State-building, Science and Religion: Sexuality in Iran

The Harvard community has made this article openly available. Please share how this access benefits you. Your story matters

| Published Version | http://www.epw.in/journal/2017/42-43/review-womens-studies/sexuality-iran.html |
| Citable link | http://nrs.harvard.edu/urn-3:HUL.InstRepos:34854262 |
| Terms of Use | This article was downloaded from Harvard University’s DASH repository, and is made available under the terms and conditions applicable to Open Access Policy Articles, as set forth at http://nrs.harvard.edu/urn-3:HUL.InstRepos:dash.current.terms-of-use#0AP |
Abstract
What can a study of transsexuality in Iran contribute to its broader global understanding? Commonly we associate some disaffiliation, if not actual animosity between science and religion, often placed in relation to larger concepts we have named modernity and tradition, to use very simplified terms. But the developments in Iran, over the past three decades, as far as concepts and practices related to transsexuality are concerned, reveals the coming together of domains and practices of science and religion that has generated possibilities for living alternatively-gendered and sexual lives. What can we make of this?

Exigencies of State-building and the coming together of Science and Religion

Afsaneh Najmabadi (najmabad@fas.harvard.edu, History and Studies of Women, Gender, and Sexuality, Harvard University)

In Iran, today’s dominant narrative on transsexuality contains two, at times parallel, at times competing, story lines: one is the internationally familiar psycho-sexological story of transsexuality as a gender identity disorder, dominant among the medical science professionals (including surgeons and psychologists). The second is the narrative of discordance between the gender of the soul and that of the body, more in circulation among transsexuals, within the community of social workers, and among a vocal group of Islamic scholars, based in seminary circles of Qum, in conversation with scientists and transsexuals. Social workers, for instance, often depend critically on this narrative to produce parental support for their transsexual offspring, which is especially important for Muslim observant families. How has this nexus come about? What possibilities have been generated, and within what boundaries, by the
interaction of scientific reasoning, theological explanations, and the legal clarity demanded by the state?

The Early Phase of the “Gender Culture War”

The years immediately after the 1979 revolution were extremely difficult for all gender/sexual nonconformists. Today’s configurations of gender-sexual identifications and dis-identifications continue to bear the traces of those early years, when the gender regulation of the public was intensely focused on the imposition of a dress code that conformed to prevailing interpretations of the meaning of hijab. In that “gender culture war,” woman-presenting males’ styles of femininity marked them sharply as targets of attacks. Masculine-presenting females were targeted far less often, if at all, in part because they were less visible and detectable. Woman-presenting males, on the other hand, were seen to engage in gravely exaggerated Westernized styles of femininity than female-bodied women. Moreover, in addition to the burden of cultural inauthenticity, they were presumed to be sexually deviant; they were read as “passive” (maf’ul), “anally penetrable” (kuni) bodies. Even today, many older woman-presenting males continue to recall the terrible experiences of being picked up by morality squads, humiliated, beaten, assaulted, and at times raped (sometimes as punishment, at other times as a price for being released). Whether woman-presenting males engaged in anal sex was not the issue, as far as they saw it. For them, more than fear of facing charges of sodomy, it was the daily challenge of being forced to live as man-presenting that mattered. Almost overnight, they had been commanded to re-dress as men. Living visibly non-normative lives became dangerously risky for male-bodied persons. Some took up more masculine-presenting appearances (growing beards and mustaches);
some even got married. They all reverted to more masculine living styles in public and kept their dressing up as women to trusted private company; some pursued sex change, although some had already become inclined in that direction in the 1970s when sex reassignment surgery (SRS) had become more available and had come to public attention.

The pressures and hazards of daily life set into motion some of the earliest trans-lobbying activities. The early activists’ narrative of these early years is critically important in at least two ways. It foregrounds the original impetus for religiously sanctioned medico-legal transition procedures in current trans activism and it therefore reorders the temporality in which trans persons’ needs and desires predate what may seem to be a consequence of the policies of the Islamic Republic.

A second set of conversations — this time originating from among some medical practitioners — converged with trans activists’ struggles that would bring about legal and medical procedural changes. In the early years after the revolution, the medical practitioners had to turn to their more Islamic-identified colleagues to navigate the changing medico-legal junction. In these very years, as far as SRS was concerned, the war-time exigencies created remarkable advances in Iranian prosthetic surgical technologies that expanded training and specialization, as well as a more general acceptability, of plastic surgeries. Ironically, despite political and social pressures, transsexuals became unintended beneficiaries of these developments. Bodily modifications were no longer seen as necessarily intervening in God’s design, opening a space for trans arguments that their surgeries were not elective cosmetic whims.
What set the stage for consolidation of re-conceptualizations of bodily modifications and of trans as an acceptable category of embodied personhood was the broader Islamicization of the state and society initiated in the 1980s. This process was launched in part under the title of “Compliance” (with Islam), more specifically, through Compliance of medicine (including psychiatry and psychology) with Islam.

**Science and the Question of “Medical Compliance with Islam”**

Before the 1979 revolution, and before the consolidation of the Islamic Republic of Iran in the 1980s, the scientific community was neither aware of, nor generally concerned with, Islamic rulings on medical matters. By the early 1970s, its perception of transsexuality had become firmly shaped by behavioral psychology’s gender-sexual dimorphism. By the mid-1980s, however, it became clear that the biomedical and psycho-sexological sciences needed to present their reasoning in a different style to be able to interact with legal authorities.

With the establishment of the Islamic Republic of Iran, all social and cultural phenomena, from the media to the educational system and beyond, came under the critical ideological scrutiny of the new republic. Indeed, the new republic took shape through these very practices of reconstructive scrutiny. With the end of Iraq-Iran war in 1988, and the launching of Reconstruction efforts, more concerted attention was paid to articulation of what Compliance with Islam meant as a matter of state policy. Within the domain of medicine and psychology, this scrutiny initially was focused on problems ensuing from the mixing of women and men that transgressed rules of looking and touching.
To address medical compliance with Islam, several initiatives were launched from the late 1980s. In 1994 the Ministry of Health, Healing, and Medical Education (HHME) established the High Council for Compliance of Medical Matters with Precepts of the Holy Law, which set up a scientific committee to oversee the first nation-wide Congress of Compliance. Papers presented at the Congress covered various aspects of the separation of the sexes in medical practice and education so that rules of looking and touching could be observed.

Despite limited implementation of ensuing recommendations, the paradigm and process of compliance brought Islamic jurisprudence and medico-psychological discourse into a productive nexus, in which the work of trans activists’ lobbying from the mid-1980s would translate into procedural codification and legal consolidation of the status of transsexuality. Already on November 8, 1987, the Legal Medical Organization of Iran (LMOI) had sent a query to the Legal Office of the Ministry of Justice asking for clarification on the legality of SRS. The ministry’s response, based completely on various sections of Ayatollah Khomeini’s treatise *Tahrir al-wasilah*, rather than on any particular article of the law, stated that sex-change surgeries were legal whether on intersex individuals or on transsexuals. (Karimi-nia, 2010, 137-138) Over the next few decades, the development of detailed legal and medical procedures for transsexuality became a celebrated showcase of reconciling medical and legal concepts and practices with those of Islamic jurisprudence (*fiqh*).

The Compliance project—a particular instance of crafting the Islamic Republic as a modern state—necessitated and encouraged religious scholars to systematically publish highly specialized tomes on medical matters. Previously, discussion of such issues would be embedded
within relevant sections of the *tawzih al-masa’il* genre (usually as appendices, when it came to specific novel issues such as artificial insemination). (Michael M. J. Fischer and Mehdi Abedi, 1984) Now *fiqh* became specialized and took on a “disciplinary” shape that included the publication of a large number of books dedicated to doctors and healthcare professionals. By 1999, a published bibliography of this growing literature covered 586 entries, incorporating sections on population control, abortion, insemination, sex change, genetic modifications, brain death, euthanasia, dissection, and organ transplants. (Tal'ati, 1999)

When it comes to sex change, as with many other issues, there is no unanimity of opinion among Shi‘i scholars who issue fatwas in Iran.¹ All consider intersex surgeries permissible because they bring out “the hidden genus” of the body. Some explicitly argue against non-intersex surgeries, others, best known among them Hujjat al-Islam Karimini-a, support sex-reassignment surgeries, and still others express doubt about its permissibility or simply do not take a stand.

*Ayatollah Khomeini’s Fatwa: New interpretations*

Regardless of these differing stances, it was the overwhelming weight of Ayatollah Khomeini’s fatwa that translated into law. This weight cannot be understood as a matter of religious authority; it was an authority derived from his unique position as the leader of the most massive

revolution in the late-twentieth century. Here also lies the significance of the reissuance of his fatwa on the permissibility of sex change after the 1979 revolution. Unlike the earlier opinion he had expressed in the 1960s, which largely had gone unnoticed, the mid-1980s ruling had legal ramifications. While the Iranian constitution has codified the position of the supreme *faqih* as the pinnacle of power, only Khomeini in fact had the combined religious and political authority that would translate his *fiqhi* opinion into law. Today, even though Ayatollah Khamenei is the Supreme Leader, the weight of his religious fatwas is no different from those of many other grand ayatollahs of similar rank. The compliance of all legislation with Islamic concepts is supervised not by him but by the Council of Guardians.

Khomeini’s ruling in *Tahrir al-wasilah* appears under a section on “The Examination of Contemporary Questions,” within which a subsection is devoted to “The Changing of Sex.” (Khomeini, 1967/68, II: 753–55.) In this section, in the familiar responsa style of question and answer, ten problems are covered. Questions 1 and 2 deal directly with permissibility of sex surgeries for trans and intersex persons. Subsequent questions cover particular effects of change, such as the status of a person’s marriage after the change. Question (and answer) 1 reads:

The prima facie [*al-zahir*] view is contrary to prohibiting the changing, by operation, of a man’s sex to that of a woman or vice versa; likewise, the operation [in the case] of a hermaphrodite is not prohibited in order that s/he may become incorporated into one of the two sexes. Does this [sex change operation] become obligatory if a woman perceives, in herself, the inclinations which are among the type of inclinations of a man [literally the root/origin inclinations of a man], or some qualities of masculinity; or if a man perceives, in himself, the inclinations or some qualities of the opposite sex? The prima facie view is
that it [sex change] is not obligatory if the person is truly of one sex, and changing his/her sex to the opposite sex is possible (II: 753–55).

The double negative in the first sentence, “contrary to prohibiting,” and the concluding “not obligatory” are the critical terms that have defined the dominant views among top Iranian Shi’i scholars and, most importantly, have defined the legal procedures for sex reassignment. From the point of view of trans persons, this conceptualization has opened up the space for acquiring the certificate of transsexuality without being required to go through any hormonal or somatic changes if they do not so wish. This continues to be hotly contested between trans persons and various state authorities. Legal and religious authorities know fully well that many certified trans persons do very little, beyond living transgender lives, once they obtain their certification; at most, they may take hormones. While the authorities do not like this situation, they cannot overrule Khomeini’s double negative. Khomeini’s overwhelming and exceptional political authority overruled even his own cautionary prima facie.

It is important to note that some trans persons do not consider their style of living an exercise of bad faith. They consider their living as the other sex/gender to be an enactment of their true sex/gender. In that sense, they see their status as no different from that of an intersex person whose “true sex/gender” has been determined. Indeed, question 2 in Khomeini’s Tahrir al-wasilah states, “For if it is known that he is a man, then that which is incumbent upon men is incumbent upon him and that which is prohibited to him is that which is prohibited to them [men] and the same is the case for women.” This resonates with the sense of gender/sex within which many sex/gender-variant persons configure their relationships and practices. They trust their own sense of knowing if they are a man or a woman.
The Complexities of Fiqh

Even a brief review of the responsa literature suggests the complexity of fiqh as a source of authoritative judgment, both generally and in relation to trans persons. The designation of male and female in fiqh is distinctly related to the observance of topic-dependent rules. These distinctions are not identical to and do not perform the same work as biological sex taxonomies. For instance, a person of ambiguous genitalia can become assigned a “ritual gender/sex” so that s/he would follow the rules of one gender/sex. (Sanders, 1991) In contemporary discussions, the fiqhi notion of *jins* (genus/sex) travels between two distinct registers: the classic Islamic meaning of *jins* as a taxonomical genus and the notion of sex (*jins*) in its modern sense. The transformation of the sociocultural notion of sex/gender over the past century has brought the male/female distinction of fiqh closer to the biological sex taxonomies and social categories of men and women. This proximity has enabled the convergence of some fiqhi thinking with the biomedical and psycho-sexological discourse about transsexuality.

Shi‘i scholars such as Karimi-nia, however, also are trained to keep these categorical distinctions apart. Karimi-nia emphasizes this point in his book *Taghyir-i jinsiyat*: “Jins in its sense of ‘male and female’ is something that has emerged as a secondary meaning; the primary and principal meaning of jins is not ‘male and female.’” (Karimi-nia, 2010, 42–43.) The insistence on these definitional distinctions enables him to argue against those scholars who oppose sex change on the basis of opposition to changing God’s work of creation. He argues that the change of male to female and vice versa is not a change in genus of a created being; it is rather a change in his/her
As important, fiqhi thought is not invested in etiology but instead works in a problem-solving mode. Scientific problem solving has become closely connected with finding the causes of the problem; in fiqhi problem solving, the causes have no relevance. On that level, Islamic jurists are quite happy to live with *Allah A'lam,* God knows better, suspending the desire for full knowledge. Islamic jurisprudential thought is invested, instead, in ensuring that all persons act in a manner that does not break the given rules, nor cross what it considers *hudud-allah*—the bounds set by Allah for human behavior. Thus the *shar'i* rules are topic-dependent: when the topic changes, the rule could be different. On certain issues, changing from the category male to female (or vice versa) changes the subject and thus the rules. Indeed, that is how the gendered-ness of daily life becomes produced.

The most severe challenge that fiqhi thinking had classically faced in this domain was when the subject was completely ambiguous, as in *khunsâ mushkil* (difficult hermaphrodite), for which an elaborate set of rules were worked out to deal with the unknowability of the subject’s sex/gender. More recently, the unanimous opinion that an intersex person may choose to go for sex-disambiguation surgery offers an alternative to such persons being assigned merely a ritual gender/sex. Such medical technologies are welcomed as technologies that can transform doubt and unknowability into certainty.

A more difficult challenge, vis-à-vis “the subject of transsexuality,” arises when the subject is in transition. How does one deal with “the discordant subject,” with the “lack of correspondence

\[\text{To elucidate: on a subject such as inheritance, gender matters, so if you change from m to f (or vice versa) your share of inheritance changes. On a subject such as daily prayer, it makes no difference: men and women recite the same prayers.}\]
between gender/sex of soul and body,” as Karimi-nia’s concept of transsexuality would have it? That is, what ritual gender/sex could be assigned to persons who are called (and often refer to themselves as) *bilataklif* (in a conundrum), or, as Karimi-nia refers to them, as those in *barzakh* (in purgatory)? Does one go by the gender/sex of the body or that of the soul? Here, trans persons insist on going by the soul. This is how many explain their daily living arrangements. It is also what enables their problematic, explicit, and often emphatic disaffiliation (we are not same-sex-players—*ma hamjins-baz nistim*) from people who engage in seemingly identical sex/gender practices but who do not consider themselves transgender/sexual. Karimi-nia, on the other hand, wary of the intrusion of same-sex sexual practices that haunts fiqhi thinking on this topic, leans toward going by the gender/sex of the body. At times, however, he is more flexible. His arguments against permissibility of ritual sex/gender reassignment of in-transition persons (or those who do not desire bodily modification at all) often leans back not on fiqhi rules but on what consequences such ritual reassignments would have for public order, public chastity, ethical living, and potential criminal abuse.

**Interpreting the “Permission” to Undertake Sex Change**

Karimi-nia’s proposition for permitting provisional transgendered living comes under pressure not only by jurists hostile to his position, but also by the legal authorities who are aware that some people get their certificates in order to live legally sanctioned sex/gender-variant lives. Karimi-nia shares this anxiety of the authorities. The courts, NAJA (the police force), and the LMOI have been working hard to close this loophole.
Karimi-nia insists that permission for sex change is conditional on two points: It must be an issue of absolute necessity (iztirar/zarurat) and it must be real, not apparent (haqiqi, not suri or zahiri). This he interprets as meaning that sex change must be completed. But here fiqhi caution cannot sanction legal closure: what is permitted (halal/mubah) cannot be made compulsory (vajib) short of a fatwa issued by a mujtahid who has complete hegemony over jurisprudential opinion. In Iran’s recent past, only Ayatollah Khomeini enjoyed such unchallenged politico-religious authority. Since his death, no one comes anywhere close. The many ayatollahs do not even agree on the permissibility issue, much less do they agree on turning it into a requirement.

This situation continues to allow a grey zone for living non-heteronormative lives. The closest the authorities have come to attempting a clarification is in tightening the regulations concerns when new name-changed identification papers can be issued. Many trans persons, especially FtMs, apply for new identity documents after the initial operations, referred to as takhlieh, “emptying out.” They obtain letters from surgeons certifying that they have done their SRS; sometimes courts have required a bodily examination, something that trans persons find humiliating and have resisted.

This also raises a problem from a fiqhi viewpoint: If a transsexual has had only a partial, “emptying out,” operation, who should bodily examine him/her? In the case of a dead khunsa (hermaphrodite), for instance, Karmini-nia explained, the body has to be washed fully clothed—contrary to all other dead bodies that ought to be ritually washed naked by a person of their own sex/gender. But examination with full clothing would defeat the very aim of bodily examination of a transsexual. After strong lobbying by trans activists, the courts have now been instructed to
accept physician certification, in which the physician declares the operation to have been satisfactorily completed.

Trans activists have also worked against the LMOI’s attempt to postpone provision of new documents until the completion of reconstructive surgeries. Many, in particular many FtMs, opt not to go for reconstructive surgery at all or do so only partially. Moreover, a common concern is financial. Except for those from well-to-do and supportive families, it is simply not possible for most trans persons to have all the required surgeries within a short span of time; often they space it out while saving money for the next stage. The government subsidy covers only a fraction of the costs. Unless the government would be willing to cover the total cost of SRS, the legal requirement would be unenforceable. Hanging over this dispute is the fact that the government cannot be seen as enforcing something with which many Islamic jurists disagree, something that can be considered neither a religious requirement nor a matter of “expediency for the state.” It is this complicated imbrication of considerations of state and requirements of religion that provides trans person with spaces for negotiation and resistance.

A coming together of Science and Fiqh
Karimi-nia has repeatedly and insistently expressed his belief that “a Great Wall of China” separated trans persons from “same-sex-players.” The insistence at one level is counterintuitive: nowhere in *fiqhi* texts are transsexuals and homosexuals proximate categories requiring a separating border; transsexuals are placed alongside intersex persons, as we have seen in Khomeini’s and other scholars’ fatwas. Even Karimi-nia had begun his writings by confounding
intersex with trans persons before he moved on to conceptualizing transsexuality as sex/gender discordance between soul and body.

How then have trans persons acquired proximate status—at times explicit—to homosexuals, not only in the hostile opinion among many scholars of *fiqh*, but also in the thinking of a trans-friendly scholar such as Karimi-nia?

This proximity has been shaped through the coming together of domains of science (in particular the notion of transsexuality as articulated in psycho-sexological literature) and *fiqh*. While in *fiqhi* thinking there may be no reason to ever connect these two categories, contemporary *fiqhi* thinking does not take shape in seminary-isolated spaces. Karimi-nia’s thinking was shaped in part by conversations with doctors and psychologists, within whose domain of thinking—largely based on a sexological gender-behavioral model—transsexuality and homosexuality do indeed constitute neighboring categories. The effect of various sex/gender categorical imperatives is most evident in the daily acts of hostility and violence that trans persons experience, despite the legality of their category. This is the case whether these imperatives ensue from *fiqhi* rules of ritual subject-hood, biomedical and psycho-sexological taxonomies, or sociocultural paradigms that depend on gender/sex certainty. While within the *fiqhi* logic of “dependency of the rules on the topic” there is no necessary link between *liwat* (anal intercourse), *musahiqah* (tribadism)—both beyond bounds of Allah and subject to criminal prosecution in Iran—and transsexuality, the work of these other registers contributes to the creation of a single logic of categorization, keeping all gender/sex-variant desires and practices in close proximity even within *fiqhi* thinking. Moreover, the sexological categorization receives visual confirmation in the self-
presentation of many trans persons and possibly through often indistinct living styles of trans- and homosexuals. Ritual gender reassignment of an unoperated body would raise the specter of condoning “sexual reassignment,” of providing a *sharʿi hat* (*kulah-i sharʿi*) for same-sex practices—something that Karimi-nia cannot afford to engage in; he must separate the categories by a “Great Wall of China.”

Karimi-nia also contends that only by upholding this difference could society become accepting of trans persons, since in his opinion there is a social consensus on condemnation of same-sex sexual practices. “If a person truly feels s/he is transsexual,” he said, “we say the road is open for him/her to cross this bridge and put him/herself in the category of transsexual, s/he can change sex and have a healthy/uncorrupt *[salim]* life.”

Paradoxically, Karimi-nia uses two seemingly contradictory metaphors. His Great Wall of China, that world’s best-known example of a frontier, does what frontiers are expected to do: solidly, and against corrosions of time and force, it separates “a (legitimate) space and its (alien) exteriority.” (de Certeau, 1984, 126) Within Karimi-nia’s seminary-trained fiqhi logic, transgender/sexual and homosexual must be kept categorically apart. Simultaneously, and perhaps unlike many other scholars of religion, he works with actual persons who live a range of complex gender/sexual lives. In that context, he is no longer concerned with a fiqhi problem-solving exercise, but with actual dilemmas of lives. He thus offers “a bridge” to possible homosexuals to cross over to transsexuality. This bridge connects the space of legitimacy to its abject exterior—that of same-sex sexual practices. Karimi-nia needs a solid frontier to protect the fiqhi acceptability of sex change within the bounds of Allah, while needing to keep the bridge
open for some to pass. This paradox of a wall of separation and a bridge of connection is what offers the possibility of living habitable lives to sex/gender-variant persons. Their story “privileges a ‘logic of ambiguity’ through its interaction. It ‘turns’ the frontier into a crossing, and the river into a bridge.” (Ibid, 128)

**Exploiting a Slippage: Psyche and Soul**

The perception of transsexuality as a disparity between gender/sex of body and soul is empowered by a slippage between psyche and soul that has marked the entry of “the new science of psychology” into Persian-language Iranian discourse since the early decades of the twentieth century.

The notion of psyche, in its meaning within modern psychology, was first introduced in Iran through the teaching and writings of Ali Akbar Siasi, who is rightly considered a pioneering influence in shaping the more humanist-oriented subfield of psychology in Iran (distinct from its later turn to clinical behavioral psychology and psychiatry). Siasi invoked the classical concept of ‘ilm al-nafs as the precursor to the modern concept of psychology. Soon, “the expression ‘ravanshinasi’ was chosen for the Persian name of the new ‘ilm al-nafs.” (Siasi, 1987, I: 295)

These linguistic choices were the result of a series of translations: Siasi translated “psyche” into the Arabic nafs, allowing him to claim the older notion of ‘ilm al-nafs (science of nafs) as the equivalent of the new psychology—Persianizing nafs as ravan, and thus coining the term ravanshinasi to refer to the science of ravan.
Siasi argued that a human being had two components: the first was material, *badaniyat* (things bodily), which was the subject of the science of life. To identify this science, he Persianized ‘*ilm al-hayat* as *zist-shinasi*, an expression that is now commonly used for biology. The second aspect of a human being is more properly the subject of ‘*ilm al-nafs* or *ravanshinasi*. It is the combination of feelings, thoughts, actions, and reactions, referred to as *nafsiyyat*, that are attributed to one’s *ravan* (psyche). Siasi noted that in his book, “nafs and ruh always have the same meaning and the Persian word ‘ravan’ will be used for them.” (Siasi, 1962, 10) As he articulated in a later work, Siasi did not simply assume that ruh and nafs/ravan were identical concepts, but suggested that for the science of psychology the two concepts (soul and psyche) were identical and that any discussion of ruh as distinct from nafs belonged to the domain of philosophy. (Siasi, 1954, 22, n1, and 40–41.)

Yet to this day, the matter remains open: *Andisheh va raftar* (now the *Journal of Psychiatry and Clinical Psychology*), the principal Iranian psychology journal, in its regular column on equivalent vocabulary, equates *ruh* with soul, saving *ravan* for psyche. Nonetheless, an expression such as *bimariha-yi ruhi* means exactly the same as *bimariha-yi ravani* (psychological illnesses), messing up the attempt to detach psyche from a religiously embedded and philosophically informed use of ruh.³

³ The slippage also has generated at least one anticlerical joke: A person asks a cleric what the difference between ruh and ravan is. The cleric responds that the two are the same thing. The person says, “Then, instead of calling you *ruhani* [literally a spiritual person, a person of soul; *ruhani* is the polite assignation for a cleric], I shall call you *ravani* [literally mental, used to refer to mentally deranged persons].”
The implicit certainty of some kind of relationship among nafs, ravan, and ruh—despite the uncertainty over what it is—enables the contemporary traffic between “the new science of psychology” and the older sciences of religion (‘ulum al-din), among healers of psyche and guardians of souls. Such murkiness allows medical professionals to present the psycho-sexological concept of transsexuality as discordance between gender/sex of psyche and body in religiously familiar language of soul and body. It also enables a clerical figure such as Kariminia to translate the psycho-sexological concept back into gender/sex discordance between soul and body, addressing transsexuality as a psychological condition in Islamic terms. Moreover, the concept of discordance between soul and body is more benign and less pathologizing—and thus more appealing to many trans persons—than one informed by a psycho-sexological discourse of GID, especially with the heavily negative load of the term disorder (ikhtilal in Persian) compared with the more neutral weight of discordance (nakhvani).

The slippage between soul and psyche thus has produced a creative space for extensive discursive and practical collaboration on the issue of transsexuality among psychiatrists, scholars of fiqh, sexologists, surgeons, and other health professionals. For instance, a book by Kahani and Shojaei, both psychiatrists affiliated with the LMOI, draws on psycho-sexological and sociological literature along with the texts of several fatwas on this topic. (Kahani and Shojaei 2002, 57–65). Such syncretic approaches were critical to working out the legal and administrative procedures for the certification of trans persons, since they speak to the requirements of the Compliance project. Figures from the various domains of statecraft, the psychological and psychiatric practices of biosciences, and sciences of religion also share media and educational presentations and performances on a regular basis. Dr. Mirjalali, a SRS surgeon, and Hujjat al-Islam Karimi-nia have appeared in numerous documentaries in which producers
have interviewed both and brought them within a single narrative frame. Kahani and Saberi also have appeared in many of these productions. These figures often share the platform in scientific seminars and state-sponsored workshops and educational presentations on this topic. Major seminars, national or regional, are usually videotaped; the recorded proceedings circulate widely, similar to documentary films and videos, increasing the ripple effects of the dissemination of knowledge about transsexuality that result from these intersections. Collectively, in documentaries and in seminars, these figures have come to stand as embodiments of Science and Religion, as they draw upon and benefit from each other’s domain of authority. The Compliance project has been thus productive in the conceptual domain, bringing “sciences of religion” and “sciences of nature” into the conversation on sex/gender/sexuality.

More significantly, the effect of the Compliance project on psychology has emerged in an unexpected domain: the expansion of the authority and authorship, as well as the reception and readership, of vernacular psycho-sexology into a near nationally hegemonic space. This hegemony has contributed to making the conceptual divide between female/woman/feminine and male/man/masculinity into a global grid. No longer “topic dependent,” as fiqhi scholars would say, the sex/gender distinction is presumed to determine virtually all differences. Small paperback books and pamphlets, with titles such as Zanan va mardan (Women and men), provide subway reading for young men and women who seek clarity on proper masculinity and femininity under conditions that continue to challenge both terms in the daily practices, desires, and ambitions of a younger generation. Popular psychology books, largely oriented toward and marketed among young couples, married (or not), advise them on how to get along with and understand “the opposite sex”—quarrel less and, above all, understand scientifically the needs
and expectations of each other. At the annual International Book Fair, held each May in Tehran, the largest number of displayed publishers and books is what is referred to as religious literature (adabiyat-i mazhabi), followed closely by spiritual and psychological literature. Specialized bookshops around Tehran University’s book row are stacked with relatively cheap pamphlets on “men and women.” Many dailies and weeklies run regular columns on the topic.

As before the revolutionary decades, today much is invested in this literature on delineating the presumed vast unbridgeable differences between men and women: psychological, physiological, emotional, and sexual. The ideological state pressures are too obvious to belabor. But more important is the popular belief in this vast difference—a global investment that informs gender/sex/sexuality identifications and contributes to setting the stage for an almost visceral hostility towards trans- and homosexuality. Like a male-female division, there is almost universal presumption of natural—biological and psychological—heterosexuality. Transsexuals and non-heterosexuals throw the clarity of the female and male line, coupled closely with heterosexuality, into confusion, even as many aspire to live that clarity. While there is a growing acceptance of the medico-legal-religious notion that transsexualism is not a willed (iradi) condition, non-heterosexuality, in contrast, continues to be seen overwhelmingly as not only unnatural but a willfully corrupt practice. The social abjection of and deep hostility towards homosexuality in turn folds back on transsexuals, even as they disavow that affinity. Paradoxically, the legal acceptance and social legibility of transsexuality, even as the category is defined as separated by a great wall from homosexuality, permit the wall to act as a bridge of connectivity.
Select References


