

**CONGRESSIONAL RELIGIOUS FREEDOM
CAUCUS (IRF)**

**Religious Freedom and Persecution in
Iran:**

Rayburn house Office building, Room 2237

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IRAN'S DENIAL OF RELIGIOUS FREEDOM

I would like to thank the Congressional Religious Freedom caucus for all its work and, in particular, its briefing today on Iran.

The Iranian government is one of the world's worst religious persecutors. All religious groups suffer —Baha'is, Christians, Mandeans, Jews, and Zoroastrians — as well as Sunnis, Sufis, and dissenting Shia. Many minorities are dwindling; the ancient Assyrians and Mandeans have almost disappeared.

Genuine religious (or political) pluralism is deemed unacceptable and, where required by international agreements, senior Iranian leaders denounce it as a Western aberration, though Iran is a signatory to UN conventions.

Currently Iran is outdoing itself in repression. In the aftermath of its violent attacks on the democratic opposition following the 2009 elections, the regime has been increasing arrests not only of political opponents but of the religiously differing.

PERSECUTION OF MUSLIMS

Muslims who do not subscribe to state doctrine are subject to persecution. Sunnis and Sufis have been banned from teaching their religion, as well as, on occasion, arrested and tortured. Sufis are attacked in state media as “house vermin” and “satanists.”

Shiites who dissent from state orthodoxy, can be punished for blasphemy.

Ayatollah Boroujerdi was imprisoned for arguing that “political leadership by clergy” was contrary to Islam.

Cleric Mohsen Kadivar was imprisoned because his dense three volume *Theories of the State in Shiite Jurisprudence* argued that Khomeini's teaching of the ‘guardianship of the Jurist’ was contrary to Shiite legal thought.

LEGAL STATUS OF RELIGIOUS MINORITIES

Jamsheed Chosky, an expert of Iran's Zoroastrians, reports that Ayatollah Ahmed Jannati, Chairman of the Council of Guardians and advisor to Ahmadinejad, has denounced non-Muslims as 'animals who roam the Earth and engage in corruption.'

The Ministry of Culture and Islamic Guidance polices monitors all religious minorities. The constitution gives formal recognition to Zoroastrianism, Judaism, and Christianity but does not exclude religious discrimination.

Non-Muslims must state their religion on census forms. Zoroastrians, Jews, and Orthodox Christians are nominally free to practice rituals and educate their children, but cannot enter government service or hold commissions in the military. University applicants are

screened for Islamic orthodoxy and must pass a test in Islamic theology, obviously restricting religious minorities.

Constitutional guarantees of freedom are crippled by additional words that make guarantees subject to the priority of the government's interpretation of Islam. Thus, Article 26 allows religious societies only if they do not violate "the criteria of Islam or the basis of the Islamic republic." Such phrases nullify other constitutional guarantees of equal rights.

The Baha'i faith, not mentioned in the constitution, has no legal status and derives no benefit from even the limited guarantees given to others.

REDUCED RIGHTS OF MINORITIES

The blood money of women and non-Muslims is less than for a Muslim man.

There are two categories of non-Muslims. "People of the Book," such as Christians, Jews, and Zoroastrians, have blood money less than a Muslim. Murdering people of other religions, such as Baha'is has no legal ramifications. Killing them, or those who leave Islam, carries no punishment.

For sexual relations between a non-Muslim man and a Muslim woman, the non-Muslim faces death.

PARTICULAR RELIGIOUS MINORITIES

ZOROASTRIANS

Ayatollah Khomeini had a particular hatred of Zoroastrians because of their links to Persian history and nationalism. He accused the Shah of wanting 'to revive Zoroastrianism.' Current Supreme leader Khamenei continues this animus and has referred to them as kaffers, meaning infidels, a term usually reserved for Iran's non-recognized religious groups.

Since the Islamic revolution, many have fled and those remaining experience persecution. Last year there was increased persecution of Zoroastrians, as well as other groups. On August 2, 2011, Mohhsen Sadeghipour was sentenced to 4.5 years in prison, 74 lashes, and a fine for 'anti-regime propaganda by propaganda for the Zoroastrian faith and organizing ancient ceremonies.' His brother in law, Pouria Shahpari, was arrested on August 22 for blasphemy, also because of 'propaganda for Zoroastrianism.' Pending appeal, he was sentenced to 2.5 years and 74 lashes.

JEWS

Jews are forbidden to visit Israel on penalty of imprisonment. Jewish families cannot travel abroad together. Jewish schooling is forbidden, as is study of Hebrew. Since 1979,

the regime has executed at least thirteen Jews, either for religious reasons or due to allegations of spying for Israel. By 2007, Iran's Jewish community was less than half its size in 1979.

CHRISTIANS

Christians, some 300,000, endure discrimination, harassment, surveillance, arrests, and imprisonment. Many have fled the country. Since Ahmadinejad's rise to power, and the 2009 election, church raids have increased resulting in detainment of worshippers and church leadership, threats, harassment and at times arrests. Some people suspected of involvement in evangelical activity are alleged to have disappeared for prolonged periods of time and been tortured.

BAHA'IS

The Iranian regime regards what is probably the largest non-Muslim minority (300,000), the Baha'is, as a heresy and persecutes them severely as "unprotected infidels." Since 1979 more than 200 have been killed, 15 disappeared and presumed dead, and more than 10,000 dismissed from government and university jobs. The leadership is currently in prison.

The regime has recently developed a coordinated strategy of repression, including having the Ministry of Information, the Revolutionary Guard, and the Police Force identify all Baha'is and exclude them from "high earning" and "sensitive" areas, including not only "publishing and bookselling," and "Internet cafes," but also "jewelry and watch making, coffee shops, gravures, the tourist industry, car rentals, hotel management, and tailoring and training institutes."

NEW PENAL CODE

Two weeks ago, the Guardian Council approved a new Islamic Penal Code legislation. Sexual relations outside of wedlock and extramarital affairs remain criminalized. It remains unchanged in terms of penal sentences like stoning, dismemberment and execution of minors, and gender discrimination persists. Several articles increase the severity of punishment for "action against national security," a commonly used charges against the Baha'i community. The value of a woman's testimony remains half of that of a man. Muslim women receive half the compensation for damages as Muslim men. Non-Muslim women receive only a quarter of those awarded to a Muslim man.

The penal code has dropped provision from earlier drafts that carried the death penalty for apostasy, however that charge and penalty can be drawn from other sources, since it instructs:

"The judge is duty bound to make all efforts to find the proper sentence in the codified laws. If he fails to do so he should issue the sentence in accordance with the valid Islamic

sources or valid fatwas.... The judge cannot use the absence or insufficiency or brevity or conflict of the codified laws as an excuse to refuse to issue a verdict.”

When the court sentenced Youssef Nadarkhani to death for becoming a Christian, it simply referred to the late Ayatollah Khomeini’s *Tahrir-ol Vasile*, section 8, which says apostates should be killed.

“Guardian Council approves new penal legislation,” *Radio Zamaneh*, January 28, 2012 <http://www.radiozamaneh.com/english/content/guardian-council-approves-new-penal-legislation>; “Urge Iran’s Parliament to Reject Anti-Human Rights Penal Code,” *United for Iran*, <http://united4iran.org/2012/01/irans-new-anti-human-rights-penal-code-defies-international-community-on-human-rights-protection/> accessed February 10, 2012.

It is true that Iran has many power centers and, as a country, many motives. But its ongoing actions towards those who differ from it religiously reveal, to borrow a term from another tradition, a strong, continuing messianic motive not reducible to secular calculation.