

# Iran Press Watch: The Baha'is

*Documenting the Trials of the Baha'i Community in Iran*

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# Criminalizing the Baha'i Religion

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By Dr. Christopher Buck



The opposite of freedom of religion is the banning of religion.

The Baha'i faith-community in Iran is a case in point.

Iran has effectively banned the Baha'i religion by criminalizing it as a religious organization.

On the heels of the 1979 Islamic Revolution, the Iranian regime tried to eradicate the Baha'i Faith as a viable religious organization by executing its leaders. In 1981, the state summarily executed all nine members of the National Spiritual Assembly of the Baha'is of Iran. In 1984 and 1986, Iranian authorities executed the majority of the members of the new National Spiritual Assembly of the Baha'is of Iran, which had been elected to replace the martyred members of that same council.

After two failed attempts, which drew international condemnation, the Iranian leadership soon discovered that, whenever it tried to "cut off the head" of the Baha'i community, the head would grow back, for the simple reason that the Baha'i community would democratically elect a new national administrative body.

The alternative to killing was criminalization. In 1983, when summary executions of elected Baha'i leaders didn't work (because new Baha'i leaders were soon elected to take their place), the government of Iran simply outlawed Baha'i administration *in toto*. This was a stroke of evil genius. For the Iranian regime knew that the Baha'i administrative councils had no legal recourse but to comply. In strict conformity to the Baha'i principle of obedience to government, the National Spiritual Assembly of the Baha'is of Iran, in quiet grandeur, complied with the Iranian ban on organized Baha'i activity by voluntarily suspending its administrative network (August 1983).

In 1996, thirteen years later, the U.N. Special Rapporteur on the Question of Religious Intolerance (in his report to the U.N. Commission on Human Rights) urged that "the ban on the Baha'i organization should be lifted to enable it to organize itself freely through its administrative institutions, which are vital in the absence of a clergy, so that it can engage fully in its religious activities." See Bureau of Democracy, Human Rights, and Labor, "Iran: International Religious Freedom Report" (Washington, D.C.: U.S. Department of State, 2001, <http://www.state.gov/g/drl/rls/irf/2001/5691.htm>).

This fell on deaf ears in the hardened hearts of the ardent "Islamic" ruling elite. Confronted with the Special Rapporteur's concerns, Iranian officials declared that the Baha'is "are not a religious minority, but a political organization which was associated with the Shah's regime, is against the Iranian Revolution and engages in espionage activities." (Id.)

Given that Baha'is shun partisan politics like the plague, this argument was as specious as it was spurious. The charge of espionage is especially incredible. In its open letter to Iran's Prosecutor-General, the editors of *Iran Press Watch* wrote:

Since, on comparative legal grounds, the case bears no facial semblance to any act of "classical spying" that is criminalized under any statutory "Espionage Act" under any system of jurisprudence, we can only conclude that the State cannot meet its burden of proof by laying out a prima facie case for espionage.

We hasten to correct the State's misapprehension on some of the finer points of comparative espionage law. In the West, espionage statutes are typically explicit in phrasing the crime of espionage as an act of obtaining information relating to the national defense to be used to the advantage of any foreign nation (often with no distinction made between friend or enemy). In light of the foregoing, what "state secrets" have been compromised? Where is the threat to the State's external security and internal stability? The accused are not agents of Israel. They are not even "minor" espionage agents. In fact, there is not a shred of reliable evidence that any of the seven accused were involved with any known conspiracy.

(Iran Press Watch, "Trial of Iranian Baha'i leadership: An Open Letter to Ayatollah Dorri-Najafabadi," <http://www.iranpresswatch.org/2009/02/an-open-letter-to-ayatollah-dorri-najafabadi>.)

Subsequent to the suspension of formal Baha'i administration in 1983, the affairs of the Baha'i

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