

# The Politics of Documentary Films on Iran: A Comparative Analysis

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## Abstract

This article explores Iranian women's identities reflected in documentary films made during the post revolution era. By doing so, it draws attention to the complexities of representation with regard to the position of women and the current cultural policies in Iran from a legal, religious, and traditional point of view. The documentary films are divided into two categories: those made by Iranians residing in Iran and those made by the Diaspora documentary filmmakers, we then examine and compare their content and themes. This will in turn demonstrate the relationship between the two groups of Iranian documentary film makers and the subjects they address. The selected documentaries made in Iran for this study are sponsored by the state, through the Experimental and Documentary Film Centre (DEFC). This essay will analyze the way the two categories of documentary films [by state and Diaspora] address women's issues through the themes they cover, their agendas, as well as the adopted aesthetics. These documentary films show the social empowerment of Iranian women as active agents in a society that sets obstacles in women's paths. The comparison of the two categories of documentary films may thus show the relation between Iranians residing in Iran and those in the Diaspora, which can play a role in Iran's position internationally. This research looks into three films: Mokarrameh, Article 61 and Divorce, Iranian Style. It will also assess their content and character, and explain what each documentary reflects regarding women's status in society in that particular era with respect to its theme i.e. law, tradition and religion.

Keywords: Documentary Films, Women and Empowerment, Iran, Film Aesthetics, Gender Identity

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## **Introduction**

Since the Iranian revolution of 1979, the level of education of Iranian women has increased dramatically, and their social power has become evident by their active participation in political, cultural and social spheres. This essay will explore documentary films that voice Iranian women's concerns, as well as those that celebrate their achievements. The visual medium is more powerful compared to written texts in raising awareness, communicating, and articulating what Iranian women strive for. This article will focus on documentary films as opposed to fictional films because the nature of this medium involves addressing socio-political issues with direct language, away from the allegorical or metaphorical trends common in fictional narratives. By analyzing each film in terms of its theme and aesthetic quality, we can reflect upon Iranian women's position in society and their articulated socio-political demands in documentary films.

While there has been a great amount of scholar works and publications on Iranian film and cinema during the past decades, these studies have focused on fiction/feature films<sup>(1)</sup>. This paper will address documentary films, which address women's rights with regards to family law and traditions. The aforementioned documentaries are selected for this study because they target legal codes and traditions that weaken the position of women, as well as those that show women's accomplishments.. They are comprised of documentaries made in Iran and sponsored by the state (through the Experimental and Documentary Film Centre DEFC) as well as documentary films made by the Diaspora community. This paper will



explain the way that the two categories of documentary films address women's issues through the themes they cover, their agendas as well as the aesthetics they adopt. These documentary films show the social empowerment of Iranian women as active agents in the society. They draw to attention the paradoxical situation of women in the post revolution era, who face laws which do not favor them on the one hand, and yet have acquired a social strength that enables them to fight for their rights on the other<sup>(9)</sup> (Mir-Hosseini, 2002: 167). The trend of filmmaking on gender issues specifically with regard to family law becomes more explicit after 1997 when President Khatami takes power and allows for more cinematic and artistic expression. The broader impact of this study revolves around the fact that the two categories of documentary makers residing in Iran and those in the West have developed common themes and addressed similar subjects which reflects a common understanding. Thus, the Diaspora community could voice their concerns regarding women's issues in Iran and could present a more accurate image of Iran to the international community. Such efforts eventually would allow this group of Iranian elites to act upon representing Iranian socio-cultural affairs and play an indirect role in Iran's relation with the international community.

This study has specifically focused on documentary films because they are a powerful medium that attains familiarity, addresses social issues, and uses real people as opposed to actors, avoiding imaginary creativity and lean towards "objectivity". Many of the documentary makers who have contributed to the enterprise of promoting women's status are women. Iranian women documentary makers residing in Iran have picked up their cameras and made their case to reflect the social empowerment which this study intends to address.<sup>(9)</sup>

### **I- Women's Empowerment and its Reflection in Documentary Films**

The status of women and their struggle has been a main theme presented in feature films and documentaries since the 1990s. Women



in these films are portrayed as directly encountering legal, cultural, and political obstacles to gaining equality with men. Due to an orthodox reading of the *Shari'a* which is a main part of the Iranian legal system, the position of women is legally inferior to that of men. However, women's position in society has significantly improved because of the inclusive educational policy enacted after the revolution. Dr. Peyvandi, a social science professor who works on education and is based in Paris mentions that "I think the change that took place after the revolution should be considered part of the reason behind the progress we're seeing now."<sup>6</sup> Hamed Shahidian discusses women's participation in the private and public sectors and says that "The government is women's biggest employer. Less than one third of all full time, permanent government employees are women - 29.16% for 1997 (Iran Statistical Centre 1999:103). In 1997, of all full-time, female government employees, some 74% worked in the ministry of education. These employees accounted for close to 46% of that ministry's total work force" (Shahidian, 2001: 241-242). This illustrates how women's education has led to a growing number of women employed in governmental organizations, which has become the basis of their power.

The underlying reason as to why women and men filmmakers and documentary makers have turned their attention to themes concerning women is a relaxation from the war. In the late 1980s, as people's attention moved from integral sovereignty and national unity to domestic policy and civil society, women became conscious of their inferior position in the legal codes and the social discrimination imposed on them. Numerous NGOs, associations, publications, web logs, film festivals, etc. were formed that voiced the women's concerns and called for a reconsideration of their role in the society. The journals that were launched at this time scrutinized legal codes and called for a reinterpretation of women's family, social and political rights. *Zanan* was the most prominent publication that addressed women's issues and articulated a new feminist approach.



This journal was launched in February 1992 by Shahla Sherkat, and was associated with the moderate school of thought of the second decade after the revolution. *Zanan* criticized the unequal status of men and women in the Iranian Constitution. It offered a different reading of Hadiths and Quranic verses. *Zanan* addresses women's issues not only from within the Islamic framework but also utilizes non-Islamic analytical tools to promote women's issues (Najmabadi, 1998: 66).

The social empowerment of women articulated in the print media has been reflected in films since in the 1990s. Many filmmakers have used the opportunity of the more open environment of the 1990s to focus on women's challenges and their disadvantages in society. This has been referred to as a "Golden Age" for addressing these issues, which filmmakers were barred from doing earlier (Donmez-Colin, 2006: 24). Filmmakers have given women central roles in their narratives and have assessed the transition of women's roles from the traditional to the modern. Kiarostami in his films *Under the Olive Tree* (1994), and *Ten* (2003), Jafar Panahi in *The Circle* (2000), Mehrjui in *Sara* (1993), *Pari* (1995) and *Leila* (1996), Rakhshan Bani Etemad in *Nargess* (1992), *The Blue Veiled* (1995) and *The May Lady* (1998), Tahmineh Milani in *Two Women* (1999), *The Hidden Half* (2001), *Fifth Reaction* (2005), *The Unwanted Woman* (2005) and *Ceasefire* (2006), Majid Majidi in *Baran* (2001) and Samira Makhmalbaf in *The Blackboards* (2000) and *The Apple* (1998) have all focused on women and have made them the protagonists of their narratives. Jonathan Rosenbaum in addressing Iranian women's active participation and involvement in picking up their cameras and claiming their rights says "the most famous teenage filmmaker in the world only a few years ago was Makhmalbaf's daughter Samira, when she made her first feature, *The Apple* (1998)" (Rosenbaum, Sep 16, 2009). Rakhshan Bani-Etemad and Tahmineh Milani are two well-known filmmakers who have contributed to the cause of women and have addressed the problems of Iranian women from different points of views. Hence, there are a variety of films made since the 1990s that focus on women



from different social classes with different religious orientations.

A common theme in these films is a woman's position in the family and her treatment by family law, including divorce. Nasrin Rahimieh in her article, *Divorce Seen through Women's Cinematic Lens*, discusses women's position in the family and describes how the traditions and the legal system have played a major role in shaping Iranian women's current identities (Rahimieh, 2009). Rahimieh studies three films, *Divorce, Iranian Style* (Ziba Mir-Hosseini and Kim Longinotto, 1998), *Blackboards* (Samira Makhmalbaf, 2000) and *Ceasefire* (Tahmineh Milani, 2006), and addresses how women from different social classes deal with the established family law and social norms, whether they are from tribal-rural backgrounds or from more modern/urban backgrounds. She emphasizes, as many other scholars have, that Iranian women have not abided by the restrictions outlined, and have demanded their rights. She states that "Exploring the fissures and contradictions within the divorce laws to their advantage, Iranian women have engaged with and attempted to subvert the laws in order to free themselves from the bond of marriage" (Rahimieh, 2009: 97). This resistance and unregistered power is reflected in the films she analyzes.

Lindsey Moore has also examined Iranian women's representation in films and how they are perceived in Iran and abroad. She has also selected three films for her case study: *Through the Olive Tree* (Kiarostami, 1994), *The Apple* (Makhmalbaf, Samira, 1998), and *Divorce Iranian Style* (Mir-Hosseini and Longinotto, 1998). Moore explains the romantic relationship and the close-up shots in the film *Through the Olive Trees* emphasizing the shift in the gaze-object relation in *Through the Olive Trees* from the previous paradigm where women were objects captured by men's gaze. The film challenges the set boundaries and the Cultural Ministry (Rahimieh, 2009: 7). Kiarostami had thus taken a major step in depicting a modern woman who is educated, does not wear the *chador* (black veil), and has deviated from the traditional "chastity" (Moore, 2005: 7). Many films have pushed



the boundaries set on *Hijab* to its limits and have created a novel visual/ pleasure relation between men and women through *Hijab* in their films.

Rakhshan Bani-Etemad, a well known Iranian filmmaker, in an interview with Gonul Donmez-Colin, discusses Iranian women's current position in society while referring to the heroine in the film *May Lady* (1998), a modern woman, struggling with her inner feelings and repressing her sentiments for her lover, while devoting herself to her son. He states that "We are in a period of transition from the tradition to the modern, which affects men as well as women. In periods of transition, men suffer as much as women. As long as the transition to modernism is not stabilized, we will be experiencing confusion." Tahmineh Milani also states in regard to her films which show strong independent women fighting for their rights "I think we have strong women in Iran; when you look at the results of the entrance examinations for university, fifty-two percent of the winners are women. But after graduation their husbands say I don't need your money and that is it. This is the sad reality" (Moore, 2005: 87). Thus, the filmmakers demonstrate a social commitment to reflect what they assume is reality or what ought to be.

The documentary films made about Iranian women reflect major concerns about women's status from both an external (Diaspora documentary makers) and internal (documentary makers residing inside Iran) perspective. The themes covered by state sponsored documentaries include: rural women and their daily affairs, women in Iranian mythology, blind women, women with disabilities, and recently, women confronting family law. The themes addressed in documentary films made by filmmakers residing outside Iran, include prostitution in Iran, homosexual rights, female political prisoners, divorce for women, child custody, and stories of returning home, returning to the past, or returning to childhood (Naficy, 2009). Hamid Naficy notes "straddling more than one society, émigré filmmakers are sometimes in a position to play the funding agencies and public



tastes of different countries against each other to increase their financial backing and revenues” (Naficy, 2009). Often they criticize their native countries to stand by their exilic country, and often they are caught by their nostalgic sentiments. The selected documentaries studied here were made in the period from 1999 to 2006, in which women’s issues have become central. *Mokarrameh: Memories and Dreams* (Mokhtari, Ebrahim, 1999) and *Article 61* (Sheikholeslami, Mahvash, 2006) explore the perspective of documentary makers residing inside Iran whose projects were sponsored by the state DEFC. *Divorce Iranian Style* (Mir-Hosseini, Ziba, and Loginotto, Kim, 1999) is a documentary made by Diaspora documentary makers. The selected documentaries thus delve into the central debates on women’s issues in Iran and the different approaches towards overcoming problems.

The accessibility of the public to documentary films made inside Iran and sponsored by DEFC, and the government’s control on their distribution is a crucial issue, which explains its limited audience.<sup>6</sup> The documentary films in the archive of the DEFC are accessible only to people who have a particular research/academic purpose; they must fill in a form explaining their reason for viewing the requested documentary in order to access it. The government’s control over the different stages of production and screening, and the further measures of control on public access and distribution demonstrates the importance of the medium and the challenges that documentary filmmakers face in Iran.

## II- Domestic Documentaries

The documentary films made in Iran often address social issues and attend to vulnerable social classes. Consequently, the documentary films produced show the social disasters and negative aspects of laws, rather than just featuring successful cases of Iranian women. According to Mohammad Tahaminejad “the Iranian documentary industry is a critical cinema”.<sup>6</sup> Among the documentary films made in Iran which address issues concerning women’s rights are: *Zinat*



(Mokhtari, Ebrahim, 2000), *Pishvaz az Banouy-e Solb* (Mokhtari, 2005), *Rough Cut* (Khosravani, Firouzeh, 2007) and *20 Fingers*: (Akbari, Mania, 2004).

The DEFC (state-sponsored) documentaries selected for this study include: *Mokarrameh: Memories and Dreams* (*Mokarrameh, Katerat va Royaba*, Mokhtari, Ebrahim, 1999) and *Article 61* (*Madeh 61*, Sheikholeslami, Mahvash, 2006). These two films address laws and cultural traditions in regard to family and women's position in society. These two documentaries have been selected for their particular qualities such as their themes and style, which make them effective in raising awareness and provoking women to demand their rights. The very different style and themes in the documentaries, which represent two different approaches in improving the position of women in Iran, are another factor considered for this selection. While *Mokarrameh* subtly targets patriarchal traditions through aesthetic means, *Article 61* condemns the law directly. Unlike *Mokarrameh*, *Article 61* is a success story that speaks to the strength of women who have succeeded in suspending their trial cases.

*Mokarrameh*, focuses on an old woman from a village in the north of Iran whose father was the head of the village and forced her, at a very young age, to marry a wealthy and well known man in the village who had already been married. *Mokarrameh*, from whom the film gets its name, was born in the village of Darikandeh near Babol, in the Mazandaran Province, and has great talent for painting. She began painting at the age of 63 when she came across some artist's paintings that her son had left at her home. She uses bright and original colors inspired by the beautiful natural surroundings of her neighborhood and within a few years, her works were noticed by artists and experts in Iran and overseas.<sup>7)</sup> She was a villager with the tough and strong characteristics of all village women. She complained of her past; she disliked (married life with) her husband, who would often beat her. Painting was thus, a means to reflect on her memories of those years and to object to the patriarchal culture. Her frustration



and objection to the rigid domination of the men of her time were manifested in all the walls and rooms of her house.

Mokarrameh shares her vision of life, sorrows, happiness, and dreams in the dialogues and also in her paintings. A crucial scene in the documentary is where *Mokarrameh* is talking to her former co-wife, who is older than her. She asks her co-wife “Do you recall this painting? Who are they?” The older wife says that the first is herself when she was very young and the other is Mokarrameh. The older wife says that Mokarrameh has painted herself as more beautiful. The scene is touching as it shows how even the village women, who are expected to be compliant and unquestioning of tradition, are exhausted by the patriarchal culture in which they live, and resent being controlled, whether it be by their fathers or husbands. The fact that these two wives talk to each other and remain friends even after the husband’s death after many years, and share the memory of the past shows a traditional culture and an environment in which wives have accepted to live together in the same house, and instead of becoming rivals, become friends to fight their common problems. Thus, the documentary criticizes the oppressive culture of the village<sup>(8)</sup> and shows how they had to fight tradition, which isn’t rooted necessarily in religion or the legal code. The target in this film is tradition and its strength in rural areas.<sup>(9)</sup>

The dialogues in *Mokarrameh* are about the paintings through which Mokarrameh explores her memories. The poetic dialogues between the two older women and their humorous yet sad tone re-emphasize the aesthetic quality of the film. They do not speak much about daily affairs but rather about past incidents in a mild and relaxed tone, and since these matters have come to an end, the joy of remembering them is all that remains<sup>(10)</sup>. Hence, this type of dialogue further stresses the aesthetic component of *Mokarrameh*’s artistic composition.

The subjects of the paintings are comprised of self-portrait, images of Mokarrameh’s co-wife when she was young, the other



people of the village and even animals such as hens, horses, sheep, etc. Therefore, the paintings reflect her memories and are a self-reflection and an autobiography, written in a visual language. The documentary, as well as narrating Mokarrameh's life story, also reflects the life of other village women. *Mokarrameh*, indeed stands for the untold story of many other village women.

Another state sponsored documentary film that criticizes the status of Iranian women is *Article 61* (Sheikholeslami, Mahvash, 2006). Mahvash Sheikholeslami objects to the section of the Iranian Islamic Criminal Code which rejects self-defense as defense for women during murder trials.<sup>(11)</sup> The film discusses the death penalty where women are condemned to death for committing murder in self-defense. It is noteworthy that in the three cases shown in this documentary film, women who were sentenced to death for having killed the men who were attempting to rape them or their daughters were later acquitted. This was due to the advocacy by the newspapers and other media outlets, which pressured the judges to change their sentences and release the women<sup>(12)</sup>. Hence, the documentary film emphasizes how women's voices are echoed and that they are able to call for a change within the framework of the socio-political system.

The law that is the main subject in *Article 61* is a common theme in discourses related to the inferior position of women in fiction and documentary films. Tahmineh Milani questions divorce law in the feature film *Two Women* (Milani, Tahmineh, 1999), *Fifth Reaction* (2005) and *Ceasefire* (2006). Jafaar Panahi's *Circle* (2000), Manijeh Hekmat's *Women's Prison* (2002), Samira Makhmalbaf's *Blackboards* (2000) and Ziba Mir-Hosseini's *Divorce Iranian Style* (1998) address divorce and child custody laws. In *Article 61*, the act of self-defense by a woman who has been or was about to be raped is the central theme of this film. *Article 61* is a radical objection to the status quo since it does not target a tradition, which may be reformed through education and raising awareness, but rather objects to the law, which is the materialization of the state's authority. Calling for a change in the law



implies a battle with the traditional and religious perceptions that are represented by the law and have legitimized the implementation of the law. Mahvash Sheikholeslami's challenging the law in *Article 61*, draws attention to the fact that women have reached a state of advancement where they can engage in this battle and call for their rights. Nasrin Rahimieh said the following with regards to this issue "If the revolution and return to Islamic law have severely limited women's rights, they have also brought to the fore the unresolved contradictions in the Iranian national imagination and its repeated attempts to marry tradition and modernity" (Rahimieh, 2009: 112). Thus, women documentary makers have been able to use their social power to question laws that undermine their rights. Mitha Faruk also refers to realism and its various applications in the Iranian New Cinema and attributes it to "humanism."<sup>(13)</sup>

The conversations in *Article 61* are in line with the sphere of the narrations and its aesthetics do not glorify the subject nor raise emotions. The shots show women and their family members, such as their children and spouses, talking about what happened at the moment in which they committed the act of murder, the condition they were situated in, how they felt at the moment, and how the court has dealt with the case. As the conversations are about spontaneous, tough and violent moments, the tone of the film is harsh as well.

The camera in *Article 61* moves back and forth between the women and their family members speaking about their cases, and shows clips of the court when the cases are being litigated. The camera is not still and shows scenes in which the women are narrating. The spectator is exposed to different time spans and experiences less "reality" in the way she/he would experience if she/he was present in the filmic procedure. This trend of reinforcing reality in Iranian films and blurring the lines between fiction and documentary appears in Kiarostami and Makhmabaf's master pieces.<sup>(14)</sup> The documentary film recalls news clips so that the spectator is confronted with different scenes selected from various



times which support the documentary maker's argument.

The dialogue plays a central role in *Article 61*, which may be categorized as a semi-lecture-type documentary film. The scenes of the women narrating their stories are the main part of the documentary film, and this solid conversation, free from any sort of romanticism or sensational effects, is thematically in line with the overall tone of the documentary. The speeches disclose unpleasant moments when the speakers were in the midst of their trials, or the moments in which they were being, or about to be, raped and how they had reacted. The women's daughters and other family members also speak in these scenes. The techniques echoed some of Kiarostami's films, which often use dialogue or monologue to engage the audience in a particular way (Saeed-Vafa Sep 20, 2009). Music is not applied to increase the excitement or raise sensations, and this further stresses to the dialogues.

*Article 61* consists of interviews about the struggles that the women tried under Article 61 endured. However, the interview format is blurred, for the observer does not see the correspondence between the interviewer and interviewee. This is important, as there is no third party between the spectator and the interviewee and the spectator listens to the argument directly which attracts her/his sympathy more effectively.

*Mokarrameh* and *Article 61* both object to the subordination of Iranian women, yet the issues which are addressed fall within different spheres and the critical language adopted in the two films is different. *Mokarrameh* engages in the combat subtly as its target is a cultural issue, and her means of combat is painting, a non-violent language, whereas *Article 61* directly questions the law by presenting dramatic scenes of the court and showing the women and their families discussing the horrifying experiences they had during the judicial process. Thus, the language applied in *Article 61* is more radical. This is also reflected in the title of the films as well; while *Mokarrameh* is about a woman and her artistic aspirations, *Article 61*



suggests a radical objection to a law, which has undermined women's status in the Iranian society.

In *Mokarrameh* and *Article 61* dialogue has a central role; however, while *Mokarrameh* presents artistic conversations, *Article 61* is a rigid lecture-type documentary. The scenes in *Mokarrameh* show her paintings in various rooms of her house, which echo her voice. The subject of the dialogues is pleasant, and the scenes follow a slow pace<sup>(15)</sup>. In *Article 61*, however, the dialogue is more intense as the subject is quite urgent and controversial, and the scenes follow a faster pace. The effect on the spectator in *Article 61* is one of uneasiness and anxiety.

The similarity of the two films in terms of dialogue appears in that the dialogue took place in their ordinarily residential environment and not in a set background (studio). The characters were dressed in their usual clothes, which pertains to the familiarity aspect mentioned earlier. Yet *Mokarrameh* encompasses a richer visual language in questioning a patriarchal tradition in an indirect language as opposed to the *Article 61* which adopts a more direct language.

The filmmaker's background is also crucial when understanding the film beyond the text. *Mokarrameh* is made by Ebrahim Mokhtari, a documentary maker who has focused on gender issues and women's affairs.<sup>(16)</sup> He has made several documentaries about women such as *Zinat* and *Welcome: Peace Lady*. In *Mokarrameh*, he addresses a patriarchal culture from the perspective of a woman who is from a village in a mild tone; this ease of tone indicates a more distanced approach to his subject matter. Mahvash Sheikholeslami, who is a woman, makes her case with radical language and challenges the law in *Article 61* with more passion. Her language is strong and the target is the law; this is a common trend among Iranian female filmmakers. Her radical tone makes one feel that the director is taking part in the narration.<sup>(17)</sup>

The state sponsored films addressed above which come under the Experimental and Documentary Film Center, raise questions in



regard to women's legal and cultural problems. *Mokarrameh* and *Article 61* are both objections to the status quo. *Mokarrameh* causes less political tension, while *Article 61* is a radical rejection of the law. These documentaries call for the reform of legal codes, which are not fair to women, and traditions from within the system. Thus, the review and comparison of *Mokarrameh* and *Article 61* discloses the concerns of documentary makers inside Iran through the theme they cover and the aesthetics they apply to make their case.

### III- Diaspora Documentary

The documentary films made by the Diaspora address women's rights as the films sponsored by the DEFC do, but are less restricted in term of censorship policies. Consequently the range of issues that are addressed in the Diaspora films are wider.<sup>(18)</sup> The subjects are often political in these films. Films made by the Diaspora community which emphasize women's rights and object to the discrimination against them are: *Runaway Girls* (Mir-Hosseini, Ziba and Longinotto, Kim, 2001), *And in Love I live* (Bahrami, Pantea<sup>(19)</sup>, 2008) and *Mrs President* (Haeri, Shahla, 2001), etc<sup>(20)</sup>. *Divorce Iranian Style* (Mir-Hosseini, Ziba and Longinotto, Kim 1999) will be reviewed under the Diaspora documentary makers' category<sup>(21)</sup>.

*Divorce Iranian Style* has been selected for this study because of its sophistication and balanced view of Iranian women's position among other Diaspora films. Despite the discriminatory family law, the film shows women not as passive victims, but as active agents pushing back against the legal codes, and thus reflects a degree of women's social empowerment. It shows women struggling with the law by fighting for their rights. Ziba Mir-Hosseini mentions that her intention was to "challenge prevailing stereo-types about women and Islam" (Mir-Hosseini, 2002: 168) in the Western media. *Divorce Iranian Style* does not necessarily represent all other documentary films made by the Diaspora but shares the broader goals of many Iranian Diaspora films, namely enhancing women's position in Iran<sup>(22)</sup>. *Divorce*



*Iranian Style* demonstrates a growing awareness amongst women about their legal rights and their ability to navigate through discriminatory family law. Mir-Hosseini was determined to pursue this goal by exposing women's empowerment in the narrative. This effort by Mirhosseini and many other Iranians abroad shows their contribution in representing a further accurate and fair picture of Iran to the international community, given the fact that Iran has struggled to with the western public and the broader international community

*Divorce Iranian Style* addresses the issue of Iranian women who struggle with divorce and child custody laws. The documentary presents the court cases of women of different ages and from different socio-economic backgrounds. Ziba Mir-Hosseini brings attention to the struggle between women and laws that do not favor them and the efforts of the judge presiding over the cases to reconcile their demands with the law. The documentary is filmed inside a Tehran divorce court, and allows the viewer to witness the arguments of both sides in each case, presenting a clear picture of the unfair and inequitable nature of the system, which takes the husband's side regardless of his weaker arguments.<sup>(23)</sup> This documentary shows the complexity and inconsistency of women's treatment by the law; in other words, it displays the law that is not on women's side, as well as women's more liberated social status, which enables them to argue their case before the judge. The judge thus, for example, eventually takes the current social conditions into consideration, and is convinced by the arguments made by Ziba, a 16 year old claimant, who stands up against her 38-year old husband, granting her the divorce (Tapper, 2002: 167). The documentary reveals the social strength of Iranian women in recent decades and how they stand up for their rights within the socio-political system.

The documentary, *Divorce, Iranian Style*, reflects on the bias of Iranian legal system against women. Mir-Hosseini's project was inspired by her earlier research on family law in Iran and Morocco, *Marriage on Trial*<sup>(24)</sup>. One of the cases addressed is that of Maryam, a



divorcee who had remarried and was desperate to gain the custody of her children, which she ultimately fails to achieve. The judge and strikingly the court's secretary, Mrs. Maher, a middle aged woman, told her that since she has been so selfish as to remarry she was not eligible to have the custody of her child. Mrs. Maher argued that "in marrying her second husband, Maryam was only pursuing her own desires and that a mother should always put her children first" (Rahimieh, 2009: 103). This statement points to the patriarchal traditions embedded in the society, which is more important than the unjust laws addressed in the courtroom. Rahimieh discussing Mrs. Maher's judgment emphasizes that "the terms Mrs. Maher uses to describe motherhood have deep roots in Iranian cultural history. Being a good mother became synonymous with self-sacrifice and self-denial" (Rahimieh, 2009: 103). Not only does the judge, as a traditional and strict Muslim, denounce her remarriage, but also the secretary who is a woman, has internalized the misogynist discourse. Mir-Hosseini in this episode draws attention to how women have internalized self-denial and subtly questions Mrs. Maher's stance on this issue. However, the cases shown prove that not everyone accepts such attitudes and Maryam is a representative of those who wish to break off from these traditions.

Patriarchy is thus reflected not only in the legal codes, but also in tradition or the "unwritten law". The secretary working in the court, who tells the woman who had divorced and remarried, if she genuinely wanted the custody of her children, she should have preserved her marriage and lived with all the difficulties she had in her life, represents the patriarchal traditions. By emphasizing the daily affairs in a society that is male-oriented (male domination internalized) and bringing forth the opportunity to observe it, *Divorce Iranian Style* points to the unfair status of women in the culture. Presenting the case against traditions is more complicated and controversial. The effects of objecting to the tradition and customs that derive from a patriarchal mentality, shaped through centuries, is a



heavy burden that filmmakers in the 1990s took on.

Although the law is not on the side of the women in the cases presented in *Divorce Iranian Style*, the documentary draws attention to their unregistered power in the society with which they speak strongly and defend themselves. Thus, in all cases there is an objection to the law and a reflection of the empowerment of Iranian women. Her strength and an awareness of her rights is demonstrated by the woman who bargains with the judge over child custody and tries to condemn her ex-husband for not being qualified to take care of the children shows a degree of strength, as does Ziba, the 16 year old girl who in responding to the judge, says that she was not supposed to be married to her husband in the first place because she was too young and had not reached the legal age.

In her comparative study of *Divorce Iranian Style*, *Blackboards* (Makhmalbaf, 2000) and *Ceasefire* (Milani, 2006), Nasrin Rahimieh points out that while *Divorce Iranian Style* transparently manifests the resistance of women, the two latter films show women's resistance subtly, via poetic language in the case of *Blackboards* and comedy in *Ceasefire*. In fact, as pointed out by one reviewer, the female subjects of the documentary are far from passive victims" (Rahimieh, 2009: 100). Lindsey Moore, in her own comparative study of women in Iranian film similarly notes that, "by persistently and even aggressively engaging with the law, women across the social spectrum are shown actively to participate in contemporary debates on gendered rights in Islamic Iran" (Moore, 2005: 23). And, Nick Poppy likewise highlights women's agency in his description of the court cases in *Divorce Iranian Style*: "...a series of women pleading their cases before a judge. They are trying to extract permission for divorce, a right automatically given to men but available to women only through the court system. The women in the film, each unhappy with marriage in her own way, must resort to all sorts of tactics to obtain their divorces-- negotiating, pleading, shouting, sharing embarrassing details, stretching the truth and telling the truth."<sup>(25)</sup>



The camera in *Divorce Iranian Style* moves from women defending themselves to the judge. It not only shows the formal trial sessions but the informal dialogue between the judge and the women outside the courtroom. The secretary working in the family court and her views are reflected as well. Moore states that “Although, this quality in *Divorce Iranian Style* undermines the “realistic/objective” component, it is still realistic in the way that it reflects the actual scenes in which the women are bargaining with the judge without any sort of romanticism.” Mir-Hosseini states that “in order to challenge the stereotypes successfully, and to draw the viewer into the rich varied lives of ordinary people, the film should focus on individuals and their stories in the courts as well as in their homes” (Poppy, 1998: 169). She indicates the different women and their different socio-cultural backgrounds draw attention to the diversity of ways in which Islamic law functions in the Iranian society. In other words, she emphasizes the individual as opposed to the masses, in contrast to the generalizations offered by the Western media.

The tempo of the film in *Divorce Iranian Style* is slow, allowing the viewer to absorb and reflect on the scenes which categorize it as an “observational” or “participatory” documentary (Tapper, 2002: 15). This quality is derived from the anthropological nature of the project. Although the documentary is about divorce and reveals bitter stories, it leaves the viewer with an optimistic impression. The human aspects in the trial, such as how the judge’s calmness and his attempt to resolve the problem by talking to the two parties also reinforces the documentary’s relatively calm and pleasant tone.

The humor applied in *Divorce Iranian Style* in the scene where the little girl mimics the judge, is crucial for it enriches the aesthetics of the documentary. While the topic of the documentary is harsh, the humor lightens the tone. Mir-Hosseini explains Paniz’s desire to be filmed: “One day during last week, as we were filming the judge leaving the room, Paniz chose her moment. Her mother was not in court, and as soon as the judge had left, she ran to his seat and started



a mock trial. She clearly understood what the film was about and found a role in it for herself' (Tapper, 2002: 190). This scene allows for the viewer to understand the subtext. While doing so is not the trend in documentary films, the little girl reciting the judge's words was the symbol of both the arbitrariness of the law and the hope for the future. This episode symbolizes a moment when women become judges dealing with their cases from their own points of view.

*Divorce Iranian Style* is a narrative with a hidden dialogue between the interviewer and the interviewee, where the interviewer who is the filmmaker is hidden and the interviewees, whom are the women in the court and the judge, are visible. The interviewer, Mir-Hosseini is not shown in the film, but she is heard. This method of interview allows the spectator to experience the film actively by which she/he appreciates the message individually, without feeling the point imposed on her/him. Rahimieh says "There are numerous occasions when the people in the court speak directly to the camera and the filmmakers, although the latter never appear in front of the camera" (Rahimieh, 2009: 102). Mir-Hosseini emphasizes that they did not want to hide anything from the audience, "We wanted the audience to see how we were part of the proceedings, how we did not keep our distance from the people we were filming, in short, how we were not mere observers" (Rahimieh, 2009: 102). Thus her voice is heard in several episodes while talking with the women or the judge which highlights her participation in the evolving narrative.

Ziba Mir-Hosseini's background and her social and political position are projected in *Divorce Iranian Style*. She states that "I found myself in an uncannily familiar situation of shifting perspectives and self redefinition: as well as refocusing my views on the complex politics involved in the representation of women, I once more had to confront, articulate, and honor my own multiple identities. During my debates with clerics in Qom [for research toward *Islam and Gender*], I had to justify my feminism; now I was to articulate the Muslim and Iranian aspects of my identity [to British television executives and



Iranian officials]” (Tapper, 2002: 195). While she has lived most of her academic life in exile<sup>26</sup>, she demonstrates a thorough knowledge and a balanced understanding of the current situation with regard to gender issues in Iran. Although, it is common among the exile documentary makers who have a Western-oriented view with regard to human rights in general, and gender issues specifically, to condemn women’s status in Iran, *Divorce Iranian Style* offers a nuanced image of Iranian women’s position. It does not merely question the divorce law and its deficiency but also draws attention to the empowerment of Iranian women in Iran.

By contrast, the exilic scholars/ filmmakers have often shown a biased view towards their native country and their misplaced nostalgic feelings are reflected in their scholarly position<sup>27</sup>. Mir-Hosseini’s fair and balanced vision has made *Divorce Iranian Style* as a masterpiece, which presents a just portrayal of Iranian women’s position in society. Thus, these documentary films not only point to the common views of the diaspora documentary makers and those residing in Iran in terms of the themes they address, but also to the fact that many Iranian scholars who reside abroad have played a major role in representing Iran in the international community and thus enhancing Iran’s status on an international platform.

### Conclusion

This paper has explored the treatment of Iranian women’s struggles with regard to the law, tradition, and religious beliefs, in contemporary Iranian documentaries. It offers an analysis of three documentary films made about Iranian women, two of which are made inside Iran and are state sponsored, *Mokarrameh: Memories and Dreams* and *Article 61*, and one documentary film made by a Diaspora documentary maker, *Divorce Iranian Style*. It has discussed the different approaches adopted by each documentary filmmaker in raising the matter of women’s rights and the discriminatory laws affecting them. These documentaries are a representative sample of what is a broader



trend in Iranian documentary films that share the same commitment to women's rights in Iran. While in general, Diaspora filmmakers enjoy more freedom to address Iranian socio-political issues than their colleagues in Iran, in the case of *Divorce Iranian Style*, the documentary filmmaker filmed inside Iranian courts and thus experienced more restrictions than the two state funded documentaries.

*Mokarrameh*, *Article 61*, and *Divorce Iranian Style*, while different in thematic and aesthetic respects, share the same objective of raising awareness, critically engaging issues and hoping to facilitate the enhancement of the position of women in Iran. The documentaries discuss women's struggles in Iran across a broad socio-economic, political, religious, and urban or rural spectrum. They are also a reflection of a general awareness and preoccupation with women's rights within Iranian family law and a questioning of patriarchal traditions, among audiences both in Iran and abroad.

There is no clear distinction between the subjects and aesthetics of documentary makers residing inside Iran who are funded by the state and those of Diaspora documentary makers. This draws attention to the common understanding of the two groups of scholars, which in turn would pave the way for a better understanding and conveyance of the major struggles in Iran to the international community. Although this essay highlights the different thematic and aesthetic/stylistic characteristic of the three documentary makers, their broader aim and subject matters are comparable. *Article 61* and *Divorce Iranian Style* both touch on the subject of law and criticize the state for implementing laws that turn a blind eye to women's struggles. Both documentary films include "talking heads", avoid romanticism in their content, and use a direct tone and language to address their subject matter. By contrast, *Mokarrameh* focuses on patriarchal tradition and avoids the harsher tone and language, relying instead on art, and poetic and symbolic language to convey its message. All three documentaries, however, include scenes that capture human emotions and show



informal conversational moments meant to elicit the sympathy of the viewer. The techniques and aesthetics adopted in the three documentary films are not so very different, and the individual aesthetic and thematic choices of the filmmakers appears to supersede the connotations carried by arbitrary Diaspora/Domestic categorizations, suggesting a degree of common understanding among the documentary makers inside Iran and in the Diaspora.

According to Ziba Mir-Hosseini, “Islamic officials believed that the film, *Divorce Iranian Style* undermined the image of strong family that is the foundation of Islamic system by showing women fighting for release from their unwanted marriages” (Naficy, 2009: 197). Mir-Hosseini however, believes that “there are different voices in Iran. The one most often heard is the legal voice. But there is also an egalitarian voice in everyday life, seldom heard by outsiders” (Tapper, 2002: 196). The image presented to the “other” was the main concern for Iranian officials. Ironically, many Iranians living abroad were also hesitant about showing images of personal marriage disputes and revealing a weak image of Iranian women.

Among the Iranians living abroad there were different reactions to the films. Those who identified themselves with the political opposition abroad, according to Mir-Hosseini, claimed that the documentary did “not show the reality of women’s oppression in Iran, and trivializes their suffering under Islamic law” (Tapper, 2002: 194). Other non-political expatriates on the contrary, objected to the film claiming that it does not represent the reality and merely shows “backward Iranians” which “made them feel ashamed in front of foreigners” (Naficy, 2005). While the main audience of the filmmakers inside Iran is Iranians living inside the country, the major audience of the Diaspora filmmakers is the international community. However again, both sets of documentaries offer complementary



## Notes

1. There are a good number of scholarly publications on Iranian cinema that discuss Iranian cinema from aesthetic, historical and sociological points of views. Among the major writers on Iranian Cinema are Hamid Naficy (*An Accented Cinema: Exilic and Diasporic Filmmaking*, 2001), Hamid Dabashi (*Masters and Masterpieces of Iranian Cinema*, 2007), Mehrnaz Saeedvafa and Jonathan Rosenbaum,, (*Abbas Kiarostami*, 2003), Hamid-Reza Sadr (*Iranian Cinema: A Political History*, 2006), Nasrin Rahimieh ('Divorce Seen Through Women's Cinematic Lens', *Iranian Studies*, 2009), Mehdi Semati (*Media, Society and Culture In Iran: Living with Globalization and the Islamic State*, 2008), Richard Tapper (*The New Iranian Cinema: Politics, Representation and Identity*, 2002), Reza Shirvani ('Issues and Paradoxes in the Development of the Iranian National Cinema: An Overview', *Iranian Studies*, June 2008), Roxanne Varzi (*Warring Souls: Youth, Media and Martyrdom in Post Revolutionary Iran*, 2006), Shahla Lahiji ('Chaste Dolls and Unchaste Dolls: Women in Iranian Cinema Since 1979', *The New Iranian Cinema: Politics, Representation and Identity*) and Gonul Donmez-Colin (*Cinemas of the Other: A Personal Journey with Filmmakers from the Middle East*).
2. Ziba Mir-Hosseini notes that her intention of making 'Divorce, Iranian Style' was to show a fair picture of Iranian women as opposed to the Western Stereotype spread by the media, 'Negotiating the Politics of Gender in Iran: An Ethnography of a Documentary', *The new Iranian Cinema: Politics, Representation and Identity*. 175 5<sup>th</sup> Avenue, New York, IB Tauris and Co Ltd, 2002, p.167.
3. Filmography: *Article 61/ Madeh 61* (Sheikholeslami, Mahvash, 2006); *Divorce Iranian Style* (Mir-Hosseini, Ziba and Longinotto, Kim, 1998); and, *Mokarrameh: Memories and Dreams* (Mokhtari, 1999).
4. [http://www.parstimes.com/women/women\\_universities.html](http://www.parstimes.com/women/women_universities.html).
5. One must draft the research topic and request to watch the films at the film lab at DEFC. If approved by the DEFC committee, they are allowed to watch the film at a visual laboratory of the DEFC. These documentaries are not sold at the film stores like fiction films.
6. In 2003 he published the independent book the history of documentary films: Iranian Documentary Cinema, the field of Differences. He was one of the Founders of Iranian documentary filmmakers. Website: <http://irandocfilm.org/membersen.asp?id=19> viewed June 20, 2009.
7. <http://banafshehg.multiply.com/journal/item/1>, viewed June 25, 2009.
8. *The Cow* (Mehrijui, Dariush, 1969) also criticised the poverty and primitive state of the villagers and was banned under the Shah for it harmed the Pahlavi's modernisation ambitions. Hamid Reza Sadr states: "A government that intended to bask the glory of its economic policies was not going to tolerate such a dystopian vision", Sadr, Hamid Reza, *Iranian Cinema: A Political History*, p. 133.
9. This documentary raises issues on women residing in villages and rural areas such as



- Blackboards* (Makhmalbaf, Samira, 2000) which addresses a girl who is reclaiming her agency by leaving her lover and searching for the lost city of Halabcheh. (Nasrin, 2009).
10. Kiarostami's films also have an emphasis on the dialogues and are less action-oriented films where the spectator meditates on the themes raised in the film. (Moore, 2005: 14). "Kiarostami's unique style that has absorbed Westerners is his "unique but unpretentious poetic and philosophical vision. Not only does he break away from conventional narrative and documentary filmmaking, he also challenges the audience's role."<sup>1</sup>(Poudeh and Shirvani, 2008: 337).
  11. <http://www.defc.ir/Default.aspx?PageID=511&RelatedID=vMbUvMvtvUUv>, viewed: June 2, 2009.
  12. The films *Ceasefire* (Milani, Tabmineb, 2006), *Two Women* (Milani, 1999), *Blackboards* (Makhmalbaf, Samira, 2000), *Ten* (Kiarostami, Abbas, 2003), *Leila* (Mebrjui, Darius, 1996) are among films that address women and family law, particularly divorce. (Donmez-Colin, Gonul, *Cinemas of the Other: A Personal Journey with Filmmakers from the Middle East*)
  13. Mitha, Faruk in 'Book Review: *Masters and Masterpieces of Iranian Cinema*' states: 'Dabashi classifies the styles of Iranian film directors around an idiosyncratic theory of realism, as a way of distinguishing Iranian films from the aesthetic categories of Italian Neorealism, Soviet Social Realism, French New Wave, and German New Cinema'. Website: <http://www.arabmediasociety.com/?article=707>, viewed: Sep20, 2009.
  14. Tapper, Richard, *The New Iranian Cinema: Politics, Representation and Identity*, " what is scripted and filmed in a fiction film, is also real; many Iranian filmmakers play with this poetically, by filming the making of the film (*Salam Sinema*, Mohsen Makhmalbaf, 1995; *The Taste of Cherry*, Kiarostami, 1997) by filming real stories (*Close-Up*, Kiarostami 1989, *Moment of Innocence*, Mohsen Makhmalbaf, 1996; *The Apple*, Samira Makhmalbaf, 1998) and by using documentary conventions and cinematic styles, minimal scripting, real people (not actors) and real locations .
  15. Azadeh Farahmand discusses Kiarostami's "choice of village themes and locations, shooting in rural landscapes, which reinforces the exotic look of Iranian films." *The New Iranian Cinema: Politics, Representation and Identity* (p.11)
  16. "Ebrahim Mokhtari is a graduate of filmmaking from Tehran's College of Film & Television and Universite de Paris-VIII 1980 in Etudes Cinematographiques et Audio-visuelles. He started his career at the Iranian television as assistant director of series and began making documentaries for the Iranian TV stations and established himself as one of the prominent documentary filmmakers in the country." <http://www.ebrahimmokhtari.com>, 30 June 2009.
  17. Tahmineh Milani in an interview with Gonul Domnez Colin, *Cinemas of the Other: A Personal Journey with Filmmakers from the Middle East* states that women can only voice their concerns and men cannot view from a woman's perspective, (p.24).
  18. Naficy states in 'Making Films with an Accent: Iranian Émigré Cinema': the various distances and slippages between self and other and between home and elsewhere that



- returnees experience make for contradictory texts that are critical not only of the dominant zeitgeist in the Islamic Republic (and the West) but also of the dominant forms of film making. Website: <http://www.thefreelibrary.com/Making+films+with+an+accent:+Iranian+Emigre+Cinema.-a0147302466>, viewed Sep 20, 2009.
19. Bahrami, PanteA, <http://www.panteabahrami.com/en/Filmography.html>, 30 June, 2009.
  20. Iranian Young Cinema Society (IYCS), <http://www.scribd.com/doc/7187641/Filmhaye-Sakhte-Shode-Tavasote-Zanan>, and Documentary and experimental Film Centre: [www.Shortfilm.ir](http://www.Shortfilm.ir), 30 June 2009.
  21. Kim Longinotto is a well known filmmaker who had made films about Muslim women in Egypt and Morocco and turned to be a motivating partner to carry on the project.
  22. It is an “ethnographical documentary” or an “observational documentary”, where the camera narrates the story rather than an outlined script conducting the narration. Richard Tapper notes: “Many others encountered by Mir-Hosseini and Longinotto held a view of documentary as justified only by either pedagogic or political aims, probably scripted in advance, with ‘objective’ pretensions, but with an authoritative commentary. Filmmakers and authorities did not seem able to accept cinema verite’, the unscripted ‘observational’ and ‘participatory’ style of documentary which allows stories to present themselves to the camera, and to develop while filming, and reveals the engagement of people behind and in front of camera.” *The New Iranian Cinema: Politics, Representation and Identity*, p. 15.
  23. <http://www.dvdtimes.co.uk/content.php?contentid=69936>, 30 June 2009.
  24. Mir-Hosseini’s book, *Marriage on Trail* was based on her research on family courts in Iran.
  25. ‘Irreconcilable Differences, “*Divorce Iranian Style*”, by Nick Poppy, Indiewire, 9 Dec., 1998:  
[http://www.indiewire.com/film/interviews/int\\_Longinotto\\_MirH\\_981209.html](http://www.indiewire.com/film/interviews/int_Longinotto_MirH_981209.html). Viewed, Sep 27, 2009.
  26. She works as a freelance researcher and consultant on gender and development issues and has done extensive fieldwork in rural and urban Iran as well as urban Morocco. Since the 1979 Revolution in Iran, she has done research in Tehran family courts and has followed developments in family law debates about gender issues in the Islamic Republic.
  27. Naficy, Hamid, discusses *The Suitors* made by a Diaspora filmmaker and the reactions made by the exilic community: “the exile media, on the other hand, reacted defensively overall and many of them condemned the film. One viewer called *The Suitors* “anti-Iranian” and a “calamity” since its representation of Iranian exiles at “cruel, stupid and pitiable” fit the pattern of colonial conquest. Which is biased on negative portrayals of natives that justify intervention in their affairs and on their behalf” ‘Making Films with an Accent: Iranian Émigré Cinema’, <http://www.thefreelibrary.com/Making+films+with+an+accent:+Iranian+Emigre+Cinema.-a0147302466>, viewed Sep 20, 2009.

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