




# Iran Press Watch

Documenting the Persecution of the Baha'i Community in Iran

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## If "We are the world," then "We are Iran": Time to Join the Global Day of Action for Iran

Dr. Christopher Buck-July 25th, 2009

**Editor's Note:** In support of the Global Day of Action, *Iran Press Watch* is pleased to publish this invited editorial by Dr. Christopher Buck, a regular contributor to this site. This is a foundational essay and its close study is highly recommended.

Moments of quiet bring disquiet. On July 11, Iran once again indefinitely delayed the trial of the Yaran ("Friends"), the ad hoc group of seven Baha'i prisoners of conscience, whose denial of access to their attorney, human rights Nobel laureate, Shirin Ebadi, shocks the judicial conscience.

There are many other human rights violations in Iran, too numerous to mention here, in addition to the high profile "show trial" of the "Seven Friends in Iran." But tomorrow, that disquieting quiet will be met with a voice heard around the world, as part of the "Global Day of Action for Iran."

The Global Day of Action for Iran is orchestrated by United4Iran, a non-partisan network of individuals and human rights organizations. United4Iran does not promote any political agenda—only the human agenda of civil rights, human rights, and social rights in Iran.

Tomorrow's rallies (in 110 cities around the world) call for three action items: (1) that the United Nations actively intervene; (2) that political and corporate interests stop costing human lives; and (3) that commitment to human rights activism for the Iranian people be ongoing. This places the UN on the horns of a dilemma.

The first agenda item is highly significant. How realistic this call for international intervention is hard to say, because the United Nations cannot effectively interfere in the internal affairs of its member states. (Yes, Iran is a member of the United Nations.) See "Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty," accepted by the General Assembly of the United Nations on December 21, 1965, and "The Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States" (9 December 1981). United4Iran.com's call for the United Nations to "intervene" must somehow circumvent the United Nations' duty not to "interfere." How can the UN "intervene" yet not "interfere"?

Fortunately, this principle of non-intervention is not absolute. In special cases, human rights based interventions into the internal affairs of other states are legitimate. Iran is one such special case.

Article 5 of the "Declaration on the Right to Development," adopted by the General Assembly of the United Nations on December 4, 1986, stipulates:

States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression, foreign interference and threats



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against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of peoples to self determination.

If "States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples," then shouldn't we, as individuals, take resolute steps to eliminate the massive and flagrant violations of the human rights of Iran tomorrow?

In any case, the United4Iran organizers have left the question of "how" aside and have addressed the question of "what" must be done:

The United Nations must immediately investigate the grave and systematic human rights violations in Iran to stop the violence—the imprisonment, torture, disappearances and killing. Iran must not become another Zimbabwe. Iran Press Watch calls upon United4Iran activists to tell your government that human rights for Iranian people must be front and center in their foreign policy. That policy must be driven by human rights, not political and corporate interests.

Here, we see a dual strategy: urging the United Nations to investigate, and calling for member states to raise the issue of human rights violations in Iran to the level of a foreign policy consideration. What does this mean? And, realistically, can the Islamic Republic of Iran accommodate the changes that the international community has called for? Let's begin with this last question first.

University of Chicago Law School student, Jennifer Cohen, has addressed this very question in "Islamic Law in Iran: Can It Protect the International Legal Right of Freedom of Religion and Belief?", published in the [Chicago Journal of International Law](#) 9 (Summer 2008): 247–273. The following analysis will draw liberally from Ms. Cohen's timely article.

In his [Program for the Establishment of an Islamic Government](#), Ayatollah Khomeini stated: "In our own city of Tehran now there are centers of evil propaganda run by the churches, the Zionists, and the Baha'is in order to lead our people astray and make them abandon the ordinances and teachings of Islam." Here, the ideological and political leader of a country that President Bush famously (and infamously) called the "Axis of Evil" stigmatized the Baha'is as "evil." Christians and "Zionists" are also "evil." Now the present writer (not Ms. Cohen) has to ask: Is the pot calling the kettle black?

Tomorrow, we have to be clear on what we are asking policymakers to do. In prescient anticipation of a day like tomorrow, Ms. Cohen frames the task at hand: "Though the world is becoming more fragmented by ideology, it is also better connected through technology, and it is the role of legal scholars and policymakers to determine whether the maintenance of an international collaborative government body really is feasible in all areas of law" (248). What does Ms. Cohen, then, recommend?

First, we have to see if there is really a potential for compatibility between Islamic law and human rights. The relevant international law is Article 18 of the International Covenant on Civil and Political Rights ("Covenant"). Adopted and opened for signature, ratification, and accession in December 1966, the International Covenant on Civil and Political Rights was ratified by Iran in June 1975, and entered into force in March 1976. As of January 2008, the Covenant has been ratified by 161 nations. While the government in power at the time of Iran's ratification was overthrown in the Islamic Revolution of 1979, the Islamic Republic of Iran, the signatory's successor state, has never revoked its ratification of the treaty, nor has it issued any official declarations or reservations about any of its clauses. Thus, as Ms. Cohen points out, the Islamic Republic of Iran remains fully bound by the terms of the International Covenant on Civil and Political Rights (249). Article 18 commands:

(1) Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or

private, to manifest his religion or belief in worship, observance, practice and teaching.

(2) No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

(3) Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

(4) The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Okay, that's the relevant provision of international law that Iran is bound by. In tomorrow's "Global Day of Action," just who, or what agency, in the United Nations should we call on in pursuance of the first call to action, that "The United Nations must immediately investigate the grave and systematic human rights violations in Iran to stop the violence—the imprisonment, torture, disappearances and killing"? The answer is simple: The United Nations' Special Rapporteur on Freedom of Religion or Belief ("Special Rapporteur"). With no pun intended with the present writer's surname, "the buck stops" with the Special Rapporteur.

The Special Rapporteur has, in fact, produced a series of documents to clarify the categories under which violations of the Covenant and other human rights instruments occur. The Special Rapporteur has identified a number of subcategories, the most relevant of which are: (1) the Freedom to Adopt, Change, or Renounce a Religion or Belief; Freedom from Coercion; and (2) The Right to Manifest One's Religion or Belief (250–251).

After a lengthy analysis in which she demonstrates that the Iranian Constitution and the UN Covenant are hopelessly irreconcilable, Ms. Cohen concludes that "unless the Islamic Republic of Iran undergoes a regime change or a significant evolution of either theological or political belief, it will be unable to comply with the Covenant and the subsequent UN mandates requiring the modification of national policies" (273). "Thus, Article 14 may not provide much real protection for unprotected religious minorities at all" (273). Ms. Cohen further concludes:

This should be disturbing for the international community as a whole. What is the United Nations to do when, because of systemic and ideological inherencies, a country cannot be brought into compliance with the Covenant save an overthrow of its government or a revolution in its "religio-moral" consciousness? Traditional UN sanctions are unlikely to be effective because the penalties will purport to punish specific incidents, incidents that in the case of Iran are symptomatic of its general administrative policy as opposed to freestanding events. Also, those in power are not likely to choose to facilitate the ultimate demise of their authority by admitting systemic flaws for the sole purpose of avoiding punitive measures on individual governmental actions. Thus, the current sanctioning system is unlikely to be effective.

This is pretty grim. Not a viable "recommendation" after all. Is tomorrow's call for the UN to "investigate" so unrealistic as to be unworkable? The present writer has addressed this problem in a previous editorial, "Criminalizing the Baha'i Religion":

The Constitution of the Islamic Republic of Iran is replete with human rights slogans. Yet these are all conditioned on "conformity with Islamic criteria" — which can effectively trump any of the constitutional guarantees enshrined in this duplicitous document, to wit:

Article 19 proclaims: "All people of Iran, whatever the ethnic group or tribe to which they

belong, enjoy equal rights; and color, race, language, and the like, do not bestow any privilege." Except for the Baha'is.

Article 20 declares: "All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria." Except for the Baha'is.

Article 23 stipulates: "The investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief." Except for the Baha'is.

Article 26 announces: "Political parties, societies, political and craft associations, and Islamic or recognized minority religious associations may be freely brought into being, provided that no violation is involved of the principles of independence, freedom, national unity, Islamic standards, and the foundations of the Islamic Republic." Except for the Baha'is, who are not members of one of the "recognized minority religious associations" and are therefore excluded.

Article 28 promises: "Every person is entitled to choose the employment he wishes, so long as it is not contrary to Islam or the public interest or the rights of others. The Government is bound, with due regard for the needs of society for a variety of employment for all men, to create the possibility of employment, and equal opportunities for obtaining it." Except for the Baha'is.

Article 29 avers: "Every person is entitled to the enjoyment of Social Security. This covers retirement, unemployment, old age, being laid off, being without a guardian, casual misfortune, accidents, and occurrences giving rise to the need for health services and medical care and treatment, through insurance etc. The Government is bound, in accordance with the laws, to use public revenues and the revenue drawn from individual contributions to provide the services and financial support mentioned above for every individual in the country." Except for the Baha'is.

Article 30 states: "The Government is bound to make available, free of charge, educational facilities for all up to the close of the secondary stage, and to expand free facilities for higher education up to the limits of the country's own capacity." Except for the Baha'is.

Article 32 commands: "No person may be arrested except according to and in the manner laid down in the law. If someone is detained, the subject matter of the charge, with reasons (for bringing it), must immediately be communicated and explained in writing to the accused. Within at most 24 hours the file on the case and preliminary documentation must be referred to the competent legal authority. Legal procedures must be initiated as early as possible. Anyone infringing this principle will be punished in accordance with the law." Except for the Baha'is.

Sadly, the Yaran have languished in the notorious Evin prison for well over a year now, without access to their celebrated defense counsel, 1993 Nobel Peace Prize laureate, Shirin Ebadi, who has been denied access not only to her clients, but to their files. Judging from remarks by Ayatollah Dorri-Najafabadi, the Yaran are presumed guilty rather than presumed innocent, as required by Article 37 of the Constitution of the Islamic Republic of Iran:

"Innocence is the basic principle. No person is considered legally guilty, except in cases where his guilt is established in a competent court." Except for the Baha'is. Except for the Yaran.

Article 38 decrees: "Any kind of torture used to extract an admission of guilt or to obtain information is forbidden. Compelling people to give evidence, or confess or take an oath is not allowed. Such evidence or confession or oath is null and void. Any person infringing this principle is to be punished in accordance with the law." Except for the Baha'is. Except for the Yaran.

What, then, is the practical use of tomorrow's "Global Day of Action"? What can we collectively hope to accomplish?

The death of the "King of Pop," Michael Jackson, is still fresh on many of our minds. On June 26, 2009, Dr. Walter D. Greason, Assistant Professor, Department of History, and Coordinator of the African and Africana Studies Program at Ursinus College, posted the following reflection on Michael Jackson on H-Net:

Michael Jackson pioneered the global entertainment landscape in an era that struggled to reconcile racial differences. He was the face of American economic globalization between 1979 and 1995. His death resonates around the world because Jackson represented a singular presence that overwhelmed language, religion, nation, and race. Jackson used his talent to expand the power of Muhammad Ali's social challenge to recognize the inherent value of all human beings. ... His musical and dance talents were windows that shaped the flow of inspiration and investment to more than 3 billion people. The scope of his achievement will require decades to assess. (Posted on H-AFRO-AM@H-NET.MSU.EDU, 06-26-2009.)

In one of the pop star's greatest moments, Michael Jackson co-wrote, "We Are the World" with Lionel Richie, recorded by the supergroup, USA for Africa, co-produced by Quincy Jones and Michael Omartian for the 1985 album of the same name. Released on March 7, 1985, the single was a worldwide commercial success, topping music charts throughout the world and becoming the fastest-selling American pop single in history—the first ever single to be certified multi-platinum. The chorus to "We Are the World" famously says:

We are the world  
 We are the children  
 We are the ones who make a brighter day  
 So let's start giving  
 There's a choice we're making  
 We're saving our own lives  
 It's true we'll make a better day  
 Just you and me

Tomorrow's "Global Day of Action" is golden opportunity for each of us to revoice that immortal chorus. Whether or not the vocal call for the United Nations to "immediately investigate the grave and systematic human rights violations in Iran" in order "to stop the violence—the imprisonment, torture, disappearances and killing" in Iran is realistic or not, what other choice do we have?

Let policymakers and legal scholars work out the problems posed by the seemingly irreconcilable provisions of the Iranian Constitution and the international Covenant. Where there's a will, there must be a way. Let us supply the "will," so that our leaders can find the "way."

By making your voices heard in rallies across the world on the occasion of the Global Day of Action for Iran, together let us sing, "We are the World", by adapting the lyrics to one country at a time. Just as "We are the World" was composed primarily in response to the famine in Ethiopia, let us address the human rights famine in Iran. In a chorus that will resound around the world, tomorrow let us sing, "We are Iran."

By this, we identify with the dehumanized in Iran, not with the dehumanizers. We acknowledge the Baha'is, the Sufis, Christians, Jews, Zoroastrians, women (and yes, even the men!) and other minorities who do not enjoy the same rights and freedoms that most

of us do. So let's all sing:

We are Iran

We are the children

We are the ones who make a brighter day

So let's start speaking

There's a choice we're making

We're saving our own lives

It's true we'll make a better day

Just you and me!

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[Posts about Free Trial Posts as of July 24, 2009](#) | July 25th, 2009 - 4:16 am

[...] of the sites, as I'm sure most reviewers have never really actually joined many of these sites. If "We are the world," then "We are Iran": Time to Join the Global Day of Action for Iran – iranpresswatch.org 07/25/2009 Editor's Note : In support of the Global Day of Action, [...]

smile rose | July 25th, 2009 - 10:09 am

very good idea thanks dr Dr. Christopher Buck & God bless Mickel Jackson sou.l  
i added to my blog:

<http://basmagm.wordpress.com/>

soroush | July 25th, 2009 - 10:58 am

thanks Dr. Christopher Buck for your support us(iranian people).we r one we r world  
we r iran

Christopher Buck | July 25th, 2009 - 5:28 pm

Dear Smile Rose:

I saw your blog in Arabic, with "We Are Iran" posted below, followed by a video of Michael Jackson's & Lionel Richie's song, "We Are the World." I also saw the other Michael Jackson videos you posted, beginning with "Earth Song." Thank you for making "We Are Iran" more accessible to Arabic viewers!

Dear Soroush:

Your kind note is encouraging, not so much for your compliment as for your sentiment. I had not realized, until I wrote "We Are Iran", how powerful the title, "We are the World", really is.

Edward K | July 28th, 2009 - 7:11 pm

Why is verse 2:256 of the Koran, which states that "There should be no compulsion in religion" called "the Firm Handle" by Muhammad himself? It seems that in every age, the followers of the Lord of the Exorbitant will insist on the literalistic interpretation of verses which are allegorical, use a logarithmic reckoning of time, or report the strategic response to a particular challenge, in order to obscure the significance of passages like The Sermon on The Mount or the Firm Handle. Doctors who substitute poison for medicine must not be allowed to keep burying their patients.