

Politicizing Motherhood: A Study of Unwed Mothers in two Iranian Films

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Abstract

Throughout history women in Iran have witnessed severe repression and political regulation of their bodies that has only served to reflect the vagaries of patriarchal administration. Parallel to that has been the history of women's resistance and since 2010 there has been intensive attempts to lay bare women's bodies as sites of protest- defined by the term embodied resistance. If Jafar Panahi's renowned film *The Circle* had raised burning questions on the condition of women in Iran, twenty-two years later Ali Asgari's critically acclaimed film *Until Tomorrow* brings in new questions and a bolder form of resistance to the biopolitical control of the repressive regime.

Keywords: Iran, women, embodied resistance, protest, biopolitical control, repressive regime

The cinema is like a screen that not only reflects the lived realities of people, but also actively participates in the process of representing and recreating reality. It is the space where subjects evolve through signifying processes and new subjects come into being that herald the path for its viewers.

Iranian cinema has always assumed an envied position in the field of such revolting and life-changing masterpieces that continue to speak to viewers across space and time and influence lives. Of the great body of works in its history, I have taken Jafar Panahi's renowned film "The Circle" released in 2000 and a fairly recent production Ali Asgari's critically acclaimed film "Until Tomorrow" released in 2022. I shall not go into the detailed description of the films nor can I cover the wide range of searing social and political comments that emerge out of the narratives. However, I shall focus on the case of unwed mothers as portrayed in the films.

A brief history of women's rights in Iran:

The history of regulation of women's bodies in Iran extends much beyond the Islamic revolution of 1979 as is the history of resistance that predates the emergence of human rights discourse. As Adrienne Rich said in her seminal work *Of Woman Born: Motherhood as Institution and Experience*, "the woman's body is the terrain on which patriarchy is erected". By 1936 once Shah Reza Pahlvi consolidated his power in the political arena of Iran he was required to project an image of progressive Iran and this was mandated to be carried out by a forceful ban on the hijab in public places. The veil was officially abolished - but it was "a victory as well as a tragedy because the right to choose was taken from women." Just as it would be immediately after the Islamic Revolution of 1979 when the hijab would be reintroduced and made mandatory for all by 1983.

Haleh Esfandiari an Iranian-American academic and author of *Reconstructed Lives (1967)* in an interview says, "The 1979 revolution brought out the masses of Iranian women who were demonstrating

for the abolition of the monarchy and for an Islamic republic. They believed that an Islamic republic would give them total equality, removing all existing obstacles for participation of women in the affairs of the state. But in the excitement of that revolution, nobody paid much attention to what Ayatollah Khomeini was saying in Paris. He said women will have a role in the society but within an Islamic framework. Nobody bothered to ask, ‘What is the Islamic framework?’” (Wilson Centre)

Rawan Osman, a Syrian political activist in her article titled *Iran’s Revolution and the Women Who Outlived It* writes :

“The very notion of an “Islamic republic” is internally contradictory. The term was not chosen out of admiration for the French republican model that had hosted Khomeini in exile prior to his return to Iran. Rather, it revealed his political pragmatism. His project was fundamentally political rather than theological.... No betrayal illustrates this transformation more clearly than the fate of Iranian women.... During the revolution, Khomeini praised their role, describing them as “the vanguard of the movement.... Women marched in demonstrations, organized networks, and mobilized society against the Shah. Yet once power was secured, the new regime imposed strict dress codes and sweeping legal restrictions on women. The revolution that promised dignity turned many of its most courageous participants into subjects of control.... History records a striking irony: the first mass protest against the Islamic Republic was led by women on International Women’s Day in 1979.” (Osman)

Immediately after the Revolution the Islamic Republic the Family Protection Law of 1967 was abrogated and replaced by new legislation meant to “strengthen the institution of the family,” and to protect women and motherhood, or specifically in Rich’s language “the patriarchal institution of motherhood.” This new legislation introduced mandatory hijab laws, “allowed a man rights to his wife’s body”, reduced the marriageable age to 13, encouraged polygamy, strengthened men’s divorce rights and banned women from singing and dancing in public.

The Circle (2000):

Jafar Panahi’s film begins with the cry of a mother giving birth to a baby girl but as soon as the baby’s grandmother comes to learn this she helplessly tells the nurse, “The in-laws will be furious. They will insist on a divorce. They want a boy. My poor daughter.” (kirklestat, “The Circle 2000 1080p English Subtitled”) The film follows three women inmates who have just escaped prison and struggles to make their way into the civilized society which turns out to be even more oppressive and claustrophobic for them. The narrative of the film is relayed from one woman character to the next and we come to meet a female character called Pari who is four months pregnant. She is desperately looking for an illegal abortion with the help of her friend Elham, a nurse whose husband is a doctor at a hospital.

However, as Ladan Rahbari, Associate Professor at Amsterdam University in her article titled, ‘Marriage, Parentage and Child Registration in Iran: Legal Status of Children of Unmarried Parents’ explains, “Abortion by choice is illegal in Iran and only ‘medical’ abortion is allowed under very specific conditions: 51 maternal and fetal conditions would qualify the mother to apply for a ‘medical’ abortion.”(Rahbari) So when Elham refuses to help Pari, she comes out of the clinic and at a street corner she comes across an unnamed Mother (woman called Nayer played by Fatehmeh Naghavi) who abandons her little girl on the street just outside a hotel hoping that she would be taken in by a family. Pari finds the mother hiding behind a car and glancing at the little girl as she cries alone on the street and she decides to intervene. She goes to the mother and tries to convince her to take back the child saying, “She will be sick with grief” to which the mother says “Stop it or you will make me change my mind. My heart is breaking. This is the

third time I have tried to leave her. I thought I would never find the courage to abandon her. Some family will find her. And take her far away. Somewhere that holds a future for her. She'll be safe then. God knows how I've suffered. It isn't easy. No mother can abandon her child without turning back... Welfare will take care of her. She will be better off."(kirklestat, "The Circle 2000 1080p English Subtitled"). Without a valid ID or an accompanying male Pari fails to secure a shelter and vanishes into the darkness of the night while the mother helplessly walks away from the scene and is heard no more.

Until Tomorrow (2022):

Asgari's film opens with the frantic efforts of a young mother to dispose of her two-month-old baby. The baby's clothes, diapers and feeding bottles are packed in large bags and stashed away in one corner of her neighbour's apartment and another is thrown out of sight on the roof. By nightfall she will practically abandon her baby at a friend's hostel so that no noticeable traces of the baby are left behind when her parents arrive at her apartment to stay for the night.

To maintain a "clean and proper self" and keep untainted her image of the good daughter Fereshteh initially rejects her baby, and she does what a compliant docile body would do to survive in a repressive regime. The unnamed mothers in both Panahi and Asgari decide to give up on their daughters as they find no means to build a life together whether for one's own survival or for the hope of a better life for the daughter. This then brings us to the dynamics of marital laws and the intricately linked problem of unregistered children in Iran.

The problem of unregistered children:

In spite of the United Nations demand for 'Legal identity for all' to dramatically increase birth registration by 2030, the percentage of children whose births are unregistered is staggering. Ladan Rahbari, Associate Professor at Amsterdam University in her article titled, 'Marriage, Parentage and Child Registration in Iran: Legal Status of Children of Unmarried Parents' writes, "Only one type of marriage is accepted by law: religious marriage or Islamic marriage. In addition to the compulsory religious ceremony, all marriages must be registered to become official." (Rahbari)

In Iran "both religious and political institutions practically cocreate and co-update the country's legal framework" (Rahbari). After the Islamic Revolution of 1979 this legal system, based on a more classic and 'purist' reading of Shia Islam, considered an officially registered Islamic marriage as the only legitimate form of matrimony. "Everything outside became outlawed and subject to punishment." (Rahbari) And as a consequence Prof. Rahbari writes 'In 2018, the Social Welfare Deputy of the Iranian Ministry of Cooperative Labour and Social Welfare stated that in Iran, overall and across all ages, forty-nine thousand children born to Iranian mothers do not have a birth certificate. However, other non-official news sources have estimated the number to be around a million... the exact number of unregistered children remains unknown." (Rahbari)

Article 1167 of Iran's civil code declares that "a child born of adultery shall not belong to the adulterer", meaning that unmarried parents have no custody rights as a couple. (Nazari)

Prof. Ladan Rahbari further explains:

"Based on Shi'i jurisprudence, if one or more of the persons involved in a relationship are committing adultery and are not married, they are committing zena. Zena includes sexual relationships outside of marriage, such as adultery and fornication and thus also encompasses sex work, unless the sex worker gets temporarily married to the person, they have sex with... According to Shi'i legal scholars, a child born to

an Islamic marriage is called ‘legal’, but a child born to an unmarried couple is called ‘illegitimate’ or ‘natural’ child. (Zena) This categorization of ‘natural’ and legal children is discursively and legally problematic as it distinguishes between children depending on their parents’ marital status.” (Rahbari). Such children face profound systemic marginalization and cultural ostracization. They are deprived of education, health care facilities, and other social, financial and welfare services. Prof. Rahbari quotes an influential cleric on this issue, “Illegitimate children are like those suspected of having a dangerous viral infection; such people are not only barred from taking over certain roles for the public interest, but sometimes their mere presence in society is also prevented.” (Rahbari). On the other hand the mother can face prosecution, which may include punishments like public flogging or imprisonment. Fearing criminal charges many are forced to illegal and potentially unsafe abortions. Others are forced to abandon their newborns at hospitals and other public spaces anonymously.

A new turn:

Interestingly however Asgari’s 2022 film *Until Tomorrow* departs from this usual dismal course of action when in the last few minutes of the film Fereshteh decides to go back to the hostel and brings the baby along with her when she meets her parents at the door of her apartment. She is bombarded with questions and Fereshteh defiantly looks at her parents and by extension at the viewers almost throwing the questions back at us. While Panahi’s women vanish into the darkness of the night, Fereshteh stands literally illuminated by the light right above her as she faces the camera that has been chasing her for the entire length of the film.

For Fereshteh motherhood has been a choice and not a project imposed upon by patriarchal obligations. In fact her partner had left her when she decided to continue with the pregnancy. She had continued nonetheless as she said, “I’m feeling motherly love towards her. I can bear the responsibility.” In so doing she had reclaimed what Rich terms the “geography closest in” (Rich 212), the material reality of the female body because to reclaim one’s own bodily geography is the first necessary act of protest.

Adrienne Rich distinguishes between institutional motherhood and the experience of motherhood. Farhat Sultana and Dr Andleeb Zahra in their paper titled ‘From Nurturer to Rebel: Motherhood as Institution in Adrienne Rich’s *Of Woman Born*’ explains that institutional motherhood or patriarchal motherhood leads to the destruction of women’s agency while the experience of motherhood itself holds the seeds of resistance. In her famous work titled *Of Women Born* Rich enables a paradigm shift in feminist awareness through the reinvention of the figure of motherhood from a nurturer to a rebel.

This paradigm shift challenges the conventional narrative where women are relegated to the position of self-sacrifices, housewives and instead locates motherhood as the trigger for feminist defiance. Portrayal of women turns away from passive, selfless nurturing roles to active, rebellious ones in reclaiming their bodily and emotional selves. (Sultana and Zahra)

Rich had earlier famously said, “The woman’s body is the terrain on which patriarchy is erected.” (Rich 55) Legal frameworks governing marital rights, reproductive access and mandatory dress codes in public spaces are all biopolitical tools that are designed to produce docile bodies. Hence, Fereshteh’s physical refusal to comply is a direct attack on state authority. Her reclamation of motherhood by standing firm before her parents with her baby in her arms thus visually shatters the state’s biopolitical control.

Shima Esmailian, a PhD Candidate at the Faculty of Law of the University of Geneva in her article, ‘*The Everyday Revolt of Bodies in Iran: Women’s Struggles for Bodily Autonomy and the Democratic Potential of Human Rights*’ says, “Since the 2010s, women have increasingly turned to their bodies as sites of

protest in their everyday lives, a form of resistance described by Bayat as “resistance through public presence”. Examples include finding innovative ways to remove the hijab, gradually reshaping hijab standards through progressive street fashion, dancing and singing without hijab in public, and posting nude photos on social media. Within this continuum of embodied resistance, Vida Movahed’s act – standing on an electricity box with her scarf on a stick until her arrest – represents a significant moment, constituting a direct and visible challenge to state-imposed body politics. The death of Jina Mahsa Amini in police custody in 2022 further intensified this trajectory. During the subsequent uprising, using the slogan “Woman, Life, Freedom (Zan, Zendegi, Azadi)”, originated from Kurdish women’s liberation in Kurdish (jin, jian, azadi) women in small and big cities publicly burned their scarves and cut their hair. This movement illustrates both Ranciere’s and Butler’s idea of political subjectification, in which the right to bodily autonomy is articulated both discursively and also enacted through embodied appearance in public space. Since then, many women have rejected the compulsory hijab, creating a contemporary image of Iran very different from that of four decades ago – an image Butler describes as the performative dimension of rights. (Esmailian)

Drawing on Butler’s performative dimension of rights where claiming rights is an active performative utterance, Fereshteh emerges from the darkness of the streets of Tehran to reclaim her rightful place and thus enacts or performs her right into existence to establish political visibility. If Vida Mohaved had hundreds of people on the Enghelab (Revolution) Street in Tehran, Fereshteh’s embodied resistance in the form of refusal to abort or abandon her child would reach millions worldwide everyday.

Postscript:

New changes in Marriage and Civil Laws 2020:

However, changes were brought in the Marriage and Civil Laws in 2020 and as Ladan Rahbari in her paper states, “Only recently, on 16 September 2020 the National Organization for Civil Registrations spokesperson publicly announced that children born to unmarried parents will be given birth certificates after court approval.” But the process is fraught with its own drawbacks. Prof. Ladan explains, “The registration process of children born to unmarried parents is not as straightforward as for children born to married parents, and some factors deter parents from coming forward. For instance, if it is established that a child is born to unmarried parents, the parents will be considered adulterous by law and will be subjected to punishment based on the Islamic Penal Code (often in the form of whipping). The parents can submit an application for a birth certificate for their child to the court or get married, but none would exempt them from the punishment.” (Rahbari)

Socio-economic disparities, unequal legal status coupled with the problems of unemployment, rising poverty, political and social uncertainties have led to a significant rise in the number of single parents and an increasing number of unregistered and hence “illegal cohabitations” (Amir). Such arrangements are sometimes termed white marriages or even ‘black coupling’ as a way to denigrate this rising trend among the educated youth who are well aware of the implications as well as the consequences.

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