

November Protests in Iran Stop Execution, and Strengthen Presidency

by Muriel Mirak-Weissbach

Since early November in Iran, student demonstrations sweeping across campuses in protest against the power of the conservative clergy, have raised the specter of social conflict and evoked memories of clashes with police, which, three years ago, led to casualties. Some circles outside the country, who have been urging “regime change” for Iran, may be welcoming the renewed confrontation between reformers and conservatives, and speculating that mob violence may bring down the government of President Mohammed Seyed Khatami.

But something very different is unfolding in the Islamic Republic of Iran. Instead of launching a rebellion threatening its institutions, the students and their political backers are mobilizing popular and governmental layers, to force fundamental changes in the relation of forces in Iran’s public institutions.

The outcome will be crucial in signalling how the reformers will extricate themselves from what had appeared to be a hopelessly deadlocked situation: Although the reform faction had reaffirmed its overwhelming popular mandate in both Presidential and parliamentary elections, its political actions had been restrained by the security forces and Judiciary, both firmly under control of the conservatives. Editors and journalists of reform-oriented publications were being systematically jailed, and their publications shut down, for example.

Professor’s Death Sentence the Trigger

The reformers have taken over through the electoral process for five years, but real power has still lain in the hands of their adversaries. Since the election of the reformers’ leader, Khatami, to the Presidency in 1997, and his reelection earlier this year—both times with an overwhelming mandate—pressure has been building from constituents to translate reform promises into political reality. Khatami himself had been walking a tightrope, attempting to make good on his electoral pledges, while avoiding institutional confrontation with his adversaries.

The current crisis was triggered on Nov. 6, when Dr. Hasham Aghajari, a respected university professor from Hamedan, was found guilty of blasphemy and sentenced to death. Aghajari had been summoned to court in August for having questioned the religious structures in Iran, because of his presentation at a ceremony commemorating the late

intellectual Ali Shariati. Dr. Aghajari, who is an academic, writer, and veteran of the Iran-Iraq War, had challenged Shi’ite Islam’s theory of emulation of religious leaders (known as *Taqlid*). Aghajari asserted that religious leaders should be held responsible for explaining the decisions they make in religious matters, which are binding on their followers.

This was deemed blasphemous, and drew the Hamedan court’s death sentence, with the adding “insults” of ordering Dr. Aghajari’s exile in the desert and ban from teaching.

The outrageous decision provoked an immediate response. On Nov. 10, some 181 members of the Majlis (parliament) appealed to the chief of the Judiciary, Ayatollah Seyed Mahmoud Hashemi Shahroudi, to rescind the sentence, and have the “revolutionary war-disabled” professor released. They expressed their support for the Speaker of the Majlis, Mehdi Karroubi, who had stated: “I, as a cleric and a spokesman for religious dignitaries whom I have contacted, announce my hatred and disgust at this ‘shameful verdict.’” Two MPs from Hamedan had earlier resigned in protest against the verdict.

Student Protests Criticize Khamenei

Day after day, following the issuance of the sentence, students demonstrated nationwide in defense of Aghajari. Strong statements of condemnation were issued by the universities; one described “the death ruling for expressing views,” as unprecedented in the Islamic Republic; another said, “Medieval methods in a system which claims to be democratic, are being revived”; another described the death sentence against Aghajari as a “declaration of war against the universities.” It went on: “We denounce any manipulation and violent interpretation of religion in order to crucify thought and behead it at the altar of political interests.”

Students also openly criticized the country’s supreme religious leader, Ayatollah Seyed Ali Khamenei, accusing him of being behind the barbaric verdict.

On Nov. 11, Minister of Science, Research and Technology Mostafa Moin called on President Khatami to intervene to secure the release of the academic hero. In a letter to the President, he conveyed the concerns of the academic community over the verdict. Minister Moin’s move was key, as it called for the institution of the Presidency to be mobilized, to



Iran's President, reform leader Mohammad Khatami, may come through the current national wave of protest demonstrations with greater powers, despite Western warhawks' hyping of a "regime change" from within Iran.

challenge the grip of the conservative clerical faction over the Judiciary.

In fact, just prior to the Aghajari ruling, Khatami had presented legislation to the Majlis, which aimed at strengthening the powers of his office. One bill, related to the electoral process, curbed the powers of the Council of Guardians, a body which held the right to arbitrarily disqualify candidates for office. The same body has the power to approve legislation of the Majlis. The other bill bolstered the power of the Executive vis-à-vis the Judiciary.

By Nov. 10, both bills had passed with a large majority, but implementation was another matter. Khatami had stated that without having enhanced powers, he could not rule, implicitly threatening to resign if he were not supported. The two bills still have to be approved; if they are not, a referendum will be called.

Now, with the Aghajari case, the President was being urged to exercise those powers which he had asked for.

President Denounces Verdict

On the same day that Minister Moin addressed Khatami, the Supreme Leader of the Islamic Revolution, Ayatollah Seyed Ali Khamenei, issued a statement, saying that the most important obligation of all officials of the three branches of government, was to protect Iran's Islamic system, and essen-

tially called for an end to the conflict. "The best action is to use legal channels," he said, "but if the three branches of power someday fail or do not want to resolve bigger problems, the leadership will call the popular force into the arena in order to tackle the problems."

The statement, issued by "the leadership"—the powerful conservative clergy—was interpreted as a threat to mobilize paramilitary forces in the streets against the reformers and students. This would mean the Basij militia, directly responsible to Khamenei. Khamenei, however, also noted that the Judiciary "should act vigilantly so as not to provide pretexts for enemies to challenge the judicial system's performance."

President Khatami spoke out on the case on Nov. 13, stating that the verdict "should never have been issued at all." He urged that the case "be settled in a favorable manner to avoid any problems in the country," adding that "under the current circumstances, no means should be taken that promote tension." At the same time, government spokesman Abdollah Ramezanzadeh said the sentence was "on a collision course with national interests and no one supported such a verdict."

Faced with continuing mass protests, and the consolidation of a unified front of students, university professors, the Majlis, the government, and the Presidency, on Nov. 16 Ayatollah Khamenei was forced to order a "review" of the verdict and death sentence. In response, hard-line Judiciary chief Shahroudi stated that the case should be referred to the appeals court, according to normal procedure. This, however, was not accepted. Majlis Speaker Karroubi insisted that the orders of Khamenei be followed, which implied more than just an appeal by the condemned man. Dr. Aghajabi had also increased the stakes by refusing to appeal and preparing to die in defense of his principles.

"Referring a verdict to a court of appeal is something that the Judiciary is obliged to do as part of the proceedings," the Speaker stated. "Okay, what will the Judiciary do with regard to the Supreme Leader's order to review the verdict?" Karroubi said that the order given by Khamenei meant that the Judiciary should announce the revocation of the verdict immediately.

The Majlis Speaker went further, stressing the irony of the fact that this arch-conservative body was hesitating to obey the orders of the institution it claims to consider supreme. "The Supreme Leader called on the Parliament to

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suspend a debate on the press law two years ago,” he said. “The Parliament did so, to show its allegiance to the Supreme Leader. Now it is the Judiciary’s turn to heed the Leader’s order. The Judiciary sees itself as the true follower of the Supreme Leader. Let’s wait and see what it will do about the Leader’s order.”

Shortly thereafter, Shahroudi, the chief judge, made known that he would, indeed, review the verdict and the sentence with “care and thoroughness.”

Power of Presidency Now Enhanced

What will happen next is open, but some things are certain. First, the protests organized and carried out by the students, in tandem with the reform forces of the Majlis and government, have scored a decisive victory, without bloodshed. Although the conservatives did mobilize 3,000 Basij militia forces, to run a counter-demonstration at Tehran University on Nov. 19, there were no reported arrests or violence. The government and Majlis officially commended the students for their peaceful, disciplined actions.

Secondly, the death sentence will not be carried out. The verdict will most probably be reissued, perhaps with a sentence of eight years in prison, according to the newspaper *Kayhan*.

Dr. Aghajari himself maintains that he will not appeal the verdict, but prefers to die a martyr; this was something which the conservative front could not afford. However, his lawyer, Saleh Nikbakt, has until Dec. 3 to file an appeal.

Most important, the power of the conservative clergy has been challenged institutionally, by the university-Majlis-Presidency alliance, and has been forced to back down. Khatami’s position has been vastly enhanced, due to his having intervened against the Judiciary’s decision. If the legislation passed in Majlis increasing the President’s powers is not approved, and a referendum is called, there is every reason to believe the Khatami faction would win.

Thus, the process of shifting the balance of power to those who have been given it by the population, will continue, through a progressive confrontation through the institutions.

Iranian Foreign Minister Dr. Kamal Kharrazi, during a short visit to Germany, was asked about the recent events. He told the *Frankfurter Allgemeine Zeitung* on Nov. 21, that the student protests expressed “dynamism, vitality, and freedom of expression.” He added—in comments which the paper did not publish—that if something similar to the Aghajari case had occurred in Germany, perhaps students would not react; but in Iran, they would.

Dr. Kharrazi said that Iranian students do not take their role models from among Hollywood stars, nor Osama bin Laden, but among themselves. He welcomed such student protests. Asked if there were disappointment with the government, Kharrazi pointed to the extremely high voter turnout in Iranian elections, “an absolute majority” of all eligible voters—a development which is not seen in many nations.