Divorce Iranian Style is a documentary film directed by Kim Longinotto and Ziba Mir-Hosseini. It is set in a small courtroom in central Tehran, and follows a number of women who come before a non-plussed judge and by their own words, bring their husbands to court to teach them a lesson; Maryam, who wants to divorce her inadequate husband; Ziba, an outspoken 16-year-old who proudly stands up for her 38-year-old husband and family; Jamileh, who brings her husband to court to teach him a lesson; and Maryam, remarried and desperate to regain custody of her children. Massy, who wants to divorce her husband; and Ziba, an outspoken 16-year-old who proudly stands up to her 38-year-old husband and family; Jamileh, who brings her husband to court to teach him a lesson.

The idea of making a film about the workings of Sharia law in a Tehran family court was born in early 1997. When I first approached Kim Longinotto, the documentary filmmaker, I had seen and liked Kim's film, Ridiculous Fares (1995), about women in Egypt. Kim had for some time wanted to make a film in Iran. She was intrigued by the contrast between the images she had been able to discuss in her own work and the sense of the culture and people. As she put it, ‘you wouldn’t think of the documentaries and the fiction being about the same family, but we discussed my 1995 research in Tehran family courts and I gave her a copy of my book, Marriage on Trial. The first thing was to apply to British TV commissioning editors for funding and to Iranian officials for access and permission to film. Kim focused on the first and I on the second. As will become clear later, we had to negotiate not only with the Iranian authorities for permission and access, but also with myself. As a novice in film making, I had to deal not only with theoretical and methodological questions of representation and the production of anthropological narratives, but also with personal ethical and professional concerns. In fact, the film’s subject matter—The operation of Islamic family law in Iran today—inevitably entailed both exposing individual’s private lives in a public domain, and tackling a major issue which divides Islamists and feminists: women’s position in Islamic law.

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We were keen for us to film in courts headed by both civil and religious judges and to cover marital disputes from a family court, and to give glimpses into the lives of ordinary women, at home and in court, holding their own ground, maintaining their family from within. This would challenge some Hollywood stereotypes.

In the end, the Ministry of Guidance seemed to be convinced: we were told to make a fresh application through the Embassy in London, and we were promised a permit in a month. Meanwhile, with the help of the Islamic Human Rights Commission, we obtained Ministry of Justice approval to film in the courts; this proved less difficult, as the Public Relations Department of the Ministry was then producing a series of short educational films shot in Tehran family courts for Iranian television.

We returned to London, intending to come back and make the film before the May presidential elections while those who had approved it were still in office. But the months passed and the official permission never arrived. It took a new government, and President Khatami’s installation in August 1997, for our project to get off the ground. We submitted another application and, in October, I went to Tehran to follow it up, presenting our case again to the Ministry of Guidance, now headed by a reformist personalist. The Ministry was willing to sign a contract, but there were a few internal issues and we were not quite ready for shooting; they were afraid of denouncing critical internal issues and were less frightened of what the outside world thinks. Moreover, they were true to their word. Three weeks later, a few more small formalities had to be completed by Kim and soundrecorder Christine Felce, enabling them to bring their 16mm camera and sound equipment. We discussed their arrival, with letters by translation from the Ministry of Guidance, and aided by the Public Relations Section of the Ministry of Justice, we visited various Judicial Complexes. There are sixteen of these scattered around Tehran. Each contains a number of courts and deals with disputes filed by local residents, which differ in number and complexity from Tehran’s target audience(s). We were keen for us to film in courts headed by both civil and religious judges and to cover marital disputes in different socio-economic strata— to do a kind of sociological survey. But we wanted to work in a single court, to capture something of the life of the court itself. We knew that in Tehran, with a population of over ten million, no court could be representative, and we did not want to make a ‘sociological survey on film’. We wanted to focus on characters and develop stories. We knew that our project depended on the goodwill and co-operation of ordinary people. Although clearly some ‘contextual information’ was essential, we were anxious not to overcross the film with facts and figures, not to turn it into a documentary, but to try to draw their own conclusions. Above all, we wanted to let the women speak, to show how they are strong individuals going through a difficult phase in their lives, and to communicate the pain—and the humour—involving the breakdown of marriage.

The Making of Divorce Iranian Style

Notes


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Regional Issues