The Biopolitics of Hijab in Iran

Seyed Milad Kashefi Pour Dezfuli

Department of Political Science and International Relations, Florida International University, Miami, USA
Email: skash009@fiu.edu

Abstract

The existing literature on Hijab cannot explain the special case of Iran due to a lack of enough attention to the biopolitical aspects of the forced Islamic dress code in the country. This paper argues that the imposition of Islamic veiling on women in Iran was both a biopolitical practice intended to control the bodies and administer lives as something affecting the security of the state and its development, at least in its earlier phases (1979-1983), was directly related to the struggles over power among various post-revolutionary forces. The recent social challenges against Hijab in Iran can also be linked to a wider political discourse that is targeted against the legitimacy of the Islamic Republic and seeks to overthrow it.

Keywords

Hijab, Women’s Rights, Iranian Politics, Biopolitics

1. Introduction

In late September 2022, the Iranian regime faced yet another round of popular revolts against its authority. While the Islamic regime in Iran had seen many protests against its rule over the past 44 years, the latest incidents were the continuation of an intensifying situation in the aftermath of the December 2017 urban riot. Since then, several rounds of protests over a wide range of political, economic, social, and even environmental issues in many parts of the country have all been met with a severe crackdown.

This time the immediate cause of tumults was the tragic death of Mahsa (Zhina) Amini at the hands of the so-called Morality Police or, in a more precise translation of the original Persian title, Guidance Patrol. She was arrested in the afternoon hours of September 13, 2022, by patrols of the Moral Security Police on the streets of central Tehran and sent to their headquarters to attend educational classes about the codes of appropriate clothing for women. A few hours...
later, it was announced that the 22-year-old girl had a heart attack and brain seizure while in the custody of the police. She lost her life in a hospital in Tehran three days later (Al-Monitor, 2022).

The protests that followed her death marked one of the most unprecedented rounds of popular uprisings in a country that has witnessed many in the past four decades. Ironically, Mahsa Amini symbolized many socio-political fault lines that have been the source of tension in Iranian politics and society. She was a young woman in a country notorious for systematic discrimination against its female population. She was traveling from her small border hometown in Iranian Kurdistan to Tehran on the day she was arrested. Her death ignited, at the same time, a wide range of gender, ethnic, and center-periphery cleavages in the country. Despite brutal repression that resulted in the killing of yet uncertain number of ordinary citizens, street clashes between the protestors and state security forces continued across Iran for several months. The longevity of these daily demonstrations was unprecedented compared to previous waves of uprisings in the country when a few days of violent clampdown on the streets would have ended public protests.

What followed Amini’s death showed signs of both continuities and discontinuities with a general state of tension and instability that Iran has been undergoing since December 2017. Earlier waves of riots were mainly in reaction to either spiraling living costs in a country plagued with paralyzing levels of governmental mismanagement and corruption and international economic sanctions or by hardships and displacements caused by climate change in an arid part of the world. Nevertheless, discontent with the prudish socio-cultural policies of a repressive theocracy was also a crucial factor in previous popular opposition to the rule of the Islamic regime in Iran.

Iran has been known, ever since the Islamic Revolution of 1979, for its puritanical laws about women’s rights and freedom (Iran Impact, 2018). The state made the Islamic Hijab compulsory for all Iranian female citizens, regardless of their faiths, in 1983. Women are not allowed to sing in public. For years, Iran would not allow women to watch soccer matches in stadiums; following FIFA’s warning that the Iranian Soccer Federation would be suspended unless women were allowed back in stadiums in 2019, the government lets a selective group of women watch soccer games each time the Iranian national soccer team is playing (Radio Farda, 2022). FIFA’s injunction has not yet been implemented in Iran’s national soccer league matches.

The restrictive laws and regulations and the systematic discrimination against women have also proved to be a highly contentious issue in various presidential elections in Iran and among two main political camps of reformists and hardliners. In a recent case, Hasan Rouhani, Iran’s former president, said during his 2017 reelection campaign that his opponent (Ibrahim Raisi, who ultimately became Iran’s president in 2021) intended to build walls between men and women in the streets if elected as president (EghtesadNews, 2022).

For many observers, the reasons behind the Iranian regime’s insistence on
these policies, especially the compulsory *Hijab*, are hard to understand and explain. While many Iranian politicians are reluctant to question the necessity of imposing the particular version of Islamic dress rules currently promoted by the state, very few of them shy away from condemning the Morality Police’s violent tactics in implementing dress codes (Ensafnews, 2016). Beyond politics and on a socio-cultural level, a 2020 survey by European-based GAMAAN institution found that 72% of Iranians oppose compulsory *Hijab* (Gaaman, 2020).

The question of *the Hijab* has come under scholarly scrutiny, mainly in the West, due to a trend among Muslim women in those societies to observe the rules of Islamic attire in the recent decade. It has been explored as a symbol of women’s repression, a cultural issue, or even a form of positive self-expression for some Muslim women. In light of the situation in Iran and the current state of scholarship on *the Hijab*, one can ask how the Iranian state’s *Hijab* policies and practices can be understood. What are the weaknesses of the current scholarly opinions in explaining the phenomena in Iran? And what could be added to them to the benefit of de-mystifying *Hijab* in Iran?

In what follows, this paper will investigate various scholarly works on Islamic *Hijab* both in the West and among Muslim societies to situate the Iranian regime’s policies and practices in light of them. By comparing the Iranian situation with the cases studied in those works, it will be tried to find an appropriate theoretical framework to explain *Hijab* in post-revolutionary Iran. Michel Foucault’s analysis of political power by referring to the concept of biopower will be consulted for this purpose. The third section will test the explanatory power of this theory in the case of *the Hijab* in Iran, while the fourth one will explore further themes in Foucault’s work in relation to resistance against biopower.

This task will be accomplished by a historical overview of the development and transformations of the rules concerning Islamic dress in the country in the forty years since the 1979 Revolution. The historical discussion will be centered on the various stages of the campaign to make Islamic dress mandatory for Iranian women amid violent clashes over power among diverse revolutionary forces between 1979 and 1983 when the *Hijab* finally became universally compulsory. It will also be argued that the specifics of Foucault’s biopolitics theory can explain later slippages and breakages in the state’s *Hijab* laws and practices. Finally, Iran’s current state of affairs will be analyzed with reference to this violent history of *Hijab* imposition.

### 2. Theories of Hijab

The relationship between Islamic *Hijab* and women’s rights and freedoms has given rise to two sets of opposing theories. In one collection of works, *Hijab* is condemned as a patriarchal practice aimed at suppressing women, confining their movements and constraining their social participation. Other writers, however, do not share negative attitudes toward *Hijab*. Some works treat it as a socio-cultural phenomenon or even as a mere religious obligation for Muslim
women, while others insist that, under the right circumstances, it can even be a positive life experience for women as a kind of self-expression.

In Western societies, recent controversies over Muslim women’s clothing sparked a scholarly dispute over the nature of the Hijab as an ideological battleground in which modern liberties and progress clash with traditional suppression. Michelle D. Byang explores this cultural war over Hijab and its security aspects, especially following the 9/11 attacks and the concerns it has given rise to about the process of Muslim immigrants’ integration into Western societies (Byang, 2010). The question of Muslim women’s emancipation from religious and patriarchal oppression was among the main justifications for banning Hijab as a symbol of rejecting female autonomy and forced confinement in French schools (Guardian, 2015).

On the other hand, Hijab has been praised in some scholarly studies as something that helps Muslim women to build distinct identities, control their lives and bodies, and grow a “sense of belonging to a wider Muslim world” (Ruby, 2006). Rachel A. Droogsma analyzes Hijab’s positive sides as a tool to “define Muslim identity, perform a behavior check, resist sexual objectification, afford more respect, preserve intimate relationships, and provide freedom” (Droogsma, 2007). Finally, Syed Ali investigates the spread of veiling among second-generation immigrant girls in the United States in connection with the rise of a distinct ethnic identity in the American Muslim community (Syed, 2005).

What can be inferred from these studies is that Islamic Hijab is a complex issue for Western audiences, and its true nature cannot be subsumed under a single, clear-cut answer; in other words, depending on the context, it can either make a negative or a positive experience for Muslim women. Furthermore, while Hijab originally means a certain kind of attire that covers the body and hair of women, various studies have shown that it can also refer to wider socio-cultural meanings and even denote, for some Muslim women, a certain pattern of behaviors based on modesty and self-possession.

Nevertheless, it cannot be argued that such disputes over the nature of veiling are unique to contemporary Western societies. Over the past one hundred years or so, many Islamic societies have witnessed aspects of this ideological war. Hijab has been one of the most important battlegrounds in the political and cultural struggles between modernists and traditionalists in the modern history of Muslim countries. In the early and middle decades of the 20th century, secular governments in Iran, Turkey and Egypt encouraged women to take off their veiling as a sign of their freedom and willingness for social participation (Haddad & Esposito, 1997; Moghadam, 2013). On the other hand, various Islamist movements focused on controlling the female body and women’s sexuality as an integral part of their projects to resist Western culture’s encroachments and protect Muslim nations’ cultural and religious integrity (Bayes & Tohidi, 2001).

One thing missing in these works that rightly point to Hijab’s status as an item in a wider cultural war in Muslim societies is its connection with the power of the sovereign state and the political sides of an essentially ideological issue. F.
Shirazi’s book, “The Veil Unveiled” seeks to address the same shortcoming (Shirazi, 2003). Her work highlights the strong connection between the Hijab and the political ideologies of post-revolutionary Iran. She explores the political uses of the Hijab discourse under the Islamic regime of Iran as a symbol of progress and emancipation for a new ideal of a woman who is not a “painted Western doll. However, aside from the fact that Shirazi still treats the issue as an ideological battleground between various social forces of modernity and tradition, her work is so enmeshed in the historical and cultural aspects of the question of veiling in Iran that it is unable to offer much in terms of a theoretical insight to understand it.

These theories cannot explain the case of the Hijab in Iran because of the uniqueness of the country’s experience with the Islamic veil in the 20th and 21st centuries. Iran is the only country in the Muslim world that has seen state intervention in women’s clothing, both in the form of banning the Hijab (1936-1941) and making it compulsory (1983 to present. To understand the Iranian experience, it is not enough to reduce the question of the Hijab to a mere religious obligation for women because Islamic Shari'a, like every other legal tradition, is and indeed has proven, in many cases, to be subject to transformations due to the influence of socio-political forces that inevitably affect understandings of the sacred texts and their interpretation. Furthermore, it can be argued that traditional Islamic and Shia jurists had no definitive ruling on the form and extent of the religious Hijab. The question of women’s clothing is highly contextual in the sources of Shari'a, and inferring a general rule is almost impossible given the diverse nature of particular contexts (Ibn Rushd, 1994). For example, the necessity to cover sexual organs was originally directed against both men and women and only in times of prayer. In later historical periods, this necessity was taken out of the context of praying, and Muslims were obliged to observe it at all times. Also, the word Awrah, meaning sexual organs, was extended to all parts of the female body except for the face, the palms of the hands and the soles of the feet.

It is also not enough to explain the problematique of the Hijab in Iran as just another battleground in a cultural and ideological war between modernists and traditionalists. The reason is that even the views of religious and traditional segments of Iranian society concerning compulsory Hijab are rapidly changing due to the reactions to the use of violent, coercive powers of a totalitarian state to enforce it. It is evidenced by the findings of the GAMAAN institution’s survey mentioned above. While still half of the Iranians believe fully or partially in the Islamic faith and even many traditional values, including the necessity of the Hijab for Muslim women, 72% oppose forcing it on those who are not willing to observe the religious ruling. Furthermore, even from the beginning of the imposition of compulsory Hijab in the early 1980s, some influential religious and political figures with strong ties to the Islamic regime have questioned its religious sanction or criticized the state’s heavy-handed tactics. During recent protests in Iran, women who fully believe in Hijab personally have voiced their objections, both online and on the streets, to its imposition on all women.
This coercive power and the state intervention to force veiling on Iranian women are the keys to understanding the nature of the Hijab in post-revolutionary Iran. The prevailing theoretical framework to understand the exercise of power over bodies, or what S. Ragozina calls “political regulation of corporality” (Ragozina, 2020), continues to be Michel Foucault’s biopower concept. In a simple definition that does not seek to engage with recent theoretical and even ideological complexities, biopower can be understood as the power exercised over life or where human beings as living species become the object of power. Foucault himself identified biopower as the “right to decide life and death” as a defining characteristic of sovereign power. While in modern times, the direct form of the exercise of such power has been the right to “expose life”, Foucault argued that if “someone dared to rise up against him [sovereign power] and transgress his laws, then he could exercise a direct power over the offender’s life: as punishment, the latter would be put to death” (Foucault, 1978).

Foucault discussed some biopolitical aspects of medieval Christianity, yet argued that it was only with the advent of modern sovereignty that biopower, as a manifestation of the disciplining function of the state, became the dominant form of the exercise of power (Foucault, 1978). Such biopolitical potentials are even more expressive in the case of Islam, in which there are extensive regulations and practices to control the body. However, to reiterate the argument stated above, the sacred text and the Islamic tradition is replete with moral-legal statements that are conflicting, highly contextual and deeply associated with immensely diverse local custom. Many hardline Islamic jurists in the past centuries have indeed discussed Hijab as a necessity to ward off threats against the moral and social well-being of Muslim societies. But those jurists never held power directly and always served as mentors, advisors, or ideological supporters of secular governments. Furthermore, the Islamic tradition never imagined women’s clothing as a political threat against the state’s authority and never devised emergency legal tools to deal with such a threat.

This paper argues that in the case of the Islamic Republic of Iran, Hijab has become a biopolitical practice that imposes special regulations in the name of an emergency security situation that threatens the survival of the state. The existing literature cannot grasp this biopolitical aspect of Islamic veiling, while to understand and explain the Iranian case, it is absolutely necessary to see the problematic of the Hijab at the crossroad of tradition, cultural crises of societies in transition toward modernity and, above all, the sovereign power.

The connection between biopower and security is abundantly clear in the writings of Foucault, where he simply refers to the notion as “dispositif de sécurité. For Foucault, biopower is a characteristic of modern sovereignty and a novel, unprecedented feature of power. His argument can well fit into the case of the Hijab in contemporary Iran, where despite similarities between the ideological language of the laws and propaganda concerning women’s attire and state’s practices, the differences between religious obligations and the policy of imposing veiling on all female citizens and even female foreign travellers to the coun-
try, regardless of their faiths, cannot be ignored.

While the purpose of biopower practices is the “administration of bodies and the calculated management of life” through detailed and extensive laws and regulations, Foucault highlights the contradictory consequences of biopolitics. The main function of biopower as a form of power aimed at administering life is to “ensure, sustain and multiply life. The goal can only be achieved if citizens respect the authority and the laws of the state; those who refuse to submit are enemies that threaten society and the life of the population. The shift from the survival of the individual to that of the whole population as a biological concept, devoid of any moral or political reference, reveals the contradictory logic of biopolitics as something that ultimately leads to destruction, killing and even genocide. Thus, biopower transforms from a power intended to guarantee life to one that kills, or to connect it to Foucault’s general discussion of political power in “Society Must Be Defended”, to repression (Foucault, 1975).

Foucault’s non-economic analysis of political power in the above-mentioned work is also relevant to the general discussion of the question of the Hijab in Iran in another way. Reversing Clausewitz’s famous dictum “war is the continuation of politics with other means”, Foucault argued that politics is the continuation of war with other means. In Foucault’s eyes, the two main forms of the exercise of power are repression and war. In other words, power is something that represses and makes war with the aim of reproducing the relationship of force under the condition of disequilibrium that characterizes political struggles over power. Thus, the state’s repression under conditions of peace becomes the continuation of war, or a form of “silent war”, that seeks to impose relationships of force on political opponents and the society at large.

In what follows, this paper will investigate the development and later evolution of compulsory Hijab in Iran according to these two general frameworks. The argument is that the imposition of Islamic veiling on women was both a biopolitical practice intended to control the bodies and administer lives as something affecting the security of the state and its development, at least in its earlier phases (1979-1983), was directly related to the struggles over power among various post-revolutionary force. In light of these internal violent competitions, the question of women’s clothing found a political use in a wider totalitarian project of monopolizing power and silencing all socio-political rivals by forcing the Hijab as the symbol of the preferred lifestyle of the winners of the power struggle on people.

3. Compulsory Hijab in Iran

Like many Muslim nations, the driving force of Iranian history, since at least the late 19th century, has been a struggle between modernists and traditionalists. They joined briefly during the Constitutional Revolution of 1906 against the despotic monarchy. The alliance, however, was short-lived. The reforms advocated by the modernists included, among other things, the equality of men and
women before the law and modern education for girls. In an indictment issued by an influential religious figure who initially supported the revolution but then changed sides to advocate the restitution of monarchical despotism, accusations about the plan to corrupt the soul of the Muslims by allowing for women’s rights and freedoms loomed largely (Dezfuli, 2016).

The collapse of the central authority and civil strife following the Constitutional Revolution led to the replacement of the Qajar dynasty with the modernist Pahlavi regime. In his 16 years of reign, Reza Shah Pahlavi (1925-1941) embarked on a massive project of modernization that set up a stable national government in Iran and created the institutions of a modern state that curbed the traditional political, judicial and educational powers of the clergy. Nonetheless, what consolidated his image as an anti-religious modernist was the 1936 law banning wearing the Chador (traditional attire of urban Muslim women in Iran in the shape of a black cloth that covered their bodies) in public (Mir-Hosseini, 2007).

Around the same time, many Muslim societies adopted similar initiatives toward the relaxation of traditional constraints against women, often with the state’s intervention. What was remarkable in the case of Iran was that the law did not ban the Hijab itself, as its content was specifically directed toward a particular form of women’s clothing (Chador. Yet, since in the minds of almost all urban sectors of Iranian society, the only acceptable form of Islamic veiling was Chador, the ban on wearing it in public was subjectively understood as the outlawing of the Hijab itself.

Although the ban was lifted following Reza Shah’s downfall following the Soviets and British invasion of Iran in 1941, women’s freedoms remain a thorny issue in the relations between the modernist state and its religious opposition throughout the reign of his son and successor, Mohammad Reza Shah Pahlavi (1941-1979).

In the discourse of the Marxist-Islamist opposition that gradually formed in those three decades, the questions of independence, identity and resistance against foreign cultural influence had a special place. Emancipation of women and improvement in their socio-economic conditions were among the declared objectives of a series of reforms in the 1960s, known collectively as the “White Revolution of the Shah and the People. On the other hand, the opposition tried to depict Hijab as a symbol of women’s resistance against a hated regime and their willingness to save a native culture under assault by foreign encroachments.

The literature produced by the opposition during the Shah’s reign on the question of the Hijab falls into two broad categories. One group of works tried to update and reformulate the traditional position of Sharia about Muslim women’s clothing. Morteza Motahari, an influential clergyman who, as a disciple of Khomeini, had strong ties to the Islamist opposition, represented this group. In “The Question of Hijab”, he transformed Sharia’s reasonings on the necessity of women’s confinement into a rationale about protecting women as defenseless persons under threat of violence due to their appearance (Motahari, 2021). It is
noteworthy that alongside arguments about the protective aspects of Islamic veiling, Motahari asserts that because of their nature, women like to show off their beauty, which is a provocative behavior in his mind. Thus, his remarks on Hijab ultimately reproduce important features of the traditional Sharia’s position concerning the necessity of confining women.

The second response was characterized by Ali Shariati’s works, which appealed to a younger generation of educated Muslims. For him, Hijab was not a value because of its religious sanctions. It was an item in a wider political and cultural agenda as a symbol of the native culture, resistance against the Shah and imperialism and an expression of identity (Shariati, 1981).

The point about these debates on the Islamic veil is that their tone and ideological direction fell within the same general attitude in other Islamic countries discussed above. Hijab was contentious both as a religious obligation and as an ideological battleground. In the years and months before the 1979 revolution, when Khomeini was trying to build the broadest possible coalition of anti-Shah forces, he was careful not to take a position on the question of Hijab too close to the hardline clergies and their constraining approaches toward women’s rights.

Things, however, began to change quickly after the revolution. The Islamists in power soon found themselves in the midst of violent clashes with other revolutionaries over the capture of political power. Remarkably, the power struggles that ensued among various Islamists, nationalists and Marxists groups in post-revolutionary Iran were marked, at each stage, by socio-political and legal campaigns to impose Hijab as the main feature of the preferred lifestyle of Islamists on people. The parallel between the violent process of monopolizing power and the imposition of the Islamists’ preferred dress code testifies to the nature of the Hijab in Iran as a biopolitical tool in the hands of a totalitarian ideology and state.

Only a few days after the revolution, armed provocations were reported among the minority Sunni Turkmen in northeastern Iran (Moaddel, 1991). In early March 1979, less than a month after the revolution and while armed clashes continued in Turkmen Sahra, Khomeini harshly criticized the endurance of “monarchy’s manifestations,” by which he meant unveiled female employees of the state bureaucracy. The Etelaat newspaper reported Khomeini’s speech in its March 6 edition: “Muslim women should come out [of their houses] with Hijab; they should not do [facial] make-up. It is not illegal for them to work, but they should wear Islamic Hijab... They have reported to me that women are naked in governmental departments; this is against Sharia” (Sadr, 2013).

In response to Khomeini’s speech, thousands of female state employees, other female students, and socio-political activists took to the streets on March 8, 1979 (International Day of Women). Their chants, “we do not want despotism” and “we do not want forced Chador,” clearly indicate the awareness about the power and political origins of the calls for the Hijab. Some intellectuals also realized the drive toward monopolization of power behind the campaign for the Islamic veil.
Ali-Asghar Haj Seyed Javadi, a member of the Nehzat-E-Azadi (Freedom Movement; a liberal political party whose general secretary, Mahdi Bazargan, had formed the post-revolutionary provisional government), wrote in the March 10th edition of Etelaat that: “The basic goal is nothing but to monopolize the religious authority in the hands of a few… They allow people who claim responsibility for maintaining order in the streets to use Hijab as a pretext to do violence against women” (Eteleat, 1979).

The passionate resistance against Khomeini’s Hijab order led some people close to him to deny any plan to impose the Islamic veil publicly. Seyed Mahmoud Taleghani, a liberal clergyman who had spent years in Shah’s prisons, insisted on the Quranic obligation to wear Hijab but assured women that the state does not actively pursue any policy to force it. Nevertheless, the push toward Hijab was simply transferred from a political to a social reality. Over the Spring months of 1979, multiple incidents of public violence and harassment against unveiled women by the fanatic mob were reported. The mob was chanting “Ya Rosary, Ya TooSari” (either headscarf or slap in the head. In a notable example, Farzaneh Taedy, an actress, said that several young men attacked her with scissors, and they intended to cut her hair (Eteleat, 1979).

The relationship between the biopower aspects of the Hijab and the state’s security became apparent when Islamists began to link the social resistance against the imposition of the veil to the schemes of the anti-revolutionaries. Noor-Ali Tabandeh, a lawyer and a political activist close to Islamists, resorted to legal reasoning based on the laws of the state to argue in favor of forced veiling when he claimed that everywhere in the world, there are rules about the “minimum required clothing” violation of which will not be tolerated. Makarem Shirazi, another influential clergyman close to Khomeini, called anti-Hijab demonstrations “anti-revolutionary scenes” (Sadr, 2013). Khomeini himself did not lose any chance in his public speeches over those months to instigate the mob against the lifestyles of unveiled women and its alleged relationship to the old political order and even those whom he called anti-revolutionaries (EnsafNews, 2018).

Over the next year and a half, power struggles intensified, with the first climax coming when a group of university students close to the Islamists stormed the U.S. embassy in November 1979. The new constitution containing the principle of the rule by the jurist (Velayat-E-Faqih) was put to a referendum and ratified (December 1979) under a general sense of fear and uncertainty over political instability. Despite this success, Islamists failed to score a clear win during the parliamentary and presidential elections held two months later in February 1980. The new president, Abolhasan Banisadr, allied with nationalists and Marxists against the Islamists, which triggered a new round of violent rivalries among the post-revolutionary power contenders.

Under renewed factional struggles to capture political power, campaigns for Hijab reinvigorate. Khomeini, who was silent on the question of the veil for almost a year, heavily criticized Banisadr’s government in June 1980 for its failure...
to remove signs of the monarchy (unveiled employees) in governmental departments. He issues a ten-day ultimatum for the government to “Islamize” those departments (Khomeini, 2022). In response to his agitations, The Council of Revolution, a body of non-elected religious and political luminaries with dubious constitutional status that had extra-legal legislative powers, ordered that all female employees of the state could only go to work if they observe the rules of Islamic clothing.

Women again took to the streets to protest the decision. This time, however, the revolutionary regime was stable enough to suppress them violently. The state used members of Komite (a branch of the police force set up by the revolutionaries themselves from among the young people with ties to the Islamists) to crack down on protestors and arrested many of them. This tactic began the police force’s special authorities to enforce the laws of the Hijab and the so-called Islamic lifestyle that continued over the next four decades. Nonetheless, the important point about the developments of the Summer of 1981 is that no specific way of clothing, or a uniform, was introduced as the preferred form of Islamic Hijab. The Council of Revolution’s order only stipulated that female employees should cover their bodies and hair. The Islamic regime was still not strong enough to impose a Chador or coats (Manteau), which later became the only acceptable forms of the Hijab in Iran.

This is an important aspect of the biopolitical nature of the Hijab in Iran. Foucault made it clear that biopower practices do not follow any perfect logic or pre-determined design as they develop in response to contingencies or unintended change. These practices are contingent, temporary achievements, as we shall see in the case of the Islamic dress code in Iran, that go through many slippages, breakages, shifts and revisions. They cannot be anticipated by the designers of biopower practices and policies, although they may be able to offer suitable responses to them that save the original biopolitical objectives (Foucault, 1978).

The beginning of the Iran-Iraq war in September 1980 radicalized the socio-political climate to the point that led to a final armed confrontation between the Islamists and the Marxist supporters of President Banisadr in June 1980. It is noteworthy how this armed clash that concluded with the Marxist MEK (Mojahedin-E-Khalgh) expulsion from Iran and the overthrow of Banisadr bolstered the push for Hijab. At around the same time that Parliament gave a vote of no confidence to Banisadr toward the end of June 1981, police warned restaurants and other public stores not to accept unveiled women in honor of the holy month of Ramadan (Sadr, 2013). Further modifications in the form of the Hijab happened when under the short-lived government of Banisadr’s successor as president, Mohammad-Ali Jajai, a regulation was circulated among all government departments that, for the first time, defined exactly the kind of Islamic dress approved by the state.

The Summer 1981 regulations introduced long coats (Manteau), trousers and headscarves as the only official form of dress for women in public spaces, along with a black Chador that symbolized “superior Hijab. These regulations also
called on women not to appear with facial makeup in public and to cover the soles of their feet with thick, black socks (Kar, 2006). This uniform was certainly an innovation in terms of the Islamic dress code. The pieces of cloth thus associated with the traditional value of women’s veiling had no precedent in earlier formulations of the Hijab; they were, in the words of Foucault, contingent practices developed in response to unanticipated socio-political occurrences.

It was mentioned earlier that the sacred text or religious and juristical traditions are unable to regulate an exact form or policy regarding Hijab due to their vagueness and contextual nature. It was almost impossible for the new Islamic Republic in Iran to define the extent and the terms of the Hijab it intended to make compulsory based on those sources, especially given that many Shia jurists did not even recognize the legitimacy of any government not presided over by an infallible Imam. While the Islamist revolutionaries were trying so hard to convince that large group of the faithful of the legitimacy of an Islamic government at “the time of the absence” (Asre-E-Gheibat), using state power and coercion in the form of laws, police force, and punishment to enforce the rules of God could and indeed was met with religious reactions.

The state responded by toning down religious justifications for its Hijab policy and highlighting the social aspects, such as the necessity to protect defenseless women against harassment. Whenever challenged, however, the state was hiding behind its authority and security to refuse any compromise on the question of forced veiling. Many political clergymen during the height of power struggles in the early 1980s linked, in their sermons, the failure or success of the new regime with the progress made in imposing the Hijab on women (Mir-Hosseini, 1999). In one notable example, Hashemi Rafsanjani, the powerful speaker of the Parliament in the 1980s, complained that women hold the state’s authority in contempt by letting their hairs out and warned, “we have promised Hezbollah [a code name for the social power base of the Islamic regime among the religious sectors of the society] that they [women who did not observe correctly the laws of Hijab] will behave. It seems that they need a bit of violence” (EnsafNews, 2018).

In 1983, the final remnants of non-Islamist power contenders were removed from the political scene when the leadership of the Marxist Toudeh (masses) party were arrested on espionage charges for the Soviet Union. A few weeks later, the Iranian parliament passed the Code of Taazirat (punishments. Article 102 of the new code, which was soon incorporated into an amended version of Iran’s criminal code (1983), established the legal foundation of compulsory Hijab by stipulating that: “Anyone who pretends to do an act which is religiously forbidden will be punished by 74 strokes of flag or imprisonment from 10 days to two months.

4. Resistance against Compulsory Hijab

It was argued above that the policy of making the Hijab compulsory for Iranian women went hand in hand, in the first four years after the 1979 revolution, with
a violent process of consolidating the Islamists' hold on power, driving out other contenders and the capture of the state organs.

The new political arrangement after 1983 guaranteed that Iranian domestic politics was now defined in terms of a restricted and controlled competition between two broad coalitions inside the Islamist camp that in the 1990s came to be known as reformists and conservatives (later Principalists. The consolidation of the new arrangement also meant that debates over the question of women's rights and especially the Hijab, could no longer follow an earlier path of challenging the Islamic dress code entirely since the ruling tyranny would not allow and respond heavy-handedly to any open political or legal discussion of an issue considered to be so vital for the security and authority of the state. The Iranian civil society, however, found innovative ways to challenge aspects of compulsory Hijab even within the restrictive discourse of Islamists in power by using internal discords between the main two political coalitions to the benefit of relaxing some of the most constraining practices.

Foucault's theory alludes to the breakages and revisions in biopower practices in response to contingencies. In the case of Iran, such contingencies took an interesting shape. Social and cultural transformations accelerated following the end of the Iran-Iraq war and Khomeini's death in late 1980. The Iranian women silently began to resist the rigid rules of the Islamic dress code by pushing back the limits, especially by subjecting their forced uniforms to fashion. Soon many styles of coats and headscarves began to emerge, challenging the official definitions of the Hijab. One other conspicuous manifestation of the irresistible force of changes came with a growing trend among women, especially the younger generation, to replace "the superior Hijab" (Chador) with a manteau. The state propaganda was promoting Chador as the ultimate form of the Islamic veil; women's choice of manteau instead of Chador would inevitably translate as a blow against that propaganda and the authority of the state.

The concept of inappropriate or "bad" Hijab emerged as the result of the same creative forms of resistance against the state's biopower practice. While pre-1983 debates revolved around the Hijab versus lack of it, after the consolidation of power and the legalization of compulsory Hijab, redefinitions of the official dress code by women became the main challenge in the state-society relation. The initial response was the usual harsh tactics. The police force (Komite) was employed to enforce the rules of the official dress for women, and the punishments enacted for the lack of Hijab were regularly implemented in the case of inappropriate Hijab. Nevertheless, breakages began to appear. With the coming of age of a generation born immediately before or after the revolution, the wave of changes became inevitable. In parallel with these social transformations, cleavages began to intensify in the ruling Islamist camp that revealed discords among its various factions.

One consequence of the development of biopower, in the eyes of Foucault, is the metamorphosis of law into norms (Foucault, 1978). Manifested by the sword
in the hands of the sovereign ready to kill those who transgress, the law is always associated with punishment; yet biopower dedicated to administering, sustaining and multiplying life would need non-juridical regulatory and corrective mechanisms to bring lives into the realm of “value and utility. The sovereign power must leash its murderous majesty not to let disobedient subjects turn to enemies. Thus, the will and demands of the sovereign power would better be expressed through moral norms than rigid, definitive laws.

The Islamic Republic modified its approach in the mid-1990s by dismantling the Komites and amending the criminal code by replacing corporal punishment and imprisonment with a monetary fine in the case of inappropriate Hijab (1996. The sweeping efforts to impose the Islamic lifestyle on people took a serious hit when, in 1997, an unexpected electoral victory by reformists led to the temporary opening up of the political space and the rise of a discourse on peoples’ rights.

While earlier bans on discussing compulsory Hijab in the media were discarded, debates still had to be formulated in a general revolutionary discourse relaxed and modified to a point by reformists to allow limited discussions of socio-cultural rights. Most of the initial debates revolved around the religious sanctions of compulsory Hijab. In one case, Farhad Behbahani contrasted the logic of sin as a religious wrongdoing and that of crime as a social one. He questioned the religiosity of employing criminal law tools (punishment) to deal with a sin (not observing the Islamic veil) (Neshat Newspaper, 1999). Hasan Yousefi Eshkevari, a junior Shia cleric, offered an argument based on the difference between two types of Islamic rules (Ahkam. He wrote that those rules enacted originally by Islam are impervious to changes due to time and space, while social mores and customs that have simply been endorsed by Islam, like Hijab, are subject to changeable social and temporal contexts (Eshkevari, 2016).

The state soon became alarmed over the extent and intensity of attacks against its Hijab policy, especially when critics began to target the power political core of it. In one example, Abdollah Nouri, who had to resign as the reformist President Khatami’s interior minister and was later on put on trial for a number of charges, including his position on Hijab, attributed the state’s policy in that matter to despotic inclination. His proposal that the state should accept the reality of social diversity and difference directly targeted the totalitarian foundations of the Islamic regime’s ideology and policy. The Islamic Republic had consistently tried in the past to avoid most of the discussions on the religious grounds of compulsory Hijab, even for non-Muslim citizens, by justifying it in terms of the laws of the state. In 2003, Shirin Ebadi, the winner of the Noble peace prize, attended a conference in Paris without wearing the veil. When attacked for her insult to Islamic values, she simply turned the state’s logic against itself by arguing that the laws of Iran are not applicable outside its jurisdiction (Mir-Hosseini, 2003).

Toward the end of Khatami’s presidency, when the public lost patience with the failed reform, the state saw the time ripe for a counter-attack. The Supreme
Council of Cultural Revolution, another un-elected body with constitutionally dubious legislative powers, passed the Hijab and Chastity promotion law in 2003. Two years later, when the hardliner Mahmoud Ahmadinezhad came to power on a platform of revitalizing revolutionary values, the law became a foundation upon which the state re-activated components of its earlier police action against improper Hijab that was thought to weaken the hold of the regime on power.

To go back to Foucault’s argument on the metamorphosis of the law into norms, this time, the nature of the police action to curb manifestations of improper Hijab was different. Foucault also showed how tools such as surveillance and profiling are helping the sovereign state to gather data about its subjects and control their behaviors through comprehensive regulations (Foucault, 1978). The Morality police, later known as Guidance Patrols, began its operations in 2005. The officers of this branch of the police force were stationed in the streets of many towns and cities across the country. They were authorized to stop the women with improper hijabs and transfer them for a couple of hours to the Morality Police headquarters. There, these women would have been taught about the dress codes and later released after signing forms pledging to observe proper hijabs.

On the surface, the new approach seemed to de-emphasize the legal aspects of the policy to force the Islamic veil on women in favor of a normative one intended to teach and convince. Soon, however, the nature of the entire operation as something administered by the coercive police powers turned it into an increasingly violent enterprise. Throughout almost twenty years of operations, tens of thousands of Iranian women have been detained by the Morality Police; the reports of physical abuse in many cases reflected on the unofficial (in some cases even in the official) media and met with angry public reaction. In one famous example, Zahra Bani-Yaghoub, a young medical student, was arrested by the Guidance Patrols in the city of Hamadan (Western Iran) and later found dead in prison. The Iranian Judicial system attributed her death to suicide and then changed the official narrative to death due to a heart seizure (Radio Farda, 2008).

Also, the renewed efforts to revitalize coercive policies in regard to Hijab became one of the most contentious issues in an already highly tenuous electoral politics due to the intensification of power struggles between two camps of reformists and principalists. As a populist who was always conscientious of the shifts and swings in the public mood, Ahmadinezhad himself was reluctant to identify his administration with the Guidance Patrols and restrictive social policies. His famous remarks that the hair of women is not an issue for the country (Baharnews, 2022), surprised both the people and his staunchest hardline supporter. Yet in a broader socio-political context, while the public regarded the Principalist governments of Ahmadinezhad and later Ibrahim Raisi (2021-present) as promoting restrictive policies in regard to women’s rights, the reformist administration of Rouhani presented itself as opposing such practices and favoring
a relaxation of constraints, including the operation of the Morality Police. Hasan Rouhani, who was allegedly one of the avid advocates of the forced Hijab in the early years of the revolution, famously said during his presidency in the 2010s: “we have turned Hijab into a stick over the head of women” (Donyaye Eghtesad, 2019).

It was mentioned at the beginning of this paper that the urban riots of December 2017 radically shifted Iran’s political climate and discourse. Before December 2017, all manifestations of opposition and protest against the Islamic Republic were framed within the usual political campings inside the regime and within the context of the rivalry between two opposing groups of reformists and principalists. In December 2017, people rose up against the Islamic Republic and developed a political discourse denying the regime’s legitimacy in its entirety. This shift away from the regime, its ideology and its claim to legitimate mandate to rule were manifested in the famous slogan of the protesters: “O, reformists, O principalists, It is over for you. It is also notable how this cataclysmic alteration in the political discourse and the beginning of the political campaign to overthrow the regime affected public attitudes toward the question of the Hijab.

Just in the same way that the Islamists monopolized power by their campaign to impose forced veiling on women, the public departure from the usual post-1983 political arrangement and the popularization of the regime change discourse was marked by radical social changes in the question of Hijab and not just draconian constraining regulations about women’s clothing. On December 27, just a day before the outbreak of urban riots in more than 100 towns across Iran, a 31-years-old woman named Vida Movahed removed her headscarf in the Enghelab (revolution) street in central Tehran and stood in protest against Hijab until the police arrested her. Her action inspired other young women during what came to be known as the Girls of the Enghelab Street campaign, in which 29 women were arrested and put on trial for the same action of removing their headscarves in public (Euro News, 2018).

The shift toward regime change discourse in various general and local waves of uprisings all across Iran in the past five years began, reinforced and now is taken to another level by a reformulation of popular demands in the case of women’s clothing from a position of cooperation with reformist agendas to ease the restrictive regulations while accepting the legality of compulsory Hijab to one that challenges it all together in favor of freedom of clothing.

The state’s reaction to the most serious challenge against its authority has been reviving the usual securitization response. The judicial authorities warned in 2018 that the girls of Enghelab street would be tried on charges of acting against national security (BBC Persian, 2018). The Islamic Republic’s Supreme Leader also tried on many occasions to reiterate the same security concerns over social resistance against Hijab by linking resistant women to what he calls “the enemies. In March 2018, he reacted to the Girls of the Enghelab Street campaign by saying that those who question “compulsory Hijab” are following the enemy’s
line. A few months later, he made it clear during a public speech that opposition to forced veiling is not just a religious issue but, more important than that, an affront to the authority of the Islamic regime. More recently, in as early Summer of 2022, he linked critiques of forced Hijab to the American and British media and propaganda machines (Khamenei, 2022).

It is clear that the forced Hijab is so entangled with the identity of the Islamic Republic that any policy change will inevitably be interpreted as a serious blow to the authority of the state and its biopower. The Iranian regime has been unwilling to show signs of compromise despite the most unprecedented wave of protests in the past four decades. It became apparent when a few days after the outbreak of massive protests following Mahsa Amini’s death, an official in the Islamic Propaganda Organization warned that “We will not back down in the question of Hijab. The enemy wants to break Hijab as a symbol” (Manoto News, 2022). It remains to be seen if and how the Islamic Republic can survive the challenge to its authority due to popular resistance against its biopolitics.

5. Conclusion

This paper explored the existing literature on the question of the Hijab both from a negative and positive perspective. The argument put forward is that the current scholarship cannot fully grasp the nature of the compulsory Hijab policy in Iran due to a lack of enough attention to the factor of political, or to be more precise biopolitical, intervention of the state to control women’s bodies and their lives through regulations intended to administer their clothing in public.

The Iranian Hijab policy after the 1979 revolution offers an invaluable case to study the connection between Hijab and biopower in that the imposition of the Islamic veiling was closely related to power struggles in the first four years after the revolution. Each stage of the process of the monopolization of political power by the Islamists following the revolution was marked by campaigns to force women to observe the rules of the religious Hijab by resorting to security arguments that linked the women’s lifestyles and clothing to the security of the state and the schemes of the anti-revolutionary.

Based on recent political developments in Iran, it is also evident that successive waves of challenges against the state authority in the past seven years are also tightly related to the emergence of new discourses on the question of the Hijab that resists the biopolitical state practices.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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https://doi.org/10.1007/978-1-137-04378-8


DOI: 10.4236/ojps.2024.143029

529 Open Journal of Political Science


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