

# **Religion, Hateful Expression and Violence**

**Morten Bergsmo and Kishan Manocha  
(editors)**

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**Editors of this volume:**

**Morten Bergsmo** is the Director of the Centre for International Law Research and Policy (CILRAP). **Kishan Manocha** is Head, Tolerance and Non-Discrimination Department, Office for Democratic Institutions and Human Rights, Organization for Security and Co-operation in Europe.

***Front cover:** Segment of the painting ‘St. Yves Administering Justice’ by Maestro di Sant’Ivo (1405–1410), the original of which can be seen in Galleria dell’Accademia in Florence (one block from where the project-conference took place). St. Yves (1253–1303), patron saint of lawyers, turns his attention to the poor and victimized. Similarly, religious leaders should protect victims of hate speech by their members or in the name of their community.*

***Back cover:** Detail of the ancient pietra serena frame of the entrance to the CILRAP Bottega in Via San Gallo in Florence. Diametrically opposed to hateful expression (the topic of this book), the hand-carved surface is a loving expression of the meticulous work of the stone mason. The modest pietra serena stone has been quarried from hills outside Florence for centuries. All volumes in this Publication Series display a picture of publicly accessible ground (or frame that leads to the ground) on the back cover. Photograph: © CILRAP 2022.*



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# A Non-Governmental Perspective on the Relative Effectiveness of Multilateral and Bilateral Measures to Combat Hate Speech: An Analysis of Tools Deployed in Response to Religious Hate Speech in Iran

Bani Dugal\*

## 26.1. Introduction

There are many well-documented cases throughout history of the denial of religious belief, which, regrettably, resulted in atrocity crimes. The Holocaust is one of the most extreme examples and did not happen suddenly or in a vacuum. The atrocities committed against the Jewish population took place in the context of centuries of anti-Semitism throughout Europe and many years of discriminatory laws and practices. This history illustrates how, as societies face political instability and insecurity of other types, violence and atrocity crimes can be triggered by ongoing narratives that spread hostility or incite populations to commit violence. At the heart of such acts lies the deeper malady of prejudice. Often rooted in narrow conceptions of identity, prejudice finds expression in narratives of ‘us’

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\* **Bani Dugal** is the Principal Representative of the Bahá’í International Community to the United Nations (‘UN’). She is currently the Vice-Chair of the Steering Committee of the Non-Governmental Organization (‘NGO’) Working Group on the Security Council; serves on the Faith-Based Advisory Council to the UN Inter Agency Task Force for Religion and Development; and is a Co-President and member of the World Council of Religions for Peace. She previously served, *inter alia*, as President of the NGO Committee on Freedom of Religion or Belief; Chair of the NGO Committee on the Status of Women; Co-Facilitator of the UN Gender Equality Architecture Reform Campaign (GEAR); Co-Facilitator of the Faith and Feminism Working Group; and Chair of the Global Forum of the NGO Committee on the UN International Children’s Emergency Fund. She holds an LL.M. in Environmental Law from Pace University School of Law, New York, and an LL.B. from the University of Delhi, India. Prior to relocating to the United States in 1988, she practised law before the Supreme Court of India. She has participated in events such as the Global Conference of Human Fraternity in the United Arab Emirates (2019), fifth World Forum on Intercultural Dialogue in Baku (2019), World Economic Forum (2005, 2015–2019), and UN Women Intergenerational Dialogue Day at the fifty-ninth CSW/Beijing+20 (2015). For an audio-visual recording of her statement to CILRAP’s conference in Florence in April 2022 on the topic of this anthology, please see <https://www.cilrap.org/cilrap-film/220409-dugal/>.

and ‘them’ and the pitting of groups against each other. It veils the truth that every individual forms part of a greater shared collective and undermines more unifying views that see all as protagonists on a common journey. As this deeper ailment is understood and addressed, efforts to combat hateful expressions will become increasingly effective and transformative.

One way in which prejudice is cultivated, often with dire consequences, is through hate speech, which can be one of the first steps towards incitement to violence. Defining what is hate speech may be subjective and therefore controversial. While there is no universal legal definition, hate speech was recently described by UN Secretary-General António Guterres as:

any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor.<sup>1</sup>

At the very least such speech divides, demeans and isolates its targets. While international law prohibits the incitement to discrimination, hostility and violence, which could lead to atrocity crimes, if hate speech does not reach the threshold of incitement to violence, international law does not compel States to prohibit it. This is concerning given the growth in media technologies over recent years which have served as vehicles for propagating online and offline hate speech in all parts of the world. Alarmed by such widespread incidents of hate speech on the basis of religious belief, the international community has increasingly turned its attention in recent years to the matter.

One case that can be considered in regard to such issues is that of the Islamic Republic of Iran. While Iran has claimed to support international efforts to combat hate speech, a systematic campaign of State-sponsored incitement to hatred is underway in that country. The target is the Bahá’í community, which has faced wide-ranging persecution at the hand of Iranian authorities for over a century, particularly since the Islámic Revolution. Since 1979, more than 200 Iranian Bahá’ís have been executed and thousands have been imprisoned. To date, they remain under severe social and economic restrictions. Increasing numbers are deprived of employment and property, young Bahá’ís are barred from higher education, and Bahá’í administrative institutions have been dismantled. All such acts seek to curtail virtually any opportunity for a viable community life. Regrettably, this repression has intensified over the last few years and

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<sup>1</sup> UN Office on Genocide Prevention and the Responsibility to Protect, “United Nations Strategy and Plan of Action on Hate Speech”, 31 May 2019, p. 2 (‘UN Strategy and Plan of Action on Hate Speech’) (<https://www.legal-tools.org/doc/5rrb5b/>).

the systematic use of the media to convey hateful narratives has fuelled opposition to this population.

Section 26.2. of the chapter will provide a brief overview of some of the existing instruments within the international human rights framework that give effect to the “right to freedom of thought, conscience, and religion”,<sup>2</sup> and the corollary duty to protect against discrimination and incitement to such discrimination. The chapter will describe the government of Iran’s responsibilities within such a framework and set the scene for how its actions against the Bahá’ís have constituted a breach of those obligations.

Section 26.3. of the chapter will provide a more in-depth description of the State-sponsored strategy of the Iranian government and clergy to vilify the Bahá’ís on the basis of their religious belief. Accordingly, it will outline some of the main themes present in anti-Bahá’í propaganda in the country, provide a number of examples, including images that depict the extent of such hateful expression, and demonstrate the connection between that propaganda and the violence experienced by the Bahá’ís.

Section 26.4. of the chapter will provide an overview and analysis of the relative effectiveness of the main multilateral strategies pursued during my time as Principal Representative of the Bahá’í International Community’s (‘BIC’) UN Office in response to the situation of the Bahá’ís in Iran. In doing so, the chapter will offer insights from a form of advocacy pursued by the BIC specifically assisting the Bahá’ís in Iran to receive rights that the government of that country has committed to providing to all individuals under its internationally-agreed obligations. Among the strategies discussed are the use of Charter of the United Nations’ (‘UN Charter’) bodies and the Third Committee of the UN General Assembly, as well as engagement with the Special Rapporteurs mandated with investigating such atrocities. The chapter will outline the evolution of international instruments to increasingly engage faith actors to respond to hate speech and provide an analysis of the relative strengths and limitations of such measures. The chapter will also describe some of the bilateral reactions to the persecution experienced by the Bahá’ís in Iran, including the support of assorted national governments, parliaments and intergovernmental bodies, as well as individual leaders within Iran. Additionally, it will explore the response of both the Bahá’ís who face persecution themselves and the broader worldwide Bahá’í community, which has engaged with like-minded collaborators in contributing

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<sup>2</sup> Universal Declaration of Human Rights, UN Doc. A/RES/217(III) A, 10 December 1948, Article 18 (‘UDHR’) (<https://www.legal-tools.org/doc/085437/>). Article 18 includes the “freedom to change [one’s] religion or belief, and freedom, either alone or in community with others and in public or private, to manifest [one’s] religion or belief in teaching, practice, worship and observance”.



to socially, materially and spiritually prosperous, and cohesive societies founded on commitment to the principle of humanity's oneness, in all its diversity.

Having outlined the different responses and their effectiveness, the chapter will conclude with a call to action for the continued development of the international human rights framework, extending responsibilities to faith leaders and communities, and urging that human rights violations against the freedom of religious belief continue to receive due attention.

## **26.2. The International Community's Commitment to Combating Hate Speech and Violence**

### **26.2.1. The International Human Rights Framework**

The international community has widely recognized the need to confront incitement to hatred and violence directed against religious minorities. Since its founding in 1945, the UN has sought to establish equality of rights for all people, everywhere. Its Charter upholds "respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".<sup>3</sup>

The UDHR, approved in 1948 by the UN General Assembly, specifically identified the "right to freedom of thought, conscience and religion"<sup>4</sup> as a fundamental human right. Within that same article is contained the "freedom to change [one's] religion or belief, and freedom, either alone or in community with others and in public or private, to manifest [one's] religion or belief in teaching, practice, worship and observance".<sup>5</sup> A positive obligation is also included: that all people "are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination".<sup>6</sup> In these clauses can be found the roots of a framework that forms the basis of recourse for individuals and communities who suffer human rights violations, indeed, any form of discrimination.

While the UDHR calls for the unconditional protection of the 'internal' right to freedom of religion, the 'external' right to manifest one's beliefs is subject to limitations. Governments are permitted to place restrictions on the right to freedom of religious belief for the purposes of "meeting the just requirements of morality, public order and the general welfare in a democratic society".<sup>7</sup> This latitude extended to States, however, has often been abused in efforts to quell minority populations and has raised questions about what constitutes legitimate governmental interference in manifestations of religion or belief.

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<sup>3</sup> UN Charter, 24 October 1945 (<http://www.legal-tools.org/doc/6b3cd5/>).

<sup>4</sup> UDHR, Article 18, see *supra* note 2.

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*, Article 7.

<sup>7</sup> *Ibid.*, Article 29.

Notwithstanding, the right to freedom of religious belief has been reaffirmed and codified in numerous UN resolutions as well as international covenants and treaties – noteworthy among them, the International Covenant on Civil and Political Rights (‘ICCPR’ or ‘Covenant’).<sup>8</sup> The Covenant guarantees the right to freedom of expression,<sup>9</sup> and, in Article 18, spells out the right to freedom of religion or belief:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.<sup>10</sup>

Condemnation of incitement to discrimination on the basis of religion is expressly articulated in Article 20 of the ICCPR which states that “[a]ny advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law”.<sup>11</sup> Though “incitement to discrimination” does not explicitly constitute hate speech, the implementation of these rights is inextricably linked with its prohibition.

In addition to differences of opinion around extending protection against instances of hate speech within this framework, the drafting of the ICCPR, together with other instruments such as the Declaration on the Rights of the Child as well as the Declaration and International Convention on the Elimination of All Forms of Racial Discrimination, have demonstrated how contested the

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<sup>8</sup> See Nazila Ghanaee, *Human Rights, the UN and the Bahá’is in Iran*, George Ronald Publisher, 2002, p. 66, who describes that the UN Charter referenced non-discrimination in general, but not freedom of religion and belief. See also in that book a discussion on the ICCPR; International Covenant on Economic, Social and Cultural Rights, 3 January 1976 (<https://www.legal-tools.org/doc/06b87e/>); the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, UN Doc. A/RES/36/55, 25 November 1981, Article 2(1) (‘Declaration on the Elimination of All Forms of Intolerance’) (<https://www.legal-tools.org/doc/hexdsg/>); Convention on the Rights of the Child, 2 September 1990 (<https://www.legal-tools.org/doc/f48f9e/>); and UN General Assembly, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, UN Doc. A/RES/47/135, 18 December 1992 (<https://www.legal-tools.org/doc/17hvwd/>).

<sup>9</sup> ICCPR, 23 March 1976, Article 19 (<https://www.legal-tools.org/doc/2838f3/>).

<sup>10</sup> *Ibid.*, Article 18.

<sup>11</sup> *Ibid.*, Article 20.

terrain has been around what constitutes a belief and the extent to which it should be protected.<sup>12</sup> Indeed, the drafting and adoption of such texts have involved robust debate and political compromise. Over the years, different aspects related to freedom of religion or belief have evolved, with clusters of rights emerging around non-discrimination, the rights of religious minorities in general and a broader right to hold or practise a specific religion or belief.<sup>13</sup>

In 2007, Asma Jahangir, the UN's Special Rapporteur on Freedom of Religion or Belief at the time, helped advance thinking around what constitutes the right to freedom of religion or belief, in particular asserting that it was not only limited to officially 'recognized' or 'traditional' religions. In her 2007 report to the Human Rights Council ('HRC'), Jahangir stated:

[F]reedom of religion or belief is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. Furthermore, it has been established that article 18 of the International Covenant on Civil and Political Rights (ICCPR) 'protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief'.<sup>14</sup>

Further multilateral instruments have evolved in response to a growing recognition of the need for more clarity surrounding the nature of the right to hold a religious belief, or not, and its associated protections. A number of these will be outlined in more detail in Section 26.4. Despite challenges of building consensus around such matters, these instruments have been consequential in the evolution of thought around the protection and lived experiences of religious minorities.<sup>15</sup>

Regrettably, however, communities worldwide continue to fall victim to severe hate crimes, including hate speech. More insidious have been those cases where the perpetrator is the State itself, particularly when that State has purported to uphold these internationally agreed upon ideals and obligations. One such case involves the situation of the Bahá'í community in Iran. But before outlining an account of the experiences of this religious minority, it is important to take note of the international obligations Iran has committed itself to, in order to contextualize the gravity of this breach of law.

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<sup>12</sup> Ghana, 2002, p. 93, see *supra* note 8.

<sup>13</sup> *Ibid.*

<sup>14</sup> UN General Assembly, Report of the Special Rapporteur on the Freedom of Religion or Belief, Asma Jahangir, UN Doc. A/HRC/6/5, 20 July 2007, para. 6 (<https://www.legal-tools.org/doc/r8dvwvp/>).

<sup>15</sup> Ghana, 2002, pp. 72–77, see *supra* note 8.

### 26.2.2. Iran's Obligations Under International Law

In 1976, Iran, a signatory to the UDHR, signed the ICCPR.<sup>16</sup> Diplomats representing the Islamic Republic of Iran have always claimed that they are striving to abide by the Covenant, and Iran has explicitly participated in its ongoing application, submitting regular reports to the international Human Rights Committee charged with monitoring its implementation.<sup>17</sup>

In 2005, Iran supported a resolution in the UN General Assembly that, among other things, deplored “the use of the print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination towards Islam or any other religion”.<sup>18</sup> And, in 2009, Iran put forward language at a UN conference on racism and related intolerance that expressed serious concern at “instances of defamation of religions which manifest itself in projecting negative insulting and derogatory images of religions and religious personalities, generalized and stereotyped associations of religions, in particular Islam”.<sup>19</sup>

Iran has also actively participated in discussions on religious hatred in the UN, particularly as it relates to ‘defamation’ against Muslims, whose beliefs have been portrayed by some as fanatical and violent.<sup>20</sup> Negative stereotyping and intolerance – especially following the 11 September 2001 terrorist attacks – has indeed been a concern among nations with Muslim majorities. Iran was thus among a number of Islamic States that proposed a series of resolutions that ultimately resulted in a reaffirmation of the obligation to protect against religious discrimination and incitement to hatred, as well as a strongly worded, unanimously adopted resolution by the HRC in 2011.<sup>21</sup>

Despite the government of Iran's continued support of the right to freedom of religious belief and the need to protect against religious discrimination and incitement to hatred, it would seem incongruent that such a party would actively violate the very right it has sought to give voice to on an international level with increasing degrees of formalization. Yet, as described in the account that follows, Bahá'ís in Iran have consistently been the target of government-

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<sup>16</sup> BIC, “Inciting Hatred: Iran's Media Campaign to Demonize Bahá'ís”, 2011, p. 3 (‘Inciting Hatred Special Report’).

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*, p. 28.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*, p. 3.

<sup>21</sup> *Ibid.*, p. 4. See also UNHRC, Combating Intolerance, Negative Stereotyping and Stigmatization of, and Discrimination, Incitement to Violence and Violence Against, Persons Based on Religion or Belief, UN Doc. A/HRC/RES/16/18, 12 April 2011 (‘Istanbul Process’) (<https://www.legal-tools.org/doc/0a86d2/>).

led discrimination and Iranian officials have repeatedly peddled obvious falsehoods, such as denying that Bahá'ís are persecuted and claiming that Bahá'ís are virtually non-existent as a group. At the heart of such denials is a claim made that the Bahá'í Faith is not a 'divine' religion in the understanding of Islám, as if such a fact would exclude the minority from the protection afforded by international guarantees of freedom of religion or belief.<sup>22</sup> Needless to say, such an assertion is flagrantly inconsistent with settled international parameters and definitions of human rights. It is in effect a declaration that the government will only respect the freedom of those deemed worthy of having freedoms, rendering the very understanding of inalienable human rights meaningless.

### **26.3. Background: The Situation of the Bahá'ís in Iran**

The intention of the following section is not to provide an extensive account of the forms of persecution experienced by the Bahá'ís in Iran, which has already been documented in detail elsewhere.<sup>23</sup> Rather, it offers an illustration of the extent to which State-sponsored discrimination can find expression and how violence against a community can be fuelled through hate speech. It is hoped that this section can generate further attention around the situation of the Bahá'ís in Iran and provide further impetus for the development of the international human rights framework specifically in relation to the freedom of religious belief.

#### **26.3.1. Historical Overview of Persecution**

Ever since the Bahá'í Faith was founded in Iran in the mid-nineteenth century by Mírzá Husayn-'Alí, known as Bahá'u'lláh, the religious establishment in Iran has sought to quench that community with fierce opposition, inciting violence against Bahá'u'lláh and his followers.<sup>24</sup> To the Iranian clergy, the Bahá'í Faith has represented both theological heresy and a threat to their influence and authority. The Bahá'í Faith's progressive principles, which advocate, among other beliefs, the advancement of scientific inquiry as being in harmony with religion and the independent investigation of truth, appealed to large segments of the populace and were, thus, perceived as a direct threat to the worldview and power of the clergy.<sup>25</sup> Beyond the challenge the Bahá'í Faith's social and spiritual teachings have posed to the orthodoxy, the very idea that there could be a divine

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<sup>22</sup> Inciting Hatred Special Report, p. 29, see *supra* note 16.

<sup>23</sup> See, for instance, BIC, "Archives of Bahá'í Persecution in Iran" and *id.*, "Situation of Bahá'ís in Iran" (available on BIC's web site).

<sup>24</sup> Such persecution involved the execution of the forerunner of the Bahá'í Faith, 'Alí-Muhammad, the Báb, and the exile of Bahá'u'lláh. See Inciting Hatred Special Report, p. 25, see *supra* note 16.

<sup>25</sup> BIC, "The Bahá'í Question Revisited: Persecution and Resilience in Iran", October 2016, p. 68 ('The Bahá'í Question Revisited').

religion after Islám has been claimed impossible.<sup>26</sup> The faith has, therefore, long been cast as an illicit political movement or cult deserving eradication, sparking episodic outbursts of persecution.<sup>27</sup> From the killing of at least 4,000 of its earliest followers, to the torture and humiliation of thousands more, the oppression has been widespread from the outset.<sup>28</sup>

In the 1970s, immediately preceding the overthrow of the Pahlavi regime, the persecution both grew in scale and took a different form, with accusations specifically by the revolutionary cleric Ayatollah Khomeini that Bahá'ís were “centers of evil propaganda” or “agents of Western powers”.<sup>29</sup> He even went so far as to state, when asked if the Bahá'ís would be given freedom under an Islamic Republic, that “they are a political faction. They are harmful. They will not be accepted”.<sup>30</sup> And specifically in response to the question of whether they would be afforded religious freedom, he simply said, “No”.<sup>31</sup>

By the end of the decade, with Khomeini's rise to political power, the oppression had also been extended into Iranian law.<sup>32</sup> Article 19 of the Constitution of the Islamic Republic of Iran (‘Constitution’), for instance, states that “[a]ll people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; colour, race, language, and the like, do not bestow any privilege”.<sup>33</sup> Conspicuously absent in this clause, however, is any reference to religion, an absence that opens the door to discrimination based on religious belief. Article 13 of the Constitution also states, “Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities”.<sup>34</sup> Yet, the Bahá'í Faith – Iran's largest non-Muslim religious minority and a religion that was born in Iran – is entirely excluded from similar constitutional protection.<sup>35</sup>

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<sup>26</sup> *Ibid.*, p. 62.

<sup>27</sup> *Ibid.*

<sup>28</sup> Inciting Hatred Special Report, p. 25, see *supra* note 16.

<sup>29</sup> Julia Berger, *Rethinking Religion and Politics in a Plural World*, Bloomsbury Academic, London, 2021, p. 60.

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*

<sup>32</sup> Inciting Hatred Special Report, p. 25, see *supra* note 16.

<sup>33</sup> Iran, Constitution, 3 December 1979, Article 19 (<https://www.legal-tools.org/doc/4205c7/>).

<sup>34</sup> *Ibid.*, Article 13.

<sup>35</sup> The Bahá'í Question Revisited, p. 12, see *supra* note 25, which quotes a statement made by then UN Secretary General Ban Ki-moon in a report to the HRC on the situation of human rights in Iran (3 March 2016):

The Iranian Constitution recognizes Christians, Jews and Zoroastrians as protected religious minorities, who are free to perform their religious rites, ceremonies and provide religious education, in accordance with the tenets of their faith. The Constitution does not extend such recognition to other religious groups, such as Bahá'ís, leaving them vulnerable to discrimination and judicial harassment and persecution.

The institutionalized nature of such discrimination, resulting from the wording of the Iranian Constitution, has had a devastating impact in courts as Iranian legislation is interpreted to the detriment of the Bahá'ís.<sup>36</sup> In court hearings, many Bahá'ís have been denied the right of redress or protection against assault, killings or other forms of persecution, and in many rulings Iranian citizens who killed or injured Bahá'ís were not held liable because their victims were considered “unprotected infidels”.<sup>37</sup>

In 1980, all nine members of the national Bahá'í governing council, the National Spiritual Assembly of the Bahá'ís of Iran, were abducted and disappeared without a trace.<sup>38</sup> It seems certain that they were executed.<sup>39</sup> In the decade that followed, hundreds of Bahá'ís were killed and even more were tortured or imprisoned.<sup>40</sup> One form of psychological abuse during this period involved offering prisoners the promise of release, conditional upon recanting their faith, an act which they would refuse. This condition, however, constituted clear proof that the persecutions were based solely on religious belief.<sup>41</sup>

In the 1990s, after a series of UN resolutions condemned Iran's actions, the Iranian government ceased the outright killing of Bahá'ís and shifted its approach to a form of persecution which, though less blatant, was just as insidious.

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<sup>36</sup> *Ibid.*, p.11. In both criminal and civil cases, judges or prosecutors often merely need to cite the fact that a defendant or plaintiff is a Bahá'í as evidence against them. See also *The Bahá'í Question Revisited*, pp. 18–19, see *supra* note 25, as an example of the treatment of Bahá'ís in the courts. In that case, 24 Bahá'ís in Gorgan were summoned to court in December 2014, and their lawyer was given only 15 minutes to read 5,000 pages of court documents. Prior to the court hearing, the lawyer was threatened during a meeting with representatives of the Ministry of Intelligence and a cleric. In addition to judicial misconduct, Bahá'ís – like so many others in the Iranian judicial system – are often beaten or tortured while in custody. Several of the 24 in Gorgan were beaten during their interrogation. Other Bahá'ís have faced long stints of solitary confinement during their detention. Extreme verbal or psychological abuse is also common. For another case, see *The Bahá'í Question Revisited*, p. 21, see *supra* note 25, which outlines the trial of the seven Bahá'í leaders known as the Yárán or ‘Friends in Iran’. In that case, the individuals were not told of the charges against them for their first year of detention, and had virtually no access to lawyers. During their trial, remarks from the bench indicated extreme prejudice on the part of the judge. According to one of their lawyers, Mahnaz Parakand,

[t]he bill of indictment [...] was more like a political statement, rather than a legal document. It was a 50-page document [...] full of accusations and humiliations levelled against the Bahá'í community of Iran, especially our clients. It was written without producing any proof for the allegations.

<sup>37</sup> *Ibid.*, p. 64.

<sup>38</sup> *Ibid.*, p. 63.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*, p. 65.

The strategy involved the systematic social, economic and cultural exclusion of the Bahá'í community in every facet of life.<sup>42</sup> A significant feature of this approach was that it was supported and directed by the highest levels of the government, including through the direct participation of the Supreme Leader Ayatollah Ali Khamenei.<sup>43</sup> In 1991, for instance, a memorandum was drafted by the Supreme Revolutionary Cultural Council and signed by Khamenei.<sup>44</sup> Specifically addressed as “the Bahá'í Question”, the memorandum established a national policy to promote the gradual eradication of the Bahá'í community as a viable entity in Iranian society.<sup>45</sup> The memorandum explicitly states that “their religious [...] activities should be answered by giving them religious and cultural responses, as well as propaganda”, that “[p]ropaganda institutions (such as the Islamic Propaganda Organization) must establish an independent section to counter the propaganda and religious activities of the Bahá'ís”, and that “[a] plan must be devised to confront and destroy their cultural roots outside the country”,<sup>46</sup> evidence of which can be found in Yemen and other places.<sup>47</sup> This memorandum has never been rescinded, and continues to remain in effect by references to it in other more recent policy documents.<sup>48</sup>

In 2005, the crackdown on the Bahá'ís was deepened further by the former president Mahmoud Ahmadinejad, with more than 860 arrests, at least 240 Bahá'ís having been expelled from university, thousands more being blocked from enrolling in higher education, as well as over 950 specific incidents of economic discrimination.<sup>49</sup>

Further, in 2013, a series of ‘*fatwás*’ by Ayatollah Khamenei were published declaring that any interaction with Bahá'ís was unlawful.<sup>50</sup> Taking various forms over the years, the government-initiated strategy has also involved directives that permit the expropriation of Bahá'í-owned property, the

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<sup>42</sup> Inciting Hatred Special Report, p. 26, see *supra* note 16.

<sup>43</sup> The Bahá'í Question Revisited, p. 8, see *supra* note 25. See also Geoff Cameron and Nazila Ghanaea, “Bahá'ís in the Middle East”, in Paul S. Rowe (ed.), *Routledge Handbook of Minorities in the Middle East*, Routledge, London, 2018, p. 174.

<sup>44</sup> The Bahá'í Question Revisited, p. 8, see *supra* note 25.

<sup>45</sup> *Ibid.*

<sup>46</sup> *Ibid.*, p. 95, which lays out the text of “the Bahá'í Question” memorandum.

<sup>47</sup> Cameron and Ghanaea, 2018, p. 180, see *supra* note 43.

<sup>48</sup> *Ibid.*, p. 9.

<sup>49</sup> The Bahá'í Question Revisited, p. 2, see *supra* note 25. These figures, as do all such statistics throughout this chapter, reflect the minimum number of incidents. Because of restrictions on the free flow of information, as well as the reluctance of Iranian Bahá'ís to complain or call attention to themselves, there are undoubtedly many more incidents of persecution than have been reported to the BIC.

<sup>50</sup> *Ibid.*, p. 52.



destruction of Bahá'í Holy Places, the dismissal of Bahá'ís from many forms of work, the cancellation of pensions, the expulsion of Bahá'ís from universities and the denial of their higher education, the criminalization of membership on Bahá'í institutions and the surveillance by intelligence and police officials of the activities of the Bahá'ís.<sup>51</sup>

Since that time, the government has stepped up its harassment of the Bahá'ís. This has involved fine-tuning its policy of oppression with an escalation in revolving-door arrests and detentions, a rise in the number of Bahá'ís imprisoned, and a series of government memoranda that announce or reiterate explicitly anti-Bahá'í policies.<sup>52</sup> The approach, which still continues today, involves a process of 'othering' and seeks to portray the Iranian Bahá'ís as outsiders in their own land.<sup>53</sup> In summarizing the experience of the Bahá'ís, a top UN human rights official stated that the government-led persecution spans "all areas of state activity, from family law provisions to schooling, education, and security".<sup>54</sup> Put simply, the oppression of Iranian Bahá'ís extends from cradle to grave.

As mentioned above, this intolerance against the Bahá'ís has, regrettably, expanded throughout the Middle East through a campaign initiated by the Iranian government.<sup>55</sup> Notable is the influence that has extended to Yemen. On 23 March 2018, Abdel-Malek al-Houthi, the leader of the Houthis in Yemen, gave a speech vehemently vilifying and denouncing the Bahá'í Faith.<sup>56</sup> Within days of his speech, over twenty online news sites reiterated his negative comments about the Bahá'í Faith and a prominent Houthi writer and strategist commented on social media "we will butcher every Bahá'í".<sup>57</sup> For the purpose of this case study, however, the analysis will be limited to Iran.

The systematic persecution of the Bahá'ís in Iran can also be understood as the government's response to the Iranian people's struggle for a democratic transformation in the country, where the general population has made demands for greater freedoms and social progress. Indeed, the use of the Bahá'ís as a convenient scapegoat is part of a historical pattern of justifying authoritarianism

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<sup>51</sup> *Ibid.*; *ibid.*, p. 10. See also Berger, 2021, p. 61, see *supra* note 29.

<sup>52</sup> Inciting Hatred Special Report, p. 26, see *supra* note 16.

<sup>53</sup> *Ibid.*, p. 4.

<sup>54</sup> The Bahá'í Question Revisited, pp. 2–3, see *supra* note 25. See also "Persecution of Baha'is in Iran Extends Across all Stages of Life", *Bahá'í World News Service*, 18 March 2013 (available on its web site).

<sup>55</sup> Cameron and Ghana, 2018, p. 180, see *supra* note 43.

<sup>56</sup> BIC, "Inflammatory Speech by the Houthi Leader Targets Baha'is in Yemen with Genocidal Intent", 18 April 2018 (available on its web site).

<sup>57</sup> *Ibid.*

through the construction of imaginary enemies, which is recognized as a means of urging a population to unite in uncritical obedience to their leaders.<sup>58</sup> Efforts to uphold the rights of the Bahá'ís, then, far transcend the security of just one minority group, but also extend to any fair-minded observer who values democratic safeguards.

### 26.3.2. Use of the Media

Beyond the physical acts of exclusion, one insidious element of this persecution has been the government's extensive use of the mass media to convey hateful messages, systematically denigrating and vilifying the Bahá'ís with potentially dire consequences. Since the 1979 Iranian Revolution, the government of Iran has waged a relentless anti-Bahá'í propaganda campaign in the media. This has continued and intensified in recent years, with more than 20,000 such items published or broadcast since the beginning of 2014.<sup>59</sup> Slanders and falsehoods are disseminated in State-controlled and State-sanctioned media through pamphlets, online and print articles, web sites entirely dedicated to condemning the Bahá'í Faith, online software databases, television programmes and radio series.<sup>60</sup> Anti-Bahá'í propaganda is spread from pulpits, in seminars, conferences, symposia, and at public exhibitions and events.<sup>61</sup> The government's campaign to demonize Bahá'ís through propaganda spans all aspects of the life cycle, even reaching children.<sup>62</sup> The diverse content of these attacks demonstrates tremendous effort and commitment of resources by the Islamic Republic.

Through such propaganda, the victims' humanity is denied. Bahá'ís are portrayed as the source of every conceivable evil including the economic and social problems of the country – and often the wider world – justifying their absolute mistreatment.<sup>63</sup> Notable in its volume and vehemence, its scope and sophistication, such propaganda is cynically calculated to stir up antagonism against the Bahá'í community. Even images of Bahá'í Holy Places recognized by the UN Educational, Scientific and Cultural Organization as a World Heritage

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<sup>58</sup> Inciting Hatred Special Report, p. 25, see *supra* note 16.

<sup>59</sup> The Bahá'í Question Revisited, p. 50, see *supra* note 25.

<sup>60</sup> Inciting Hatred Special Report, p. 1, see *supra* note 16.

<sup>61</sup> *Ibid.*

<sup>62</sup> *Ibid.*, p. 21. In an attempt to instil a lifelong prejudice among the young against Bahá'ís, on the last day of school in 2008, school authorities in Shiraz distributed to every primary school child a sealed envelope with a 'gift' from a local publishing company. Inside was a 12-page illustrated story book titled "The Deceitful Babak", which tells a disguised story of the Báb, the Prophet-Herald of the Bahá'í Faith, in an erroneous, mocking, and degrading manner. Other articles geared towards youth are portrayed in the name of enlightening them towards the path of 'truth'.

<sup>63</sup> *Ibid.*, p. 3.

site possessing “outstanding universal value” have been graphically denigrated, not only conveying hurtful narratives about the Bahá’ís themselves, but also acting as a profound source of disrespect against the sacredness which the spots represent for the Bahá’ís.<sup>64</sup>

The increasing intensity of anti-Bahá’í propaganda is a sign of the degree to which Iran has shifted its strategy of persecution from overt to covert – all the while never relenting in its ultimate goal of neutralizing the Bahá’í community as a viable force in Iranian society.<sup>65</sup> After over 30 years of hate propaganda, it seems that the Bahá’ís have become an all-purpose scapegoat, so much so that the Iranian government now feels it can effectively denigrate its opponents by merely accusing them of being Bahá’ís, as if that were the most heinous crime.<sup>66</sup> The propaganda has become increasingly imaginative, weaving together a broad and often contradictory spectrum of inflammatory accusations in often absurd combinations.<sup>67</sup> A number of themes are often advanced, and are outlined in more depth below.

### **26.3.3. Main Themes of Anti-Bahá’í Propaganda**

An analysis of the themes present in anti-Bahá’í propaganda shows a wide range of tactics employed by the government to reach a broad audience. On the one hand, anti-Bahá’í propaganda has purposely been designed to inflame the sensibilities of a traditionally religious audience, professing Bahá’ís as heretics.<sup>68</sup> On the other hand, attempts to appeal to a younger and more secular generation have added the additional layer of casting Bahá’ís as threats to the national identity and existence of Iran.<sup>69</sup>

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<sup>64</sup> *Ibid.*, p. 13.

<sup>65</sup> The Bahá’í Question Revisited, p. 52, see *supra* note 25.

<sup>66</sup> Inciting Hatred Special Report, p. 2, see *supra* note 16.

<sup>67</sup> *Ibid.*, p. 5.

<sup>68</sup> The Bahá’í Question Revisited, p. 51, see *supra* note 25.

<sup>69</sup> *Ibid.*



**Figure 1: This image (of the classic shrouded figure of death) has been used to illustrate a number of anti-Bahá'í articles on government-sponsored or pro-government web sites and blogs in Iran.**

Many attacks are built on gross distortions of Bahá'í history and often use graphic imagery (see, for instance, Figure 1 above). Some attempt a strategy of guilt by association, by lumping Bahá'ís together with completely unrelated groups – such as ‘Satanists’ or the Shah’s secret police.<sup>70</sup> Others deploy a tactic of connecting Bahá'ís with ‘opponents’ of the authorities, which allows the government to discredit both the Bahá'ís and its adversaries in a single transaction.<sup>71</sup> Internally contradictory or patently false, the messages are designed to have the greatest possible emotional impact on the wider population.<sup>72</sup> All of this is reinforced by the absence of more accurate narratives through the systematic censure of information, forbidding anyone to write or broadcast anything in support of the Bahá'ís.<sup>73</sup>

The BIC’s examination of government-sponsored or government-enabled anti-Bahá'í propaganda reveals a number of recurring themes, some of them overlapping.<sup>74</sup> Though not exhaustive, the description that follows provides a broad picture of how the government has advanced a variety of harmful narratives about the Bahá'ís.

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<sup>70</sup> Inciting Hatred Special Report, p. 4, see *supra* note 16.

<sup>71</sup> *Ibid.*

<sup>72</sup> *Ibid.*

<sup>73</sup> *Ibid.*

<sup>74</sup> The Bahá'í Question Revisited, see *supra* note 25.

• *Bahá'ís were supporters of the Pahlavi regime and the late Shah of Iran, and have collaborated with SAVAK, the secret police.*<sup>75</sup> Under this narrative, the Bahá'í Faith is painted as a political organization opposed to the present Iranian government, thereby posing a security threat.<sup>76</sup> Such a portrayal is contrary to the fact that Bahá'ís are required by the basic principles of their faith to show loyalty and obedience to the government of the country in which they live. They therefore neither opposed the Pahlavi regime, nor the present government of the Islamic Republic of Iran. Indeed, members of the community have been obedient to the present government, including, for instance, adhering to the order to disband all Bahá'í administrative institutions.<sup>77</sup>

• *Bahá'ís are anti-Islamic, actively working to undermine Islám.*<sup>78</sup> This narrative conveys that the Bahá'ís have directly participated over the last two centuries in a number of incidents aimed at wiping out and destroying Islám.<sup>79</sup> The narrative also serves to categorize Bahá'ís as enemies of the Islamic Republic and more generally all Muslims.<sup>80</sup> Within this story, the Bahá'í Faith is cast as a 'misguided sect' or somehow associated with other 'deviant', 'cult-like' practices, such as Satanism. Bahá'ís are accused of engaging in acts such as brainwashing and controlling unwitting followers who are purported to have no autonomy to leave the faith if they wished.<sup>81</sup> Ironically, the Bahá'ís have also been accused of co-operating with a virulently anti-Bahá'í movement, the Hojjatieh, that is also perceived as anti-regime.<sup>82</sup> The Hojjatieh Society was founded in the 1950s to oppose the Bahá'í Faith as part of its mandate to protect and purify Islám. However, it was banned in the early years of the Islamic Revolution because its theological views clashed with those of Ayatollah Khomeini.

• *Bahá'ís are agents of Zionism or spies for Israel.*<sup>83</sup> Central to this narrative is the assertion that Bahá'ís are a threat to the existence of the Iranian nation. Framing Bahá'ís as spies for Israel, it also effectively plays on prejudices against Jewish Iranians and the increasing resort to anti-Semitic propaganda,

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<sup>75</sup> *Ibid.*, p. 54. See also Inciting Hatred Special Report, p. 19, see *supra* note 16. 'SAVAK' is the Anglicized acronym for Iran's secret police under the Shah, Sazeman-e Ettela'at va Amniyat-e Keshvar, the National Intelligence and Security Organization.

<sup>76</sup> The Bahá'í Question Revisited, p. 54, see *supra* note 25.

<sup>77</sup> *Ibid.*

<sup>78</sup> Inciting Hatred Special Report, p. 16, see *supra* note 16.

<sup>79</sup> *Ibid.*

<sup>80</sup> *Ibid.*

<sup>81</sup> *Ibid.*, p. 13.

<sup>82</sup> *Ibid.*, p. 5.

<sup>83</sup> *Ibid.*, p. 15.

such as President Mahmoud Ahmadinejad's denial of the Holocaust.<sup>84</sup> Iranian propaganda also makes much of the fact that the world headquarters and a number of important holy places of the Bahá'í Faith are located in Israel. What they fail to mention is that this historical circumstance was driven in large part by the Iranian rulers of the past who banished Bahá'u'lláh in 1868 to the Ottoman prison city of Acre – which now sits within the borders of modern-day Israel – and that the Bahá'í spiritual and administrative home of the faith had been fixed to that geographic spot by Bahá'u'lláh long before it became Israel.<sup>85</sup> From the latter years of Bahá'u'lláh's incarceration in Acre to the present day, the Bahá'í community has been respected by and has enjoyed a peaceful relationship with people of all religious backgrounds in the region.<sup>86</sup>

• *The Bahá'í Faith is 'anti-Iranian' and was created by – or has a historic connection with – imperialist powers, specifically Great Britain or Russia.*<sup>87</sup> This narrative seeks to portray a religion indigenous to Iran as a 'foreign conspiracy'.<sup>88</sup> One claim was that the Bahá'ís participated in – or even planned – the Ashura day protests of December 2009, including charges that they possessed arms and ammunition.<sup>89</sup> The government flooded the nation with anti-Bahá'í propaganda in the period immediately after the protests.<sup>90</sup> The suggestion

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<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*, pp. 15–16. In the early years after the Revolution, Bahá'ís under interrogation were asked such questions as: 'How much money did you send to Israel?'. A number of Bahá'ís were executed on charges of 'spying' for Israel. More recently, the high-profile trial of seven national-level Bahá'í leaders in 2010 also included charges that they were 'spies' for Israel. On that false accusation and others they were convicted and imprisoned for 20 years.

<sup>86</sup> *Ibid.*, pp. 15–16.

<sup>87</sup> *Ibid.*, pp. 12–16. In early 2009, the state-run radio network Radio Maaref began broadcasting a weekly anti-Bahá'í programme called Saraab (Mirage). According to the web site Ayandeye-Roshan, the programmes "analyze the deviant sects, Babism and Bahaism". Aimed at youth, the series reportedly sought to inform listeners about "the connection between Bahaism and western colonialism".

<sup>88</sup> *Ibid.*

<sup>89</sup> *Ibid.*, p. 17. In one example, on 11 January 2010, *Kayhan* newspaper published an article that accused Bahá'ís of not only participating in those protests, but of "managing" them. The article begins with a headline proclaiming: "The think tank behind the Green Movement turned out to be Bahá'ís". Its lead paragraph then promised to present "new clues about the active role played by the colonialist Bahaism party in the management of the green sedition". The article then makes a reference to the "detention of 10 Bahaist leaders" in connection to the protests. This appears to refer to the wrongful arrest, on 3 January 2010, of 10 Bahá'ís who were accused of playing "a role in organizing the Ashura protests" and namely for "having sent abroad pictures of the unrest". Some of the 10 were also accused of having arms and ammunition in their homes. The 10 were never convicted of these alleged crimes, which the BIC exposed as "a blatant lie".

<sup>90</sup> *Ibid.*

that Bahá'ís are instigators of the opposition to the government in Iran – in addition to their alleged links to numerous other conspiracies – is a thinly veiled attempt to deflect criticism of the increasing social ills and economic problems confronting the Iranian nation. Yet, Bahá'ís are actively engaged in supporting social progress and justice in Iran, and are prevented by their religious principles from participating in partisan politics.<sup>91</sup> Such a narrative also claims that foreign broadcasters, in particular the British Broadcasting Corporation ('BBC') and Voice of America ('VOA'), are controlled by or under the influence of Bahá'ís because they cover stories about human rights violations against Bahá'ís, or that Bahá'ís have influence over anti-regime Iranian human rights activists.<sup>92</sup>

• *Bahá'ís are morally corrupt.*<sup>93</sup> This narrative seeks to incite anger among both a more traditionally conservative or religious population as well as a more secular one. Under such a narrative, Bahá'ís are claimed to engage in practices like marrying and having sexual relations with family members or to engage in orgies (see Figure 2 below, which has often accompanied such a narrative).<sup>94</sup> The fact that Bahá'í marriage is not recognized by the government has reinforced this narrative, denouncing Bahá'í wives as prostitutes and leading to charges that Bahá'ís engage in promiscuity and extra-marital affairs.<sup>95</sup> All of this is notwithstanding the fact that Bahá'ís have a strict moral code and attach great importance to good moral behaviour and to the institution of marriage. The principle of the equality of women and men, so central to the Bahá'í teachings, is also often reframed as the “mingling of men and women”, a form of adultery, or the “promotion of feminism”, implying that it is immoral or criminal instead of something to be welcomed.<sup>96</sup> The Bahá'í community's dedication to social progress, equality and justice is thus, in the inverted morality of the propagandists, a cause for its demoralization.<sup>97</sup>

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<sup>91</sup> *Ibid.*, p. 16.

<sup>92</sup> *Ibid.*, p. 10. One example that is often cited is the Nobel Peace Prize Laureate Shirin Ebadi.

<sup>93</sup> *Ibid.*, p. 20.

<sup>94</sup> *Ibid.*

<sup>95</sup> *Ibid.*

<sup>96</sup> *Ibid.*, p. 21.

<sup>97</sup> *Ibid.*



**Figure 2: This image has appeared on a number of pro-government, anti-Bahá'í web sites. It was used, for example, to illustrate an 8 January 2011 story on the *Kalameh News* site claiming that Bahá'ís in Tehran hold meetings on Shí'ah holy days in which men, women and girls pray together – and then shed their clothing, “listen to vulgar music, and celebrate”.**

Analysis of a wide range of media sources demonstrates that the government's tactic involves weaving together several of the above-mentioned themes in each piece of propaganda. One example that clearly demonstrates the nature of anti-Bahá'í propaganda through the use of multiple narratives at the highest levels can be found in a speech delivered in October 2010 by Supreme Leader Ayatollah Ali Khamenei in Iran's religious centre, Qom.<sup>98</sup> The Supreme Leader's anti-Bahá'í remarks were broadcast in their entirety on the national television service, Islamic Republic of Iran Broadcaster, and also reported on by the government's official news agency, the Islamic Republic News Agency ('IRNA').<sup>99</sup> The following are excerpts from the IRNA story, which ran that same day, reporting Khamenei as saying: “Enemies of the Islamic Revolution who intend to inflict damage on the revolution have two main targets, the religion of the people and their devotion to the revolution [...]”.<sup>100</sup> He further added that the country's enemies have raised doubts about religious values in an attempt to weaken the pillars of people's faith,

especially the young generation through promoting immorality, false Sufism, promotion of Bahá'ism and promotion of home-based churches. These are tactics that enemies of Islam, today, carefully

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<sup>98</sup> *Ibid.*, pp. 6–7.

<sup>99</sup> *Ibid.*

<sup>100</sup> *Ibid.*



study and plan with the objective of weakening religion in the society.<sup>101</sup>

Over the weeks following the Supreme Leader's comments, the media continued to provoke antagonism through articles that provided supporting analyses and commentaries of the speech, many of which amplified its anti-Bahá'í theme.<sup>102</sup>

Three significant points are worth noting about this article and its subject. First, the speech was given by Iran's Supreme Leader – whose word is taken to be tantamount to a divine directive. He stands at the top of the government hierarchy, above even the president. Second, the main thrust of the article is about enemies of Iran – and of Islám. It is an appeal both to nationalist and religious passions. By including Bahá'ís in the list of enemies, the Supreme Leader confers upon them a stigma of the worst category. Finally, as demonstrated by ensuing events, it is clear that the speech was part of a premeditated campaign to set a particular tone and direction in State policy.

Another case of a spike in anti-Bahá'í propaganda followed a meeting between Fariba Kamalabadi, a Bahá'í who had previously been sentenced to prison for being one of the seven Bahá'í leaders known as the Yárán or 'Friends in Iran', and another former prisoner who had shared a cell with her, Faezeh Hashemi, the daughter of former President Akbar Hashemi Rafsanjani in May 2016.<sup>103</sup> This meeting sparked a storm of anti-Bahá'í rhetoric and hate speech by officials and religious leaders.<sup>104</sup> One top Iranian government official – judiciary spokesman Gholamhossein Mohseni Eje – called the meeting “a very ugly and obscene act”.<sup>105</sup> Scores of religious leaders joined in making assertions such as, “consorting with Bahá'ís and friendship with them is against the teachings of Islam” and that Bahá'ís are “deviants” who must be “isolated”.<sup>106</sup>

Desecrating the name of anyone and propagating baseless slanders is enough to constitute an affront to anyone's dignity. Yet the challenge with these tactics is that they do not stop at a false accusation aimed to blame a scapegoat. Many of these false claims have been directly linked to an increase in physical violence against the Bahá'ís. There is tangible evidence that many instances of atrocity crimes against the Bahá'ís in Iran are linked to the messages found in

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<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.*

<sup>103</sup> The Bahá'í Question Revisited, p. 56, see *supra* note 25.

<sup>104</sup> *Ibid.*

<sup>105</sup> *Ibid.*

<sup>106</sup> *Ibid.*

the media that spread hostility and hatred or encourage or incite populations to commit violence against them.

#### 26.3.4. Connection Between Propaganda and Violence

In the Iranian context, the incidence of hate propaganda has been marked by a rise in incidents of violence against Bahá'ís and Bahá'í properties, ranging from outright murder to simple vandalism, instigated by the government and carried out by unknown individuals and groups who have been influenced by the messages in the media. These attacks have come above and beyond an increase in arrests, detentions, imprisonments and confiscations undertaken by the government or its agents. Attacks, principally in the form of arson and vandalism on Bahá'í-owned businesses and properties (see, for instance, Figure 3 below), have grown over the last few decades, often accompanied by the sending of anonymous letters, the scrawling of anti-Bahá'í graffiti, and other scare tactics, some amounting to death threats.<sup>107</sup> Since 2005, Bahá'í cemeteries in more than a dozen cities and towns have been vandalized, bulldozed or subjected to fire bombings.<sup>108</sup> These acts are almost always carried out at night.<sup>109</sup>



**Figure 3: A Bahá'í-owned shop in Rafsanjan, Iran, targeted by arsonists. Several businesses run by Bahá'ís there have suffered serious damage in a wave of attacks in the city since 25 October 2010. The attacks were accompanied by an anonymous letter warning “members of the misguided Bahá'ist sect” not to teach their faith.**

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<sup>107</sup> Inciting Hatred Special Report, p. 22, see *supra* note 16.

<sup>108</sup> *Ibid.*, p. 23.

<sup>109</sup> *Ibid.*

By way of illustration, during the period between 2008 and 2010, a series of incidents took place in the city of Semnan, which involved the firebombing of Bahá'í properties, the scrawling of hate graffiti on Bahá'í-owned buildings, the vandalizing of a Bahá'í cemetery and the denouncing of Bahá'í children in public schools.<sup>110</sup> Many of these incidents followed a two-part anti-Bahá'í lecture series held in the city, which, according to reports, sought to analyse the link between the Bahá'í Faith and Zionism.<sup>111</sup> Within weeks of those rallies, on 15 December 2008, the homes of some 20 Bahá'ís were raided by local authorities.<sup>112</sup> During the same period, unidentified arsonists attacked at least three Bahá'í-owned businesses, threw firebombs at several Bahá'í homes, and set fire to buildings at the Bahá'í cemetery.<sup>113</sup> These attacks were reinforced by a decision made in early 2009 by the Semnan Chamber of Commerce and some 39 associated trade unions to prohibit the issuing of business licences or managerial permits to Bahá'ís and to decline to renew existing ones.<sup>114</sup> On 14 September 2009, a mob gathered in front of the Semnan city hall and the provincial governor's office shouting slogans such as: "Death to Bahá'í" and demanding that greater pressure be put on the Bahá'ís.<sup>115</sup> The day before, a similar group had barged in during the burial service of a Semnan Bahá'í, uttering insults and threats to interrupt the service.<sup>116</sup> Reports have also emerged from Semnan that Muslim clerics during this period were invited to give presentations in classrooms that insult the Bahá'í Faith, and that Bahá'í schoolchildren had in some cases been segregated from their classmates.<sup>117</sup> On at least two occasions, Muslim students were encouraged to strike Bahá'í students.<sup>118</sup>

The case of Semnan is but one of many egregious accounts of action against the Bahá'ís as a result of the reinforcing interactions between government policy, action, and hateful speech in the media. Regrettably, such forms of aggression have been widespread throughout the country. Notwithstanding the openly criminal nature of the violations, attackers are rarely, if ever, prosecuted, reflecting a culture of impunity. In its public statements, the government of Iran has suggested that violence against Bahá'ís is a manifestation of popular

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<sup>110</sup> *Ibid.*, p. 24.

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*

<sup>113</sup> *Ibid.*

<sup>114</sup> *Ibid.*

<sup>115</sup> *Ibid.*

<sup>116</sup> *Ibid.*

<sup>117</sup> *Ibid.*

<sup>118</sup> *Ibid.*

prejudice beyond government control.<sup>119</sup> Yet the evidence suggests that most acts of violence against Bahá'ís and their properties are likely undertaken with government complicity.<sup>120</sup> The facts and details surrounding most of these incidents point beyond active ignorance to willing approval or encouragement by the government.<sup>121</sup> In a number of the attacks on cemeteries, for example, perpetrators have used heavy construction equipment (see, for instance, Figure 4 below); it is highly unlikely ordinary citizens could freely use bulldozers and other heavy equipment without involvement or support.<sup>122</sup> The government has made no effort to investigate these incidents – a minimum requirement under its international obligations – let alone prosecute or sentence the perpetrators.<sup>123</sup> To whom does a minority facing extreme persecution, in every facet of life, turn when the government itself is a party to such atrocities?



**Figure 4: The Bahá'í cemetery in Yazd was destroyed in July 2007 by unknown attackers. The tracks and severity of the damage are from bulldozers or other heavy equipment – the use of which would not easily be possible without official sanction. Dozens of Bahá'í cemeteries have been desecrated in this way.**

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<sup>119</sup> The Bahá'í Question Revisited, p. 38, see *supra* note 25.

<sup>120</sup> *Ibid.*

<sup>121</sup> *Ibid.*, p. 45.

<sup>122</sup> *Ibid.*

<sup>123</sup> *Ibid.*

## 26.4. Responses to Hate Speech and the Associated Persecution of the Bahá'ís

A number of formal strategies have been pursued to generate international pressure on the government of Iran and to alleviate the suffering of the Bahá'ís in that country. The BIC has long worked within existing legal mechanisms, beginning with bilateral dialogue with the government of Iran, with Iran's Mission to the UN, and subsequently with the UN itself, by providing detailed information on the situation of the Bahá'ís to the UN Secretary-General as well as the High Commissioner for Human Rights.<sup>124</sup> At the heart of such engagement is a commitment to truth through a non-adversarial posture. This has included the provision of timely, accurate and verifiable information, as well as appealing to evidence, reason, and a desire to build trust with government officials through such a course of action. Though the rights of the Bahá'ís remain under threat, efforts at the international level have assisted in preventing the complete eradication of the Bahá'í community from the country. Equally important have been bilateral and grassroots initiatives. Indeed, the wide-ranging condemnation from the international community, activists, and, increasingly, ordinary citizens inside Iran have contributed to a decline in outright arrests and imprisonments of Bahá'ís. It has, however, meant that the government of Iran has shifted its tactics to less blatant, though still egregious, forms of persecution, such as economic, educational and cultural repression, fuelled in part by a strategy of anti-Bahá'í propaganda. As has already been described, these more subtle tactics constitute an attempt to conceal the government's ongoing efforts to destroy the Bahá'í community.

### 26.4.1. Multilateral Reactions

Much of the work on the international stage that has contributed to the protection of the Bahá'ís in Iran has been through the use of UN Charter bodies and the Third Committee of the UN General Assembly, as well through engagement with the Special Rapporteurs appointed to monitor and report on human rights concerns.<sup>125</sup> Rather than claiming 'minority status', the BIC has worked within these mechanisms to secure, on behalf of the Bahá'ís in Iran, the rights guaranteed to every individual.<sup>126</sup> In doing so, it has utilized existing international legal instruments and processes, which define specific rights holders as well as the limits to State action.<sup>127</sup>

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<sup>124</sup> Berger, 2021, pp. 61–64, see *supra* note 29.

<sup>125</sup> Ghanea, 2002, pp. 104–105, see *supra* note 8.

<sup>126</sup> Cameron and Ghanea, 2018, p. 170, see *supra* note 43.

<sup>127</sup> *Ibid.*

The case of the Bahá'ís in Iran was first brought to the international community by the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities following the 1979 Islamic Revolution in Iran.<sup>128</sup> It was from here that a resolution was adopted expressing “profound concern” for the safety of the Iranian Bahá'ís.<sup>129</sup> In 1982, the first resolution on the situation of the Bahá'ís was adopted by the Human Rights Commission.<sup>130</sup> Such expressions quickly moved up the UN architecture, and, in 1985, the General Assembly identified the government of Iran as a human rights violator.<sup>131</sup> Beyond the significance of this resolution for Bahá'ís, it represented the first occasion where a minority group suffering human rights violations had been specifically delineated in a General Assembly resolution.<sup>132</sup> In the years that followed, the UN Commission on Human Rights, subsequently the HRC, passed more than 20 resolutions that also explicitly mentioned the persecution of the Bahá'ís.<sup>133</sup> This was noteworthy, as references to specific religious communities were unusual at that time and expressions of diplomatic concern by the UN were often of a more general nature when it came to human rights violations and discrimination.<sup>134</sup> It is also significant that virtually all of these resolutions called on Iran to abide by the various international covenants on human rights that the government had freely signed.

The BIC has also worked with Special Rapporteurs who have consistently refuted Iran's denials and confirmed that the oppression of Bahá'ís is extensive, systematic and based on religious prejudice.<sup>135</sup> A 1960 report titled “Study of Discrimination in the Matter of Religious Rights and Practices” initiated by Arcot Krishnaswami, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>136</sup> opened the door for the engagement of NGOs accredited at the UN on issues related to freedom of religious belief, and provided a foundation for the adoption of resolutions and

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<sup>128</sup> Ghana, 2002, p. 105, see *supra* note 8.

<sup>129</sup> *Ibid.*

<sup>130</sup> *Ibid.*, p. 108.

<sup>131</sup> UN General Assembly, Situation of Human Rights in the Islamic Republic of Iran, 116th plenary meeting, UN Doc. A/RES/40/141, 13 December 1985 (<https://www.legal-tools.org/doc/ccv46y/>). See also Berger, 2021, p. 64, see *supra* note 29.

<sup>132</sup> Berger, 2021, p. 64, see *supra* note 29. See also The Bahá'í Question Revisited, p. 72, see *supra* note 25.

<sup>133</sup> The Bahá'í Question Revisited, p. 72, see *supra* note 25.

<sup>134</sup> *Ibid.*

<sup>135</sup> *Ibid.*

<sup>136</sup> Arcot Krishnaswami, “Study of Discrimination in the Matter of Religious Rights and Practices”, E/CN.4/Sub.2/200/Rev. 1, 1960 (<https://www.legal-tools.org/doc/fitlrl/>).

mandates condemning forms of discrimination.<sup>137</sup> The appointment of the Human Rights Commission's first Special Rapporteur on the Implementation of the Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief in 1986 also contributed to raising awareness around specific country violations.<sup>138</sup> The discourse has also shifted over the years from one focused on eliminating intolerance to one enshrining the right to "a belief".<sup>139</sup> As mentioned earlier, however, there is still much tension surrounding the exact definition and scope of such a right.

The reports of the Special Rapporteur on Freedom of Religion or Belief have continued to be important instruments documenting the experiences of the Bahá'ís. The 2022 report of Ahmed Shaheed, titled "Rights of Persons Belonging to Religious or Belief Minorities in Situations of Conflict or Insecurity",<sup>140</sup> for instance, highlighted the increasing insecurity faced by the Bahá'ís and stressed that "State and non-State actors have exploited the identity of religious or belief minorities to further their political, economic, and military objectives".<sup>141</sup> The report highlighted that Bahá'ís in Iran and, regrettably, also Yemen have been targeted "through hateful rhetoric that seeks to mobilize the public against them and 'legitimize' policies and practices that harm them".<sup>142</sup> The report said that targeting Bahá'ís in this way entrenched widespread "fear, suspicion, and discrimination [...] leaving many members of the Bahá'í community feeling more fearful and exposed to violence".<sup>143</sup> His report was also important in offering a number of concrete recommendations which involved an appeal for States to "recall their international human rights obligations towards

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<sup>137</sup> See, for instance, Declaration on the Elimination of All Forms of Intolerance, see *supra* note 8; as well as UN General Assembly, Report of the UN High Commissioner for Human Rights on the Expert Workshops on the Prohibition of Incitement to National, Racial or Religious Hatred, UN Doc. A/HRC/22/17/Add.4, 11 January 2013 ('Rabat Plan of Action') (<https://www.legal-tools.org/doc/oymwge/>); and Istanbul Process, see *supra* note 21 (of which the BIC was directly involved in consultations leading to their adoption).

<sup>138</sup> Ghanea, 2002, p. 120, see *supra* note 8. See also UN Office of the High Commissioner for Human Rights ('OHCHR'), "Special Rapporteur on Freedom of Religion or Belief" (available on the OHCHR's web site). From the outset of the process, the BIC was committed to pushing for this mandate with other like-minded organizations.

<sup>139</sup> Ghanea, 2002, p. 64, see *supra* note 8.

<sup>140</sup> UN General Assembly, Rights of Persons Belonging to Religious or Belief Minorities in Situations of Conflict or Insecurity, UN Doc. A/HRC/49/44, 2 March 2022 ('Rights of Persons Belonging to Religious or Belief Minorities in Situations of Conflict or Insecurity') (<https://www.legal-tools.org/doc/o1f68d/>).

<sup>141</sup> *Ibid.*, Annex, "Experiences of Persons Belonging to the Baha'i Minority Community in Conditions of Increasing Insecurity".

<sup>142</sup> *Ibid.*

<sup>143</sup> *Ibid.*

religious minorities”<sup>144</sup> including the Bahá’ís; the encouragement of relevant agencies within the UN system to “adopt a more cohesive and coordinated approach”<sup>145</sup> in responding to the situation facing religious minorities; and a call for States and civil society to consider establishing new “platforms” to advocate for the rights of the Bahá’ís.<sup>146</sup>

Beyond efforts specifically directed at the situation of the Bahá’ís, a number of other international mechanisms have played a significant role in advancing dialogue in responding to instances of hate speech on the basis of religious identity. In October 2012, the OHCHR organized a series of workshops which resulted in the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.<sup>147</sup> The Plan recognized how challenging it was to balance the tension between the prohibition of incitement to hatred and the freedom of expression, as well as how necessary it is for domestic legislation to increasingly reflect appropriate standards.<sup>148</sup> The Rabat Plan of Action also indicated that anti-incitement measures at the national level are still “too general, not systematically followed up, lacking focus and deprived of proper impact assessments”.<sup>149</sup> Among the policy conclusions, the Rabat Plan of Action was significant in outlining that:

religious leaders should refrain from using messages of intolerance or expressions which may incite violence, hostility or discrimination; but they also have a crucial role to play in speaking out firmly and promptly against intolerance, discriminatory stereotyping and instances of hate speech.<sup>150</sup>

Beyond this important reference, the Rabat Plan of Action does not articulate direct obligations of religious leaders.

Other instruments have since been developed, some calling for religious leaders to assume a more proactive role in contributing to the creation of cohesive communities. In 2017, building on the Rabat Plan of Action, the UN Human Rights Office hosted a two-day meeting that resulted in the Beirut Declaration

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<sup>144</sup> *Ibid.*

<sup>145</sup> *Ibid.*

<sup>146</sup> *Ibid.*

<sup>147</sup> Rabat Plan of Action, 2013, see *supra* note 137.

<sup>148</sup> *Ibid.*, para. 60 which states:

[I]nternational human rights standards on the prohibition of incitement to national, racial or religious hatred still need to be integrated into domestic legislation and policies in many parts of the world. This explains both the objective difficulty and political sensitivity of defining this concept in a manner that respects the freedom of expression.

<sup>149</sup> *Ibid.*, para. 11.

<sup>150</sup> *Ibid.*



on Faith for Rights.<sup>151</sup> The declaration reinforced the objectives of the Rabat Plan of Action, outlined that prohibition of incitement is not enough, and added the obligation of “[r]emedial advocacy to reconciliation”<sup>152</sup> as a duty upon religious leaders. As outlined by Ibrahim Salama, Chief of the UN Human Rights Treaties Branch of OHCHR, “[r]ather than focusing on theological and doctrinal divides, the Beirut Declaration favours the identification of common ground among all religions and beliefs to uphold the dignity and worth of all human beings”.<sup>153</sup> The declaration was followed by the formulation of 18 commitments on “Faith for Rights”.<sup>154</sup> Important as these advances were, there still remained limitations in connecting religious leaders who were themselves perpetrators of human rights standards with the obligations contained in these instruments.

Commenting on the rise in hate speech over the years, in 2019, the UN Secretary-General said:

Hate speech is a menace to democratic values, social stability and peace. And as a matter of principle, the UN must confront hate speech at every turn. Silence can signal indifference to bigotry and intolerance, even as a situation escalates and the vulnerable become victims.<sup>155</sup>

That year, the UN Strategy and Plan of Action on Hate Speech was launched.<sup>156</sup> This strategy recognized that hate speech has been a precursor to atrocity crimes, including genocide, over the last 75 years and that such speech is, itself, an attack on tolerance, inclusion, diversity, and human rights norms and principles.<sup>157</sup> The UN Strategy and Plan of Action is important in that it recognizes the need to foster peaceful, inclusive and just societies as a strategy to address the root causes and drivers of hate speech, including through the promotion of “intercultural, interfaith and interreligious dialogue and mutual understanding”.<sup>158</sup>

In 2021, a further effort to respond to atrocities arising from hate speech included a meeting of the Global Action Against Mass Atrocity Crimes (‘GAAMAC’). The meeting was important in articulating the link between

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<sup>151</sup> OHCHR, The Beirut Declaration on “Faith for Rights”, 29 March 2017 (<https://www.legal-tools.org/doc/k178m1/>).

<sup>152</sup> *Ibid.*

<sup>153</sup> OHCHR, “Beirut Declaration Enhances Role of Religions in Promoting Human Rights”, 29 March 2017 (<https://www.legal-tools.org/doc/acp88f/>).

<sup>154</sup> OHCHR, “18 Commitments on “Faith for Rights””, 29 March 2017 (<https://www.legal-tools.org/doc/qp9nv2/>).

<sup>155</sup> United Nations Strategy and Plan of Action on Hate Speech, see *supra* note 1.

<sup>156</sup> *Ibid.*

<sup>157</sup> *Ibid.*

<sup>158</sup> *Ibid.*, p. 4.

deeply rooted prejudices in society and the use of hate speech, which in some instances could even lead to violence and loss of life as ingrained beliefs could cause perpetrators to view the illusory ‘other’ as less than human.<sup>159</sup>

In addition to instruments that specifically seek to root out hate speech, the UN Secretary-General has more broadly stressed the influence that faith actors can have on values, attitudes, behaviours and actions. Indeed, the case of religious clergy in Iran demonstrates the negative influence such leaders can exert on minority populations. Sadly, religion, whose very reason for being entails service to the cause of unity and peace, has long lent credibility to fanaticism, fuelling shameful outbursts of oppression and violence. Yet, the converse influence is also true. As leaders not only of congregations and worshippers, but also of communities and citizens, the voice of moral authority that religious leaders hold has the potential to move multitudes into positive, constructive action, such as preventing and mitigating atrocities and providing safe spaces for mediation. Recognizing this potential, the UN Office on Genocide Prevention and the Responsibility to Protect published a “Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes” (‘Fez Plan of Action’)<sup>160</sup> in July 2017. In its forward, the UN Secretary-General stated in relation to the need to combat hate speech that “[r]eligious leaders can play a particularly important role in influencing the behaviour of those who share their beliefs”.<sup>161</sup> The aim of the Fez Plan of Action has been to prevent incitement to violence, foster interfaith dialogue, strengthen collaboration between faith leaders as well as with the media, establish networks between religious leaders, and build peaceful, inclusive and just societies that respect the full range of human rights.<sup>162</sup>

There have been other developments which, though not explicitly related to hate speech, represent a growing acknowledgement within the UN community of the important role of faith leaders and faith communities in society in addressing present day challenges. Such advances recognize the critical role that religious leaders can play in promoting cohesion across a diversity of groups in

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<sup>159</sup> GAAMAC, “Strengthening National Efforts to Address Hate Speech, Discrimination, and Prevent Incitement: Outcome Document of the Fourth Global Meeting (GAAMAC IV)”, 15–18 November 2021, p. 1 (<https://www.legal-tools.org/doc/pi26u1/>). See, for instance, p. 3:

[H]ate speech builds on the existence of all forms of prejudice and maximizes their reach. It may incite certain behaviours against constructed figures of the other—who may become an enemy—and incitement may generate a ‘license to kill’ this despised person who is no longer considered an equal human being.

<sup>160</sup> UN Office on Genocide Prevention and the Responsibility to Protect, Fez Plan of Action, 14 July 2017 (<https://www.legal-tools.org/doc/8723g7/>).

<sup>161</sup> *Ibid.*

<sup>162</sup> *Ibid.*

society, a point which, as described earlier, is a valuable strategy in addressing the deeper causes of hate speech, namely prejudice. In April 2020, the UN Secretary-General, in his message to mark the start of Ramadan, called on religious leaders to play a key role in addressing the Covid-19 pandemic by working together and translating common values into action.<sup>163</sup> Building on this call, the UN Alliance of Civilizations, the Office on Genocide Prevention and Responsibility to Protect, and the OHCHR organized a virtual consultation one month later, bringing together diverse religious leaders and actors as well as faith-based organizations to discuss possible areas of action and collaboration with the UN in the common fight against the pandemic. This consultation resulted in the Global Pledge for Action, which was designed to advance and reinforce ongoing actions and stimulate new results-oriented activities by religious actors and faith-based organizations to counter the additional challenges posed by the Covid-19 pandemic.<sup>164</sup> Not only do these advances illustrate a heightened recognition within the international community of the role of religious leaders in responding to society's challenges, they also demonstrate the importance of connecting grassroots actors with international plans for their successful realization. Important then will be steps to empower and assist religious leaders to advance the overarching principles and obligations enshrined in the human rights regime, regardless of their familiarity with or even opinion of the numerous types of human rights instruments.

Together, these processes and plans of action recognize that though religion can be used as a means to elicit division and dissention, it has tremendous power to unite. The above-mentioned declarations and commitments have also contributed to a growing emphasis on and awareness of the limits to State control of individual conscience and the need to safeguard minority groups who would otherwise not have redress within their own jurisdiction. Together, they have been significant in ameliorating oppression against the Bahá'ís. As the violations described above have consistently been made known to the world through multilateral bodies and processes, the international community has responded, expressing its desire for the fulfilment of the human rights framework. One can look back to 1955, for instance, when the Shah of Iran heeded entreaties by the UN to stop the rampage against Bahá'ís following hateful radio broadcasts.<sup>165</sup> There is also little doubt that international pressure by the UN, governments and the media helped to curb the wholesale killing of Bahá'ís in the 1980s,

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<sup>163</sup> UN News, "UN Chief Calls for Unity to 'Build a Peaceful World', Ahead of Ramadan", 1 April 2020 (available on its web site).

<sup>164</sup> OHCHR, "Global Pledge for Action by Religious Actors and Faith-Based Organizations to Address the COVID-19 Pandemic in Collaboration with the UN", 7 July 2021.

<sup>165</sup> The Bahá'í Question Revisited, p. 87, see *supra* note 25.

though unfortunately, efforts by the authorities have continued through more subtle forms of oppression.<sup>166</sup> Significant as all these multilateral initiatives have been, there still is much work to be done by the international community if this religious minority and all who are oppressed within Iran are to be alleviated.

#### 26.4.2. Bilateral Reactions

In addition to efforts by the UN and its subsidiary bodies and agencies, numerous national legislatures and regional bodies have spoken out against Iran's treatment of its Bahá'í community. Expressions of concern for Iran's Bahá'ís have come from the European Council, the European Parliament and from the legislatures of Australia, Brazil, Canada, Spain, the United Kingdom and the United States of America, among others.<sup>167</sup> Many Heads of State and Government have voiced their dismay over Iran's treatment of the Bahá'ís.<sup>168</sup> International and national NGOs have also risen to their defence. Amnesty International, the International Federation for Human Rights, Human Rights Watch and the International Commission of Jurists among other international human rights organizations, for instance, have compiled extensive reports on and called for action to stop the persecution of Iranian Bahá'ís.<sup>169</sup> At the national level, a number of prominent groups and individuals, including human rights lawyers and activists, journalists and filmmakers, as well as religious scholars inside Iran, have condemned, at great personal risk, the government's persecution of the Bahá'ís and are speaking out in support of 'Bahá'í rights' (see, for instance, Figure 5).<sup>170</sup>

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<sup>166</sup> *Ibid.*

<sup>167</sup> See "'Exceptional solidarity': #StopHatePropaganda Reaches 88 Million in Support of Iran's Bahá'ís", *Bahá'í World News Service*, 21 August 2021 ('Exceptional Solidarity').

<sup>168</sup> *Ibid.*

<sup>169</sup> The Bahá'í Question Revisited, p. 73, see *supra* note 25.

<sup>170</sup> *Ibid.*, pp. 73–75; "Nasrin Sotoudeh Speaks About the 7 Baha'i Leaders on the 7th Anniversary of Their Arrest", 20 May 2015 (available on YouTube). Among such individuals, Nobel laureate Shirin Ebadi; Akbar Ganji, a journalist; Ahmad Batebi, a student leader; Nasrin Sotoudeh, a human rights lawyer; Narges Mohammadi, a prominent women's rights activist; Mohammad Nourizad, a journalist and filmmaker; Muhammad Maleki, the first head of Tehran University following the Islamic Revolution; Masumeh Dehghan, an activist; the wife of Abdolfatah Soltani, a well-known lawyer who represented the Yárán; and Jila Baniyaghoob and Issa Saharkhiz, two prominent journalists who were previously in prison. And in May 2016, five prominent Iranian religious scholars – Abdolali Bazargan, Hasan Fereshtian, Mohsen Kadivar, Sedigheh Vasmaghi, and Hasan Yousefi-Eshkevari – published a statement saying that the "followers of the Bahá'í religion have been oppressed because of their religion and beliefs for decades".



**Figure 5: In 2015, on the seventh anniversary of the arrest and imprisonment of the seven Iranian Bahá'í leaders, Iranian human rights lawyer Nasrin Sotoudeh bravely recorded a video message calling for their release. “Their sentences are unjust”, she said. “It is definitely due to their particular beliefs that they are held in prison”. Sotoudeh was herself imprisoned and for a time shared a cell with two of the Bahá'í leaders. She was released in 2013, shortly before Iranian President Hassan Rouhani’s visit to the UN that year.**

Numerous news media outlets have detailed, confirmed and condemned the persecutions of Iran’s Bahá'í community, including *Le Monde*, the *Times of India*, the *Times of London*, the *New York Times* and the *Washington Post*, along with regional outlets such as the *Daily Vox* and the *Daily Maverick* in South Africa, *Folha de São Paulo* in Brazil, *Today’s Zaman* in Ankara, Turkey, and the *Tribune* in Chandigarh, India,<sup>171</sup> as have international radio and television networks such as *Al Jazeera*, the *BBC*, *CNN* and *VOA*.<sup>172</sup> Moreover, a number of prominent Iranian journalists and commentators, both inside and outside Iran, have recently written articles in defence of their Bahá'í countrymen.<sup>173</sup> In 2013, for instance, Mohammad Nourizad, a former hard-line conservative columnist turned dissident, publicly displayed his regret for past actions by kissing the feet of a young child, whose parents were imprisoned because of their Bahá'í beliefs, and telling him: “My little boy, I apologize to you on behalf of all of those who,

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<sup>171</sup> The Bahá'í Question Revisited, p. 76, see *supra* note 28. The major wire services, such as the Associated Press, Agence France-Presse, Deutsche Presse-Agentur, and Reuters, have also carried numerous dispatches on the persecution. See also “Why Iran Matters to Africa”, *The Daily Vox*, 23 October 2018; and “Iranians Will Never Forget How Archbishop Desmond Tutu Stood up to the Teheran regime”, *Daily Maverick*, 13 January 2022.

<sup>172</sup> The Bahá'í Question Revisited, p. 76, see *supra* note 25.

<sup>173</sup> *Ibid.*

in these Islamic years, have made you and your [Bahá'í] fellows face injustice” (see Figure 6).<sup>174</sup>



**Figure 6: On 15 July 2013, Mohammad Nourizad kissed the feet of a 4-year-old Bahá'í boy named Artin and apologized for the treatment of the Bahá'ís in Iran.**

Beyond such instances, where Iranian activists and journalists have risen up in support of their fellow countrymen, there are also an increasing number of accounts demonstrating that the majority of Iran's general populace do not view the Bahá'í community in the manner that the authorities portray them. Iranians of all religious backgrounds are standing up for the rights of Bahá'ís or taking smaller, day-to-day actions – such as shopping at Bahá'í-owned stores or providing employment to Bahá'ís – demonstrating their solidarity and their expectation that the government should show religious tolerance. Indeed, the BIC continues to receive accounts of Iranians praising the courage, patience and steadfastness of the Bahá'ís, or expressing that the Bahá'í ideals resonate with their vision for a future Iranian society.<sup>175</sup> This is all the more true as many from among the wider population are also suffering some form of oppression within the country – as students and academics, as journalists and social activists, as artists and poets, as progressive thinkers and proponents of women's rights and even as ordinary citizens.<sup>176</sup>

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<sup>174</sup> “Following Pope's Example, Iranian Dissident Kisses Feet of Baha'i Boy”, *Radio Free Europe*, 16 July 2013.

<sup>175</sup> *Inciting Hatred Special Report*, p. 32, see *supra* note 16.

<sup>176</sup> *Ibid.*

Together, these expressions of support have been critical, not only in raising awareness about the situation of the Bahá'ís, but in providing a source of solace to Bahá'ís on the ground. Of particular impact has been the support from religious leaders themselves, which, as already described above, is increasingly being recognized as a potent influence in fostering cohesive societies. Among the most notable recent expressions of such support was that of prominent Muslim cleric Ayatollah Abdol-Hamid Masoumi-Tehrani, who illuminated a calligraphic manuscript featuring a quote from the Bahá'í writings as a gift to the Bahá'í world in 2014 (Figure 7).<sup>177</sup> The quote depicts a paragraph from Bahá'u'lláh's *Most Holy Book*, which reads:

Consort with all religions with amity and concord, that they may inhale from you the sweet fragrance of God. Beware lest amidst men the flame of foolish ignorance overpower you. All things proceed from God and unto Him they return. He is the source of all things and in Him all things are ended.<sup>178</sup>

Ayatollah Masoumi-Tehrani explained on his web site that the calligraphic work was meant to serve as a “reminder of the importance of valuing human beings, of peaceful coexistence, of co-operation and mutual support, and avoidance of hatred, enmity and blind religious prejudice”.<sup>179</sup> In 2015, he produced another work of calligraphy featuring a different passage from the Bahá'í writings, and expressed his hope that this act would “raise the conscience of my fellow countrymen by considering increasing their respect for human dignity and not focusing their attention on different ethnicities, languages and religions”.<sup>180</sup> These experiences demonstrate the unique and powerful role religious leaders can play in building cohesive and resilient societies, and in countering calls to division and violence.

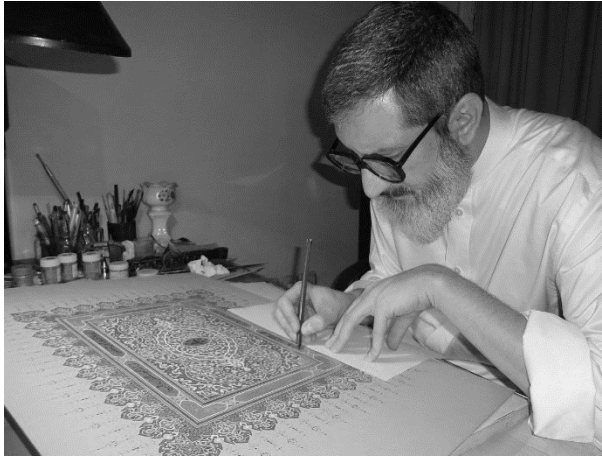
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<sup>177</sup> The Bahá'í Question Revisited, p. 77, see *supra* note 25.

<sup>178</sup> Bahá'u'lláh, *Most Holy Book*, Baha'í World Centre, Haifa, 1992, para. 144, p. 72.

<sup>179</sup> The Bahá'í Question Revisited, p. 77, see *supra* note 25.

<sup>180</sup> *Ibid.*



**Figure 7: Ayatollah Abdol-Hamid Masoumi-Tehrani perfecting an illuminated work of calligraphy. The words used in this piece are from the writings of Bahá'u'lláh.**

#### **26.4.2.1. The Worldwide Bahá'í Community's Response**

Parallel to the efforts described above, national Bahá'í communities across the world have set up systems and processes to approach their governments, inform them of the situation of the Bahá'ís in Iran and ask for support in their defence. The co-ordinated and decentralized structure of the administration of the worldwide Bahá'í community – guided by the global governing body of the Bahá'í Faith, the Universal House of Justice – has enabled the development of a coherent strategy unfolding at the national and local levels, simultaneously reinforcing efforts on the international level. That same structure and system of co-ordination has also facilitated the efficient gathering and dissemination of verifiable information.<sup>181</sup> Other systems and processes within the Bahá'í community are dedicated to building capacity within Bahá'í institutions, communities and individuals to engage meaningfully and constructively in dialogue with those around them on matters of social import. Discussions on freedom of religious belief and the protection of the Bahá'ís in Iran have naturally formed part of these endeavours.<sup>182</sup> To this end, national affiliates have been working closely with government officials at the national level.<sup>183</sup> Bahá'í communities have been developing multimedia content to generate attention and have been supporting

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<sup>181</sup> Berger, 2021, p. 62, see *supra* note 29.

<sup>182</sup> *Ibid.*

<sup>183</sup> *Ibid.*



worldwide awareness campaigns.<sup>184</sup> And local Bahá'ís have been involved in calling elected representatives, asking them to support relevant resolutions and declarations by national governing bodies regarding Iran's adherence to human rights conventions or treatment of its Bahá'í community. They also work with members of interfaith and human rights groups to bring awareness to the issue. It is this co-ordinated collective effort, including the interplay between grassroots action by individual Bahá'ís and communities together with the advocacy work carried out at the national and international levels, that forms the heart of the Bahá'í community's strategy and approach to advocacy.<sup>185</sup>

The framework for action that guides these endeavours also informs the broader efforts of the worldwide Bahá'í community to work towards the social, spiritual and material betterment of their societies. Whether through the holding of prayer gatherings open to all, the provision of moral education programmes, the creation of spaces to engage in meaningful dialogue on matters of social import, or the design and implementation of initiatives aimed at bringing about the social and material well-being of their communities, local Bahá'í communities across the globe are labouring at the grassroots to effect positive social transformation. All of these efforts are taking shape in concert with groups and individuals who are concerned about the betterment of their communities, irrespective of religion, race, gender or social background. These acts, carried out with the intention of contributing to the advancement of society, have had a positive synchronicity with efforts to dispel misinformation about the Bahá'ís and have contributed to building goodwill with public officials. By viewing first-hand the character and society-building approach of Bahá'í communities, many have come to acknowledge their contributions and to mobilize accordingly in support of their defence.

A few cases are worth briefly noting as an illustration of some of the efforts of Bahá'í communities to contribute to the promotion of cohesion within their societies. In Iraq, the Bahá'í community arranged a number of high-level public events together with other collaborators, with the aim of promoting peace, co-existence and the preservation of historical sites.<sup>186</sup> In Jordan, like many other countries, the Bahá'í community has focused on the empowerment of young adolescents.<sup>187</sup> Bahá'ís in Jordan are also increasingly being invited into

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<sup>184</sup> See for instance *Exceptional Solidarity*, see *supra* note 167; “‘Education Is Not a Crime’ Gains Momentum”, *Bahá'í World News Service*, 8 February 2015 (available on its web site); and “‘Five Years Too Many’ Campaign Gathers Momentum”, *Bahá'í World News Service*, 12 May 2013 (available on its web site).

<sup>185</sup> Cameron and Ghanae, 2018, p. 180, see *supra* note 43.

<sup>186</sup> *Ibid.*, p. 180.

<sup>187</sup> *Ibid.*, p. 179.

civil society spaces to engage in dialogue, including with government officials, on matters related to conflict resolution, interfaith collaboration, citizenship and freedom of belief.<sup>188</sup> And, in Canada, the community has been involved in supporting refugees, especially those Bahá'ís fleeing persecution from Iran. This work has focused on integrating arrivals into their new societies, while offering to public discourse a framework on how newly resettled individuals can become beneficial resources contributing to the social fabric of the community.<sup>189</sup>

At the heart of the framework guiding the endeavours of the Bahá'í community is the principle of the oneness of humankind. Importantly, an appreciation of this principle contains within it the essential concept of diversity, which embraces the wealth of insight that can come from the harmonious interaction and collaboration between diverse perspectives and backgrounds. An implication of an appreciation of humanity's oneness necessitates constructive and unifying alternatives to adversarial forms of social change, such as violent protest and upheaval. Another implication of this acceptance involves a refusal to adopt any partisan or political agenda, which are often the source of divisiveness in society. These principles find expression in the manner in which Bahá'ís interact with and respond to the institutions of society, through a posture of obedience to one's government.<sup>190</sup> Such a posture of obedience, however, is not to be conflated with absolute agreement or promotion of political principles and policies, and Bahá'ís are forbidden from denying their faith. It is also not to be confused with passivity or an indifference to gross human rights violations. Indeed, such a posture does not preclude individual Bahá'ís from expressing their views in public, building coalitions with like-minded and sympathetic civil society actors, or seeking legal recourse when their rights have been infringed. It does not prevent them from highlighting standards to which governments are expected to adhere in safeguarding the interests of the citizens, which they hold in trust.<sup>191</sup> Recognizing the authority of government to advance the well-being of the nation, and responding in obedience to it, places an ever greater corollary duty on government to carry out its mandated responsibilities with increased vigour and fidelity.<sup>192</sup> In pursuit of transforming society, then, Bahá'ís recognize the paramount importance of redefining the nature of interactions between individuals,

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<sup>188</sup> *Ibid.*

<sup>189</sup> Geoffrey Cameron, "The Bahá'í Community and Public Policy: The Bahá'í Refugee Resettlement Program (1981–1989)", in Geoffrey Cameron and Benjamin Schewel (eds.), *Religion and Public Discourse in an Age of Transition: Reflections on Bahá'í Practice and Thought*, Wilfrid Laurier University Press, Ontario, 2018, p. 266.

<sup>190</sup> Cameron and Ghanea, 2018, p. 182, see *supra* note 43.

<sup>191</sup> *Ibid.*, p. 182.

<sup>192</sup> *Ibid.*, p. 174.

as well as between individuals and the governing institutions of society, as a critical component of the realization of justice.

#### 26.4.2.2. The Bahá'í Community in Iran's Response to Persecution

As for those who are facing persecution directly, the Bahá'ís in Iran are not dispirited, demoralized or downtrodden. They, too, are working to apply, within their own context, the framework for action guiding the affairs and initiatives of the worldwide Bahá'í community, including its non-adversarial approach characterized by the principle of the oneness of humankind.<sup>193</sup> This orientation finds its origins in Bahá'u'lláh's example upon being exiled to Baghdad, and exhortations that his followers exemplify kindness and concern for their community.<sup>194</sup> It was this posture that contributed directly to the building of trust among sympathetic government officials at that time.<sup>195</sup> The Bahá'í community's concern for advancing the well-being of their societies continued to take shape in the late 1800s and early 1900s. These efforts included contributions to modern medicine in Iran, the development of modern schooling, as well as an increase in literacy levels, especially among young girls.<sup>196</sup>

The global governing body of the worldwide Bahá'í community, the Universal House of Justice, has described the response of this community in terms of “constructive resilience”,<sup>197</sup> a response to oppression that seeks “neither to succumb in resignation nor to take on the characteristics of the oppressor”.<sup>198</sup> Such a posture is not one of passivity or blind acceptance, but rather one of seeing in adversity an opportunity to contribute to the betterment of society.<sup>199</sup> A notable example of this kind of constructive response was the creation of the Bahá'í Institute for Higher Education (‘BIHE’), an *ad hoc*, alternative university set up by the Iranian Bahá'í community to provide young Bahá'ís access to higher education, from which they had otherwise been barred by the

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<sup>193</sup> The Bahá'í Question Revisited, pp. 80–81, see *supra* note 25; Michael Karlberg, “Constructive Resilience: The Bahá'í Response to Oppression”, in *Peace & Change*, 2010, vol. 35, No. 2, pp. 222–257.

<sup>194</sup> Firaydoun Javaheri, “Constructive Resilience”, in *Journal of Bahá'í Studies*, 2018, vol. 28, No. 4, p. 11. See also Cameron and Ghanea, 2018, p. 174, *supra* note 43.

<sup>195</sup> *Ibid.*

<sup>196</sup> *Ibid.* See also BIC, Office of Social Development, “For the Betterment of the World: The Worldwide Bahá'í Community's Approach to Social and Economic Development”, 2018, p. 3 (available on its web site).

<sup>197</sup> See Universal House of Justice, “To the Bahá'í Students Deprived of Access to Higher Education in Iran”, 9 September 2007 (available on its web site). See also Universal House of Justice, “To the Bahá'ís of Iran”, 14 May 2011 (‘To the Bahá'ís of Iran’) (available on its web site); and Karlberg, 2010, p. 35, see *supra* note 193.

<sup>198</sup> See To the Bahá'ís of Iran, *supra* note 197.

<sup>199</sup> Javaheri, 2018, p. 12, see *supra* note 194.

government.<sup>200</sup> Using correspondence courses and, later, online study offering university-level programmes in 17 academic subjects, the BIHE sought to provide the substance of a fully-fledged university education for the thousands of Bahá'í youth who were otherwise excluded from higher learning.<sup>201</sup> The government's response, however, was to try to shut down the initiative through raids, arrests, and, in 2011, the long term imprisonment of key faculty and staff as the efforts were cast as a "conspiracy against national security".<sup>202</sup> Yet, the BIHE's commitment to high academic standards, international collaboration, the pursuit of knowledge and truth, and an innovative teaching and learning environment was increasingly recognized internationally, and many of its graduates have been accepted into graduate-level programmes in other countries.<sup>203</sup> The initiative demonstrates a response characterized not by defiance, but rather by thoughtful collective self-empowerment and peaceful determination.<sup>204</sup>

Beyond efforts to improve their own welfare, the Bahá'ís of Iran, in the midst of oppression aimed at their very eradication, have been working for the betterment of Iranian society more broadly.<sup>205</sup> Students who have been denied access to education in Iran and forced to study abroad, for instance, have returned to assist in the development of their country.<sup>206</sup> Others have initiated, within the means available to them, social and economic development projects aimed at helping their fellow citizens, such as offering kindergarten education and tutorial programmes, as well as providing humanitarian assistance in the wake of disaster, for instance, following the earthquake in East Azerbaijan in 2012.<sup>207</sup> Still, others have contributed to public discourse on human rights, on subjects such as expanded civil rights or the removal of obstacles to the full participation of women, minorities, and other marginalized groups, all in a manner that avoids polarization.<sup>208</sup> Sadly, many of these initiatives to contribute to Iranian society have been met with resistance. Many individuals have been arrested, and their efforts portrayed as revolutionary acts of dissent.<sup>209</sup>

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<sup>200</sup> The Bahá'í Question Revisited, pp. 80–81, see *supra* note 25; and Karlberg, 2010, pp. 222–257, see *supra* note 193.

<sup>201</sup> The Bahá'í Question Revisited, pp. 34, see *supra* note 25.

<sup>202</sup> *Ibid.*

<sup>203</sup> *Ibid.*

<sup>204</sup> Javaheri, 2018, p. 13, see *supra* note 194. See also "Iran Closes 'University' Run Covertly by the Bahá'ís", *New York Times*, 29 October 1998, which called the efforts of the BIHE "an elaborate act of communal self-preservation".

<sup>205</sup> *Ibid.*, p. 3.

<sup>206</sup> *Ibid.*, p. 54.

<sup>207</sup> *Ibid.*

<sup>208</sup> Cameron and Ghanea, 2018, pp. 170 and 176, see *supra* note 43.

<sup>209</sup> The Bahá'í Question Revisited, p. 80, see *supra* note 25.

By refusing to deny one's faith and seeking integration in Iranian society through active participation in civic life, the Bahá'ís have consistently worked to claim equal citizenship and the requisite rights to which every Iranian citizen is entitled. Instead of simply appealing for minority status, which reinforces norms and notions of separateness, the Bahá'ís in Iran call for the full recognition of their rights within a society to which they belong, and to which they are deeply committed.<sup>210</sup> The Bahá'ís of Iran, like their co-religionists around the world, respond in this manner because they are seeking to build a new and peaceful world, where means and ends are always in coherence.

### 26.5. Conclusion

The protection of the freedom of religion or belief must entail vigilance in safeguarding citizens from the forces of prejudice and corrupt forms of power, including from extreme orthodoxy. Hate speech and the incitement to violence, extremism, hostility, or even worse, atrocity crimes on the basis of religion, must be forcefully sanctioned and unreservedly condemned.

In many respects, the Bahá'í case demonstrates how the international human rights machinery, combined with support from civil society advocates, and accurate coverage from the news media, can be used to protect an oppressed minority. Thanks to international support for the Bahá'ís, along with growing support inside Iran and among Iranian expatriates, the Bahá'í community has been shielded from some of the most extreme attacks planned against it. History has shown that continued international pressure is the best method of restraining the Iranian government from acting on deeply held prejudices against Bahá'ís. The last three decades have proven that Iranian authorities are indeed cognizant of international opinion and that pressure to meet their obligations under international human rights law can have an effect.

Yet, these efforts, necessary as they are, are insufficient. The Bahá'í community in Iran still suffers oppression, and could continue to do so to even greater degrees were it not for the measures already taken. If the Islamic Republic of Iran is not held accountable, this ongoing campaign of State-sponsored hatred and religious persecution could easily lead to escalating violence and even the potential resumption of the executions that the Bahá'ís suffered in the 1980s.<sup>211</sup>

As of this writing, many Bahá'ís are currently in prison for their religious beliefs, and a greater number are out on bail or awaiting trial on fabricated charges. The government of Iran's systematic persecution of the Bahá'ís spans three generations, now affecting the grandchildren of children who were

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<sup>210</sup> Cameron and Ghanea, 2018, pp. 170 and 172, see *supra* note 43.

<sup>211</sup> Inciting Hatred Special Report, p. 5, see *supra* note 16.

imprisoned or killed in the 1980s. The question remains: can the international community prevent its impact on another generation?

As for the government of Iran itself, if its leaders are sincere in desiring to open a new chapter in its international relations, there is no better indicator than bringing a swift end to the decades-long persecution of its Bahá'í minority. Concrete signs of such a move could include informing the world that the 1991 Bahá'í Question memorandum has been rescinded – and calling for an end to incitement of hatred against Bahá'ís. Another indicator would be Iranian diplomats candidly addressing the discrimination against their Bahá'í citizens, rather than denying that it occurs or refusing to discuss the topic, as is often the case currently. Bahá'ís desire no special privileges and have no political aspirations. They only wish to be free to worship as they choose and to contribute to the betterment of society in their native land.

The international human rights framework will also need to be further developed. As has already been described, there are numerous mechanisms that have helped provide relief to the Bahá'ís, but those who carry out such violations often do not accept the values enshrined in international instruments. And in a country where the government itself, despite being a party to these agreements, does not actively translate these principles into domestic law to be upheld by the courts, there is little recourse. Empowering religious leaders to advance the overarching principles and obligations enshrined in the human rights regime, irrespective of their familiarity with the numerous instruments, then, will be an important aspect of a strategy for combating hate speech.

As long as prejudice, on whatever basis, is normalized and allowed to take root in society, these incidents will continue. Complementing these measures to combat hate speech, then, must be efforts to overcome prejudice in society. As described, faith communities and religious leaders have tremendous power in this regard, and the formalization of international instruments recognizing this fact has been an important advancement and will no doubt need to continue to evolve. The endeavours of such communities, working to cultivate cohesive values in society between different groups, must continue to be showcased as examples of best practice and further supported and promoted. The efforts of the Bahá'í community with their collaborators are but one example of diverse populations working together to redefine patterns of relationships within society based on a fundamental appreciation of humanity's oneness. These responses recognize that the most enduring of remedies must embrace diversity as an essential element of this appreciation and that change must ultimately be effected in the human heart. Together, these strategies can serve to reinforce and develop the international human rights framework in a way that ensures

humanity's noblest aspirations find actionable expression and are applied ever more consistently and universally.

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