Stones Aimed at Us: An Overview of the Discourse and Strategies of the Stop Stoning Forever Campaign

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Stop Stoning Forever Campaign
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Women’s Bodies as a Symbol of Post-Revolutionary Iran’s Identity

There has never been a clear and uncontroversial definition of religious fundamentalism and there is no consensus as to whether religious fundamentalism is a phenomenon, a movement, or a process. Nevertheless, having been exposed to religious fundamentalism in its fullest meaning after the 1979 Islamic Revolution, Iranian women and an analysis of their experience might offer a proper definition.

The secularist women who, in the lead up to the Revolution had demonstrated in the streets and shouted for “Independence, freedom, Islamic Republic!” had never imagined what their status would turn out to be in an “Islamic Republic.” Less than one month after the victory of the Revolution, the office of Ayatollah Khomeini, the Leader of the Revolution, announced that the Family Code stood repealed because its provisions were contradictory to Islamic regulations. The most important consequence of this order was that for women divorce was now only possible through a difficult and lengthy process. A couple of days later, Ayatollah Khomeini personally announced that women were not allowed to enter government offices without Islamic *hejab*, interpreted as covering the whole body except the face, the hands up to the wrist and the legs down to the ankle. In response, women active in political parties, unions and some minor independent women's groups organized the largest demonstrations by women in the history of Iran, lasting for a couple of days. Exposed to such massive action, the government withdrew from its stance on *hejab*, but the Revolutionary Court nevertheless began sentencing prostitutes to death and men and women to lashing and even death for sexual relationships out of wedlock.

The movement against the Shah of Iran was a diverse coalition only unified by opposition to the Pahlavi dynasty (1925-1979). Although it had
included different women's groups, religious as well as secular, the lack of gender sensitivity amongst secular political parties who were part of this opposition—including the Communist Tudeh Party and other Marxists like the Iranian Mujahideen that were actively allied with Khomeini—meant the Islamists were able to repress women's numerous objections to Islamization. Thus, once again, women lost almost everything they had, just like a previous generation. In the late 19th and early 20th centuries, women had been active in political movements such as the Tobacco Protest and the Constitutional Revolution but had ultimately been denied the right to vote in the new Constitution.

All these measures were happening even before any referendum had been held to officially establish an Islamic Republic and formalize the government (eventually held in April 1979) and while the newly established government did not yet have a Constitution (adopted later in October 1979). Consequently, even before the legitimization of the Islamic Republic, Islamization dominated women's lives. The main difference between “practicing Islam” and “Islamization” is the factor of domination. Islamization, according to the preamble of the 1979 Constitution, is building all “cultural, social, political and economic institutions of the Iranian society based on the Islamic legislation.” But this definition is incomplete because it ignores the fact that in the practice of the Islamic Republic, Islamization is imposed. Islamization arose in the bipolar Cold War context, where the political leadership sought to identify as “neither eastern nor western” and to confront the two dominating powers of the time as well as the Pahlavi dynasty. Rapid Islamization was the main strategy of the new government, used to gain legitimacy and define its identity. Like all fundamentalists, the new government based its identity on building boundaries between the “self” and “others,” especially recognizing that women and issues affecting women were the best tool for defining these boundaries. “If controlling the enemy within, the intimate other, is basic to the building of borders that is at the heart of fundamentalism, equally basic is the creation of the worthy enemy against whom borders are drawn and barriers built.”

Only two months after the victory of the Revolution and in response to the massive demonstrations of March 8th against forced hejab, the dominant Islamic Republic Party announced the birthday of Fatemeh, daughter of the Prophet Muhammad, as the official women's day in the Islamic Republic, replacing March 8th. The official posters published for this day feature a woman completely covered in a black veil except for her face and hands, with a baby in one hand and a gun in the other. Government literature followed the same image. An “ideal woman” was a “Muslim revolutionary woman” who is completely covered in hejab and who “observes chastity” (avoiding any unnecessary contact with men who are strangers), while undertaking both her duties as a mother and her social responsibilities.

This imposed "ideal woman" was the new regime's replacement for the traditional woman who observed hejab and chastity, was a perfect mother and wife but who would never participate in the social arena, as well as a substitute for the “western” woman who never observed hejab and chastity and was not a perfect mother and wife but who was involved in social activities. This new ideal, which questioned the pattern of modern women that had emerged during the Pahlavi dynasty, found its way into society due to the anti-Shah sentiments that prevailed during this period.

There were other factors that strengthened the focus on women's bodies. The eight-year Iran-Iraq War (1980-1988) created new links between the symbolic use of women's bodies and nationalism. While men fought to preserve the country’s territory, women “fought a war” to preserve their bodies. Official slogans placed the value of women's hejab and chastity even higher than the blood of the war's martyrs; guarding women's bodies and sexual behaviour became the symbol of guarding the identity of the Islamic regime. Disobedience towards this ideal was accompanied by severe penalties.

There are four ways the theocratic government has used control of sexuality to define the boundaries between self and other (meaning the existing political opposition as well as preceding regimes). These are: in the public arena, first, all women, even non-Muslims, were forced to observe strict rules concerning hejab and second, gender segregation was applied as far as possible in public spheres; in the private arena, third, all the rights granted through the previous Family Code were removed, and fourth, all sexual relationships out of wedlock were considered a crime. Women's lives were a crucial part of this control.

**Governmental Religious Fundamentalism**

Due to the absolute unity of the politics of the Islamic Republic’s leaders and fundamentalist religion, a specific type of fundamentalism has been established in Iran that can be called “governmental religious fundamentalism,” which is to a great extent distinct from other types of religious fundamentalisms. In theory and in practice they followed Seyyed Hassan Modarres, a cleric opposing the Shah who said: “Our politics is the same as our religion and our religion is the as same our politics.” According to this definition, the final goal of governmental religious fundamentalism is the absolute unity of the two concepts such that it is impossible to distinguish one from the other. Within this structure, no political party has the right to operate except Islamic parties. In order to obtain a license to operate, political parties have to undertake to define the framework of their activities as the inevitable and unchanging unity of religion and government, while according to the Constitution, religion shall be the permanent political framework in
the Islamic Republic of Iran. The only factor that can change is the extent to which fundamentalists or reformists dominate within this framework. Thus, despite the fact that there has always been an ongoing power tussle within the government, which has sometimes opened a space to question gender and sexuality issues, "reformist" in Iran is a relative term and does not necessarily indicate a complete rejection of the unity between religion and government.

From the experience of Iran, religious fundamentalism is a combination of traditional religion (specifically Ithna Ashari Shia Islam), political power, and the element of domination. "Traditional religion" in Iran's context is the religious rules or fighi formed through the "common fatwas" of Shia clerics, meaning those fatwas (legal opinions/interpretations) on which there has been consensus over the years, regardless of whether or not the source is the Quran. In Shia Islam, although diverse fatwas exist regarding various matters and in many cases these fatwas are conflicting, the ruling system in Iran recognizes only those that are the most common, and the fatwas of modern clerics, who are mostly a minority, are ignored. The fatwas that legitimize gender discrimination are usually derived from common fatwas.

In all forms of religious fundamentalism, it can be seen that religion is oppressively used to gain power. Fundamentalism gains its authority through emphasizing religious traditions that have been legitimized through their prevalence in history and society. The power gained through harnessing this legitimacy is then used to impose these traditions on everyone and to forcibly make society homogenous. In a circular process, the power and legitimacy of traditional religion is thus reinforced and the power of the religious fundamentalists is also promoted. For instance, the government's control over women's bodies and daily lives is justified with reference to "public virtues" and religious beliefs concerning hejab and chastity. This justification is then used to implement government policies that universally and forcibly impose strict hejab, which in turn reinforces a public culture that values "traditional religion virtues" concerning women's hejab and chastity.

The key ingredient is state force. While the regime has obtained its legitimacy through reference to religious traditions, it uses all possible tools of the state to impose such values on all people as the sole way of life, while using severe penalties to prohibit other lifestyles.

A major feature of governmental religious fundamentalism is the total elimination of the private arena and its integration with the public arena, making it a space where the government has the right to intervene. Shia jurisprudence has rules and regulations covering all aspects of a human's life and all daily actions fall within three main categories: halal (permissible, lawful), haram (prohibited and therefore a sin), and mobah (neither prohibited nor specifically permissible; no particular provision is made in the Quran). The integration of religion and politics in Iran means that all these concepts including their application fall within the Islamic government's control. Consequently, all acts considered haram are a "crime" according to the government and punishable; instead of damnation for one's sins, the punishment is in this world, even if these acts are private or just involve a human being's relationship with God.

In addition, certain broad acts are defined as sins ("beyond God's limits" or hodud) in the Quran. Iranian Shia jurisprudence has elaborated the precise nature of the acts that constitute hodud sins as well as the punishments that should apply. These acts include extra-marital sexual relations, sodomy, lesbianism, pimping, qadhf (slanderous or malicious accusation, especially the baseless accusation of adultery), consumption of alcohol, theft, and fasadh/mufsid fil-'ardh (engaging in spreading corruption on earth) and these carry the penalties of stoning, execution, lashing or amputation of the hand or foot, depending on the crime. Hodud crimes are usually categorized as hagg-ullah ("God's right"); in other words, punishment rests with God. However, despite massive criticism within Iran and the Islamic world regarding the implementation of hodud, the integration of religion and politics in Iran has meant that the Islamist government substitutes itself for God by adjudicating such crimes and applying penalties.

Apart from the fundamentalist political parties that occupy the majority of seats in parliament, the main sector with the power to influence public policy, especially concerning women, is the howza (religious schools). The howza, whose main task is to train clerics, are those religious schools that, before the Revolution, were supported through religious taxes (khoms and zakat) considered obligatory for Shia Muslims. After the Revolution, the howza grew and developed, and also became independent from government funding.

The howza are able to influence and enforce fundamentalist policies in several ways. First, according to the Constitution, the Supreme Leader and members of the most important government institutions must be religious clerics. Many judges are clerics as well. Second, the howza also hold immense influence among some sectors the population, particularly the "traditionalist" parts of society and are able to mobilize them effectively around various issues. For instance, the howza have frequently reprimanded the government for avoiding the execution of hodud penalties such as stoning, lashing, and cutting off of hands and feet in public. Third, government officials request the howza provide legitimizing religious opinions (fatwa) that fit their political needs before they implement a particular policy. In fact, many of the fundamentalist
and their to reach the level of an authority, are not allowed to have followers. The Revolutionary Court's pressure on them to marry and the court sentenced them to stoning after the Revolution. They refused to accept the Revolutionary plan projects that would reduce employment among women, reduce the rate of divorces filed by women, increase control over men and women's sexual relations, and increase strict enforcement of hejab.

Shia clerics have a hierarchical structure and only a few are considered muftis or religious authorities with the right to issue fatwas and define what is religiously legitimate and what is not. In Iran, lower order clerics, students of religious studies and ordinary people are “followers” who cannot practice Islam based on their own perceptions but have to choose one leader out of the ten living leaders to follow, basing their lives on the fatwas of that leader. Women, even if they are competent enough to reach the level of an authority, are not allowed to have followers and their fatwas are only binding on themselves. Except for religious authorities and lower-level clerics, ordinary people are not supposed to involve themselves in religious affairs. Obviously such a hierarchy, along with the organic relationship between the howza and the government and the full incorporation of the clerical hierarchy into the government via the establishment of the Guardian Council, paves the way for the fundamentalists to offer one sole interpretation and repress all other possible interpretations of religion. The Constitution provides for the Guardian Council to review the resolutions of Parliament and their compliance with Shariah. The six clergy members of this institution are all appointed by the Supreme Leader and during the past thirty years they have always regarded the common fatwas of the religious authorities as the main criteria for the legitimacy of parliamentary laws.

**Stoning after the Revolution**

Immediately after the Revolution, Islamic Revolutionary Courts were established to adjudicate crimes committed against the country under the rule of Mohammad Reza Shah Pahlavi (1941-1979). The Revolutionary Courts were the manifestation of the Revolution's judicial power and their judgements in sexual crimes indicates the importance of these courts to the fundamentalists.

Less than two months after the Revolution in Amlash, a small town in northern Iran, a boy and a girl were convicted of “immoral values” by the Revolutionary Court. They refused to accept the Revolutionary Committee’s pressure on them to marry and the court sentenced them to public lashing: the boy to 25 lashes and the girl to 100 lashes. Other aspects of Islamization in the area of sexuality and the limiting of sexual expression to the frame of the family included the execution of prostitutes or those in charge of running prostitution rings or brothels, and the stoning of women who had committed adultery. Since the Revolution, the penalty of stoning has been the harshest tool for controlling women's sexuality to the extent that even victims of rape, for fear of being unable to prove rape and therefore being exposed to the accusation of adultery and stoning, in most cases did not file a complaint against the perpetrator.

The first case of a woman being stoned to death was reported in July 1980. The news was reported through government television, the only legal channel since the Revolution. According to the reports, two couples were convicted of adultery and were stoned in Kerman, one of the biggest cities in southeastern Iran. Azam Taleghani, a woman Member of Parliament who had been active in the Revolution, protested. In her view, stoning was against Islamic justice and dissemination of such news would weaken the newly established Islamic Republic and strengthen opposition propaganda against the Revolution. In her gendered critique of a regime that she was part of, she asked why such penalties should be applied against women while the Revolution's promises to women had not yet been realized and women were still being oppressed daily.

**Diversity within the Iranian Government: Pragmatists and Fundamentalists**

In Iran, the government is the key agent of promoting religious fundamentalism. Nevertheless, because Iran works to maintain a somewhat “democratic” image (through elections, populist support for the Islamic Revolution, and so on), it must balance its fundamentalist vision with a pragmatic need for stability. As a result, the government structure and policies are still affected, albeit somewhat inconsistently, by pressure from opposition forces.

Since the emergence of fundamentalism, resistance to such projects has existed at different levels: women resisted in their daily lives as well as managing to participate in various groups even under conditions of repression. But, following the large-scale repression of opposition forces in the early 1980s, which in effect pushed secular actors out of the formal political arena in Iran, one of the key levels of resistance has been the forces within the dominant political power structures. Alongside the discourse of fundamentalism runs another discourse which I call “pragmatism.” While the pragmatists are apparently supportive of the enforcement of Shariah and believe in Islamist governance, they...
differentiate between governance and religion, and prioritize stable governance. Pragmatists can be modern reformists or conventional in their religious beliefs, but what unites them and segregates them from the fundamentalists is the fact that they accept the reinterpretation of Shariah in order to maintain their political power, especially those rules whose implementation has a high national and international political cost. They agree that in this modern era, the implementation of Shariah might contradict the needs and demands of the public and seek updated fatwas in order to resolve these contradictions. The politicians who are today known as Iran's religious reformists and who were among the higher ranks of authority during the first decade of the Revolution, had generally been supporters of the strict application of Shariah but have gradually come to realize that in many cases it was not possible to rule society on the basis of Shariah. With the establishment of pragmatism during the first decade after the Revolution, and the reinforcement of pragmatism during the post-Iran-Iraq War period and the emergence of the liberal governments of Ayatollah Ali Akbar Hashemi Rafsanjani (president, 1989-1997) and Seyed Mohammad Khatami (president, 1997-2005), the political arena of Iran has constantly witnessed the conflict of these two political forces: the pragmatists and the fundamentalists.

Their constant battle has led to some of the most important political and social changes since the Revolution. The key difference between fundamentalist and pragmatist policies has been the level of influence that social pressure and resistance has over them. While fundamentalists show minimum responsiveness to the social will, pragmatists are ready to negotiate their policies—and even occasionally to withdraw in the face of social resistance—in order to maintain political power and Islamist governance; for the pragmatists, any act that may bring hatred towards the Islamic Republic has to be stopped. Thus, the issue of stoning has always been a matter of dispute between the fundamentalists and the pragmatists.

Even Ayatollah Khomeini, the architect of Islamization, could not avoid this conflict. On the one hand, Article 102 of the 1991 Iranian Penal Code provides that a woman or man accused of adultery and convicted to stoning is to be shrouded and then buried in a hole previously prepared; the woman up to her shoulders and the man up to the waist. Article 104 states: "... the stones should not be too large so that the person dies on being hit by one or two of them; nor should they be so small that they could not be defined as stones." This is the country's law. On the other hand, when he was informed that a conference was to be held abroad which would highlight Islam as a cruel and violent religion and that the issue of stoning was to be discussed, Ayatollah Khomeini ordered all judges to stop passing verdicts of stoning and substitute them with alternative penalties. Sayyid offers a comprehensive analysis saying: “Khomeini had argued that only a strict application of Shariah was legitimate and activities not sanctioned by the Shariah could not be undertaken. However, once in power, Khomeini realized that such an adherence would be difficult to implement and he was willing to support the needs of the Islamic Republic above a strict adherence to traditional interpretations of the Shari’ah.”

Although even an order from Ayatollah Khomeini could not prevent the application of the stoning provisions in the Penal Code, in order to reduce international pressure, the execution of stonings was gradually moved away from public eyes and carried out inside prisons while the media were prohibited from covering stonings. Consequently, for 30 years censorship has been a barrier to establishing the exact number of stoning cases, but one estimate from Amnesty International states that in 2001 only two women were stoned.

At the end of talks with the European Union in December 2002, when pragmatists occupied the majority of seats in Iran's Parliament, international pressure regarding the inhuman and violent nature of the stoning penalty forced the Iranian authorities to announce that executions by stoning had been stopped. But this was not the end of the story in Iran.

The Rise of Hardline Islamists and the Start of the Stop Stoning Forever Campaign

Individual and collective resistance to Islamization in Iranian society (and especially from women) brought many changes in the fundamentalists’ regulations and policies, but the emergence of the fundamentalist government of President Mahmoud Ahmadinejad in 2005 started a new era of Islamization. This new wave of fundamentalism, claiming to fight economic corruption, promote equitable distribution of wealth, and revive the values of the Revolution, received the support of two groups: first, the poor who were suffering the pressures of inflation caused by the neoliberal policies of the reformist governments, and second, religious and conventional groups who believed that reformist policies meant a move away from Islamic values and a rapprochement with the West.

This new wave of Islamization attacks the reforms started after the Iran-Iraq War during the presidencies of Rafsanjani and Khatami; its main goal regarding women is to return them to the home. Women's gains regarding Family Code reforms and the right to divorce (although limited) are vanishing, while the new government is seeking approval of new laws to make polygamy easier for men. Legislation based on the concept of “ chastity” (efaaf) is aimed at introducing repressive rules...
covering all aspects of women's lives, including their clothing, their behaviour in public and even their occupational relations or general interaction with men.

In response, different women's groups reorganized their activities and, working through informal networks, launched various campaigns such as the One Million Signatures Campaign to change discriminatory regulations, the Stop Stoning Forever Campaign, and the campaign to defend women's right to attend football matches and sports events in public stadiums.

In 2006, a year after the fundamentalists reasserted themselves and four years after the suspension of stoning as a penalty, rumours spread among human rights activists that once again a man and a woman had been executed by stoning. Later research by feminist activists, including this author, proved that in 2006, Mahboubeh M. and Abbass H. had indeed been stoned to death secretly in the early hours of the morning in the cemetery of the religious city of Mashhad by the authorities and volunteer militia.

Mahboubeh, who had forcibly been married to her cruel, addict husband at the age of 16 and whose attempts to divorce had failed, collaborated with her lover to kill her husband. For some months, nobody dared to talk about Mahboubeh's stoning. Since speaking of stoning was taboo and printing news regarding stoning would put a newspaper in great danger, the press were not willing to print anything. Many thought this had been an exceptional case that would never be repeated.

But in August 2006, Ashraf Kalhori called her attorney from Evin Prison in Tehran and said she was to be stoned in 15 days. Ashraf had often complained to the courts about being beaten by her husband but her divorce had been rejected for “lack of evidence.” She also denied having any relationship with her husband's friend who had killed him but the court rejected her defence. This was right at the time when women's activists were thinking of starting a new project against stoning, and wondering how to spread the news about Mahboubeh and Abass' stoning as well as how to raise the issue of stoning in the context of repression and censorship. In the breathtakingly short time of 15 days, this group which was denied any local media access for awareness-raising, spread the news at the international level and called upon women's organizations and human rights institutions to save Ashraf Kalhori. Amnesty International and Women Living Under Muslim Laws (WLUML), which later supported the Campaign, issued a declaration. Equality Now sent a letter containing thousands of signatures to the Head of Judiciary in Iran while inside Iran almost 3,000 signatures were collected in this short period of time. The Judiciary and Ministry of Foreign Affairs of Iran were suddenly exposed to the international human rights community, and recognized the political cost of stoning an ordinary woman. The execution was ultimately called off, but this was not enough. So long as the penalty of stoning existed in the law books, Ashraf and many other women remained exposed to the threat of stoning. This led to the Stop Stoning Forever Campaign. Although the Campaign's main objective was to eliminate the penalty of stoning from the Penal Code, defending accused women and saving them from such sentences were also objectives.

Discrimination: The Gender Component

In collaboration with the Volunteer Lawyers’ Network, the Campaign conducted research and identified 12 men and women facing such a verdict, though they were sure there were others. All of the women were victims of diverse forms of discrimination. Some had experienced forced marriage and constant violence, and others had been forced into prostitution by drug addicted husbands; none had had any legal means of escaping their harsh conditions. Some had applied for divorce and each time, due to lack of support from their families or rejection of the case by the judge, had been forced to return to their violent situations. Two of the women who were from very conservative tribes in southern Iran were sure that if they had raised the issue of divorce and taken any step in this regard, they would have been killed by their families. In some rare cases, accidentally or planned, they had helped men with whom they had some relationship to kill their husbands. The Campaign's feminist discourse was developed out of these women's life stories.

Before this Campaign, only Iranian opposition groups and some international human rights groups had taken up the issue of stoning. The political opposition used stoning as a tool to demonstrate the cruel nature of the Islamic Republic while international human rights groups emphasized the anti-human rights aspect. But none had none had conducted any in-depth study or offered a gender discourse.

Based on the studies of the Volunteer Lawyers' Network, for every 12 women sentenced to stoning, only two men faced the same sentence. The Stop Stoning Forever Campaign asked why is it that despite similar penalties for adultery for men and women, stoning is a women's penalty.

Under Iran's Penal Code and in judicial practice, crimes relating to extra-marital sexual behaviour range from “relations with strangers” to “adultery” (zina). The provisions for these “crimes” are supposedly gender-neutral (except homosexuality for which lesbian behaviour is punishable by lashing while the punishment for gay behaviour is the death penalty). But in practice married women are more at risk of...
becoming the victims of Iran’s harsh penal laws and being sentenced to stoning than married men.

In Iran, men can legally have four permanent wives and an infinite number of temporary wives. This gives men the opportunity to have diverse sexual partners and turns a man accused of having a sexual relationship out of wedlock into someone who has simply made a small mistake of having an affair rather than categorizing him as a criminal; he can escape a penalty by claiming either that the relationship was a polygamous marriage which was not properly regularized or that a short-term marriage had taken place. But a married woman facing the same accusation of having had a sexual relationship with another man is regarded as having committed a major crime; she is not able to contract multiple concurrent marriages. She is regarded as not only having questioned the rules of patriarchy but also having destroyed the image of a “chaste” woman whose physical integrity and sexuality is expected to be under the control of one man. She has acted against the interests of her husband as well as transgressed one of the main boundaries in building fundamentalist identity and has therefore also acted against the government and must be sentenced to the most severe penalty. The sentencing to stoning of three women who were forced into prostitution by their husbands indicates that even forced prostitution cannot be an excuse for breaking these government-made moral rules.

A review of the case files of women convicted to stoning shows that in addition to gender, women’s social class, tribe or religion also play a role in discrimination and control of women’s sexuality. Two of the convicts were women from the Bakhtiyari tribe and one a Kurd, all illiterate and from communities where access to education was limited. Hajiye, a Turkish-speaking woman who spent seven years in prison and was about to have her sentence carried out before finally being pardoned, has many times said: “When they convicted me of adultery, I didn’t even know what it meant.” The lack of financial resources needed to employ an attorney has also prevented them from accessing justice. Most of the convicted women were from the poorer classes, and villages or marginal areas of the cities and all except one were unemployed.

From the Stop Stoning Forever Campaign’s point of view, patriarchy and discrimination based on gender, race and class as individual factors are not enough to lead to the stoning of women. The Campaign sees stoning as the result of a combination of patriarchy, other forms of discrimination (such as class and tribal structures), and religious fundamentalism (see Figure 1). In the context of Iran, governmental religious fundamentalism is the most important factor. In the 30 years since the Revolution, out of all the reported cases of stonings of women, only one case has been reported where a stoning was carried out by the woman’s family.

Judicial attitudes are an important part of this governmental religious fundamentalism. The Qur’an spells out harsh penalties for adultery, but it also spells out a high standard of evidence (four witnesses or voluntary confession) required for these penalties. In Iran, the concept of “judicial discretion” is used in order to avoid this practical limitation to the application of hodud penalties. Using their discretion, judges have the right to convict someone of a sexual offence even if there are no witnesses and no voluntary confession. More than 80% of adultery cases where a sentence of stoning was passed were at the discretion of the judge. As already seen, this discretion is also applied in a very gendered manner.

In other words, it is the way the fundamentalists use the rules that not only legitimizes their practice but also reinforces patriarchal customs relating to the control of sexuality such as honour killings. For this reason Vahdati characterizes stoning in Iran as honour killing that is conducted by the government, and that is why stoning is perceived as a “woman’s penalty.”
Strategies of the Stop Stoning Forever Campaign
This part of the case study discusses the key strategies of the campaign in detail. Some of the strategies were part of the Campaign from the beginning while some of them were adopted due to the challenges and necessities of the emerging conditions.

The Strategy of Indirect Action or “Taking the Mouthful around the Back of Your Head”
The Stop Stoning Forever Campaign started its activities in circumstances where publication of any news regarding stoning was taboo. In some cases, newspapers only reported that a woman had been executed “due to adultery”; since the penalty for adultery was stoning, people would understand she had been stoned. Also, NGOs and women’s rights activists faced restricted access to public spaces. So the Campaign initially decided to work on the issue indirectly and through international human rights organizations. Our job, inside the country, was to identify those sentenced to stoning, conduct research, defend their cases as volunteer attorneys and publish press releases about their status. At that time it was not possible to directly contact government authorities to convince them that stoning had to be omitted from the Penal Code. So the Stop Stoning Forever Campaign focused its activities on awareness-raising regarding stoning cases and their critical situation among activists in international human rights and feminist organizations. This was why, from the beginning, the Campaign invited experienced women activists from inside Iran who had transnational links as well as activists from the transnational women's movement outside Iran who had good links with activists inside Iran to be consultants and advisors. This meant the Campaign could not only disseminate its message to the public and government inside Iran but could also convince international institutions to impose pressure on the Iranian government. It was just like the Farsi idiom: it makes no difference whether you put the food directly in your mouth or take the mouthful the long way by stretching your arm around the back of your head; it still gets eaten! The international allies of the Campaign had a crucial role, especially Amnesty International, Women Living Under Muslim Laws, Equality Now and the other 70 organizations who signed the Campaign's petition during the 2007 Feminist Dialogue in Nairobi, Kenya.

International pressure regarding the cases raised by the Stop Stoning Forever Campaign forced the Iranian authorities to offer a formal response. On November 21st 2007, a spokesman for the judiciary in Iran gave the first formal response to the Campaign, saying at a press conference: “It might be that a court passes a sentence of stoning but considering that it is really difficult to prove this crime, during review hearings the sentence has been cancelled and generally in practice stoning has never been executed.” The newspapers that had previously avoided using the term “stoning” in print now published the spokesman's words in bold headlines. Although the official response was to deny any practice of stoning in Iran, publication of this speech had a positive effect on the Campaign with the judicial authorities breaking the silence they had built around the issue. Gradually the media began to publish news, reports and analysis by the Campaign.

The Strategy of Using Stoning as a Symbol for All Discrimination
During sessions to plan the Campaign's public advocacy, especially when talking to people who were mostly unaware of the details of stoning due to 30 years of censorship, the members of the Campaign realized that stoning could be a unique starting point for raising the broader issue of discrimination against women.

Most people in Iran, when they learned how stoning is actually carried out—that a woman is buried up to her chest in the ground and stones are thrown at her until she dies—were against this punishment. This reaction opened the door to a longer discussion between activists and audiences and even between the Campaign and the government; not only about stoning but also regarding all measures to control women's sexuality which hampered the achievement of their rights. It was an entry point for a detailed analysis of how these women are the victims of forced and underage marriages, poverty, discrimination, continuous domestic violence and deprivation of basic rights such as divorce. Within traditional communities, this was a rare opportunity to raise issues of physical integrity and women's sexual rights. Although some young activists in the Campaign believed that emphasizing women's sexual rights should be one of our principle strategies, in practice the Campaign was unable to obtain support for sexual autonomy and there remained people who believed that a woman who “betrayed” her husband should be punished. But what was always effective was the Campaign's strategy of arguing that “If this woman had the right to divorce, she would never have betrayed her husband or wouldn’t have killed him and ended up being sentenced to stoning. What has to be stoned are the rules and regulations that have exposed women to stones every day.”

Trying to raise this issue through abstract discussions about structural discrimination against women would not have been effective or attracted the audience's support for the Campaign. But talking about the horrible penalty awaiting illiterate, poor victims of violence, women who had simply fallen in love or were forced into prostitution by their husbands, brought greater empathy in society along with sympathy for the Campaign.
It was in this process that we also found an answer to our critics within the Campaign who believed that Iranian women were facing more important issues than stoning. Stoning allowed a discussion about all kinds of discrimination caused by patriarchy, governmental religious fundamentalism, discrimination in society and by the government, including against non-Farsi-speaking ethnic minorities. It also enabled us to raise the issue of “love” in relation to some of the women’s cases, as well as issues of sexuality, consensual sexual relations outside of marriage and freedom of choice in the matter of sexual partners, although traditional attitudes and fundamentalist control of the media meant these discussions were not raised widely.28

The Strategy of “the Backpack Office”: Using Technology and Virtual Spaces
In 2006, a couple of days before International Women’s Day, police arrested 33 women activists who had gathered outside the Revolutionary Court in Tehran to protest the case against five other activists. Four members of the Stop Stoning Forever Campaign were among those arrested. Although all 33 were released some 20 days later, a new phase of repression against the women’s movement had started. Three NGOs whose managers were accused of violating national security were shut down and their bank accounts frozen. They included Raahi, which had established the Volunteer Lawyers’ Network to defend women at risk and which had trained most of the attorneys following the cases of women sentenced to stoning, and the NGO Training Centre (NGOTC) which held trainings for the Campaign. The Campaign lost both its public space and internal support institutions. Although all the activists of the Campaign were volunteers and from the beginning it had been decided that they would only use donations from individual activists, the Campaign had nevertheless been using institutional support from Raahi, the NGOTC and other NGOs for mobilizing activists, training them and holding discussion sessions and other activities. Most of the Campaign’s activists were busy with their own criminal cases, facing accusations of attempted violation of national security, and the opportunity to hold bigger sessions was rare. Clearly, new strategies were required if the Campaign was to continue.

Then, on a Tuesday evening in the summer of 2007, the Campaign learned that a woman and a man were to be stoned on Thursday in Takestan, a small city 250 km outside the capital. A member of the Volunteer Lawyers’ Network had accidentally learned that holes had been ordered to be dug for stoning two people in the public cemetery. It was the first time in 20 years that stoning was to take place in public and undoubtedly was an indicator of the increasing power of the fundamentalists within the government. The Campaign had less than 48 hours to save Mokarrameh Ebrahimi and Jafar Kiani.29 We contacted every newspaper that we thought might agree to publish the news, but all refused. Only Meydaan-e-Zanan (the Campaign’s official website, meaning "Women’s Field") and other Internet news sites were available. By the start of the working day on Wednesday, Meydaan-e-Zanan carried the telephone numbers of the city of Takestan’s judicial authorities and other high-ranking members of the Islamic Republic’s judiciary, urging all to contact them and object to the execution. By noon, thousands of contacts had been made, and while the Campaign’s volunteers were preparing to travel to Takestan to stop the process, an official news agency announced that the stoning had been halted and the Head of the Judiciary had ordered the case transferred to Tehran.

This short telephone campaign revealed a vast network which had previously been invisible even to the Campaign’s activists. It included activists from the women’s and human rights movements in the provinces and outside Iran as well as a large number of people who had been made aware of the issue by the Campaign.

The lack of access to effective public spaces on the one hand and the visibility of this network on the other, opened up a new strategy. The Campaign had used the Internet as a tool for publishing news and reports on stoning before, but we had never thought about the Internet’s capacity for facilitating mobilization and networking. This experience around the Mokarrameh and Jafar case showed that even a simple laptop connected to the Internet could fill the gap left by the closure of NGO offices and the spaces they had provided for meeting. The “backpack office” strategy meant that all the alternative spaces vital for achieving the goals of the campaign could be packed into a backpack, easily accessible and safe from being shut down by the authorities. In fact, the Meydaan-e-Zanan website became the Campaign’s most effective tool over the next few years.

The “Football Team” Strategy: Working with Religious Reformists
Three weeks after the success in rescuing Mokarrameh and Jafar, Jafar Kiani was secretly stoned to death in a desert outside the city of Takestan on the judge’s orders and using local police. The publication of the horrible details about Jafar’s death, including pictures of the stones still covered in blood, motivated others such as religious figures and religious elites to get involved in the question of stoning. They published articles trying to prove that stoning is not rooted in the Quran and should be stopped for religious reasons. One religious leader even issued a fatwa that stoning is prohibited in today’s era.
Given that stoning has it roots in Shariah and was being practiced by a religious political regime, it was essential both from the point of view of discourse and strategy that the Campaign define its approach to religion. It seemed there were two options: one was to work within the framework of Shariah and through the study of religious literature prove that stoning is not rooted in the Quran and is just a penalty from a barbarian era that does not comply with contemporary needs; the other was to work outside the religious framework and instead base the Campaign on the lived experience of women.

The Campaign's approach towards this question was clear from the beginning: after long discussions, the activists reached the conclusion that the Campaign's dominant discourse should always be secular but that it would encourage clerics and the religious elites to prove that stoning is not rooted in the Quran. You could say the Campaign preferred one option but did not exclude the other. This strategy was the result of years of experience of women's struggle in a fundamentalist context.

For at least two decades, both religious women and secular activists had fought within the framework of Shariah to achieve reform. But this strategy had been ineffective because women were excluded from the Shia hierarchy and because of resistance from the Guardian Council which was responsible for approving all laws. The Islamic Republic regime has proved time and again that the only "religion" it cares about is its own; any other interpretation of Islam is deemed as "illegitimate," "inauthentic" or "corrupted." Although the religious interpretations and reasoning offered by a group of secular women lacked legitimacy, they nevertheless showed that secular activists could be effective: they could represent lower-income women as attorneys and be defenders of women's human rights; they had increased social pressure against stoning to the extent of forcing the government to stop stoning in order to prevent damage to the political system.

Nevertheless, since the beginning the Campaign had sought the support of religious reformists. For example, to save Mokarrameh the campaign had collected fatwas from three clerics (muftis), who all stated that since Mokarrameh believed she was officially married to Jafar, she had not committed adultery and their two children were legitimate. These three fatwas, which were widely published in the newspapers, played a critical role in saving Mokarrameh after eight years of awaiting death by stoning.

Looking at both the women's movement's strengths and the realities of the context, the strategy of the Campaign as regards religion was to remain secular while finding allies among the religious elites and pragmatists in the government structure to open up new religious angles on the issue. If we consider the movement's arena a football field, it was obvious that it was best for the activists to play the role they had the capacity for: to set up the opportunity to score but pass the ball to the religious reformists who could play forward and put the ball into the net. Only a team whose players were playing to their best capacities would be successful. Without secular feminists, the reformists would not have had the public support necessary for changing the law, and without the reformists' cooperation the Campaign would have never have been able to lobby the government.

The stoning of Jafar Kiani significantly reinforced the unwritten coalition against fundamentalism between the secular activists and the religious reformists. For the first time clerics raised the need to repeal stoning and some confessed that Ayatollah Khomeini in a confidential circular had many years earlier ordered the courts to choose alternative penalties for stoning. Consequently, this brought new political pressure on the judiciary and legislative bodies to repeal stoning.

The Strategy of Analyzing Stoning as Part of a Global Phenomenon

Although the Campaign had some successes despite the continuing repression of civil society activists and constant threats and investigation by the intelligence services, the Campaign felt the need for a qualitatively different level of solidarity, specifically among activists in countries where women were being punished in “honour”-related matters. Our objective was to establish a coalition with activists in other countries against stoning and the use of cultural excuses for killing women so as to build an international mechanism that could force the Iranian government to stop honour-related penal provisions such as stoning.

In 2007, in collaboration with WLUL, the Global Campaign To Stop Killing and Stoning Women was launched in Istanbul, Turkey. We hoped that the campaign would lead stoning to be considered a form of torture by international human rights mechanisms.

Looking Ahead: Success and Fresh Challenges

Since its start in 2006, through its hard work the Stop Stoning Forever Campaign has rescued seven women and one man from stoning and secured their release from prison, while also getting the execution of one woman's sentence stayed; sentences for three additional cases we focused on have been altered to lashing or imprisonment. In response to a press conference by the attorneys of women sentenced to stoning, a judiciary spokesman said, “The implementation of stoning has ceased in Iran”. However, from the Campaign's point of view such expressions were not to be trusted while stoning remained in the Penal Code; during
the three years of the campaign, one woman and five men have been stoned in different parts of Iran.

On the other hand, stoning as a punishment and the institutional discrimination suffered by convicted women have become public issues, with over 20,000 people signing our Petition to the Head of the Judiciary. Over the past year, we have seen major changes in the law regarding stoning as a result of pressure by the Campaign. In 2008, the new Islamic Penal Code Bill was introduced in Parliament by the pragmatists who at present dominate the judiciary. Under this bill, if a prosecutor believed the implementation of punishments such as stoning was likely to cause mafsada (degradation and disgrace), he could request the Head of Judiciary to permit an alternative punishment such as lashing or execution by hanging. In Iran's law, mafsada has a broad meaning and includes various aspects of weakening the Islamic Republic of Iran, ranging from threatening the security of a small city to the threat that children will be orphaned if a woman is executed by stoning. However, the Campaign was critical of the proposed revisions: the penalty of stoning had not been omitted while the implementation of such sentences was left to the discretion of the local prosecutor. Then in May 2009, the Judicial Commission of the Iranian Parliament passed an amendment to the same bill that eliminated stoning altogether. With the international community carefully observing Iran’s human rights situation following the June 2009 presidential election and the harsh repression of street protests, Parliament passed the new Penal Code which has omitted the sentence of stoning without any debate. At the time of writing the bill still awaits approval of the Parliament and Guardian Council in order to become law.

In the bill, the punishment for adultery is not explicitly stated in the text of the law. However, according to Article 167 of the Iranian Constitution, a judge can decide a punishment by referring to fiqh (Islamic jurisprudence) based on the fatwas of the grand clerics (ulama). Members of the Judiciary Commission have stated that the only fatwa acceptable for such rulings is the fatwa of the Supreme Leader, or Ayatollah Khamenei. As of writing, Ayatollah Khamenei has not yet issued any fatwa on stoning. If the bill is approved, the assumption by many analysts is that the judiciary will ask the Supreme Leader for a fatwa concerning stoning and it is unlikely he will give a fatwa approving stoning. The argument is that the image of Iran was damaged in the past by the stoning law. So the new law will most likely state that the punishment for adultery will be lashing and imprisonment, as specified in the Quran.

If the bill is approved and the Campaign manages to secure the elimination of stoning from the Penal Code, the question remains: will the Stop Stoning Forever Campaign continue? This is currently a point of internal disagreement among Campaign activists. Personally, although we have to think about it, I’d probably say the Campaign should end because it has reached its goal. I believe we should announce the end of the Campaign because then it can be considered one of the biggest achievements of the secular feminist movement in Iran. On the other hand, Mahboubeh Abbasgholizadeh argues that the Campaign should continue in a different form. In a personal interview for this case study conducted by Rochelle Terman in May 2009, Mahboubeh stated: “I don’t think we should say that the [Stop Stoning] campaign is finished. It’s not 100 per cent yet. It’s still too soon for us to declare victory... I’m scared about a backlash. ... As for ending the campaign, we might end a campaign asking for a change in the law to eliminate stoning, but we might continue a similar campaign addressing other issues of discrimination that affect women.”

Lessons Learned
The Iranian Revolution and the discourse it established have inevitably influenced the spread of religious fundamentalisms, at least in the Muslim world. Before the Revolution “political Islam” had never been as dominant in Iran as it is now and had never been supported by the majority of the people or high-ranking political leaders. But today, despite the opposition to fundamentalism, Islam is usually misinterpreted as synonymous with political Islam; Islam has been equated with fundamentalism.

At the beginning of the Campaign, most of us, who had been children during the post-Revolution years and had not experienced the first wave of fundamentalism, did not have a clear understanding of fundamentalism and its effect on women’s lives. But through the long and difficult struggle related to the Stop Stoning Forever Campaign, our understanding of fundamentalism grew, and we believe our experience can serve as an example for women in other countries fighting similar battles. Some of the learnings that we would like to share include the analysis that:

1. In a context in which there is little possibility for negotiation with the government over issues surrounding violence and formal discrimination, women's activists can steer their efforts towards regional and international networks and alliances.

2. Especially in countries such as Sudan, where there is fundamentalist repression and censorship, activists can utilize alternative tools and spaces for information sharing,
organization and mobilization of forces, especially through virtual technology and the Internet.

3. The strategies adopted by Stop Stoning Forever Campaign challenge the idea that the only way to fight against religious fundamentalism is using the language of "religion." This experience proves that even under a religious fundamentalist government, there is a secular way of fighting by obtaining legitimacy through the voices of silenced women.

In sum, the experience of the Stop Stoning Forever Campaign relates a message that is relevant to all activists who are engaged in these struggles: there is no one single strategy for fighting against religious fundamentalism; we have used several complementary strategies.

Conclusion

Today in Iran, we are facing a new wave of governmental religious fundamentalism that targets all aspects of women's lives through policy and legislation. The objective over the past four years has been to control women's physical integrity and psychological agency, to engineer a new social structure that forces women back into the home. Imposing severe penalties such as stoning for extra-marital sexual relations is part and parcel of a political structure that advocates for easier polygamy; more severe restrictions on hejab; increased gender segregation at universities, sporting events and public spaces; and restrictions on girls attending university and reductions in women's working hours. The key challenge for the Stop Stoning Forever Campaign is finding ways to combat all symbols of the new wave of fundamentalism. This requires a revision of existing strategies and the creation of active coalitions between the Campaign and other groups fighting the manifestations of fundamentalism both at the domestic and international levels.

Ultimately what global women's movement activists can learn from the Stop Stoning Forever Campaign is that religious fundamentalism is not an issue that solely and uniquely concerns us. Religious fundamentalism is both widespread and occurs nowhere, and even though activists in other countries may not struggle with stoning per se, the rocks of fundamentalism are being aimed at women everywhere.

Endnotes:

1 Ayatollah Ruhollah Khomeini served as the first Supreme Leader of the Islamic Republic of Iran from 1979 until his death in 1989.


4 Although at first the government backed down from its initial stance, hejab was in fact gradually enforced over the first three years after the Revolution.

5 Paidar, op. cit.: 228.


9 Freedman, op. cit.: 101


12 According to Ziba Mir-Hosseini, “Towards Gender Equality: Muslim Family Laws and the Shar’i’ah” in WANTED: Equality and Justice in the Muslim Family: Sisters in Islam, Kuala Lumpur, 2009: “The distinction between Shar’i’ah and fiqh: Shar’i’ah, which literally means ‘the path or the road leading to the water,’ in Muslim belief is the totality of God’s will as revealed to the Prophet Muhammad. F iqh, which literally means ‘understanding,’ denotes the process of human endeavour to discern and extract legal rules from the sacred sources of Islam: that is, the Quran and the Sunnah (the practice of the Prophet, as contained in Hadith, Traditions).” The common fatwa are part of fiqh.

13 One example is the basij, a volunteer militia established by Ayatollah Khomeini in November 1979. The basij (officially titled Nirou-ye Moqavemat-e-Basij, literally “Mobilization Resistance Force”) in theory receive their orders from the Iranian Revolutionary Guards and the current Supreme Leader Ayatollah Khamenei. However, they have also been described as “a loosely allied group of organizations” including “many groups controlled by local clerics.” Drawn from Wikipedia entry on “Basij.”
14 “Dokhtar va Pesar ra dar Malae Asm Shahlah Zadand (Flogging a Girl and a Boy in Public),” Kayhan (newspaper), 17 Mar. 1979: 2. Note that the penalty of lashing applies to an unmarried person engaging in sexual relations (classified as fornication) while stoning applies to a married person engaging in extramarital sexual relations (classified as adultery).

15 In a lot of cases of self-defence, women argued that if they had not killed the rapist, they would have been executed by stoning. So, because of the fear of stoning, they committed murder. See for example the well-known self-defence case of Afsoon Norouzi: “Iran 'killer of rapist' reprieved,” BBC, 27 July 2004.

16 “Eteraze Shadide Azam Taleghani be Sangsar Zanan dar Kerman (Azam Taleghani’s Protest against the Stoning of Women in Public),” Kayhan, 19 July 1980: 3.


20 The One Million Signatures Campaign to change discriminatory regulations was launched in September 2006; see the campaign website: www.1m-change.org/english.

21 The campaign regards restrictions on women’s right to attend sports stadiums as a symbol of gender segregation in the public arena; see Meydaan-e-Zanan website: www.meydaan.net/english.


23 Some interpretations of Islamic law permit a marriage to be contracted for a specified period of time, even a few hours; under current Iranian law, temporary marriage (known as mut’ah or sigheh) requires few formalities.

24 Soheila Vahdati, “Hajieh to be the First Saved from Stoning,” Iran Emrooz, 15 Nov. 2006.


29 See the WLUML website for a short documentary about the Stop Stoning Forever Campaign and Mokarrameh’s case: www.wluml.org/node/5091.


31 For more information on the Global Campaign to Stop Killing and Stoning Women refer to the website of the campaign at www.stop-stoning.org.


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Campaign Bio: The Stop Stoning Forever Campaign is an Iranian initiative that advocates for repealing Iranian Penal Code provisions regarding stoning. The Campaign was formed in 2006 by women’s rights activists in partnership with the Volunteer Lawyers’ Network, a group of pro bono lawyers in Iran. Since its inception, the Campaign has appealed over 20 cases of stoning in Iran, and with the help of the Campaign, many of these defendants were acquitted of all charges and released or had their stoning sentences commuted. The Campaign also engages in international advocacy, raising awareness on stoning and other forms of religiously-justified violence against women, as well as discrimination more broadly. www.meydaan.net/english