6. Temporary Marriage: an Islamic discourse on female sexuality in Iran

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On a cold November day in 1990 the Iranian President, Mr Hashemi Rafsanjani, stunned his huge audience by a speech he delivered as his Friday sermon. Perhaps for the first time in the history of Islam, in clear, deliberate, and unambiguous terms, a political/religious leader formally acknowledged female sexuality, and suggested that women should feel secure enough to initiate a relationship when they felt the need. From the public pulpit of Friday Prayers, by far the most influential public forum in post-revolutionary Iran, where some of the most crucial policies are announced, President Rafsanjani reviewed the suppression of female sexuality by placing it within an Islamic framework. He said: ‘Take, for example, the sexual instinct that God has given us. Some think that if we abstain from satisfying our needs and deprive ourselves from sexual gratification, then this is very good. Well, this is not so. It is wrong. It is anti-Islamic.’ Elaborating on this, he said: ‘If we had a healthy society, then the situation of all these widows we now have [that is, the women widowed in the Iran–Iraq war] would be very different. Then, when they [widows] felt the [sexual] need, niaz, they could approach one of their friends or relatives from a position of confidence and invite him to marry them temporarily, ezdavaj-e movaqqat. This they could do without fear of being shamed or ostracized by others.’ Having first invoked the divine blessing, Mr Rafsanjani then appealed to nature for further legitimacy: ‘Going against nature [one’s nature],’ he said, ‘is absolutely wrong.’

Mr Rafsanjani underscored these themes when he turned his attention to youth and argued:

Nowadays, in our [modern] society young people mature at the age of 15, and sexual needs are awakened in them . . . Our college students are constantly exposed to the opposite sex in the schools, universities, parks, buses, bazaars and the workplace. They are continuously stimulated [by proximity], but have no recourse. Who says this is right? Presently, in our society for our youth to remain pure and honorable, and to respect the societal norms [of chastity and virginity] implies remaining unsatisfied until they are 25 or 30 years old [before they can marry permanently]. They will have to deprive themselves of their natural desires. Deprivation is harmful. Who says this [deprivation] is correct? Well, God didn’t say that this need should not be satisfied. The Prophet didn’t say so. The Quran doesn’t say so. The whole world doesn’t say so either. Besides, if one is deprived, then harmful psychological and physical consequences will follow. Science has proven this. To fight nature is wrong.3

Admonishing some unnamed self-righteous zealots, who make it their business to set people on the right path, he went on: ‘We ourselves create wrong cultural perceptions in our heads and think that this is the right way. The whole thing is in our heads. And we assume [wrongly] that this [sexual relation] is shameful for all.’4

Mr Rafsanjani then proposed a solution that apparently left many people confused and at odds with their long-held moral values and cultural expectations. He suggested that the young men and women who might feel shy about going to a mulla5 to register their temporary marriage need not do so. They can agree among themselves—that is, in a private contract—to be together for a month or two. If the performance of the marriage ceremony in Arabic is difficult, he suggested, ‘the young couple can recite the formula in Persian and in the absence of a mulla or other witnesses.’6 By upholding the efficacy of private and verbal contracts at this level, Mr Rafsanjani effectively, but indirectly, challenged issues of parental authority and virginity, thus transgressing sanctioned cultural boundaries.

Mr Rafsanjani’s provocative public speech made news headlines in Iran and abroad. It set off a lively debate in the local press, and heated arguments in public and private gatherings both inside and outside of the country. It resulted in an outpouring of printed texts and public discussions that expressed contested views on the institution of temporary marriage, female sexuality, marital fidelity...
and stability, and the sexuality of youth, subjects that have never before been so publicly, intensely, and persistently debated in the Iranian press. Prominent men and women were interviewed and their opinions solicited. It took an event of the magnitude of the Persian Gulf war to overshadow the growing public discussion of sexuality in Iran.

What are the issues involved here? Is Mr Rafsanjani more ‘progressive’, or ‘modern’ than the Shah? How is it that the political/religious leaders in Shi’i Iran seem to champion the right of women to sexual satisfaction, and attempt to revolutionize the relationship between young men and women? How does the issue of women’s virginity, one of the most sacred cultural values, figure in this new formulation of gender relations? Are Rafsanjani’s comments inconsistent with Islamic tradition in general and that of the Shi’is in particular? Is he giving a new interpretation to the institution of temporary marriage, or is he simply following a well-established but little understood Shi’i Islamic tradition?

My objective in this chapter is to render Mr Rafsanjani’s apparently surprising comments culturally meaningful. I will do so by referring to the historical interaction between the competing discourses of ‘modernity’ and ‘Islam’ under the Pahlavis (1925–79) and the Islamic regime in Iran respectively. Focusing on the state’s rejection of, or support for, the institutions of temporary marriage and veiling, I will draw attention to the different ideologically supported interpretations of veiling and female sexuality each regime advanced. In the process I will attempt to dispel the monolithic perception of female passivity and of uniformity of sexual ethics in Iran. I will argue that although Mr Rafsanjani’s statements may sound surprising, given the projected puritanical image of the state, they are not a radical departure from the Shi’i Islamic tradition.

Contested Sexuality: State vs the Public
The range of reactions to Rafsanjani’s proclamations clustered, for the most part, around two diametrically opposed poles: those who supported temporary marriage and the president’s interpretation of it, and those who objected to both.

The leading Iranian ‘feminist’ magazine, Zan-e Ruz (Modern Woman), took the lead in opposing Mr Rafsanjani’s recommendations. In an editorial, Zan-e Ruz vehemently objected to the president’s comments, arguing: ‘One cannot of course deny human drives. But if men and women agree to get together for one, two, or three months, then what is the difference between this and male–female relationships in the West? Besides, what kind of human beings will they turn out to be, those men and women who keep making contracts of temporary marriage?’ Zan-e Ruz further criticized the president for ignoring the role of ‘love’, ‘eshaq’, in marriage. ‘Should repressed needs in our society be considered only in their sexual dimension?’ they queried. ‘What will happen to children born of such marriages? How are we to respond to the psychological, moral, and hygienic problems associated with this form of marriage?’ Zan-e Ruz was deluged by mail and telephone calls from its readers who expressed support for, or opposition to, the institution of temporary marriage and the president’s comments.

On the opposite side, the editorials of the daily newspaper Kayhan welcomed Mr Rafsanjani’s proposals and argued:

If, on the one hand, we accept the fact that we cannot and must not leave sexual desire unfulfilled, and if, on the other hand, we accept the fact that we must fight hard against all the corruption and decadence that lead a society into disaster, then we have no choice but to propose correct ways for the gratification of unavoidable sexual needs. Blocking such solutions will mean leading our society toward decadence.9

This newspaper also provided a public forum for debating the subject, and carried a series of articles and letters sent in by readers. One correspondent wrote:

We regret that this solution has been suggested for college students. How can an educated youth who has understood the real meaning of marriage agree to make a contract of temporary marriage merely to satisfy his10 sexual desire—and only for a short period of time? Wouldn’t it have been better [for Rafsanjani] to have referred to the Prophet Mohammad who has said: ‘O youth, whichever of you can marry should do so, and he who does not have the means should fast, and fight his concupiscence.’ Before [the publicity granted to temporary marriage], if we were suspicious of illegitimate relations between a couple we could conduct an investigation to discover the truth. But now all options are blocked, and merely by saying that
we now have [permitted] temporary marriage' the problem is perceived to be resolved.

Identifying temporary marriage as promiscuity, he went on: 'Has promiscuity reached such a level in this Islamic society as to necessitate a discussion of temporary marriage? If this is so, then what is the difference between our Islamic society and the West?'

Readers not only reacted to the president's comments, but also challenged each other's positions. They argued against long-held 'wrong' assumptions and misunderstandings. In a rebuttal to a letter entitled: 'Temporary Marriage: the Problem or the Solution', a reader made the following statement in support of temporary marriage. 'First of all,' he wrote, 'a young couple who have become intimate with each other can use their mutual knowledge and understanding, something lacking in permanent marriage, to change their temporary marriage into a permanent one.' Challenging the view that maintains temporary marriage is a cloak for illicit male–female relations, he continued: 'Even if we assume that this [temporary marriage] is a form of corruption, ifesad, with all those rules and regulations it is much more restricted and reasonable than prostitution.' Appealing to human nature, he further argued, 'Which law or what religion has the right to prevent or suppress this very basic human right and human instinct (to fulfillment of sexuality)?'

The significance of this ongoing debate on temporary marriage, mu'a (sigheh in colloquial Persian), should be understood within the context of the history of westernization and modernization in Iran. The modern Iranian nation-state gradually emerged as a result of European imperial penetration, interaction with the West, internal intellectual developments and sociopolitical changes that culminated in the Constitutional Revolution of 1905–6. In the process, the intimate relationship that traditionally existed between the state and religion—imaginatively conceptualized as 'ventriloquial' by Tavakoli-Targhi—was fundamentally restructured. Since the mid-nineteenth century the two discourses of modernity and Islam have existed in dialectical tension in Iran. They have concurrently acted and reacted against strategies adopted, and policies formulated and implemented by the other. Through their respective religious, political, and intellectual rhetoric they have defined and redefined themselves vis-à-vis the other, formulating meanings and constraints within which they operate. In the course of the twentieth century the discourse of modernity gradually became hegemonic, forcing the Islamic discourse to 'lie low' and become, eventually, a 'counter-discourse.' After the revolution of 1979, however, the Islamic discourse regained its long-standing earlier hegemony, but with a difference. Responding to a new configuration of relations of power (and knowledge), this new Islamic discourse has passed through the prism of modernity and has emerged, like everything else in the society, transformed, restructured, and reconstructed.

The pace of modernization was accelerated by the Pahlavi regimes (1925–79) which tried to westernize the society, to secularize its legal and educational institutions, and to unveil its women. From 1936, when the state mandated removal of the veil, until the revolution of 1979, when the state required them to put the veil back again, many Iranian women took advantage of the relaxation in the veiling law and began to appear unveiled in public.

The growing numbers of unveiled women in public and the increasing visual representations of them in the media generated hardly any well coordinated and recognizable public debate or discourse on female sexuality or on gender relations. Issues of women's welfare and changes in family law gradually began to be discussed in parliament and a few select magazines, but there was an overall silence—even discouragement—on the subject of sexual needs. There was little discussion and suggestion for ways to meet these needs, which in the case of men were used as justification for polygyny. Increasingly, young men and women were participating in coeducational colleges and schools, had greater opportunities to socialize in public, and were frequenting the same social space. In a society in which 'proper' social contact between men and women—outside of the limited boundaries of blood or marital relations—is religiously problematic, urban men and women were left without culturally legitimate role-models. The issue of female virginity was (and is) so important that women who took the risk of becoming intimate with a male friend would seriously compromise their chances of marriage—particularly with the same man. Consequently, despite the apparent public tolerance of the association between the sexes, an underrun of resentment and disapproval persisted, particularly among a segment of the clerics and their followers.

Since the Islamic revolution of 1979, the new religious/political elite has redefined the male–female relationship in ways that made reveiling mandatory and the institution of temporary marriage proper
and desirable. This has become a subject of intense and open discussion, often shocking the sensibilities of middle-class urban men and women who had grown accustomed to the 'desexualized language' (but not the 'sexualized' image) of modernity.

**Temporary Marriage: The Erotic Discourse**

Before describing the boundaries of the institution of temporary marriage it is instructive to note the Islamic attitude toward marriage and sexuality. The Shi'i Islamic discourse celebrates marriage and sexuality as positive and self-affirming. Marriage is maintained to be an act of piety, while celibacy is considered evil and unnatural. Islam, according to the majority of Shi'i—and Sunni—jurisconsults, is a divine religion anchored in human nature, *fitrah*. Its objective is to minimize human suffering and to provide legitimate means to satisfy various human desires. Of particular importance, in their view, is the fulfillment of sexual desire. Both Sunni and Shi'i jurisprudence, however, share a textual inattentiveness to female sexuality as such. Although Shi'i legal texts devote extensive attention to such matters as marriage, divorce, custody of children, and the reciprocal obligations of husband and wife, they have remained virtually silent on issues of female sexuality. Male sexuality, on the other hand, is accommodated by polygyny, slave concubinage, and, for Shi'i, temporary marriage.

Legally unique to Shi'i, temporary marriage is perceived to be a legitimate alternative to that of permanent marriage. The objective of temporary marriage, from a Shi'i point of view, is sexual enjoyment, *estema'a*, whereas that of permanent marriage is procreation, *tawlid-e nasl*.

Underscoring the futility of fighting the sexual instinct, *gharizeh*, Shi'i legal scholars attempt to contain and control it by situating it in a morally acceptable structure, namely temporary marriage. Until very recently, however, the sexual discourse centered on male sexuality, and could be characterized as a male erotic discourse. With the increasing pace of modernization and borrowing of ideas and technology from the West, and the rise in public consciousness regarding women's issues, Shi'i clerics, ulama, were obliged to rethink Islamic personal law and its underlying assumptions. They were challenged to offer new, and more 'modern,' or contemporary, interpretations of these laws. Among those, temporary marriage has been singled out for special attention. The contemporary Shi'i ulama uphold temporary marriage as an institution that is not only compatible with its western counterpart of 'free' gender relations, but that is more progressive and morally superior to it. While allowing a degree of autonomy and free choice to a couple, temporary marriage presumably contains sexual relations within a legal framework.

Temporary marriage, *mu'a*, was apparently a matrilineal form of marriage, and one among several forms of marriage, practiced in pre-Islamic Arabia. It has been legally permitted and religiously sanctioned among the Twelver Shi'is, most of whom live in Iran. Etymologically, *mu'a* means enjoyment or pleasure. The custom of 'mu'a of women,' as it has been called, was outlawed in the seventh century by the second caliph, Umar, who equated it with fornication. Among the Sunnis, therefore, temporary marriage is forbidden, and in theory they do not practice it, although in reality some do. The Shi'is, however, continue to consider Umar's command as legally and religiously invalid. They argue that temporary marriage is legitimated in the Quran 4:24, and that it was not specifically banned by the Prophet Mohammad himself. Temporary marriage has remained a point of chronic disagreement, passionate dispute, and at times animosity between Sunnis and Shi'is. My discussion here concerns only the beliefs and practices of Twelver Shi'is Muslims.

In its present form, temporary marriage is a form of contract in which a man (married or unmarried) and an unmarried woman (virgin, divorced, or widowed) agree, often privately and verbally, to marry each other for a limited period of time, varying anywhere from one hour to 99 years. The couple also agree on a specific amount of bridewealth, to be given to the woman. Unlike permanent marriage, temporary marriage does not oblige a husband to provide financial support for his temporary wife. A Shi'i Muslim man is allowed to make several contracts of temporary marriage at the same time, in addition to the four permanent wives legally allowed all Muslim men. Women, however, may not marry either temporarily or permanently more than one man at a time.

At the end of the mutually agreed period the couple part company without a divorce ceremony. After the dissolution of the marriage, no matter how short, the temporary wife must observe a period of sexual abstinence in order to prevent problems in identifying a potential child's legitimate father. The children of such unions are accorded full legitimacy, and, theoretically, have equal status to their half-siblings born of a permanent marriage. Although children inherit
from their parents, temporary spouses do not inherit from each other. Moreover, a contract of temporary marriage is renewable for as many times as the partners wish, in contrast to only three times in the case of a permanent marriage.²⁴

The Shi'i ulama perceive temporary marriage as distinct from prostitution, despite structural similarities. For them, temporary marriage is legally sanctioned and religiously blessed, while prostitution is legally forbidden, religiously reprehensible, and therefore challenges the social order and the sanctioned rules for the association of the sexes. Prostitution is viewed as detrimental to the society's general health and welfare by violating its ethics and ethos. On the contrary, the ulama argue that temporary marriage, while performing a similar sexual function, indicates obedience to the law and social order. Those who resort to it, therefore, are perceived to follow a divinely recommended way to satisfy 'natural' urges. Not only is temporary marriage not considered immoral from a religious and legal perspective, it is actually considered to prevent corruption and prostitution.

Although the details of the social history of temporary marriage are obscure, it is probable that the custom has existed in Iran for centuries and has thrived in some social circles (for example, the Qajar royal family). Identifying temporary marriage as an archaic aspect of religion, however, the Pahlavi regime discreetly attempted to push the practice to the margins of society. Fear of a religious backlash prevented the government from banning the custom outright. The Family Protection Law of 1967 made no reference whatsoever to temporary marriage. By remaining silent on the issue, the state effectively diffused a concerted religious objection to the law and was able to move the family reforms through the parliament. It also led the public to believe that temporary marriage had been banned. As a result, the institution of temporary marriage under the Pahlavi regime lost much of the little respectability it had enjoyed previously. The state's disapproval of temporary marriage led to the custom being cloaked in a veil of secrecy. Consequently, many who contracted a temporary marriage often hid it from their friends and family. This kept the specifics of temporary marriage unclear and enigmatic to many Iranians, including some of the men and women who actually made use of the custom.

Despite attempts to revive temporary marriage in present-day Iran, it is still a marginal and stigmatized institution, associated with many conflicting moral values. Its practice has put religion and popular culture at odds. Whereas there is no religious restriction preventing virgin women from contracting a temporary marriage (and Mr. Rafaşanji's comments are in accord with the theological tradition here), popular culture demands that a woman be a virgin at the time of her first permanent marriage. While the more westernized and educated urban Iranian middle-class women, and some men too, perceive temporary marriage as legalized prostitution, the more religiously inclined Iranians, particularly the clerics,²⁵ view it as a divinely sanctioned and "rewarded" activity, preferable to the 'decadent' western-style promiscuity and 'free love.'²⁶

Recent ethnographic research on the institution of temporary marriage suggests that not only are rumors of the demise of the institution grossly exaggerated, but that the institution is alive and well among the lower socioeconomic strata in the society. Women who contract temporary marriages tend to be primarily young divorced women from lower-class backgrounds, but middle-class women occasionally do so as well.²⁷ Contrary to the popular image of prudish Muslim Iranian women, research reveals that temporarily married women are not only aware of their own needs and their sexual appeal to men (which they enjoy) but that they also often initiate a relationship.²⁸ By specifically acknowledging female sexuality independently, and proposing temporary marriage as an alternative to marriage and to living together, the Islamic regime has rendered the Shi'i erotic discourse 'androgynous.' Women of various classes and backgrounds are becoming increasingly aware of it, and publicly or secretively take part in it. At least theoretically it is no longer primarily a male erotic discourse or a male prerogative (and, indeed, may never have been just that).

Unveiled Women, Veiled Sexuality: Discourse of Modernity
The pace of modernization and the adoption of western customs and manners gained momentum with Reza Khan's military coup in 1921 and his eventual ascent to the throne in 1925. Following the lead of Atatürk in Turkey, Reza Shah set out to modernize the country by westernizing it. He issued an imperial order in 1936 that made veiling unlawful for women in Iran.²⁹ The law posed considerable difficulties for those women who did not wish to leave their homes unveiled, and for men who could not bear to allow their women to appear unveiled
in public because to them the forced unveiling of women implied dishonoring men. The unveiling was not only uncomfortable, but was unprecedented and incomprehensible to the majority of Iranians. Until then, it had been forbidden, even sinful, for unrelated men to occupy the same space with women who were unprotected by the prophylactic shield of a veil. Unveiling exposed women to the male gaze, and rendered both men and women insecure and uncertain in each other's company.

The unveiling law was not relaxed until after Reza Shah's removal by the Allied Forces in 1941. His son, Mohammad Reza Shah, who ascended the throne in the same year, granted women freedom to choose whether or not to wear a veil. Many of the women in the slowly growing urban middle class continued to appear bare-headed in public, but rather self-consciously so. Women of the bazaar, merchant and lower classes, however, resumed veiling, though perhaps not as strictly as before.

In 1963, the state granted women the right to vote and to be elected to parliament. The Family Protection Law was passed in 1967, and although polygyny was not categorically outlawed, Iranian women were given the right to sue for divorce in the event their husbands took a second wife. In 1976, the first woman minister for women's affairs, Mahnaz Afdhami, was appointed to join the cabinet, and by 1979, the year of the Islamic revolution, women occupied several seats in the parliament and the senate.

It might be assumed that the secularization of the judicial system, the westernization of the political structure, and the unveiling of women, would be accompanied by parallel development to accommodate this new configuration of male–female positioning in social space, and hence to effect a change in the public perception of sexuality. But this did not happen much, at least not overtly and consciously, and where it did it seems to have taken a negative form. Precisely because of the appearance of unveiled women in public, a compensatory tendency developed to repress any public discourse on sexuality, including that of temporary marriage.

Elsewhere I have argued that within the contractual structure of marital exchange, women are symbolically conflated with sexuality, and are thus perceived to be its very embodiment. A veil covers not only the object of desire, but protects men by blocking from their view that very object. By the same logic, the mere presence of an unveiled woman communicates a sexual message that is culturally inappropriate and morally confusing. The challenge for the policy-makers in the Pahlavi regime was thus to keep a balance between the requirements of modernity (for example, unveiling women), and respect for the public's religious beliefs and sentiments. Changing the public perception of women as sex objects involved a de-emphasis—or silence—on sexuality itself. The state-directed silence thus functioned as a veil to protect unveiled women. Such a policy could also be interpreted as a reaction on the part of the state and of women to the negative attitude expressed by the religious establishment toward unveiling.

To counter any hint or accusation of 'prostitution' by some members of the religious establishment, unveiled middle-class Iranian women adopted prudishness, placing great emphasis on chastity and decorous comportment in public.

Within this changing configuration of gender relations and the emerging new consciousness, contradictions and tensions began to manifest themselves in complex forms and on several levels. Under the spotlight of Iranian National Television, for example, male and female singers exhibited the tensions in gender relations in modernized urban Iranian society. While performing duets, male and female singers assiduously refrained from looking at each other directly in the eyes, even if the song was about love, lust, and desire, as most popular Persian songs are. Female singers would be particularly evasive. They seemed to wish to communicate 'proper' images of uninterested and chaste women, lest viewers assumed the love song was an expression of a 'real' relationship.

With the removal of the tangible barrier of the veil that ostensibly protected both men and women from temptation, other means of protection had to be devised, means that would be nationally perceived as more compatible with the requirements of the modern age. Respectability and chastity were no longer automatically associated with the veil, nor was the veil universally accorded the high moral value it had previously enjoyed. Morality and respectability were reorganized, and had to be internalized and maintained in the absence of the veil. Female chastity, effat, nejabat, now was held to be a woman's invisible shield. As the signifiers of sexuality, unveiled women had to be taught to behave appropriately in public, and the public had to be silenced on the topic of sexuality. Secular mass education, as distinct from traditional education at religious centers, was an effective means by which both boys and girls could be socialized to exercise self-control and restraint, requirements of the new era.
back in their own natal families and often have nowhere to go. They are vulnerable and marginalized. Temporary marriage, therefore, provides them with some relief, with an ‘escape,’ as an informant put it. The motivation of many divorced women for engaging in this form of marriage is not so exclusively to find a source of economic support, as has been maintained by Shii juridical texts and in orthodox Shii circles, but a desire for love and affection, for human companionship which was lacking in their broken permanent marriages.

In 1978 many middle-class Iranians in Tehran assumed that temporary marriage was an obsolete institution, that it was no longer relevant in the modern age, that it was no longer being practiced, and that even if it existed, it was primarily contracted by lower-class women. These assumptions proved to be wrong, for since the establishment of the Islamic state, temporary marriage has re-emerged in full force, with the blessing of the state. The temporary hegemony of the discourse of modernity during the Pahlavi regimes, therefore, was not uniform and all-inclusive. In the realm of family relations the Islamic discourse had maintained its vitality among the lower classes, the merchants and the more religiously-inclined groups; this vitality eventually reasserted itself in the revolution of 1979.

Veiled Women, Unveiled Sexuality: Islamic Discourse

With women required to veil again, the Islamic regime has attempted to revive the institution of temporary marriage, to remove its negative connotations, and to reintroduce it from a new perspective. The topic is extensively discussed in an educational religious textbook (1980/81). Initially, the state's concerted effort to revitalize temporary marriage had to do with the plan to reassert indigenous Islamic institutions. It also supported the attempt of Ayatollah Motahhari and his followers to show Islamic institutions to be inherently progressive and advanced. Following the same tradition, Rafsanjani has reaffirmed the hegemony of Islamic discourse, a discourse that, although momentarily repressed, was articulated in response to challenges of modernism while opposing the Pahlavi regime's efforts to westernize the country. By drawing on a distinctly Shii discourse to periodically discuss the institution of temporary marriage, Rafsanjani brings to the public's attention the moral 'superiority' of this form of sexual relation over its 'chaotic' and 'decadent' western counterparts.

Is President Rafsanjani thereby merely following a trend? I argue that he is saying something new, and that he is providing a re-reading
of an ancient tradition within a modern social context. This particular interpretation, however, is not without its history. Ayatollah Motahhari is to be credited with first conceptualizing the institution in its modern form. In his book, The Legal Rights of Women in Islam, he shifted the long-standing Shi'i strategy from defending the legitimacy of temporary marriage against Sunni opposition to that of upholding it as a socially relevant and psychologically functional modern institution. He referred to it as 'one of the brilliant laws of Islam', timeless and universal, devised for the welfare of humankind. Specifically, he proposed that young adults, as opposed to married men and divorced women, ought to benefit from the advantages of this uniquely Islamic (read Shi'i) institution. The argument he made in his book has since become a popular refrain:

The characteristic feature of our modern age is the lengthening of the span of time between natural puberty and social maturity, when one becomes capable of establishing a family... Are the young ready to undergo a period of temporary asceticism and put themselves under the strain of rigid austerity till such time as there may arise an occasion for permanent marriage? Suppose a young person is prepared to undergo temporary asceticism; will nature be ready to forgo the formation of the dreadful and dangerous psychological penalties which are found in the wake of abstinence from instinctive sexual activity and which psychiatrists are now discovering? [Trans from the source.]

His reformulation of the philosophy of temporary marriage, echoed repeatedly in the conversations I had with mullahs in Iran in 1978 and 1981, is that the concept of temporary marriage is one of the most advanced and far-sighted aspects of Islamic thought; it indicates Islam's relevance to human society (modern or ancient) and Islam's understanding of the nature of human sexuality. Following the same line of reasoning, however, Rafsanjani brought up a point that was not given much attention by Ayatollah Motahhari in his scheme of sexuality, namely that of female desire. Although Ayatollah Motahhari uses the generic term 'youth' to refer to a young person, male or female, in the Persian language the term for youth, javan, has been associated primarily with males. By specifically acknowledging female sexuality, and publicizing it during his Friday sermon, Mr Rafsanjani pushed his mentor's argument to its logical conclusion.

It was this public recognition of an autonomous female sexual desire, independent of its male counterpart, and the recommendation of an active female role in initiating marriage by the Republic's president, that seems to have set off the controversy. The most vociferous opposition to Rafsanjani has come from urban middle-class women, who maintain that such official approval of temporary marriage threatens the stability of their marriages. They have been categorical in their condemnation of the institution, and suspicious of the state's support for it. Indeed, beyond promoting the advantages of temporary marriage, the state does not have any well coordinated plans to minimize the loopholes in the law and to educate the public, particularly women.

For that matter, most middle-class women conceive of the institution of temporary marriage in its traditional configuration as a male prerogative. This certainly has been the case in the past, but with the changes spearheaded by the Islamic regime it may not remain so. However, a majority of middle-class Iranian women seem to be hesitant to seize the moment and actually rethink issues of virginity, gender relations, and sexuality, and to offer fresh interpretations of these institutions and relations. A vast majority of middle-class women, as represented in Zan-e Ruz, have been thus less open to consider other possibilities than their lower-class sisters, who have resorted to temporary marriage for a variety of reasons, though not always to their advantage. Given that permanent marriages are arranged and one's choice of a life partner is limited, one could imagine, as indeed some lower-class women do, that prior to their actual permanent marriage, women might demand a short-term temporary marriage in order to get to know their future spouse—however minimally. Presently, however, women who resort to temporary marriages reduce their chances of a permanent one. A contract of temporary marriage, with its specific objective of exchange of money for sexual pleasure, offends the sensibility of modernized urban Iranian middle-class women—and some men—who have gradually adopted the idea of 'love' marriages. Indeed, under the Pahlavi regime representatives of women in the parliament as well as the media (such as Zan-e Ruz and Ettela'at-e Danovan) objected to the payment of bridewealth, mehr, in a permanent marriage. They perceived such payment as degrading to women. The middle-class opposition to valorizing temporary marriage seems to be inspired by the pre-revolutionary discourse of modernity as westernization. Despite their increasingly sophisticated dialogue
with the regime, Iranian middle-class women have refused, or been reluctant, to look at male–female relationships within the new configuration of temporary marriage suggested by Rafsanjani.

Once again we encounter the clash of modern and Islamic discourses. The irony of it is, however, that Mr Rafsanjani, though a cleric and a political leader, is talking about sex in the name of modernity, not so much in its 'western' form, but within an Islamic framework. Although in line with Shi'i tradition, Mr Rafsanjani seems to be operating within the parameters of a new discourse, one we may call 'Islamic modernity.'