



Assisted Reproductive Technologies in Iran.

Interviewee

Dr. Soraya Tremayne

Q. Please introduce yourself, including your areas of professional expertise and your research background.

Dr. Tremayne is a social anthropologist. She originates from Iran and has been researching in Iran for the past 30 years. The majority of her work falls within the area of medical anthropology and has largely focused on various aspects of reproduction – family, kinship, marriage, and infertility (with a particular focus on assisted reproductive technologies (ARTs) and how these impact upon cultural norms, values and on society itself. She got her PhD from Paris-Sorbonne University after having completed her undergraduate studies in Iran.

Dr. Tremayne has been at the University of Oxford in the UK in varying capacities for the past 40 years. Some notable involvements include:

- Director of the International Gender Studies (IGS), formerly Centre for Cross-Cultural Research on Women (CCCRW), University of Oxford.
- Founding Director of the Fertility and Reproductive Studies Group (FRSG) 1998 (still exists today), Institute of Social and Cultural Anthropology, University of Oxford
- Founding Series Editor of Fertility, Reproduction and Sexuality series, Berghahn Books, which will celebrate its 50th volume this month (the 50th volume is authored by her)
- Founding co- convener of a seminar series on Women's Right in Middle East, St. Antony's College, University of Oxford

Q. How have you conducted your field work? How does field work that is conducted by a researcher of Iranian background who can speak the local language, and that which is conducted by a foreign researcher differ? Please tell us the advantages and disadvantages of each scenario. Furthermore, what are the advantages and disadvantages of being a female researcher who is conducting field work regarding ARTs in Iranian society?

Being a social anthropologist, Dr. Tremayne's main methodology was ethnography via participant observation. She conducted in-depth studies in Iran by living with local people in various local communities.

Among other various episodes of field research, back in 2004 she conducted research in a conservative city in central Iran called Yazd. She lived with a local family to research early (child) marriage. In particular, she was looking at the impact of development, including an increase in literacy, had their impact upon early marriage. This coincided with the early days of IVF and infertility treatments in Iran. Through the family that she lived with as well as through contact with clinics, she discovered that IVF had started being practiced in Yazd (it was the first city in Iran where IVF was practiced). As a result of this, Dr. Tremayne started focusing on infertile couples seeking



treatment in Yazd.. Her research was conducted not just in the clinics but also whilst living with the family and when engaging with their extended families. She later went back to Tehran and started networking with other clinics and with various infertile couples that were seeking treatment. Whilst based in the UK (where she has lived for over 40 years), Dr. Tremayne provided expert reports for Iranian asylum seekers for use in courts. In the process, she came across cases of several women who had fled Iran after seeking infertility treatments and had been at the receiving end of violence as a result. This provided a wealth of new data and evolved into another round of intensive fieldwork.

There is no simple answer as to whether a foreign researcher would be able to achieve the same outcomes as someone with Iranian heritage who can speak the language. The situation varies from case to case and it would be wrong to make any generalization in this respect. The degree of freedom to carry out research has largely depended on the political atmosphere of the time. Of course, Dr. Tremayne is aware of researchers from a variety of backgrounds who have conducted research in Iran and others who had been forced to interrupt their research and either change the topic of their research or leave the country before they could complete their fieldwork. For example, one of her students who was not Iranian was able to commence her research in the field, but a more conservative president soon came into power and she was no longer able to go and live among the target community. In contrast, some of those with Iranian background (like Dr. Tremayne) were often able to conduct their research without having to ask for official permission due to their existing network, which facilitated access to the sources of information. However, in the current political atmosphere carrying out in depth research for anybody is extremely difficult if not impossible. In Dr. Tremayne's experience, her gender was not a major issue. She was middle aged at the time she conducted her fieldwork and this helped her to be more easily accepted. Also, her status of outsider/insider afforded her a different position from a female resident in Iran. She was introduced to her Iranian contacts to the people she lived with, who they trusted Her anthropological training meant she acted as a fly on the wall and conducted her research being mindful of sensitivities involved, and by avoiding interfering or judging people. This allowed, the members of the communities she lived with and studied to come to her and share information of their own volition. Obviously, her familiarity with the language and the culture were instrumental in being able to understand, analyze, and interpret and make sense of her observations and findings.

Q. Please share any particular memorable anecdotes from your fieldwork, whether they be memorable people, stories or places.

One thing that really struck her during her research in 2004 in Yazd, which was officially classified as the most conservative city in the country, based on its lowest rate of divorce at that time, was coming into direct contact with the clerics themselves. She was introduced to lecturers who were religious men teaching theology at the university. She was trying to be very tactful, and started by prefacing her conversation by saying "I know Islam is a progressive religion..." etc., but was taken aback when many of them actually disagreed, stating "No, Islam is an outdated religion and needs to modernise". They were often more forward thinking than she expected.

Among her outstanding memories, is of the mission she undertook for the World Bank to prepare a strategy for mainstreaming gender into the governmental institutions. This also included running



workshops on gender and development in various locations in the country. One such location was a highly conservative city in north west of Iran. Initially she was met with hostility from the men in attendance at the workshops, but as the lectures proceeded the participants realised she was not a chest-beating feminist and opened up to her. She avoided giving examples from Iran and they soon understood that what she was saying was not a one-sided talk in favour of women but presented a balanced picture of the relationship between men and women. One night at around 11pm, one of the participants to the workshop brought his wife (the headmistress of a girls' boarding school) to her door. Until the early hours of the morning they shared some of the horror stories they had witnessed concerning the young girls at the school and the violence they had been subjected to, including the account of one girl having been murdered by her father for not attending classes during the week and refusing to account for her absence.

Dr. Tremayne also recalls meeting one young woman who was wearing an outfit that was quite tight and (in the Iranian context) somewhat provocative. She asked her, "in wearing that dress aren't you afraid to go out and be arrested by the morality police, or are you doing this to challenge the authorities?" and the woman responded, "What is wrong with my dress? well, this is what they sell in the shop, so I am allowed to wear it." Dr. Tremayne realised that wearing what was sold in local shops was taken as "permitted" in this woman's mind, and that she wasn't necessarily using her fashion to make a political statement by defeating the imposed code of dressing. In Dr Tremayne's view, many studies interpreting the sexual and also some of the promiscuous behaviour of the younger generation, as a sign of political rebellion, can be, misleading. When you ask young people about it, often they answer that they simply want to live a normal life and have sex (the same as young people in other parts of the world). While every action can be interpreted as political, these studies miss the simpler and more natural aspect of the behaviour of the younger generations, namely their desires and aspirations to live a free and normal life, and not as an act of rebellion against the regime.

Q. Islamic legal scholars issue fatwas (legal pronouncements) in regard to assisted reproduction treatments. Do Muslims follow these pronouncements faithfully? What is the reality of the situation? Please provide any anecdotes you may have.

Iran is a Shia Muslim country with 90 percent of the population belonging to the Twelver. Among the leading Iranian Shia clerics, some of the senior jurists act as the sources of emulation and they), provide answers to the questions asked by their followers on the emerging situations. They do so by consulting with religious texts and coming up with answers in forms of fatwas or religious edicts. These jurists opinions vary from one another and can even contradicts each other. However, all these opinion are equally valid and the followers are free to follow the opinion of the source of their choice. When ARTs were first introduced to Iran, the medical practitioners realized the application of these technologies went beyond medical practice and had wider implications for family and kinship. In the absence of an independent secular body to legalize these technologies practitioners sought the opinion of the senior Islamic jurists, who issued a range of different opinions and remained in disagreement with each other. However, those that did agree enabled the medical practitioners to go ahead and start practicing ARTs for infertility. treatment. To date, assisted reproductive technologies are carried out in all their forms through the fatwas issued by the jurist who were



favourable towards them. Only embryo donation was legalized through an act of parliament, as no amount of independent reasoning could justify its application.

In regard to the infertile couples themselves, some come from secular backgrounds, while others seek advice from their chosen source of emulation. Regardless, due to the diversity of the Islamic jurists' opinions that has allowed for great flexibility; people can pursue their own agenda and there is room for manipulation. It is uncommon for someone to choose *not* to use the treatment solely due to the word of their source of emulation. Rather, it is always in a state of flux.

Q. In the Shia Muslim community, how are children born of gamete donation and/or surrogacy positioned? Does this impact upon their relationship with their parents and extended family, their ability to inherit, obligations in terms of supporting elderly parents, etc.?

To date there is no study on the children of third party reproduction in Iran. People engage in the practice in secret wherever possible. Initially infertile couples would use a blood relative as their gamete donor (e.g. a sibling would donate) because maintaining the continuity of blood relation was considered very important; however, as time went on and the number of donors increased, people realised they could opt for third party donation from strangers instead. In addition, over time, anonymous gamete donation became quite popular and enabled the couple to keep their infertility a secret.

Intra-family donation often created a lot of legal, financial and emotional problems. Consequently, just before the current ultra conservative president was elected, in August 2021, the medical practitioners convinced lawmakers to present a bill to parliament to legalize anonymous donation. The bill is currently dormant

Nowadays, the use of ARTs as one of the means to increase population, has become one of the strands of the population policies in Iran. When IVF first arrived in Iran, the government was actively trying to reduce the population growth and did not take any significant action towards legitimizing ARTs, but by 2011 the population growth had fallen below the replacement level and the previous policies were then reversed to the current pro-natalist ones. These pro-natalist are highly coercive such as the banning of abortion, etc. The government has also started investing in clinics to fund infertility treatments, whereas previously it had been available almost exclusively through the private sector. The ethical aspects are less of a focus now; the government is more anxious to simply increase the population.

Q. How are adopted children positioned in Iranian society? What difficulties and discrimination do they face, if any?

Islam doesn't allow adoption. Traditionally, families adopted among themselves (e.g. a sibling would give a child to their brother/sister). Before the revolution, adoption was allowed under civil law despite it not being in accordance with Islamic law. Iran is one of the few Islamic countries that allows it; however, adopted children don't automatically inherit – this is limited to blood relatives. When compared to biological children, adopted children are rarely received well by the kin group and society in general. Traditionally, adoption took place between relatives, couples, whether fertile infertile, adopted their nieces and nephews for a variety of reasons and the children moved between



the two households and were loved and welcomed by all. For example, Dr. Tremayne's father had a much older sister from his father's first wife. That sister and her husband didn't have any children and unofficially adopted him for a time. He later inherited much of their estate from his adoptive father, his sister's husband. Despite amendments having been made to the law, inheritance is still a complicated issue in Iran.

Q. What kind of emotional phenomena are observed between the different parties involved in sperm donation, egg donation and surrogacy (e.g. conflicts, rifts, etc.)? Please share any anecdotes you may have.

IVF between a husband and wife is no problem - it is only when a third party becomes involved that conflict arises. Iran and the Shia in Lebanon are the only Islamic jurisdictions that allow third party reproduction. Iranian Jurists, in endorsing third-party donation, initially resorted to 'temporary marriage' (only performed by the Shia), whereby a man and a woman agree to a temporary marriage for a fixed period of time. As conception outside wedlock is forbidden and is considered adultery in Islam, temporary marriage was suggested to legitimise receiving a stranger's gamete within wedlock. In this form of donation, in case of the woman being infertile, the egg donor and the husband enter into a temporary marriage without any bodily contact taking place, and this legitimises the donation and resolves any issues associated with adultery.

In the case of male infertility, the situation is much more complicated. While men can have multiple wives at once, women cannot have multiple husbands. To enable the use of a sperm donor, she would need to divorce her husband, wait three months or so to ensure she is not pregnant, then enter into a temporary marriage with the donor before receiving his donated sperm, etc. This arrangement was rarely practised because it was too complicated. Some of the senior jurists ultimately approved of sperm donation without requiring temporary marriage but this caused uproar in society, which, by and large remains a patriarchal one and where children belong to their fathers and using a stranger's sperm would mean the interruption of lineage on the father side. Even to date sperm donation is performed by very few clinics and is done very discreetly.

There is a lot of conflict observed in third party donation. There are multiple examples whereby an egg donor would sometimes want to claim the child, or was exploited by the intending parents and used as a servant, etc. One particularly dramatic example involved a woman who donated an egg to her sister, resulting in the birth of a child. Some time later, the egg donor's own child died in an accident. She then tried to claim the child conceived using her donated egg, taking the matter to court. Eventually the court ruled in favour of the donor and the donor-conceived child was returned to her biological mother. This was due to the judge following the fatwas that were originally issued allowing third-party donation, which emphasised that the donor child belongs to its biological parent and inherits from him/her, but takes its name from the social parent. Such scenarios cause a lot of problems for the clinics, which is why they sought to make gamete donation anonymous. As there is no national DNA database in Iran, if anonymity is legalised, it will mean that it will be impossible for the child to identify its biological parent. the donor of the gamete.



Q. Aside from IVF, are traditional medicine or other local customs often used to treat infertile couples? What kind of role do these treatments play today?

People do still believe in traditional medicine options (to what extent, Dr. Tremayne is not sure). In the early days of ARTs in Iran, infertile couples would come to the larger cities to receive treatment but, upon falling pregnant, would return home and say they had used the help of a local healer to conceive. While conceiving through the magic of the healer was understood and accepted, infertility treatment through ARTs was new and little known by the public, three decades ago and their use was received with suspicion and apprehension.

Q. Please tell us about the role that lactation plays in kinship. Does this concept work effectively in the case of egg donation and surrogacy?

Milk kinship is a form of kinship in Islam where the woman who breastfeeds another woman's child is then considered biologically related to the child. The woman's respective family is also considered to be related. Consequently, the same Islamic kinship rules, including those of marriage, incest and adultery also apply between the two families.

Dr. Tremayne has spoken to infertile women who have resorted to egg donation, some of more religious and/or conservative ones, saying they felt guilty using another woman's egg and that they mentioned, "I am committing a sin and may God forgive me", but that "I seek comfort in the thought that the child will become my own biological one through breastfeeding."

Milk kinship has not been a focus of public debate.

Q. Have you observed incidences of post-menopausal women using egg donation to fall pregnant and give birth? For example, an older woman whose biological son has died then choosing to use egg donation to give birth to another child.

Dr. Tremayne has not come across any such cases personally, but is aware that they exist and the practice of considering performing IVF on older women varies from clinic to clinic, as each clinic has its own rules and regulations.

Q. Is gamete donation and surrogacy becoming commercialised in Iran? If so, how? Is this being allowed by the government?

As mentioned earlier, the government had not been closely involved in legitimizing the ARTs nor in their enforcement, as no laws had been passed legitimizing them. Initially, donation was supposed to be a 'gift' and, when the donor was a relative, the financial aspect wasn't an issue; however, this does not always work when the donor is a stranger. The clinics responded to this issue by formulating a list of 'expenses' so as to justify payment to the donors of gamete. Of course, surrogacy is much more expensive than gamete donation. Initially there was great stigma attached to women acting as surrogates, so only close relatives would volunteer. Nowadays it is very popular and commercialised.

Women who know of surrogacy and need the money volunteer, a change from the early days when the surrogates were motivated by emotions and bound by duties to their kin group. Originally



surrogates needed to be married but many rules were broken, which was also the case with egg donors who were also supposed to have children of their own already.

In general, as the fatwas were unclear or contradictory, they had left room for manoeuvre and enabled all parties involved to follow their own agenda and the infertility treatment in flux.

Q. In Western society, there is the strong belief that a child should be told they are donor conceived and that their right to know their ancestry should be upheld. Do you foresee that similar arguments will take root in Iran in the future?

The size of the family has shrunk in Iran - some families have only one child or none. Despite this, the underlying values attached to kinship have not changed fundamentally. Dr. Tremayne believes that the cultural values surrounding reproduction are unlikely to disappear in the near future. Modernity in Iran may have altered the social aspects of reproduction, for example, the size of the family and the way young people meet and marry, but the fundamental values related to reproductive practices have not changed substantially. Often we judge a society by the changes it has undergone but overlook what has not changed and persist among a significant number of people in society, and ultimately determines the way change takes place. Even if half the population followed the West's modern values, there are still a large number of people who preserve their traditional cultural practices. For example, one of Dr Tremayne's students married a British man, after which her mother didn't speak to her for two whole years. Her family wasn't even that conservative, yet still this situation caused great conflict. This goes to show how the culture in Iran often lags behind what is 'acceptable' by Iranian society.

Final comments.

Dr. Tremayne is not currently doing any new research in Iran. At present, she is incorporating the results of her three decades of research in a book she is writing from an inter-generational perspective, spanning five generations back to her grandmother. The book looks at how reproductive practices have changed, to what extent, and in what form.