

The Veil (Niqab) Anti-Government Movement in Iran

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Introduction

On September 13, 2022, Jina Mahsa Amini, a 22-year-old Iranian woman of Kurdish heritage, was visiting Tehran, the capital city of Iran, accompanied by her family, which included her brother and two cousin-sisters. Upon their arrival at Haghani train station, they were intercepted by the morality police, known as Gasht-e Ershad, who operate under the authority of the clerical regime. The grounds for their apprehension were allegations of "wearing hijab improperly." While Jina's two cousin sisters managed to evade capture and secure their freedom, the guards forcibly abducted Jina and transported her to a nearby police station. The Morality Police accused Jina of violating the mandated hijab regulations due to an uncovered strand of hair, informing her that she would be subjected to an "educational and orientation class." Tragically, three days later, the lifeless body of Jina Mahsa Amini was handed over to her devastated parents by the police. This distressing turn of events spurred a widespread outcry among Iranian women, who initiated a series of protests to voice their grievances against this grave injustice. However, the government responded by employing severe measures to quell the demonstrations, effectively suppressing the dissenting voices calling for accountability and gender equality.

Custodial killing

The Morality Police threw her into a van and, according to eyewitnesses, beat her in the vehicle *en route* to the police station. One of her cousin sisters, who had followed the abductors, reported to her aunt Aliya Aili, that around two hours after Jina's arrest, some young women ran out of the station screaming that Mahsa was killed. Two hours after Mahsa's arrest, the Morality Police informed her waiting brother that she had suffered a heart attack and brain seizure.

Jina was physically assaulted. A blow on her head fractured her skull which caused her death. It was a case of abduction, custodial murder and serious human rights violation. Mahsa died on 16 September.¹

However, Iran's Forensic Organization said in an official medical report that "Mahsa Amini's death was not caused by blows to the head and vital organs and limbs of the body."¹

The State television broadcast a fake video purporting to show Mahsa going into the class, walking toward an officer and falling abruptly.

Protests and repression

International Human Rights said, "Protestors have been killed in 22 of Iran's 31 provinces, including 123 in Sistan-Baluchistan and 32 in Mahsa Amini's home province Kurdistan."

Activists have largely accused Iran's security forces of carrying out secret burials of protestors they have killed, to prevent more violence from faring at their funerals.”²

The Hindustan Times of 14 January reported: "Iranian Security Forces have killed at least 448 people in a crackdown on protests held in Iran over the death of Mahsa Amini. The protests began in mid-September and witnessed clashes, and killings of demonstrators in large numbers, *Arab News* reported citing a human rights group." More than 300 individuals had been slain, according to Brig. General Amirali Hajjizadeh of the Islamic Revolutionary Guard Corps earlier, reported the same source.

Following Mahsa's killing, protests spread across the country with women at the forefront. In her hometown Saqqez, in Kurdistan, women took their *hijabs* off and protested against the government. In Tehran, they ripped off their headscarves and waved them in the air; one protester climbed atop a car and set fire to her hijab. Women followed suit in Sari with a mass burning, tossing their headscarves into a large fire and dancing as they watched them go up in flames.

In Kerman's Azadi Square, a woman disposed of her headscarf took scissors to her hair and chopped off nearly all of it as the crowd, around her cheered. Women around the world have been cutting their hair in protest of Amini's killing – including Abir Al-Sahlani, an Iraqi-born Swedish member of the European Parliament, who chopped off her hair during a speech at the EU assembly.

Three months after Mahsa's death the clerical regime detained the country's most famous actress Taraneh Alidoosti for denouncing the execution of Mohsin Sheka: Pagri on her now-deleted Instagram page: "Every international organization who is watching this bloodshed and not taking action, is a disgrace to humanity."

News of the executions, which included public hanging, arrived shortly after a senior Iranian official suggested the morality police had been abolished by the same authorities who installed it. The Iranian government has neither confirmed nor denied the abolition of the force.

Shortly after the 1979 Islamic revolution, the Islamic regime headed by Ayatollah Khomeini, mandated those Iranian women and girls above the age of nine wear a *hijab* (Islamic head-covering) in public. There were protest³inst the new regime which was crushed.⁴

Iran's Islamic Penal Code says: "Women, who appear in public places and roads without wearing an Islamic hijab, shall be sentenced to ten days to two month's imprisonment or a fine of fifty thousand to five hundred thousand rials (Article 638). Women who fail to wear headscarves and other attire covering their bodies in public may be harassed by the Morality Police, detained, fined, and/or flogged"⁵

Many Iranians have expressed opposition to mandatory hijab, including through the "White Wednesday" campaign (begun in 2017), in which Iranians wear white headscarves or other clothing on Wednesdays in protest.

Crackdown on Rights activists

The easiest way of grueling women's rights activists is of charging them with crimes about a breach of national security. In 2018, Shaparak Shajarizadeh was sentenced to two years in prison and an 18-years suspended sentence after prolonged detention. In August 2019, another *hijab* protester, Saba Kordafshari was sentenced to 24 years imprisonment.⁶

In September 2019, the regime arrested three relatives of Masih Alinejad, who founded the movement to protest mandatory head-covering. In June of the same year, Alinejad posted to social media a video of plainclothes police dragging away a 15-year-old girl for refusing an order to cover her head. The Police later confirmed the arrest.

The authorities have cracked down on activists protecting “acid attacks”, in which assailants throw acid on women who purportedly are engaged in “immoral” behaviour. In April 2019, the authorities arrested Yasmin Aryani, her mother Monireh Arabsahi, and Mojgan Keshavarz, after posting an International Women’s Day video showing them walking without headscarves in the subway system. In August a revolutionary court sentenced the three to 16,16 and 23 years in prison for “spreading propaganda against the system” and “inciting corruption and prostitution.”⁷

Nasrin Stoudeh, a prominent human rights lawyer, was sentenced in absentia to a five-year prison sentence for “espionage and endangering Iranian national security.” Critics said that the charges were a pretext. She was targeted for representing political prisoners and women protesting Iran’s compulsory *hijab* law. Before that Nasrin was imprisoned from 2010 to 2013.⁸

At the weekend Mahsa’s nephew Arkan, 17, was taken into custody and later released on a 600m *toman* (US\$ 16,000) bail. The judiciary said he had gone to the office of a news agency to speak to them about his aunt. The goal of this pressure, Erfan said, is to obtain a forced statement from Mahsa's family given stopping the nationwide protests," wrote Patrick Wintour in *The Guardian* on 21 September 2022.⁹

The regime arrested Niloufar Hamed, a female journalist who first drew widespread attention to Mahsa’s death, and is reportedly kept in solitary confinement at the notoriously brutal Evin prison.¹⁰

UNHRC reacts

On 26 October 2022, the office of the High Commissioner, of UN Human Rights issued a press release on the situation in Iran. It said, “UN human rights experts condemn the killing and the crackdown by security forces in Iran on protesters following the death of Jina Mahsa Amini, including alleged arbitrary arrests and detentions, gender-based and sexual violence, excessive use of force, torture, and enforce disappearances.” They urged that the reports are thoroughly and independently investigated and those responsible held to account.

The UN Human Rights experts say that thousands of people have been rallying in daily demonstrations many of whom are children, women and older persons. They said reports of physical and sexual violence against women and girls during protests and in public spaces,

and the denial of other women's and girls' rights while in detention, or when acting in public, were frightening.

The UN body notes that "reports of acts of intimidation and harassment against protesters' families by authorities have also emerged. These reports indicate that family members are being interrogated unlawfully, to extract false information attributing responsibility for the killings of relatives to "rioters" or individuals working for "enemies of the Islamic Republic of Iran".

Hijab controversy

In 1979, the Iranian clerical regime mandated women and girls above 9 wear Islamic head covering (*hijab*) in public. Article 638 of the Islamic Penal Code states women appearing in public places and roads without *hijab* shall be sentenced to ten days to two months imprisonment or fifty thousand to five hundred thousand rials fine. For adultery, the punishment is two months in prison or 74 lashes.

Many Iranians then expressed opposition to mandatory *hijab*, including through White Wednesday. In July 2022, President Ebrahim Raisi issued a decree sharply increasing the enforcement of the hijab. Women without hijab were prohibited from entering government offices and banks and using public transit. Patrols of Morality Police were increased and non-compliance could result in arrests and beatings.

Recent Update

A continuing series of protests and civil upheaval erupted against the Iranian government in Tehran on September 16, 2022, following the tragic passing of Jina Mahsa Amini while in police custody subsequent to her arrest by the Guidance Patrol for wearing a deemed "improper" hijab. On September 17, subsequent to Amini's demise, demonstrators amassed outside Kasra Hospital in Tehran, the very place where she had received medical attention. Throughout the autumn of 2022 and the earlier months of 2023, significant waves of protests emerged in response to the death of Jina Mahsa Amini, an Iranian Kurd detained by Iran's morality police. These demonstrations swiftly evolved into demands for the dismantling of the theocratic rule that has governed Iran since the Islamic Revolution of 1979. In response, the Tehran authorities initiated a severe crackdown on what they labeled as externally driven "riots." This crackdown led to the detainment of thousands of Iranians and the loss of hundreds of lives, including numerous security personnel. While the protests have largely subsided, sporadic acts of resistance endure, such as some women's refusal to adhere to the mandatory Islamic headscarf. Human rights organizations have reported an alarming tally of nearly 600 executions in Iran during 2022. The surge in the implementation of the death penalty, often for vague charges like "enmity against God" and "spreading corruption on earth," has garnered extensive condemnation. Despite these challenges, the protests have not entirely waned. Notably, in mid-May 2023, Iran executed three men who were found guilty of involvement in the deaths of security personnel during protests incited by the demise of Jina Mahsa Amini.

Conclusion

The tragic events surrounding Jina Mahsa Amini's death and the subsequent protests in Iran have brought to light the deep-rooted issues regarding the mandatory wearing of the hijab and the suppression of individual rights and freedoms. Jina's abduction and custodial killing by the Morality Police illustrate a blatant violation of human rights, reflecting a broader pattern of state-sponsored violence and repression.

The government's response to the protests that emerged in the wake of Jina's death has been marked by brutality and disregard for basic human rights. Security forces have been accused of carrying out secret burials, arbitrary arrests, and detentions, and reports of physical and sexual violence against women and girls have emerged. The systematic suppression of dissenting voices and the intimidation of protesters' families further exemplify the regime's attempt to stifle any form of opposition. The mandatory hijab laws and the enforcement thereof have been a contentious issue in Iran for many years. Iranian women, along with activists and international observers, have voiced their opposition to this infringement on personal choice and individual freedom. The "White Wednesday" campaign and various acts of defiance against the compulsory hijab laws have demonstrated the resilience and determination of those seeking change.

The international community, including the United Nations Human Rights Council, has condemned the violence and crackdown on protesters, urging thorough investigations and accountability for those responsible. The voices of Iranian women and activists resonate beyond national borders, with support and solidarity coming from individuals and organizations around the world. The hijab controversy also raises questions about interpretations of religious texts and the significance of personal choice in matters of faith and cultural practices. Diverse interpretations of relevant Quranic verses reflect the ongoing debate surrounding the use or non-use of the veil by Muslim women, highlighting the complexities of this issue.

In conclusion, the tragic case of Jina Mahsa Amini and the subsequent protests shed light on the ongoing struggle for freedom and gender equality in Iran. The government's response of repression and violence serves as a grim reminder of the importance of safeguarding human rights and promoting individual freedoms. The fight for justice and the right to choose one's own attire continue, fueled by the determination of Iranian women and the support of advocates worldwide.

¹ Aljazeera of 7 October 2022 quoting Iranian officials

² *Wion*, November 19, 2022

³ For full report see 'Mahsa Amini was beaten severely' Indian Express, 28 September 2023

⁴ Golnaz Esfandiari, Radio FreeEurope, Sept 29, 2022

⁵ Iran Protesters seek end of an Islamic Republic.... By Benoit Faucon and Michael Amon, *The Wall Street Journal*, Sept 28, 2022.

⁶ For this and all cases of punitive action against women's rights activists see *Country Report on Human Rights Practices for 2019, United States Department of Democracy, Human Rights and Labour*.

⁷ *2020 Country Reports on Human Rights Practices: the Islamic Republic of Iran*, US Department of State, March 30, 2021156793

⁸ *Iran 2019 Human Rights Report*. See Note 3 above.

⁹ This is the best report on the happening in Iran.

¹⁰ [Twitter.com/fridaghitis/status/15769731162579099649?lang=en](https://twitter.com/fridaghitis/status/15769731162579099649?lang=en)