Unholy Matrimony? Feminism, Orientalism, and the Possibility of Double Critique

I was first introduced to the idea of *sigheh* by the woman who would one day become my mother-in-law. Although I had known her son Ali for only a few months, he and I had just made the precipitous decision to move in together. As Ali prepared to make his weekly phone call to Tehran to share the news with his mother, I found myself worried. I had never met Ali's mother in person, and because at the time I spoke no Farsi and she almost no English, we had struggled merely to exchange cursory greetings over the phone. Based on conversations with Ali, however, two important points about his mother stood out in my mind: that she was a powerful matriarch who ruled her husband and six sons with a loving but iron will and that she was a devout Muslim—a woman who prayed three times a day and often throughout the night and who visited her mosque several times a week to lead groups of women in the study of the Koran.1 Based on these facts, I imagined Ali's mother in some vague way to be a fundamentalist, never having given much thought to the

An earlier version of this article was developed while I was in residence at the University of California, Irvine, as a member of the Gender and Sexual Dissidence Residential Research Group at the University of California’s Humanities Research Institute. I extend my heartfelt thanks to the members of the group for creating such a stimulating and convivial environment in which to work: Paul Amar, Paola Bacchetta, Mark Baer, Charles Hirschkind, Saba Mahmood, Nadine Naber, and Nayan Shah. I am indebted to Lisa Duggan, whose article “Holy Matrimony?” (2004) inspired the title for this piece. Thanks as well to Anna Marie Smith, Mary Hawkesworth, and especially to Jacqueline Stevens for their extremely helpful comments along the way. I am also grateful to the two anonymous reviewers for their insightful suggestions for revision. I owe my greatest intellectual debt to Ali Behdad for generously sharing countless astute observations and provocations as I developed this piece. Finally, I wish to acknowledge my mother-in-law, Fatima Oskoui, with whom I look forward to many more lively conversations about Islam, feminism, and family.

1 Although Islam prescribes prayers five times a day, Shiites combine the noon and afternoon prayers, and the early evening and night prayers, so that they normally undertake three rather than five prayer sessions per day. I am grateful to an anonymous reviewer for this clarification.

[Signs: Journal of Women in Culture and Society 2009, vol. 34, no. 3] © 2009 by The University of Chicago. All rights reserved. 0097-9740/2009/3403-0015$10.00
possibility that there might be any other way to be a committed Muslim. Raised in a secular liberal household on the East Coast of the United States, I see now how thoroughly I had internalized the liberal rhetoric of tolerance familiar to urban elites across the United States—and how this socialization had predisposed me to be much more concerned about the limits of Ali’s mother’s tolerance for Western lifestyles than I was about the prejudices that constituted my own hastily formed impression of her. Imagine my surprise, then, when Ali reported to me that his mother had expressed unqualified joy upon hearing our news. Far from objecting to our decision to live together, she had apparently been greatly relieved to learn that we had not gone ahead and done something truly rash—like getting married. Still reeling from her son’s previous experience with divorce, it seems, Ali’s mother hoped he would take more time than had been his practice in the past before committing to something permanent. By all means live together, she said, and figure out if you are truly compatible before taking a step that will be significantly more difficult to reverse. Her only request (well, more like demand) was that we sigheh.

As I soon learned, sigheh—most often translated into English as “temporary marriage”—refers to a contract made between a man and an unmarried woman specifying the duration of a union and an amount of money to be given by a man to his temporary wife. In exchange, the temporary husband gains what Shahla Haeri describes with a jarring lack of sentimentality as “the right of the usufruct of the object of lease, here, 

---

2 I am reminded here of Susan Buck-Morss’s passing observation in the opening paragraphs of Thinking Past Terror: Islamism and Critical Theory on the Left (2003) that in the government department at Cornell University where she teaches (and where I studied for my PhD in the 1990s) there was at the time of her writing not a single professor specializing in the study of the Middle East. Regrettably, Cornell’s government department is hardly the exception in political science departments across the United States, a situation that contributes to the tendency even among the most educated people in the United States to conflate Islam with its most radical expressions. For more on this phenomenon, see Moallem (2005).

3 Throughout this piece, I use the terms “Western,” “non-Western,” and “the West” not to designate a particular geographical territory, but rather to designate an imagined community that defines itself in opposition to a projected geographical outside.

4 In contemporary Iran, temporary marriages are most commonly referred to by the word sigheh. However, outside Iran, in Shiite communities in which Arabic is predominantly spoken, the term mut’a (usually translated into English as “pleasure marriage”) is more commonly used. The term mut’a also is favored by those who wish to avoid the significant social stigma attached to the word sigheh. As I discuss later in this article, this stigma clings to the English phrase “temporary marriage” as well, and for this reason the phrase “fixed-term marriage” is sometimes preferred.
the woman's sexuality" (1989, 59). The practice of temporary marriage predates the advent of Islam, and while Sunni Muslims renounced it early on, Shiites always have insisted on its legitimacy. Nonetheless, temporary marriage has remained a largely marginal practice in Shiite communities because of widespread reluctance on the part of girls and women (and their families) to enter into an arrangement that can seriously imperil future prospects for permanent marriage. Not only does a temporary marriage announce a loss of virginity, but the practice is also strongly associated in the popular imagination with prostitution, in spite of the fact that temporary marriages historically have taken a wide variety of forms, including long-term monogamous relationships. In practice, social approbation for temporary marriage generally has been limited to circumstances in which religious pilgrims, soldiers, and other male travelers have sought to fulfill a presumptive need for intercourse with women at times when men must be away from their permanent wives. In addition to offering respite for lonely travelers, temporary marriage also has provided a socially sanctioned mechanism for women otherwise considered undesirable candidates for permanent marriage—widows, divorcees, victims of sexual violence, and other nonvirgins—to be integrated or reintegrated into male-led households. Finally, there is a nonsexual form of temporary marriage that may be used to extend the technical boundaries of a family network, thereby enabling unrelated males and females to socialize without running afoul of Islamic laws mandating sex segregation in social and public settings. In postrevolutionary Iran, high-profile Shiite political and religious figures have actively promoted temporary marriage on several grounds, touting it as a necessary accommodation to men’s natural unsuitability for monogamy, as a socially respectable alternative to Western-style promiscuity, and as a concession made to a sizable youth population impatient with an economy that has forced many to delay permanent marriage until financial independence can be achieved. In 1990, the U.S. press reported widely on a speech given by then-President Akbar Hashemi Rafsanjani in which he “called for greater sexual permissiveness, invoking the existing right in Islam of ‘temporary marriages,’ which could last as little as a day, for young men and widowed or divorced women” (Ibrahim 1990, A13).

5 Haeri’s Law of Desire (1989) is widely regarded as the authoritative English-language work on temporary marriage in Iran. Regrettably, there remains a dearth of research on the topic of temporary marriage.

6 More recently, the Christian Science Monitor reported on a television appearance Rafsanjani made during the 2005 campaign season targeting younger voters: “The septuagenarian cracks a joke about nudity, and says that people should follow their taste in clothes, according to
The variety of contexts in which temporary marriage has been invoked attests to the remarkably labile nature of this enduring practice. Indeed, the range of relationships that may legitimately lay claim to the mantle of temporary marriage helps explain the moral ambiguity and popular ambivalence that shroud the practice. While temporary marriages certainly do not enjoy the kind of respect accorded to permanent unions, particularly in the years since Rafsanjani's speech the practice has achieved newfound respectability, at least at the level of official discourse. And while temporary marriage continues to be disparaged by some as a thinly veiled excuse for the sexual opportunism of pious men, for others it stands as a proud example of Islam's ingenuity in adapting to changing times by reconciling the demands of tradition with the realities of contemporary social life. It is perhaps not surprising, then, that today neither Shiite clerics nor Iranian feminists can be said to speak in a unified voice regarding temporary marriage. Instead, the issue has produced sharp divisions within these communities and created cross-cutting alliances that have brought together clerics with those secular progressives, including some self-described feminists, who see the potential to appropriate the practice for liberatory ends against a diverse array of both religious and secular opponents united in the view that temporary marriage degrades Shiites everywhere and most especially those women who participate in it.7

Recognizing the social complexities of the practice, Ali's mother nonetheless believed that a temporary marriage would provide the best way to reconcile her son's lifestyle choices with her own commitment to maintaining within the family a respect for the boundaries of propriety established by Islam. This is not to deny that she would have preferred for Ali to take a more traditional approach to courtship, nor that she would have wished for me to be the kind of woman to withhold sexual intimacy until I was (permanently) married. It would be wrong to assume, however, that Ali's mother regarded the idea of our temporary marriage as something shameful. Instead, making strategic use of the fluidity of the social meaning of the practice, Ali's mother seemed to regard the prospect of a temporary marriage (and to expect others to as well) in much the way one might view the announcement of an open-ended wedding engagement in the contemporary United States. As Ali explained all of this to me, however,

---

7 For an insightful discussion of the social complexity of temporary marriage in the post-revolution era, see Haeri (1994). Haeri usefully distinguishes among a variety of discourses associated with temporary marriage, including an "erotic discourse," "the discourse of modernity," and an "Islamic discourse."
I found myself struggling to comprehend a practice that is at once stigmatized and encouraged among at least some communities of the faithful in Iran. I was particularly confounded by the attitude of his mother, whose position had so quickly revealed the limits of my reliance on labels like "traditional" and "progressive" to map my social world. My disorientation had another dimension as well. As a self-proclaimed feminist and a professor of women's studies trained in the tradition of Western liberal egalitarianism, I felt almost obliged to condemn a social institution so clearly enmeshed in practices of gender subordination and exploitation ranging from the maintenance of virginity norms to prostitution. At the same time, however, the force of recent feminist critiques of orientalist ideology weighed heavily upon me, and I was committed to finding a point of entry for exploring the social meaning and possibilities of temporary marriage that would not lead inexorably to a recapitulation of stereotyped judgments about the sexual oppression of women in Islamic societies.8

In many ways, the dilemma I faced is a familiar one for feminist scholars located in the United States, who in recent decades have seen the field riven by heated debates about the rules of engagement for knowledge production regarding non-Western women. While traditional social science disciplines generally have regarded the problem of representing the other more as a philosophical conundrum than a methodological crisis, in women's studies this issue has inspired a sustained inquiry into the very essence, and limits, of the field as it is organized in the U.S. academy.9 In the wake of these debates, an informal consensus has emerged around the mandate to fill gaps produced by a long history of scholarly erasures and blanket generalizations with the voices of the silenced themselves. It is now a matter of disciplinary common sense that studies of non-Western women, ranging from ethnographic accounts that rely on techniques of participant observation to literary analyses focusing on neglected works, should emphasize self-representation. In this way, Gayatri Chakravorty Spivak's provocative question "Can the Subaltern Speak?" (1988) has been inverted into a feminist methodological imperative, spawning a new generation of case studies that foreground the experience of non-Western women. But if there is now agreement that feminist knowledge production must be grounded in listening to previously silenced voices, in recent years

---

8 There is now a substantial literature exploring the role and place of gender in the orientalist imaginary, including Ahmed (1992), Lewis (1995), Loomba (1998), Yeşenoglu (1998), and Levine (2004).

9 Chandra Talpade Mohanty (2003) provides a particularly lucid and trenchant introduction to the contours of these ongoing debates.
a growing body of critical scholarship has emphasized both the complexities and the perils of this approach. In particular, it seems clear that the subversive potential of this research is squandered when even the best intentioned feminists rely unreflectively on liberal analytics and values, including notions like “progress” and “liberation,” even as they seek to widen the purview of feminist analysis beyond a liberal egalitarian framework. In my own case, the difficulty of avoiding just such a transposition of values quickly became clear as I found myself toggling between images of temporary wives as pawns of a state-sanctioned sex industry on the one hand and as liberated sexual free agents on the other hand. On the surface, these competing interpretations seem diametrically opposed—one seeing subordination where the other finds self-determination—but both accounts center on a particular conception of agency as the focus of analysis. As Saba Mahmood has argued with particular force in Politics of Piety (2005), a reliance on liberal norms can be costly not only in terms of producing distorted representations of the non-Western subject but also in missing an opportunity for critical engagement with normative liberal assumptions themselves.¹⁰

In questioning the hegemony of liberal categories, recent feminist scholarship has substantially deepened our understanding of the ways orientalist discourse, in particular, constructs the non-Western woman. However, since critical attention is riveted on representations of the other, it is easy to forget that orientalism discursively constructs an imaginary not just of the non-Western woman but of the West as well. And while self-narrative has proven an effective counterdiscourse to orientalist representations of the non-Western woman, this approach will remain incomplete as a strategy for displacing orientalist ideology if it leaves untouched, and thus intact, the imaginings of the West that serve as the basis for orientalist representations of its others. While I do not deny that it has been extremely productive to question the reliance on normative liberal discourse as the lens through which non-Western women are viewed, overcoming orientalism as a dominant frame for cross-cultural analysis demands at the present moment greater attention to the fact that the very association between the West and the project of modernity itself is an effect of orientalist discourses. My own initial encounter with temporary marriage, however, suggests just how difficult it can be for those located in the West to disengage not just from orientalist constructions

¹⁰ Mahmood (2005) makes this point by challenging the tendency of those working within the liberal feminist ideal to equate “agency” with “resistance.” See esp. chap. 1.
of the other but also from assumptions about the West as the seat of moral and social progress.

In shifting critical emphasis toward the mutually constitutive nature of imaginings of non-West and West, approaches that engage in double critique would seem to offer an especially promising direction for future inquiry. By double critique I refer to analyses that not only aim to disclose orientalist discourses of the non-West and the West but also foreground the interplay between these discourses. Double critique holds particular potential, I would suggest, for scholars located in the West who seek to engage subjects located elsewhere, precisely because it places at its center the question of the production of orientalist perspectives. By way of further elaboration of the meaning and potential of double critique, I present in the following an analysis of news accounts of temporary marriage that have appeared in the U.S. press since the early 1990s. This study not only considers what recent news accounts reveal about orientalist imaginings of Islamic societies but also explores the ways that orientalist discourse helps to produce and sustain a particular idealization of life in the West. By focusing on the way that temporary marriage is represented in the United States, I have self-consciously set aside the possibility of unmediated access to knowledge of a non-Western culture, making orientalist representations themselves the object of the inquiry rather than treating (mis)representation as a problem somehow to be gotten around.

In the following, I endeavor to move beyond the structure of judgment that has too often served as the subtext of Western considerations of non-Western women—an especially troubling tendency when it implies that it somehow takes a Western feminist to identify the exploitative and oppressive aspects of a practice, such as temporary marriage, which in fact has been ably critiqued from a range of perspectives in Iran, including but not limited to feminist ones. Instead, in critically scrutinizing U.S. coverage of temporary marriage, this study aims to contribute to a growing body of research in a field Minoo Moallem usefully has dubbed “gendered Orientalism” (Moallem 2005, 160). By insisting, in the words of Meyda Yeğenoğlu, that “representations of cultural and sexual difference are constitutive of each other” (1998, 1), scholars in this field have contested the marginalization of gender in earlier explorations of orientalism by demonstrating that gender plays an essential, anchoring role in orientalist fantasies of the non-West. The importance of understanding the role that gender plays in orientalist representations has become especially urgent since September 11, 2001, a time when, as Moallem observes, “the tropes of the Muslim woman in general and the Afghani woman in particular as
the ultimate victims of a timeless patriarchy defined by the barbarism of Islamic religion and in need of civilizing” (Moallem 2005, 161) have become increasingly prominent in popular discourse. Press reports concerning temporary marriage, I show, rely on long-standing orientalist assumptions about the rampant sexual exploitation of women in Islamic regimes as the basis for positioning temporary marriage in the U.S. popular imaginary as foreign, exotic, and odd—a portrayal that simultaneously reinforces a self-understanding of the United States as a beacon of modernity and gender equality. In emphasizing the representation of temporary marriage as an emblem of social, political, religious, and legal difference, U.S. press accounts have obscured what might otherwise register as discomfiting similarities between Shiite marriage practices in the Middle East and the unsettled landscape of domestic intimacy in the United States.

In seeking to understand the ways in which orientalism inflects representations of temporary marriage in the United States, this article also reconsiders some of Haeri’s central insights about the ambivalent social status of temporary marriage in Iran. Haeri’s groundbreaking study Law of Desire (1989) emphasizes the ways in which the informality and flexibility of temporary marriage as a social institution enable it to be appropriated in multiple and often unpredictable ways. Haeri contends that the ambiguity of temporary marriage law lends it an oppositional potential by allowing women to use it as a means to achieve financial independence or to pursue sexual fulfillment in ways they otherwise could not. Whereas Haeri highlights the potential benefits of ambiguity, in what follows I suggest that the indeterminate nature of temporary marriage eases the way for representations of the practice in the U.S. news that reinforce key elements of the orientalist imaginary, ultimately producing a confused and contradictory portrait that has preempted alternate readings and other analyses.

My discussion begins with a consideration of the role that omissions and misrepresentations play in producing an image of temporary marriage as an exotic practice. As a result of these omissions and misrepresentations, U.S. readers are placed in a position of moral and cultural superiority, a perspective from which the practice of temporary marriage, and the religious tradition from which it emanates, becomes easy to ridicule and

11 See also Charles Hirschkind and Saba Mahmood (2002), who similarly describe a rise in the prominence of “the twin figures of the Islamic fundamentalist and his female victim” (341) in the U.S. media after September 11.
dismiss. The discussion then turns to an exploration of several core contradictions pervading U.S.-based news reports: Islam is a sexually repressive religion that encourages sexual excess, the Islamic Republic of Iran is a traditional regime whose laws change with the times, temporary marriage is an Islamic institution that rests on a perversion of Islamic law, and temporary marriage is an unrecognizable practice that mimics life in the liberated West. These accounts arise from an insistence on portraying Islamic society as backward and alien—and figuring the West as modern, egalitarian, and progressive—even in the face of significant evidence to the contrary. Although I do make an effort in what follows to resolve some of the misconceptions about temporary marriage produced by U.S. press reports, the point here is not to try to set the record straight about a deeply layered and complex social institution but rather to think about the ways representations of temporary marriage figure in, and are productive of, the Western imaginary both of Islamic societies and of itself.

**U.S. press accounts of temporary marriage**

Following the revolution of 1979 and the inception of the Islamic Republic, family law in Iran underwent a series of reforms. These changes reflect priorities rooted not only in the elevation of Islam to the official state religion but also in the social consequences of the long and bloody war with Iraq that led to the decimation of a whole generation of Iranian men. In 1983, temporary marriage was granted legal recognition by the state for the first time, and in 1990, then-President Rafsanjani startled the world (and reportedly infuriated “religious hard-liners” [Ibrahim 1990, A13]) in a speech he gave promoting temporary marriage as a respectable way “to clear the path for intrinsic needs of the youth to be satisfied in a correct, legal and orderly manner” (quoted in Ibrahim 1990, A13). Following this pronouncement, which has been echoed by numerous religious and political leaders since that time, the topic of temporary marriage has received renewed attention in Iran and elsewhere. While speculation that Rafsanjani’s speech would precipitate a radical shift in the sexual culture of Iran has proven unwarranted, as I discuss below the actual extent to which temporary marriage is practiced in Iran today is impossible to precisely determine because there is no official reporting requirement for temporary marriages and because most people wish to keep these agreements secret.

Since Rafsanjani’s speech, temporary marriage has received occasional but prominent mention in major U.S. newspapers, including the New
York Times (Sciolino 1992, 2000; Fathi 2002), the Los Angeles Times (Moore 2006), and USA Today (Jervis 2005). In March 2006, National Public Radio’s Morning Edition aired a report on rising rates of temporary marriage in Shiite-controlled regions of Iraq (Garrels 2006). While the total number of U.S. news reports on temporary marriage remains limited, the significance of the existing coverage should not be underestimated, especially in light of the fact that stories have appeared in some of the most respected and widely circulating newspapers in the country. Indeed, the relatively small number of articles on the topic may magnify the impact of those that have appeared, since these reports likely stand as the sole source of information most Americans have about a highly complex and variable social institution. The force of these stories also may be amplified by the cumulative effect of ongoing reportage dealing with themes of gender and sexuality in the Middle East, including articles on topics ranging from veiling to honor killing to female circumcision to child marriage. Particularly in light of the continuing presence of U.S. military personnel—and the journalists who write about them—in predominantly Shiite regions of Iraq, coverage in this vein is likely to continue, lending special urgency to the project of critical analysis of the news.

American press accounts of temporary marriage typically take the following form: the article opens with an evocative, real-life vignette that serves as the narrative hook to draw the reader in; this is followed by a brief description of temporary marriage that emphasizes the origins of the practice in Islam; the discussion proceeds to a consideration of contemporary controversies surrounding temporary marriage; and the article concludes with a return to the vignette for narrative closure (Sciolino 1992, 2000; Jervis 2005; Moore 2006). Although positioned as news, articles about temporary marriage generally skimp on facts, privileging assertion and anecdote over evidence. The lack of substantiation offered for central claims makes it difficult for readers to arbitrate even the most basic controversies dividing competing accounts, as is the case concerning the simple question of just how widespread temporary marriage is in contemporary Iran. An April 23, 1992, New York Times story declares that “prostitution has made a comeback,” going on to assert that Rafsanjani’s speech endorsing temporary marriage “gave impetus to an already growing call-girl business” (Sciolino 1992, A4). Similarly, a January 15, 2006, Los

12 The following discussion is based on an analysis of articles identified through a Lexis-Nexis search using the following search parameters for all available dates: “temporary marriage” and/or ‘sigheh’ and ‘Iran.’” Versions of several of these articles also appeared in local newspapers across the United States.
Angeles Times story announces that "mut'a, a 1,400 year-old tradition alternately known as pleasure marriage and temporary marriage, is regaining popularity among Iraq’s majority Shiite Muslim population after decades of being outlawed by the Sunni regime of Saddam Hussein" (Moore 2006, A12). A very different portrait emerges, however, in an October 4, 2000, New York Times article, which notes that the response to official efforts to encourage temporary marriage "has not been favorable" (Sciolino 2000, A3). This point is reinforced in an August 28, 2002, New York Times report by Nazila Fathi documenting public outrage over a government plan to regulate prostitution by establishing legal brothels that rely on temporary marriage to legitimate the sponsored activities. Read separately, these articles portray Shiite Muslims as either sexually excessive or stubbornly repressed. Taken together, they present a confused account of the place of temporary marriage in Iran and Shi'ite-dominated areas of Iraq, with articles emphasizing both the growing popularity of temporary marriage in the region and intractable public resistance to it. This ambivalent account mirrors the long-standing dualism in the Western imaginary of the orient, which associates Middle Eastern masculinity with sexual rapaciousness epitomized by the harem, while at the same time depicting women in the region as subject to extreme forms of social control reflecting a cultural obsession with modesty and chastity. Against this background, controversy about temporary marriage in Iran reads in the United States as a symptom of a society struggling with its own internal contradictions rather than as evidence of the heterogeneity of social and sexual mores in an internally diverse society.

For readers in the United States, reports suggesting a rise in rates of temporary marriage are likely to provoke at least an initial sense of surprise: why would a fundamentalist regime set about promoting prostitution and other forms of sexual licentiousness? This question is not probed in depth in existing news accounts, perhaps because official recognition of temporary marriage so readily confirms long-standing orientalist stereotypes of Middle Eastern men as sexually extravagant. The persistence of this stereotype discourages consideration of other possible explanations for official and popular interest in temporary marriage in Iran. Perhaps for this reason, U.S. news accounts generally have taken at face value the Islamic government’s own explanation for granting official recognition of temporary marriage, reporting that this move represents an effort to channel and regulate the expression of male sexual desire. But other explanations might fruitfully be considered as well. For example, in a ground-breaking study of gender and sexuality in nineteenth-century Iran, Afseh Najmabadi (2005) traces the production of normative heterosexuality in
Iran to anxieties about homosociality and same-sex intimacies. A similar dynamic may operate in the present context, in which official encouragement of temporary marriage promotes and perhaps resuscitates the dominance of heteronormative masculinity, especially for religious men whose highly gender-segregated lifeworld might otherwise raise concerns about excessive homosociality. Along similar lines, acknowledging and promoting the connection between temporary marriage and prostitution proliferates images of male hyperheterosexuality at precisely a time when young Iranian men risk emasculation both because of an economy that provides little opportunity for financial self-sufficiency and also because of the long shadow cast by the previous generation’s celebrated martyrs, whose larger-than-life-sized heroic images blanket public spaces. Finally, it is worth considering the ways the discourse of temporary marriage may fend off the specter not just of male homosociality but of female autonomy as well, a possibility suggested by the stress proponents of temporary marriage have placed on the need to provide opportunities to integrate women into patriarchal family formations.

News accounts of temporary marriage are characterized by misinformation that does not just reinforce orientalist stereotypes of masculinity and femininity but also sensationalizes the practice. Consider, for example, what one might expect would be the simple question of the permissible duration of a temporary marriage. A 1992 New York Times story explains that “a couple can get married for a few years or months, or, if the rules are stretched, a few hours” (Sciolino 1992, A4). A New York Times report from 2000 explains that temporary spouses can be married “for as short a time as a few minutes or as long as 99 years” (Sciolino 2000, A3), a claim that is repeated in a 2002 article in the same paper (Fathi 2002). A 2005 USA Today report states that temporary marriage contracts can last “anywhere from one hour to 10 years” (Jervis 2005, 8A), while a 2006 Los Angeles Times article sets the range at “periods as brief as a few minutes or as long as a lifetime” (Moore 2006, A12). Meanwhile, National Public Radio explains that a temporary marriage can last anywhere “from a few minutes to a whole lifetime” (Garrels 2006). In fact, Shiite religious authorities are clear that there is no minimum length for a temporary marriage. Rather, what matters is simply that a contract specify a fixed and precise duration for the marriage, such as one minute or ninety-nine years, as opposed to, say, “at the conclusion of the act of intercourse” or “as long as we both shall live” (see Haeri 1989, 52–53). The point here is not a quibble over whether a temporary marriage can be as short as a few hours, one hour, or a few minutes but rather to draw attention to the tendency of U.S. news reports to introduce audiences to the rules of
temporary marriage in a way that maximizes the shock value for readers presumably accustomed to talk of marriage as a commitment “‘til death do us part.” When attention is drawn to the possibility of a minutes-long marriage, other significant aspects of the temporary marriage contract, such as its basis in mutual consent, are obscured. The end result is to render the idea of temporary marriage not just unfamiliar but morally suspect, a judgment that is further encouraged when the term “marriage” itself is placed in quotation marks (i.e., temporary “marriage”) as happens in Sciolino (2000) or, similarly, when quotation marks are placed around the word “bride,” as it appears in a 2001 article in the Village Voice (Fard 2001, 52).

The line between sensationalism and simple inaccuracy has frequently been crossed when it comes to reporting on the rules for making a temporary marriage official. The Village Voice explains that, in Iran today, temporary spouses “no longer follow the rules, which call for a mullah to read a particular blessing” (Fard 2001, 52). In an article on rising rates of temporary marriage in Shiite-dominated areas of Iraq, the Los Angeles Times reports that “witnesses are required, but Iraqis say some couples dispense with that rule” (Moore 2006, A12). A similar claim is made in an article posted on the Web site for the Integrated Regional Information Networks (IRIN), which states that “[temporary] marriage ceremonies are officiated by a sheikh and must have a witness, but—in contrast to typical marriages—do not require the presence of family” (IRIN 2006). Setting aside the arbitrary and inaccurate use of the terms “mullah” and “sheikh,” there is no basis for the claim that an official must be present to legitimate a temporary marriage (Haeri 1989, 51). The frequency with which this claim is made, however, suggests that Western-style marriage is the normative ideal against which other marriage forms are judged when it comes to news reporting. Although false, this assumption comports well with depictions of Islam as an authoritarian religion, an image sustained by a focus on radical, populist ayatollahs when Islam is presented in the news. However, Islamic provisions governing temporary marriage signal some of the ways in which Islam is both less centralized and less institutionalized than Judeo-Christian traditions prominent in the United States. For example, Islam denies to any single ayatollah the kind of final interpretive authority enjoyed by the pope, and Muslims are not required to have regular contact with religious authorities, as is expected in traditions that demand attendance at weekly sermons or regular visits to the confession booth. By misstating the facts surrounding the role of religious officials in sanctifying temporary marriages, U.S. press reports distract attention from the ways in which Western marriage laws reinforce
legal and religious authority while exaggerating the reach of authority under Islamic rule.

One of the most confusing aspects of U.S. news accounts of temporary marriage concerns the question of whether provision for temporary marriage is tantamount to an Islamic endorsement of prostitution. Disagreement among Shiites regarding the exact circumstances under which temporary marriage is permitted has been downplayed in the U.S. press, which tends to represent public debate on the issue in Iran as between pro-prostitution clerics and secular women’s rights advocates (Fathi 2002; Jervis 2005; Moore 2006). While more polemical U.S. analyses imply that Shiism defends an unqualified right of men to engage prostitutes whenever they wish, mainstream press accounts are more likely to take the position that prostitution conforms to the letter, though not necessarily the spirit, of Islamic law. This view is made explicit in an October 4, 2000, New York Times report that explains that “Iran is a country where rules are fluid, where people of all classes and degrees of religiosity pride themselves on finding loopholes in the Islamic system. Temporary marriage, or sigheh, is one of the oddest and biggest” (Sciolino 2000, A3). Iranians long have been portrayed in the West as purveyors of ambiguity, whether it takes the form of a national cinematic tradition unparalleled in the richness of its symbolism, or in descriptions of taaruf, a form of “ritualized insincerity” that is considered the hallmark of politeness in Iran (Slackman 2006, D5).

Of course, the emphasis placed on ambiguity in Western accounts of Iran sits uneasily with the ubiquitous portrayal of Iran as a fundamentalist regime, a description that suggests fixity and a resistance to change. Accounts of temporary marriage that position the practice as an Islamic loophole help to soften this dissonance with the suggestion that fluidity entails not adaptability and openness to progress but only susceptibility to opportunistic manipulation. In figuring temporary marriage as a loophole, U.S. news accounts capture the ambiguous status of a practice that is both permitted and disdained. But when temporary marriage is ridiculed, ambiguity becomes an occasion for double condemnation, leading to a contradictory portrait of temporary marriage both as a perverse Islamic practice and as a practice rooted in a perversion of Islamic law. This double bind gets crucial reinforcement from a subtle but pervasive exaggeration of the magnitude of the loophole temporary marriage provisions create for prostitution. While repeating the charge that official recognition of temporary marriage simply wraps prostitution in an Islamic cloak, not one press account notes that the rules governing temporary marriage actually prohibit women engaged in sex work from using temporary marriage as a covering for their acts. This is because the rules require
a woman to wait at least forty-five days between successive temporary marriages so that paternal responsibility for any child she may conceive can be readily determined. In overstating the extent to which temporary marriage authorizes prostitution, however, U.S. press reports exaggerate the extent to which Islam enables and even encourages the sexual exploitation of women.

The loophole account carries with it an implicit indictment of an Islamic legal regime whose informality allows for the unprincipled exploitation of the rules. This position is elaborated in one of the few scholarly works on temporary marriage to be published in the United States, a law review article in which the author contends that “the deficiencies [of temporary marriage] demonstrate the necessity of formality and clarity in any legal institution” (Ghodsi 1994, 647). In particular, Tamilla Ghodsi contends that the only way to prevent temporary marriage from being used to enable prostitution is to formalize and institutionalize it. From this perspective, temporary marriage as it is currently practiced illustrates the way that traditional, premodern legal orders that eschew the rule-of-law values embraced in the West promote the exploitation of society’s most vulnerable members. But if temporary marriage is assailed by some Western observers for lacking legal formality, it is disparaged by others for excessive formality in conferring official recognition to practices that government should not sanction. This position emerges in news accounts that capitalize on the shock value of announcing that temporary marriage is not just recognized but encouraged by religious and political authorities in Iran. The implication is that what is unseemly about temporary marriage is not simply sex outside of (Western-style, permanent) marriage, nor even the association with prostitution (which of course exists widely in the United States as well), but rather that the Islamic Republic endows a morally suspect practice with legitimacy by granting it legal recognition. In this way, the measure of a moral society shifts from the question of whether prostitution occurs at all—a metric by which the United States would fare poorly—to whether the government takes an official stand against it. One must ask, however, whether the priority placed on symbolic legislation in U.S. politics is a standard to be emulated or whether it reflects a perilously impoverished conception of the relationship between law and authority. In Iran, officials have created a legal institution that acknowledges the inevitability of sex outside of (permanent) marriage, a move that suggests a recognition that allowing flagrant transgressions of the law can be much more destabilizing to a social order based on traditional values than conceding the inevitable and extending the reach of regulation accordingly. In the United States, by contrast, the expectation that regulations model
normative morality has led to the proliferation of extra-legal spaces in which exploitation and subordination go unacknowledged and thus unchecked, in arenas ranging from sex traffic to the illicit drug trade to immigration.

In accommodating the reality of sex outside permanent marriage, Shiite political and religious officials in Iran laud temporary marriage as "one of the brilliant laws of Islam" especially suited to the needs of a modern society" (quoted in Haeri 1989, 96). In Iran, official sanction for temporary marriage is held out both as evidence of the Islamic regime's claim to modernity and as a sign of "its moral superiority over the 'decadent' Western style of 'free' sexual relationships" (Haeri 1989, 96). Significantly, however, assertions such as these have largely been written out of U.S. news accounts of temporary marriage, on the one hand by associating temporary marriage with tradition rather than modernity and on the other hand by simply ignoring the indictment of Western sexual decadence that lies at the center of the official campaign promoting temporary marriage in Iran.\(^{13}\) As an oppositional concept, the notion of decadence takes aim at linear progress narratives that justify positioning the United States as an advanced society, but this discourse is neutralized in most U.S. press reports by simple erasure.

**Temporary marriage and double critique**

Up to this point, I have been considering the ways in which U.S. news accounts of temporary marriage resonate with orientalist portraits of Islamic societies in the Middle East. I turn now to consideration of a second, less obvious reference point for recent reporting on temporary marriage in Iran: the domestic marriage panic currently gripping popular political discourse in the United States. Talk of a marriage crisis is certainly nothing new in U.S. politics, but recent victories by proponents of same-sex marriage have galvanized a movement to "defend" what some regard as a sacred but endangered social institution. Interestingly, it would seem that, for as long as Americans have worried about the state of marriage, they have conjured images of the Middle East as a dystopia of social and sexual perversion, with the harem suggesting the very nadir of marital degeneracy. At a time such as the present, in which anxieties about the fate of marriage run especially high, the presentation of temporary marriage as a risible

\(^{13}\) The lone exception is an October 4, 2000, *New York Times* report that mentions Rafsanjani's 1990 warning not to be "promiscuous like the Westerners" but rather to engage in temporary marriages (quoted in Sciolino 2000, A3).
curiosity may offer a subtle but welcome assurance to readers that we in the United States still have a morally superior marriage culture—at least when judged in comparison to Iran. This sense of superiority depends, however, on an exoticization of temporary marriage that obscures points of similarity between marriage practices in Iran and in the United States and creates the grounds for a politics of displacement in which the construction of other cultures as sites of decadence and decay distracts attention from fissures in normativity occurring closer to home. Below, I suggest four points of commonality between Shiite temporary marriage and U.S. marriage practices that are hidden or denied in recent news accounts. In highlighting these similarities, I aim to draw attention to unexamined axioms of the ideology of marriage in the United States today.

First, while it is likely that the very phrase “temporary marriage” registers as an oxymoron to U.S. audiences, marriage in the contemporary United States bears a striking resemblance to Shiite temporary marriage—especially at a time when over 50 percent of marriages undertaken end in divorce. While U.S. news reports present temporary marriage as exotic and unfamiliar, surely it is stranger still that the rhetoric of permanence remains central in U.S. marriage rituals despite the statistical likeliness of marriage failure. Growing reliance on prenuptial and even postnuptial agreements further highlights the contingency of marital contracts in the modern age, where couples contemplating marriage are encouraged not just to plan for a life lived happily ever after together but also to devise strategies for efficiently uncoupling.

Second, in light of a long history of legal and political inequality between men and women in the United States, coupled with recognition of a persistent, significant wage gap and other enduring forms of economic inequality, it is not difficult to conceive of marriage in the United States as a form of socially sanctioned prostitution, in which a woman provides a man with a virtually unlimited right to sexual access in exchange for financial protection and security. Attention to this aspect of marriage has long been occluded by popular idealizations of marriage as a relationship whose essence lies in a mutual experience of romantic love. Interestingly, however, recent developments in popular culture suggest an increased receptivity to exploring the role that exchange plays in motivating marital unions. Consider in this regard the significance of the rise of popular and long-running reality TV shows like Who Wants to Marry a Multi-Millionaire and The Bachelor. While programs such as these take pains to affirm the centrality of romantic

14 For a recent survey of the complex relationship between money and a wide array of domains of intimacy, see Zelizer (2005).
love as the core of any successful marriage (depicting over the course of several months the process whereby participants lured by the promise of netting a rich husband end up falling in love with the eligible bachelor), shows in this genre nonetheless verge dangerously close to equating marriage with prostitution. And just as readers of U.S. newspapers are encouraged to mock temporary marriage, so too do the fans of reality TV love to hate the vulgar contestants on their favorite shows, but one wonders if the pleasure of watching does not also lie in the relief of identification.

Third, in legitimating unions based on an exchange of sex for money, temporary marriage draws attention to the central but uncomfortable role that sex plays in defining not just marriage but family itself. In U.S. marriage discourse it is the rhetoric of family, rather than sexuality, that is most prominent, and so it is not surprising that even the public debate about same-sex marriage has quickly turned to questions pertaining to facets of family formation such as adoption and parenting rather than doting on images of state-sanctified sex acts between people of the same sex. In appropriating the label “marriage” for a relationship defined around sex, however, the idea of temporary marriage might occasion a consideration of the functions served by the desexualized conception of marriage prominent in U.S. public discourse. In her pioneering work on U.S. family law, for example, Martha Fineman (1995) suggests that the sexual union is taken as the necessary ground of family in order to maintain patriarchal control of women (wives) and children, but this connection is difficult to contest when it is not made explicit. Fineman also articulates the grounds for patriarchy’s strategic investment in keeping the sexual basis of the family repressed as a means of hiding the fact that the purpose of the family is to insure that men have access to and control of women and children.

Finally, U.S. audiences are likely to be disconcerted by reports that the Iranian government is promoting temporary marriage, for in the United States we are accustomed to thinking about sexually intimate relationships as matters of individual choice, not official policy. Although the boundary dividing public and private has shifted significantly over time, the prominence of the rhetoric of privacy has been constant in this country, with the marital relationship traditionally considered deserving of special protection. Despite the rhetoric of choice and privacy surrounding discussion of marriage in the United States, however, marital policy in the United States has always served as a way for government to promote certain ways of life over others, a point that has come to the fore in contemporary debates about the stakes in extending marital rights to same-sex couples. Similarly, welfare reform in the United States in recent years has entailed
a concerted effort on the part of the federal government to promote marriage as a condition of eligibility for support.

In highlighting some points of similarity between marriage practices in Iran and in the United States, the foregoing discussion suggests the usefulness of double critique as a strategy for rendering visible naturalized assumptions about one’s own culture. In this way, double critique exemplifies the power of what Edward Said calls “contrapuntal” reading (Said 1984, 172; 1993, 66–67), an approach to discourse described as “opening up any particular tradition to interaction with other such purportedly discrete entities” (Mufti 2005, 476). Instead of denying the inherent partiality of perspective, double critique mobilizes partiality as a fulcrum with which to bring into view that which is obscured when there is no critical outside. In a double critique, the act of translation itself becomes the object of critical analysis, where translation is understood not as a means to the end of true understanding but rather as an occasion for the translator to, in the words of Talal Asad, “test the tolerance of her own language for assuming unaccustomed forms” (1993, 190).

**Postscript**

Ultimately, Ali and I ended up dodging rather than resolving our temporary marriage dilemma by agreeing, a few months later, to embark on a permanent marriage after all. Truthfully, I was relieved to set the question of temporary marriage aside, for I could never fully shake the feeling that there was something unseemly about becoming a temporary wife. Although Ali’s mother had given us her blessing, I knew that for her a temporary marriage was at best a compromise, a strategy devised to put the best face on a nonideal arrangement. But it was not just Ali’s mother I was concerned about. In theory I was attracted to the possibility of strategically appropriating temporary marriage to sanctify a nontraditional living arrangement, yet in practice I found myself yearning for the respectability that would come from satisfying traditional expectations. And I started to recognize that, while I was projecting these traditional expectations onto Iran, in fact these expectations were being asserted with what felt like an irresistible force from deep within my own, supposedly progressive, culture. Indeed, as Nancy F. Cott (2002) documents in her history of the origins and development of marriage in the United States, marital status has emerged as a primary index of both social and personal worth in the United States. To be sure, while I did not relish the prospect of ceding the benefits of conventionality, I did have my reservations about (permanent) marriage too. Especially at a time when the right to marry
remains largely a heterosexual privilege in the United States, the decision to wed undeniably stands as an endorsement of a discriminatory regime. Nonetheless, given the many economic and social advantages conferred upon those who do marry, it is not so surprising that marriage remains a popular choice, even among women like myself who have been raised with a taste for autonomy and nonconformity. Still, I was surprised to encounter my own resistance to trying an alternative. In this regard I am certainly not alone: even among committed academic feminists, it would seem that principled abstention from the institution of marriage is still more the exception than the rule.

Without denying the significance of the practical benefits marriage brings, I doubt that the enduring popularity of marriage among those who might be thought to know better can be explained by a cost-benefit analysis alone. One need only consider the widespread and continued opposition evoked, even within the academy, to Fineman's well-known proposal to dissolve marriage as a legal category to glimpse the range of social and personal investments underlying the persistence of the institution of marriage in the United States (Fineman 1995). Especially in the case of privileged women who enjoy financial independence and who have demonstrated a willingness to shirk the demands of normative femininity in so many other ways, I suspect that the desire to marry may hint, among other things, at a profoundly ambivalent attitude toward authority characteristic of the modern liberal subject. Paradoxically, liberalism's notorious indifference to community and other forms of social affiliation may engender a desire to make oneself the subject of authority, for in a liberal society legal recognition emerges as the supreme measure of belonging. It may seem circuitous that it took an encounter with temporary marriage for me to begin to seriously consider my own complicated relationship with Western-style permanent marriage, but surely it is one of the distinctive virtues of double critique to render us unfamiliar, if not entirely exotic, to ourselves.

Department of Women's Studies
University of California, Los Angeles

References
I Williams


