

MEMORANDUM

DATE: February 2, 2011

TO: All House Members

FROM: Representative Babette Josephs

SUBJECT: Co-Sponsorship of a Resolution Urging the Islamic Republic of Iran to Free Sakineh Mohammadi Ashtiani and to Abandon the Punishment of Stoning

In the near future I will introduce a Resolution honoring the rule of law and adherence to due process as they exist in the United States and in the Commonwealth, and honor the separation that exists in this country between religious edict and civil and criminal laws.

Sakineh Mohammadi Ashtiani is an Iranian widow in her forties who has been found guilty of adultery by the provincial courts in her country and punished by 99 lashes. Subsequent to that punishment she was sentenced to death by stoning. Hers is not an isolated case and Iran is increasingly embarrassed and angered by the world's outrage. Iran has responded to the global criticism of its court's action by postponing, then ostensibly altering, the sentence to one where she may be hanged instead.

While we all understand that cultural differences exist between our world and Iran's, the brutality and finality of such a sentence is difficult to accept. Acceptance is further challenged by the fact that Mrs. Ashtiani has never been given an opportunity to defend herself.

That Iran's Penal Code is harsh is exemplified by the age at which individuals become criminally responsible: girls assume criminal responsibility at age 9 and boys at age 15. That means that if a ten year old girl commits a crime she will be punished as would a 40 year old man. Also, Iran has the highest number of juvenile executions in the world.

The circumstances of this one case – unfortunately – there are many other such cases in Iran, leads one to appreciate our own system of laws with its well-developed protections for the accused as well as for the accuser. We remember, too, how our adherence to due process further assures the fairest approach to justice. We are fortunate that, despite our private beliefs, in legal matters we rely on civil rather than religious authority to reach resolution of our conflicts.

If you wish to cosponsor this legislation please contact Jenn Belz in my office at 787-8529 or by email at jbelz@pahouse.net.