online 2017), but so do some clerics.

A private news agency Setare published an article in November 2017 that defined white marriage and the "official decree" issued by three influential clerics. Regarding social issues, Ayatollah Shobeiri Zanjani was the least conservative, Ayatollah Makarem Shirazi was moderately conservative, and Ayatollah Jafar Sobhani is known to be the most strictly conservative of the three (Nazemi 2017). The article cited Ayatollah Makarem Shirazi's decree on white marriage: "Without a doubt, sincere consent is not sufficient for an aqd, and such a

relationship is illegitimate and should not be misnamed as a marriage, be it white or black" (Nazemi 2017, 3). Shirazi later elaborated that such illegitimate relationships can be retroactively sanctioned such that the moment a couple becomes conscious or is made aware that their intimate relationship is unsanctioned, and recites the *siqeh* phrase, their pre-*siqeh* interactions become religiously sanctioned. This is telling of the extent to which white marriage practitioners have forced discussions that lead to clerics' reevaluation and redefinition of the provisions of the marriage as an institution. While there is no doubt that all clerics across the spectrum condemn white marriage, there is plenty of disagreement and debate about its remedy.

In 2016 the Iranian Labor News Agency (ILNA) published a report entitled "The Entrance of White Marriage into the Country." It contained statements made by the Technical Deputy of the Office of the People's Health and the Office of Fertility and Health, Mohammad Eslami. He said, "White marriage practitioners tend not to have children, meaning that they pass up their age of reproduction, and contribute to a declining birth rate" (ILNA 2016). The Social Affairs chapter of the office of the Interior Ministry also made a statement about needing to review this practice more before issuing any official decree on its consequences for society (ILNA 2016). One of the reasons why statistics are unavailable is because white marriage is not recorded in any official public registry. Unlike permanent marriages and some temporary marriages, white marriages leave no official trace. The invisibility of white marriages thus complicates any approach to investigating its causes and consequences. Through their presence, practitioners of white marriage have forced state agencies into examining their unsanctioned practice and treating it as a potential public health crisis.

An article published by state-run Fars agency invokes Article 10 of the constitution of the Islamic Republic: "Since the family is the fundamental unit of Islamic society, all laws,

regulations, and pertinent programs must tend to facilitate the formation of a family, and to safeguard its sanctity and the stability of family relations on the basis of law and ethics in Islam" (Fars, 2018). Focusing on preservation of the family unit as a duty of every individual, in a press conference with Fars News, seminary scholar and expert on family issues Amir Hossein Bankipour discourages cohabitation and encourages sexual relations for the purpose of procreation. "Engagement in a sexual relationship for any reason other than procreation is similar to feeding yourself unhealthy food when you are hungry—it leads to vitamin deficiencies" (Fars 2018, 2). He refers to statistics provided by the United Nations that compare international rates of children being born out of wedlock. Using several United Nations graphs, Bankipour shows an inverse relationship between cohabitation and marriage. Thus, he argues that any deviation from sanctioned norms of sexual relationship threatens children, the family unit, and ultimately society.

State Discourses of Marriage in Iran

While I was conducting fieldwork in Iran, I frequently read state media reports about state-sponsored weddings, and gifts or loans to newlyweds and new parents. These policies reflect the state's interest in promoting or even incentivizing marriage, an indication that state officials are rightfully concerned that the rise in white marriages will contribute to a declining birth rate. To combat that, the state has offered financial incentives to newly married couples for over a decade now. In a 2018 clip from Fars News Agency's Instagram page below, the headline describes a new announcement made by the head of the Azad University (a network of private universities throughout the country) undergraduate students who get married a tuition waver for the term in which they are married. The 2019 article announced doubling of the value of loans

for newlyweds to 30 million tomans. Every so often, these increases are announced to keep up with the inflation rates and cost of living.

"Marriage Loan: 30 Million [Tomans]" Fars, January 28, 2019.

"Get Married, Don't Pay Tuition" Fars, December 8, 2018.

Also from Fars News Agency, the images below depict a 2019 mass wedding celebration sponsored by the state, for 300 students at Tehran University. One of the reasons cited by those who postpone marriage is often the lack of financial means, given unemployment rates and high inflation. The state has strategized that financially incentivizing university-aged individuals may deter marriage postponement. In addition, it encourages marriage among a younger population with many child-bearing years ahead of them, increasing the likelihood of having more children, which could help the state combat the impending population size crisis.

"Wedding celebration of 300 Tehran University Student Couples." Fars News, March 12, 2019.

Such state-sponsored ceremonies and loans have increased in volume since the early 2000s. The state's allocation of such a significant budget in response to the drop in official marriage rates is telling of the powerful impact of discursive opportunity structures for white marriage practitioners, and consequently of the power they have had in influencing marriage norms, practices, and laws. Scholarly research in the form of dissertations and academic journal articles published in Iran errs on the side of supporting state narratives but admit that despite government attempts to curb the rate of white marriage, it is increasing (Abedi 2016).

In an analysis of Iran as a welfare state, Kevan Harris suggests that the eruption of protest onto the streets in 2009 by predominantly middle-class individuals in Tehran was an expression of social power, including ideological, organizational, and structural (2017). He further asks why the Islamic Republic would create a welfare state that benefits and strengthens an expanding middle class that would then be the strongest force in its opposition. I ask why the Iranian government hesitates to legally punish an unsanctioned behavior that occurs in the private but

has significant consequences in the public. Not criminalizing white marriage seems to only threaten state power. The explanation is far more nuanced than the debates that have been laid out in this chapter and is examined more closely in the chapter on the law.

Legal Mobilization in Authoritarian Contexts

Authoritarian regimes decenter power in the interest of adopting a modern legal system to perpetuate the control of their citizens. In China, the new legal system serves to justify its legal adjudication of grievances and disputes for its citizens, without offering other elements of a democratic system such as a representative government, civil society, or an independent judiciary (Gallagher 2017). In Singaporean society, gay rights activists make incremental demands for things that they believe to be more attainable rather than making large claims for rights. Aware of the unequal power dynamics in relation to the state, gay activists employ strategies for a pragmatic resistance toward equality rather than a war for greater civil-political rights (Chua 2012). In both China and Singapore, decentering power has contributed to the increase in rights consciousness throughout society. Iran follows a similar trajectory as everyday actors are aware of the need for a pragmatic form of engagement with the state and law. Through their rights consciousness, individuals carve out a space for achieving incremental victories.

In post-colonial Malaysia where *shari`a* courts institutionalized religious authority, citizens faced a bifurcated legal system that left some without a protection of rights but facilitated the development of political discourses and popular legal consciousness (Moustafa 2013). The Malaysian state reveals the challenges of codifying and institutionalizing Islamic law while combining it with rights discourse that is integral to the modern, regulatory state. The legal challenges with *shari`a* courts are not caused by an inherent tension between Islamic legal tradition and individual rights (Moustafa 2013). Rather, democratizing Islam and combining

Islamic with civil law has become contentious in post-colonial Muslim-majority countries including Iran when conservative factions object to rights discourse on the premise that this discourse threatens Islam. The most significant outcome of Malaysia's legal system is therefore the way in which it influences the court of public opinion—the space for creating meaning and making sense of the rule of law.

Legal Mobilization in Iran since 1979

Legal mobilization has been a part of Iranian society since the turn of the twentieth century with the Constitutional Revolution. Supporters of the 1979 revolution championed ideas of freedom, justice, and rights, previously denied to a wide segment of the population. In Iran, individuals have made novel rights claims by combining discourses with other normative languages such as religion, women's rights, and movements for free universities and press (Bayat 2010). Since the revolution, women have mobilized in non-conventional ways and achieved incremental changes when they challenged the laws and forced jurists to engage in a conversation about their demands (Alikarami 2019). In the months following the revolution, discourse of seeking justice through revolution led to the campaign for women's issues and rights. Women and men flooded the streets of large urban cities contesting conservative discourse of reversing personal status laws and the potential enforcement of mandatory dress codes for women. As a reaction to the protests against a compulsory *hejab* law, Khomeini postponed making *hejab* a requirement for entering public spaces to 1983 (Ghamari-Tabrizi 2016, 134).

In response such new laws, women sought to negotiate their gender politics with references to non-patriarchal interpretations of Islam. As a challenge to the international campaigns by feminist activists that was initiated in the 80s it was through an engagement with,

rather than abandonment of, religious text and lived traditions that a vibrant gender politics emerged in post-revolutionary Iran (Ghamari-Tabrizi 2016, 158). Most women who were from uneducated and middle-class backgrounds did not explicitly challenge many of the rules of the patriarchal state but engaged in struggles for incremental change. As a result, since the revolution, many changes have occurred for women in the areas of education, health, employment, artistic and cultural production, and civic engagement.

Activists use a variety of channels for legal mobilization including media, literature, and more recently social media. In her analysis of women writers of fiction and poetry, Milani suggests that women writers, always at the forefront of socio-political movements in Iran, broke the spell of their textual quasi-invisibility by entering public discursive spaces (2016). Through writings that challenge patriarchal and traditional interpretations of the family and the role of women, they have advocated for new definitions of femininity that embody rights. She refers to this as the bloodless revolution that has "re-drawn the cultural geography of Iran and reorganized its political landscape" (Milani 2016). During the 2009 Green Movement protests, women's rights activists used Facebook to create a group of support and mobilize mothers whose children had disappeared or been imprisoned, tortured, or forced to appear in state-run TV shows to confess to "their crimes" (Gheytanchi 2015).

While the Green Movement as it was created does not exist as an organization, through its demand for electoral accountability and political inclusion, it galvanized a large portion of the Iranian population in 2009-2010 even if it did not survive or respond to the divergent demands of its multiple constituencies (Haghighatjoo 2015). The movement during the 2009 elections was not limited to large urban centers. In a revisit to a village in Aliabad, Iran, Mary Hegland describes the political climate just as vibrant as she had seen in the urban cities (2014).

The reformist parliament that was elected in 2000 has played a critical role in changing the language of legislation and in turn the nature of claimsmaking. In 2003 they brought legislation to ban torture and grant greater freedom of expression to the press. True to conservative form, the supreme leader wrote a letter vetoing this request on the premise that torture was noted too ambiguously in religious text and that a free press was not in the best interest of national security (Kar and Pourzand 2016). The disappearance of several political activists who challenged the state coupled by the shutting down of several newspaper agencies provided the social context in which these bills were presented. While they were not passed, these bills opened the conversation of holding the system accountable to the rule of law.

One area where the parliament made progress was in relation to the Family Protection Act that had been reversed by Khomeini. The passage of the bill increased the age of marriage for women and granted custody of both male and female children to the mother until the age of 7 in cases of divorce. Regarding women's issues, the Guardian council rejected legislation in favor of joining CEDAW in 2003 but has continued to face local Iranian women's challenges to its patriarchal laws. While the state initially codified social behavior and changed personal status laws that limited women's rights, it faced challenges as women's negotiating power expanded (Osanloo 2016). The history of Iranian legal mobilization reveals that citizens increasingly utilize a legalistic discourse of rights to demand protection by the law, even if they do not always rely on the law. Not only do they use this language to enforce the rule of law in civil society, but also use it to hold the state accountable. While legal mobilization was initially conceptualized in more "liberal" contexts, it travels well to a less liberal context like Iran, as everyday actors have mobilized the law in different ways, sometimes individually, sometimes collectively, according to their historical encounter with legal traditions and norms, and their conceptions of rights,

oppression, or injustice. In addition, as McCann and Kahraman (2021) suggest, the Iranian experience with legal mobilization can offer valuable insights to scholars of mobilization in more "liberal" contexts where similar dynamics are observed.

Conclusion

After the initial temporary ban on the women's magazine *Zanān e Emrūz* in Tehran, the notion of white marriage as an alternative to official marriages was introduced throughout Iran's provinces and in conversations from households to university campuses. From time to time, the decrees of different clerics are circulated publicly, to guide public behavior and opinion toward favoring white marriage's sanctioned alternative, *siqeh*. However, the dynamic jurisprudence of the clerics has led to a variety of interpretations of what a sanctioned intimate relationship should look like. White marriage is not explicitly endorsed by any contemporary cleric, an issue I examine more closely in the chapter on legal and clerical discourses. However, revisiting temporary marriage in public fora and publicizing the clerical conversation about the retroactive legalization of a white marriage are indications that the gap in the Islamico-civil legal order has been exploited by everyday actors who through their practices call into question the extent to which the state has succeeded in producing and preserving a practicing Muslim society.

The fusion of Islamic jurisprudence and a civil legal system has led to an increased power from the everyday that not only establishes a presence but also transforms legal and social norms. Discursive opportunity structures that emerge from the tensions produced in a hybrid Islamico-civil order are exploited by everyday actors who using Bayat's words "quietly encroach" on the state (2013, 35). Bayat coins quiet encroachment as "the noncollective but prolonged direct actions of dispersed individuals and families to acquire the basic necessities of their lives in a quiet and unassuming illegal fashion," and refers to informal work, land for

shelter, and public space as some of the basic necessities (2013, 35). I posit that an intimate partner relationship is also a basic necessity for many and apply the idea of a quiet encroachment to white marriage practitioners.

Social demands pertaining to intimate partner relationship desires and expectations are being made and transforming according to the shifting desires and circumstances which I expand on in chapter 3. Harris observes that factional competition in the Islamic Republic has provided avenues for social demands from everyday actors to become salient (2017, 221). The plurality in authority voices and the ambiguity of expediency in jurisprudence also contribute to creating an opportunity for encroachment of the ordinary, evidenced by white marriage practitioners' encroachment into official debates about the institution of marriage.

Prioritizing expediency in implementing the constitution has created a space for debate and dialogue not only about white marriage which takes place in private spaces but has laid the groundwork for ongoing debates about gender rights. It has created a space for youth, women, and student movements to challenge the dominant narratives through their collective presence. It has also created a space for individuals to challenge the institution of marriage, which purports to hold together the social fabric of Iranian society. State media has been a space that both reflects these challenges and helps shape them. Grassroots mobilization in Iranian society will continue to constrain and make uncomfortable the Iranian state which it actively shapes. Critically navigating social movement models offers us a nuanced insight into the power of the everyday to mobilize the law and effect change. My analysis of the media coverage of white marriage in major state-sponsored sources shows that white marriage discourse has become acceptable to at least some segments of the public, for being either sensible, realistic, or legitimate. As it speaks to preexisting cultural norms, white marriage discourse has the potential for a stronger collective

action framing. Iran's unique hybrid legal system lends itself to a unique experience of state-society relations in which power shifts in often unexpected ways. Official and public discourses of white marriage in Iranian media have exposed this relationship.

Chapter 2: Gender, Intimacy, and Marriage

For the first ten weeks of my fieldwork when I was getting back into the field after a year, I stayed in the relatively upper-class Sajjad Boulevard neighborhood of Mashhad. The house was located just behind some of the city's most popular passages, cafes, and jewelry stores, which line the two sides of the street between the Baharestan and Hamed intersections. People from all parts of town frequent this neighborhood on account of the variety of goods and services that are accessible. Roughly one mile away from this intersection is Park Mellat which is the Mashhad's largest park. The park houses a *shahr-e bāzi* (amusement park) as well as an area that is blocked off exclusively for women to exercise, in which they can freely remove their hijabs[15]. This area is mainly concrete, with tennis, volleyball, and basketball courts. It also has a gazebo that is lined with thin carpet for women who want to stretch. Usually, however, it is occupied by women who sit and chat over tea, pumpkin seeds, and snacks.

I decided to focus my ethnographic research on Mashhad because everything I heard from Iranians in other parts of Iran or especially those in the diaspora, was contrary to what I saw. The Mashhad that others know is religious, conservative, and boring. The Mashhad I observed after years of personal trips and half a year of fieldwork in 2010 was anything but that. Observing young men and women interact with one another as they used Sajjad Boulevard as a socialization space, and with authority figures such as the morality police got me interested in understanding how white marriage works in a public space that is assumed to be heavily patrolled and regulated. Regarding Mashhad's local politics, a former member of the women's division of the morality police once told me, "The dosage of religiosity in Mashhad is high."

[15] For more on these women-only spaces in parks, metros, and other public spaces, see Shahrokni, Nazanin. 2020. Women in Place.

Of course, if I took a 20-minute taxi ride (without traffic) to the shrine, I would enter a different environment, filled with tourists—many of them Arabic-speaking. The holy shrine used to be in the center of the city, but when you look at a map now, given the urban sprawl of just the last ten years, that is no longer the case. That holy shrine which brings millions of pilgrims into Mashhad each year has also caused a spike in temporary marriages for decades. I became interested in examining the conversations and practices around white marriage in a city where *siqeh* is commonplace relative to most of Iran's other cities.

The taboo surrounding white marriage was broken in Tehran before it made its way to Mashhad, according to my interlocutors. Still, in both cities, whenever I'd mention white marriage to anyone, I received mixed reactions. Some people had not heard of it, or did not believe it occurred in Iran, or the exact opposite, where they not only had heard of it, but they knew several couples in white marriages. The discourse and practice of white marriage in Iran does not take place in a vacuum. This chapter will show other contexts in which similar conjugal arrangements exist as it engages with gender, marriage, and intimacy throughout the Middle East and the broader Muslim world.

"The culture of deceit and concealment is far more damaging to our society than white marriage" -Seema

Early in my fieldwork, to get some insight on my topic, I reached out to an anthropologist teaching in the Social Sciences department at a prominent university in Tehran, who I call Seema. I had read her article in an U.S.-based anthropological journal and one of my project advisors referred her to me. One summer I sent Seema an email and requested to meet with her in person. She responded promptly and I made a trip to Tehran to visit her at her office in the Faculty of Arts and Sciences building. In her email, Seema expressed excitement about my work. In our meeting I discovered that she had advised several students' thesis projects which

examined white marriage from about 2014 to 2017. It was summer and the campus was empty. I walked through long, connected hallways and asked for directions a few times before I found my destination. Seema's office opened to a part of the hallway of the department that was filled with plants and a large window, which was cracked just enough to catch a cool breeze in the hot summer.

Before our meeting I had read that according to several narratives from women interviewed for the white marriage news report, social and emotional consequences for women involved in white marriage are far more severe than for men. Seema's reaction to this was "to those who advocate against white marriage because it harms women, we don't have any real statistics. If you're a defender of women's rights, let them make this decision and let their experiences speak to the consequences for them." Highlighting that the increase in cohabitation is in part due to the increase in the age of marriage for both men and women, Seema added that she believes white marriage is a very "sane" approach that couples are taking because it fosters a level of openness and honesty between the couple as well as with their families. In most cases she has observed, Seema states that white marriages occur in middle class families, where immediate families are involved in arrangement of the living conditions, but keep it hidden from more distant relatives and friends for the sake of *aberū* (saving face). Finally, Seema tells me, "The culture of deceit and concealment is far more damaging to our society than white marriage," implying that white marriage is an avenue for greater transparency and for a healthier society, one that confronts the demands for a shift in norms and understandings about intimate relationships, marriage, and love.

Examining white marriage in Iran requires a repositioning of the lens through which I see romantic love, relationships, and marriage. "Western civilization did not discover love. Other

people, in other cultures, both now and in the past, have also known the bittersweet pleasure and anguish of romance; the job of ethnography is to discover these cultures and outline the circumstances and trajectories of love in them" (Lindholm 2006, 11). Echoing Lindholm's (2006) sociological analysis of love in the modern capitalist world and other scholars of romantic love in non-western societies, 'romantic love seems to be an adaptation to pressures of life in a state society,' Stout finds that in post-Soviet Cuba, intimacy simultaneously offered a refuge and a space for inequalities to emerge that "undercut loyalty and reframe the meaning of genuine affection" (2014, 4). Many different external factors influence Iranians' decisions to engage in a white marriage. As my everyday interlocutors show in chapter 3, and a scholar and marriage therapist help me analyze in this chapter, trends in gender and marriage relations are shifting rapidly as individuals make their lives livable.

Gender and Marriage in the Middle East

While historicizing particulars is central to a discussion of everyday experiences of Muslims, historicizing gender and marriage debates in the region provides historical context for the Iranian Muslim encounter with these debates. Early post-colonial accounts of gender in pre-modern Muslim societies suggest the use of gender as an analytical framework for a post-colonial discussion of Islam (Ahmed 1992, Tucker 1998). Challenging both the orientalist representations of Islam and the androcentric fundamentalist views that emerged as a response to colonialism, these scholars claim that while patriarchal norms were written into Islamic law (Ahmed 1992), evidence of Ottoman courts suggests that the pre-modern discretionary role of judges allowed room for decisions to be made in favor of women as Islamic texts were used to regulate sexuality and reproduction (Tucker 1998). Later Ottoman rulers used citizenship and the 1874 law prohibiting marriage between Ottoman women and Iranian men as methods to

strengthen their rule (Kern 2011). Despite the law that limited women's choices in marriage and the number of children they chose to have, many Ottoman women continued to marry Iranian men.

Muslim particular experiences regarding gender and women must be historicized (Charrad 2011). As the Middle East journeyed toward the construction of modern nation-states, the "woman question" gained significance as states began "mothering the nation" (Kandiyoti 1991). Women would come to embody the identity of the post-colonial sovereign nation. Women acted as agents as they developed social and political organizations to gain bargaining power in the patriarchal state apparatus, as they entered public spaces during state-building (Kandiyoti 1991). While nation-building brought women out into the public, it also brought challenges to social dynamics that were a consequence of colonial residue. As marital and gender identities are mutually constitutive, marriage also became a site of contested national identity formation.

In early modern Egypt, men and women perceived that new nation and understood their rights through marriage (Kholoussy 2010). Throughout the Middle East, by the twentieth century, women began to work out of necessity and entered educational institutions where they earned the education needed so that mothers could raise virtuous citizens with proper national identities. State feminism purported to recognize women as citizens and facilitate their inclusion in the production of the post-revolutionary nation (Bier 2011). While this project appeared to grant women liberties such as the right to vote and involvement in education, family planning clinics, and factories, it became a tool for the Egyptian state to control women's roles in the public sphere. As modern states began to codify laws, registering marriages became a trend. This was meant to make a marriage *shar'i*, requiring the marriage to be made public.

In contemporary Egypt and Palestine, however, the practice of '*urfi* (customary and unregistered) marriage for which there are records since the 1980s, is still common (Welchman 2007). It is used by those who prefer to avoid expenses, formalities, and parental involvement. Like white marriage, its unregistered status prevents protections for women and is therefore still challenged by the state that tries to regulate "proper marriages." In a more recent study of unregistered marriages among Muslims, Annelis Moors suggests that *'urfi* marriages have been debated in Muslim-majority countries since 2001 (2013). Marriage, and by extension its registration, is a practice that makes sexual intimacy permissible in the modern state (Lindholm 2006 and Moors 2013). Religious authorities in these Muslim societies argue that registration of a marriage is recommended as publicizing a marriage benefits women and guarantees her rights. This sentiment was unanimously echoed by not only religious authorities, state officials, but even legal experts who I interviewed in Iran. Like in Iran, in mainstream public discourse, Moors finds that unregistered Islamic marriages today are considered undesirable as they often come with concealment from either their parents, extended family members, or neighbors (2013).

Iran had an economic and cultural encounter with colonial powers, and the twentieth-century modernization project in Iran followed a trajectory like Egypt's in producing proper women. Like Egypt, Iran faced complications in its formation of the modern state, where women simultaneously became subjects and objects of state-building. On the one hand, women achieved public rights, but on the other, these projects served as new forms of social control of women. Like the post-revolutionary Egyptian women who operated within the relations of power, young urban Saudi women engage in a perpetual redefinition of their practices that are navigated within forms of control (Le Renard 2014). Le Renard engages in what Bowen (2012) would call a double reflection of both Saudi local and global narratives of encounters with Islam

and being Muslim. Women's embodiment of national identity has led to their position as both the subject and object of state power throughout the Muslim-majority societies in the Middle East.

Gendering Islam

As gender was central to the colonial project in the Muslim world, decolonized modern states used it as the venue for negotiation of a national narrative and women would come to embody national identity. Codification of laws had allowed colonial powers to produce cultural meaning and knowledge using the sexual and the laboring bodies of women (Merry 2000). Colonial footprints left the ground fertile for assertion of patriarchal control of the family and the state, echoing Orientalist discourse. In response to Orientalism, women scholars began using historical evidence and new exegesis of the Qur'an (Barlas 2002 and Wadud 1992) to write patriarchy out of Islam and present women as agents that resist patriarchy. While this wave of neo-exegetes represented women as resisting power through an Islamic paradigm, secular feminists (Kandiyoti 1991, Najmabadi 1991) saw women's resistance less as an act of agency and more as products of the power structure that was controlled by men. Abu-Lughod's critique of these two positions offers a nuanced approach to the ways in which power is productive and works to create gendered subjectivities (1990).

Ethnographic analyses of Indonesia, Lebanon, and Egypt demonstrate different ways in which women act as agents of their own possibilities through and within power structures (Brenner 1996; Deeb 2006; Mc Larney 2015). Identifying with a global Muslim community, Javanese women in Indonesia adopt Islamic dress despite challenges from the state, society, and family, as they desire democratization of the state (Brenner 1996). With the help of religious leaders who infuse religion with science and reason, Shia women in Lebanon assert a pious modern identity that makes them civilized, progressive, and superior to the empty modernity of

the West (Deeb 2006). In Egypt, the soft force of women in Islamic cultural production challenges the governmentality of the state as it merges gender justice with Islamic law and forces a reframing of the personal status laws embedded in *shari`a* and demands disavowal of patriarchal influence (McLarney 2015).

The interest in the disavowal of patriarchy and reconsidering personal status laws has emerged in many Muslim-majority contexts. In southeast Asia, it has compelled groups of women to form organizations such as Sisters in Islam (SIS) in Malaysia. In objection to patriarchal laws, this group of women demands a separation of patriarchal interpretations of *shari`a* from jurisprudence and insist on having dynamic jurisprudence (Basarudin 2016). SIS also participated in outreach by offering workshops to women, engaging in research and public education, leading campaigns, and having media and press releases. Building on this model, a transnational group called *Musawah*, which means "equality" in Arabic, formed later, in response to a global feminist group that in fact perpetuated Islamophobia since the 1980s. This group of activists, scholars, and policymakers has demanded indigenizing family laws in the spirit of recognizing unique national and historical narratives as integral to the process of codifying laws. They therefore propose renaming "Islamic family law" as "Muslim family law," a concept that is in line with the anthropological view on multiple Islams. *Musawah's* website is rich with resources for women who seek information about their rights within Islam, as they pertain to marriage and family.

Some of the members associated with the groups above such as anthropologist Ziba Mirhosseini, whose work I discuss later in this chapter, consider themselves Islamic feminists. Gendering Islam in the process of creating new states has led to the emergence of the idea of Islamic feminism. In Morocco, Zakia Salime observes that the space between feminism as a

discourse and practice that challenges patriarch and Islamism becomes a discursive tool that allows the "woman's gaze" on *shari`a* (2011). In other words, like the women in the organizations that originated in southeast Asia, both Moroccan feminists and women Islamists were able to challenge the patriarchy in family laws. Moreover, Salime's analysis of Moroccan women activists critically disrupts the assumption of a monolithic feminist or Islamist women's movement, which can be applied to many Muslim-majority contexts, including Iran. When women dressed in accordance with the Islamic dress code stand beside women dressed in clear violation of the code and protest state laws while demanding freedom to choose to veil, the idea of an Iranian feminist or Islamist is disrupted. I visit this idea of feminism and the plurality of voices among women in the seminary in chapter 4, when I discuss my experience among a group of women exegetes in Qom.

Gendering of law and kinship is entwined with biopolitics of the modern state. In the context of kinship, the emergence of incest taboo to prevent specific kinship relations was an expression of the "interrelatedness of law and desire" (Foucault 1984). Through a binary model of kinship structures, Levi-Strauss (1949) insists that kinship relations are rooted in Mauss' theory of reciprocity as social glue and can be understood through the exchange of women—the most valuable gift. Challenged for its exclusion of gender (Rubin 1975; Collier and Yanagisako 1987), this model suggests that societies are patriarchal, and marriages result from arrangements between groups of men and assumes that prescriptive marriage systems are more common than preferred. The Muslim marriage contract contradicts this theory as it requires a woman's verbal acceptance of the contract, and historical evidence of marriage patterns in Muslim societies including today's white marriage illustrates that preferred marriage systems are more common than prescriptive systems.

Shifting the focus to Iran, throughout the twentieth century, the image of the woman moved from the modern woman symbolizing national progress to the Muslim woman symbolizing cultural authenticity (Paidar 1995). After the 1979 revolution, the Islamic Republic would operate under the guardianship of the highest Islamic authority in the country and would implement *Sharia* jurisprudence that was dynamic, authorizing clerics to interpret Islamic law. This created a condition of possibility for the emergence of rights discourse and laws that were emancipatory if they consolidated the state's authority. *Sharia* jurisprudence would serve as the temporally contingent source of family and personal status laws.

The role of motherhood became a charged symbolic site for the Islamic Republic (Sullivan 1999). Motherhood was politicized and valorized through association with the Prophet Muhammad's daughter as ideal mother, wife, and daughter, while family values became the birthplace for a new proper Islamic society (Mir-Hosseini 1999). While the state initially codified social behavior and changed personal status laws to limit women's rights by suspending the Family Protection Act of 1967 under which women had rights to dissolution of marriage and custody of children, it faced challenges over the next two decades as women expanded their negotiating power (Kashani-Sabet 2011, Osanloo 2016). The state's dilemma was a paradox that placed the state between its support for the "high status of women in Islam" and its restrictive version of *Sharia* law (Haeri 2009). The state's turn to *Sharia* sharpened women's sense of injustice and exposed the gap between *Sharia* and patriarchal assumptions by which marriage is defined in *fiqh*—and used as a "bargaining chip" by women in courts (Mir-Hosseini 2006). Over time, 'dynamic *fiqh*' created paths for women to challenge patriarchal philosophy and transform discourses of marriage. Gendering *fiqh* has undoubtedly contributed to one of the post-revolutionary state's unintended consequences, women's empowerment. The conference I

attended on the challenges of women's issues in *fiqh*, which I discuss at length in chapter 4, addresses the need to contextualize *fiqh* in today's Iranian society.

Modern Iranian National Narrative

At the turn of the twentieth century, the use of "mother" as a metaphor for the nation replaced the use of "father" in nationalist discourse and literature. "The mothering of territorial Iran provided the imaginative space for the scripting and enacting of an innovative vernacular nationalism and political modernity" (Tavakoli-Targhi 2001,133). The national rhetoric in early twentieth century Iran stated: "Progress, prosperity, and the order of every home are dependent upon [a nation's] women… Until women are educated, progress and civilization of the country are impossible" (Najmabadi 1998, 109). To create a society of virtuous women, the state had to provide "opportunities for women's industriousness, education, and domesticity" (Kashani-Sabet 2011, 52). Additionally, moral objectives of the state could be fulfilled through marriage which would allow the state to manage and produce virtuous citizens.

The definition of a virtuous citizen would change drastically after the revolution as well as the 8-year Iran-Iraq war. The war called on women to be sisters to brothers in a new imagined community of an Islamic *ummat*[16] (Moallem 2005, 5). Ayatollah Khomeini's populist rhetoric criticized the cultural imperialism to which past Iranian leaders had submitted and called for democratic principles centering rational citizens (Abrahamian 1993). As religious judges replaced secular judges, principles of freedom and reason would also replace the traditionalist views of faith as 'servile obedience' (Arjomand 1988; Adelkhah 2000). After decades of performing secularism, the duty of Iranian women becomes performing piety and preserving

[16] *Ummat* refers to a community of Muslim believers. Moallem (2005) refers to this as a transnational ethnic identity that placed Iranian men and women in opposition to the global hegemony of the West. This discourse led to gender constructions and identities that would eventually divide the nation between those who joined the resistance and fought or supported the war, and those who did not.

authenticity in the Islamic Republic. Women dominate the cultural imaginary by becoming emblems of national identity: "Forcefully unveiled, they personify the modernization of the nation. Compulsorily veiled, they embody the reinstitution of the Islamic order" (Milani 1992). Gender continues to operate as a framework within which the Iranian state aims to produce proper citizens. The state employs various means in its attempts to produce proper citizens that include frequent interviews with clerics on state television, or through Friday sermons at local mosques and shrines.

Gendering Iran

Lecture on Marriage at Imam Reza's Shrine

When I returned to Mashhad to embark on my extended fieldwork in the fall of 2018, it took me a while to reconnect with old interlocutors, reestablish friendships and develop rapport, which I hoped would lead me to new interlocutors. In my free time I decided I would make frequent visits to the holy shrine, located only half an hour away from where I was staying. I usually attended during afternoon and evening prayer times as the weather would cool down, making maneuvering around the crowded space more manageable while wearing the mandatory *chador*. One of these nights was during the month of Muharram,[17] when I went for evening prayer and stayed for the sermon after. The speaker spoke of love for Imam Hossein, "If a man loves Imam Hossein, he must also love his wife." The cleric giving the sermon insisted that men should care for their wives the same way that they would care for a crying child. In addition, he

[17] Muharram is the month during which Imam Hussein, the grandson of the Prophet Muhammad (PBUH) was killed by the Ummayid Caliph Yazid. Imam Hussein's martyrdom is commemorated annually by Shi`i communities worldwide through passion plays, sermons, and mourning rituals (Abrahamian 2008).

suggested that when conflict arises, "couples should make every effort to resolve the conflict, because if they don't, their children will become *bacheh-ye talaq* (child of divorce)[18].

When I attended congregational prayer on Fridays for noon and afternoon prayer, I had to go to the basement where the ushers guided us to empty spaces. In the break between the two prayers, Ayatollah Ahmad Alamolhoda gave the sermon. He is known widely as a socially conservative cleric, and the source for concert bans in Mashhad. This, among other Friday sermons, tended to be more political, about the Joint Comprehensive Plan of Action (JCPOA), the United States, cyber-attacks, and other enemies of the Iranian state. The usual chants of "death to Israel and America" were repeated by the crowd when the speaker paused. At one of the Friday prayers that I attended the speaker discussed married life through humor. The audience seemed very engaged and laughed frequently throughout the speech. I also heard moments of clapping rather than the usual *takbir*[19] that is announced when the audience wants to show support for what was just said. This is atypical behavior in religious spaces as clapping is considered an irreligious gesture of support.

On one occasion, my interlocutor Laleh asked me to accompany her to the shrine. We attended at a time when it was not a crowded prayer time as she wanted to sit in a quiet floor space and pray. As I observed pilgrims walking through one of the interior halls of the shrine, I noticed a *halaqa* was taking place not far from where we were seated. A *halaqa* refers to a small group of people that gather in a circle to discuss religious issues. Here, about twenty men and women had formed a circle with a cleric that was speaking to them through a low volume microphone. Some parts of the shrine are gender segregated, while others are mixed. I noticed

[18] This reference has negative connotations not only in religious circles but also in the broader Iranian society. It implies a series of mental health and behavioral concerns that are often associated with adults because they were raised in a broken home.
[19] Call for Praise to Allah (God).

that someone was passing out slips of paper and a pen to the audience members for questions. I requested a slip. The letterhead on the forms said the *Āstān-e-Qods*[20] Central Organization, Islam Propagation Division. At the top there were some identifying questions such as one's level of education, city of origin, gender, age, and the topic of the discussion. I gathered that this was a data collection strategy for them as well.

Below the information section there was space for my question. I submitted the slip with the question "What causes the rise of white marriages in Iran?" It was nearing the end of the session when my slip was collected, and it was handed to the cleric in a large pile. While I had little hope we would have time for my question, it was the second one he read. He began, "White marriages are a behavior for those that are irresponsible. It is a social ill, and it will only lead to the destruction of the family unit." I was not surprised by this response, as I already knew that the consensus among clerics was condemnation identifying it as a social ill. Laleh expressed surprise at the fact that he chose to read and respond to my question aloud. Given his position as a respected cleric, among a seemingly religious crowd, she was certain he would be inclined to avoid this question. This commonly held perception by Iranians that I would speak to about my topic, was that approaching a cleric of any sort would either be uncomfortable for me or them, or might raise flags for them, proved to be quite the opposite in all my encounters after this with clerics and "religious" figures.

Veiling and Space

I include this section in this chapter state-mandate veiling in Iran has triggered a series of protests after the tragic death in police custody of 22-year-old woman Mahsa Jina Amini in September of 2022. These protests gained great attention and received widespread support from

[20] An organization that manages the shrine and other affiliated institutions. It also collects land taxes from some property owners in Mashhad, for the shrine's expenses.

Iranian diaspora and non-diaspora in western Europe, Canada, and the United States. The protests that were ignited by a mandatory dress code-based detention case gone wrong are a public display of everyday assertion of power against the state. White marriages complement this assertion of power behind closed and sometimes open doors.

Veiling is a corporeal practice where space, place, and the body intersect. Over the last century in Iran, compulsory veiling and unveiling have been used to corporeally inscribe the principles of a new government. Veiling involves the entanglement of the global and intimate, and where the global directly and abruptly disrupts the intimate. Several Muslim states have negotiated a national identity that is tied to this link, through veiling and surveilling women's bodies in public spaces. Space, whether sacred or profane, is not produced in a vacuum, but rather through a web of cross-cutting power relations that are themselves forged at multiple scales from the local to the global (Massey, 1994). Women today are not the passive victims of a state-imposed compulsory behavior and dress code. Instead, what has emerged in the younger generation is a relative agency in negotiating identity between the intimate and global, private, and public, and blurring all lines between these dichotomies through their bodies.

From its inception, feminist scholarship has effectively revealed the construction of gender relations in Western European and American contexts. However, by the 1980s feminist geographers acknowledged "differences in the construction of gender relations across race, ethnicities, ages, religions, sexualities, and nationalities; to exploitative relations among women who are positioned in varying ways along these multiple axes of difference" (Pratt, 2009). Gender has been crucial in the fashioning of national identities and narratives and their bodies used as a site for this negotiation. Probyn suggests that the mutually constitutive nature of bodies

and spaces and an inherent permeability between these spaces which is where subjectivities are formed (2003).

Veiling has been a physical marker of nationalisms in Iran over the past century. To discuss veiling—a practice that is explained through a religious discourse—it is important to first understand religion as affective. As people and places experience religion through their unique historical narratives, Asad claims that "there cannot be a universal definition of religion, not only because its constituent elements and relationships are historically specific, but because that definition is itself a product of historical processes" (1993, 29). Looking at the experiences of veiling Palestinian women in Milwaukee, Mc Ginty offers intimate, personal, and embodied accounts of the salience of religion to people's everyday experiences (McGinty, 2014). The everydayness of religion is critical to understanding that its influence cannot be contained within official sacred spaces but rather is a pervasive force. Gokariksel suggests that "the religious and the secular are mutually and contextually constituted and intersect with one another in complex ways" (2009, 658), and that "the body is created as an embodied and affective religious space" (2009, 666). Anthropologist Saba Mahmood who studies piety among women in contemporary Egypt states "The body plays a role in the making of the self; outward behavior of the body constitutes both the potentiality and the means through which interiority is realized" (2005, 159).

Dress and by virtue the veil, whether worn by choice or through compulsion, become an integral part of the self for women in Iran. The affective role of dress then challenges the conventional Iranian feminist scholarship that describes veiling as merely a discursive practice imposed by the state, whereby women were passive actors (Afary 2009, Afshar 1998). "Veiling is informed by particular experiences, emotions, and quests… and thus a significant part of self-making. This approach elucidates… the meanings the veil has to the women, as well as the

dissonance between personal and discursive meaning" (McGinty 2014, 688). The space created between the personal and discursive meaning is vital in that it is where subjectivities are negotiated.

The fashion industry in Iran as it concerns Islamic fashion has shifted dramatically over the last decade, with the initial emergence of colors and fashion after the 1997 election of reformist President Khatami. In a recent study, on gender identities and the politics of space in Tehran, geographer Nazgol Bagheri found that "although following the revolution Iranian women have experienced much more governmental control of their appearance such as the compulsory hijab and behavior in public, they have been actively participating in public spaces by re-appropriating the existing places" (Bagheri 2014). This study also reveals women's strategic choices in dress and makeup when planning to travel to various parts of the city. Women have often become objects of observation in Iran by two groups: male users of public spaces who would watch women as sexual objects and second the police and the locals to remind them of Sharia and societal roles (Bagheri 2014). Bagheri's suggestion that women are re-appropriating public spaces since the revolution is an example of Iranian women's quiet encroachment, specifically by acts of re-appropriation, not resistance.

The police that Bagheri refers to are those who are responsible for the enforcement of morality through dress and social interaction in public spaces. As a part of Islamization of Iranian national identity, the Islamic Republic created a division of law enforcement that would be responsible to enforce Islamic codes of conduct in public. They had to recruit women who maintained revolutionary ideals, as they received criticism for having male officers monitor or engage with women (Hoodfar and Ghoreishian 2012). The morality police, *gasht-e amr-e be ma'rūf va nahy az monkar*—which translates into the "patrol for spreading good and eradicating

evil," a concept extracted from Islamic discourse—was launched to sweep away any behavior that was deemed irreligious such as *bad-hijabi*, veiling poorly, drinking, and selling alcohol, and illegitimate hetero-social and homosexual relationships (Sadeghi, 2008, 254). This law enforcement division had custody of Mahsa Jina Amini at the time of her death.

Even against the backdrop of a highly surveilled public space, the conservative Iranian president Rafsanjani had introduced neoliberal policies in the early 1990s that were criticized by some as introducing an ethics that contradicts Islam. That is, an ethics of consumerism and self-interest that would mold and shape the new generation's identities (Sadeghi 2008, 253). This shift towards neoliberal values also distanced the public spaces from the revolutionary images that were desexualized. The post-Iraq war generation would thus grow up in an Iran that lacks the revolutionary atmosphere that their parents lived through, engendering a less collectivist, more individualistic self. This young generation would only be self-interested and whose self-interest would only be strengthened and buttressed through the pervasiveness of globalization. One example of this more individualistic self that I observed among some of my interlocutors was their pursuit of mental health therapy, a practice that was not only unheard of but possibly even scrutinized when their parents were their age.

The values that are contested, challenged, defined, and re-defined on the body, in public spaces, globally, and through the veil are entangled within the complex relationship between the secular and the religious. This relationship is what creates subjectivities and bodies. The terms 'secular' and 'Islamic' have, in time, become empty signifiers and tropes that are mobilized by contending political actors in their search for hegemony and the consolidation of their power (Kandiyoti, 2012, 528). The spatial politics that women experience in their everyday lives is elucidated in Sadeghi's interviews with young Iranian women in Tehran. Even the women who

express themselves in the most 'Islamic' and conservative form of dress in public confess that they, like the poorly veiled girls, are "caught between the conventions of society on the one hand and the more individualized ambitions of self-expression on the other hand" (Sadeghi, 2008, 258).

In her ethnographic work in Tehran among young Iranian women, Sadeghi (2008) offers experiences of young women that challenge the misperceptions of their own behavior. She finds that women claim that their clothing style is a personal choice and an indication of social rather than political identity (Sadeghi, 2008, 250). This view challenges the conventional discourses on veiling in post-revolutionary Iran which state that any display of 'secular' clothing is deemed as most certainly a form of political resistance to the Islamic regime. The next misconception that young women challenge is the suggestion that removal of the veil is equal to the free expression of female sexual desire and agency (Sadeghi, 2008, 250). The young women's narratives reveal that their premarital relationships take place in a social context and irrespective of their extent of proper or poor veiling. Furthermore, they confess that relationships are still structured by privileging of male desire over female sexual expression—which of course, is not unique to Iranian youth. The narratives in Sadeghi's work echo many of my interlocutors in white marriages who did not see their engagement in an unsanctioned intimate partner relationship as a form of resistance to the state, but rather in making their lives livable.

Sadeghi (2008) concludes that the ways in which these young women in Tehran, both poorly and adequately veiled, negotiate their identities and boundaries are neither secular nor traditional. Young women struggle to construct their bodies through dieting, dress style, and makeup (Sadeghi, 2008, 259). The young generation mixes all traditional, modern, and religious aspects of Iranian life to make their own lives more accessible and enjoyable (Sadeghi 2008).

Narratives of women's negotiation of identity are telling of the problematic imposition of binaries of even modern and traditional, let alone secular and Islamic.

Bagheri's research which focuses on women's navigation through public regions in Tehran also reveals the problem of dichotomizing categories that are so mutually constitutive and porous. She suggests that experiences of women in Tehran shed light on "the unrealistic categorization of binary divisions of public-private, modern-tradition, and form-meaning" (Bagheri 2014, 1296). Women's experiences in her study show that there exists a complicated relationship between the architecture styles, the gendering of spatial boundaries, and the contingent nature of public spaces that goes beyond the simple dichotomy of female-male, private-public, and modern-traditional (Bagheri 2014). Locally, globally, and nationally engaged, Iranian women perpetually participate in the navigation of their affective bodies as they create themselves.

In the same vein, my interlocutors who engage in white marriage defy the problematic dichotomies of secular and Islamic, modern, and traditional. What Bagheri observes is also in line with what scholars of everyday Islam suggest about the capaciousness of the everyday such that it encompasses both sides of those binaries and all the shades between. The experiences of women in Bagheri's study expose the problem with fixed and reductionist perceptions of their lives. My interlocutor's narratives show that the boundaries of public and private, modern and traditional, secular and religious are constantly being renegotiated by them, their relationships with others, and the society and world they navigate as they create themselves.

(White) Marriage in Iran as explained by a Marriage Therapist and a Scholar

When white marriage practices entered public discourse, women activists immediately ignited a conversation challenging the institution of temporary marriage, in the interest of

offering women an alternative with protections. Following an examination of this temporary marriage in comparison to a civil marriage, Shrage finds that the state's regulation of marriage can promote greater social justice (2013). Autonomy in making decisions is undoubtedly a theme that was echoed by my interlocutors who engage in white marriages, but interestingly, legal experts with whom I spoke unanimously advised against white marriages and recommended legal temporary marriages instead, as they offer women an avenue for seeking justice.

Marriage Therapist in Mashhad

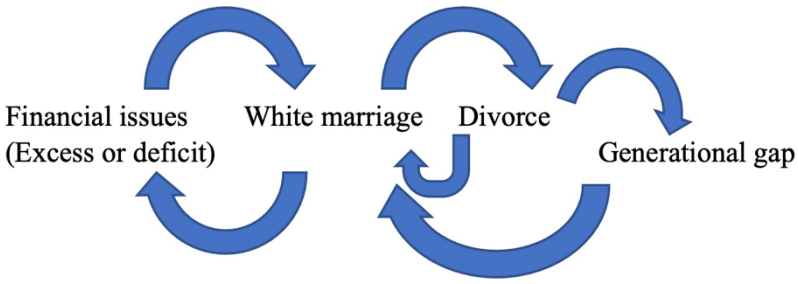
My interlocutor, Sussan, invited me to join her one Friday morning for a public talk given by her therapist at the time. She saw him weekly, and attended his public talks held once a month at a local bookstore. Sussan asked me and another friend to accompany her. One of the things that helped Sussan move on from her failed white marriages was seeking mental health help. She had sessions with a couple different therapists, and Mr. Pahlavan was one of them. She described these public sessions as introductions to his approach to treatment. Attendees could attend a free event and get an idea of his approach before they decided to schedule one-on-one sessions. I attended the talk along with about forty others. The audience was mostly comprised of men and women who were in their late thirties to late fifties. Judging based on their appearance, the cars in the parking lot and the location of the talk, they appeared to be middle class. About half of the audience were couples, while most of the non-coupled attendees were women.

The therapist, Mr. Pahlavan, had prepared a presentation on self-love, care, and the important role they play in a successful relationship. These were themes that often came up in conversations I had with Sussan. In addition, he took a wider lens approach and proposed Iranian society's need for a paradigm shift in marriage. "So many of us hear about divorces after only two or three years of marriage. Individuals should re-examine their priorities in order to sustain

relationships they desire," he said. After the two-hour session, I asked him if I could meet with him individually to ask about the state of marriage and relationships based on his experience as a licensed clinical therapist in Mashhad.

Figure 2. Author's Photo, taken in Mashhad, 8/2/2019.

Two weeks later, I met Mr. Pahlavan in his office, located minutes from the Holy Shrine, in a building in a narrow street that blended into its surrounding residential towers. As I sat in the waiting room, I heard the muffled voices of a couple bidding farewell to their therapist. Mr. Pahlavan guided me into his office. I sat on the couch where I presumed his clients usually sit, across from a whiteboard that covered the wall behind his desk. I explained the nature of my work and he responded by describing how he has observed white marriage trickle from larger cities to smaller ones over the last several years. As he went on to offer his analysis as to why white marriages have gained prevalence, he drew me the following diagram:



For the rest of the hour, I asked questions and Mr. Pahlavan tried to include all the interconnected factors that lead individuals in Iran to white marriage. First, he broadly outlined the elements that lead to a failed relationship: difference in beliefs and values, failure to accept responsibility, and inadequate foundations and structures at the government or systemic as well as the individual scale. Povinelli states, "Analyzing intimate events promises to reveal the otherwise obscured connections between "micro-practices of love' and "macro-practices" of state governance and political economic systems" (2002, 191). Through this analysis of intimate relationships, Pahlavan exposed the "macro-practices" that influenced individual Iranians' "micro-practices" of love that led individuals into white marriages. He continued to unpack these macro and micro practices. "Each individual must take responsibility and address the causes of an unsuccessful relationship. For example, if my family expects a large dowry from my future spouse's family, I should object to it." Pahlavan was referring to the often-unreasonable expectations proposed by the groom's family for furnishing the newlywed's home. These expectations often lead to disagreement and conflict prior to and throughout the marriage.

"Our society is stuck trying to navigate the transition from being traditional to being modern, and to postmodern. Today's teens embody the postmodern. To navigate this impasse, we must disrupt solid beliefs that have only obscured the problems. Most of my clients are in their thirties

and forties." Pahlavan referred to them as the children of the 1350s and 1360's decades[21]. "They were all married traditionally, without adequate individual consent. Typically, they have mutually agreed to seek divorce as they feel fed up and want freedom but are met with their traditional families' efforts to "save" the marriage."

Pahlavan suggested that another factor that contributes to a rise in white marriages is a shift in beliefs around intimate partner relationships and virginity. "Previously, if a woman got divorced, she returned to her father's home. Now, she is more inclined to live on her own. Intimate partner relationships are not a taboo for younger generations." Several of my female interlocutors who had been married before lived alone in an apartment where they would host the men with whom they were in a white marriage. Pahlavan broke down the shift in generations as follows: "Those of us who were born in the 1350's and 1360's (seventies and eighties babies) would meet a young woman and be curious as to whether she has had a boyfriend. Those born in the 1370s and 1380s (nineties and two-thousands babies) meet a young woman and wonder how many sexual partners she has had before them. Today, our young teenagers who forge intimate partner relationships do so with the understanding that their girlfriend has had intimate partner relationships and they can only hope that she will be monogamous." Here, Pahlavan pointed not only to the shift in intimate relationship attitudes and practices, but to the shift in power dynamics among young men and women of the youngest generation. That men can hope to be with a woman who is committed and monogamous suggests that the age-old expectation of fidelity from women prevalent among their parents' generation has waned. Pahlavan's

[21] 1357-1358 are the years of the revolution and those born in the decade of the 1350s were either very young or born through or after the revolution. Those born in the 1360s spent their formative years under the nascent Islamic Republic as well as the Iran-Iraq war. These groups are roughly equivalent to Generation X and Millennials. Social restrictions were most high in the 1980s and 1990s and did not begin to ease until 1997, which is when the 1370s children were born.

observation reminded me of when an anthropologist in Tehran told me, “The fabric of the Iranian woman is changing.” He had observed a shift in even some of the most assertive men’s willingness to forgive an unfaithful wife.

I asked Pahlavan whether any of his clients engaged in a *siqeh* and he responded, “They are offended when they hear the word! Especially women. They prefer to have their marriage contract stipulated and agreed upon mutually, without the interference of formalities such as negotiation of dowry and bride price.” Pahlavan followed our discussion of *siqeh* by mentioning that one of the larger problems that normalization of white marriage will contribute to is the dissolution of families because often those who enter white marriages are not single or unmarried. A minimum level of financial resources and stability facilitates the maintenance of a white marriage, and, according to Pahlavan, most men who have the means to support a woman are older, married, and even have children. They evade commitment and begin extramarital relationships that they keep hidden from their wives, which in the long term will end in marital strife and divorce. Such individuals would rather not have a record of their hidden relationships or be held legally accountable to a contract and would not opt for a *siqeh.*

Finally, Pahlavan was concerned that Iranian society can anticipate a wave of trauma that will change the meaning of marriage. Today’s youngest generation consists of the children of those couples who contributed to the alarming spike in divorce rates over the past two decades. “Children of divorce” will carry their anxieties and trauma from witnessing their parents’ unhappy marriage and subsequent divorce into their own intimate partner relationships. For Pahlavan, the future of marriage in Iran will be chaotic unless serious measures are taken to educate and spread awareness about sustaining functional marriages, something he hopes to achieve by continuing to hold accessible public events like the one I attended.

"In our society," Pahlavan sighed, "when seeking marriage, we prioritize having a large house rather than having calm in the house. Individuals must live with a set of standards. Setting aside those standards and having hidden extramarital relationships disrupts the calm. The only way forward is to invest resources in educating our men and women." The idea of educating the public on gender relations was often echoed by my other interlocutors as well, including attorneys, judges, and social scientists. It was also a remedy that experts at panels on women's issues suggested in Mashhad, Tehran and Qom. Educating, otherwise referred to as "culture building" or "culture work" occurs commonly in many spaces in Iran, including when community members engage in what Osanloo refers to as "forgiveness work" as they try to convince families of murder victims to forgo retribution (2020). Within the Iranian healthcare system, Soraya Tremayne has observed healthcare workers engage in what they call "*farhang sazi*" (building culture) over the past two decades to educate infertile couples about infertility and the fertilization process, and to normalize assisted reproductive technologies in the broader society (2012, 137). I repeatedly heard this call for "culture building" as a strategy for a future of contending with gender-related issues when I attended clerical and legal conferences that I discuss in chapter 4.

"*The shifts in gender relations and practices are the consequence of an increase in women's and a decrease in men's social capital since the 1980s."-Professor Rahmani*

I started this chapter with the perspective of a social scientist in Iran, who I interviewed in 2016. I want to bookend that discussion with an interview I had with a scholar at a research institute in Tehran in the summer of 2021. I met this scholar, Jabbar Rahmani, at a virtual conference the year before, where he presented on shifts in gender trends and briefly alluded to white marriage. I contacted him after the conference, and he offered to meet with me if I had the chance to travel to Iran considering COVID restrictions. I made my first follow-up trip after my

fieldwork in late summer of 2021. I sent Professor Rahmani an email and we arranged for me to meet him in his office at the research institute in central Tehran.

I took the metro to the nearest station and walked down a residential street shaded by the massive trees that lined both sidewalks. I waited at the entrance of the research institute and observed several individuals who walked in or out carrying laptop bags and hauling backpacks, and I eavesdropped on their theoretical discussions. Professor Rahmani met me about ten minutes after I texted him informing him that I had arrived. I followed him down the marble stairs of the seemingly older building out into a serene courtyard with lush patches of grass. His office was in a building across from where I entered, and his slow walking pace explained why I was kept waiting.

We entered the building and as he took long slow strides, he turned around occasionally to make eye contact with me as he explained the history of the institute. Professor Rahmani guided me into his office and gestured for me to sit in the chair closest to the door that faced his desk. He left briefly and I observed the overstuffed bookcases that lined each windowless wall. Most of the books were lined up vertically in the bookcases and layered on top with a layer of thinner paperbacks and notebooks horizontally wedged between the books and the bottom of the shelf above. Professor Rahmani's large L-shaped desk housed his computer monitor and keyboard, and a series of piles of books that had papers peering out from within the pages. Within a couple of minutes, he returned.

Aware of my interests and reasons for inquiry, Professor Rahmani provided me some background on social issues related to the overall steady increase in women's cultural or social capital since the 1980s, what he finds to be the most critical shift in gender norms, relations, and practices. He finds that white marriages are functional for now, because most who engage in

them are in their thirties and forties. “The real social crisis,” Rahmani suggested, “would approach us two decades from now, when the practice becomes prevalent among younger adults who lack the knowledge and maturity to sustain such relationships.” Echoing Seema, Professor Rahmani confirmed that negative consequences of cohabitation are far greater for women than for men, especially the social stigma. Younger women are more likely to hide their lifestyles from their family and friends, while older or divorced women experience less pressure to keep their relationship discreet. Particularly for women of child-bearing age, pregnancy is another concern. I discuss options in cases of pregnancy in chapters 3 and 4.

As a trained anthropologist, Professor Rahmani shared the story of a woman who was an interlocutor in one of his studies. Building on his argument about the increase of women’s social capital in the 1980s and beyond, he shared a story that resonated with Mr. Pahlavan’s assessment of the younger generation of women’s proclivity toward unfaithfulness. In Professor Rahmani’s case study the woman was in her late thirties and lived in a small town outside of Tehran. She was married to a very assertive and hyper masculine man for over 15 years, with whom she had two children. For the last few years, she had started an affair with a man who made her happy. When she wanted to confess this to her husband, she invited Professor Rahmani to be present so that she would feel safer. As he told the story, Professor Rahmani expressed shock at the husband’s reaction. “Just one generation ago, I would have to hold the husband back from harming his wife. In this case, I had to prevent him from harming himself further after he picked up the flower vase and slammed it into his skull upon hearing the news.” Using this case study and others, Professor Rahmani has found that the big shift in gendered expectations within marriages is undoubtedly a consequence of women’s empowerment since the 1980s.

Conclusion

The emergence of the modern nation-state that led to gendering of national narratives coupled with the hybrid Islamico-civil legal system have created the conditions of possibility for this change in the fabric of the Iranian woman. As they combine emancipatory elements rooted in Islam with their knowledge of rights and as Mirhosseini claims use *shari`a* as a bargaining chip, women gradually encroach not only on the patriarchal state but also on the patriarchy within their homes. Gendering Islam everywhere has however inadvertently invited women into conversations about jurisprudence that may not have otherwise occurred. Whether in Malaysia, Morocco, Egypt, or Iran, gender and intimacy norms, practices, and expectations are uniquely shifting.

Professor Rahmani's observation of the increase in women's cultural and social capital in Iran in the last couple of decades supports the changes in marriage and dating practices of younger Iranians today. After analyzing narratives from individuals of a generation that could be young Iranian's grandparents today, anthropologist Mahnaz Kousha concluded, "It is the marriage of patriarchy and cultural traditions—the invisible cohabitation of patriarchy and economic systems within socially constructed norms—that renders women and men as powerless and powerful members of society" (2002, 74). Seema, Mr. Pahlavan, and Professor Rahmani all offer complementary insights that suggest a shift away from powerful men and powerless women, certainly among everyday or non-elite members of society. Mr. Pahlavan's declaration that "the fabric of Iranian women is changing" was a sentiment echoed by many of my male interlocutors who were in white marriages as well as in large social gatherings among their peers. The increasing practice of unveiling or minimally-veiling in public spaces in the past decade is a testament to this change.

Looking at veiling as more than a discursive practice forced by the state, feminist geographers nuance the affective role of dress and suggest that women's experiences with veiling are informed by a complex set of emotions and experiences and a significant part of creating selves. Moreover, attention to spaces that these women navigate, and the gendering of public spaces exposes the mutually constitutive nature of bodies and spaces and disrupts the idea of a public-private divide. If narratives of everyday actors show us that the public and private are mutually constitutive, as are the secular and Islamic, as well as modern and traditional, then these terms are obsolete. It is through the blurring of these dichotomies in the affective space of their bodies that the younger generation re-appropriates spaces and makes the creation of subjectivities palatable.

All my everyday interlocutors who were in white marriages were born in the 1970s or later, at a time of post-revolutionary governance, where they had to negotiate the new nation's identity along with their own. Their bodies became affective spaces for negotiating new identities and new desires. The younger generation's practices deviate from their parents' and unlike the millennials who would conceal their transgressions of household rules and norms, those that are Gen Z are less interested in performing in the interest of saving *aberu* (face).[22] Nevertheless, the state continues its attempts at disciplining subjects through different modes of soft power such as sermons at Friday prayer. In Mashhad, what is considered one of Iran's two holiest cities, white marriage practitioners provide the space to observe the entanglement of "micro practices of love and macro practices of state governance."

[22] In an extensive examination of the concept of *aberu* in Pesian literature, Magdalena Rodziewicz defines it as "'Radiance shed by the face' or the 'brightness and beauty of the face,' which, in the eyes of others, make a person dignified, worthy, endowed with glory, respect, and splendor (2018, 276).

Chapter 3: Lifeworlds as the everyday

"I know without a doubt that if women in white marriages are completely honest with themselves, ninety percent of them will admit that they remain in the relationship with the hope that it will evolve into a permanent marriage one day. A woman invests her entire being in these relationships, but a man thinks, "if this woman does not expect a child from me, then why would I marry her?""- Sussan.

This chapter consists of data collected from my primary interlocutors, over the course of several years. I call them my primary interlocutors because their stories drove my fieldwork path toward legal actors, psychologists, and ultimately, clerics. A closer look at everyday actors' experiences sheds light on otherwise obscure or inaccurate understandings of the dynamic between the law, state, and society. The stories of everyday white marriage practitioners steered me in the direction of chapter 2 where I explored recent changes in gender and intimacy with Iranian social and behavioral scientists, and chapter 4 where I examined the relationship between the seminary and the courts. Rights and law are mutually constitutive; rights without the law are unthinkable, as is law without rights (McCann 2014). Whereas philosophic and jurisprudential inquiries into rights tend to be normative and abstract, social scientist's examination of rights practices is explanatory and empirical (Scheingold 1974). In this chapter, I explore the empirical evidence that drove my fieldwork. Instead of focusing on the direct effect of court-articulated rights, socio-legal scholars starting in the 1970s began to explore indirect and constitutive effects, and in this chapter, I intend to follow in that tradition.

The indirect and constitutive effects can be observed by examining lifeworlds, which refer to intersubjective relationships, encompassing emotionality and sociality both within an individual and in their relationships toward others (Jackson 2017, xi). Critiquing Levi-Strauss' theory of affect being produced by structure, anthropologist Michael Jackson argues that affect is what drives every social interaction (2017). White marriage as a practice can best be understood

by exploring the everyday practitioner's thoughts, their interactions with their intimate partner, families, employers, hotel personnel, colleagues, landlords, law enforcement, religion, the law, and the state. My interlocutors at once navigate all these social fields, and the aggregate of these interactions is what makes up their lifeworlds.

In learning the ways in which my interlocutors in white marriages navigate their lifeworlds, I noticed parallels in their experiences with Lebanese Shi`i youth in southern Beirut who navigate what anthropologists Deeb and Harb call "leisurely Islam" (2013). It is worth invoking ideas in the southern Beirut context when looking at Iran because both have significant Shi`i populations, in contrast to the rest of the Muslim world. As I argued in my introduction, Shi`i contexts can provide a more nuanced understanding of piety in the everyday because there are "multiple formal jurisprudents and their differing opinions facilitate flexibility in ways that may not exist in a Salafi Sunni context" (Deeb and Harb 2013, 17). The ever evolving and adapting interpretations of Islamic principles to everyday life made by jurisprudents or what Iranians refer to as *maraji* allows individuals to pick and choose those interpretations that make sense to them at a given time. I build on the works of those scholars of everyday Islam who suggest that "piety and religiosity must be located in complex social fields" (Deeb 2006, Scheikle 2009, Deeb and Harb 2013, 17).

Finally, the data in this chapter shows the ways in which my interlocutors navigate their lifeworlds and establish a 'collective presence' in the sense that Asef Bayat observes it, as a force for social change that emerges from undeliberate linkages between individuals who engage in a similar practice (2007). Through their everyday practices, these everyday actors engage in incremental claims-making. This chapter therefore exposes the reasons why and how white marriage practitioners choose this conjugal arrangement and in so doing engage in legal

mobilization through a collective non-movement. This collective nonmovement is another steppingstone, like the protests following the death of Mahsa Jina Amini, toward gradually achieving greater gender rights and other forms of social change.

Across the Color Spectrum

When I began my search on white marriage predominantly in Mashhad, I soon learned that there was no standard model that everyone followed. For some self-proclaimed practitioners, white marriage entailed full-time cohabitation, for others it was half-time. For some, it required a permanent shared space in the form of an apartment or house, but for others it meant spending several nights a week together at a remote hotel or garden villa. These are among several other factors that may distinguish one white marriage from another. The interlocutors whose stories I will share live in urban centers of Mashhad and Tehran, come from a variety of socio-economic backgrounds and levels of education, and from families that are what they describe as varying degrees of religious and traditional.

Studies about marriage and kinship often duly include discussions about class. However, scholars of Iran unanimously suggest that the category of class in Iran is perpetually fluctuating and depends on the standards of measurement being used to delineate different classes, be they consumption, education, or occupation. Given the rapidly changing and precarious state of the economy, using any of these three standards to measure social class proves challenging (Harris 2015). Outside of academic analyses, as I discussed my research with friends, family, and acquaintances in several different cities throughout Iran, I was frequently told that white marriages are an upper-class phenomenon. When I shared my preliminary research across university campuses, I was asked whether I considered class as a category of analysis. My response to both the former speculative data and the latter question lies in my data. I set out to

conduct research on a very intimate social issue through which I was steered based on my contacts and access. Beyond my geographical limitations of Mashhad and Tehran, I did not set any other restrictions on my interlocutor sample. While I focused my interlocutor sample on these two cities, my travels to smaller cities during my stay in Iran also informed my research.

An issue as personal and private as an intimate partner relationship is one that can only be discussed at genuine depth when a relationship of trust and rapport is established between the researcher and the interlocutor. Rather than seeking out interlocutors of a particular class, I chose to build relationships of trust with those interlocutors to whom I had access. Therefore, my sample of interlocutors come from a variety of social and class backgrounds. This method of sampling has led to my understanding of the complexities and nuances that lie at the heart of the reasons why some select to be in a white marriage. My work is driven by my interlocutors' stories, and as such, socio-economic class did not emerge as a category of analysis of self-proclaimed practitioners of white marriage. That is not to say, of course, that circumstances and terms of white marriages did not vary based on access to socio-economic means, among other factors. A confluence of factors contributes to the differences in the arrangements of each relationship which may include age, gender, class, family, geographical location, and marital status. Level of education plays a lesser role in cohabitation as higher education is not equated with greater means to sustain such a relationship. The thread that binds these stories together is that of individuals trying to make commitment palatable.

I have separated the rest of the chapter into two parts. The first contains stories that I call "intrinsic" to refer to those individuals who are in white marriages. After collecting and triangulating my data, a series of themes emerged from these stories, which I used as categories of analysis. I have organized and present my stories according to those themes and I distinguish

them by subsections. The second part of this chapter explores what I call “extrinsic” perspectives of white marriages. It consists of a sample of the many stories I heard from individuals in Mashhad who were not in white marriages but who were a part of the lifeworld of someone who was or had been. I met these individuals in various capacities and established rapport for reasons indirectly related or even unrelated to my research. They each shared unsolicited stories they thought would be valuable for my work.

Intrinsic (Those in white marriages)

This section focuses on the stories of self-proclaimed practitioners of white marriage. I emphasize ‘self-proclaimed’ because during my research I was often corrected by some interlocutors who claim that one or another form of conjugal arrangement does not qualify as a white marriage. I share the stories of those who consider themselves as either having prior experience or currently being engaged in a white marriage. Based on my interlocutors’ experiences as well as my own observations, investigations, and interviews with experts in Iran, I found a few gendered trends about white marriage to hold true in many cases, but by noting these trends I do not intend to flatten out the diversity across the relationships. Among both men and women, white marriages were more common for those who were divorced. These divorcees were in their thirties and beyond. In these relationships, a woman has fewer familial restrictions and can sustain a white marriage even within her hometown, where the chances of running into family and acquaintances are high, a potential risk assuming that the relationship is hidden from the woman’s family.

For younger women, white marriage arrangements are possible either when their families are aware and offer some level of consent, or if they engage in them during the time that they move out of their parents’ home for college. For men across all ages, white marriages are more

accessible. If they had the financial means to provide a space for cohabiting, age was not a limiting factor. Men who identified as having more religious families chose white marriage after having been pressured into marriage at a young age that ended in divorce. Although I did not secure an interview with a man in this next category, one of my interlocutors, Mojdeh, was in a white marriage with a man who was married with children, and this relationship was a sort of affair. Discussions of these types of arrangements were particularly raised throughout my fieldwork in Mashhad. It was always followed by a concern about a budding moral bankruptcy in society, and the expectation that a responsible government would have ameliorated this social ill. The average extrinsic interlocutor's association of white marriage with infidelity and unfaithful husbands was much more prevalent in Mashhad than what I witnessed in Tehran.

Desire and compatibility

When I spoke to practitioners of white marriage about the reasons for which they chose their conjugal arrangement I heard responses that centered their desires. For some of those who were divorced, they contrasted their white marriage with their *ezdevaj-e nā-movafagh* (failed marriage) in the former's focus on their individual wants, rather than familial or social pressures and expectations. "In the 1990s, Junigau young people came to view romantic love as empowering them in other realms of their lives—an emotion of which to be proud, for it was associated with development and success. In earlier times, villagers had viewed romantic love with a good deal of shame or at least embarrassment" (Ahearn 2001, 190). The shift in attitudes around romantic love in a Nepalese village that Laura Ahearn observes dovetails with Mr. Pahlavan's observation of the shifts in norms and expectations around intimate partner relationships and marriage in contemporary Iranian society. Interest in satisfying their emotional

desires and compatibility was the most common theme that emerged in my interlocutors' decisions to enter white marriages. In other words, making commitment palatable.

Sussan: My first encounter with Sussan, 41, was at an English panel discussion where students who attend a private institute gather weekly to practice their speaking skills. I was invited by Maryam, an interlocutor whom I have known for over a decade. She had requested that the group discussion be about white marriage to provide me with insight into the perspectives at this gathering. Halfway through the session, Sussan raised her hand and unlike some of the other participants, did not share her thoughts until she was called on by the host. "Marriages need commitment and should be a relationship of constant giving and taking. However, people in this generation want different things. Unfortunately, marriage is not about two people, it's about one person being happy." Several other participants expressed support for her comments as she made her last point, "When you are happy with yourself, you will be happy in a relationship."

One evening after that meeting I arrived at Sussan's apartment just as she finished preparing a glass of chilled cantaloupe puree. As I removed my shawl and manteaux, she gave me a tour of her 80-meter apartment. On the console in a small walkway between the two rooms, I noticed an 8 by 10 photo of her deceased mother, whom she had lost 18 years prior. I followed Sussan to take a seat on the L-shaped couch and noticed that her large flat screen TV was paused on a scene from the American sitcom Friends, which she was streaming from a satellite TV channel. Without any introduction and before I had the chance to take out my pen and notebook, she started, "Everything was wonderful in the first year of the relationship. Having experienced a divorce, I did not imagine entering another *rasmi* (official) marriage that might end up in another divorce. When it was just the two of us, everything was great. The challenge began when I

increasingly felt the urge to introduce him to my family. I wanted to attend gatherings as a couple. After the first year of our relationship, when we had evening strolls down in the garden area in front of our building and sat on the bench to talk, I started to think "*Khob ke chi*?" (So then what?), as I looked down at my hand and my ring-less finger. I wanted to be seen with him."

After a brief pause as she looked down at her hand, Susan carried on, "Sometimes I would daydream about our wedding, about putting rings on each other's fingers." She let out a sigh. When asked why she chose to be in white marriages, Sussan responded, "to not feel loneliness, to satisfy sexual desires, and to satisfy my desire for monogamy. "If every girl who is in a white marriage sets aside her pride, she will scream at the top of her lungs that she would rather be officially married." Sussan's white marriages terminated due to her request, because as she said, "*Rābete-hām ghelzat nadāshtan*" (my relationships lacked density). Sussan's story reminded me of when anthropologist Megan Moodie evokes Lauren Berlant's notion of conventionality. For the young women of an Indian Scheduled tribe in Rajasthan, the Dhanka, the conventionality of a marriage promises love, security, reproduction, and futurity, but that same conventionality leads to ambivalence (Moodie 2015, 137). The young women's ambivalence comes from the common understanding that "you don't marry your lover or boyfriend, you marry your husband" (2015, 140). Similarly, on the one hand, Sussan's desire to avoid another divorce drove her towards a less conventional conjugal arrangement that offered her a partnership. On the other, with each white marriage, she clung to the hope that cohabitation would be a precursor to a conventional marriage. The ambivalence I observed in Sussan's descriptions of her white marriages was more common for women in their 30s and 40s. Younger

women, those born in the 1990s and later like Shabnam were more certain in their convictions about their white marriage.

Shabnam: For Shabnam, who at 26 was younger than most of my other female interlocutors and in contrast to most of them, had never been married, the ideal process for a white marriage is one in which she has a strong established friendship with her partner, from which true love could grow. Shabnam wanted a long-term relationship without a timeline for various levels of commitment. Shabnam and her partner Kamyar moved into an apartment together after about a year of dating exclusively. A year later, per her family's recommendation, Shabnam got engaged to Kamyar. At the time of our interview, months after their breaking off the engagement, Shabman regrets not waiting longer before getting engaged. She was in no rush to get married, but Kamyar was. Shabnam was very grateful for her parents' support in her cohabitation with Kamyar because without that experience, she would not have realized that they are incompatible, and possibly committed to an official marriage that would have led to a divorce. Shabnam's encounter with white marriage and her aspirations in a relationship were more closely aligned with Maryam's than with Sussan's, quite possibly because of their narrower age gap.

Maryam: I saw Maryam about a year after her divorce was finalized, and she was six months into a new relationship with Sam. When Maryam first spoke of Sam she said, "He's seven years younger than me, I never thought I would end up dating him!" The seven-year age gap meant that Sam was still far from being financially independent. Like 31-year-old Maryam, Sam also lived with his parents. Working as a full-time chef was not conducive to accruing a savings large enough for him to live on his own. From the start of their relationship, Maryam established that she expected him to save enough money that would allow him to rent his own

place where they could spend their time together. “I want to feel like he can take care of me.” She was in search of a long-term relationship. After her divorce, Maryam was not wedded to the idea of another marriage. However, she wanted to cohabit with the next man she deemed worthy of a relationship. Before her first marriage to her boyfriend roughly a decade ago, Maryam expressed that she never sought out marriage as much as she prioritized finding the stability of companionship and love in a relationship, but that because she lived in Iran, marriage was the only means to achieving that. Maryam’s decision to be officially married or to be in a white marriage are the result of the combination of factors within complex social fields.

Elnaz: One weekend morning just as gloomy winter was transitioning into spring, Elnaz, Laleh, my friend through whom I had met Elnaz, and I drove about an hour outside of Mashhad to have a breakfast picnic at a popular site of blooming trees. We parked our cars adjacent to one another and spread a blanket right beside them. Everyone placed their breakfast contribution from bread to cheese to butter to cream t in the middle of the blanket, on a tablecloth Elnaz had spread. Shortly after we began eating, Elnaz shared about her partner, Vihan. Vihan was a couple of years older than Elnaz and had a stable career in Mashhad where he lived with his family. Elnaz had the biggest smile on her face and glee in her voice when she described their relationship. They had been a couple for about eight months, during which Vihan spent a few nights of the week at Elnaz’s apartment. “It is as though we are a married couple,” she joyfully said. Elnaz was now concerned because Vihan’s immigration to Canada raised questions about the future of their relationship. He promised Elnaz that he would come back for her after he moved to Canada, but she was skeptical. “If we were married, he would be forced to take me along.” Elnaz explained that if she was officially married to Vihan, she would have been involved in the immigration process from the start, but given the impermanent status of their

relationship, there was a good chance that their relationship would end once he left. The disappointment in Elnaz's voice echoed the ambivalence I had heard in the voices of Maryam, Sussan, and Laleh when they discussed the future of their white marriages. They unanimously understood the impermanence and thus lack of commitment security in their relationships. Older women in long-term white marriages like Shiva, had different concerns.

Shiva: According to Shiva, a white marriage is like the flower that grows in a garden while an official marriage is the equivalent of clipping the flower and placing it in a vase—shortening its lifespan. For that reason, she preferred to be in a white marriage which she claimed does not bind individuals by anything besides love and trust. Like Majid, Shiva also placed love near the top of her priorities in a relationship, but below trust. In all the conversations I had with Majid and Shiva, Majid never raised the issue of trust, while Shiva reiterated it both in large gatherings and when she and I chatted alone.

Having experienced divorce over a decade ago when it was still a taboo, Shiva's bitter experience with the legal system also drove her toward a white marriage. "I do not want a judge, cleric, or any other man to have the authority to declare the sanctity of my relationship. I dreaded the judge who presided over my divorce case, and I dread any judge who thinks he can preside over who I choose to be with." The unofficial nature of a white marriage is especially appealing to women who have been previously married and endured the challenges of negotiating their rights vis-à-vis the legal system. Unregistered marriages like '*urfi* marriages in other contexts are similarly appealing to women who want to maintain some measure of independence, in exchange for releasing men of the responsibility to provide maintenance and accommodation (Moors 2013, 148). This release of responsibility is one of the reasons why men like Hesam prefer white

marriages. At the end of one of my earlier conversations with him, he joked, “Don’t you think a white marriage is just a low-cost marriage?”

Hesam: Most of my conversations in which I built rapport with Hesam took place in the café that he co-owned with his best friend, located in an upper-class neighborhood close to Sajjad boulevard, where I initially stayed for part of my fieldwork. When I asked 26-year-old Hesam why he would not just officially marry the girl with whom he was in a white marriage, he responded, “I don’t have the mental maturity to get married.” Hesam embraced the emotional commitment aspect of a relationship but was not prepared for an arrangement that required the involvement of two entire families. In a white marriage, the stakes are low. If the relationship does not work out, Hesam wants to be able to easily move on from the relationship without facing the social ramifications of a divorce. Additionally, in contrast to a “girlfriend-boyfriend relationship” that does not involve cohabitation, being in a white marriage appeals to Hesam because it offers him the opportunity for “*amighshodan*,” which he described as developing a deeper relationship. He preferred this arrangement because it elevates the role of a girlfriend to one of *khānūm-e khūneh* (the woman of the house). Hesam also noted that his white marriage was a form of *sākhtar-shekani* (breaking foundations/structures), acknowledging that this practice made visible his unsanctioned intimate partner relationship and challenged social norms.

One year later, Hesam’s opinion of white marriage had shifted. “I live with my girlfriend because I love her and need to be with her. But I don’t want to call it a white marriage. A white marriage makes people *bi-masooliyat* (irresponsible). I am not irresponsible and want to live with my girlfriend because I am committed to her,” he explained. Ordinary Iranians, various clerics, legal experts, and even the supreme leader often cited the absence of responsibility as a

leading factor for young men who choose to be in a white marriage. Some young men defer commitment, familial, social, and financial responsibilities that an official marriage commands, in favor of a relationship that satisfies their desire for intimacy and unrestricted access to their partner. Cohabitation removes barriers such as a family's curfew for their daughter or the lack of a private space for intimate relations. "Nothing is static or fixed in these lifeworlds; everything is waxing or waning" (Jackson 2013, xv). Hesam's understanding of himself in relation to his girlfriend had changed since we first met based on his encounter with the common public perception of white marriage practitioners as irresponsible, and now preferred to disassociate with the label. Sussan, Shabnam, Maryam, and Hesam all cited companionship and commitment as drivers of their white marriages. In contrast, Majid, who was at least a generation older than all of them suggested that love is the most essential component of a white marriage.

Majid: One of the first comments a Tehran-based criminal court judge named Majid made to me about white marriage was, "*Mabnā-ye ezdevāj-e sefid eshgh-e*," (the basis/foundation of white marriage is love). After meeting him at a well-traveled intersection in northwestern Tehran, Majid drove us to a cozy cafe in a discreet corner of a popular shopping center. He ordered us two lattes and a hookah with red-wine flavored tobacco for himself. Scattered between his assessment of white marriage as a judge and his analysis of contemporary societal trends, Majid shared, "We don't understand what love is until we are in our forties," he said, "and only those who understand the meaning of true love can be in a white marriage."

An hour into our conversation I learned that he had been in a white marriage with a woman for 12 years. He also told me that if I met the woman, I should not mention that I know that she is in a white marriage, and instead allow her to tell me. Majid then picked up the phone and called her, passing the phone to me to talk to her. He told me her name, and the nickname he

calls her by, which he chose based on a Japanese film in which the woman character is the object of a deep love affair. The woman, who I call Shiva, invited me over to their shared flat that evening. Majid and I left the café for his residence for what would be the first of several nights I spent with the couple.

Amir: Amir is a 33-year-old food industry investor and has been officially married to Leila for a couple of years. Prior to their marriage, they were in a white marriage for two years. Like Sussan, once married due to familial pressures at 21, Amir was set to do things differently. "The traditional process of courting a potential wife through my family channels was not ideal for finding a partner with whom I could establish a permanent and meaningful relationship. Leila met me when I was divorced, broke, unemployed, and depressed. She stood by me until I was able to get back up on my feet. That to me is love, and that is how I knew that she was the one." At that time, Amir's priority was to recover from bankruptcy and sustain an income to support his daughter. Leila was five years older than Amir and had also been through a divorce but did not have any children. "We were compatible in so many ways, and I wanted to see if we could get along while living in a shared space, before making it official." After witnessing his first marriage fail, Amir says his family decided not to interfere in his personal life, and that if they had, he would not be happily married today.

Once they had experienced a divorce, my interlocutors gained a level of autonomy from their parents that they did not have before. For women like Sussan or Elnaz, it meant living on their own, while for Maryam, it meant having a later curfew. Amir's experience was particularly like Sussan's as they both came from religious families who pressured them into marriages in their early 20's which ended in divorce soon after. While they gained a level of autonomy that allowed them the freedom of choosing to be in a white marriage, both Amir and Sussan are still

committed to the idea of a permanent, conventional marriage. While Amir's traditional gender role has facilitated his ability to acquire that conventional status, Sussan ambivalently waits for someone to give her a ring.

Mohsen: Like Amir and Sussan, having married at a young age due to a religious household's pressures had left now 29-year-old software engineer Mohsen in a position without negotiating power in the selection of his spouse. His views not only diverged from his family's regarding qualities he sought in a woman, but he would have also preferred a different approach to finding and courting a spouse. "A couple should first spend time getting to know one another in order to determine compatibility rather than rushing into a marriage." Mohsen's experience from his first marriage made white marriage a desirable option for him. When his divorce was finalized, Mohsen met Gita, a young woman who had also just been divorced and had a young daughter.

One evening he invited Sussan, Maryam, me, and a few other friends to his flat for dinner. It would be his last time hosting a gathering before moving into a smaller and more suitable apartment after his divorce. As we entered the building and passed through the stairway where we removed our shoes, we walked through the door of Mohsen's first-floor 150 meter flat. He guided us to sit on the beige and brown couches that had been arranged such that we formed a circle, just past the 8-person dining table plastered with his young daughter's crayon sketches. Sussan and Maryam who had known Mohsen for a while began teasing him about the "appetite-inducing" aroma of spaghetti that filled the house. In jest, they asked which of his "wives" had cooked the dish. He responded, "I don't need a wife. I can cook and keep the house clean. I am comfortable living alone." While he laughed along with us, everyone could sense that he was still bitter about his marriage. Maryam interjected, "What is the latest with Gita?"

"It's over," Mohsen responded. "We were together for a few months, until I discovered that Gita had different intentions in the relationship. Can you believe she began introducing me as her fiancé at social gatherings?! Bitter, uninterested, and feeling slightly betrayed, Mohsen ended the relationship. "I am running away from any kind of committed relationship that my family or my society deem appropriate for me, and Gita was trying to tie me into that again." Unlike Gita who sought out a partner suitable for marriage, Mohsen was seeking companionship and was in no rush to be married. Later in the conversation he alluded to his objection to traditional methods of courtship that religious families like his continue to practice. "I am currently trying to convince my parents not to interfere in my younger sister's marriage process. I told them they had one chance, and they ruined my life. I will not allow them to ruin my sister's life too."

Families have historically played a prominent role in marital arrangements of Iranians. While different segments of society have started to experience the fading of parental interference, there are still many families who irrespective of religiosity, demand their involvement in determining their children's fates. In her work that examines Bengali marriage as a site to disrupt binary views of what is modern and traditional, Rochona Majumdar observes, "Models of companionate marriage, equality of partners, and individual subjectivity and ideas of rights- and property-bearing subjects continued to contest the normative positions accorded to the family in these debates" (2009, 14). In the next section, I explore relationship between my interlocutors and their families in navigating and negotiating their white marriages.

Family

Another common theme that emerged from the conversations I had with my interlocutors was that of the involvement of immediate family members in one's conjugal relationships. That

includes family members' direct involvement with who and how they should marry. In most instances, my interlocutors expressed that there was a clear disconnect between the values with which their parents raised them and their own values, which led to their differing perceptions of what conjugal relationships and marriages should look like.

Sussan: Sussan attributes her expectations in her white marriage relationship to her family's religiosity. That is, even after the passing of her mother who pressured her into a marriage at the age of twenty, Sussan finds that her white marriages do not satiate her desires. At a time when she was passionate about drawing and the arts and was presented with an opportunity to enter the cinema industry, Sussan's "very religious" mother insisted that she marry one of her suitors instead of pursuing the career of her dreams. According to Sussan, her ex-husband was very controlling and paranoid, and while they were officially married, they had not yet moved in together. Within two years, Sussan and her husband had a mutually consensual divorce.

When a couple is married it is presumed that the marriage is consummated only after they begin to live together. The accuracy of this presumption is inconsequential as the public perception of the preservation of the woman's virginity is what is at stake. If a woman is officially married in an *aqd* but does not consummate her marriage prior to filing for divorce, the bride-price which she can demand is only a fraction of what she would receive had the marriage been consummated. This is because her future marketability on the marriage market diminishes most if her prior marriage was consummated, and the full bride-price is the compensation for her diminished marketability (Sharifi 2018). As in Iran, families expect young women in Lebanon to preserve their virginity until after the formal wedding celebration, which leads to women doing "everything but" vaginal intercourse with their partners (Deeb and Harb 2013, 169). In Iran, I

observed that this "everything but" was more commonly practiced and discussed among young people a decade ago, and while familial expectations around virginity have not shifted as rapidly, those who are in their twenties today increasingly view virginity as irrelevant.

As Sussan recounted her first white marriage with Reza, a man she met roughly a decade after her divorce, she expressed that after the first year of the relationship, "Sometimes I would sit and daydream about our wedding, about putting rings on each other's fingers." She let out a sigh. "Maybe because I was raised in a traditional household." Like several of my other interlocutors who were raised in what they referred to as traditional or religious households, Sussan felt that while she did not subscribe to traditional ideologies and standards for intimate relationships, at the end of the day, the concept of an official marriage was a part of her social field that would eventually catch up to her. Sussan's experience shows that Iranians' desires and behaviors do not always fit into the molds set by their families, and in fact may lead to feelings of ambivalence toward intimate partner relationships. That desires and expectations are always in flux as they shape and are shaped by their lifeworlds.

Maryam: Like Sussan, Maryam was a divorcee, and her family knew that she was dating someone, but they would not approve of her bringing him to the house. Maryam had an older sister who owned an unoccupied villa about a half hour drive from Mashhad, where she sometimes spent weekends with her family. After telling her oldest sister about her new relationship, Maryam asked her for access to the villa so that she and Sam could spend some time together in a private setting. Maryam and Sam visited the villa about once a week, but Maryam was not thrilled about this arrangement. On the one hand, she wanted to share an intimate space alone with Sam, but on the other, she preferred that he arrange for such a space. As autonomous as Maryam was, she wanted to feel "taken care of" by Sam. Maryam's desire for

an equal partnership overlapped with her desire to also observe traditional gender roles, indicative of the complex ways in which everyday experiences meld together.

While Maryam's family was relatively uninvolved in her day-to-day interactions and relationships since she got divorced and moved back into their home, she admitted that they prefer not to approach and ask her questions. On one occasion, however, Maryam's oldest brother objected to her daily commutes with Sam. He told her parents that Maryam was "getting in and out of guys' cars daily." She responded by saying that unlike her peers, she only gets in and out of one guy's car, for maybe a year, until she meets another guy. Maryam was referring to her many friends and acquaintances that simultaneously juggle multiple relationships. She was not certain as to how her parents would react to her living with him permanently but was brainstorming ways in which she could get their approval.

Elnaz: Unlike my other interlocutors in her age group, Elnaz hardly mentioned her parents' role in her intimate partner relationships. Elnaz' parents were divorced when she was in high school. Her father started a family and was too busy to be involved in her life. Occasionally, he would contact her and ask if she needed any financial support, only to hardly follow through on his promises. Her mother on the other hand was more involved, as support if she needed any. When Elnaz divorced, rather than returning to her parents' home as often girls in their twenties do, she moved into a one-bedroom flat in an apartment building in Mashhad. Her job working as an accountant for a factory 40 km from Mashhad was enough for Elnaz to cover her minimal living expenses. Like other young women whose parents were divorced, what Naveed and Parvin called "*bache-ye talāgh*" (children of divorce), Elnaz's parents were less involved in her personal and intimate life. This family dynamic created the opportunity for her to be able to live independently after her divorce. Unlike Maryam or Laleh, Elnaz did not feel obligated to

preserve her family's reputation and return to her parents' home. Having her own apartment afforded Elnaz freedom from curfews and other parental restrictions and the liberty to invite guests over to stay the night. The rate of children who grow up with divorced parents is increasing in Iran, and according to Professor Rahmani increases the possibility of more individuals engaging in white marriages in the future and at a younger age.

Shabnam: Unlike most of my interlocutors, Shabnam's immediate family was aware of and even helped facilitate her white marriage, but her relationship was kept hidden from extended family members until an official announcement of engagement. Although extended family members suspected she was in some form of a premarital relationship, it was not to be discussed or inquired about with Shabnam or her parents until after their public celebration. Shabnam was hardly private about her relationship with her boyfriend. She posted photos of them together on her social media platform long before they announced her engagement.

Shabnam and I met at her café. The rise in the number of cafes in Iran in the past two decades resembles the trend in Lebanon. In their survey of different cafes, Deeb and Harb found that faces were often spaces 18 to 35-year-old men and women frequented to meet each other (2013). In Iran, cafes often served a similar role, especially in urban, middle to upper-middle class cities. I had visited Shabnam's café twice prior, just to have coffee. I learned that she and her (I'd soon come to find out "former") fiancé Kamyar co-owned this café. Several months before they were engaged, Shabnam's parents provided the financial means for their daughter to enter a business contract with Kamyar, as they opened a café. This café had indoor seating and a large rooftop outdoor seating area. The summer heat kept all the customers inside, so Shabnam asked if I would not mind sitting outdoors. She was dressed in a thin loose t-shirt, cuffed boyfriend jeans, folded up just enough to display her gold anklets and metallic sandals—and a

loose, knee-length, and open-front tunic. Her hair was partially covered by a thin cotton shawl which she secured by tucking behind her ears, as the two sides hung along the sides of her torso.

Shabnam grew up in a small, middle-class neighborhood of a coastal town as an only child. "Against the assumption that small town girls are limited by restrictive parents," Shabnam claimed, her parents "left her "*āzād*" (free) to make a lot of decisions independently. She selected her college major and the university she would attend. Shabnam's parents were supportive of her moving away and living with roommates while she attended university in another city. "I experienced everything there," she said with a shy yet sly smile. "I am not interested in having those experiences anymore, but I appreciate the lessons I learned. From exposure to drugs, alcohol, and men, I have seen it all. I experienced heartache with my entire flesh, skin, and soul. I have no regrets." She lit another cigarette and held it between her manicured fingernails and stared into the distance beyond the rooftop. "My parents pushed me into this relationship, and everything moved too quickly for me. Kamyar comes from a *sonnati* (traditional) family."

Shabnam elaborated that having a traditional background meant that Kamyar's family was unaware of their white marriage. While Kamyar was interested in getting engaged and then married soon after, Shabnam was concerned that his mother would also be unsupportive of his decision to marry her one day. Shabnam explained that for as much as her parents are "open minded" in allowing and even encouraging her to be in such a publicly visible intimate relationship, they still cling to societal norms surrounding marriage and sexuality. The current social stigma around white marriage results in the likelihood of parents accepting or turning a blind eye toward their daughter's conjugal arrangement if she is a divorcee, in contrast to a greater chance of their resistance if their daughter has never been married. However, Shabnam's

parents, unlike Gita's or Maryam's, encouraged her white marriage for reasons that her mom, Firūzeh, explains at the end of this chapter. Shabnam's story deviates from most of the stories I present here and speaks to the diversity in lifeworlds of individuals in white marriages, or marriages across the 'color' spectrum.

Shiva: Shiva's is another unique story. Most psychologists pin the earliest recorded emergence of white marriage in 2010. Shiva began her white marriage before that, meaning that she dealt with the challenges of engaging in a taboo practice that was either unheard of or unacceptable. When Shiva first decided to be in a white marriage, and not officially marry her partner, her family objected. Even though she had already experienced a divorce and had a ten-year old daughter, her family still felt compelled to discourage her from entering a white marriage. Her financial independence and the fact that she lived separately from her family gave her the privilege of being able to ignore their opinions with little consequence.

Living in a relatively upper-class region of Tehran, Shiva's family and friends all encouraged her to officially marry her partner, warning her of the negative social and professional consequences of cohabitation. Contrary to popular assumptions, gendered taboos therefore cannot easily be generalized based on class. Two years after I first discussed Shiva's family's views of her white marriage, I met Shiva again and the story with her parents had changed. As I described early in the introduction, Shiva's religious mother who had expressed disapproval of her relationship for over a decade had finally come to embrace Shiva's relationship and treat Majid as a son-in-law. Coincidentally, the party at which I witnessed this change in Shiva's mom was hosted a flat in Tehran where Shiva's younger sister who has never been married was living with a man with whom she was in a white marriage.

Mojdeh: Mojdeh is a successful professional in her mid-forties with a lucrative career, and lives in a comfortable flat in Mashhad with her 20-year-old daughter. When she divorced her husband over a decade ago on account of his drug addiction, she and her daughter moved into one of the floors of a multi-unit complex that her parents owned and in which they also resided. Mojdeh's relationship to her ex-husband was very tumultuous and despite repeated attempts to work on the relationship, they were unable to reach a resolution. When I was in the preliminary stages of my fieldwork, Mojdeh invited me to her flat one evening for dinner. There I learned that the emergent patterns of cohabitation were not uniform and was told that there are multiple colors and textures to white marriages. Mojdeh has been in a white marriage with her partner for a couple of years. Her partner has a wife and kids with whom he lives most of the week, while spending a few nights of the week at Mojdeh's apartment, in the same building in which her father and brother reside. After spending several evenings out with Mojdeh and her daughter, I observed that her daughter, brother, and several other relatives are aware of and have been introduced to her partner.

One evening, Mojdeh invited me, a couple of her friends and close family members to her partner's garden villa, or *bāgh*, which is about an hour away from the city. Mojdeh and her partner hosted us for dinner. I sporadically overheard whispers about Mojdeh's relationship from some of the elders. They emphasized that the relationship between the couple was unethical because Mojdeh's partner had a family that was unaware of his extramarital relationship. Furthermore, they all agreed that Mojdeh's partner did not respect or value her enough to leave his wife and commit to her. By attending social functions hosted by Mojdeh and her partner, the same disapproving family members validated her conjugal arrangement.

Mojdeh's educational and career successes led her to establish an autonomy that prevented family members from sharing their intrusive questions and comments. Yet, this "don't ask, don't tell" relationship did not shield Mojdeh from silent scrutiny from her loved ones. Here, Mojdeh's family members questioned the morality of her intimate relationship due to her partner's married status. Even if she and her partner were in a sanctioned temporary marriage, which no one could confirm nor dare to ask, the morality of the relationship would be equally questioned. Mojdeh's experience of white marriage brings the concept of what Deeb and Harb (2013, 23) call "multiple moral rubrics" to light. Her desire to be in a committed relationship with someone she chooses is entangled in the complex moral web where competing tenets for moral behavior lie. "Discourses of morality are multiple and flexible, especially when it comes to leisure" (Deeb and Harb 2013, 23). I posit that these discourses of morality are multiple and flexible, change over time, and apply to intimate partner relationships as they count as "leisure." Multiple discourses of morality emerge in many of my interlocutor's stories if not explicitly, implicitly, and Hesam's is one such story.

Hesam: "Have you read Ayatollah Khomeini's letters to his wife? I try to learn from his passion and respect for his wife and apply that to my relationship with my girlfriend," Hesam explained in a discussion we had about his white marriage. Hesam was born and raised in a small-town located hours from Mashhad in what he described as a very religious family. His father was formerly a commander of the Islamic Republic Revolutionary Guard. Hesam said that in a white marriage, infidelity will likely occur at a higher rate than in a traditional marriage. In a white marriage, there's no *aberū* (face, honor) to be preserved—particularly among families. Consequently, because an official marriage requires the involvement of his family, enough is at stake that would deter him from infidelity. While Hesam chose to be in an arrangement identified

as a white marriage at the time, he asserted that there is undoubtedly greater commitment in an official marriage because entire families are involved.

Hesam's practices reveal that he seeks out a life that his family will disapprove because they practice Islam strictly, and a white marriage contradicts Islamic values. At the same time, Hesam reads different Islamic scholars' texts for moral guidance in his white marriage. He does not identify himself as a practicing Muslim yet performs piety in his own way. Deeb and Harb aptly warn that "when piety becomes the measure on which we base claims of "Muslim ways of being," or moral and ethical behavior, our understandings of both morality and life in Muslim societies are oversimplified, and the complexities of daily negotiations of moral practice—including those of our interlocutors—are flattened" (2013, 16). Divorcing the concept of morality from religion allows us to see the ways in which Hesam navigates his lifeworld which at once includes his practicing Muslim parents and his use of religious scholarly texts as a guide to maintaining an extramarital but committed intimate partner relationship in which he fulfills his moral obligations to his girlfriend.

Mehrdad: Mehrdad met Maryam at a group therapy session in Mashhad that was frequented by many young men and women in their twenties and thirties, took place bi-monthly, and facilitated outdoor trips where clients could attend if they wanted to socialize at a picnic or a hike. I accompanied Maryam to one of these group sessions where I met Mehrdad for the first time. Mehrdad is originally from a small town five hours away from Mashhad, and articulated that while his family is not religious, they are certainly *sonnati* (traditional). Because of his up-bringing, Mehrdad was well-trained and knowledgeable in Islamic doctrine and traditions, a skill set that Maryam found laughable due to her extreme anti-religion sentiment. After meeting him, I asked Maryam if she had any reservations moving forward in the relationship as she was fresh

out of her relationship with Sam, and especially given that her divorce had left a bitter residue about marriage. Mehrdad's kindness and respectfulness had changed her jaded mind.

After taking a trip together a few months into their relationship which I describe more in the next section, Maryam requested that she and Mehrdad move in together and asked him to provide the place. Maryam's therapy sessions had taught her to express her demands in her next relationship and she did just that. While Mehrdad scrambled to spend his savings on a down payment for an apartment, he started proposing ideas about getting permanently married, "I love you, respect you, and want to provide for you. If we are going to be in a white marriage, then why don't we just get married?" For Maryam, this initially came too suddenly. However, the changed woman that she had become urged her to move forward.

Traditional as they were, Mehrdad's family did not object to Maryam being five years older than their son. Mehrdad was however worried that his family may object to Maryam's divorce and decided not to disclose Maryam's past to his family. "He knows his family better than I do. While I wish they could accept me as a divorcee marrying their never-been-married son, it does not pain me to have to keep it a secret, if it means I get to marry him." There was a trend among Iranian families of viewing divorced women as unsuitable for their sons who have never been married. In Mehrdad's case, he did not have a problem with Maryam's past, but he supposed his family would. In Lebanon, Deeb and Harb's interlocutors claim that if the sons of religious or traditional families are open-minded, "their families don't know about it" (2013, 169).

Here, Mehrdad navigated multiple discourses of morality at once. "Convictions about moral norms in all the rubrics are influenced by a combination of authoritative knowledge, habit, people in one's social worlds, and experiences" (Deeb and Harb 2013, 24). Mehrdad's moral

obligation to fulfilling his partner's expectations according to his understandings that were rooted in his upbringing in a religious household, the moral obligation to be honest with his parents, and the moral obligation to his potential wife, to keep her past private. Furthermore, perhaps elements of his religious upbringing that compelled Mehrdad to counter Maryam's request for a white marriage with a marriage proposal. What is certain is that these moral discourses were entangled in a web of morality that was constantly in flux as Mehrdad navigated multiple social fields.

Amir: Amir was married to another woman at the age of twenty-one and attributed his young age at first marriage to his family's religiosity. Amir went through the formal processes of *khāstegāry* in marrying his first wife. Amir had started working for a family-owned business when he was eighteen and by the time of his first marriage had made some personal investments that were very lucrative. A couple of years into his marriage and after the birth of a daughter, Amir's business ventures suffered major losses and his lifestyle had to change dramatically. This coincided with rising conflicts between Amir and his first wife. It was not long before they initiated the divorce process.

As he spoke, Amir reiterated that his lifestyle and values departed from that of his family and that his first marriage was in part due to familial pressures. For that reason, he was introduced to his first wife through formal familial channels. Amir contrasted this with his relationship with Leila, who he met on his own and with whom he sustained an intimate relationship prior to tying the knot. After her divorce, Leila moved back into her parents' home. Her mom and sister were aware of her white marriage with Amir, but her dad was not. She lived with Amir part-time, meaning she spent the night with him only several nights out of the week.

After dating for a while, Amir asked for Leila's hand from her father, who while not nearly as religious as Amir's family, was traditional.

Mohsen: In several of our casual group conversations Mohsen spoke about coming from a very religious family background, a household in which alcohol was prohibited, which he frequently joked had made him an alcoholic as an adult. He shared his younger sister's *khāstegāry* experiences with us, emphasizing his objection to his family's problematic *sonnati* (traditional) approach to marriage. Mohsen attributed his own failed marriage to his parents' insistence on following traditions. He was married at the age of 21, to a woman who his family had recommended. At 30, Mohsen finalized his divorce and had a 3-year-old daughter for whom he gave his former wife monthly child support. Because of his prior experiences, Mohsen, like other divorcees, wanted to take a break from marriage and instead be in a relationship that challenged his parent's ideals. When he met Gita, he thought they wanted the same things.

However, they attended a friend gathering where Gita's cousins were present, and she introduced Mohsen as her fiancé. When Mohsen confronted her about it afterward, she said that she was afraid that word would get back to her relatives about her unsanctioned relationship with Mohsen, so she represented their relationship as one of greater commitment than it entailed. "That's when I knew the relationship I wanted was not going to work out and I called it off." Mohsen understood the familial and social pressures of saving face for Gita, but he adamantly rejected a conventional marriage or engagement anytime soon. Both Gita and Mohsen entered the marriage with similar statuses, as divorcees, each with a child from the previous marriage. Gita, however seemed more interested in rushing into an official marriage than Sussan, possibly given her circumstance of having a child. Sussan, who was acquainted with Gita, later speculated that because Gita has a child, her family is anticipating her immediate remarriage. While they

were in a white marriage, Mohsen and Gita navigated their families in different ways that were reflective of the different standards that families have when approaching their sons and daughters. Their experience is also in line with the experiences of the men and women whose stories were written in the *Zanān-e Emrūz* article I examined in chapter 1. As they get older, individuals increasingly make decisions about intimate partner relationships without consulting or the interference of their families, which I show next.

Majid and Shiva: Majid is roughly twenty years older than my other male interlocutors and entered a white marriage well after his divorce. As a result of his older age, his immediate family was uninvolved in his intimate partner relationships. When he entered his white marriage, both Majid and Shiva were divorced, and each of them had a child. Majid's son lived with his mother, while Shiva's daughter lived with Shiva and Majid in the high-rise apartment I visited. While Majid was in a monogamous relationship and lived in a shared space with Shiva full-time, I often heard that men who enter white marriages later in life are often already in a relationship of sorts. I tried to schedule an interview with a man who was in a secret white marriage while married, but it fell through. Mojdeh's relationship was the only such story that I could explore.

Siqeh/Siqehnameh (temporary marriage contract)

The use of a temporary marriage contract is not always desirable but often done to make life livable. The ways in which my interlocutors Laleh, Maryam, and others make use of the temporary marriage contract to make it possible to have their unsanctioned relationships reminds me of what Michael Jackson says about lifeworlds: "Human lives fold and unfold in situations that are never entirely constituted by individual wills *or* by cultural determinations *or* by environmental conditions" (2017, 102).

Maryam and Mehrdad: A couple of months into their relationship, Maryam requested a trip to the island of Kish as her birthday gift, where they would stay at a luxurious hotel with overwater bungalows. After resistance due to the exorbitant costs, Mehrdad caved, and agreed to the gift. Upon their return, Maryam was excited to share the details of her trip. Knowing that hotels request proof of marriage when a man and a woman book a room, I asked her how they got around that, and she showed me her *siqeh-nāmeh*, temporary marriage contract.

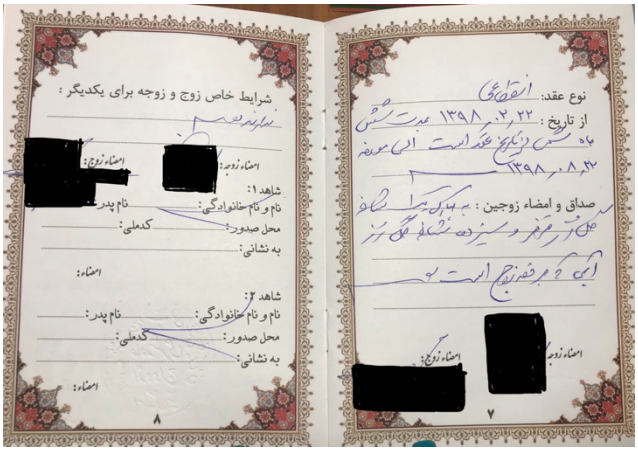


Figure 3. Photo of Maryam and Mehrdad's *Siqeh-nāmeh* (proof of temporary marriage)

Text of *siqeh-nāmeh*:
Type of Contract: Short-term
Date: 1398, for six months
Gift to be given and signature of the couple: 1 red and 13 blue roses.
Specific conditions set by either party: None.

Prior to leaving for Kish, Maryam recommended that they visit a registrar's office to officially document a temporary marriage. She said, "Neither of us believes in it, but doing it makes our lives much easier." Maryam's divorcee status made it possible for them to legally obtain a temporary marriage contract, without having to pay a bribe, which I had been told was a way around obtaining these contracts in cases where the woman did not have divorcee status. When asked about the duration of the contract, Mehrdad suggested a year, which Maryam vetoed and instead proposed six months. Two months after their return from Kish, Maryam and Mehrdad had to nullify their temporary marriage in time for their *aqd* ceremony.

Laleh and Pouya: Like Maryam, 34-year-old Laleh was my interlocutor in a previous project over a decade earlier and experienced a marriage and a divorce since that time. Like Maryam, and many other young women who do not have the financial means to live on their own, Laleh moved back in with her parents after her divorce. An architecture master's student in Mashhad, Laleh began dating one of her colleagues, a man who I will call Pouya, who had recently gone through a divorce. She described her intimate partner as devout and practicing as he prayed regularly and fasted during Ramadan. Pouya also made his own red wine, which they would enjoy together on the weekends they stayed together. Laleh and Pouya's relationship became more intimate after they spent time together working on class projects at the apartment that Pouya had rented, to be used as his "bachelor pad." However, once the relationship evolved into a romantic one, Pouya requested that they verbally recite the temporary marriage contract. Laleh agreed to it but said, "I don't believe in *siqeh*, but if he thinks he is absolving himself of sin by reciting two lines, I can oblige," in a sarcastic tone.

Laleh and Pouya maintained this relationship for about 8 months until Pouya's lease was up. During this time, Laleh did not have a great relationship with her family, so she would leave for a few days at a time and spend the days and nights in Pouya's bachelor pad. Eventually she also got a key to the unit. When he decided to give Laleh the key, she told me, "Theoretically he will only come here when I'm here, right? So, if I decide to do a surprise drop in, I won't catch him with someone else! This gives me some reassurance of his commitment to me." When Pouya's lease ended, he did not extend it. Instead, he would book hotel rooms weekly for them to use, sometimes for a few hours during the day, or overnight. Laleh and Pouya had to obtain a temporary marriage certificate to be able to stay at the hotels. Laleh was indifferent to obtaining a temporary marriage certificate every six months. "The relationship doesn't change with or

without a piece of paper. If it makes him happy and we can go to a hotel together, then I don't mind it."

Among the Shi`i in Beirut, some pious families of a couple interested in pursuing a potential marriage insist on moving quickly to sign a permanent marriage contract, which allows the couple some freedom in spending time together in public or in private. When families do not push for a permanent marriage, some young couples engage in a temporary marriage without telling their families and sometimes not even their friends (Deeb and Harb 2013, 169). In Iran, many couples use the *siqeh-nāmeh* regardless of whether they believe it moralizes their white marriage.

Having Children

Among all my interlocutors, and based on discourses in media, reports, and decrees, the consensus is that those who initiate a white marriage have no intention of having children. One of the primary reasons why white marriages are encouraged to be retroactively sanctioned is to solve the problem of children born out of wedlock. However, every practitioner of white marriage with whom I spoke confirmed that they had no intention of having children in that relationship. Some had older children from previous marriages, like Shiva, while others had given up the idea of having children altogether, like Sussan.

Sussan: "I know without a doubt that if women in white marriages are completely honest with themselves, ninety percent of them will admit that they remain in the relationship with the hope that it will evolve into a permanent marriage one day. A woman invests her entire being in these relationships, but a man thinks, "if this woman does not expect a child from me, then why would I marry her?"" Sussan burst into laughter as soon as she mentioned having children with Reza and said, "Isn't it obvious that I don't want children from him? He's infertile for God's

sake!" Like Sussan, Reza had experienced a divorce and learned about his infertility in that marriage. Like most couples that enter white marriages, Sussan and Reza did so with the understanding that neither of them wanted to have children.

Hesam: Hesam's girlfriend had never been married before and had moved to Mashhad for college. She grew up in a small town several hours away from Mashhad, where her parents still lived. Being in a large city made it easier for Hesam's girlfriend to keep her white marriage hidden from her family. At the age of 25, when she learned that she was pregnant, she and Hesam decided that she would move forward with seeking an abortion, as it was understood that would be the only option if she got pregnant. Hesam's girlfriend was able to carry out the abortion as smoothly with the help of her fellow medical students who arranged for a doctor to administer the abortion drug as well as a follow up clinic visit.

Divorce = Independence

As they grow older, men and women alike gain more independence and liberty in the choices they make for their conjugal arrangements. While the degree of shift in freedoms is more drastic for women, it is not entirely absent in the lives of the men. Men from self-proclaimed religious or traditional households felt familial pressures prior to their divorces that disappeared after they were divorced. That most of my interlocutors in white marriages were previously married is an indication that either those who are in white marriages are mostly divorcees or that those who are in white marriages and are divorcees are more comfortable opening up about the details of their relationships, or both. I cannot be sure, nor can I make any judgements beyond that.

Extrinsic (family and friends' views of white marriage)

As I traveled across the country to cities small and large and mentioned my research topic to people from different class backgrounds, I observed some overall trends across familiarity with and opinions of white marriage. In general, the older generation was less inclined to have heard about the existence of white marriages, while the younger often knew or either of someone who was in one. Residents of smaller cities were less inclined to have heard about the practice altogether. However, these observations are not exclusive. That is, I also encountered people in the older generation who were familiar with white marriages and were aware that they take place in Iran. The following stories are a sample from the many interlocutors with whom I discussed white marriage, most of whom did not practice it, but had varying degrees of relationships to people who had. This section brings nuance to our understanding of the lifeworlds in the previous section, or as Jackson says, "captures this sense of a social field as a force field (*kraftfeld*), a constellation of both ideas and passions, moral norms and ethical dilemmas, the tried and true as well as the unprecedented, a field charged with vitality and animated by struggle" (Jackson 2013, 7).

English-language Discussion Group

The English-language discussion group I attended early in my fieldwork was held at the private office of an English language instructor, in the Ahmadabad neighborhood of Mashhad. Maryam, her sister, and I arrived at the office which was in the middle of a residential street and climbed up three flights of stairs into the small classroom. Desk-chairs were set up in a circle in preparation for the session. Upon sharing that my intention for my trip to Iran was to conduct fieldwork on white marriage, the entire room agreed that they would make that the focus of their discussion for that week. Except for the 65-year-old father of three, everyone else only offered critiques of marriage, suggesting that white marriage might be a better alternative. Maryam

(herself aspiring to be in a white marriage with her boyfriend of the time, Sam) pointed to a generational gap in attitudes toward white marriage. The host of the talk claimed that the phrase "happy marriage" is an oxymoron, and at least half of the group chimed in, in agreement. The discussion carried on a bit more and ventured into the topic of chastity for women and for men, revealing an obvious generational division among the group. Sussan was one of the most vocal supporters of white marriage, who I would later come to learn is more ambivalent about it. This difference between the way Sussan projected her views in a group and the views and emotions she shared with me once I established rapport with her is precisely why attention to lifeworlds is pivotal in helping the anthropologist tell her interlocutor's stories.

Majid

Majid's role as my interlocutor has been dual, both as practitioner, and as a legal expert. At our first meeting, as a legal expert looking in, he stated, "We have a *farhang e motarez* rather than a *farhang e moarez*." That is, that in Iran, there exists a culture of objection, as opposed to a culture where there are differences or clashes but not necessarily an objection. He explains that young women who enter white marriages do so because they are *bi-hoviyat* (lacking an identity) and need a channel through which they can *takhliyeh ehsāsāt* (release emotions). According to Majid, young women are in search of companionship through which they can feel fulfilled in ways that expand beyond their emotional needs but extend into feelings of having a purpose.

Later that evening as he drove me to his residence to meet his partner, he abruptly made a phone call to an attorney. Majid explained that the defendant for whom he was seeking an attorney was in a white marriage with a man who gave her fraudulent gold coins, which she then sold to a jewelry shop. Upon discovering that the coins were fraudulent the jewelry shop went to the authorities, and simultaneously, the man was murdered by some of his "enemies." Now she

was expected to appear in court and plead not guilty on grounds that she was unaware of the fraudulent coins. Majid very matter-of-factly turned to me and said, “in this case, the woman does not have proof that she was married to the perpetrator of fraud and now murder victim. She is going to be brought in for questioning. The legal status of her relationship to that man is the least of the judge’s worries.” This conversation was the first time I inquired about a judge’s opinion about the legal consequences of a white marriage. I had discussed this with lawyers in Mashhad before meeting Majid, who had given me different case-based responses.

“White marriage as non-commitment”-Amirali, a friend

One breezy fall morning I visited a boutique at which I had shopped a year earlier, in search of a winter shawl. The boutique’s hot pink walls with white polka dots framed the window that showcased the high-end accessories on display. Customers were let into the store only after ringing a doorbell. The door through which I entered opened into a narrow side street that was always lined with parked cars, sometimes double parked, and always parked in front of private driveways that belonged to homes and businesses. This boutique sat at an intersection just a block away from one of the city’s main thoroughfares in Mashhad. For the length of one block in either direction, this thoroughfare is lined with boutique-filled passages that sell high-end clothing, home goods, and jewelry, including local franchises of foreign vendors such as Adidas, Apple, Swarovski, and Zara. Major Iranian banks also have branches on these two blocks, making Sajjad Boulevard one of the busiest thoroughfares in town, during peak business hours of 10am to 1 p.m. and 7 to 9 p.m.

I entered the small boutique, with its long glass display case to my left, physically separating the vendor from the customers. The new season’s manteaus hung behind the store window to my right. Previously, a young woman who stood next to the corner fitting room

across from the entrance door had greeted me and asked if I needed assistance. Usually, when men own and operate women's clothing stores, they hire a female employee to assist customers in the fitting room. On this occasion, a seemingly gender fluid salesperson greeted me from behind the counter. I recognized the store owner who had his head down as he made some calculations. As I began describing what I was looking for, he looked up and recognized me as well. He proceeded to help me with what I was searching for, and then our conversation led to reasons why I was visiting Iran again. When he learned I was interested in exploring white marriage, he told me that he could assist me with that. After I selected my winter shawl, the store owner entered his phone number into my phone and told me that I could invite him for coffee, emphasizing that I would be inviting him, not the other way around.

A few days and a string of text messages later, Amirali and I agreed on a location and time to meet. When I arrived in the hotel lobby of a highly rated hotel in Mashhad aside from those nearest the shrine, I sat at one of the many vacant armchairs near the coffee bar. Two other small group meetings were already in session on the couches nearby. Amirali came soon after, from a side entrance. He came in carrying a briefcase and dressed in a fitted brown plaid suit, and loafers. "I am here to answer any of your questions about white marriage. I know many people who are in it," he said. As he spoke, I started to doubt whether Amirali had white marriage experience himself. His insistence on meeting to discuss white marriage with me led me to assume that he had first-hand experience. By the end of our conversation, I discovered that Amirali did not have current or past white marriage experience, but rather was eager to inform me of both his friends' experiences and his own opinion.

In this moment as an ethnographer, I questioned the purpose or expectations of my interview as I simultaneously rethought the direction of the conversation and frantically jotted

down everything my interlocutor was saying. Amirali began describing his wealthy and attractive 38-year-old friend who made a living in Tehran by playing poker. “Online poker?” I asked. “No, in person. Many people play poker professionally in Tehran. They even have tournaments,” he explained. Playing poker was so lucrative for Amirali’s friend that he did not need to hold another job. Given that poker and all forms of gambling are not Islamically-sanctioned, I had questions about the visibility and traceability of these poker tournaments. Amirali eagerly proceeded with details of his friend’s relationship, so I held my questions.

The woman with whom his friend was in a white marriage had a job and contributed to half of the household expenses. They had what Amirali describes as an open relationship, meaning that “they can be with other people, even sexually.” Amirali suddenly jumped to the *siqeh-nāmeh* (proof of a temporary marriage). “My friend and his girlfriend got a *siqeh-nāmeh* so that they can travel together.” I assumed that this woman must be a divorcee, which would make it legal to obtain such a document, as Maryam and Laleh had. Amirali injected, “You know, you can go to a registry office and pay several times the regular fee to get a notarized *siqeh-nāmeh*, even if the woman is not a divorcee. For example, if the fee is fifty thousand *toman*, you would pay two-hundred fifty thousand *toman*.”

With a *siqeh-nāmeh*, Amirali explained, the couple is free to travel and book a shared hotel room. Once at the hotel’s check-in counter, the man asserts with confidence and *gheyrat* (zealousness) that he is checking into the room with his wife. Here Amirali explained that by an expression of *gheyrat*, a man exudes a tone and gesture that puts the hotel receptionist in a position of discomfort for daring to inquire about the relationship between the couple as it is an insult to the woman’s chastity and the man’s honor. If that method fails and the receptionist asks for proof of marriage, then they would present the notarized document. Amirali assured me that

most hotels do not meticulously examine these documents. If they question the legitimacy of the document or relationship, they may contact the registry office that issued the *siqeh-nāmeh* to confirm its validity. According to Amirali, in some cities, hotels are more inclined to check than in others, and that those in unsanctioned relationships know how to navigate the hotels.

Before moving on to his own opinion of white marriage, Amirali included a brief aside about the gender fluid individual I saw at his boutique on my last visit. “Of my two best friends, one of them is *trans*, and you saw them when you came into the shop. The three of us go out often, but to tell you the truth, if I ever go out alone with just my *trans* friend, I get uncomfortable and feel embarrassed. They will probably leave Iran very soon.” I am uncertain as to why Amirali reminded me of his friend, and I did not ask about its relevance either. It did, however, offer me insight into a young, male, women’s clothing boutique owner’s perspective on being seen in public with a trans person.

Based on Amirali’s observations of white marriages, they lack the commitment of monogamous relationships. Here, he further explained that his friend in Tehran is in a white marriage that gives both partners the liberty to be intimately involved with other people. However, neither of them is allowed to bring their other partners into their shared living space. “What is so special about that kind of relationship?” Amirali rhetorically asked. He disclosed that he would not choose to be in a white marriage because of its lack of commitment. Amirali suggested that his friends who engage in such uncommitted relationships do so because they have either experienced sufficient heartbreak from monogamous relationships or believe that members of the opposite gender are all similarly problematic. Most of his friends tell him, “All men are the same and will ultimately hurt you. Or all women are the same, and they are bound to betray you.” According to Amirali, to prevent experiencing heartbreak, his friends choose to

remain uncommitted to a single person. He admitted to experiencing infidelity six months prior, making him very guarded and skeptical of any new woman he meets. Still, Amirali did not think that being in a white marriage was a solution for the problem of unfaithful partners.

Near the end of our conversation, Amirali provided details of his day-to-day life and how he prioritizes self-care and personal and career development. On average he spent the first half of his day at the factory near Mashhad, and the latter half running his boutique. As a 24-year-old clothing, accessory, and fragrance designer, Amirali did not prioritize being in an intimate relationship. “I’m reading psychology books in order to learn how to love and respect myself first, before I can try to love someone else.” It was not the first time I heard an interlocutor tell me that they want to focus on self-care after ending an intimate relationship. I observed the increasing trend among Iranians, including Sussan, Laleh, and Maryam, of seeking out professional help from a therapist or life coach, in addition to the proclivity for meditative physical fitness activities. This resonates with Laura Ahearn’s observation of Junigau residents’ love letters that show how romantic love is often associated with “success and autonomy in decision-making ability” (2001, 150). Amirali was more interested in launching his career that getting entangled in a relationship.

As we neared the end of our conversation that day, Amirali shared his assessment of the crisis in intimate relationships in Iran. Focusing on the neighborhood surrounding Sajjad Boulevard, Amirali recounted his interactions with customers that were mostly women from different classes and backgrounds. “Some women offer me sexual services in exchange for a shawl or a manteau. I have also been approached by a married woman who parks her luxury car outside my window, and as she is shopping, asks if I will have a relationship with her despite having a husband and kids. She complains that her husband cannot satisfy her in the bedroom.”

Divulging these experiences seemed to be driven by Amirali's desire to share his encounters with female customers with me, which he believed was a representation of larger societal gender and marriage dynamics that manifest current social and moral crises. Other interlocutors I met in different capacities had similarly cited the absence of women's satisfaction in the bedroom as a factor that contributes to marital dissatisfaction or infidelity, and ultimately divorce.

Landlords: Naveed and Parvin

I met a couple in their early sixties who live in Shahrak-e Qarb, colloquially known as Qāsemabad, a neighborhood on the western edge of Mashhad. Qāsemabad has attracted many locals, investors, and students due to its affordable housing. Another interlocutor who resided there mentioned that the high volume of apartment buildings with low square footage units has attracted non-locals who frequently travel to Mashhad either for vacations or pilgrimage and purchase a small flat that serves as their lodging as well as an affordable investment. Non-local men who move to Mashhad for work opportunities also occupy a sizable number of these small, typically two- or three-bedroom apartments. Among Mashhad locals, Qāsemabad is known as a lower middle- to working-class area of town. Inexpensive and small, these apartments also attract young or low-income families that live among their single male and university student neighbors, in this densely populated part of Mashhad.

Naveed and Parvin own a couple of apartment buildings which have from three to six units each. The couple had heard about my research through a mutual acquaintance and reached out to me with the intention to assist me. We met at the home of our mutual acquaintance. After exchanging lengthy obligatory pleasantries over cups of cardamom black tea, Naveed, Parvin's husband began telling a story:

> "A father and his two sons had each rented out a single unit in one of my buildings. Over the course of that year, some of the other tenants in that building decided to collect

> signatures from fellow neighbors for a petition to evict a disruptive neighbor. After repeatedly knocking on the doors of these three residences, and leaving multiple messages for them, the tenants ask me to intervene on their behalf. When I finally managed to approach one of the sons, I asked, "why have you and your wife have been intentionally dodging your neighbor's requests to sign the petition? Aren't you also fed up with this disruptive neighbor?" After initial attempts to avoid answering questions, the young man responded, "Because she is not my wife!""

Naveed was surprised at this response because he had assumed that they all moved in as married couples. He soon found out that none of the women that these three men were living with were their wives. The two brothers were unmarried but in white marriages. Their father was still married to their mother but was also in a white marriage with the woman with whom he lived in Naveed's apartment building. They had all been dodging signing the petition because they did not want to be identified on the document as couples. I asked Naveed if he and Parvin require proof of marriage when couples sign a rental agreement and he said, "I do not care if a couple is legally married as long as they pay their rent on time!"

Parvin chimed in and explained that when such "non-traditional" couples (traditional meaning couples in an official permanent marriage) lease one of their apartments, they most often provide the woman's bank account information on the contract. She and Naveed have inferred that the men in these relationships likely have wives and prefer to keep their secret relationships untraceable. Parvin shared in disbelief, "One time we had a female tenant who had lived in our building for years who switch several different male living partners!"

Parvin went on with her analysis of the circumstances. She suggested that the women who engage in such relationships, if they are not divorcees, are often *bacheh-ye talaq* (children of divorce), like Elnaz. According to Parvin, once they divorce, adults are less inclined to be involved in the lives of their children, therefore their children are free from restrictions and unbound by limitations on their social behavior. They are therefore increasingly likely to

challenge or break social norms and boundaries of social and moral acceptability, an observation that Professor Rahmani also made. “These young women either lack good or proper families, or do not have families at all,” Parvin added.

Another group of young women that Naveed and Parvin have come across are university students who study at Azad Islamic University in Mashhad. The couple rented several units to groups of young female university students, who shared two- or three-bedroom apartments. Shortly after they moved in, Naveed and Parvin notice that some of these women started bringing home male partners, who they assumed gradually became live-in boyfriends. While the tone of their explanations conveyed their disapproval of these new lifestyles they observe among their tenants on a personal level, neither expressed any interest in removing any of their tenants if their rent was paid on time.

Naveed further emphasized his awe for the ways in which some of his female tenants brazenly break boundaries of acceptability. “Sometimes, when I knock on the doors of these apartments in order to collect the rent, these women answer the door in their pajamas and even undergarments!” For Naveed, this type of behavior was distasteful and appalling. In addition to playing with the boundaries of acceptable intimate relationships, Naveed’s tenants appear to be shattering societal codes of appropriate dress. One of the reasons why some families have long resisted sending their daughters to other cities to attend a university is because of the anonymity that lends itself to otherwise unacceptable behavior. In this case, unacceptable dress. When young women leave their parents’ homes, especially if they move to towns larger than the one in which they have lived, their lifetime efforts to preserve their family’s honor and *aberū* are no longer necessary. There is almost no risk of encountering familiar faces with potential ties to their families. I observed this in my non-divorcee female interlocutors who were in white

marriages in Mashhad. Not being native to Mashhad meant that they did not have immediate or extended family ties in the city. For Hesam's girlfriend, for example, having an abortion in a clinic in Mashhad was a safe move, as there was a very slim chance that her family's honor or her own *aberū* would be compromised.

Firūzeh, Shabnam's mother

I met Firūzeh months before I had the chance to talk to Shabnam about her relationship. Shabnam's cousin Pari invited me to a dinner she hosted at her house, which Shabnam's parents were planning to attend. Pari lives in a 90 meter two-bedroom flat with her husband and two young children. I took the compact elevator to the third floor and exited into the hallway that connected two units. I could tell by the large number of shoes cluttered at the door that I was late to the gathering. After quickly greeting the crowd and removing my coat and shawl, I took a seat on the vacant loveseat adjacent to the television. The other guests were seated across from the TV, watching a popular game show. As I was the last guest to arrive, I imagined that the hosts would soon serve dinner. Instead, Pari's husband made his round of setting clean China plates and offering tea and pastries to the whole group.

Firūzeh took a seat on the couch beside me. After a brief exchange of pleasantries, she asked me, "I heard you are in Iran to conduct research on white marriage. Is that correct?" Before I had the chance to respond with an explanation she continued in a six-inch voice, "I allowed my daughter to be in a white marriage because I would prefer that Shabnam learn about a guy and experience day to day life with him including sex." I was surprised that she shared this information with me at an intimate family gathering, where everyone else was within earshot.

"I have heard of many cases in which sexually aggressive men marry women who they abuse. Those women are either stuck in an abusive marriage forever or request a divorce. I do

not want my daughter to get divorced either." Firūzeh implied that Shabnam's white marriage would save her from both a life sentence of a sexually abusive relationship and the lifelong label of 'divorcee.' Firūzeh breaks social taboos pertaining to an unmarried woman's sexuality by encouraging her daughter to engage in premarital sex to prevent a future divorce. Divorce carries a social stigma today, but because it takes place within the sanctioned institution of marriage, its stigma is lower than that associated with white marriage. Firūzeh explained that sexual compatibility is a prerequisite in a marriage and that every couple experience sex together over an extended period. She immediately cut herself off and turned to me, "Don't get me wrong, I do not condone *harzegi* (licentiousness). But if my daughter meets a nice guy and introduces him to us, I will encourage her to live with him for up to a year." Shabnam and Kamyar had lived together for two years, before her parents hosted an engagement party to announce their relationship to extended family and friends.

I asked whether Firūzeh and her husband had been concerned with the legal ramifications of their daughter's white marriage and she looked at me with surprise, "Why should we have been concerned?" I shared that I had heard that in the past, if authorities discovered couples engaging in such relationships, they were taken in for questioning. She explained that this circumstance requires that a neighbor or someone else file a complaint with the court, and that in her daughter's case, Firūzeh was certain that no one would do such a thing. "People are not as nosy as they were before. These days, no one interferes in their neighbors' private matters," she claimed. Firūzeh asserted that the reasons for concern over an unsanctioned intimate partner relationship in the past are no longer relevant today. In the rare cases where such relationships were reported to authorities, the claimant is often the father of a young woman who disapproved

of her daughter's relationship. A father's authority over her daughter's marriage is a legal issue I return to in the next chapter.

Conclusion

By looking at both intrinsic and extrinsic voices of white marriage in this chapter, I show the interplay between individuals' thoughts and emotions that are in constant contact with their social fields. Except for Majid who wears two different hats in my project, these are unique non-state, non-legal, non-expert stories of everyday practitioners of white marriage. Like the Shi`i in Beirut, they are a generation participating in a discursive tradition by negotiating norms that satisfy both pleasure and morality (Lara and Deeb 2013, 220). They operate under a system of governance and within a social field that inevitably affects their choices, but they ultimately allow affect to drive their decision making as they make commitment palatable. The decisions they make encompass both their deepest inner desires and their relationships toward others, not limited to their cohabiting partners.

The lifeworlds of some like Mehrdad, Maryam, Sussan, Hesam, and Mohsen explicitly complicate questions of what it means to be pious and show that the everyday can be a site to observe Muslim piety. For others, engaging in a practice that is still relatively taboo in the broader Iranian society requires that they engage with different social fields that are at once Islamic, Islamist, moral, and not. The intrinsic and extrinsic narratives I have provided in this chapter remind us that "anthropology must deploy a double perspective that encompasses particular situations—local, familial, and personal—and general conditions—global, national, cosmopolitan, historical, and human" (Jackson 2013, xvi). Only by doing so, we try to understand "ever-changing canvases" (Deeb and Harb 2013, 222).

The narratives of everyday Islam that I have shared build on other anthropologists' works that examine ever-changing canvases that generate change. In a Muslim context that is like Iran, Deeb and Harb conclude that, "Young people in south Beirut will continue to navigate moral and spatial boundaries in relation to leisure in both predictable and surprisingly creative ways, as they bring their own interpretations, tastes, and desires to the Islamic milieu" (2013, 222). In her examination of gender segregated spaces in Iran, Shahrokni finds that women occupy an untenable space governed by state imperatives, and that women can either adjust their movements to these imperatives or mobilize them to benefit and influence the drawing of the contours of their movements (2020, 123). My everyday narratives of white marriage practitioners coupled with the data I present in the other chapters support my adaptation of Shahrokni's words as I argue that my interlocutors mobilize state imperatives to influence drawing the contours of their own movement.

Exploring lifeworlds allows us to understand the nuances in the indirect and constitutive effects of court-articulated rights. The ever-adapting interpretations of Islamic principles to everyday life made by *maraji* in Iran allows individuals like some of my interlocutors to pick and choose those interpretations that make sense to them in a particular situation, at a given time. Through their individual everyday practices, my primary interlocutors perform the "art of presence" or an "active citizenry" (Bayat 2007, 203). By engaging in cultural production through fashioning new lifestyles, my interlocutors can "acclimatize the state to new societal trends" (2007, 204). In the absence of political structures to facilitate organized collective action, through the art of their presence, as they navigate their lifeworlds, my interlocutors quietly encroach on and refashion official discourses and social and legal institutions and lay another brick onto the path of effecting social change. These stories of the everyday about making

commitment palatable have the power to influence and reshape the normative, which I look at more closely in the next chapter as I examine legal and clerical discourses.

Chapter 4: Between the Courtroom and Seminary

"Mujtahida muqalidashun-o taqlid mikonan" (expert scholars of Islam emulate those who emulate them)- Amin, Tehran-based criminal court judge.

One summer evening in 2019, I had dinner with a couple of criminal court judges who practice in Tehran as we discussed the legality of the emergent practice of white marriage. One of the judges, Majid, had previously mentioned that while white marriage appears to contradict the law because it violates Islamic principles, the civil legal code can be interpreted in such a way that renders the practice legal. Majid elaborated that in practice, family and intimate relationship laws are circumstantially bent, at the judge's discretion. I then asked, if civil law, which ostensibly draws from *shari`a* (Islamic law), permits white marriage, why do mainstream clerics explicitly condemn it? Amin, the other judge, explained, "our civil laws are temporally ahead of clerical discourses, and can better accommodate societal needs." He then proceeded to tell a folktale which ended with the phrase, "*Mujtahida muqalidashun-o taqlid mikonan*" (expert scholars of Islam emulate those who emulate them). The term *mujtahid* refers to scholars of Islam that interpret *fiqh* (Islamic jurisprudence). *Mujtahids* are sources of emulation for their followers, the *muqallids,* who emulate them in matters of religious and ritual guidance in their day to day lives. Amin used this folktale to suggest that as much as we may think that everyday actors emulate the *mujtahid*, it is in fact the *mujtahid* that inevitably emulates the everyday actor. This excerpt from my fieldnotes explicitly illustrates the co-constitutive nature of the relationship between normative discourses and practices and the everyday. In addition, this folktale is an example of how narrative is integrated into everyday contexts in Iran, making it an even more appropriate method of sharing my interlocutors' stories.

Amin claimed that while in theory, society is expected to emulate the experts, in practice, jurists and scholars make rulings that are in fact influenced by society. Given its hybrid civil-

religious legal system, in Iran, the relationships between clerical actors, legal, and everyday actors reveal that power is co-constituted. This chapter is complementary to chapter 3 where I presented narratives of white marriage practitioners. Those narratives pivoted my fieldwork in the direction of lawyers, judges, and ultimately clerics whose narratives I present in this chapter. First, I will present data from public fora on women's rights issues I attended while conducting fieldwork as they provide more insight into the lifeworlds of my primary interlocutors. Next, I will share the interviews with judges and lawyers based in Tehran and Mashhad, followed by my interviews and discussions with clerics and seminary researchers. By doing so, I aim to show that the boundaries of the everyday are limitless such that they contain both normative discursive traditions and the daily practices of everyday actors.

As I discussed in my introduction, within the anthropology of Islam, scholars invoked the everyday to disintegrate binaries and dispel essentialist perceptions of Muslim societies through ethnographic representations. Countless such representations reveal the diversity in both normative discourses and practices as well as the ways in which people engage with them in their daily lives. This diversity is evident not only across different Muslim societies that practice different Islams, but also within the particulars. In Shi`i societies like Iran, where individuals rely on doctrine as well as on *maraji* (sources of emulation) that are the most knowledgeable scholars of Islam, the plurality in interpretations inevitably leads to a plurality of practices among the self-proclaimed pious. This chapter will illuminate the plurality of voices among Islamic scholars.

If scholars of the anthropology of Islam aims to capture nuance through ethnographies of particulars (Abu-Lughod 1991), then the boundaries of the everyday should be inexhaustible. Individual choices are driven by the desire and effort to make life livable. In Iran, which is an Islamic republic with a majority Shi`i population, Islamic doctrines and interpretations permeate

the lives of not only the self-proclaimed pious, but also the self-proclaimed impious. Some interlocutors have grown up in what they call very religious households but make life choices that diverge from religion and tradition, and still identify as *Shi`a* Muslim, like Sussan and Hesam. Others who have grown up to disavow religion altogether perform piety daily by subscribing to religiously and state-sanctioned family laws and obtaining a temporary marriage contract in order to facilitate their mobility across the country as a couple, such as Maryam and Mehrdad. In this chapter, I will offer analyses of white marriage from the perspective of legal experts, which guided my research path to the seminaries, and then share native clerical voices as I challenge Fadil and Fernando's reification of the pious or normative as static or homogenous when they claim that the everyday is in opposition to the pious (Deeb 2015, 95). I argue that the everyday is not in opposition to the pious and that the everyday voices of Sussan, Hesam, Maryam, and Mehrdad, and others show that the relationship between the everyday and the normative is co-constituted.

Gender Debates in Legal Fora in Tehran and Mashhad

Prior to conducting fieldwork, in my effort to keep up with events and discussions related to women's rights in Iran, I began following Shahindokht Mowlaverdi's Instagram account in 2018. Mowlaverdi is a scholar and activist based in Tehran who served as the vice president of women's affairs in the centrist President Hassan Rouhani's administration from 2013 to 2017. She used her Instagram account to post her tweets from her Twitter account which often consisted of a soft critique and analysis of the government or a new bill that generally pertained to climate concerns and women's issues. Mowlaverdi also used her account to post flyers or announcements for events such as conferences she was either attending or at which she was presenting. During my time in the field, I was able to attend two of these events, one on the

women's prison system which I discuss in the next section, and another on the challenges women's rights in Islamic jurisprudence which I analyze later along with other clerical perspectives.

Discussing Women's Prisons at the Central Bar Association, Tehran 2019

I saw the advertisement for this event one summer morning when I was in Tehran. Excited that I had enough time to make it to the event that was due to start at 3 p.m. The mid-afternoon time meant that the roads would be relatively clear of traffic as many shops and offices close by around 2 p.m. and do not open again until 5 or 6 p.m. in the summers. I phoned a taxi service and rode to Argentina Square, home to one of the major bus stations in a relatively central part of Tehran. The taxi driver pulled up to an old building that appeared closed and even abandoned, like the buildings adjacent to it. I clarified my destination and he said, "Yes ma'am, this is the Iranian Bar Association's office in Tehran." After looking closer at a sign above a narrow open door leading into a green-tiled corridor, I noticed it said "Iran Bar Association" in English.

As I walked in, I expected to see and hear the hustle and bustle of attendees, but instead I learned that I was one of the first to arrive. I followed the familiar blown-up version of the ad I had seen on Instagram, and it took me into a large room with mobile chairs lined in rows facing the stage and table for panelists to my right. I initially sat near the back but as time passed and professionally dressed young women ushered attendees in, we were all asked to move to the front. I landed in the third row, just across from the podium pictured in figure 4. In time, the event began.

The panel aimed to bring attention to women's' dire experiences in a prison south of Tehran and was coordinated by a group called Noora Lawyers, consisting mostly of women

attorneys who were members of the Iranian Central Bar Association. The event was titled *Understanding Hidden Lives: Women's Prisons*, and took place in the mid-afternoon, after most shops adjacent to the Bar Association building had closed until the early evening. The room was very large despite being encouraged to move; a larger concentration of the audience seated in the back half. Most of the attendees were women, but a handful of men were also present. After rising for the national anthem, the event moderator began by introducing their organization, "For over a year now, the goal of Noora has been to conduct research and take an interdisciplinary scientific approach that uses sociology, psychology, and the law, to identify the social damages to women in our society."

The panelists included Tehran University law professor Shahla Moazzami, Shahindokht Mowlaverdi, sociologist Emad Baghi, and psychologist Mohsen Soudmand. Invited guests were former cabinet member and advisor on women's affairs Zahra Shojaei, founder of the House of Sun, a women's halfway house in southern Tehran, Leila Arshad, and formerly imprisoned politician, women's rights activist, and daughter of former President Rafsanjani, Faezeh Hashemi.

Professor Moazzami contended that the women's prisons do not facilitate rehabilitation, and in fact trigger some inmates to recommit crimes once they are released, or drive others toward drug use and violence. Many women who occupy prisons today are detained on drug-related offenses. Moazzami also complained of the gender disparity in educational opportunities, citing that women who are in prison receive far fewer educational opportunities than their male counterparts. Building on this concern for rehabilitating women prisoners, Molaverdi cited Article 156 of the civil legal code that suggests that all efforts must be made to rehabilitate the criminal, while and after they serve time. Professor Baghi, known for his recently published

book *The Tragedy of Democracy in Iran* that sparked some controversy within Iran, suggested that women face more problems transitioning into society than men. He added that while in detention, pregnant women should be granted maternity leave.

Figure 4. Faezeh Hashemi, speaking at the podium. Author's Photo, taken in Tehran, June 2019

Faezeh Hashemi took the stage after the panelists and stated that her contribution to this conversation would be from the perspective of an individual who has experienced life in the women's prison. She was held in Evin prison due to the political nature of her charges but had cellmates who shared their experiences from the Qarchak prison, located southeast of Tehran, which housed most women inmates from the Tehran province. Hashemi spoke of the lack of access to proper hygiene facilities and the inflation in prices of basic needs items. She estimated that in Evin prison, there were 2 to 3 restroom facilities for between 200 and 300 inmates.

Alluding to high recidivism rates among women, Hashemi suggested that civil society organizations should actively work to decrease the rate of initial incarceration. “The first time is very hard for any woman, but after that, entering the prison becomes normalized.” Finally, Hashemi pointed to the gender disparity in rights, “I want to ask our officials, how do you justify meting out equal criminal punishment when you do not give us equal rights before the law? Never mind international conventions, even if we compare our law in action to the law on the books or what our religion commands, there is a frighteningly wide gap.”

Much of the legal debate at this meeting revolved around the gap between substantive and procedural law in women’s rights issues, a concern that was echoed in all such public fora that I attended, as well as by the legal experts I had interviewed. Hashemi’s explicit challenge of the discrepancy between Islamic principles and the law in action was an example of the ways in which scholars such as Mir-Hosseini (2006) suggest that women use the gender justice in Islam as a bargaining chip against the state. As a woman who identifies as a practicing Muslim, and is popularly perceived as such, Hashemi exposed the tensions created by the Islamico-civil system and called into question the “Islamicness” of laws.

The panelists opened the floor to questions after about an hour, and the discussion continued with the audience expressing concern about preserving the family unit. Mothers, they agreed, are far more integral to the stability of the family structure, and failure to accommodate women’s smooth transition into society after detention will contribute to the collapse of the family unit. If the state is so concerned with preserving the family unit, they argued, then it should allocate resources to efforts that curb the rate of women’s detention. Once they are detained, the state should create programs that aim to help them reintegrate into society. One of

the last comments in the discussion was offered by Professor Baghi, “Inmates are the product of a lack of properly functioning governments.”

All the recommendations by panelists and audience members called for state accountability and identified the state as responsible for addressing the dire conditions in women’s prisons as well as inadequate halfway houses and resource scarcity they face once they leave the prison. Meetings like this are the spaces in which individuals or the ‘active citizenry’ get the chance to voice their demands and at the very least influence rights consciousness. In these “free spaces,” the majority-women speakers and audience members engage in discussions for greater women’s rights and brainstorm strategies for making incremental claims on the state (Polletta 2000).

Discussing a Bill for the Protection, Dignity, and Security of Women Against Violence, Khorasan Bar Association, December 2019

My interlocutor, Bahar, with whom I had attended a conference on reconciling Islamic jurisprudence with women’s rights a year earlier, invited me to attend a meeting hosted by the regional Bar association in Mashhad. The panelists at the meeting included judges, researchers, and attorneys from Mashhad, as well as a visiting politician and researcher from Tehran. The audience members were mostly members of the Bar Association. The purpose of this meeting was for all the panelists to share their analysis of the legislative bill for the Protection, Dignity, and Security of Women Against Violence, before sending it to the judiciary for approval which was required before it could reach the parliament.

According to legal researcher Zahra Jafari, the idea of such a bill had been proposed in November of 2011, and by 2012, was edited to include detailed definitions of different forms of violence (physical, sexual, psychological) as well as language around punishment for perpetrators of violence and accountability from the government to uphold the provisions of the

bill. Since 2012, the Women's Fraction in the Iranian parliament, a group of women parliamentarians who advocate for women's rights, has attempted to send it to the parliament's specialized commission for review of the bill but it has been returned to the women's fraction with revisions on the basis that the clauses that outline forms of punishment are matters that should be evaluated by the judiciary. In 2015, with a new president in office, the same bill was resubmitted by the Women's Fraction with hopes of passing it on to the parliament for a vote, but received the same critique, with the commission requesting the removal of the forms of punishment and the definitions of the various forms of violence. By 2017, the commission unanimously approved all fifty clauses of the bill, however, when current President Ibrahim Raisi was appointed as the new Chief Justice in 2019, the bill returned to the judiciary for approval with the amended 77 clauses.

One of the main grievances of the original drafters of this bill has been the ambiguous language preferred by the commission and the judiciary. In its initial form this bill specified its inclusivity by expanding its application to all women, including non-citizens. It also provided specific definitions for different violence including marital rape. In the amended version, the types of violence including sexual exploitation had been omitted and ambiguous language such as "a virtuous Iranian woman" were introduced. This left the drafters unsatisfied, resulting in the meeting I attended in December of 2019.

Figure 5. Author's Photo, taken in Mashhad, December 2019

This meeting picture above in Figure 5, culminated in a discussion of other forms of violence including child marriages and female genital mutilation, which was reported to occur in the northwestern, southwestern, and southeastern regions of Iran. The panelists all agreed that those practices cannot be prevented overnight with the passing of a bill in the parliament in Tehran. Rather, passing this bill would introduce the discourse of problematizing all forms of violence against women, enter everyday conversations at the societal level, and lead to the gradual elimination of customary practices such as child marriage. The panel of legal experts at this conference were referencing Moustafa's concept of a "court of public opinion" (2013). Even if mobilization does not lead to a legal victory, its power resides in the effect it has had in changing the discourse around a harmful practice. In April 2023, this bill was passed unanimously by the Iranian parliament. Even after its passing, critics on both sides insist that it is insufficient for opposing reasons. While twelve years of activism efforts to pass a historical bill to protect women's' dignity and security sounds like an insurmountable challenge, local women persist in their efforts.

Spaces like the two that I just described offer activists, scholars, lawyers, and politicians to come together and discuss women's concerns along with possible remedies. Since chapter 1, I have suggested that in the absence of political opportunity structures, everyday actors in illiberal or authoritarian contexts must resort tactics such as quiet encroachment or the art of presence (Bayat 2010). These events are just two of many, where not only do experts gather but they also open the doors to the public and offer a question-and-answer session to the public too. In both fora, participants were interested in mobilizing for reform of laws or legislation. Why, I ask, would an authoritarian or illiberal order permit such spaces where state and non-state actors gather to challenge the state's authorities? Does the state not worry about the outcome of such discussions influencing the court of public opinion that might gradually become a force to challenge its rule? Here I build on the work of McCann and Kahraman 2021 as I suggest that the Iranian state, like every other, also engages in hybrid liberal, illiberal, and authoritarian practices.

Legal Perspectives

"As long as you lie to the judge, there are no legal consequences!"-Bahar.

"Poust e sonnato shekastan kar e sakhtiye (Cracking the shell of tradition is a difficult task)," Amin responded as Majid and Shiva described the mechanisms of a white marriage. Amin was suggesting that while we discussed the legality of white marriage through an Islamic jurisprudential lens, we ought to be mindful of the challenges the practice poses to *sonnat* (tradition). While I was concerned with the legal ramifications of white marriage and individuals' interactions with the legal system, Amin reminded me that a change in intimate partner relationship norms would not be a linear process as it would be up against the status quo, which is often deeply rooted in traditions. Inasmuch as the law may be unprepared to accommodate white marriage practitioners today, so too is Iranian society. In fact, my many

encounters with Iranians with whom I spoke about my research project led me to question the social acceptability of white marriage, and to inquire about its legal consequences.

Before venturing to Tehran where I met Amin and Majid, I had several meetings with a few attorneys who often take on cases pertaining to divorce or other women's issues. Bahar, a 44-year-old attorney in Mashhad, met me at a restaurant that serves Mashhad's renowned kabobs. She started the conversation by explaining that the main reason young people are engaging in white marriages is because they are *bi-masūliat* (irresponsible). She was specifically referring to young men who refuse to accept the financial responsibility for a committed relationship. Bahar's comment echoed Hesam's sentiment when I revisited him a year after our initial encounter, at which time he had decided he no longer wanted to be in a white marriage because it implied an escape from responsibilities.

Regarding the rise in divorce rates and decline in marriage rates, Bahar suggested that social scientists in Iran could make legal recommendations if they engaged in more research projects that involved everyday Iranians' concerns regarding intimate partner relationships. Bahar sighed, "Unfortunately, they waste all this time passing laws in parliament, while being completely out of touch with society's needs. Our researchers must inform our policymakers. One of the biggest ambiguities in family law is the lack of a clear definition of a relationship that is *namashrū.*" In my interviews with social scientists in Tehran, I learned that there are research initiatives that aim to address the very concerns that Bahar was raising. Several admitted that the sensitive nature of intimate partner relationships renders it a difficult topic to engage with on an individual level.

Bahar shared an observation that would become salient once I began meeting interlocutors who were in white marriages, "In Iran, we have more than just white marriage,

marriages come in all colors." She was referring to the different types of conjugal arrangements in which Iranians engage. I had heard this idea before, when I spent time with Mojdeh at one of her family gatherings. Her brother referred to her white marriage as one such variation. He told me that soon enough, while conducting my research, I would come across marriages that "vary in color, pattern and texture, from polka-dotted to wool," or as I call it, across the 'color' spectrum. As illustrated in chapter 3, white marriages look very different based on for example the civil status of cohabiting partners, the amount of time spent cohabiting within a week, and financial commitment.

Finally, Bahar expressed that in her assessment, temporary marriages are far more advantageous for women than a white marriage. According to Bahar, a *siqeh* benefits women more than a white marriage because ultimately a legal contract potentially holds men legally accountable to an agreement whereas a white marriage has no such guarantee. Bahar is not an advocate of *siqeh*, but given its alternative of white marriage, she recommends it. This sentiment was echoed by another attorney I met in Mashhad. Azadeh, a single, 35-year-old Mashhad-based attorney who herself had recently rented what she called a "bachelor pad" only minutes from her parents' house, highly cautioned against white marriage on the grounds that it leaves women with no legal recourse. Both women lawyers expressed a level of faith in the law's protection of women that I was not expecting. Historically, courts in Muslim societies have ruled favorably in the interest of women, largely due to the judge's discretion (Tucker 1998). In contemporary Iran, when women learn of their rights, they can articulate them and appeal to the judge's discretion as he adjudicates their personal status law cases (Osanloo 2006). The lawyers that I interviewed in both Tehran and Mashhad had a similar analysis of Iranian family courts. Azadeh shared a story

of an alleged rape of a woman by several men including her client which was the main defendant in the case to illustrate her point.

> "In one case I defended a young man accused of rape. The woman even had proof from the legal physician, confirming evidence for her allegation. She had consented to attending a *bagh* (garden outside the city) gathering with a group of men, one with whom she previously had an intimate relationship. She accused him and his friends of gang rape. Each of the friends were flogged and my defendant was given the death penalty because rape is a *hadd* crime. I prepared a defense and sent it for review at the Supreme Court in Tehran, and while we waited, we offered her money in exchange for her to retract her statement. Later we learned that the notary public office also demanded five kilograms of gold from my defendant's family in order to notarize the young woman's statement. My client was exonerated, at a very heavy cost."

She continued, "When we received the report from the Supreme Court, the judge reprimanded the judge in Mashhad for inquiring too much into the details of this case. He advised the court to hesitate in probing such details of the relationship and the physical details of the alleged rape." This concept of hesitating in probing the details of intimate relationships extends to all intimate partner relationships that are brought to the court, including adultery. Azadeh emphasized that legal probing into specific details about intimate relations is highly discouraged. Her comment dovetailed with what Bahar told me when I asked her if there are any legal consequences to white marriage, "As long as you lie to the judge, there are no legal consequences." She followed that by explaining that the judge will likely not ask any further questions inquiring about the intimate relationship. Bahar was referring to the Islamic principle of *asl-e adam-e tajasos* (principle of refrain from investigation) which I discussed in Chapter 1, which blurs any objective means for investigating a white marriage.

"White marriage does not violate substantive or procedural laws."

"According to the 2015 Law of Criminal Procedure, white marriage is *not* incompatible with Iranian substantive law. It is also *not* incompatible with Procedural law," Majid explained as he, Amin, Shiva, and I launched into a two-hour discussion about white marriage. Majid's

distinction between substantive and procedural law reminded me of the distinction between what socio-legal scholars describe as the "law on the books" and "the law in action." In interviews about *ravābet- e namashrū* (illicit relationships) with other lawyers as well as with Majid, I learned that *especially* in cases of intimate partner relationships, the law in action quite often diverges from the law on the books and is less punitive. However, in this case, Majid was emphasizing that white marriage did not violate substantive *or* procedural laws.

Referring to involvement in intimate partner affairs, Amin added, "Even in Article 102 of the Constitution we have a law that says we must look the other way, unless of course there is a complainant, who can be none other than the girl's father." The father's role as complainant brought us to the question of just *when* the law would intervene—only when there's a *shāki* (complainant). Majid continued, "In a white marriage, however, if a girl has never been married, she can just claim that she was not a virgin at the time that she entered the relationship, in which case she has disregarded all the laws and her father's permission becomes obsolete!

Then, Majid turned to me and said, "Look, there are only three issues with white marriages that contradict official marriages. First, how to split the wealth after the couple separates? That's simple, the couple stipulates this before starting the relationship. Second, there's a question of what to do if a child is born. We've already established that couples that enter a white marriage do so with the understanding that they won't have kids. If, however, a child *is* born, the court will issue a birth certificate. While the child may have been conceived in an unsanctioned relationship, they don't stamp the birth certificate with that! Finally, there's a question of *mahriye* (brideprice) which is required in an *aqd* marriage, and this, this is where the *fuqaha* (Islamic jurists) may have an issue. Majid explained that in a *moatat*, a nonverbal

agreement between two parties, there is no bride-price involved, and that's how you get around the last roadblock.

At this point, my fieldwork and research took its next turn after a series of questions I asked myself. If Majid was correct, then why would white marriage even be subject to law at all? Furthermore, if the law permits it, then why was it popularly perceived as a transgression. If it is not a transgression, then why did the Supreme Leader and other officials publicly condemn it? After I wrapped up my fieldwork I came across Magdalena Rodziewicz' article that interrogated the ways in which the gap between people's expectations and desires and the legal capacity of Islamic rulings are addressed in Iran in the context of the legal debate on white marriage. *Nikkāh-e moatati*, she suggests, "described the legal relationship between a man and woman that could be sanctioned without reciting the *siqeh* or signing a contract (*aqd*), and instead relied on the heart's consent" (2020, 56). Prior to hearing about *nikkāh-e moatati*, several interlocutors asked me if I thought white marriage was just a siqeh with a slight difference. After hearing about the *nikkāh-e moatati*, it sounded identical to white marriage. I had to go to the seminary to inquire.

Clerical Perspectives

While debate and discussions about white marriage take place in legal and clerical circles, there is no official ruling on white marriage yet. Majid referred me to Article 1062 of the Civil code which defines *nikkah-e moatati* as a legally sanctioned relationship between a pair that intends to be bound by marriage (*ghasd-e zowjiyat*) but neither verbally recites the *siqeh* nor signs the contract of an *aqd* or *nikkah*. Ayatollah Sadeqi Tehrani has conducted a thorough examination of *nikkah-e moatati* and concluded that intention and consent supersede the written or verbal requirements for a sanctioned marriage.

> The marriage contract is valid in every language, also when it is executed without words nekah kardam—that is, 'I marry you'—providing that there is evidence of marriage, either in writing in speech or by action or any other way that would clearly indicate that the marriage was concluded [Sadeqi Tehrani 1389, 281].

White marriage, a practice that breaks traditions of marriage, is popularly perceived to be illegal, and is still quite stigmatized and even scrutinized socially throughout many parts of the country, is remains legal according to the civil legal code. While debate and discussions about white marriage take place in legal and clerical circles, there is no official ruling on white marriage yet. Article 1062 of the Civil code defines *nikkah-e moatati* as a legally sanctioned relationship between a couple that intends to be bound by marriage but neither verbally recites the *siqeh* nor signs the contract of an *aqd* or *nikkah*. Sadeqi Tehrani and several others have emphasized the importance of consent and intentions in marriage, *nikkāh-e moatati* is *not* a popular view among most Islamic jurists. I will return to *nikkah-e moatati* soon and explain what happened when I took this question to Qom, but before that I want to share my first conference experience during my fieldwork that I learned about from Mowlaverdi's Instagram account.

In December 2018 I attended the second of a three-part series of conferences in Mashhad, sponsored by Ayatollah Sanei, called "The Challenges of Women's rights in Islamic jurisprudence." The intended audience for this series was the clerics in Tehran, Mashhad, and Qom. Each city would coordinate a series of panelists made up mostly of city council members, college professors, and local clerics, both Shia and Sunni. These events were all video recorded and distributed to attendees upon request. While the target audience was not the public, the event was free and open to everyone. Aside from Bahar and me, there were very few non-clerical attendees at this event that was hosted at Mashhad's conference center near the shrine.

One of the first presenters, Mehdi Mehrizi, gave a clerical perspective as a *faqih-e nowandish-e emrūzi*, which is roughly, an "Islamic jurist of contemporary thought." He

emphasized the need to practice *ijtihad-e rayej*, which requires an in-depth study of religion in tandem with studying and learning about women's desires and lives today. Mehrizi stressed that ideal jurisprudence is one that is constantly updated to meet the needs of society. Other panelists demanded that the gap between reason and *fiqh*, and the gap between *fiqh* and rights be narrowed through constant questioning and doubting of *fiqh*. A few of the women speakers asked not only for legal reform and better implementation of laws, but that women be included in future conversations about *fiqh*.

Figure 6. Session on "The Challenges of Women's rights in Islamic jurisprudence." Author's photo taken December 13, 2018

One woman activist gave a presentation on the misuse of verses from the Quran in the justification of gender-based violence. She cited the work of western scholar Amina Wadud, who calls for a re-reading or neo-exegesis of the Quran—one that writes the patriarchy out of what is purported to be Islam. Echoing other speakers, university professor Fatemeh Vossough called specifically on the *foqaha* (Islamic jurists) to respond to the new generation's demands that includes the increased practice of white marriage. She and other women on the panel reiterated

the increasingly changing demands of the younger generation that no longer align neatly within Islamic jurisprudence, and the need for redefining concepts within the jurisprudence. Again, this conference reminded me of what Polletta describes as free spaces where rights discourses develop, are challenged, and articulated as a combination of everyday individuals and state actors mobilize the law.

Taking the law to Qom

In response to the rise in white marriages, mainstream clerics publicly recommend that couples sanction their relationships through temporary marriage contracts privately, through a verbal agreement, without the need to formally register them. When asked about white marriage, Ayatollah Makarem Shirazi condemned the practice, but further stated that such illegitimate relationships can be *retroactively* sanctioned. I heard a similar response around retroactive sanctioning of a relationship when I interviewed a scholar at the *Fotooh-e-Andisheh* research institute under the supervision of Ayatollah Mesbah Yazdi in Qom. One of my interlocutors connected me to Hojjat-ol-Islam Dr. Ahmad Rahdar while I was in Tehran, and I scheduled a train ride to Qom to meet with him. To help me navigate the often male-only spaces, my interlocutor accompanied me on the trip.

We arrived in Qom in the afternoon, in time for me to check into my hotel room. Afterward we had lunch, found a coffeeshop, and then prepared to take a long car ride to the research institute. The building was in the middle of a residential street and had a discreet sign above the entrance. We were greeted by Rahdar's assistant and guided to remove our shoes as we entered the building and walk up the carpeted stairs and into the conference room. As the assistant, my interlocutor and I waited for Rahdar to arrive, he offered us tea. My interlocutor was much more comfortable talking so he asked many questions until Rahdar arrived. My

interlocutor and I sat across the large conference table from Rahdar and his assistant, who pulled out a voice recorder and asked, "You don't mind if I record this conversation for our archives and research purposes, do you?" Caught off guard, we both immediately consented to the recording and the conversation began. After introductions, I asked him a broad question about *siqeh* to start the discussion that would make its way to *nikkah-e moatati*.

Rahdar encouraged *siqeh* for those who feel ready to get married but cannot commit to a permanent marriage. For Rahdar, the *siqeh* is a contract that holds both parties to account and requires commitment, which a white marriage does not offer. This was not surprising, as I had certainly heard this before from Azadeh and Bahar. When I asked him about *nikkāh-e moatati*, he neither rejected nor accepted the interpretation but confirmed that it is not a view that is accepted by a plurality of the scholars. Then he proceeded to tell a religious tale of a couple that lived in isolation, far from any society, and had no way of knowing that their intimate relationship should be sanctioned. That couple, he concluded would not be punished for their unsanctioned relationship because for God, consent and intention supersede any form of sanctioned marriage in Islamic jurisprudence. The moral of this tale echoed Sadeqi Tehrani's unpopular decree on *nikkah-e moatati*! As I tried to bring back the question to him personally, Rahdar deflected and instead suggested that I focus my next project on examining *siqeh*, and recommended Qom as an optimal field site. Scholarly and anecdotal evidence cite Qom as the city with one of the highest rates of *siqeh*. Haeri's (1989) book is a seminal work on temporary marriage in Iran, in which she shows that women, mostly out of economic necessity, sought temporary marriages with men who were visiting on pilgrimage or studying at the seminaries. The prevalence of short-term temporary marriages or even unsanctioned intimate relations in Qom raises the curiosity or the suspicion of hotel personnel who want to make sure they have

proof of marriage before offering a couple a room. Next, I share my experience navigating hotels in Qom because it exposes the negative perception of temporary marriage among the hotel staff and owners. This sentiment is widely popular among Iranians.

Navigating a Hotel Stay in Qom, as an Unmarried Woman-An Anecdote

I have stayed in many hotels across Iran over the past decade, and either shared a room with my family or a female friend or relative. I am usually asked to leave my identification card or my birth certificate booklet with the front desk for the duration of my stay. At the end of my long-term fieldwork for this project, I scheduled a brief trip to Qom, where I initially intended to collect one or two interviews, but my first meeting led to several other meetings that led me to stay an extra night. One of my male interlocutors had arranged two of my meetings with clerics and offered to accompany me to those meetings. He accompanied me on the roughly two-hour train from Tehran to Qom. Old memories I had of Qom from passing through as a visitor left an impression that Qom is a different space than other cities. I remember family members advising me to wear a chador upon exiting the vehicle anywhere in the town.

This time, I went prepared, with a *chador-e Arabi* (Arabic chador) I had purchased in Mashhad (Figure 7 below). Before exiting the train, I pulled it over my head as the light and loose call draped down to my ankles. Little did I know, that according to a local barista, the decade of the 2000s had taken the *chador* away with it. It was not long before I saw just what he meant. As I sat near the counter in my *chador* waiting for my latte, a group of young women, seemingly in their late teens walked past me, and ran up the stairs to meet their friends. Most of them were dressed in all black, baggy jeans with holes on their thighs, long black boots with laces, chains hanging from their pockets, hair dyed black, and what I would describe as “gothic” makeup and clothes. I had never felt more invisible as I did to them.

Figure 7. Photo of me in the *chador Arabi* in Mashhad, 2019

I had booked my hotel room in advance, so after my arrival at the train station, I walked to the shrine of Masumeh and from there took a taxi to my hotel. I filled out a form upon checking in. This form required that I provide information about my place of birth, and the hotel clerk asked to see my birth certificate. In the box asking about the reason for my visit, I wrote "business."

My interlocutor met me in the small lobby of this hotel and was carrying a hiking backpack that held his belongings. He was initially planning to stay the night at the apartment of some friends, so he had not booked a room in advance. I asked the hotel clerk if we could store the backpack at the desk for several hours, and was received by a look of surprise, a moment of hesitation, and then, "You can take the backpack up and store it in your room." My interlocutor knew that he had to wait as I went up to my room. The first time I went up to leave my own small laptop backpack and tote, I was accompanied by the bellhop who helped me carry my belongings and showed me the way to my room. This time, as I picked up the heavy hiking backpack, I was not offered any help. When I came back down, I asked the hotel clerk to call a taxi and he asked if I needed one or two, which implied a question of whether my interlocutor

and I were parting ways. I asked for one. By this time, I was aware that the clerk and the bellhop were both curious as to the relationship between me and my interlocutor.

After going about my business around the city and reconvening with my interlocutor, his lodging plans had foiled, and he called the hotel at which I was staying to ask if there were any vacancies. The hotel took down his name and said they would reserve a room for him. Within an hour we arrived in the lobby. My interlocutor asked the clerk if he could check-in to his room. The clerk responded with, "Unfortunately all our rooms are occupied. We have a cleaning team staying here and they have taken all our available rooms." My interlocutor objected and mentioned his earlier call and the promise of the room, but the hotel clerk and manager both just apologized nonchalantly and were uninterested in helping my interlocutor find lodging. We sat in the hotel lobby searching for nearby vacancies and my interlocutor found a place to stay for the night. As I went up to my room, I wondered about whether the hotel staff had been honest both about the hotel vacancies and about the 40-member cleaning staff staying at the hotel. Was it possible that they made up an excuse to avoid having male and female acquaintances stay as guests in their hotel? There are surveillance cameras in every hallway corner and at every elevator throughout many hotels I have visited in other cities, and this hotel was no exception.

The next morning, I woke up during the hours that breakfast would be served and went down to the dining room. The food items were on a long table at one end of the room with dishes and cutlery next to the samovar. I filled my plate with a sunny side up egg, white feta, sliced cucumbers, and tomatoes, and *sangak.*[23] I sat at a table for four, in a room that was large enough to seat forty guests. During the hour that I spent having breakfast and planning my day, I only saw one couple dine there. This heightened my skepticism about what we had been told about

[23] Sangak is a flatbread baked in an oven over small stones that are removed once the bread is baked, leaving quarter-sized holes.

the hotel's vacancy the night before. Where were the forty guests from the cleaning team? Since I had changed my plans to stay in Qom an extra night, I asked the front desk if I could extend my booking for one more night. The clerk's response solidified my suspicion about the hotel management's reservations about having me as a guest. He gave me the same response as the night before, that the cleaning team of forty was going to arrive and they needed the space. I reminded him that the cleaning team had arrived the night before, and they did not have any extra rooms for my friend. The clerk casually said that these were additional members that were expected to arrive the next day and had already booked my room. While not entirely convinced of the explanation, I walked away from the counter and sat on a couch in the small lobby from which I could see the empty and quiet street that ran parallel to the train tracks.

According to the travel booking site that I used to book my stay, I had stayed at a four-star hotel. This hotel was not in the dense neighborhood directly across from the shrine which had narrow streets with pockets of neon signs that advertised the many small low-rated motels. During daytime and evening hours as I walked down the main street that lined the shrine's entrance, I observed families walking in these side streets, to and from the shrine. In my hotel, which was a five-minute taxi drive away from this neighborhood, the only guests I had seen were one group of elderly women in the lobby and the young couple in the dining hall. Unlike the pilgrims I observed lodging near the shrine, the visitors at my hotel all spoke Persian and appeared to be Iranian.

I packed my bags and was ready to leave for a meeting. While the thought of carrying a backpack and a tote to my day's meetings was unappealing, I did not want to ask the hotel staff if I could leave my belongings and retrieve them later in the day. I met my interlocutor and carried on with my day. That evening, while reflecting on the day's meetings in the women's quarters of

the shrine, I used the travel website to search for another hotel. I found one within walking distance and reserved it online. My interlocutor called them and reserved his own room. At the end of the day, we arrived at the hotel which was nested inside one of those narrow streets across from the shrine. As we approached the counter there were two younger men to whom we first spoke. We provided our identification cards and informed them that we had booked separate rooms. As they began documenting our information, an older man who we would come to find out was their father came up to the counter. His frown and unwelcoming demeanor expressed his consternation about renting the rooms to us. He immediately asked his sons, "Did you check their birth certificate booklets?" The hotel owner had assumed that we intended to occupy the same room. Having anticipated this reaction from hotel staff, I was very patient with the dismissive behavior of the father. His sons sensed my discomfort and were unexpectedly loquacious to ease the tension created by their father's concern. The sons handed each of us a room key, which led to rooms that were on separate floors. I took the first floor, and my interlocutor took the third.

The hotel was an economy lodging and lacked some of the amenities of the hotel I had stayed at the night before. When I washed my hair the next morning, I could not find a hairdryer anywhere and did not bother to ask the front desk, assuming they do not provide them. I met my interlocutor downstairs in the dining hall for breakfast and the only other guests there were an elderly couple. Unlike breakfasts at other hotels, this breakfast was not buffet-style and instead, one of two female servers took our order. The menu was quite limited so we each requested an egg, sunny side up.

As my interlocutor and I discussed the hotel's amenities over breakfast, I was surprised to learn that his room had a hairdryer. The night before, when we received our room keys, I asked

the front desk clerk if there was a difference between the rooms and he said they were the same. In my fit of disappointment for having been misinformed, I asked one of the two women who served us if she knew whether the rooms all had the same amenities.

> Me: "Excuse me, do you know whether all the guest rooms are identical and have the same amenities?
> Server: "Yes, they are all the same."
> Me: "Well, I was told that they were, but now I am learning that they are not." Here I gestured toward my interlocutor.
> Server: "How do you know?"
> Me: "Well my room did not have a hairdryer and his did."
> Server, without a moment's pause: "How do you know his room had a hairdryer? When did you see the inside of his room?"
> Me: "He just told me that his room had a hair dryer."

The server gave me a prolonged stare and walked away. It suddenly occurred to me that I was being interrogated about my relationship to my interlocutor. This server was using my inquiry about a hairdryer to ask me questions and probe about my interactions with my interlocutor during my stay. It made me wonder whether the hotel owner had asked the servers to closely observe our interactions in the dining hall and lobby, or if this mini-interrogation was meant to alleviate the server's personal curiosity. Based on my interviews over the prior days, I learned of the prevalence of temporary marriages in Qom, which warranted this woman's curiosity. Inasmuch as temporary marriages are common in Qom, and religiously and legally sanctioned by the state, there remains a widespread disavowal of the practice at the societal level. In one of my meetings the night before, the cleric told me that Qom would be an ideal site for me to examine temporary marriage in a future project. He was chuckling discreetly as he described the prevalence of temporary marriages in Qom. This response can be juxtaposed with the response I received from the women scholars who disclosed that they would be outraged if their husbands engaged in temporary marriages.

My encounter at this hotel in Qom gave me a glimpse into the level of surveillance unmarried women experience when navigating a public that is uncomfortable with the practice of temporary marriage, despite its religious and legal sanctioning. It also contextualizes white marriage and its interaction with the law. If an intimate partner relationship that is unsanctioned remains in private spaces, then it does not threaten the public's interest and is not of concern to the law. If, however, the unsanctioned relationship is made visible, as may have been inferred from my interaction with my interlocutor at this hotel, then the law intervenes.

Shar v. Law

Later in my meeting with Dr. Rahdar, I asked about the gap between *fiqh* and the law, he took a step back to compare *shar`* with the law first. He used the word *shar`* the way that Larry Rosen refers to "Islamic law as a living system, one that is found as much in the marketplace and the home as in the textbooks, a law that is deeply subject to local custom, factual context, permissible interpretation, client choice, and judicial discretion" (Rosen 2018, 3).

> "*Shar`* has a position in a Muslim society, and law has its own position. Issues pertaining to women, family, and value systems don't all come from *shar`*. We must consider the extent of people's commitment to the law. In the west, control of the population and law enforcement is extrinsic; it may become intrinsic. But in a Muslim society, *shar`* is intrinsic. When a person wants to perform an act that is in accordance with *shar`*, he doesn't need the police, nor does he need to be controlled. Civil law emerged in conflict with *shar*. At the time of the constitutional revolution, people only understood *shar`*, not law. Under the Qajar's reign, people understood *shar`i* courts. *Sha`r* has always been precise. Law never really found its footing in Iran as the *moteshar-e-een* (those who obey the *shar`*) were not taken seriously. For example, a large group of people pray the morning (*fajr*) prayer, but a smaller group will abide by the laws of driving. The stain of being labeled as disobeying the *shar`* is more damaging to people than the stain of disobeying the law.
>
> Regarding the relationship between *fiqh* and law, we believe that the more we have secular laws, the less we will have *fiqh*. More than 90 percent of the civil law is from the last fifty years. Sociologists sit and examine women's issues and then pass laws. In *fiqh* we have *marz* (boundaries) and *mash* (path toward ethics). *Fiqh* provides us with the boundaries and tells us whether something is or isn't Islamic. Islam's goal is *akhlagh* (ethics). But just because something is Islamic it does not mean that it is ethical. Ethics is

not a given in neither *fiqh* nor law. Currently, we don't have *fiqh* or laws, and we need a revolution to get rid of laws. We currently lack both *fiqh* and laws."

Ayatollah Rahdar's discussion of *fiqh* and law revealed his skepticism of the legal system in Iran and of social scientific approaches to women's issues that neglect to contextualize Iranian society with respect to its historical commitments to *shar'* over the relatively new encounter with codification and creation of a legal code. His skepticism is a testament to the gap or tensions between the jurisprudence and civil law in Iran. Toward the end of our conversation, Ayatollah Rahdar urged me to return to the institute in a couple of days when the women scholars hold their weekly discussions, which I will return to as I close this chapter.

"There is a great distance between the work we do here at the seminary and the work of lawmakers."

During my stay in Qom, I managed to coordinate a meeting at the Imam Kazim Seminary for scholars who emulate the *marja* Ayatollah Makarem-Shirazi. I gained access to this seminary through a contact that I had back in the U.S. After learning about my research topic and my interest in exploring clerical perspectives, he offered to connect me to a seminary student there, Mohammad. I briefly spoke to Mohammad over the phone the day before our meeting and arranged to meet at the front entrance. When we arrived via a taxicab, we waited on the sidewalk in front of the entrance for Mohammad to meet us. While we waited, I noticed the security guard sitting inside the kiosk at the top of the stairs to the left of the entrance kept his eyes peeled on us. Mohammad approached us in his light blue mandarin collar shirt and beige khaki pants, usually worn by male seminary scholars. He told us we could not enter through the main entrance, pictured below, because as a woman I would not be permitted to enter. Mohammad advised us to walk away from the entrance and toward a driveway that led to the parking garage

underneath the seminary building. A driver would come out and pick us up, then return us to the parking garage where we would meet Mohammad.

Within a few minutes, a white Pride[24] darted out of the parking garage and stopped in front of me and my interlocutor. The driver rolled down the tinted automatic window on the passenger's side, and signaled for us to get in as he lowered his aviator sunglasses. I took the backseat, and my interlocutor took the front. The driver initiated a conversation as soon as we took off. He was very informal and spoke as though we were old friends. As we pulled away from the seminary he said, "Don't worry, I'm going to have to drive around the nearby square before bringing you back. That way, the parking guard won't be suspicious. You see, here, we find a way to do anything we need to do." This remark reminded me of when the customs agent in Mashhad who I consulted to register my phone told me that for every law that exists, there exists a way to skirt it. My visit to the men's seminary was a violation of their rules, but several different affiliates of the seminary facilitated my access. Not only that, but several of the seminary scholars had agreed to meet with me once I navigated my way into the building.

In just under two minutes, we were back, and the driver cruised down the driveway leading into the parking garage. As we approached the guard's kiosk he lowered his window slightly, and he and my interlocutor greeted the guard, who nodded his head as let us through the barrier gate. I doubt that I was visible to him through the heavily tinted car windows, but if I was, he certainly had looked the other way. The parking garage was packed with cars, but we found a spot not far from the elevator, next to which I spotted Mohammad waiting for us. As my interlocutor and I followed him into the elevator, Mohammad apologized for any inconvenience or discomfort that my mode of entrance into the building may have caused me.

[24] A copy of the Korean Kia Pride, this budget car is made by Iranian automaker SAIPA and is extremely popular as it is one of the most affordable cars on the Iranian market.

When the elevator doors opened, Mohammad escorted us to a small room directly across from us and asked us to wait for the clerics to arrive. We took off our shoes in the hallway and entered the empty office. The view from the window made me realize we were very high up in the building. As we took our seats along the left wall, Mohammad came in with a tray of tea and sugar cubes. A couple of minutes later, I heard the voice of the first scholar we would meet from the hallway. He was explaining that he had an obligation that required him to leave in half an hour and requested that his colleague take his place in a meeting with a researcher from the University of Washington. He entered the room soon after. We only had time to get through introductions before this senior scholar had to leave just as two of his colleagues managed to take his place on short notice. Throughout our 2-hour meeting, Mohammad served us about 5 cups of tea.

Figure 8. Author's photo of main entrance Imam Kazim Seminary in Qom, December 2019

One of the scholars held a Ph.D. in law in addition to his seminary training and initiated a response to my first question by explaining, "The current crisis of marriage is an economic and societal crisis that we face in Iran. Commitment lies at the heart of an official marriage, which you don't see in a white marriage." When asked about *moatat*, he echoed Ayatollah Rahdar's statement that it is not supported by a majority of the jurists. He explained that in some *oqūd*

(contracts), there is a need for a verbal recitation or written form of the contract. For example, in a divorce, two witnesses must be present because there's no verbal contract involved. For marriage, however, even a verbal contract is not required. For these scholars, marriage is both a jurisprudential issue and a legal issue. They informed me that some MP candidates will include new trends in marriage as part of their speaking platforms in the upcoming elections.

The legal expert's colleague was less adamant about the face that there is a consensus among jurists to reject *moatat*. He started with a discussion of *siqeh*, reiterating that a verbal expression of the contract is valid even if it is recited in Farsi, and not in Arabic. Both scholars mentioned that unfortunately *siqeh* has become a *"vāje-ye estesmār gūneh,"* an oppressive word due to its historical uses. They also insisted that when there is disagreement between the law and jurisprudence, citizens get confused. According to these scholars, Iranian family law is mostly aligned with *fiqh*. It deviates when it comes to registering marriages, as the state laws requires it, but *fiqh* does not.

I asked the scholars about the discrepancy between the jurists' rejection of *nikkah-e moatati* as a sanctioned relationship and the civil code, and the legal expert replied, "there is great distance between the work done here at the seminary and that of lawmakers." This took me back to what Amin told me at the end of our conversation with Majid and Shiva: "Our laws are far ahead of the clerics. Lawmakers observe the changes in society and create laws that cater to society's needs. The clerics are far too ideological on these issues and that's why any discussion is always challenging."

Political Islam and Post-Islamist Iran

Recent neo-colonial expansion throughout the Middle East has been a reaction to the rise of Islamist states in the region which grew from the fundamentalist reaction to colonialism.

Islamic fundamentalism urged Muslim societies to find an authentic Islamic alternative to the empty social and political patterns of Western societies (Haddad 1983). Fundamentalism was followed by the rise of Islamism as a movement to establish and institutionalize Islamic law. This revealed the tension between the two visions of Islam—the compatibility of Islam with pluralism and democracy, and the reordering of society based on society during the time of the prophet (Hefner 2005). Islamic law became a discursive field where struggles toward social justice including gender parity could be pursued (Bowen 1998).

While fundamentalism essentialized Islam, Islamism acknowledged subjectivity as it was a particular state's adoption of Islam and allowed people to act as agents of their own political possibilities (Robinson 2013). In Iran, the revolutionary thinker responsible for much of the intellectual mobilization, Ali Shariati, claimed that equality, freedom, and spirituality were equally critical to progress toward emancipatory social and political change (Shariati 1980). Nationalizing Islam in Iran and making it public would legitimate social action and challenge the authority of the traditional clerical establishment to legislate religious Truth (Ghamari-Tabrizi 2008). The gap that emerged between the traditional clerical establishment and the state which had secularized Islam and legitimized emancipatory rights discourses would create a space for everyday actors to mobilize the law and effect social change. The post-revolutionary hybrid Iranian state has had to contend with Islamization of a nation that was familiar with a discourse of rights. This shift from Islamic duties to rights, Bayat argues, is what distinguishes Islamism from post-Islamism, with the latter encompassing ideas and movements aimed to transcend Islamism in society and governance (2013). These conditions allow everyday actors to exploit the gap in the hybrid legal order, as women join the conversation not only in matters of civil law, but also on matters of jurisprudence.

Women Exegetes

Ayatollah Rahdar's assistant passed my phone number to one of the women who coordinates the women's circle at the *Fotooh-e-Andisheh* research institute. I was invited to attend their next meeting, which was held in the same conference room where I had interviewed Ayatollah Rahdar. All the women who attended wore a black *chador* over an outfit which fully covered their bodies leaving only their faces exposed. Even though this was an women-only space for that block of time, women maintained their proper hijab, only allowing their *chadors* to drape onto their seats. This circle was exclusive to women scholars of Islamic jurisprudence who engage in what they call "rereading of jurisprudence" as Islamic jurisprudence is dynamic. Most of the women I spoke to are either master's or Ph.D. students who use this space to collaborate with their fellow specialists.

After interviewing me about my project and my experiences as a woman scholar in the U.S., the group decided to discuss temporary marriage, a topic about which everyone had an opinion. As each woman seated at the conference table spoke in turn, I heard them caught between their personal opinions and the Islamic decree on the subject. The consensus was that in Iran, temporary marriage is almost always concealed, and too often occurs when a married man wants to religiously sanction his extramarital affair. "No woman in the world would allow or want her husband to take a second wife!" One woman added the need to acknowledge nuance in the different types of relationship dynamics, "Women are not adulterers, they are not impure, they do their obligatory prayers; they are just in need of a relationship." I then asked, well if the law currently permits what you consider inappropriate use of temporary marriage, what needs to be done? Several women responded. "Well, it's in our jurisprudence. For as long as it's there we

cannot deny that it is religiously sanctioned." Another added, "but our jurisprudence is dynamic. Maybe we must start reading the Quran differently."

This sentiment echoed the recommendation made by a non-seminary woman activist at the panel I had attended in Mashhad a year earlier, who advocated for neo-exegesis as she discussed gender-based violence that is often justified through uses of verses from the Quran. Nation-building throughout much of the Middle East that took place throughout most of the twentieth century used women's bodies as sites for the articulation of new sovereign national identities. In Iran, much like the rest of the region, women's emancipation came consequently, so long as it coincided with the interests of the patriarchal state (Kandiyoti 1991). Now, with women pushing for re-reading of the Quran in both Qom and in Mashhad, it appears that the Islamic republic unwittingly afforded space for women's articulation of demands that do not coincide with patriarchal interests of the state. These women resemble the "sisters" or "daughters" of the revolution who Shahrokni suggests have "vocally and visibly claimed and taken advantage of access to spaces provided for them" (2020, 20).

Conclusion: Where the Clerical meets the Legal Perspective

As my last stop before leaving Qom, one of my interlocutors from the women's circle arranged for me to have a brief meeting with her Phd dissertation advisor and senior cleric, Hojjat-ol Islam Dr. Mohsen Alviri. He and his wife had been interviewed by a French magazine about white marriages back in 2017. After briefly introducing myself and my research interests, he engaged the two questions I was asking: first, about the gap between the law and *fiqh*, and second, about *nikkah-e moatati*. Dr. Alviri began explaining that Islamic *fiqh* is highly people-oriented, and an example of that is visible in the widespread variety of forms of hijab within Iran. Alviri implied that the great diversity in Iranian women's Islamic dress is a consequence of a *fiqh*

that accommodates that diversity. Furthermore, he stated this people-oriented nature of *fiqh* is tied to the requirement that the law be implementable. Consequently, if a law cannot be implemented, then it should be reevaluated and reconsidered, something Bahar had emphasized as well.

On the question of *nikkah-e moatati*, Dr. Alviri asserted that *moatat* is a type of non-verbal transaction in which an exchange takes place. He cited the example of a store vendor and customer. There is a juridical opinion that suggests that consent is sufficient and there is no need for a verbal acknowledgement of that transaction, which is in fact a contract, or *aqd*. An Islamic permanent marriage, *nikkah*, is also a contract. Dr. Alviri then explained that if a rule holds true in one part of the legal code, then it can be applied in any situation. In essence, he pointed to Majid's claim about *nikkah-e moatati* following substantive law, based on this juridical opinion. In other words, the Iranian legal code is ahead of the seminary, as Amin suggested, as it legally sanctions an intimate partner relationship that fits the description of a white marriage while the seminary deliberates.

This chapter has explored the public fora in Iran in which legal or clerical experts and everyday actors carve the space to debate and strategize making gendered claims on the state with the goal of social change. This is particularly worth noting because these free spaces are public and provided by the very state on which the active citizenry want to encroach. These fora support sociolegal scholars' claims that all legal orders are a hybrid of authoritarian, illiberal, and liberal. Iran's hybrid civil-religious legal system exposes the co-constitutive relationships between clerical actors, legal, and everyday actors.

I then examined legal and clerical perspectives on white marriage with a focus on *nikkah-e moatati* and concluded that while white marriage's compliance with *fiqh* is debatable, it

follows Iranian civil code 1062. Based on the interviews I conducted with legal and clerical experts between Tehran, Mashhad, and Qom, today, the arena of family law is pregnant with such dynamic debates about jurisprudence and normative practices and the everyday are co-constituted. Even if a particular practice like white marriage is condemned by the majority of the jurists, it continues to be debated and examined closely, because as Shahrokni states, "the Islamic state's views on gender are neither monolithic nor fixed or eternal" (2020, 21). This produces vibrant discussions and debates like those I presented in chapter 1 and creates a condition of possibility for everyday actors to make claims on the state.

Finally, is worth noting here, that like the voices of women who discussed women's rights and laws as legal experts, the voices of the women in the seminary that I attended were not monolithic. There are many issues on which the voices of women on the spectrum between and beyond "religious" and "secular" converge, and sometimes diverge in unexpected ways. Women lawyers Bahar and Azadeh who are closer to the secular end of that spectrum both recommend *siqeh* to women who lack the circumstances for a permanent marriage because it affords them some legal recourse. Conversely, some of the women in the seminary condemned it for moral or ethical reasons, even though it is Islamically sanctioned. This nuance was also evident in the public protests across the country after the death of Mahsa Jina Amini in September 2022. Photos of young girls in school uniforms went viral as they participated in these protests, some still wearing their head coverings and some having removed them, marching out of their classrooms with their arms linked. Other photos showed women donning the *chādor* standing in a crowd of women burning their headscarves holding a sign that read "I choose to wear my hijab but oppose compulsory hijab." These images and the stories I have presented highlight the

nuances in Iranian women's negotiation of their rights and show the powerful role that narratives of the everyday play in helping us understand social change in Iran.

Conclusion

My official fieldwork came to an end in December 2019. Observing conference after conference across different cities about women's status and rights and media coverage of these debates in Iran indicated that at minimum, white marriage practitioners were one group of everyday actors contributing to the gradual revision of gender laws as well as norms. Throughout my time in the field, I asked myself what is the point at which these important discussions between scholars, legal experts, politicians, and clerics become talking points for members of parliament? When do practitioners of white marriage, as a collective nonmovement, move beyond shaping the court of public opinion to shaping legislation? Or to effecting social change?

Well, in September 2020 state officials announced a significant change in family law that is linked to white marriage. One of the major concerns about the societal harm of white marriage as expressed by Iranian authorities and clerics is the birth of children out of wedlock. In theory, these children are unable to obtain a birth certificate without proof of paternity, which is proven through the mother's birth certificate booklet if she is officially married and has it registered. Otherwise, the child is categorized as being born into a relationship that was *namashrū* (illicit). If the relationship through which the child was conceived was in violation of *shari`a*, then the child is deemed illegitimate and does not qualify for a birth certificate.

In practice, my interlocutors who practice law have suggested that exceptions are made quite frequently when the child's mother approaches the judge and makes the request. Still, before this announcement, both the state and law held the official position that these children cannot obtain birth certificates. The speaker for the Iranian national registry Seifollah Abutorabi announced that mothers who conceive a child while in a *namashrū* relationship can request that the court issue permission for obtaining a birth certificate. He explained that a hypothetical name would be used for the father to process the birth certificate which would give the child an

identity, making it easier for the child to attend school and navigate life later. While there is no explicit mention of the rise in white marriages as a source for this change in the law, it has undoubtedly been instrumental in pushing this conversation forward for legal changes.

Social change occurs not in victories for rulings or litigation in favor of an issue, but rather when that litigation generates mobilization among everyday actors asserting their rights, a process that Scheingold calls "the politics of rights" (1974, 17). Furthermore, Scheingold endorses the Geertzian perspective that ideology informs the development of a symbolic framework for understanding and imagining ourselves. These ideologies are what produce our understanding and expectations of rights, which are entirely "rooted in the capacity to evoke familiar patterns and values" (Scheingold 1974, 17). In Iran, rights understandings entail a blending of civil and religious concepts of justice. Exemplified by Amin's folktale about the *mujtahid* and the *muqallid*, local cultures and the law are co-constituted, and the politics of rights sits in the heart of that relationship. Social change, therefore, occurs through the co-constitutive relationship between normative discourses and practices and the everyday.

The interventions I make in this work span across different disciplines. Within sociolegal studies, I offer a lens into a non-Americentric relationship between law and society that defies disciplinary categories and nuances the relationship between substantive and procedural law in a Muslim-majority context. I also build on social movement literature that suggests that a movement and thus social change can occur once certain political opportunity structures are in place, such as acquiring funding resources and managing public protests. Using my data, I suggest broadening our scope and considering other opportunity structures such as discursive ones that signal a different type of social movement. Or, as Bayat suggests, a social non-movement that entails the gradual encroachment of individual or collective actions that may

threaten the legal order. Not all social movements follow a specific trajectory and in fact, in non-movements in more illiberal or authoritarian contexts, social change may occur even more rapidly than in places that are less illiberal or authoritarian. A confluence of factors triggers legal mobilization for social change, and a core element is everyday actors' perception of their freedoms or unfreedoms, which is to some extent tied to the legal order's effectiveness at framing those perceptions.

In a non-Eurocentric or Americentric context like Iran, social non-movements driven by everyday actors reveal that power is not as concentrated in the state as it appears to many outsiders. Instead, it is constantly being negotiated between everyday actors and the state vis-a-vis the law. As McCann and Kahraman (2021) suggest, it is most constructive to view states as hybrid forms that are constantly in flux as they embrace authoritarian, illiberal, and liberal practices at once. This fluctuation between different orders, characteristic of any hybrid state, allows everyday actors to exploit the gaps in the law as opportunities for legal mobilization with the goal of social change.

This work also intervenes in the conversation about the anthropology of Islam. The data I presented in chapters 3 and 4, the everyday lifeworlds, and the normative legal and clerical voices, respectively, illustrate that in Iran, they are co-constitutive. Piety cannot be quantified or assessed based on the number of prayer beads hanging in one's rearview mirror, consumption of alcohol, or engagement in an extramarital intimate partner relationship. In fact, as I have shown in my discussion of *nikah-e moatati*, a white marriage, a popularly conceived secular practice, is not in violation of Islamic values if intention and consent for establishing a marriage are present. The voices of my interlocutors challenge the assertion that the everyday is reducible and instead suggest that it is inclusive of everything including religion. In the Iranian Shi`i Muslim context,

which has institutionalized the relationship between everyday individuals and *maraji* (their chosen sources of emulation), the boundaries between the normative and the everyday are especially blurred or nonexistent.

The co-constitutive theme runs through every chapter as it applies to the everyday, the normative, rights and law, and social fields in individuals' lifeworlds. My project began by looking at white marriages in Iran but soon evolved into something much broader as I tried to make meaning of my primary interlocutors' practices in the context of local norms and values. Following the anthropological tradition, I had to use a holistic lens to make sense of the interconnectedness of multiple social, legal, and clerical institutions that interact with and affect one another. Nuance can only be captured through such a holistic lens.

Implications for Future Research

My ethnographic journey took me from an analysis of media coverage of white marriage that included state-sponsored and non-state-sponsored sources to my primary interlocutors in Mashhad and Tehran. Triangulating my interlocutors' stories led me to interview some judges and subsequently, clerics and scholars at the seminaries in Qom. During my interviews, I was approached by a group of women scholars collectively engaged in focused reading and examining of the Quran. Their frustrations with a *fiqh* that is intended to be dynamic but does not satisfy their understanding of the gender justice within Islam leads to vibrant discussions about the future of *fiqh* in Iranian seminaries which has implications for public debates that have the potential to reshape the law.

Given Islamic jurists' critiques of the Iranian legal system that I observed in my project, there is room for further exploring the gap between Islamic jurisprudence and the civil legal code, in matters pertaining to gender. More in-depth interviews with women Islamic scholars in

Qom who conduct their own readings and analyses of the Quran with the intention of exposing elements of gender justice within the text will offer insight into the ways in which they exploit the tension between these two sides of the law. Women who participate in discussion circles at research institutes in Qom are vocal about their critiques of dominant and patriarchal voices in gender debates and seek to revise jurisprudential discourses. The very women who saw the legal code as distant from Islamic jurisprudence echoed the legal experts with whom I engaged who strove to achieve gender parity for those who mobilized the law.

The events unfolding since the death of Mahsa Jhina Amini make the future of this research about gender debates at the legal and clerical levels even more critical and timely. This relationship between Islamic jurisprudence, substantive and procedural law, and society has been a focus my project and now sits at the heart of the recent uprisings in Iran. We saw an attempt by Iranian women to establish an organization in 2007, with the Million Signatures Campaign, attempting to mobilize women against misogynist laws. Many of the women ended up facing harassment and repression at the hands of the state and police as well as from their male guardians (Bayat 2010). They have since pursued a strategy that involves the mundane practices of everyday life, such as education, jogging in the park, entering professional and public office spaces that were formerly dominated by men, and engaging in white marriage. Defiance of compulsory hijab laws is what has normalized the idea of "poor hijab." In legal battles, women challenged courthouses and judges' decisions in matters of child custody, divorce, and other personal status provisions. These ordinary, everyday activities lead to significant changes in social norms, ideologies, and laws.

As I was wrapping up this conclusion, my interlocutor Hesam texted me on Whatsapp at 2:30 a.m. Tehran time, "Your research is no longer useful. It is outdated. Because we are at

Bagh-e Ferdows[25] in Tehran right now, and everyone is singing, and all the women are hejab-less." He sent me two videos, one showing a young man standing in a crowd, with his acoustic guitar slung over his shoulder, playing the tune to a pop song by a pre-revolutionary artist who joined the diaspora in Los Angeles in the 80s, as the crowd of young to middle-aged men and women clapped and sung the lyrics. The women I observed in the frame were not covering their hair, just as Hesam mentioned, and several phone cameras were recording with the camera flash on.

The other video was of a young man and woman standing on a sidewalk, both dressed in jeans and a t-shirt, beneath a tree in a seemingly less traveled area. The man's guitar and the woman's microphone were connected to two amplifiers placed in front of them, and she sung a folk song as he played. In my last few visits to Iran until 2021, I had observed scenes like the one in the first video where a young man or a group gather on the sidewalk, perform popular songs, and attract a crowd that usually leads to dancing. I had not however, witnessed women vocalists sing solo pieces in any public space. In fact, Nahid Siamdoust (2016) has long examined the prohibition of solo women vocalists in public venues, which has for decades driven women vocalists to join bands where they can sing with men or to perform in women-only concerts. Women-only choirs performing spiritual songs have recently been featured on state-sponsored television programs and social media sites.

I share this message from Hesam to highlight that while the bulk of my research began in 2018 and ended in 2019, one of my interlocutors says that now, four years later, my research is a relic of the past. Hesam's comment immediately reminded me of when Swamiji told Narayan, "You should realize that in the end this means nothing." So much of the public landscape, gender

[25] Bagh-e Ferdows is a historical garden that houses the Museum of Cinema in northern Tehran.

dynamics and norms, and even laws have changed in the last couple of years that by the time my work is published it will join the archives. Like Swamiji, Hesam's comment disrupted the object and subject of ethnography. It made me question whether the social change I suggest occurs incrementally in Iran is as gradual and incremental as I make it appear, and whether the gaps in the law are exploited more frequently than I suggest. Do theories of legal mobilization translate as well as I claim they do or does social change occur more rapidly in "illiberal" and "authoritarian" contexts?

Hesam's video of a "hijab-less" woman singing on the streets of Tehran is evidence of continued efforts of Iranians to assert rights through everyday practices. While singing in a t-shirt and jeans was in clear violation of several legal codes, perhaps the young woman hoped to inspire others. Two nights after the initial text and videos, Hesam shared a photo he had taken of a woman playing the harp on the balcony of the main building of Bagh-e Ferdows, while wearing a dress, without a head covering. Like white marriage practitioners, these women may have the hope that the power of their presence will bring social change. A major thoroughfare lined with female vocalists may be a force that causes state officials to concede to these women's demands. In Iran, everyday actors are not as much engaged in acts of resistance as they are in acts of claiming their rights.

The anecdote about the yoga class with which I started the introduction connects this work to a trend I observed on the social media platform Instagram during the early weeks of protests following the tragic death in police custody of Mahsa Jhina Amini, after she was detained for allegedly violating the Islamic dress code: "*Man zanam, be didan e moohā-ye man ādat kon beduneh hejāb*" (I am a woman, get used to seeing my hair without hijab). Most of the women in my social media algorithm and among my family and acquaintances who live in Iran

reposted the blurb either displaying a photo of themselves or their daughters, without hijab. This behavior exemplifies the desire to claim their space, to encroach on a state that they feel has for too long encroached on them. My project tells the story of individuals that engage in individual and collective behavior with the collective strategy of getting the state *and* society to "get used to seeing them."

Glossary

aberū: reputation, face (saving)

aqd, pl. *oqūd*: contract, Persian for permanent marriage

faqih, pl. *fūqaha*: Islamic jurist

fatwā: Edict or ruling issued by an Islamic jurist

fiqh: Islamic jurisprudence

fiqh-e pūya: dynamic jurisprudence

fiqh-e sonnati: traditional jurisprudence less inclined to change to accommodate to time and venue than dynamic jurisprudence

marja, pl. *marāji:* an Islamic scholar who is a source of emulation on religious issues

maslahat: expediency

moatat: Arabic for a contract between two parties that does not require written or verbal consent

mujtahid: an Islamic scholar who interprets Islamic principles

muqallid: an individual who follows the interpretations of scholars (mujtahid)

muttah: Arabic for temporary marriage

nāmashrū: illicit

nikkah: Arabic for Islamic permanent marriage

nikkah-e moatati: a legal relationship between a man and woman without verbal or written consent that is based on both parties' consent and intention

shari`a: Islamic principles

siqeh: temporary Islamic marriage

sonnati: traditional

'ūrfi: customary

zarūrat: necessity

zinā: illicit intimate relations

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