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Iran Press Watch

Documenting the Persecution of the Baha'i Community in Iran

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Iranian Islam, not the Yaran, on trial in the court of international opinion

January 12th, 2010

Credo quia absurdum est.

"I believe, because it is absurd."

– Tertullian's (misquoted) Paradox

by Christopher Buck

[Editor's Note: Iran Press Watch is pleased to offer a guest article by Dr. Christopher Buck, a distinguished legal scholar, about legal issues associated with the now ongoing trial of the Yaran, the former informal group of leaders of the Baha'i community of Iran. As Dr. Buck's article makes clear, one of the major problems for the clergy in Iran with respect to this trial, as well as other recent events in Iran, is the reputation of Shi'i Islam as practiced in Iran, its leading center. Because Iran is a theocratic state, such a trial, in which clear injustice is being perpetrated on the defendants, reflects poorly not only on the administrative structure of Iranian justice, but also on the religious law on which it is presumably based. The Baha'i Faith, contrary to what the Iranian regime often states, reveres the religion of Islam and its Prophet Muhammad, and we deplore the level of injustice to which this glorious tradition has fallen in many cases. Baha'is believe that support for justice and equity are part of the foundation of every world faith, and we sincerely hope that the justice and mercy which is part of Shi'i Islam, as of all world religions, can be shown in this instance, and increasingly in the Iranian justice system as a whole.]

After several postponed trial dates, Iran's trial of the Yaran, at long last, commenced on January 12, 2010. The trial process has been characterized by a lack of due process for the accused until now. This closed trial, moreover, is remarkable for its open lack of transparency. In putting the Yaran on trial, Iran is thereby placing itself on trial in the court of public and international opinion. While the Yaran are on trial, Iran — and Iranian Islam — will be under close scrutiny by observers worldwide.

Tertullian's Paradox, as recited in the epigraph above, may be a fair characterization of the high-profile, showcase trial of the five men and two women — known as the Yaran (the "Friends"), who face criminal charges of espionage and other treasonable charges, each of which may carry the death penalty.

The Yaran served as an informal committee to oversee the needs of the 300,000-strong Baha'i community of Iran, whose collective freedom of religion was summarily removed when, in 1983, the Iranian regime ordered that the Baha'i administration and organization cease and desist, under threat of criminal charges.

In the Baha'i tradition of reform by "civil obedience" — rather than by "civil disobedience" — the National Spiritual Assembly of the Baha'is of Iran (a democratically elected body of nine Baha'i men and women) formally dissolved itself in 1983, along with the remainder of the Iranian Baha'i administration. This act of compliance was a dramatic act of protest.

The Yaran have languished in the notorious Evin Prison for well over a year and a half, without access to their lead attorney, 2003 Nobel Peace Prize laureate, Shirin Ebadi, who

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herself faces further harassment and possible arrest, were she to return to Iran.

In law school, it is common for a “mock trial” to be staged, to give law students some “trial practice.” Today, the term “mock trial” can also be applied to a trial that has all the trappings and pretense of a trial, yet is a mockery of justice. Why is this trial a mockery of justice, one that shocks the judicial conscience?

Consider these six factors: (1) the falsity of the charges, (2) the lack of due process, (3) the denial of fair representation, (4) cruel and unusual punishment, (5) denial of rights under Iran’s Constitution, and (6) violation of human rights under international law.

I. FALSITY OF THE CHARGES

Iran’s prosecution has proffered what may be a “straw man argument” against the Yaran. Yet Iran’s straw man is nothing but a scarecrow.

The charges preferred against the Yaran have been analyzed in Adib Masumian’s book, *Debunking the Myths: Conspiracy Theories on the Genesis and Mission of the Baha’i Faith* (2009), highlights of which are now given here:

A. Espionage for Israel

Baha’is have been accused of spying for Israel in order to thwart the power of the incumbent Iranian regime. When confronted and asked for evidence for this claim, the conspiracy theorists will usually point out that the most holy shrines of the Baha’i Faith are located in Israel. They present this as incontrovertible evidence that there are, and have always been, political ties between the Zionist movement and the Baha’i Faith. Unfortunately, these theorists either do not know the history behind the location of these Baha’i shrines or deliberately hide it.

The establishment of Baha’i shrines in today’s Israel was brought about by the forced exile of Baha’u’llah via edicts from two Muslim rulers. First, in 1853, Baha’u’llah was banished from Persia by Nasiri’d-Din Shah to Baghdad in the Ottoman Empire. Ten years later, Nasiri’d-Din Shah, who was afraid of Baha’u’llah’s growing influence near the Persian border, asked Sultan ‘Abdu’l-‘Aziz – the Ottoman Emperor – to send Baha’u’llah to territories farther away from Persia. The Emperor first invited Baha’u’llah to Istanbul and then, within four months, exiled him to Adrianople (Edirne) in 1863 and then to ‘Akka (Acre) in 1868. At the time, ‘Akka was, in fact, part of the Palestinian part of the region of Syria. Baha’u’llah eventually died and was buried in Bahji, near ‘Akka, on May 29, 1892.

Following his death, Baha’u’llah’s son ‘Abdu’l-Baha took over the leadership of the religion until his passing in 1921. He was buried in Haifa, in what was then British Palestine. Another important figure for Baha’is who is buried in current-day Israel is the Bab, whose remains were secretly transferred to Palestine and buried in Haifa in 1909. Israel was not formed until 1948, almost 60 years after Baha’u’llah’s passing, 39 years after the Bab’s remains were brought to the region, and 27 years after ‘Abdu’l-Baha’s death. Thus, the accusation that ties Baha’is to the state of Israel based on the location of their shrines disregards the historical circumstances that led to the construction of those holy places in what was then the Palestinian region of Syria.

Baha’is can point out that there are numerous holy Muslim and Christian sites in the state of Israel, too — yet the existence of these sites does not suggest that Muslims or Christians are agents of Israel or of international Zionism.

B. Insulting Religious Sanctities

In leveling this charge, the Iranian government has essentially accused the seven Yaran of insulting Islam. However, doing so would violate one of the core elements of Baha’i doctrine: reverence and respect towards all major world religions of the past (due to their inherent oneness), including Islam. Furthermore, Islam is the religion from which the Babi

and Baha'i religions rose; it is the parent faith of the Babi and Baha'i religions. What reason would the seven have to insult a religion that they hold in such high regard?

The respect that Baha'is hold for Islam is firmly rooted in the writings of its leaders. For instance, Baha'u'llah, prophet-founder of the Baha'i Faith, has glorified Islam in numerous places. Here is one example where Baha'u'llah extols Muhammad and His family, and praises the role of Islam in religious history:

Blessing and peace be upon Him [Muhammad] through Whose advent Batha [Mecca] is wreathed in smiles, and the sweet savours of Whose raiment have shed fragrance upon all mankind — He Who came to protect men from that which would harm them in the world below. Exalted, immensely exalted is His station above the glorification of all beings and sanctified from the praise of the entire creation. Through His advent the tabernacle of stability and order was raised throughout the world and the ensign of knowledge hoisted among the nations. May blessings rest also upon His kindred and His companions through whom the standard of the unity of God and of His singleness was uplifted and the banners of celestial triumph were unfurled. Through them the religion of God was firmly established among His creatures and His Name magnified amidst His servants. — Baha'u'llah, *Tablets of Baha'u'llah Revealed after the Kitab-i-Aqdas* (Haifa, Israel: Baha'i World Centre, 1978), p. 162.

Shoghi Effendi, the Guardian of the Baha'i Faith and great-grandson of Baha'u'llah, encouraged the Baha'i community to rectify erroneous views about Islam:

There is so [much] misunderstanding about Islam in the West in general that you have to dispel. Your task is rather difficult and requires a good deal of erudition. Your chief task is to acquaint the friends with the pure teaching of the Prophet [Muhammad] as recorded in the Qur'an, and then to point out how these teachings have, throughout succeeding ages, influenced[,] nay[,] guided the course of human development. In other words you have to show the position and significance of Islam in the history of civilization. Cited in Helen Hornby (1983). *Lights of Guidance*. New Delhi, India: Baha'i Publishing Trust, #1664.)

To that effect, many Baha'i authors have taken this initiative through their own scholarly publications. The following are notable titles in English:

- Stanwood Cobb (1963), *Islamic Contributions to Civilization*. Murfreesboro, Tennessee: Avalon Press. (<http://arthursclassiconovels.com/arthurs/islam/contributions10.html>).
- H. M. Balyuzi (1976), *Muhammad and the Course of Islam*. Oxford, England: George Ronald.
- Moojan Momen (1985), *An Introduction to Shi'i Islam*. Oxford, England: George Ronald.
- Christopher Buck (2006), "Discovering" [the Qur'an]. *The Blackwell Companion to the Qur'an*. Edited by Andrew Rippin (Oxford: Blackwell, 2006), pp. 18–35.

It is evident, then, that respect for Islam abounds in the Baha'i community; it would therefore be illogical to allege that seven of its most prominent members in Iran – all of whom were formerly leaders thereof – would vilify Islam in any way.

C. Spreading Propaganda against the Islamic Republic

This violates another Baha'i principle, namely that Baha'is must behave loyally and respectfully towards the government of the land in which they live:

In every country where any of this people reside, they must behave towards the government of that country with loyalty, honesty and truthfulness. This is that which hath been revealed at the behest of Him Who is the Ordainer, the Ancient of Days. — Baha'u'llah (1978), *Tablets of Baha'u'llah Revealed After the Kitab-i-Aqdas*, pp. 22–23.

This, of course, does not entail that Baha'is should advocate draconian policies issued by a tyrannical government, since Baha'u'llah elsewhere states: "The best beloved of all things in my sight is justice." But it does preclude Baha'is from openly spreading propaganda against the Iranian regime in the way that they have been accused.

When it comes to a ruling government, the Baha'i position is clear: Baha'is may not expressly malign it. This does not, however, mean that the unfair and unjust actions of government are beyond reproach, simply because Baha'is have the bounden duty to comply with the prevailing law to which they are subject.

D. Aiding, teaching and propagating the Baha'i religion in Iran (or "spreading corruption on Earth, also known as *mofsed fel-arz*")

This charge was not initially leveled against the former Baha'i leaders when they were arrested. It was made on April 27, 2009, and is the most serious of all the listed charges because it has historically carried the death penalty.

Geoffrey Cameron has an excellent piece featured by Iran Press Watch related to this particular allegation, wherein he analyzes the semantics, historical background, and religious significance of the phrase mofsed fel-arz: On Mofsed fel-arz – Spreading Corruption on Earth.

The one thing that all four of these charges have in common is that not one of them has been substantiated by any facts or evidence whatsoever. They have merely been proffered by the Iranian authorities, with neither the grounds nor the evidence needed in any court of law to substantiate such claims.

II. LACK OF DUE PROCESS

Due process, in principle, is moot when due process is unavailable in practice. The pretense of due process is really a lack of due process, and therefore is a travesty of criminal procedure. This flagrant disregard for the rights of the accused is, in itself, a criminal feature of Iran's criminal justice system.

III. DENIAL OF FAIR REPRESENTATION

Shirin Ebadi, counsel for the defense, not only has been barred from meeting with her clients, the Yaran, but is now effectively barred from returning to Iran in safety and security. To be fair, after preventing Shirin Ebadi, and the Yaran's second attorney, Abdolfattah Soltani (who has been twice imprisoned) from representing the Yaran at trial, the Iranian tribunal has allowed the Yaran to be represented by defense counsel, according to the latest reports.

IV. CRUEL AND UNUSUAL PUNISHMENT

If the Yaran were shown to have had contacts with The Universal House of Justice at the Baha'i World Center on Mount Carmel in Haifa, Israel, there would be, at most, a mere "guilt by association." The Iranian authorities have produced not a scintilla of evidence that state secrets were covertly transmitted by the accused to Israel. In the absence of such evidence, the charges are simply a house of cards that must collapse.

V. DENIAL OF RIGHTS UNDER IRAN'S CONSTITUTION

The Iranian Baha'is, in general, and the Yaran, in particular, have been denied their rights under Articles 19, 20, 23, 26, 28, 29, 30, 32, 37 and 38 of the Constitution of the Islamic Republic of Iran.

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 and a half now, without access to their celebrated defense counsel, 2003 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.

VI. DENIAL OF HUMAN RIGHTS UNDER INTERNATIONAL LAW

Beyond the fact that the Iranian Baha'is, in general, and the Yaran, in particular, have been denied their rights under Articles 19, 20, 23, 26, 28, 29, 30, 32, 37 and 38 of the Constitution of the Islamic Republic of Iran, there are clear violations of human rights under international law.

The first relevant international law is the International Covenant on Civil and Political Rights (ICCPR). 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,

the Islamic Republic of Iran remains fully bound by the terms of the International Covenant on Civil and Political Rights. Article 9 provides:

Article 9

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.
3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment.
4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.
5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

Here, the Yaran were subjected to arbitrary arrest and detention, and were not informed, at the time of their arrest, of the reasons for their arrest. Neither were the Yaran promptly informed of any charges against them. Neither were the Yaran brought promptly before a judge. Article 10 of the ICCPR further provides, in part:

Article 10

1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.
2.
 - (a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons;

Here, the Yaran were not segregated from convicted persons and were not subjected to separate treatment appropriate to their status as unconvicted persons. Article 14 of the ICCPR further provides, in part:

Article 14

1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. . . .
2. Everyone charged with a criminal offense shall have the right to be presumed innocent until proved guilty according to law.
3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:
 - (a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
 - (b) To have adequate time and facilities for the preparation of his defense and to communicate with counsel of his own choosing;
 - (c) To be tried without undue delay;

- (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; . . .

5. Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

Here, the Yaran, so far, have been denied “a fair and public hearing by a competent, independent and impartial tribunal established by law” to which they were entitled under international law. In any event, the Yaran had a right “to be tried without undue delay.”

Instead, the seven accused have sacrificed a year and a half of their precious lives incarcerated in a notorious prison, subjected to various kinds of abuse.

Article 15

1 . No one shall be held guilty of any criminal offense on account of any act or omission which did not constitute a criminal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offense was committed. If, subsequent to the commission of the offense, provision is made by law for the imposition of the lighter penalty, the offender shall benefit thereby.

2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

Here, according to this provision of international law to which Iran is a signatory, Iran has the burden to prove that the Yaran committed an act, or acts, that would “constitute a criminal offense, under national or international law, at the time when it was committed.”

In order to do this, it is standard procedure for the prosecution in criminal case to set forth the “elements” of the criminal act or acts under which the accused stands charged. The state must offer its proofs by satisfying each of the required elements that, together, constitute that particular criminal act or acts.

Other international standards apply, but space neither permits their recitation nor their analysis. Suffice it to say that Iran’s compliance with international law is what is publicly “on trial” here.

CONCLUSION

Not only is Iran under trial during its trial of the Yaran, but Iranian Islam itself is on trial as well in the court of public and international opinion. In other words, this trial implicitly raises such questions as the following:

- Is Iranian Islam just?
- Is Iranian Islam good governance?
- Does Iranian Islam truly stand for “peace”?
- Does Iranian Islam truly stand for “justice”?
- Does Iranian Islam stand for “due process” under the law?
- Does Iranian Islam guarantee “freedom of religion”?
- Does Iranian Islam protect and safeguard “human rights” as defined by the consensus of the international community under international law?

Whatever the outcome of this trial, Iran can be assured that the reputation of Iranian Islam itself is at stake.

Pursuant to its own enlightened self-interest and in the interest of the reputation of Iranian Islam, the Iranian government’s prosecution would be best advised to make this trial transparent, and to comport with Iranian criminal procedure. But is there such a creature of law as “Iranian criminal procedure”?

I invite kind readers to send me information on Iranian criminal procedure, so that, as the

trial progresses, I can offer some comments and observations on the degree to which this trial is either procedurally “fair” or not, by Iran’s own jurisprudential standards.

By placing the Yaran on trial, Iran has not only placed itself on trial in the court of international and public opinion, but has placed Iranian Islam on trial as well. This gives pause for thought: Is Iranian Islam a model form of government, a divine theocracy, a system superior to the West — or is Iranian Islam simply bad governance, lacking in fundamental safeguards for the accused? This trial will offer a test case, a litmus test that will prove, one way or the other, whether the Iranian system of justice is just or unjust.

Under this test, it is not so much the Yaran who are on trial, nor the Baha’i Faith in Iran, but Iranian Islam.

This trial is instructive because it raises a fundamental question: Is the criminal justice system, which is the machinery of Iranian Islam, procedurally just, or unjust? A guilty verdict, on any of the charges proffered against the Baha’i seven, the Yaran, will be tantamount to a guilty verdict as to the criminal justice system itself under Iranian Islam, which, alone, would be responsible for this unjust result.

Comments Add your comment below...

[Following the Trial – Check back for updates « Baha’i Kiosk](#) | January 12th, 2010 - 10:51 pm

[...] Jan 12th 2010 – IPW Iran, not Yaran on trial [...]

pstar | January 12th, 2010 - 11:23 pm

thank you

Róbert Badí Baldursson | January 13th, 2010 - 9:35 am

Thanks for a very informative article. I would however like to point out the following:

Shirin Ebadi was awarded the Nobel Peace Prize in 2003, not 1993 like the article states. Also there seems to be something missing after section 6 of article 14 of the ICCPR towards the end of this article.

Greetings from Iceland.
Badí

Daniel Schaubacher, Brussels | January 13th, 2010 - 10:50 am

Remarkable article, points well put. These Baha’is are the best ambassadors in the world for the Iranian culture and genius and truly exemplify the virtues of integrity, fortitude, loyalty, truthfulness and trustworthiness taught by Islam and the world’s great revealed religions.

Edward K. | January 13th, 2010 - 4:05 pm

The irony being that it is probably the success of the Baha’is in defending Islamic principles to the Western intellectual communities, that makes the Faith feared by those who would be leaders in a state of religious war. If Islamic principles can be taught by reason, the very real differences between Western economic theory and Qur’anic economic theory do not need to be contested on the battlefield, since an academic synthesis is possible. It is far more likely that the schools of “orthodoxy” that are willing to make Islam absurd through adherence to the dead letter, are the ones receiving economic and ideological assistance from the economic citadels that

do not want to see the Western model challenged.

tooba | January 16th, 2010 - 8:16 pm

EXCELLENT ARTICLE...Could it be published also in non-Baha'i journals?

Christopher Buck | January 17th, 2010 - 5:47 am

Tooba: Thanks for your excellent suggestion! Please see these peer-reviewed articles that I've previously published:

1. "Religious Minority Rights." The Islamic World. Edited by Andrew Rippin. London/New York: Routledge, 2008. Pp. 638–655. [Final chapter.]
2. "Islam and Minorities: The Case of the Bahá'ís." Studies in Contemporary Islam 5.1–2 (Spring/Fall 2003): 83–106. Proceedings of the Twentieth Annual Conference of the American Council for the Study of Islamic Societies (ACSIS), University of Victoria, Victoria, British Columbia, 2–3 May 2003. (Published June 2005.)

These are available on Iran Press Watch, and are also available in both English and Persian translation on my academic website at <http://christopherbuck.com>.

This IPW article may be characterized as essentially an "Islamic argument" or, better still, an appeal to the enlightened self-interest of those who wish to preserve [whatever remains of] the fair name and reputation of Iranian Islam.

[فارسی. Iran Press Watch - حکومت ایران، نه یاران، در دادگاه افکار عمومی جهان محاکمه می‌شوند](#) |

January 17th, 2010 - 7:49 pm

[...] Iranian Islam, not the Yaran, on trial in the court of international opinion [...]

Jonathan Menon | January 19th, 2010 - 6:24 am

You write the following:

"In the Baha'i tradition of reform by "civil obedience" — rather than by "civil disobedience" — the National Spiritual Assembly of the Baha'is of Iran (a democratically elected body of nine Baha'i men and women) formally dissolved itself in 1983, along with the remainder of the Iranian Baha'i administration. This act of compliance was a dramatic act of protest."

It may have been a vivid demonstration of the Baha'is' sticking to their principles even when tempted by the familiar, globally-accepted option of civil resistance. But the point seems to have been that they were determined to AVOID political means of protest.

To refer to it, therefore, as "an act of protest" seems ambiguous and contradictory. If it was a protest, what was it a protest of?

sb | January 19th, 2010 - 12:55 pm

Jonathan, it is a mute "protest" against injustice. Acceptance of the legal dissolution of Baha'i Administration in Iran by the Baha'is has shone the world the crying need for liberalization of Iranian human rights policies. Isn't the best response to injustice an act that demonstrates faith in justice? In other words, the imprisoned Iranian Baha'is have demonstrated a just course of action by magnifying its absence. This is not idle theory: global appeal to Iranian authorities by the great nations of the world and worldwide outcry for the release of Baha'i prisoners held in Iran is proof that the course of humble compliance has amplified the reprehensible actions of the IRI. The spiritual effect of this is enormous.

Nader | January 22nd, 2010 - 7:08 am

The principal no. 13 of The Iranian Constitution of which has been quoted here says that Iranians of Zoroastrian, Jewish and Christian religions are the only ones that can practice their religious activities in Iran and thus legally “recognized”. Naturally considering Baha’is an outlaw means that not only Baha’is can not practice their religious beliefs, the rest of the citizens are also limited in their choice! which in turn means lack of freedom of choice and belief for the rest of the citizens!! Interestingly enough the last principal (177)enunciates that whenever the Leader deems it necessary this Constitution shall be amended. I hope principal 13 be amended soon! Need to mention that the words “except for the Baha’is” written in this article is outside the quotation marks and do not make a part of the principals of the constitution.

Christopher Buck, Ph.D., J.D. | February 4th, 2010 - 1:14 am

Jonathan, please see the section on “Civil Obedience, Civil Disobedience, and Social Change” in Robert Stockman, “The Unity Principle: Ideas of Social Concord and Discord in the Bahá’í Faith.” Research in Human Social Conflict, Volume 2 Ed. Joseph Gittler (Westview, CT: JAI Press, 2000), pp. 1-19, online at <http://rsmd.net/tchase/articles/CONCORD.htm>, especially this statement: “Bahá’ís reject nonviolent civil disobedience as a mechanism for bringing about change in wider society, for it relies on violation of laws and the creation of a partisan atmosphere. Instead, Bahá’ís support social change through education, personal example, use of legitimate legal means (such as legal marches and obtaining press coverage) and initiatives that may represent unusual ways of obeying laws.” Space does not permit specific examples here.