

The Universal Declaration of Human Rights, Cultural Relativism and the Persecution of the Bahá'ís in Iran

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In 1979, a revolutionary movement in Iran toppled the powerful regime of Reza Shah Pahlavi. Under the leadership of the Ayatollah Khomeini, the new regime declared itself the Islamic Republic of Iran, and established a new government based on the Islamic Shari'a.¹ In an effort to consolidate its power, the new regime quickly began a campaign to eradicate all remnants of the previous regime and to destroy anything deemed un-Islamic. One of the earliest victims of the clerics' wrath was the Bahá'í community, the largest religious minority in Iran.² The persecution of the Bahá'ís is not a new phenomenon, and has been a part of Bahá'í history from its founding in mid-nineteenth century Iran. Their oppression however took on new force and intensity under a leadership determined to create a 'pure' Islamic state, and annihilate any trace of what it wrongly accused of as a 'community of infidels.' The Bahá'í community of Iran first responded to this persecution by appealing to the state apparatus within Iran. When these pleas for tolerance proved fruitless, Bahá'í communities outside of Iran began to appeal to their governments, the international community and its non-governmental instruments for support. Thus began severe criticism by governments and international organizations against the Islamic Republic's human rights record, and an international campaign in support of ending the persecution of the Bahá'ís.

The persecution of the Bahá'ís in Iran provides a unique case to test the efficacy and applicability of international instruments created for the protection of human rights. This particular case study raises important questions about the universality of human rights principles in a diverse world; the difference between individual and group rights; and the dilemma of finding compromises between opposing systems of law. Moreover, the Bahá'í case challenges the international community to find creative ways to uphold and enforce the noble

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ideals enunciated in the Universal Declaration of Human Rights fifty years ago. It is not within the scope of this paper to adequately analyze many of the relevant aspects of this discussion.³ This paper will attempt to explore these themes by discussing the controversial universality debate surrounding the Universal Declaration of Human Rights by comparing Western and Islamic notions of human rights. Moreover, the paper will examine the religious justifications provided by the Iranian regime for the persecution of the Bahá'ís, and seek to demonstrate that there are no grounds, religious, moral or political for such oppression.

The Universal Declaration of Human Rights

The notion of human rights is not new. Although Western historians and theorists highlight the European contribution to the development of human rights discourse, a diverse body of literature suggests that human rights has been a topic of discussion in many cultures throughout human history. The teachings of all the world's religions make reference to human rights and include thorough philosophical dialogue on the subject. The 'Golden Rule' which admonishes the treating of others as we wish to be treated, is an ideal found in the Holy Scriptures of all Faiths; Hinduism, Buddhism, Taoism, Jainism, Confucianism, Zoroastrianism, Judaism, Christianity, Sikhism, Islam and the Bahá'í Faith.⁴ Furthermore, religious philosophers representing all the faiths have contributed to the development of the theory and practice of human rights within their societies. One of the earliest historical examples of respect for human rights is illustrated in the reign of the Persian King, Cyrus II (550 C.E.) who bestowed citizenship and all its privileges to those the people inhabiting the lands he conquered. It was Cyrus who ordered the rebuilding of Jerusalem and its Temple, and returned the gold and silver vessels that King Nebuchadnezzar had confiscated from the Jerusalem Temple years earlier.⁵ This clearly suggests that the notion of human rights is neither new, nor Western.

The earliest Western discussions of human rights are found in the English Magna Carta of 1215. The principles presented in this document were further elaborated in 17th century Europe with contemporary philosophical discussions of natural rights and the dignity of the individual by Locke, Rousseau and others. These discussions were conceptualized within the framework of a social contract and finally found legal expression in documents such as the English Bill of Rights (1689), the American Declaration of Independence (1776), the French Declaration of the Rights of Man and Citizen (1789), and the American Bill of Rights (1791).⁶

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It was the events of the 1940's and the horrific realities of the Second World War however, that served as the backdrop for a concerted and universal effort to develop a system of international organization and human rights protection. Prior to 1945, states were the only recognized subjects of international law, and protected by the laws of sovereignty. The unprecedented brutality and depth of suffering under the extremist regimes of Spain, Germany, Italy and Japan led to such worldwide shock and disbelief that the need for protection of the individual from state apparatus became evident and served as the impetus for the United Nations' 1947 appointment of the Commission on Human Rights. The Commission was made up of representatives from 10 nations, chaired by Mrs. Eleanor Roosevelt and given the seemingly impossible task of creating a universal code for human rights practices which would be short, simple, easy to understand, expressive and "acceptable to all the Members of the United Nations."⁷ It took over eighteen months for the Commission to complete its objective, and present to the General Assembly of the United Nations a blueprint for the worldwide promotion and protection of human rights, seen as a necessary prerequisite for international peace. President Franklin Roosevelt's 1941 speech to the US Congress which outlined the four freedoms,⁸ together with drafts submitted by States and non-governmental groups served as the inspiration for the text of the document. After considerable consultation and deliberation, the United Nations General Assembly adopted the *Universal Declaration of Human Rights (UDHR)*, on December 10, 1948.

The UDHR is perhaps one of the most significant documents written in the history of humankind. The text of this document has been hailed as "one of the greatest steps forward in the process of global civilization" whose impact "extends to the moral, political and legal spheres."⁹ The UDHR not only lay the foundation for international human rights law, but more importantly introduced the individual person as a subject of international law. The rights articulated in the UDHR can be divided into two main categories. The first group is civil and political rights. These include the right to life, liberty and security of the person; freedom from slavery and torture; equality before the law; protection against arbitrary arrest, detention and exile; the right to a fair trial; the right to own property and participate in politics; the right to marriage; the fundamental freedoms of thought, conscience and religion, opinion and expression; freedom of peaceful assembly and association; and the right to take part in government. The second group is economic, social and cultural rights which include: the right to work, form and join unions; the right to an adequate standard of living, education and full and free participation in cultural life.¹⁰

Three central principles provide the basis for these rights. The first proclaims that human rights are inherent. This implies that human rights "can not be

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enumerated or deduced; they are not earned or acquired but inhere in all people by virtue of their humanity alone.”¹¹ The second principle delineates every human being’s basic rights as inalienable or indefeasible, meaning that “such rights can never be annulled or denied by outside parties or even by the affected individuals themselves.”¹² The third and final principle declares that any conflicts between different rights must be resolved in accordance with just and impartial laws and procedures.¹³

Today, in addition to the Universal Declaration of Human Rights, which with the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights¹⁴ there are over eighty universal and regional conventions that provide the framework for modern international human rights law. In adopting these instruments, “the international community not only agreed on the content of each right set forth in the Universal Declaration, but also on measures for their implementation.”¹⁵ Moreover, these conventions endorsed the United Nations’ resolution which stated that “the enjoyment of civil and political rights and economic, social and cultural rights are interconnected and interdependent.”¹⁶

Universality, Cultural Relativism and the Universal Declaration of Human Rights

Despite the noble and progressive ideas articulated in the Universal Declaration of Human Rights, the document has faced severe criticism from its inception. Much of the controversy revolves around the question of the universality of the theory and application of the UDHR. The challenge this has presented to the human rights movement has been theoretical, practical and political.¹⁷ And allowed many states to continue repression of their citizenry, by arguing for cultural relativism. The controversy gained momentum in 1948, when the American Anthropological Association published its famous statement rejecting the “applicability of the Declaration of Human Rights to mankind as a whole” and stressing that “the rights of Man cannot be circumscribed by the standards of any single culture, or be dictated by the aspirations of any single people.”¹⁸ These cultural relativists contend that “other people’s truths are contained in their own classification and understanding,” and that no one culture offers a “self-evidently privileged standard of verity.”¹⁹ For relativists, there are no “overarching, universal moral truths, or principles or universal cultural ideals.”²⁰

Other cultural relativists have focused on the ‘Western’ premise of human rights discourse. They assert that human rights are a “Western construct with limited applicability”²¹ and argue that human rights norms “possess a distinc-

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tively Western or Judeo-Christian bias, reflecting assumptions that the values of other cultures, peoples and races are inferior.”²² Hence, the opposition of non-Western societies to the UDHR for its emphasis on individual rights and freedoms at the detriment of personal responsibilities to the community and cohesive values. A third criticism questions the UDHR for its emphasis on civil and political rights. Although the UDHR emphasizes the interdependence of civil/political rights with social/economic/cultural rights, it has been the case that Western members of the General Assembly tend to favour the former. The underdeveloped world challenges this preference and argues that civil and political rights are meaningless and irrelevant if a certain level of economic development is not achieved by the populace. This point is well taken and demonstrates the cultural difference in the applicability of the principles outlined in the UDHR.

Today, scholars supporting the notion of moral universalism pose a serious challenge to the human rights controversy, and make it increasingly difficult for cultural relativists to uphold their position.²³ The work of these universalist scholars - mainly anthropologists and sociologists - seems to suggest that the debate directly relates to the relativists' confusion between principle and application, and illustrates that while the “concept of human rights is universal, the content varies among different societies.”²⁴ They defend their position by providing evidence of certain moral precepts transgress cultural and traditional boundaries. These include the universal intolerance for lying, stealing, and incest as well as “the prohibition of murder or maiming without justification; economic justice; reciprocity and restitution; provisions for the poor; and priority for immaterial goods [such as freedom.]”²⁵ The debate created enough disunity among the nations to be one of the main points of discussion at the World Conference on Human Rights in Vienna in 1993. Many participants at this gathering, particularly those representing the developing world “concerned with cultural imperialism argued that while human rights are universal, their interpretation and implementation is subject to national and regional particularities and various historical, cultural, and religious backgrounds.”²⁶ Despite these concerns however, the member States agreed to signing the Vienna Declaration which among other things stated that, “Respect for human rights and for fundamental freedoms without distinction of any kind is a fundamental rule of international human rights law...” Further, the Vienna Declaration addressed the question of cultural relativity by reaffirming that:

All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional

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particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.²⁷

The signing of this document does not mean there is a universal consensus on the subject of human rights, and there is still a need to translate principle into practice. The debate persists and serves a political purpose for the justification of immoral acts. Opposing notions of freedom, conscience, and expression lie at the heart of this situation.

The Bahá'í Faith: An Introduction to History and Teachings

The Bahá'í Faith was founded in mid-nineteenth century Iran through the teachings of two successive Founders who are regarded by Bahá'ís as Divine Messengers. The first of these was a young Persian merchant from Shiraz, who in May 1844, proclaimed that He was the bearer of the latest Revelation from God. The Báb,²⁸ explained that his revelation served a dual purpose: one to reaffirm the teachings of past Faiths, and secondly to announce the imminent appearance of yet another Divine Messenger, whose teachings would inspire global unification and moral and spiritual transformation. The Báb's teachings were well-received by a great number of people, and attracted tens of thousands of followers within a short time. In 1863, one of the Báb's leading disciples, a Persian of noble birth announced that He was the Messenger whom the Báb had referred to during His ministry. This second religious figure in the Bahá'í Faith is known to history as Bahá'u'lláh.²⁹ Through the power of His person, and the force of His teachings, Bahá'u'lláh was able to affirm His claim and within a short period of time, many surviving Bábis professed their faith in Bahá'u'lláh. Thus began the Bahá'í Faith.

With this new development, the government of Nasir'ul-Din Shah³⁰ decided that the best way to destroy the Bahá'í community was to exile Bahá'u'lláh and His family out of Iran. This exile did not extinguish the development and spread of this young Faith, and actually promoted it. By the time of Bahá'u'lláh's passing, the Faith had spread beyond Iran's borders and included followers in the Indian subcontinent, Asia, several Arab nations and northern Africa. By the mid-1950's, the Bahá'í Faith had been introduced in almost every country in the world. The central teachings of the Bahá'í Faith are: the oneness of God, the progressive nature of divine revelation; and the oneness of humanity. The third principle is the pivotal concept around which all other Bahá'í teachings revolve. These include: the abolition of all forms of prejudice; the full equality of rights and opportunities between men and women; universal education and

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economic justice. For the Muslim clerics of the time, one of Bahá'u'lláh's most contentious teachings was His insistence that "humanity has entered an age of maturity and no longer requires clergy and ritual in its search for the Divine. He introduced the principle of the inherent right and indeed responsibility of each individual to investigate the truth for himself, and instituted consultation and group decision-making as the key to individual and societal development. Bahá'ís are also prohibited from participation in partisan politics and are obliged to obey the laws of the government under whose authority they live.³¹ These last two teachings are particularly relevant to this study and will be further discussed.

Today, the Bahá'í Faith is recognized as a world religion and respected in the international community not only for its social teachings but for its application of principle to practice as demonstrated in the community's commitment to peace, justice, and social-economic development. The Bahá'í International Community (BIC) represents the worldwide Bahá'í community at the United Nations and enjoys consultative status with UNESCO and ECOSOC. Today, there are over five million Bahá'ís in 180 countries of the world, representing every ethic, racial and religious background. With the absence of a clergy, the community functions on an elaborate administrative order laid down by Bahá'u'lláh Himself. This administrative order is based on elected bodies at the local, national and international levels.³² At the local level, adult members of the community (age 21 and older) annually vote for nine members from the community in an election which prohibits electioneering and nominations and is based on secret ballots. Each community then elects a number of delegates to represent them at the national convention electing the national administrative body. Finally, every five years, members of the National Councils elect the international governing council, the Universal House of Justice.

The Persecution of the Bahá'ís in Iran: Historical Developments

Throughout history, the advent of every new religion has resulted in the persecution of its members. Particularly in the formative phase of the religion's development, 'believers' have been the object of violence and oppression for their spiritual convictions. The persecution of the Bahá'ís in Iran is a classic example of human rights violation resulting from religious intolerance. And, despite Bahá'í commitment to non-violence, tolerance and governmental quiescence, they are classified as 'unprotected infidels' who do not enjoy any rights under the present Iranian constitution.³³ Much of the conflict can be attributed to the general population's "almost universal ignorance of the religion's nature, teachings and history."³⁴ resulting in a deep-rooted prejudice against the mem-

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bers of this community. The persecution began in 1844, when thousands began to accept the Báb's claim that He was the much awaited *Qa'im*³⁵ of Shi'i Islam. The Báb's claim and His teachings, in addition to His repute attracted the attention of the Muslim clergy who saw Him as a threat and responded with brutal force. In 1850, the Báb was executed in the city of Tabriz and the clergy began a pogrom which resulted in the death of over 20,000 of His followers. These incidents were so large in scale and brutal in force that they "aroused the revulsion of Western diplomats and scholars, and deeply scarred the Persian psyche, inspiring an effort to justify the killing of thousands of innocent people by excoriating the victims' beliefs and intentions."³⁶ The systematic effort to eradicate the Bábis proved unsuccessful, but they continued to be the target of opposition and oppression under the leadership of Bahá'u'lláh.

Bahá'u'lláh's noble lineage protected him from execution, but not from arrest and an imprisonment which lasted 40 years. From Iran, He and his family, and a small community of followers were exiled to Baghdad, Adrianople, Constantinople and finally the Ottoman Empire's prison city of Akka where He died in 1892. The persecution of His followers continued. Under the Qajar Kings,³⁷ oppression of the Bahá'í community was a national policy which led to occasional killings, usually at the hands of the populace. For example, in 1903, 101 Bahá'ís were killed in the city of Yazd after the local Mullahs encouraged their congregation to disperse into the streets and kill any Bahá'ís they meet.³⁸ The end of the Qajar dynasty and the beginning of the Pahlavi dynasty in 1925, introduced a number of important changes with consequences for the Bahá'í community. One of the goals of both Pahlavi Kings was to transform Iran into a modern, secular state. In order to do so, they pursued a policy aimed at excluding the clergy from influencing the social and cultural aspects of Iranian society, and began a systematic attempt to secularize the country, which included such things as prohibiting women from wearing the traditional *chador*,³⁹ and appointing highly educated individuals in positions of authority.

The Bahá'í minority, representing some of the most educated people in Iranian society were among those appointed to posts in the civil service while denied constitutional rights.⁴⁰ The Shah also appointed a number of Bahá'ís to prominent positions in his government. The Bahá'í law prohibiting involvement in politics prevented these individuals from being able to accept these political posts. There is only one recorded case where a Bahá'í accepted such an appointment to the Cabinet. Consequently, his administrative rights in the Bahá'í community were removed. It is worth noting that the Bahá'í community provided a political pawn for the Shah. When faced with cleric opposition, both Pahlavi Shahs used the persecution of the Bahá'í community as a means of appeasement. These included the destruction of holy places, the closing of

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Bahá'í schools, inciting mob attacks on Bahá'ís, particularly in the rural villages, and confiscation of property. This death and destruction was brought to the attention of the international community by foreigners stationed in Iran, and resulted in United Nations intervention in 1955 following a particularly violent period.

The revolution in Iran in 1979, and the acquisition of power by the Islamic clergy introduced a new chapter in the suppression of the Bahá'ís in Iran. Even before the establishment of the Islamic Republic and his return to Iran, Khomeini made his position on the Bahá'í minority very clear in an interview conducted in December 1978, by saying that in an Islamic Iran, "Bahá'í citizens would have no rights whatsoever."⁴¹ In formulating a new constitution, the theocratic regime of Ayatollah Khomeini confirmed the status of Jews, Christians and Zoroastrians as 'protected minorities'⁴² but the Bahá'í community was deprived of any constitutional rights. The exclusion of the Bahá'ís from the constitution meant that "Bahá'ís enjoy no rights of any sort, and that they can be attacked and persecuted without impunity."⁴³ Islamic courts denied Bahá'ís of the right of redress and protection against crimes including assault, killings and other forms of persecution, and ruled perpetrators as not liable for damages because their victims are "unprotected infidels."⁴⁴ The inevitable consequence of this, and the negative messages delivered in the mosques and the media inevitably resulted in violent incidents across the country. Bahá'ís were beaten, young girls were kidnapped and raped, Bahá'í cemeteries were desecrated, holy places were destroyed, and Bahá'í homes and businesses being burned. By 1980, the government began to participate in this campaign and prominent Bahá'ís, mostly those serving on local and national administrative bodies were arrested and imprisoned. This was followed by mock trials and led to the first set of executions in June 1980.⁴⁵

Under government decree, Bahá'í marriages were declared null and void, and Bahá'í marital life reduced to the status of prostitution and children declared illegitimate. Bahá'í children were expelled from schools and universities, and retired Bahá'ís declared no longer eligible for pensions and ordered to pay back the pension they had thus far received.⁴⁶ At first, the response of the Bahá'í community was to appeal to local authorities in their efforts to end the persecution. After years of trying to no avail, the international Bahá'í community began to bring this matter to the attention of their respective governments while the Bahá'í International Community (BIC) at the United Nations began a campaign to bring the plight of the Iranian Bahá'ís to the attention of the international community through the instruments of international organization.

Documents obtained through the Iranian media found their way to Amnesty International⁴⁷ and other human rights organizations which immediately exposed

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the Iranian objective to completely obliterate the Bahá'í community in Iran. This led to almost universal international outrage; leading to severe criticism of the Iranian government from individual governments and within the United Nations. Despite the international condemnation, more than 200 Bahá'í men, women and children were executed by the Iranian government between 1978 and 1988. Many others were arrested, disappeared, and were presumed dead. One particularly disturbing incident involved the hanging 10 women in the city of Shiraz, for their refusal to recant their Faith and convert to Islam.⁴⁸ The women ranged in age from 16, to the early twenties and two were senior citizens. Their execution followed the execution two days earlier of six men, which included the husbands, fathers and sons of four of these women.⁴⁹ The judge presiding over their trials was quoted in the Iranian newspaper *Khabar-i-jumúb*, as saying "If the Bahá'ís do not recant their faith, the day will soon come when the Islamic nation will God willing fulfill the prayer of Noah: Lord leave not one single family of infidels upon the earth."⁵⁰

In August 1983, the Public Prosecutor of the Islamic Revolution declared that Bahá'í religious institutions should be banned, its institutions ordered to dissolve and its members declared guilty of criminal offenses.⁵¹ In accordance to the Bahá'í law of obedience to one's government, the Bahá'í community immediately complied and dissolved its local and national administrative bodies, and ended all administrative activities. Letters were sent to the government to announce the community's compliance with the decree, and asked to be allowed to practice their Faith in the privacy of their own home. On 21 September 1983, the prosecutor-general released a statement announcing that,

If a Bahá'í himself performs his religious acts in accordance with his own beliefs, such a man will not be bothered by us, provided he does not invite others to the Bahá'í Faith, does not teach, does not form assemblies, does not give news to others, and has nothing to do with the administration.⁵²

This statement however, did not protect the Bahá'ís from further oppression and was followed by a new series of arrests and executions. This resulted in new international opposition and a series of United Nations resolutions against Iran. The Iranian government responded by reducing the number of executions and releasing a number of Bahá'í prisoners. The international community however continued its protest and called for the immediate release of all Bahá'í prisoners and the exercise of tolerance toward the Bahá'í community.

In 1984, the United Nations Commission on Human Rights adopted a new resolution calling for the appointment of a special representative, responsible

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for the human rights situation in Iran, and the treatment of Bahá'ís in that country. Mr. Andres Aguilar was appointed to the post and was replaced in 1986 by Mr. Reynaldo Galindo Pohl who made three visits to Iran under the mandate of the United Nations Human Rights Commission. In anticipation of Mr. Pohl's first visit in January 1990, the Iranian government began to release a large number of the more than 750 imprisoned Bahá'ís. Moreover, Bahá'í children were allowed to return to school, but still forbidden university attendance. While the BIC acknowledged the improvement in conditions in Iran vis-à-vis the Bahá'ís, it noted that the Bahá'ís were still denied access to their holy places, prohibited from practicing their Faith and excluded from the constitution. This was confirmed by Mr. Pohl's report. Mr. Pohl was invited for a second visit in October 1990. This trip proved less fulfilling than the first, as illustrated in Mr. Pohl report stating that

With respect to the situation of the Bahá'í minority, many documents signed by administrative authorities have been received, providing evidence of discrimination, confiscation, rejection by universities, suspension of pension, demands for the return of pensions earned and paid, denial of passports and other irregularities ... This keeps the Bahá'ís in a perpetual state of uncertainty about their activities. The government should therefore be requested to take effective action to ensure that these Iranian citizens enjoy the same civil and political rights as the rest of the population.⁵³

A third visit was initiated in December 1991 to assess improvements in Iran resulted in more severe criticism of Iran's human rights practices, particularly against the Bahá'ís who did not present any threat to the Islamic regime and its mandate. This third report noted that while there had been no further executions, harassment and discrimination continued in the same manner as stated in the representative's previous report. Following these harsh reports, the situation of the Bahá'ís seemed to worsen. For the first time in four years, a Bahá'í prisoner was executed in March 1992. This was followed by several random murders and two more execution orders.

In 1993, a secret government memorandum drafted by the Supreme Revolutionary Cultural Council discussing the policy relating to the 'Bahá'í question' was discovered.⁵⁴ This document clearly stated that the government's objective is to ensure that the "progress and development" of the Bahá'í community "shall be blocked."⁵⁵ The paper included the signature of President Ali Khamenei and exposed the true intention of the Iranian government toward the Bahá'í community. The situation of the Bahá'ís has somewhat improved since 1992. Although two Bahá'ís were killed in 1997 - and four are presently under death sentence, two of these for apostasy - the number of Bahá'í prisoners has been

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reduced to less than 20. Children are again allowed to register and attend school, and Bahá'ís are more easily able to travel to and from the country. But this does not mean that Bahá'ís live freely without harassment and discrimination. They may be arrested for religious belief. Bahá'í youth are still prohibited from attending university and most recently the fourth year of high school. Employment discrimination continues in the form of denial of jobs and pensions, and the right to inherit property is denied. Most importantly, they are denied the freedom to practice their Faith as a community, and to elect administrative bodies despite the fact that “they have never engaged in illegal activity nor participated in any form of opposition to the government.”⁵⁶

The Ideological Roots of the Persecution of the Bahá'ís In Iran

There are two ideological sources to the persecution of the Bahá'ís in Iran, one theological, and the other social. The first relates to the Bahá'í belief that Bahá'u'lláh is the latest Messenger of God with teachings for this age in the development of humanity. According to Muslim interpretations of the Qur'an, the Prophet Muhammad is the *last* of God's Divine Messengers, the *seal of the prophets*.⁵⁷ In light of this verse and its interpretation, Bahá'ís are seen as heretics and apostates who have renounced the true religion of God for belief in heresy. This classification of Bahá'ís as apostates condemns them to death as prescribed by the Qur'an and the Sunna.⁵⁸

The second pertains to particular teachings in the Bahá'í Faith that were (and are) perceived as a threat to the Islamic establishment and social order. The most contentious of the Bahá'í teachings from the perspective of the Muslim clergy has been those pertaining to equality of rights and opportunities for the sexes, which has been regarded as a moral threat, and the abolition of the clergy which they perceived “would bring to an end the system of tithes, endowments, social precedence, and political power which they have always regarded as their religious right.”⁵⁹ Both of these, played a role in provoking the latest episode of persecutions in Iran. The accusation of apostasy however, has served as the most profound premise for persecution. This relates directly to Western and Islamic notions of human rights and particularly the freedom of conscience and religion.

Western Notions of Human Rights

Present-day Western (Judeo-Christian based) and Islamic notions of what constitutes individual human rights and freedoms are deeply tied to the his-

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torically related philosophical developments within each of these civilizations. The history of Western Christianity illustrates a constant struggle to distinguish between the 'personal' and the 'external' which in society has translated into a separation between church and state, thus "restricting the legitimate control of civil coercion over religious life."⁶⁰ As Little explains,

...to hold that true belief is not a matter of external causes, but of deeply felt inward motions, is to affirm, by implication, the importance of establishing a "free zone" where individuals are permitted to negotiate their spiritual life according to the dictates of their own best inner judgment.⁶¹

Early Christianity focused on the intensifying of the inner, personal experience and contributed to the development of the idea of conscience as a natural and abiding focus of attention which served as "a private monitor, as a deeply internal self-reflective and self critical operation that defined, at bottom, what it meant to be a self or a person."⁶² Hence Christian thought came to admonish freedom of conscience. The writings of Thomas Aquinas and St. Augustine were instrumental in this development. Little explains that for Aquinas "a person's will is totally dependent upon the recommendations for action put to it by the conscience" and therefore "the argument moves in the direction of tolerating conscientiously held beliefs and actions with which one may profoundly disagree."⁶³ D'arcy's study of Aquinas and Augustine shows that both agree that "The act of faith is essentially a free act; without an interior, free choice of the will there is no valid act of faith at all. It is therefore not lawful to use compulsion in any way to force Jews or pagans to accept the Christian Faith."⁶⁴ In the final analysis, as St. Augustine affirms that "a person can do other things against his will; but belief is possible only in one who is willing... unwilling belief is an impossibility. The only valid act of faith is that which proceeds from a free, interior choice."⁶⁵ This has translated into practice in the way that Christians - in general - may disagree with another creed, but will not seek to force change.

These Western ideals have clearly inspired the relevant portions of all United Nations documents relating to human rights, and particularly those discussing the freedom of conscience and religion. These documents define the individual person as, "a spiritually free being who is, within wide limits, accorded sovereignty over mind, conscience, and spirit..."⁶⁶ This leads to the belief that,

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...the right to religious freedom and conscience rests upon the deep conviction that human beings are fulfilled in being guided by 'reason' and by persuasion, rather than by external 'causes' and controls. In short, to conceive of human beings in terms of an indefeasible 'right to freedom of thought , conscience, religion and belief' in the words of the Declaration against Intolerance, is itself to affirm and to seek to guarantee the 'natural' irreducibility of the human spirit.⁶⁷

Islamic Notions of Human Rights

Unlike Christianity, Islam does not make a separation between the spiritual and the civil. For Muslims, the Qur'an represents a complete book of laws pertaining to one's spiritual as well as social existence. Hence, there is no separation in Islam between 'church' and state. As seen under the leadership of the Islamic caliphs, spiritual and temporal power were inseparable and interconnected.

In matters of law, Islam does not make a separation between the spiritual and the civil, and Muslims agree that the Quran is the undisputed source of all law in Islamic society. Of the approximately 500 Quranic verses, approximately 80 are considered as articles of code, and beyond this, Muslims rely on *sunna*, *ijma*, and *Qiyás* for further guidance and clarification on laws.⁶⁸

1. The sunna to the oral traditions that are extracted from reliable sources about the sayings and activities of the Prophet Muhammad, providing clarification about conduct.
2. Ijma refers to the decisions that are arrived at through consultation and consensus among learned learned scholars of Islam.
3. Qiyás refers to comparison by analogy⁶⁹ which provides further clarification on laws and ordinances. Shia Islam does not use Qiyás, and prefers to rely on 'aql or reason.

Islam recognizes that human beings can reject this guidance, "although they cannot produce any valid excuse for its rejection."⁷⁰ Hence, "human beings are given the choice to accept or reject the faith, and they bear the consequences of their choice."⁷¹ Rejection leads to misguidance which the Qur'an considers as "God's response to unsatisfactory actions or attitudes on the part of individuals who have chosen to reject the faith."⁷² A second relevant point is the Muslim distinction between *islam* (submission), and *iman* (faith), "that is, between a submission to sacred authority that might be coerced or compelled by human beings ... and the faith born of voluntary consent, free of human coercive inter-

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ference, developing from a keen spiritual and moral awareness and motivation."⁷³ The Qur'an clearly suggests that it is God who puts *iman* in the heart of man, which thereby produces *islam*. Qur'anic verses clearly state that compulsion is not allowed.⁷⁴ Another example reads,

And if thy Lord had willed, whoever
is in the earth would have believed,
all of them, all together. Wouldst thou [O Muhammad]
then constrain the people, until
they are believers?
It is not for any soul to believe
save by the leave of God; and He lays
admonition upon those who have
no understanding.⁷⁵

This has been interpreted to suggest that "submission to the will of God must come through voluntary consent" and that "even the Prophet, the bearer of revealed guidance, should not compel the people to believe."⁷⁶ Hence, the Qur'an, the most authoritative of the three sources of jurisprudence teaches the freedom of conscience and religion.

I have attempted to demonstrate that there is agreement in Islamic and Western notions of the freedom of conscience and religion. The tolerance expressed in Islamic scripture however, does not extend to believers who then choose to change their faith. These individuals are designated apostates who have broken their covenant with Allah and the Prophet, and present a threat to the umma, the community of believers. The problem of applying Islam's liberal principles into practice arises then, in relation to other scripture within the Qur'an expressing intolerance for disbelief, encouraging compulsion to Islamic Faith and prescribing severe punishing for those who do not believe. The essence of the legitimization of the Islamic Republic's persecution of the Bahá'í community therefore, lies within these passages and their interpretation.

Islamic Opposition to the Universal Declaration of Human Rights

Islamic opposition to the UDHR began in the early days of deliberation on the document, and focused primarily on Article 18 which states:

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Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in a community with others in public or in private, to manifest his religion or belief in teaching, practice, worship and observance.⁷⁷

The opposition was so great in fact, that a number of Islamic countries unsuccessfully attempted to delete this article all together. Objections were expressed again in relation to two proposed sections of the International Covenant on Civil and Political Rights, namely section 2 stating that “No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice” and article 26 which added a further guarantee of equal protection of the law against any form of discrimination “on any ground such as race, ... sex, ... or religion.”⁷⁸ Tabandeh explains this vehement contention as follows:

Freedom of thought, of conscience and of belief is allowable [in Islam] to the extent that it does not clash with the Qur'an or with Islamic Canon Law. No one's freedom gives him the right to blaspheme or to curse God, His Prophets or His Saints. Whoso commits this sin is liable to punishment.⁷⁹

This narrow interpretation of the Qur'an's teachings on the freedom of conscience and religion may relate not only to the seemingly contradictory verses in the Qur'an on the subject, but is also largely a consequence of the historical development of Islam, and the textual and historically based preoccupation with “the political threat of religious unbelief.”⁸⁰ Hence the liberal spirit of Islam as discussed earlier in the paper, must be weighed against statements in the Qur'an “demanding the use of force in achieving one of the central ideals of Islamic revelation, the creation of a just social order.”⁸¹

The historical roots of this intolerance are more profound. When the Prophet Muhammad died in 632 C.E., there was immediate threat of division and disunity within the community in regards to His successor. The community selected Abu Bakr, a long time companion of the Prophet as the temporal and spiritual leader of the *uma*. One of the greatest challenges facing Abu Bakr as a new leader was to keep the tribes of Arabia united. In order to facilitate this “Abu Bakr, and jurists since then, condemned secession from Islam (*ridda*) as “an offense both against God and against the state: it is both apostasy and treason.”⁸² This attitude illustrates the Islamic emphasis on the individual's obligation not only to God but to community, and demonstrates the primacy of collective over individual rights. Tabandeh articulates the Muslim position in his book *A*

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Muslim Commentary on the Universal Declaration of Human Rights. He explains that:

Religious minorities who follow the one true God and the revelation given to a prophet of His - like Jews, Christians, Zoroastrians - enjoy complete freedom within limits of their own faith, can pursue its services and ceremonies openly and make their lives conform to its regulations and precepts. But followers of a religion of which the basis is contrary to Islam, like those who demand Islam's extirpation, have no official rights to freedom of religion in Islamic countries or under an Islamic government, nor can they claim respect for their religion, any more than in certain countries definite political parties which are contrary to the ideology of the regime can claim freedom since they are declared to be inimical to the welfare of that land and people.⁸³

Hence, the presence of non-Muslims who are not referred to in the Qur'an as people of the book is perceived as a great threat to both Islam and its community. And for the protection of the faith, the land and the people, this presence must be controlled and if possible, removed.

The most recent Muslim opposition has been to the draft of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. Efforts there resulted in the United Nations General Assembly decision to change some of the wording in the Declaration referring to the "right to choose, adopt, or change one's religion,"⁸⁴ thereby allowing for Muslim states to ratify this convention. Again, Tabandeh attempts to present the Muslim opposition to choice and changing of faith by stating,

There are also difficulties in accepting this clause in that it affirms the individual's freedom to change his religion and confession ... the decision to change religion may be forced on a person under pressure or duress: or again it may be induced by false motives like the desire to get a divorce under the easier conditions of some other doctrine. There is however, a still more important and fundamental objection to the freedom to change religion. No man of sense, from the mere fact that he possesses intelligence, will ever turn down the better in favour of the inferior. Anyone who penetrates beneath the surface to the inner essence of Islam is bound to recognize its superiority over the other religions. A man, therefore who deserts Islam, by that act betrays the fact that he must have played truant to its moral and spiritual truths in his heart earlier. If he pleads doubt as his reason, he must be saved from uttering falsities by a calm discussion. These are all possible motives. Their very nature makes it plain that they should not be given encouragement of any kind, let alone by an international law. Such a pronouncement as this clause permitting freedom of choice can only result in confusion both in the individual's mind and in the moral and spiritual stability of society.⁸⁵

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There are a number of problems associated with this statement. On the one hand, Tabandeh acknowledges the gift of intelligence, on the other he suggests that freedom would lead to confusion in the individual's mind. The claim of the superiority of Islam is also troublesome in that it presents an exclusivist and ethnocentric view which has served as a premise for persecution throughout Islamic history of those classified as apostates.

Allegations of Apostasy and the Persecution of the Bahá'ís in Iran

Apostasy is considered the most bane of crimes in Islam, and 'has come to be included in Islamic law as one of the *hudud*, or capital crimes, along with adultery, defamation and slander, alcoholism, theft, brigandage, treason, murder and armed rebellion."⁸⁶ Islam distinguishes between two types of apostates; The first refers to *fetri* apostates "who break with their faith" that is, "whose parents are Muslims, and who was born into the Islamic 'fetre' or tradition, but after coming of age turns from his religion."⁸⁷ According to the Qur'an, for these individuals there is no repentance,⁸⁸ "for he has deserted his natal faith and traditional philosophy."⁸⁹ Such a person is "like a diseased member of the body politic, gangrenous, incurable, fit only for amputation, and must be executed."⁹⁰ Another example of a *fetri* apostate is one who embraces Islam and then changes his mind. Such an individual must be reasoned with for three days. If he does not repent and return to the Fetre, he too is punishable by death under the law of the Shari'a.

The second category of apostasy refers to those "who break loyalty as a citizen, e.g. one who contravenes the constitution or plays traitor against his own government ..."⁹¹ Such a person is also perceived as a threat to social order and is punishable by death. Tabandeh and other Islamic jurists⁹² adopt this extremist position based on their interpretation of textual references that condemn the apostate to death. For example, Sura 4: 89 says,

They [the disbelievers] wish that you should disbelieve as they disbelieve, and then you would be equal; therefore take not yourselves friends of them, until they emigrate in the way of God; then if they turn their backs, take them and slay them wherever you find them; take not to yourselves any one of them as friend or helper.

And again in Sura 5:33,

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This is the recompense of those who fight
against God and His Messenger, and hasten
about the earth, to do corruption there:
they shall be slaughtered, or crucified, or their hands and feet shall
alternately
be struck off, or they shall be banished
from the land. That is a degradation for them
in this world; and in the world to come awaits them a mighty
chastisement.

According to Sachedina, the severe prescription decreed in these Qur'anic passages are reinforced by statements of the Prophet as reported in the *hadith*. These include stories of Muhammad having said that "He who changes his religion must be killed" and by reports of apostates losing their hands and feet before being killed during the Prophet's lifetime.⁹³

The question that arises in one's mind is how can there be two different messages expressed in the Qur'an and Sunna; one of tolerance and forbiddance of compulsion and the other prescribing force in conversion, and death as a punishment for those who do not. Dr. Abdullahi An-Na'im explores this discrepancy in his analysis of Shari'a in the book *Toward an Islamic Reformation: Civil Liberties, Human Rights and International Law*. Dr. An-Na'im points out that whereas the Qur'anic verses revealed in Mecca encouraged peaceful persuasion, and allowed for the freedom of choice to accept or reject Islam, the Qur'an and Sunna of the Medina stage sanctioned, and under certain conditions required the use of force in conversion and the punishment of death for those who refused Islam. He explains this inconsistency by explaining that,

To reconcile these apparent inconsistencies, the founding jurists engaged in a process of *naskh* (abrogation or repeal) of certain texts of the Qur'an and Sunna to produce a coherent and comprehensive system of Shari'a which was consistent with the totality of the Qur'an and Sunna. Thus, to justify compulsion as opposed to freedom of choice in religion, and to give legal efficacy to verses sanctioning the use of force against non-Muslims and renegade Muslims, the founding jurists deemed that the verses enjoining freedom of choice and peaceful persuasion were abrogated or repealed by the verses authorizing compulsion and the use of force.⁹⁴

An-Na'im argues that these decisions based on *ijma* are inadequate and inappropriate because *ijma* is "never to be exercised in matters governed by clear and definite texts of Qur'an and Sunna."⁹⁵ Hence, the jurists' decision on the subject being based on their interpretation on the Medina-stage revelation as binding law (because they were not changed by the Prophet before his death)

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may be flawed. And therefore, evidence that the Qur'an allowed for freedom of choice in the practice of religion, the Shari'a is based on a more limited and politically motivated interpretation.

The Bahá'ís have long been accused of apostasy. In the case of those who were arrested and provided with a trial, the charge entered has always included apostasy. In every case, Bahá'í individuals were given the opportunity to recant their faith and return to Islam, and in so doing enjoy freedom or face death. In the vast majority of the cases, despite severe torture and threats to one's families, Bahá'ís refused to denounce their faith. However, there were a number of Bahá'ís, who did sign the statement of recantation. In these cases, the government would publish a copy of the statement in the local newspapers as evidence of their success.

Other Allegations Related to the Persecution of the Bahá'ís in Iran

In addition to the charge of apostasy, Bahá'ís have been accused of supporting the Shah's regime; of being Western agents determined to destroy Iran's traditional Islamic society; and of being agents of Zionism and spies for Israel. These are clearly false allegations. The Bahá'í duty to obey their government would not allow for Bahá'ís to support or denounce the Pahlavi regime, and the Bahá'í community was in no way responsible for its rise to power or its fall therefrom. Under the Pahlavi regime, Bahá'ís did not accept political positions in government, and focused their activities on in the civil service, non-political positions in government, and philanthropy.

The Islamic regime's affiliation of the Bahá'ís to Zionism and Israel stems from the location of the Bahá'í world centre in Haifa, Israel. This is not associated in any way to Bahá'í support - or lack thereof - for the state of Israel, but relates to the fact that Bahá'u'lláh's last venue of exile and place of death was in that area, then known as Palestine. Bahá'u'lláh was imprisoned, and subsequently under house arrest in Akka, until his passing in 1892. His prison cell, his home and his place of burial have been holy places of great significance for Bahá'ís around the world long before the state of Israel was created. These allegations provide the Iranian leadership with a convenient rationale to continue their religiously motivated persecution. They and many in the general population know that allegations of Bahá'ís political support for the governments of the Shah, the 'Evil West' and Israel are completely false. Though these excuses are used to justify persecution under the guise of treason, it is a well known fact that the Bahá'ís are persecuted for one reason only, their religious convictions.

The Universal Declaration of Human Rights, Cultural Relativism and
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Every day, religious persecution occurs somewhere in the world. Iran is not the only perpetrator, and the Bahá'ís are not the only victim. The Universal Declaration of Human Rights and its associated covenants were created to end this tragedy. Unlike previous eras, individuals and communities are theoretically protected under the various Articles of the UDHR guaranteeing a variety of rights and freedoms. At the present time, the Bahá'ís of Iran are denied *all* the rights and privileges guaranteed in the Universal Declaration, to which Iran is a signatory. They are not entitled to all the rights and freedoms set forth in the UDHR (article 2); they do not enjoy the right to life, liberty and security of the person (article 3); they have been subjected to torture and inhuman punishment (article 5); they do not have the right of recognition as a person before the law (article 6); they do not enjoy equal protection without discrimination under the law (article 7); they have been and continue to be subjected to arbitrary arrest and detention (article 9); when arrested, they are not provided with a fair and public hearing by an independent and impartial tribunal (article 10); they are not presumed innocent until proven guilty (article 11); they have been subjected to arbitrary interference with privacy, home, family and correspondence (article 12); they did not and some still do not have freedom of movement (article 13); they do not have the right to own property (article 17); they do not have the right to freedom of conscience and religion (article 18); they do not have the right to the freedom of peaceful assembly and association (article 19); they do not enjoy equal access to public services (article 21); they do not have the right to social security (article 22); they are denied the right to work, and equal pay (article 23); they do not have an adequate standard of living (article 25); and they are deprived of the right to education (article 26).⁹⁶

The case of the Bahá'ís, and other examples of religious persecution challenge the efficacy and potency of the United Nations and the Universal Declaration of Human Rights from protecting individuals from persecution and human rights violations. The case of the Bahá'ís however, also shows that international pressure can indeed bear fruit and help to protect victims of oppression. The concerted criticism of the international community and the United Nations clearly prevented another potential holocaust in this century. As we approach the twenty first century, it is of utmost importance for the United Nations and its member nations to increase their commitment and efforts to human rights protection. One important dimension of this has been the promotion of human rights education. Human rights education has been defined as

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training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the molding of attitudes which are directed to: strengthening of respect for human rights and fundamental freedoms; full development of the human personality and the sense of its dignity; promotion of understanding, tolerance, gender equality and friendship among all the nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups; enabling of all persons to participate effectively in a free society; and the furtherance of the activities of the United Nations for the maintenance of peace.⁹⁷

After all, "Knowledge of basic human rights by the individual is necessary because, ultimately, human rights are respected and protected - or violated - by individuals, even if they are acting in some official capacity."⁹⁸ To recognize the significant role of education in protecting and promoting human rights, the United Nations General Assembly has proclaimed 1995 - 2005 as the United Nations Decade for Human Rights Education.

The United Nations should make it a goal to impart human rights education at all levels of society, from children to government leaders. Furthermore, the United Nations General Assembly should consult on ways to enforce the objectives of the UDHR. It should be clear that as signatories, national governments are bound - and should be required - to fulfill their obligations to the UDHR and the United Nations, or be reprimanded. Only then can the translation of principle to practice become feasible.

Footnotes

- 1 The Shari'a refers to Islamic canon law and contains the totality of Allah's commandments relating to every aspect of human activity.
- 2 Population of at least 300,000.
- 3 Such as collective rights of minority groups which is not addressed in the UDHR.
- 4 Tahzib, B. (1995). Freedom of Religion or Belief. Ensuring Effective International Legal Protection. The Hague, The Netherlands: Kluwerlaw International. p. 15.
- 5 Armstrong, K. (1997). Jerusalem: One City, Three Faiths. New York, NY: Ballantine. p. 2.
- 6 Levin, L. (1996). Human Rights: Questions and Answers. Paris, France: UNESCO Publications. p. 16.
- 7 *ibid.* p. 1.
- 8 Freedom of expression; freedom of faith; freedom from want; and freedom from fear.
- 9 *ibid.* p. 5.
- 10 Ishay, M. (1997). Universal Declaration of Human Rights. The Human Rights Reader: Major Political Essays, Speeches, and Documents from the Bible to the Present. New York, NY: Routledge Inc. p. 407.

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- 11 Weinberg, M. (1998). *The Human Rights Discourse: A Bahá'í Perspective*. The Bahá'í World 1996 - 1997: An International Record. Haifa, Israel: World Centre Publications. p. 249.
- 12 *ibid.*
- 13 *ibid.*
- 14 These three documents make up what is referred to as the International Bill of Rights.
- 15 Levin. p. 23.
- 16 *ibid.*
- 17 Weinberg. p.251.
- 18 Preis, A. (1996). *Human Rights as Cultural Practice: An Anthropological Critique*. Human Rights Quarterly, vol. 18, pp. 287.
- 19 *ibid.*
- 20 Barnes, K. (1997). *Human Rights and Multiculturalism*. Unpublished Manuscript of a paper presented at the "First International Conference on Human Rights" sponsored by the Brazilian Bar Association, 14-17 September 1997, Brazilia, Brazil, p. 2.
- 21 Pollis A., Schwab, P. (1980). *Human Rights: A Western Construct with Limited Applicability*. In Pollis, A., Schwab, P.. eds. Human Rights: Cultural and Ideological Perspectives. New York, NY: Praeger Publications.
- 22 Barnes. p. 2.
- 23 Etzioni, A. (1997). *The End of Cross-Cultural Relativism*. Alternatives, vol. 22, no. 2; Howard, R. (1995). Human Rights and the Search for Community. Boulder, CO: Westview Press.
- 24 Howard. p. 54.
- 25 Beis cited in Weinberg. p. 252.
- 26 Akhavan, P. (1996). *The 1993 World Conference on Human Rights*. In Bradbury, M. & Bushrui, S., eds. Divisive Barbarity or Global Civilization? The Ethical Dimensions of Science, Art, Religion and Politics. Bethesda, MD: University Press of Maryland. p. 190.
- 27 Ishay. pp. 482-485.
- 28 The Báb (lit., 'Door' or 'Gate') was born Ali Muhammad in Shiraz on October 20, 1819.
- 29 Bahá'u'lláh (lit., 'Glory of God') was born Husayn Ali, in Teheran on November 12, 1817.
- 30 Qajar King who reigned in Iran between the years 1848-1896
- 31 The only known exception to this occurred in Nazi Germany when the local administrative bodies of the Bahá'í community in Germany refused to provide the Nazi regime with names of Bahá'ís of Jewish and Gypsy origin. Despite this, many Bahá'ís were arrested and perished in the death camps, the most well-known of whom was Lydia Zamenoff, the daughter of the father of Esperanto Dr. Zamenoff.
- 32 These bodies are referred to as the Local Spiritual Assembly, National Spiritual Assembly and the Universal House of Justice.
- 33 Bahá'í International Community (1993). The Bahá'í Question: Iran's Secret Blueprint for the Destruction of a Religious Community. New York, NY: Bahá'í International Community.
- 34 Martin, D. (1993). *The Case of the Bahá'í Minority in Iran*. The Bahá'í World 1992 - 1993: An International Record. Haifa, Israel: World Centre Publications. p. 247.
- 35 Shi'í Muslims are awaiting the appearance of the 12th Imam. The Bab claimed to represent this figure. This will be furthered discussed in the section on the Ideological Roots of Persecution.
- 36 Martin. p. 249.

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- 37 The Qajar Dynasty was a monarchic dynasty which ruled Iran from 1794-1925. The Shahs in this period included: Aqa Muhammad Shah 1796-1797; Fath Ali Shah 1797-1834; Mohammad Shah 1834-1848; Nasser-al-Din Shah 1848-1896; Muzaffar-id-Din Shah 1896-1907; and Muhammad Ali Shah 1907-1925.
- 38 Bahá'í International Community. p. 8.
- 39 The Chador is a full length piece of cloth worn by women over their head to cover their hair and body.
- 40 The Bahá'ís would not hold official government posts and were therefore appointed to hold positions in different Ministries such as education, culture, etc. There were also a number of Bahá'ís appointed to high positions within the Iranian military.
- 41 Interview with Professor James Cockroft of Rutgers University, published in *Seven Days*, 23 February 1979 and cited in Martin.
- 42 Non-Muslim monotheists (whose religion precedes Islam), are referred to in the Qur'an as *dhimmis*, otherwise known as 'people of the book.' They are considered second-class citizens, and required to pay a special tax (*jizya*) to the Islamic state in exchange for tolerance, and exemption from certain duties such as military service.
- 43 Bahá'í International Community. p. 14.
- 44 Ostling, R. (1984). *Slow Death for Iran's Bahá'ís: A Pacific Faith Appears to be Targeted for Annihilation*. *Time Magazine*, vol. 123. p. 76.
- 45 Most of the Bahá'ís executed were given the opportunity to recant their faith and return to Islam. Their refusal was followed by execution.
- 46 Martin, D. (1984). *The Persecution of the Bahá'ís in Iran: 1844 - 1984*. Ottawa, Canada: Association for Bahá'í Studies.
- 47 Bahá'í International Community. pp. 38, 48.
- 48 This occurred despite the fact that Shari'a does not allow for the execution of female apostates. See Khadduri, M. (1966). *The Islamic Law of Nations: Shaybani's Siyar*. Baltimore, MD: Johns Hopkins Press. p. 205.
- 49 Martin, D. *The Bahá'í World*. p. 261.
- 50 *Khabar-i-Junub*, Shiraz, Iran, 22 February 22, 1983 cited in Martin, D. *The Bahá'í World*. p. 262.
- 51 Bahá'í International Community. p. 44.
- 52 *Kayhán Newspaper* cited in Martin, D. *The Bahá'í World*. p. 262.
- 53 Commission on Human Rights (7 March 1990). *Resolution 1990/79: on the Situation of Human Rights in the Islamic Republic of Iran*.
- 54 Bahá'í International Community. p. 36.
- 55 *ibid.* p. 38.
- 56 Press Release by the National Spiritual Assembly of the Bahá'ís of the United States, 16 January 1998.
- 57 Qur'an 33:40. The exact verse reads: "Muhammad is the father of no man amongst you. He is the Apostle of God and the Seal of the Prophets." An analysis of this verse however, in comparison with other verses of the Qur'an and the sunna, along with historical contextualization suggests alternative interpretations which show that the Muslim interpretation may not be accurate. For an in-depth analysis of this issue see: Farhoumand, C. (1989). *The Seal of the Prophets: A Bahá'í Interpretation*. Unpublished paper.
- 58 The sunna represents a compilation of oral histories or *hadith*, some said to date back to the time of the Prophet, which provides guidance and further elaboration on the Islamic life as

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exemplified in the life of the Prophet Muhammad and his closest peers.

- 59 Martin, D. The Bahá'í World. p. 250.
- 60 Little, D., Kelsay, J., Sachedina, A. (1988). Human Rights and the Conflict of Cultures. Columbia, SC: University of South Carolina Press. p. 13.
- 61 *ibid.*
- 62 *ibid.*
- 63 *ibid.* p. 16.
- 64 D'arcy, E. (1961). Conscience and Its Right to Freedom London: Sheed & Ward Publications. p. 7.
- 65 *ibid.* pp. 7-8.
- 66 Little, D., Kelsay, J., Sachedina, A. p. 26.
- 67 *ibid.*
- 68 Afshar, H. (1998). Islam and Feminism: An Iranian Case Study. New York, NY: St. Martin's Press. p. 2.
- 69 *ibid.*
- 70 *ibid.* p. 59.
- 71 *ibid.* p. 60.
- 72 *ibid.*
- 73 *ibid.* p. 66.
- 74 "No compulsion is there in religion" in Qur'an 2:256.
- 75 See Qur'an 10:99-100.
- 76 Little, D., Kelsay, J. & Sachedina, A. p. 67.
- 77 *ibid.* p. 4.
- 78 *ibid.* p. 5.
- 79 Tabandeh, S. (1970). A Muslim Commentary on the of Human Rights. London: F.T. Goulding & Company Limited. p. 70.
- 80 Little, D., Kelsay, J. & Sachedina, A. p. 6.
- 81 *ibid.* p. 76
- 82 Piscatori, J. (1980). *Human Rights in Islamic Political Culture*. In Thompson, K., ed. The Moral Imperative of Human Rights. Washington, DC: University Press of America. p. 145.
- 83 Tabandeh, S. p. 70.
- 84 *ibid.* p. 4.
- 85 *ibid.* p. 71.
- 86 Little, D., Kelsay, J. & Sachedina, A. p. 7.
- 87 *ibid.* 72.
- 88 See Qur'an 3:89.
- 89 Little, D., Kelsay, J. & Sachedina, A. p. 72.
- 90 *ibid.*
- 91 *ibid.*
- 92 Khadduri, M. pp. 195-229.

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- 93 Little, D., Kelsay, J. & Sachedina, A. Human Rights and the Conflict of Cultures, p. 7.
- 94 An-Na'im, A. (1990). Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law. Syracuse, NY: Syracuse University Press. p. 49.
- 95 *ibid.*
- 96 United Nations. *Universal Declaration of Human Rights*. In Ishay.
- 97 United Nations High Commissioner for Human Rights (12 December 1996). *Report of the United Nations High Commissioner for Human Rights on the implementation of the Plan of Action for the United Nations Decade on Human Rights Education*. (A/51/506/Add.1).
- 98 Bahá'í International Community (1997). *Human Rights Education*. Unpublished paper. p.1.