

Identity and Woman: Status of Woman in the Constitution of Islamic Republic of Iran

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At the limit, when the nation-state does not represent a powerful identity, or does not provide room for a coalition of social interests that empower themselves under a (re)constructed identity, a social/political force defined by a particular identity (ethnic, territorial, religious) may take over the state, to make it the exclusive expression of such an identity. This is the process of formation of fundamentalist states, such as the Islamic Republic of Iran. (Castells, 2010, p. 339)

Abstract

Identity is a socially constructed, multidimensional, changeable concept and an outcome of open-ended processes. Therefore, it is actually identification of a personal or collective belonging. Its dynamic feature may result in several identical constructions or versions such as religious identity. In this regard, identity, power, and interest are three major components and affect each other. Post-revolutionary Iran's official identity

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has this vital triangle and in this vein, Shia identity was transformed into political philosophy, official religion and a route of state affairs. Iranian women and young Iranian women, especially reformist young Iranian women compose the most fragile group in the society. My research question is “Is Shia identity determining factor on status of woman in the constitution?” This paper’s essential pillars are identity (as a theoretical framework), constitution of Iran, legal status of Iranian women according to Shia identity and the constitution (which are intertwined to each other).

Keywords: identity, woman, Iran, constitution, constructivism

Kimlik ve Kadın: İnan İslam Cumhuriyeti Anayasası’nda Kadının Statüsü

Öz

Kimlik toplumsal olarak inşa edilen, çok boyutlu, deęiş(tiril)ebilir bir kavramdır ve açık uçlu süreçlerin bir sonucudur. Dolayısıyla, bireysel ya da kolektif aidiyetin kimlikleşmesidir aslında. Onun dinamik nitelięi dini kimlik gibi farklı kimliksel oluşumlar ya da versiyonlar sonucuna varabilir. Bu bağlamda, kimlik, iktidar ve çıkar üç temel bileşendir ve birbirlerini etkilerler. Devrim sonrası İnan’ın resmi kimlięi bu yaşamsal üçgene sahiptir ve bu çerçevede Şii kimlięi siyaset felsefesine, resmi dine ve devlet işlerinin rotasına dönüşmüştür. İnanlı kadınlar ve genç İnanlı kadınlar, özellikle reformcu genç İnanlı kadınlar ise toplumdaki en hassas grubu oluşturmaktadırlar. Araştırma sorum şudur: “Şii kimlięi anayasada kadının statüsü üzerinde karar verici bir faktör müdür?” Bu makalenin temel sütunları kimlik (kavramsal çerçeve olarak), İnan anayasası, Şii kimlięine ve anayasaya göre İnanlı kadınların yasal statüsüdür (ki ikisi birbirini etkiler).

Anahtar Kelimeler: kimlik, kadın, İnan, anayasa, inşacılık

1. Introduction

“Asserting, defending, imposing and resisting collective identification are all definitively political” (Jenkins, 2008, p. 43). Iranian women are famous all around the world with their long-standing, courageous struggles against several injustices in pre and post-revolutionary eras. Early Republican years witnessed the beginning of the women’s protests against the Islamic regime. From time to time, they have initiated sometimes silent, but sometimes active movements. Especially radical feminists have faced (the potential of) state precautions, bans, and/or punishments. In this regard, one of the basic clichés is to consider all Iranian women in the same category. However, they belong to various categories from their ideology to daily life. For instance, when we say reform-minded or reformist women, it does not automatically mean a group irrespective of belief. On the contrary, a reformist woman can be both pious and reformist at the same time. Therefore, Iranian women should be analyzed from their own special case. “When we say who we are, at the same time we are trying to tell what we are, what we believe, what we want” (Weeks, 1998, p. 86). On the other hand, although those women compose different combinations, the state’s official attitude is general and similar.

“[T]he social world is constituted by shared meanings and significations, which are manipulable by rhetorical practices” (Wendt, 1994, p. 391). Iran’s political-organizational structure gives a significant example to this suggestion. First of all, the founder and first Supreme Leader¹ Ayatollah Khomeini performed this kind of manipulations from the Islamic Revolution to his death in 1989. Especially Islamic Revolution’s principles were shared by several wings of the society, including millions of women from different perspectives. However, since the early years of the Islamic Republic, the prominent actors of the state manipulated this sharing constitution. Fundamental changes began particularly

1 Supreme Leadership constructs the first position of Iran’s administrative hierarchy. All decisions of the state depend on his approval and he is the most authoritative person even beyond President. There have been two Leaders until today. The first is Khomeini, the second and existing is Khamenei.

in the disadvantage of women's working and daily lives. After Khomeini, the second and existing leader Khamenei attempted to continue his predecessor's decisions. In Iran case, instead of the suggestion, "[i]dentity is formed and changed with interaction between individuals and surrounding social atmosphere" (Gleason, 2014, pp. 33–34), we have seen a religion-based authoritarian forms and changes. In other words, "[i]dentity is not just what defines a person, or a larger collectivity. It also insists on the experience of the subject, especially his or her experience of oppression" (Farhi, 2005, p. 13).

Many articles of the constitution give references to Islam and Koran. On the one hand, the essence of "Iranian identity" is multidimensional; on the other hand, whether primary identity is national or religious is a widespread discussion. This study aims to mirror Iranian women's official position based on the most important text of the state: constitution. Thus, speculations or subjective comments are replaced by objective data. Islam or Shia Islam is no longer opium of the masses for many Iranians and I will also reflect how much daily life differs from the official rhetoric. Constructivism is useful in this vein to point out identical problematic relations between Iranian regime and the status of women.

2. The Constitution of the Islamic Republic of Iran

The constitution of the Islamic Republic of Iran gives clear place to women in four articles. These articles approach Iranian women's status with constructivist arguments. Constructivism priorities a triangle consist of identity, power, and interests. These magical key words are valid in all kinds of identical analyses. In this case, religious identity should be examined as well. Iran's socially constructed religious identity was transformed into a state religion. Shia sect also appears as the regime's political philosophy. Respective of these circumstances, the power belongs to conservative regime officials and they (first of all the Supreme Leader) determine the frame of identity of the society, including women by following the regime's interests. Hence, this triangle is constructed in the disadvantage of pro-change Iranian women, because "social construction of identity always takes place in a context marked by power

relationships” (Castells, 2010, p. 7).

The quotations from that constitution take place below, they were taken from the website of the Ministry of Foreign Affairs of Iran (“Constitution,” n.d.) and the website of iranonline.com. From the beginning, Article 3 claims providing women legal protection and equality before law. Nevertheless, many Iranian women deny these statements due to the fact that there are crucial differences between texts and realities. It is not possible to talk about the equality between women and men in Iran, regarding many domains. Even because of the increasing numbers of university educated women more than men, the state needed to take some precautions to decrease those numbers by forbidding some departments to women.

Article 3: “In order to attain the objectives specified in Article 2, the government of the Islamic Republic of Iran has the duty of directing all its resources to the following goals: [...] securing the multifarious rights of all citizens, both women and men, and providing legal protection for all, as well as the equality of-all before the law”.

Article 8: “In the Islamic Republic of Iran, *al-'amr bilma'ruf wa al-nahy 'an al-munkar* is a universal and reciprocal duty that must be fulfilled by the people with respect to one another, by the government with respect to the people, and by the people with respect to the government. The conditions, limits, and nature of this duty will be specified by law. (This is in accordance with the Quranic verse; “The believers, men and women, are guardians of one another; they enjoin the good and forbid the evil” [9:71]).”

The phrase “*al-'amr bilma'ruf wa al-nahy 'an al-munkar*” is a magical statement that actually it means prevention from evil and directing beneficence. However, what about the reality? Evil or beneficence is not a monopoly of religion or in other words, it is not related to religion. For instance, an atheist person may prevent himself or herself from evil to lead beneficence or a pious-seemed person may do the vice versa. Furthermore, this article aims to reach a conclusion with this frame

that the spouses should perform this motto with the responsibility toward each other. And the eventual conclusion is the husband, the son, the brother -as the leader figure in the patriarchal family structure- can oversee all behaviors of female members of the family, based on the permission of even the constitution. This is not equality obviously.

Article 20: “All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.”

Article 21: “The government must ensure the rights of women in all respects, in conformity with Islamic criteria, and accomplish the following goals:

1. Create a favorable environment for the growth of woman’s personality and the restoration of her rights, both the material and intellectual;
2. The protection of mothers, particularly during pregnancy and childbearing, and the protection of children without guardians;
3. Establishing competent courts to protect and preserve the family;
4. The provision of special insurance for widows, and aged women and women without support;
5. The awarding of guardianship of children to worthy mothers, in order to protect the interests of the children, in the absence of a legal guardian.”

Article 20 and 21’s main phrase, “conformity with Islamic criteria” is actually an obvious and profound indication towards women rights in Iran that all pro-women projects or legal drafts may be opposed with the ostensible excuse of these criteria. Due to the fact that Islamic criteria are the first and foremost priority of the Islamic Republic, no other criteria can be more important. Article 21 says: “The government must ensure the rights of women in all aspects”, but the limitation deriving from “conformity with Islamic criteria” draws a conflictual picture. If

the first principle is implemented completely, the latter one becomes invalid and vice versa. On the other hand, in Iran case, the second alternative is more likely to emerge. Islamic-Sharia laws are more crucial than global woman rights in this respect. Islamic Republic just allows those rights in the frame of Islamic bans and freedoms.

Iranian women's struggle for their rights is actually struggle for human rights basically. For example, they are not free to choose to be veiled or unveiled. They have to wear scarf or *hejab* (Iranian traditional cloth) outside. Some women try to release this rule with "light *hejab*", opening a part of their scarf. It is interesting that there was a veiling rule in the Shah era as well, but with an adverse version. In the 1930s, dynastic Iran became the first country which banned to veil. However, post-revolutionary Iran ordered women to veil immediately. Another noteworthy fact is cities may differ from each other in terms of the rigidity of this rule that for example, in capital city Tehran's rich districts, women find more opportunities for "light *hejab*", on the other hand, Qum or Mashed (in which clerics get education) morality police does not tolerate the former model.

Family as a basic core of Iranian social structure is so significant to emphasize Iranian women's social roles. As a family membership, motherhood is shown as the supreme goal for committing Islamic ideals in the eyes of regime's primary actors. This view results in the potential of more housewives and less employed women. Even high education is evaluated as unnecessary with respect to conservatives, due to the motherhood ideal. Women from different educations, different family backgrounds and material classes may suffer from similar social difficulties tragically. Therefore, we should not suppose a homogenous identity of Iranian women. The tragic reality of those women is that all of them face (almost) the same issues by the officials despite their different conditions. For example, Iranian women have to get permission by their father (if she is single) or husband (if she is married) in order to go abroad, such as university education.

Some women are pleased for their legal status in the state and the society. They are mostly conservative ones who live in parallel line with

the regime's route. In my opinion, conservative does not have equal meaning with pious, because religion is not equal to politics. A person may be pious and reformist at the same time. Those conservatives are generally conservative voters in the elections and prefer conservative way of life, including separation of male and female domains as much as possible. And different rights and duties of women and men are welcomed. On the other hand, Iranian women have the right to elect and to be elected in an Islamic Republic, when we think even some welfare states gave this right after Iran. Nevertheless, although on the paper Iranian women seem they can be elected, the possibility of their Supreme Leadership and Presidency appear on the paper, far away from the reality; especially when we remember inadequate female members in Iranian parliament.

“Gender is also best understood as a primary identity” (Jenkins, 2008, p. 70). The rules based on gender are one of indications to describe the nature of a society. For example gender is important for some jobs in Iran. In other words, there are male-gendered and female-gendered jobs. The most dramatic examples are in politics. First of all, a female Supreme Leader cannot be imagined, because it is thought that a woman cannot reach such a supreme status mentally, educationally, religiously, epistemologically and especially for Sharia law. Sharia generally disapproves administrative position of women. In addition to Supreme Leader, a female President cannot be imagined in Iran and even if women candidates have applied for the elections, Guardian Council blocked them with various reasons.

3. Identity

“[A]ll identities are constructed. The real issue is how, from what, by whom, and for what” (Castells, 2010, p. 7).

“Identity comes from *idem* in Latin” (Gleason, 2014, p. 23), they are not fixed constructions; on the contrary, they are complicated, changeable, learned and re-learned. Many words with “re-“are valid as a result of identities' nature. Due to the processes of identities, the

word “identification” can be more accurate, since it implies processes inside. Sometimes those identical categorizations may be constructed by self-identification. In my opinion, the most important identification is the self-one, “people who make and do identity, for their own reasons and purposes” (Jenkins, 2008, p. 9). Hence, when one highlights her/his one identity than others, (s)he has own reasons and purposes related to that identity.

Identity is a socially constructed, complicated, and controversial concept, pertaining to various disciplines. We need to describe “identity” with the help of multidimensional thoughts, rather than one single perspective. In order to evaluate impacts of “identity” concept with respect to Islamic sects, it is necessary to consider a variety of definitions. It has had different contents in different contexts, and “identity is the most important terminology of contemporary politics’ word reservoir” (Brubaker & Cooper, 2014, p. 403). In Preston’s (1997, pp. 4, 49) words, “identity is the outcome of a complex series of social processes, and does not arise spontaneously but is learned and relearned over time.” According to Castells (2010, pp. 6, 7), “[i]dentity is people’s source of meaning and experience [...] for the actors themselves, and by themselves, constructed through a process of individuation.” For Parekh (2014, p. 53), besides all other factors, identity is a concept, which expresses phenomena that differentiate a person from others. Özdemir (2012, p. 172) and Gleason (2014, p. 34) noted that “identity is a matter of being described with a definite name, accepting this description, adopting the appropriate roles and behaving with its rules.” Weeks (1998, p. 85) suggested that “identity is a belonging problem regarding what are in common or are not with other people.” Melucci (2014, p. 84) pointed out that identity implies a unity notion which constructs the limits of the subject and separates her/him from everyone; and a relationship which makes two actors recognize mutually. İmançer (2003, p. 234) asserted that identity is a form of reflection from the way of answering the questions (such as who s/he is, how s/he is perceived, her/his role, needs and merit) to behaviors. In summary, we can also see Constructivist touch when we read those identity descriptions.

Dynamic nature of identity is one of the widespread qualifications of the identity concept. Many scholars or authors such as Hall (2014), Jenkins (2008), Parmar (1998), Preston (1997), Rutherford (1998) have discussed this point in their studies. This dynamic nature is also one of the principles of Constructivism. It is often argued that Constructivism is an approach more than a theory, because it includes criticism towards mainstream theories more than new suggestions. If so, this approach frequently underlines identities' dynamic and changeable nature, with other arguments like power and interest factors. Similarly, Constructivism's arguments are quite compatible with the subject of this paper.

As Brubaker & Cooper (2014, p. 430) noted, "State is a powerful determiner." There are some identical categorizations, which are built and formalized by power. On the one hand, Iran is a powerful determiner as a state regarding both the pressure on the citizens and influence over the region. On the other hand, the first and foremost actor in the process of determining the policies to be followed is Supreme Leader as the ultimate figure for the approval of every single act or project. Especially, it is the Supreme Leader who determines (in the name of the State) the extent and bounds of the foreign policy actions of the Iranian government in power. Another "determined" issue has wide spectrum, concerning the role of the Supreme Leadership. It was the first Leader Khomeini who decided leadership spectrum for every leader including himself. Thus, although existing Leader Khamenei is not as powerful as the former Leader Khomeini, he has the same legal rights, which are guaranteed by the Constitution.

Collectively shared belonging is one of the notable factors regarding the concept of identity. This belonging includes similarities among the members and differences from the rest of people, a kind of exclusion. In other words, it is "we" versus "they" situation. These processes are multi or bilateral, instead of unilateral. In terms of social identities, all people have their one primary identity, which is the main question. If Iranian women's primary identity is their gender, more than their nation or sect, it indicates how those women give precedence to their gender identity or their existence as a woman.

Many Islamists (some of them are Iranians) suggest that the Koran is their essential constitution. This point of view substantially points out the basic raw material of Iranian constitution: Koran. In this regard, it is not surprise to face Koranic verses in the several articles related to the state instructions. “Conformity with Islamic criteria” is one of them obviously. Taking all these components into consideration together causes a question mark. Are all these an ostensible action to “protect people from moral corruption”? The real belief should be beyond Shariatic comments regarding women and men’s daily lives. No regime can provide “conformity with Islam” by force, without internalization.

Internalization is one of the basic parts of the identity processes that “they become identities only when and if social actors internalize them, and construct their meaning around this internalization” (Castells, 2010, p. 7). Therefore, actually regime’s pressures cannot complete those processes without internalization of opponent women. “Internalization may occur if an individual authoritatively labeled within an appropriate institutional setting” (Jenkins, 2008, pp. 42–43). However, Iranian women are authoritatively labeled with a negative and oppressive meaning. Both institutions and actors are really important for the construction of post-revolutionary Iran’s Islamic identity, since as Lawrence writes (as cited in Castells, 2010, p. 16), “Islam is not merely a religion. It is a religion and more. It encompasses both the spiritual and the political, the private and the political domain”. Thus the founder Khomeini and his followers utilized this comprehensive impact and involved Islam into all these areas.

“Not only do we identify ourselves in the internal-external dialectic between self-image and public image, but we identify others and are identified by them in turn” (Jenkins, 2008, p. 42). In terms of the subject of this paper, internal-external dialectic is Iranian women and the Islamic regime. Opponent women see a huge gap between their self-image and their public image in the eyes of the regime officials. They identify themselves and the regime and as a response, they are identified by the regime bilaterally. As a result, those regime opponents have constructed “an attempt to transform individual identification based on

categorical differentiation into collective group identification asserting shared similarity” (Jenkins, 2008, p. 83).

3.1. Identity with Regards to Social Constructivism²

Constructivism mostly covers comprehensive explanations and appearances of conceptual identity. As a post-modernist theory or (similar to someone’s argument) an approach, constructivism is mostly based on the criticism towards the older theories, especially realism. On the other hand, there are not much more constructivist suggestions after those criticisms and this point has been described as the biggest deficiency of constructivism. As its name implies, constructivism actually depends on construction of regarding concepts, actors, institutions, and so forth. The key factor is that those are existing because they were constructed, otherwise they cannot exist. In addition to this argument, constructivism includes some processes from the assertion of a construction until the defense or struggle of survival against the threats of destruction.

With respect to constructivist processes, there is a vital triangle of three concepts which are attached briefly above: identity, power and interest. What does it mean? It means both the importance of identity for constructivism and the linkage between these three concepts that it is nearly impossible to think them individually in that vein. Whether personal or collective identities are socially constructed and they need to some processes such as assertion of an existence of identity, acceptance by “the others”, spread of identity among new members, internalization, getting power and interests and defense those interests, to be involved in internal and/or international politics, struggle for survival against all the threats, and so on. Similarly, status of women in Iran is constructed that this construction and Iranian women identity have experienced those processes mentioned above. The turning point is to have dominance in the society. Due to the power of the regime, official

2 The author of this article is also wrote her PhD dissertation on the basis of the constructivist approach: Kamacı, Y. (2017). *The Role Of Religious Identity in Foreign Policy: A Comparison of the Khatami and Ahmadinejad Periods with Respect to Turkey* (Unpublished PhD Dissertation). Yeditepe University, İstanbul.

women status seems more powerful, although Iranian women do not give up their struggles.

There are several constructivist scholars such as Alexander Wendt, Peter Katzenstein, John Gerard Ruggie, Stefano Guzzini, Vendulka Kubalkova, Nicholas G. Onuf, Friedrich Kratochwil, Emanuel Adler, Christian Reus-Smith, and so on. Those scholars and authors gave a great contribution to the constructivist literature. On the other hand, they have their own way to understand and reflect their point of constructivist view. Hence, I personally decided to apply Wendt's academic line; because he is known as a middle-ground scholar with his priority to states regarding identities and interests are so crucial. Also, his article "*Anarchy what states make of it*" has enlightened many minds of international relations students in terms of the direct connection between the (constructed) anarchy and state behaviors. And his book "*Social Theory of International Politics*" is one of the cult works for Political Science and International Relations. Finally Wendt's arguments are the most suitable ones to reflect my post-revolutionary Iran politics.

Identity is the first concept comes to one's mind, when constructivism becomes the focal point. Even though several constructivist scholars discuss with several perspectives and various priorities, the importance of identity is always there. What is more, this concept carries many anti-theses inside such as public identity – social identity, personal identity – collective identity, formal identity – informal identity, dictated identity – internalized identity, primary identity – secondary identity, and so forth. It have socially constructed, dynamic, (re)learned, processual angles. The significant aspect is that whether this concept is adequately analyzed for internal and external issues with cause-effect relationship or not. Constructivism is criticized in this case because of the absence of those analytic arguments. In this study, I am attempting to elaborate Iranian women's identical causes and effects.

3.2. Identity and Power Politics

If one would like to examine this title in the frame of Iran case, s/he can come across many historical turning points. The Islamic Republic

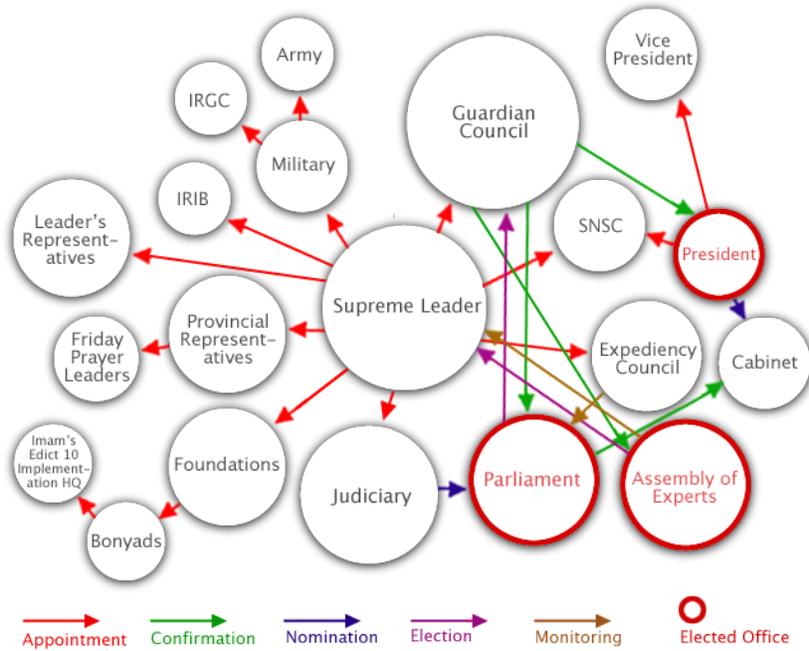
of Iran has declared itself with an adverse identity, since the first day of the state. From then on, Iran's identical power politics existed with mostly struggle for survival and challenge against Western hegemony. Iran's official Islamic and sectarian (Jafari school) identity caused an antipathy among powerful states and it continued with mutually conflicting state policies. Today there are polarized power politics in the world together with collective identity organizations and Iran is mostly excluded from them basically because its enmity against the United States of America and Israel, which are so powerful directly and indirectly. Even nuclear "agreement" was transformed into a huge question mark due to those states' opponent positions.

Iran's international identity problem has echoed the country inside as well. There are millions of Iranians who have identical problems and are stuck in a deadlock between their personal identical needs and regime's dictated way of life. Iranian women, especially reformist ones are one of these groups. The struggle of reform-minded women composes another type of power politics, this time against the regime of their own country. "Asserting, defending, imposing and resisting collective identification are all definitively political" (Jenkins, 2008, p. 43) and those women have experienced all mentioned phases. "Invention of traditions" is everywhere in Iran, from the establishment of state onwards and for an opponent Iranian, dealing with such traditions is tremendously difficult.

The role of Islamic principle is also undeniable over the status of Iranian women. Similarly, Iran's Religious-Supreme Leader determines (such as for women) as both the state and religious authority at the same time. Repeatedly all of these are (the existence of a Supreme Leader, existence of *velayet-e faqih*, his authority and rights, his rules and bans, etc.) socially constructed and power politics are socially constructed. Hence, they may be deconstructed one day in theory; but in practice, it is obviously hard to come to this phase. It is also interesting that some Iranian women have several identities in addition to "woman identity", such as institutional identity; for example, one female minister serves for which identity is complicated. "Internalization may occur if an in-

dividual is authoritatively labelled within an appropriate institutional setting” (Jenkins, 2008, pp. 42–43).

Figure 1. Iran’s Power Structure



Note. SNSC: Supreme National Security Council, IRGC: Islamic Revolution’s Guard Corps, IRIB: Islamic Republic of Iran Broadcasting. Boroujerdi, M., & Rahimkhani, K. (n.d.). Iran Primer: Iran’s Power Structure. Retrieved May 28, 2018, from <http://www.pbs.org/wgbh/pages/frontline/tehranbureau/2010/11/iran-primer-irans-power-structure.html>

Table 1. Female Members of Parliament in Post-Revolutionary Iran

Date of Election	Number of Female Candidates Elected	President
26.02.2016	17	Hassan Rouhani
02.03.2012	9	Mahmoud Ahmadinejad
14.03.2008	8	Mahmoud Ahmadinejad
20.02.2004	12	Mohammad Khatami
18.02.2000	13	Mohammad Khatami
08.03.1996	10	Akbar Hashemi Rafsanjani
10.04.1992	9	Akbar Hashemi Rafsanjani
08.04. 1988	4	Ali Khamanei
15.04.1984	4	Ali Khamenei
14.03.1980	4	Abdolhassan Banisadr

Note. Inter-Parliamentary Union. (n.d.). Retrieved May 28, 2018, from <http://archive.ipu.org/english/home.htm>; Parliamentary Elections. (n.d.). Retrieved May 28, 2018, from <http://irandataportal.syr.edu/parliamentary-elections>.

The number of female deputies within 290 members-Iranian parliament (*Majles*) is one of the noteworthy indicators with respect to their impacts on state affairs. This impact is also able to enhance the defense of women rights in the public space more loudly. And with the help of more representative power, Iranian women can protect their identities against hegemonic masculinity. What is more, the above-mentioned table is needed to be analyzed that the first parliamentary election after the Islamic revolution was held in 1980 and the last one was in 2016. Throughout this process, there have been several governments, along with their own ideological backgrounds. In other words, this table also reflects parliamentary consequences of ideological zigzags.

During the regarding period, the lowest number of female deputies is 4 and the highest number is 17. While 4 had been valid for three parliamentary terms, 17 appeared only in Rouhani government, which is a moderate-traditional government. On the other hand, although there was a clear difference between Khatami and Ahmadinejad eras from ideology to administrative routes, it is interesting that there is no big difference in

terms of female deputies. Probably, due to the strict conservative institutional structure blocked the reformist attempts of Khatami and his government could not provide a different picture compared to radical conservative Ahmadinejad governments. For now, the best option for Iran's administration seems Rouhani's moderate-traditional route as an alliance of reformist demands and regime's traditional conservative-archaic rules.

4. Conclusion

During this study, I attempted to construct a frame of Iranian women's legal status. Firstly, I gave a place to constitution of the Islamic Republic of Iran, especially the articles which include women. Then some contradictions appeared that daily life differs from textual statements in many ways. Moreover, the constitutional criterion of "conformity with Islam" automatically blocks global standards for women. After that I examined theoretical identity issue related to this paper. Furthermore, I elaborated constructivism's linkage with this study. And I reached a conclusion that although the regime dictated an Islamic-ideological schematic identity to women, today it is impossible to imprison women with chains. Some women accept those conservative conditions, but some opponent women demand change.

What is "true identity", Iranian women's emotion of belonging or a dictated-official identity? In this vein, a regime can use plenty of methods, what is called "invention of traditions"³. Similarly, the Islamic Republic of Iran activated many symbols, special days, anthems, flags, myths, friends and enemies and so forth in order to make their "constructed identity" spread. On the other hand, despite regime's long-standing efforts, there are millions of Iranians who live in abroad as migrants. Most importantly, Iranians brain drain is a well-known reality. They chose or they had to go, but it is clear that Iranian migrants, especially women ones keep their identities alive in the rest of the world as well, however, not Iran's official identity, their inner identity as women.

3 This concept was created by Eric Hobsbawm (1983) to depict state methods.

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