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„Human Rights Discourses and their Context in the  
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# Table of Contents

<b>TABLE OF CONTENTS .....</b>	<b>1</b>
<b>TABLE OF GRAPHICS &amp; FIGURES .....</b>	<b>5</b>
<b>1 PREFIX.....</b>	<b>6</b>
1.1 MAP OF IRAN .....	6
1.2 TABLE OF TERMS & DEFINITIONS.....	7
1.3 TABLE OF ABBREVIATIONS.....	9
<b>2 FOREWORD.....</b>	<b>11</b>
<b>3 INTRODUCTION.....</b>	<b>13</b>
3.1 WORKING THEME & RESEARCH QUESTION .....	13
3.2 CONTEXT & RESEARCH GROUP .....	15
3.3 AIMS.....	17
3.4 CHAPTER OVERVIEW .....	18
<b>4 METHODS .....</b>	<b>19</b>
4.1 QUALITATIVE & EMPIRICAL APPROACH .....	19
4.1.1 <i>Grounded Theory</i> .....	20
4.1.2 <i>Semi-structured interviews</i> .....	21
4.1.3 <i>Expert-interviews</i> .....	22
4.1.4 <i>Ethnographic fieldwork</i> .....	23
4.2 QUALITATIVE DATA ANALYSIS & INTERPRETATION .....	25
4.2.1 <i>Comparative data analysis</i> .....	25
4.2.2 <i>Coding</i> .....	26
4.2.2.1 Open coding.....	27
4.2.2.2 Axial coding.....	28
4.2.3 <i>Theoretical sampling</i> .....	29
4.2.4 <i>Multiple data, depth &amp; saturation</i> .....	29
4.3 ROLE OF RESEARCHER .....	31
4.3.1 <i>Ethical responsibility</i> .....	31
4.3.2 <i>Power &amp; Discourse</i> .....	32
<b>5 ISLAMIC REPUBLIC OF IRAN.....</b>	<b>33</b>
5.1 INTRODUCING OVERVIEW .....	33
5.2 CULTURE, RELIGION & SOCIETY .....	36
5.2.1 <i>Twelver-Shiism</i> .....	36

5.2.2	<i>Iranian intellectuals</i> .....	38
5.2.2.1	Islamic ideology.....	38
5.2.2.2	Islamic reform.....	40
5.2.2.3	New intellectuals & Journalists.....	42
5.2.3	<i>Political reform under Khatami</i> .....	43
5.2.4	<i>Iran's ordinary people</i> .....	44
5.3	ORGANIZATION OF THE POLITICAL & JUDICIARY SYSTEM.....	45
5.3.1	<i>Constitution &amp; Referendum</i> .....	46
5.3.1.1	Legislative power.....	49
5.3.1.1.1	Guardian Council.....	49
5.3.1.1.2	Expediency Council.....	50
5.3.1.2	Executive power.....	51
5.3.1.3	Judicial power .....	51
5.3.1.4	The Leadership .....	52
5.4	INFORMAL & FORMAL POWER-FIELDS .....	53
5.4.1	<i>Semi-opposition</i> .....	55
5.4.2	<i>Political instabilities</i> .....	55
<b>6</b>	<b>IRANIAN HUMAN RIGHTS DISCOURSES .....</b>	<b>57</b>
6.1	CONCEPTUALIZATION.....	57
6.2	COMPARATIVE ANALYSIS .....	60
6.2.1	<i>Iranian identity</i> .....	60
6.2.1.1	Historical past .....	60
6.2.1.2	We-feeling .....	62
6.2.1.3	Differences & Gaps.....	63
6.2.1.4	Conclusion .....	64
6.2.2	<i>Tradition &amp; Modernity</i> .....	66
6.2.2.1	Tradition .....	66
6.2.2.1.1	Tradition in negative terms .....	66
6.2.2.1.2	Tradition in positive terms .....	68
6.2.2.1.3	Tradition, a complex term.....	69
6.2.2.2	Modernity .....	71
6.2.2.2.1	Modernity in positive terms.....	71
6.2.2.2.1.1	Individuality .....	71
6.2.2.2.1.2	Private religion .....	72
6.2.2.2.1.3	Globalization .....	73
6.2.2.2.2	Modernity in negative terms .....	74
6.2.2.2.2.1	Fast spread of technical inventions.....	74
6.2.2.2.2.2	Copying Beverly Hills .....	74
6.2.2.3	Caught between tradition & modernity? .....	75
6.2.2.4	Conclusion .....	77
6.2.3	<i>Battlefields</i> .....	78
6.2.3.1	Regime vs. Civil society .....	78

6.2.3.1.1	Western values as grievance .....	78
6.2.3.1.2	No to double life .....	79
6.2.3.1.3	State plays God.....	80
6.2.3.2	Regime vs. Regime .....	82
6.2.3.2.1	Technology vs. Values.....	82
6.2.3.2.2	Left vs. Right .....	82
6.2.3.3	Clergy vs. Clergy .....	84
6.2.3.3.1	Moderate vs. Radical .....	84
6.2.3.3.2	Religious justification .....	84
6.2.3.4	Opposition vs. Opposition.....	86
6.2.3.4.1	Moderate vs. Radical .....	86
6.2.3.4.2	Internal vs. External.....	86
6.2.3.5	Conclusion .....	88
6.2.4	<i>Human rights</i> .....	90
6.2.4.1	Dialogue.....	90
6.2.4.1.1	Media.....	90
6.2.4.1.2	Limitation & Control .....	91
6.2.4.1.3	Suspicion of espionage .....	92
6.2.4.1.4	Religious & Scientific exclusion .....	93
6.2.4.2	Women.....	94
6.2.4.3	Education & Information .....	95
6.2.4.4	Conclusion .....	97
6.2.4.4.1	Emotional & Realistic.....	97
6.2.4.4.2	Limited room & Restlessness .....	97
6.2.4.4.3	Nutrient base for dialogue.....	98
6.2.4.4.4	Flame of hope .....	99
<b>7</b>	<b>QUESTIONS OF UNIVERSALITY.....</b>	<b>101</b>
7.1	UDHR & CDHRI.....	102
7.2	IRAN & UNO .....	104
7.2.1	<i>Human Rights &amp; Iranian Constitution</i> .....	106
7.2.2	<i>Reservations</i> .....	107
7.2.3	<i>Fall of Rights &amp; Rise of CEDAW</i> .....	108
7.3	FUTURE BASES FOR DIALOGUE .....	109
7.3.1	<i>International means</i> .....	109
7.3.2	<i>Domestic means</i> .....	111
7.3.2.1	Strong civil society .....	111
7.3.2.2	Human Rights education.....	112
7.3.3	<i>Clerical means</i> .....	114
7.4	CONCLUSION .....	115
<b>8</b>	<b>CONCLUDING ANTHROPOLOGICAL PERSPECTIVES .....</b>	<b>117</b>
8.1	CULTURE .....	117

8.1.1	<i>Cultural justification</i> .....	118
8.1.2	<i>Internal discourse &amp; Cross-cultural dialogue</i> .....	119
8.1.3	<i>Conclusion</i> .....	121
8.2	CRITICAL ANTHROPOLOGY .....	122
8.2.1	<i>Normative humanism</i> .....	122
8.2.2	<i>Critics</i> .....	125
8.3	GLOBALIZATION & CULTURE .....	126
8.4	CONCLUDING REMARKS FOR A DEEPER, DYNAMIC & INTERDISCIPLINARY APPROACH.....	128
<b>9</b>	<b>BIBLIOGRAPHY .....</b>	<b>131</b>
9.1	LITERATURE .....	131
9.1.1	<i>Methods</i> .....	131
9.1.2	<i>Islamic Republic of Iran</i> .....	133
9.1.3	<i>Anthropology &amp; Human Rights</i> .....	136
9.2	INTERNET-ARTICLES & HOMEPAGES .....	141
9.3	INTERNATIONAL DOCUMENTS, RESOLUTIONS, CONVENTIONS.....	145
9.4	INTERVIEWS .....	147
9.5	LECTURES.....	148
9.6	RADIO & TV.....	149
9.7	EXCURSION .....	149
9.8	GRAPHICS & FIGURES .....	149
<b>10</b>	<b>APPENDIX .....</b>	<b>153</b>
10.1	ABSTRACT IN ENGLISH .....	153
10.2	ABSTRACT AUF DEUTSCH.....	155
10.3	CURRICULUM VITAE.....	157



## Table of Graphics & Figures

FIGURE 1 TABLE OF TERMS & DEFINITIONS .....	8
FIGURE 2 TABLE OF ABBREVIATIONS .....	9
FIGURE 3 GROUNDED THEORY: DEFINITIONS OF TERMS.....	25
FIGURE 4 GROUNDED THEORY: PROCESS OF OPEN AND AXIAL CODING.....	28
FIGURE 5 INTERNATIONAL COVENANTS/CONVENTIONS IRAN HAS JOINED .....	105
GRAPHIC 1 MAP OF IRAN    © 2009 THE WASHINGTON INSTITUTE FOR NEAR EAST POLICY .....	6
GRAPHIC 2 CHECKS AND BALANCES    © 2009 U.S. STATE DEPARTMENT, AP, WSJ RESEARCH.....	45
GRAPHIC 3 THEOLOGICAL HIERARCHY OF THE SHII CLERGY IN IRAN    © 2000 WILFRIED BUCHTA.....	45
GRAPHIC 4 THE FOUR RINGS OF POWER    © 2000 WILFRIED BUCHTA.....	54

# 1 Prefix

## 1.1 Map of Iran



Graphic 1 Map of Iran © 2009 The Washington Institute for Near East Policy

## 1.2 Table of Terms & Definitions

<i>Ayatollah</i>	lit. 'sign of God'; a distinguished <i>mojtahed</i>
<i>Basij</i>	Persian for 'mobilization', volunteer paramilitary in Iran, subordinated to the Supreme Leader and the Islamic Revolutionary Guard Corps
<i>Fatwa</i>	Religious edict/judgment
<i>Faqih</i>	Jurist specialized in the field of <i>fiqh</i> , jurisprudent, jurisconsult
<i>Fiqh</i>	Religious law, jurisprudence
<i>Hadith</i>	The tradition of Prophet Muhammad's sayings and deeds, which are not directly included in the <i>Quran</i> and have orally spread after his death via various Imams
<i>Hijab</i>	Head-covering for Muslim women; in Iran it is for women, starting with the age of 9, a dress-code by force (in public)
<i>Ejtehad</i>	Lit. exertion, endeavour; practice of independently interpreting <i>Sharia</i> laws by employing reason and principles of jurisprudence ( <i>usul al-fiqh</i> ); the opposite of <i>taqlid</i> (imitation)
<i>Imam</i>	Arabic for 'leader', head of society; The one who leads the prayer; used also to designate a religious leader of the community; in Twelver-Shiism, one of the 12 hereditary successors of the Prophet, beginning with Imam 'Ali (the son-in-law of Prophet Muhammad)
<i>Majles; Majles-e shora-ye eslami</i>	The Iranian Parliament; Islamic Consultative Assembly
<i>Marja taqlid</i>	Source of imitation; a prominent scholar

	whose rulings and practices are binding examples for his followers
<i>Mojtahed</i>	One who is legally eligible by diploma to exercise <i>ejtehad</i>
<i>Nowrooz</i>	Persian New Year's celebration; First day of spring, around March 21
<i>Sharia</i>	Arabic for 'way', 'path'; the whole (private and public) legal framework of Islamic Law; the canonical law of Islam, as defined by orthodox authorities
<i>Shia</i>	Second largest denominator of Islam after <i>Sunni</i> Islam; the largest <i>Shia</i> branch is the Twelver-Shiism (adhering to the Twelver Imam lineage, starting with Ali the son-in-law of Prophet Muhammad) to which the majority of the Iranian population belongs
<i>Sunna</i>	After <i>Quran</i> the second method of interpreting Islamic precepts, for <i>Shia</i> Islam it means words, silence or behaviour of the 12 impeccable leaders, it includes the normative character of the <i>hadith</i>
<i>Ummah</i>	Islamic community or nation; the whole Muslim world (community of believers)
<i>Velayat-e faqih</i>	Guardianship or vice-regency of the jurisconsult: a fully qualified clergy over the community during the occultation of the <i>Shia's</i> twelfth Imam (Iran's ruling jurisprudent)
<i>Quran</i>	Divine revelation of God; first and most important source of Islamic Law, other evidence ( <i>Sunna</i> , <i>hadith</i> ) is used to better understand/interpret this book

**Figure 1 Table of Terms & Definitions**

### **1.3 Table of Abbreviations**

CDHRI	Cairo Declaration on Human Rights in Islam
CEDAW	International Convention on the Elimination of All Forms of Discrimination against Women
CRC	International Convention on the Rights of the Child
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OIC	Organization of The Islamic Conference
OP	Optional Protocol
UDHR	Universal Declaration of Human Rights
UN, UNO	United Nations, United Nations Organization
UNGA	United Nations General Assembly
UNODC	United Nations Office on Drugs and Crime

**Figure 2 Table of Abbreviations**



## 2 Foreword

Since the end of the Second World War and the beginning of a new world order, more particularly since the drafting of the United Nations Charter in 1945 and the Universal Declaration of Human Rights in 1948, human rights have entered international norm-settings. (cp. Wellmann 2003:1) From then on a continuing battlefield around different approaches to human rights, concerning its theoretical frameworks, origin, political and moral philosophy, cultural validity, universality, formulation, legal justification, etc., moved to the centre of different scientific fields such as law, ethics, philosophy, anthropology, politics, theology and diplomacy. The complexity of human rights discourses through diverse social and cultural values as well as the important fact that since the French revolution no strong and globally accepted definition of “universal human rights” has evolved, is a clear evidence that one single set of human rights is still far from being accepted, respected, promoted, protected and implemented by all individuals and peoples on this planet.

The concept of human rights is a modern phenomenon, which is mainly connected with the European enlightenment, especially with the 17<sup>th</sup>/18<sup>th</sup> Century Philosophy including natural rights and rationalism, and the Western emphasis of individual civil and political rights, economic capitalism, (neo)liberalism, democracy and the modern nation state. The International Bill of Human Rights, composed of the 1948 Universal Declaration of Human Rights and the two 1966 Covenants separated between Civil and Political Rights (plus its Optional Protocol) and Economic, Social and Cultural Rights, mainly serves as the only measuring stick when it comes to the valuation of human rights systems and standards all over the world. (cp. Mayer 1995:19)

Within the fundamental debate of universality vs. cultural relativity of human rights, Islam is perhaps the most misunderstood religion. (cp. Baderin 2003:358)

In most analysis, *Sharia* law is compared to the international human rights regime to give legal evidence that Islam is a total obstruction to human rights. Within these precarious and sensitive debates, terms like “West”, “East”, “Islam”, “Occidentalism” and “Orientalism” easily comprise the endangerment to be homogenized; a dangerous risk that threatens to squeeze complex and diverse cultures and societies into static and uniform categories, completely denying a common humanity of all individuals and

peoples in this world. The vast ignorance about the roots of Islam and the intra-Islamic dialogue on human rights issues in current debates, has motivated me to start researching on this challenging topic.



## 3 Introduction

### 3.1 Working theme & Research question

The regional focal point of my thesis is the Islamic Republic of Iran, a country with a highly diverse society and culture, usually in the cross fire of international politics and media, especially concerning human rights violations. I personally got connected to this country through a political and cultural field excursion to Teheran in July 2007 where I took part in a group discussion and interview with young Iranian students who work as journalists and are actively involved in women and human rights activism. I have build up close contact with many Iranians, who are either living in Iran, Austria, Germany or in the USA and got more and more involved in their worldviews, socio- cultural structures and practices.

The working theme of my thesis is:

*Human rights discourses and their context in the Islamic Republic of Iran.*

I want to find out how Iranians think about human rights in a broader way, to facilitate their recognition and to productively contribute to anthropological approaches towards human rights theories. I will not be caught in details about which and how structured these rights are, or into philosophical discussions about whether they are natural or historical. It is my goal to strengthen a broader and integrative framework of human rights that takes into consideration the vast impact of Globalization and the dynamics of "tradition" and "modernity".

In order to avoid going beyond the scope of my thesis, I am purely focussing on human rights *discourses*, in terms of different oral, visual and written sources for interpreting social and cultural structures, keeping in mind its implicit connotation of power and possible contestation. (cp. Lindstrom 1996:163) I want to find out how discourse structuring might reveal an understanding about individual intention and the Iranian culture at large: "In every moment of talk, people are experiencing and producing their cultures, their roles, their personalities." (Moerman 1987: xi) I do not give a detailed

juridical analysis, which should be the task of jurists specialized in International Law and Islamic Law.

My research question is:

*How can Iranian human rights discourses be situated in the current anthropological debate on human rights theories?*

Within this work, it is my aspiration to give an insight into different motives, paradigms, ideologies, and perspectives which are structuring Iranian human rights discourses and where they can be localized within current anthropological debates on the characteristics of human rights and culture. I am focussing on intersection points between internal and external battlefields, which can become a basis for further debates about how these theoretical problems can be solved.

I use the term “human rights” in a much broader sense, including its social, cultural, practical and symbolical dimensions, which develops meaning at different levels of society and culture. I do not want to treat human rights only as a body of positive International Law with a fixed language of rights and duties. I want to step beyond the purely legal vocabulary and rather use more cultural related terms which come up during the research process.

Out of this main research question derive several important sub-questions, which I want to answer within the chapters of my thesis:

- 1. In how far can you speak about one “Iranian identity”?*
- 2. How deep is the gap between "tradition" and "modernity" within the young Iranian society and how should these terms be defined in the era of Globalization?*
- 3. How many different socio-cultural groupings, ideologies, identities and goals shape and flow into Iranian human rights discourses?*
- 4. How can the battlefields between different human rights discourses in Iran be defined?*
- 5. In what sort of social, cultural, practical and symbolical dimensions are Iranian human rights claims embedded in?*
- 6. How could a continuous intra- and intercultural dialogue be encouraged and strengthened to keep up a “productive balance” between the battlefields?*

### 3.2 Context & Research group

First of all it needs to be highlighted that I have planned my research topic and field research excursion in the very beginning of the year 2009, and could not foresee the chaos evolved out of the presidential elections on June 12, 2009. The questionable voting outcome triggered huge demonstrations of the opposition followed by a chain of imprisonment by the governmental military of oppositional activists, politicians, journalists, and human rights advocates across the country. Therefore a lot of my interview partners are currently arrested or have to stop "critical contacts" with Western scientists, a sad fact, which has forced me to cancel my fieldtrip.

Due to the fact that I am not able to do a detailed field research trip including interviews with human rights activists and lawyers who are working in Iran, I had to confine my research group to Iranians who grew up and went to school in Iran, but moved either alone or with their parents to Europe or the USA. They are either political refugees, or simply wanted to study or work in another country, learning German or English and have the needed resources for doing this. Furthermore, they are all experts on the past and present developments, and are either human rights activists, journalists or intellectuals. (see Expert-interviews; Conceptualization) The outcomes of the group discussion and interview with young Iranian students and journalists in Tehran, which I was able to do during the field excursion in July 2007, also flow into my analysis, as well as lectures I have personally attended in Iran, Austria and Germany.

After the election and with the beginning of the Green movement<sup>1</sup>, more than before does the fragmented characteristic of a highly diverse society comes into light. Iran has a population of 66.429.284 with a median age of 27 years. (est. of July 2009, CIA Factbook [url]) The majority of Iranians is under the age of 30, a young generation that contains of dynamic agents of Globalization, widely outnumbering the conservative elite, the radical right and its adherents. It is a society wrapped in thoughts of

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<sup>1</sup> Within my work I will use the term *movement* and not *revolution*. Right now, it makes the impression that the majority of the protesters in Iran do not want to overthrow the entire governmental system, but *reform* it from within the framework of the Iranian Constitution and the early ideals of the 1979 revolution; a *reform movement* intended to bring about changes on social, cultural, judicial, religious, political, and economic levels on a democratic basis. However, it does not exclude the possibility that this movement could flow into a revolution at a later stage.

imposition, trying to find a respective place in this world, as a society with a dynamic social and cultural structure, capable of change.

Globalization, seen as "a process (or a set of processes) that embodies a transformation in the spatial organization of social relations and transactions, generating transcontinental or interregional flows and networks of activity, interaction, and power" (Held & McGrew [et al] 1999:483), especially in the field of communication networks, plays a major role and enhances complexity and hybridity of the Iranian society and culture tremendously. Online communication systems like *Facebook*, *Twitter* and *Youtube* isochronically report all the happenings on the streets during the last months' protests, Friday sermons and student gatherings, making news available to all individuals, who have access to the internet as well as foreign news agencies, which are, so far, not allowed to send foreign reporters. Cell phones and internet blogs are the primary base for (student) activists or oppositional presidential candidates to freely express themselves as well as to organize meetings and protests. Even though the government has successfully turned off the cell phone and online access system during and after the critical voting days within the country, there were still backdoors to be found to other intersection points in order to connect to the outer world; a clear sign that Globalization with its advanced technology has, since a long time, absorbed Iran as well.

The structure, goals and actual consequences of Globalization and "modernity", mostly seen as a "broad synonym for capitalism, or industrialization, or whatever institutional and ideological features are held to mark off the modern West from other, traditional societies" (Spencer 1996:378-379), are permanently changing and automatically its definition, too. Within the Iranian context, blurry terms like "tradition" and "modernity" need to become specified more closely.

### 3.3 Aims

Through compared analysis and conceptualization of Iranian human rights discourses, I am trying to discover variables and perspectives on different social and cultural levels, which are influencing and structuring these discourses. Further more I want to find out whether there is common ground or a shared basis upon which an intra- and intercultural dialogue can build up on, and where possible linkages to current anthropological debates on and approaches to human rights theories can be found.

Within the realms of possibility, I will carefully draw near the goal to give an overview of some important influences on human rights discourses in Iran to provide an insight into the complexity, which human rights theories are facing. In order to establish a base for a gradual approach, I first of all have to percolate core conceptions, core categories and in the end linking hypotheses to find out how to situate Iranian human rights discourses in current anthropological debates as well as to crystallize clear questions for further and more detailed research.

The highest priority within my work is to avoid *ethnocentrism*, "the tendency to view the world from the perspective of one's own culture, or the inability to understand cultures which are different from one's own" (Barnard & Spencer 1996:604); being aware that a certain degree is unavoidable, since it "is a function of early enculturation"<sup>2</sup> (Herskovits 1972:80), and consequently the basis of our acceptance of the validity of norms and values of our culture, which "provides the individual with a sense of identification with his group." (Herskovits 1964:54; 1972:81)

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<sup>2</sup> For Herskovits, enculturation is an unconscious and automatic process, in which each member of a society "grows into" his/her culture: "[...] if culture is to be thought of as ordering of behaviour in a society, enculturation is the mechanism which orders for each of its members the form and extend to accepted modes of conduct and aspiration, and also sets limits within which variation in individual behaviour is sanctioned." (Herskovits 1972:76)

### **3.4 Chapter overview**

After the **second** chapter, which gives an overview of the working theme, research questions, field, group, aims and context, the **third** chapter briefly introduces the methods or methodology with which the research is conducted. The qualitative and empirical approach of the methodology of grounded theory, together with the methods of semi-structured interviews, expert interviews and ethnographic fieldwork is explained. Further, the methodology of grounded theory is outlined in more detail, defining the coding and theoretical sampling processes, in regard to comparative data analysis, interpretation and the role of the researcher.

The **fourth** chapter gives an introducing overview of the broad and complex context, which counts and influences the research group and present actors in the respective field. First of all it introduces the Islamic Republic of Iran, with its cultural background, Twelver-Shiism and diverse society. The historical and present status of Iranian intellectuals as well as of political reform is explained, followed by the organization of the political and juridical system, in which, with close reference to the Constitution, the three state branches, plus the Leadership and (in)formal power fields are unfold.

Chapter **five** displays the qualitative conceptualization and comparative analysis and interpretation of the collected data material on the basis of expert interviews and lectures. In the end of each categorized umbrella concept, follows a conclusion with hypothetical answers to the research sub-questions. The conceptualization and categorization draws a bow from "Iranian identity", "tradition and modernity", over "battlefields" on four major levels, to "human rights", including dialogue possibilities, limitations, and the important role of women and education.

The **sixth** chapter deals with "questions of universality" including individual perspectives of interviewees and lecturers, referring to Islam and human rights in general. Additionally, Iran's official position on human rights internally as well as within International Law and the UNO is explained. Prospects for dialogue possibilities are described on international, domestic and religious levels of action. The **seventh** chapter is a comprehensive round up with concluding anthropological perspectives and theoretical approaches towards human rights theories. It promotes a critical, dynamic and interdisciplinary approach to a more comprehensive and extensively empirical theory of human rights.

## 4 Methods

### 4.1 Qualitative & Empirical approach

I am using an qualitative and empirical approach, because the question of *why* and *how* is much more important when it comes to sensitive issues like universality of human rights, due to its high ethical, philosophical as well as specific cultural and social background. This topic contains a more analytical and symbolical character, which means that even facial expressions, as well as the way how the respective person is laughing, talking and pausing, is influencing the final interpretation results and is for this reason indispensable. From an anthropological perspective, “[...] one needs a more sophisticated analytical vocabulary than simply that of rights, duties, and choices. [...] This vocabulary needs to be grounded in a theory of individual agency conceived as deeply shaped by and within social relations.” (Cowan 2006:13) This quotation underlines the importance to not simply base on lexical definition of terms but to critically bear in mind their contexts, origins, as well as intentions of the subject. The apprehension of a subject's action or in general social data, always calls for *Fremdverstehen* or different perspective-taking, which means that the daily life knowledge is principally not sufficient for generating differentiated knowledge. (cp. Mayring 2008:29) Context-related action stands in the centre of comprehensive analysis.

Therefore, the approach of critical and analytical qualitative content analysing would provide the best basis for a better in-depth understanding of the interrelated structures of apperception, interpretation, and action of the respective subjects being researched.

#### 4.1.1 Grounded Theory

*"This is not to say that we cannot identify some general patterns, but that generalized abstractions have to bear the hallmarks of "grounded theory," in which intellectual abstractions remain embedded in identifiable empirical findings." (Cowan 2006:13)*

Due to the fact that there is little scientific work regarding human rights discourses in Iran, and which is actually available to me, I more or less step on new ground. The current debates on universality of human rights in Iran are more or less locked within small circles and to gain access is not easy. Especially when one considers the difficult political situation in Iran right now, in which a lot of human rights scholars are under custody or imprisoned and consequently hindered to take part in international dialogues. For this reason it appeared to me as a logical approach to enter the scene with the methodology of grounded theory. It seems to be the only way to first of all discover key themes or phenomena within current Iranian human rights debates, through which I am able to develop core variables with certain specific characteristics, which reveal more about the overall dimension of the discourses. Since there is not one strong and grounded theory concerning "universality of human rights" available, careful conceptualizations of different discourses could advance theoretical discussions and help solving its fundamental problems.

Even though grounded theory was developed as a *methodology*, "a way of thinking about and studying social reality" (Strauss&Corbin 1998b:4), which builds *theories* grounded in empirical data (cp. Strauss&Corbin 1998b:8), it is not possible for me to generate a totally new and extensive formal grounded theory on "Iranian human rights discourses". The limited volume of my thesis and the complexity of the topic would not allow it. But since a *theory* is in itself constantly developing with no absolute endpoint (cp. Glaser&Strauss 2005:52), I could give a starting shot for a future emergent theory with further refinement. Within the research process, I will integrate the basic approach of grounded theory, which is a constant comparative and systematic analysis process, involving new data from multiple sources such as lectures, interviews, discussions, comments, documents, etc. The research subjects, who embody the primary source of new qualitative data, are the most important elements of my work. The methodology of grounded theory can be seen as a "vision", which gives a flexible and creative guidance



to "where it is that the analyst wants to go with the research" (Strauss&Corbin 1998b:8). I can only look behind doors, which are open or at least left ajar and are guided only by those chances, which I am able to grasp and realize.

In order to block findings of eventual new key categories, properties and dimensions, out of which I am able to formulate cohere and plausible hypotheses, extensive reading of literature concerning human rights theories will only be integrated when the core categories of my work are established with its basic conceptual development. (cp. Glaser 2004:§46) Of course, a certain previous knowledge is absolutely necessary to be able to hold interviews and step into professional dialogue with experts.

On the other hand, the theoretical access to human rights theories and discourses in Western anthropological circles is easy to access and rich on material. However, the current anthropological debate will only serve as basis in the concluding end of my thesis, when it comes to the localization of Iranian human rights discourses in the Western anthropological debate on human rights theories.

#### **4.1.2 Semi-structured interviews**

In my point of view the method of *semi*-structured interviews is the most adequate and compatible way for collecting and comparing new qualitative data. *Semi*-structured means that the interview form has a certain sequence of themes to be covered, as well as a list of suggested questions. However, in opposition to *full*-structured interviews, there is an openness to change the sequence and forms of the questions in order to reach viable answers in regard to the main research question. (cp. Kvale 1996:124) The interviewer is in this way able to improvise follow-up questions and to dig deeper in areas of interest that emerge to explore further meanings and dimensions in order to specify core categories. (cp. Arksey&Knight 1999:7) In the end interviews are a method by which "the world of beliefs and meanings, not of actions" (Arksey&Knight 1999:15) is clarified. What people think must not necessarily align with their action.

Concerning objectivity, I am supporting Steiner Kvale's (1996:66) conception of an interview, which is "neither an objective nor a subjective method - its essence is intersubjective interaction." He follows Bernstein's (*Beyond Objectivism and Relativism*, 1983) hermeneutical tradition, arguing for a "dialogic conception of truth, where true knowledge is sought through rational argumentation by participants in a discourse. And the medium of a discourse is language, which is neither objective or

universal, nor subjective or individual, but intersubjective." Along these lines, an interview does not only involve a professional conversation but also a rational negotiation of meaning between the interviewer and his or her respondents. Objectivity, then not only depends on the relationship between the researcher and the nature of the object studied, but also on a theoretical, critical and reciprocal understanding of the content being analysed. (cp. Kvale 1996:64-65)

#### **4.1.3 Expert-interviews**

In my research field, an *expert* is someone who has a particular or outstanding knowledge of contemporary Iranian research. More specifically, it is an intellectual, not necessarily an Iranian citizen, who has a thorough and up to date inside view into the social, cultural, juridical, political, or economical currents within the Iranian society. All experts belong to a certain cultural and social context to which I don't belong and subsequently have a special perspective on the topic concerned due to her/his individual position and personal observations.

Therefore, experts are the source for special knowledge concerning my research field and the expert-interview is the method to make this knowledge accessible. (cp. Gläser&Laudel 2009:12) The interviews serve as basis to analyse the descriptions of the respondents' personal acquisition of interpretation, perspectives and attitude concerning certain concepts, categories and subcategories in the research field. (cp. Hopf 1979:15)

The first task is to negotiate access to certain experts, in sending out a personal introduction letter which comprises the purpose of studies, the methodology, the subject area and the thematic direction of possible questions, as well as the benefit or goal of the research outcome. Background knowledge about every respective expert is also very important to first of all gain access, and then the needed respect for a productive interview at eye level. Background information includes not only the interviewee's biographical data and publications, but also active voluntary engagements, position and concerns about issues in which the person was historically and is currently involved. (cp. Arksey&Knight 1999:124)

All expert-interviews were recorded with a digital voice-recording device. Therefore, I was able to fully concentrate on the content of the interviewee's statements and did not need to simultaneously write a protocol, which usually disturbs the flow of words, is incomplete through hurried simplification, sketchy reconstruction as well as hasty pre-

interpretations by the interviewer. (cp. Gläser&Laudel 2009:157) Consequently, I was able to analyse all answers in their full completeness, calmly, at any time after the interview has taken place.

#### 4.1.4 Ethnographic fieldwork

Today, social and cultural anthropology does not only deal with the non-European "foreign" but also with the own society and culture as well as things that for the anthropologist, on the first sight, seem to be "normal" and familiar. An essential basic technique of anthropological fieldwork is *participant observation*, "in everyday activities, working in the native language and observing events in their everyday context" (Barnard&Spencer 1996:616), a methodology integrated by Bronislaw Malinowski<sup>3</sup>. Concerning my work, the method of participant observation seemed unsuitable, on the basis of the facts that I am purely focusing on human rights *discourses* in intellectual Iranian circles. Therefore, the scientific knowhow, practical experiences and personal stories of the interviewees forms the fundament of my work, and not detailed descriptions about how they actively practice that what they say in everyday life. *Ethnography* in general, as product (writings by anthropologists) and process (participant observation or fieldwork), together with the methodology of *comparison* and *contextualization*, form an anthropological triangle, which is, "in essence, the way in which socio-cultural anthropology works as a discipline to explain and interpret human cultures and social life." (Sanjek 1996:193) Even though I am not able to perform an elaborate field research trip to the Islamic Republic of Iran, I will nevertheless use the ethnographic term *field* or *fieldwork*, which "can take as many forms as there are anthropologists, projects, and circumstances." (Carrithers 1996:229) My *fieldwork* comprises gathering information from all kinds of written, oral and visual sources as well as from my short but intense political and cultural field excursion to Teheran in July 2007. Therefore my personal reminiscences, experiences and feelings, as well as the process of getting access to experts and insiders, which made all the interviews possible, are also flowing into my *field* and are shaping my *fieldwork*. All the knowledge I gather from the above mentioned multiple sources, I have to re-work for

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<sup>3</sup> Especially through his fieldwork in the Trobriand islands from 1914 to 1918 and his book *Argonauts of the Western Pacific* (1922). (Panoff&Perrin 2000:159)

scholarly purposes. Even while I am sitting alone at my desk, in my mind and memories I will continue to be engaged with my research subjects, in an effort to analyse compare and re-construct their sayings and to interpret their body language. (cp. Carrithers 1996:231)

## 4.2 Qualitative data analysis & Interpretation

The central task of qualitative data analysis lies in the creation of an interpretative approach to the collected data material. (cp. Strübing 2008:19) For using the methodology of grounded theory, the researcher needs to be much more creative. The connection between the researcher and his/her developing scientific work can be compared to the connection between an artist and his/her developing piece of art.

*"Analysis is the interplay between researchers and data. It is both science and art." (Strauss&Corbin 1998b:13)*

### 4.2.1 Comparative data analysis

After Glaser & Strauss, systematic comparative data analysis forms the operational basis of generating theory grounded in empirical data. To generate theory, implies that the researcher (1) collects, (2) encodes and (3) analyses data parallelly and simultaneously. From the beginning of the research to the end the three operations merge and permanently intersect. (cp. Glaser&Strauss 2005:52)

Comparative analysing is about generating many *phenomena, concepts, categories, properties* and its *dimensions, subcategories* as well as *hypotheses* to general problems and to plausibly integrate them into a categorical system for further comparisons. To exemplify my approach using the methodology of grounded theory, I am operating with following definitions by Strauss and Corbin (1998b:101):

<i>Phenomena</i>	Central ideas in the data represented as concepts
<i>Concepts</i>	The building blocks of theory
<i>Categories</i>	Concepts that stand for phenomena
<i>Properties</i>	Characteristics of a category, the delineation of which defines and gives meaning
<i>Dimensions</i>	The range along which general properties of a category vary, giving specification to a category and variation to the theory
<i>Subcategories</i>	Concepts that pertain to a category, giving it further clarification and specification

**Figure 3 Grounded Theory: Definitions of terms**

From fundamental importance are *memos*, which are "the researcher's record of analysis, thoughts, interpretations, questions, and directions for further data collection." (Strauss&Corbin 1998b:110) Memos arise at all levels of the research process, from constant comparison of indicators and concepts, from reading literature, and generally from sorting, structuring and writing. *Memoing* is a systematic process that continuously parallels the data analysis process and is consequently the most important and direction guiding component of grounded theory. Memos help to develop the properties of each category in order to generate a conceptual framework through an integrated set of hypotheses. (cp. Glaser 2004:§65-66)

#### 4.2.2 Coding

The meaning behind data from different sources like texts, interviews, movies, lectures, etc. needs to be unveiled first, in order to compare and analyse them. In the case of grounded theory, there is no theoretical framework available right from the beginning. For this reason, concepts, categories, properties and its dimensions need to be developed during the research process in order to formulate integrative hypotheses. Glaser & Strauss choose for this approach of data analysis the term *coding*. (Strauss&Corbin 1998b:58; Strübing 2008:19)

It is an analytic process, in close examination of empirical data, used to develop the key elements of a generating theory, like concepts, categories and hypotheses. It is "the analytic process through which data are fractured, conceptualized, and integrated to form theory." (Strauss&Corbin 1998b:3) Grounded theory systematically codes material, not necessarily to its full exhaustiveness, but with codes on the basis of theoretical concepts and categories, which successively are developed through a continuous comparative data analysis. (cp. Strübing 2008:19) It systemizes and controls the generation of theory.

Glaser & Strauss developed a three step coding process, without a fixed hierarchy or distinctiveness from each other:

- (1) *Open coding*, "the analytic process through which concepts are identified and their properties and dimensions are discovered in data" (Strauss&Corbin 1998b:101), is used to break off the shell of the surface of the collected data, through an analytical extraction of phenomena and its properties.

- (2) *Axial* coding, "the process of relating categories to their subcategories, termed "axial" because coding occurs around the axis of a category, linking categories at the level of properties and dimensions." (Strauss&Corbin 1998b:123)
- (3) *Selective* coding, which proves the core variables by systematically comparing them to other subcategories, in order to refine the theory. "Selective coding means to cease open coding and to delimit coding to only those variables that relate to the core variable in sufficiently significant ways as to produce a parsimonious theory. Selective coding begins only after the analyst is sure that he/she has discovered the core variable." (Glaser 2004:§55) It is a systematic put-into-relationship process of a core category with other categories, which need further refinement and development. (cp. Strauss&Corbin 1996:94)

As mentioned before, it is not my goal to generate a new and fully grounded formal theory, but to draw an outline of different motives, paradigms, ideologies, and perspectives, which flow into Iranian human rights discourses. Therefore, I will focus on the *open* and *axial* coding procedure only, in order to generate *core categories* (see Multiple data, depth & saturation) and linking *hypotheses* (see Axial coding) between different contexts, actions, conditions and consequences of the analysed discourses.

#### **4.2.2.1 Open coding**

Through *open* coding, the analyst tries to identify experiences, which shall give an answer to the methodological question and perspective, about what is all involved in the research process. It first of all only deals with the identification and placing of single concepts or phenomena. Later, in subsequent analysis, they are integrative and knowledgeable enough to ascribe them meanings. (cp. Strübing 2008:14)

The plurality of possible perspectives and facets of every phenomena becomes within the process of *dimensionalization* more abstract, by integrating them into theoretical concepts. "[...] whereas properties are the general or specific characteristics or attributes of a category, dimensions represent the location of a property along a continuum or range" (Strauss&Corbin 1998b:117). Properties can be dimensionalized for example in its frequency through questions like how often a phenomena happens, to find *patterns*, which "are formed when groups of properties align themselves along various dimensions" (Strauss&Corbin 1998b:117), having in mind that not every person, action or object fits a pattern completely.

The recognition of general characteristics of a category is important, because they deliver the entire scope of dimensions under which a category varies. (cp. Strauss & Corbin 1996:51)

#### 4.2.2.2 Axial coding

*Axial* coding aims to create an interrelationship drawn on phenomena. That means that the researcher compiles connections between qualified concepts and is testing them through continuous comparison. Depending on the status of development of a precise research question and the progress of the *open* and *axial* coding, usually turn out one or two theoretical concepts as central for the developing theory. (cp. Strübing 2008:20) According to Strauss (1998:63), *axial* coding points to possible linkages between a certain category and other different concepts and categories. The researcher needs to decide, which identified phenomena are or could be relevant enough to clarify the research question, and systematically compare them upon questions of their origin, circumstances and consequences. Consequently, vague *hypotheses* are developed, which need to be tested in the successive analyses. Hypotheses are nothing more than "statements about the nature of relationships among the various categories and their subcategories." (Strauss&Corbin 1998b:103)

Those hypotheses that prove to be fruitful to answer the research question, flow into the concluding end. (cp. Strübing 2008:21)

The parallel, overlapping and intertwining processes of *open* and *axial* coding can be summarized in following causal connection:

1) Interview summary → 2) Content filtering into different phenomena which turn into concepts → 3) Unify concepts as properties or subcategories under more theoretically abstract categories → 4) Define the dimension of properties and subcategories for further specification of the category → 5) Inductive approach: connect categories with their properties and dimensions to formulate hypothesisises → 6) Compare core categories to other incidents/phenomena to create a categorical system for further analysis → 7) Deductive approach: verify hypothesis by means of other incidents/phenomena.

**Figure 4 Grounded Theory: Process of open and axial coding**



### **4.2.3 Theoretical sampling**

Glaser and Strauss (2005:55) call the process, of simultaneously collecting, coding and analysing data with the goal to generate theory, as well as to decide about which data needs to be collected in the next step and where they can be found, *theoretical sampling*. Theoretical sampling is a "sampling on the basis of emerging concepts, with the aim being to explore the dimensional range or varied conditions along which the properties of concepts vary." (Strauss & Corbin 1998b:73) It has the intention to discover categories and their properties as well as to design the internal network or outline of a theory. (cp. Glaser & Strauss 2005:70) "The basic question in theoretical sampling is to what groups or subgroups does one turn to next in data collection—and for what theoretical purpose?" (Glaser 2004:§51)

Not one but many different categories in combination need to be systematically analysed, like a combination of different research groups, cultural symbols and social practices. It leads the researcher to the question of where the next group for comparison can be found, which is different to the one already being researched. When such a contrasting group can also be analyzed, it leads to further generation and adjustment of his/her theory. (cp. Glaser & Strauss 2005:91)

Therefore, the process and the final duration of the theoretical realization are not calculable in advance. (cp. Glaser & Strauss 2005:55)

### **4.2.4 Multiple data, depth & saturation**

Different types of data create a broader variety of perspectives, from which the researcher is able to establish categories and analyse the connections between their properties and dimensions. It is a multisided approach that does not set boundaries to the techniques of data collection, the way data are applied or certain data types. Such data diversity is helpful for generating hypotheses, because it brings together more information about categories, as any other form of data collection. All the possible ways to glean categories, automatically force the researcher to generate characteristics, in so far as the researcher understands the varieties between the different data layer as expression of different conditions under which they are collected. (cp. Glaser&Strauss 2005:73) To cumulate many different data with the method of comparative analysis meets the requirements to cope with a greater variety of conditions and exceptions of

hypotheses. Every complement mode of data investigation or source of knowledge needs to be theoretically integrated into the research work. Because, every new and different type of data does only enrich the theory in process and does not completely disprove it. (cp. Glaser & Strauss 2005:76)

The depth of theoretical sampling refers to the amount of collected data from one group or category. Strauss and Corbin (1998b:136) describe saturation as " a matter of reaching the point in the research where collecting additional data seems counterproductive; the 'new' that is uncovered does not add that much more to the explanation at this time."

Only at the beginning of the research and until the main categories to be analysed appear, asks theoretical sampling for the maximized coverage. After that only such data are collected, which refer to the core categories. The *core*-categories or theoretical key variables are the most explicative and need to be covered and saturated the complete as possible. A core category emerges after extensive comparison of incidents to categories and the following saturation of coded categories, which seem to be from higher importance to answer the research question. "The core variable can be any kind of theoretical code—a process, a condition, two dimensions, a consequence, a range and so forth. Its primary function is to integrate the theory and render it dense and saturated." (Glaser 2004:§54) When the researcher develops and integrates his/her theory, he/she realizes which categories need more saturation and which can be excluded. Consequently, the theory itself selects in which direction and how deep it is developed. (cp. Glaser & Strauss 2005:77)

### **4.3 Role of researcher**

In order to develop comprehensive hypotheses in full compliance with the collected material, the continuously comparing researcher is permanently forced to consider the rich diversity of data. "From the start, the analyst asks a set of questions—*"What is this data a study of?" "What category does this incident indicate?" "What is actually happening in the data?" "What is the main concern being faced by the participants?" and "What accounts for the continual resolving of this concern?"* (Glaser 2004:§48)

All phenomena/categories need to be compared to other phenomena/categories and properties of a category, in order to work out as many similarities or differences as possible. Therewith the generating process of constant comparison and theoretical sampling is kept in a constant flow, and it is the analyst's duty to permanently pay attention to the inner development as well as the outer linkages of relevant categories to stay theoretically sensitive. The methodology depends to a high degree on the professional skills and sensitiveness of the researcher, who accepts controlled flexibility and indecisiveness to creatively generating categories, hypotheses and theory. (cp. Glaser & Strauss 2005:85)

Therefore, the end product of the study is unique in so far that another researcher who works independently, even though with the same material, would not come to the same results. (cp. Glaser & Strauss 2005:109)

#### **4.3.1 Ethical responsibility**

Every piece of research is context specific and therefore ethical considerations are inevitable. The researcher needs to make ethical decisions at all levels and stages of the research process.

An ethical approach implies to obtain the subject's informed consent to participate in the study, which needs to be kept up during the entire process, as well as securing confidentiality concerning the data collected and every person's anonymity. It is the researcher's ethical responsibility to report knowledge that is as secured and verified as possible. Any possible consequences of the study for the subjects who take part in the research need to be cleared in advance. (cp. Delgado 2006:209; Hill 2005:65; Kvale 1996:111)

Implementing *confidentiality* in qualitative interviews means that generally names and

other personal details of the interviewees must be disguised and everything they say must remain private or secret. Depending on how politically, judicially, and/or culturally critical the interview questions are, the research subject's age, occupation or information pertaining to specific social or family relationships need to be changed as well. (cp. Arksey&Knight 1999:134) The interviewee may face risks in terms of personal safety, especially when the research deals with citizens of oppressive states like the Islamic Republic of Iran where regime critical opinions are reason enough to get prosecuted. Therefore every research participant needs to give his/her full consent concerning copyrights and has to state whether their information can be cited indirectly or directly with their given or with a fictitious name. Any other requests are additionally secured in written and signed form from both the researcher and the research subject.

#### **4.3.2 Power & Discourse**

The researcher permanently has to ask him/herself how to counteract losing critical perspective on the knowledge obtained and consequently how to ensure the scientific quality of the study. This contains to be critically sensitive about how deeply the interviews can be analyzed and whether the subjects should be involved in interpreting certain statements. (cp. Kvale 1996:111, 120) Therefore, it is important to integrate one's work within expanded global interconnections, which includes the anthropologist's political, historical, social and cultural heritage and which (power) relationship he/she has toward the research field and subjects. After James Clifford (1986:7), ethnographic representations are "partial truths" and Lila Abu-Lughod (1991:142) goes further and says they are also "positioned truths". Such a critical self-reflection is urgently needed especially when talking about universality and avoiding ethnocentricity. According to Evans (2005:1049), "discourses promote particular categories of thought and belief that guide our responses to the prevailing social environment. In this sense, discourses lend structure to our experiences and to the meanings we give to our experiences." Therefore, language does not only describe external reality but refers to generalised, socially constructed categories of thought, which all consist of important social meanings and values in constant interaction with the prevailing social and cultural context.

## 5 Islamic Republic of Iran

### 5.1 *Introducing overview*

Iran's long timeline is engraved with a variety of historical phases as well as social and cultural peculiarities. In pre-Islamic times, Iran included three Persian empires (Achaemenid, Parthia, Sassanid) and was from its very beginning a multiple ethnic state, which it is still today. The word *Iran* comes from the middle Persian and means "The land of the Aryan", as a term for a political, religious and ethnic unity, which got fully integrated in the Sassanid period (224-651). It was a term for the magnitude and unity of Persia, which used to be a huge territory including Mesopotamia, the area of the present day Afghanistan, the ancient Transoxania (approximately the present day Uzbekistan, Tajikistan, and southwest Kazakhstan), Oxus (Amu Darya river) and Jaxartes (Syr Darya river). The term *Persia* simply describes a landscape in southwestern Iran (Old-Persian "Parsa", Arabic "Fars", Greek "Persis") and correspondingly a mere geographical term. Both terms *Persia* and *Iran* are used interchangeably from many Iranians/Persians today, but *Iran* remains the official, international and political term, which I am going to use throughout my work. Important to mention is that a clear outlined term like *nation*, which evolved in the European modern age, and is in its meaning strongly bound to one ethnic society, is not suitable for a multi ethnic country like Iran, evolved from afar and dynamic epochs. (cp. Gronke 2006:8-9)

Iran underwent developments, which differ in their specific independence from other countries in the Islamic Orient. Iran was able to keep certain specific characteristics from pre-Islamic times - despite the Arab conquest and the Islamization process which started in the 7th century; despite the Abbaside caliphate (749-1258), Turkish dynasties and Mongol leadership (1055-1501); despite the Safawid (1501-1722), Qajar (1796-1925), and Pahlavi (1925-1979) dynasties; despite Western hegemonic exploitation and an exhaustive war with Iraq (1980-88) - to the present Islamic Republic of Iran, constitutionally established after the 1979 revolution<sup>4</sup>. It is the first Islamic Republic

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<sup>4</sup> I am consciously writing *1979 Revolution* and not *Islamic Revolution*, since for the majority of the Iranians it was not the goal to create an authoritative Islamic regime but solely wanted to over through the Shah and set up a entirely new and republican system. The following systematically organized and radical

under Shii banner, an experiment which has not reached its end, yet. One of the specifics of the country is the commitment to the Twelve-Imam Shii Islam, which is since 1501 state religion. Therefore, the *Shia* Islam (Arabic for "party", or "Ali's party", meaning that Ali is the only legitimate successor of the Prophet Mohammad) is the central point around which Iranian politics, culture and society is circulating and it demarcates the country from all other countries of the Islamic world, in which the *Sunni* Islam is dominating. (cp. Buchta 2004:136; Gronke 2006:23) Today, the Iranian society consists of 89% Shiites, 9% Sunnites and 2% form Zoroastrians, Jews, Christians, and Baha'is (est. of July 2009, CIA Factbook [url]), of course with different characteristics and occurrences.

A broad diversity of complex changes have constantly and tremendously influenced social, cultural, religious, economic and political developments, which makes Iran to the most dynamic society and culture of the entire Middle East region despite the rigid political system, which is based on unchangeable religious principles under the surveillance of the Guardian Council. (cp. Mohssen 2008:1 [lecture]) When doing research about the Iranian society, all historical and political happenings — since centuries dominated by foreign powers, the nationalization of the oil industry by the first democratically elected President Mosaddegh stopped by a CIA/SIS coup, the 1979 revolution stopped with the ceasefire with their hated Saddam Hussein, whom the West was supporting during an eight year long brutal war — need to be kept in mind. Then, it starts to seem a lot more logical that the Iranian society now wants to show the world that besides all hurdles, it became a modern and advanced country in the 21<sup>st</sup> century.

To understand the self-conception of the Iranians, it is inevitable to pay thoughtful attention to these intertwining and overlapping changes from internal and external influences to which they had and still have to react, constantly. Beside many internal struggles, there always have been external influences, which also need to be critically examined when analysing Iranian ways of thought. The geopolitical position of Iran and its demographical or generational changes are also important aspects which cannot be hidden.

The huge amount of material concerning Iranian and Islamic history within such a rich time span, makes it difficult to decide which information need to be included in an

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islamization process under Khomeini as Supreme Leader, was for many people a deep shock and has led to massive emigration waves.

"overview" of Iran's history, to properly describe the context, in which current human rights discourses take place. Since setting limits is an important factor within the Diploma writing process, I am impelled to narrow the timeframe down. Since there is a lot of literature available which is thoroughly treating the pre- and post-revolutionary period, I decided to concentrate on the very present context, starting with the presidency of Mahmoud Ahmadinejad in 2005, and its current developments around the Green movement. I will give a brief overview of Iran's maze of informal and formal power centres, within and around the official political and judiciary system of the Islamic Republic. The influence of different power centres is important to understand certain actions and constraints of the main Iranian protagonists of the present day. I will give some basic and historical information about the state's political and judicial system, about its culture, religion and society, as well as (political) reform actions, constraints and instabilities.

## **5.2 Culture, Religion & Society**

### **5.2.1 Twelver-Shiism**

After Ali's death in 661, who was the son-in-law of the Prophet Muhammad, a point of contention evolved about who is authorized to lead the Muslim society. Strong controversies have led to the development of different Shiite groups. The Twelve-Imam Shiism promotes the belief that only Ali's sons, with the prophet's daughter Fatima as their mother, are legitimate for taking the lead. For them, there are all in all twelve legitimate *Imams* (Arabic for "leader", "head of society/group") starting with Ali himself. After the death of the 11<sup>th</sup> Imam (873/874), who had no male offspring, deep divisions about the unsolved problem of who is going to be the next Imam left its mark within the Shii community. However, Twelver-Shiites hold the opinion that he actually had a son, called Mohammad (like the prophet), who was born in 869. A miracle has vanished him and now he is hiding somewhere on this planet invisible for his adherents. As a redeemer (*al-Mahdi*) he will one day come back to his adherents, ending the prophet's mission, to abolish tyranny and bring paradise on earth, uniting all Muslim people. (cp. Gronke 2006:22-23)

The historical turning-point of the Twelver-Shiism happened as Hoseyn, Ali's youngest son and 3<sup>rd</sup> Imam, tried to conquer the Umayyad caliphate; But his Kufi- Shii followers from Medina, did not support him on the said day and consequently he died in the battle of Kerbela in October 10, 680. This in turn led to a political collapse of the *Shia* and it became an oppositional movement against Sunni leadership. An important fact is that only after Kerbela the Shii traditions evolved with its repentance and mourning rituals. (cp. Aslan 2006:193-6; Gronke 2006:24-25)

Twelve-Imam Shiites celebrate the anniversary of their death, as well as the birthday of the 12<sup>th</sup> Imam. The gravesites of the 11 Imams are important pilgrimage destinations and are highly worshiped. Since none of their legitimate Imams, ever came to power, the Shii society always has lived under an "unrightful" power. Not until the hidden son comes back and starts the period of reckoning, all leaders can only be provisional and therefore are temporarily limited authorities. (cp. Buchta 2004:138)

The Shahs of the Safawid dynasty (1501-1722) established a network of Shii institutions in Iran and the Shii *olama* (Arabic/ Persian "scholars") became an autonomous Clerus with certain independence and authority vis a vis political powers;



An establishment, which is in Sunni Arabic Islamic countries not existing. (cp. Buchta 2004:139)

After the 1979 revolution, Iran's Supreme Leader Imam Khomeini established a new theory of theocratic government, anchored in the Constitution of the Islamic Republic of Iran, which is basing on the mandate of the Council of Jurists (*velayat-e faqih*) under the leading and confirming voice of himself, as the Supreme Leader. The Supreme Leader is the one who acts as the "substitutional" authority of the Twelver-Shii society during the period of occultation of the Twelfth Imam. Hence, the leadership institution of *velayat-e faqih* is the vice regency of the hidden Imam. (cp. Gronke 2006:26; Kamali 2007:382; Khosrokhavar 2004:195) Today, this absolute clerical power holds Ali Khamenei, the successor of Ruhollah Khomeini. (see Guardian Council)

Hamid Dabashi sees Shiism as a religion of protest, which emerged after the violent and unjust deaths of all Imams following Ali's caliphate, called as Martyrs. Therefore, he sees a big paradox in Shii Islam being institutionalized in a theocracy, like it is in Iran. "Shi'ism [...] must always be in a position of defiance and rebellion and thus can never come to power without immediately discrediting itself." (Dabashi 2007:190) Therefore are those, who revolt against such a theocratic system, actually more likely "Shiites" than the regime holder. Now, the Anti-"Islamic Republic" forces became a strong ideological opposition, which emerged from the deep inside of the Islamic Republic itself, and are usually referred to as "religious intellectuals". (see Islamic reform)

## 5.2.2 Iranian intellectuals

### 5.2.2.1 Islamic ideology

Since a long time, intellectual life in Iran stood at a crossroad of two different sources of influence: Western thought and Shiite thought. (cp. Khosrokhavar 2004:191)

After World War II, intellectuals came from a clerical background, who studied at *Shia* scholarship centres like Qom in Iran or Nadjaf in Iraq. Their main goal was it to construct a new collective identity against the Western domination and materialism. They more and more saw the reason of their country's backwardness in the consequences of Western imperial ambitions. (cp. Khosrokhavar 2004:192) The intellectual field in the mid 20<sup>th</sup> century, including the beginning of the 1979 revolution, was coined by radical Islamic thought. Sayyid Jalal Al-e Ahmad (†1969), the son of a clergy man and former member of the communist *Tudeh* party, pointed to the "curing Islam", to make an end to the "cultural malaise" through spreading "westoxification". (Arjomand 2002:720; Buchta 2004:146) Another important intellectual during the 60s/70s, who came from a clerical family and received his doctorate in sociology in Sorbonne, was Ali Shariati (†1977). He talked about a "unitary classless society", a train of thought that subordinated the individual to the Islamic and/or communist community, without independent individual choices that were not in common with the "idealized Islamic city" or the "culturally harmonious, economically homogenous society of communism." (Khosrokhavar 2004:193) Besides philosophy it was Marxism that was flowing into the uniting source of the notion of Islamic ideology, which has given birth to the 1979 revolution. The revolution started a transformation leading to a redefinition of Shiism, which ended in Khomeini's new theory of theocratic government, basing on the mandate of the Council of Jurists (*velayat-e faqih*). The guardianship of the jurisconsult is charged with reviewing laws passed by the Parliament (*majles*) to determine whether they are in conformity with Islamic Law and compatible with the Iranian Constitution. (cp. Menashri 2001:14; see Guardian Council) The religious and political concept of *velayat-e faqih* originated from Khomeini's book *hokumat-e eslami* ("The Islamic State") he wrote in Nadjaf, in 1970. It is basing on his interpretation of specific *Quran* verses and the *hadith*, which are recommendations, prohibitions, practices, and traditions of Muhammad's life, orally channelled through different sources and generations after his death and which are not as such included in the *Quran*.

(cp. Aslan 2006:88, 184-5) For Khomeini, the Islamic jurists (*faqih*) are the only legitimate substitute representatives of the occult twelfth Imam, because they are the only ones able to interpret the divine law and thereupon the only ones to decide which world law is compatible with God's law and which candidates are suitable for political positions within the Islamic government of Iran. (cp. Buchta 2004:156) Consequently, Khomeini "islamized" politics by "justifying radical social change in Islamic terms" (Khosrokhavar 2004:194), basing on the political power of Islamic jurists.

### 5.2.2.2 Islamic reform

*"Through Shiism a traditionalization of a modernizing nation state came into being, parallel to the modernization of Shii tradition." (Arjomand 2002:721)*

After Khomeini's death on June 3, 1989, an eight year long war with Iraq, with millions of deaths on both sides, and a destroyed economy leading to deep poverty in Iran, new clergy and laymen intellectuals, who all were revolutionaries, gained positions of power.

Reformist intellectuals contested the idea that religion and politics are closely related, and came up with terms like *civil society*, *citizens*, *legality*, *law-orientedness* which have been "mythically related by some to the Golden Age of Islam and its supposedly pure community where the diversity of ideas was not curtailed by the State." (Khosrokhavar 2004:196) Ayatollah Montazeri, Abdolkarim Soroush, Mojtaba Shabestari and Mohsen Kadivar are among the most notable intellectuals who refused the interrelatedness of religion and politics.

Ayatollah Montazeri, Khomeini's successor-designate, refuted the idea of the absolute mandate of the jurist and subsequently their authority to disqualify candidates for election. In an open letter to seminary students on June 7, 1999, he accused the Council of overstepping its authority to protect Islam and interfering in the democratic rights of people. The task of the Council was to "supervise the elections" and not to "supervise the candidates." (see Menashri 2001:157, who has a copy of his letter)

According to Soroush, a philosopher, who trained pharmacology in London, and who was appointed to the commission for Cultural revolution by Khomeini, the new religious civil society does not need Islamic norms by Islamic leaders from above, which have not been approved by the society. (cp. Khosrokhavar 2004:196; Arjomand 2002:723) Soroush was in opposition to Shariati in stating that Islam is "richer than ideology" because it allows more than one "straight path" for interpretation of the Quran and therefore advocated a religious pluralism. He put democracy on three pillars: rationality, pluralism, and human rights, and questioned the belief that there exists only one absolute theocratical authority. (cp. Arjomand 2002:723-4)

Shabestari, who received a master degree of modern hermeneutics in Germany, promoted the view that Islam has not all the answers to social, economic and political

life at all times in history and that there are also different types of knowledge that are not necessarily religious. He sees a "de-sacralisation" of religion when interconnected with politics. (cp. Khosrokhavar 2004:197) In his books he writes that "a major element in modernization is the rationalization of the political order" (*A Critique of the Official Reading of Religion*, 2000) and that "the science of jurisprudence can only offer answers to certain questions that arise within the institutional framework of existing political regimes." (*Hermeneutics: The Book and Tradition*, 1996; cited in: Arjomand 2002:725)

An Islam critical, pluralistic and hermeneutic perspective entered the scene, against the apologetic Islamic modernism, which sees Islam as the most perfect religion that offers the best social and political system and answers to all problems, at all times.

At the same time, another younger and third generation emerged, including Mohsen Kadivar, who challenged the system from within the clerical community, and spent many months in prison. (cp. Khosrokhavar 2004:194) Kadivar, a student of Montazeri, who was completing his doctoral thesis in philosophy, wrote a book about different approaches to government in Shii jurisprudence. He criticized every aspect of Khomeini's theory of theocratic government from within the tradition of Shii jurisprudence. (cp. Arjomand 2002:730) He announced in public, that in order to reach freedom and prosperity, the Iranian society needs to "free itself from the shackles of past traditions" and adopt a new system "in line with the spirit of the time." (Menashri 2001:35) For him, the meaning and essence of religion is changing as time goes by and today, even the Prophet Muhammad himself would follow a different path, than the one he had adopted over 2.000 years ago. (cp. Menashri 2001:35) Kadivar relied on Shii theology, underlining that "the occultation of the twelfth Imam in 976 had invalidated all temporal authority until his return", consequently the notion of a clerical government is a paradox. For him, there is no written document that gives eligibility to somebody or a particular class who is authorized by the society to monopolize political power during the time of occultation. Therefore, "a democratic government was the only one that can claim religious approbation." (Takeyh 2006:48)

### 5.2.2.3 New intellectuals & Journalists

Another group which promoted a reformist Islam consisted of journalists or "intermediary intellectuals". They established a new style of intellectualism, inspired by, but sociologically different from, the "grand" Islamic or reformist intellectual currents. (cp. Khosrokhavar 2004:194-5)

Akbar Ganji, a post-revolutionary journalist, who is famous for his harsh language, totally opposes a religious government who acts independently of the sovereign will of the citizens, who do not need a "Guardian". (cp. Khosrokhavar 2004:198-99) He has worked in Soroush's publishing house and branded the conservative proponents of "totalitarian Islam" as *fascist*, and extremist factions in Iran as *fascist movements*. (cp. Menashri 2001:158) He defined fascism as an "opposition to modernity under the banner of pre-modern values" (cited in: Arjomand 2002:727), and his book *The Fascist Interpretation of Religion and Government: Pathology of Transition to the Democratic Development-oriented State* (2000) was reprinted several times during his second imprisonment and two subsequent trials. (cp. Arjomand 2002:727)

Today, there is a rich diversity of intellectual thoughts and trends within the Iranian society. Especially journalists, who are involved in Iran's political and social affairs, support the diversification of thoughts. The main problem though is that many magazines and journals, which comprise critical views about the social, political, juridical and legal system in Iran, are regularly closed down and many writers are thrown into prison. (see Limitation & Control)

There are also very active women writing on issues like inequality between men and women and discrimination. Amongst many others there are Shadi Sadr, Hengameh Shahidi (NOWROOZ), and Mehrangiz Kar (ZANAN), but all their journals were closed down. For them, true religion belongs to the individual inner faith and spirituality and not to a rigid political and juridical system. Those new intellectuals connect the ideas of "grand" reformist intellectuals to everyday life. Usually, they are students or former students and professors, who try to uncover and raise consciousness of discrimination within society, using lectures, private gatherings and all media as far as permitted. TV broadly is in conservative ownership, but this is not as influential as the new intellectuals. More and more, themes like "individual freedom", "sexual autonomy", and "peaceful coexistence with the West" move to the new centres of Iranian interests. (cp. Khosrokhavar 2004:193)

### 5.2.3 Political reform under Khatami

The landslide victory (69%) in the presidential elections of Hojjat ul-Islam Mohammad Khatami on May 23, 1997, brought a reform in constitutional politics, which was questioning the fundamental principles of the Islamic Republic, for the first time since 1979. (cp. Arjomand 2002:725; Menashri 2001:86) After Iranian standards, Khatami was a liberal politician, who advocated greater political and social freedom, flexibility, a broader education for young people (until his forced resignation, he headed Iran's National Library), women rights, greater emphasis on social welfare, the relaxation of cultural Islamization and economic rehabilitation. He did not consider democracy "alien to Islam". In fact he "thinks it's right there, but the Muslims have missed it", like a foreign commentator stated in the Washington Post of May 25, 1997. (cited in: Menashri 2001:80)

For the "Left Crusaders of the Islamic Revolution" (*Mojahedin-e Inqelab-e Islami*, MII) Khatami's election espoused a "democratic" reading of Islam: "The people voted for an Islam that not only does not see a contradiction between religion and freedom, democracy, human rights, and civil society, but believes that these [modern] concepts can find their true meaning in Islam. An Islam that recognizes the rights of the citizens and discerns the legitimacy of the regime to be based on their consent, which construes the *vali-ye faqih* to be an elected and lawful leader." (The Election: Islam and the Revolution's Second Generation", *Asr-e Ma*, July 16, 1997, cited in: Moslem 2002:253) For reformist intellectuals he gave the starting shot with his engagement in a "dialogue between civilizations" as a symbol for Iran's emerging civil society. In response to the Iranian proposal, the United Nations voted to make the year of 2001 the United Nations Year for Dialogue among civilisations. (cp. Boyle 2007:30) In the UN Resolution 56/6 "Global Agenda for Dialogue among Civilization" of November 21, 2001, Article 1 states:

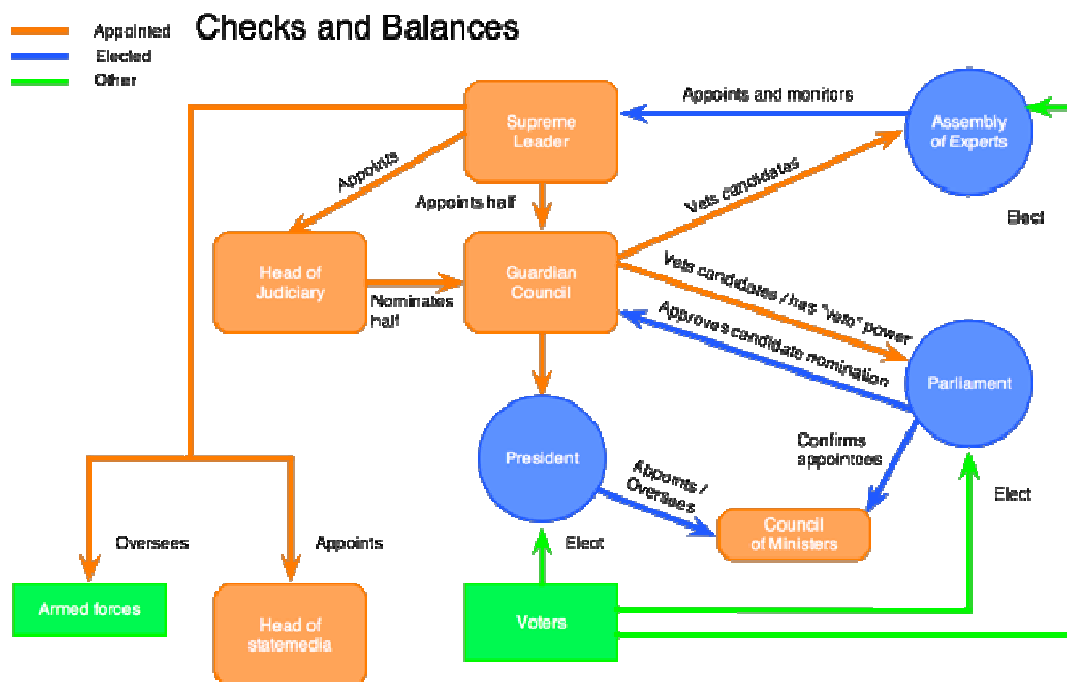
*"Dialogue among civilizations is a process between and within civilizations, founded on inclusion, and a collective desire to learn, uncover and examine assumptions, unfold shared meaning and core values and integrate multiple perspectives through dialogue." (A/Res/56/6 2001 [url])*

#### **5.2.4 Iran's *ordinary* people**

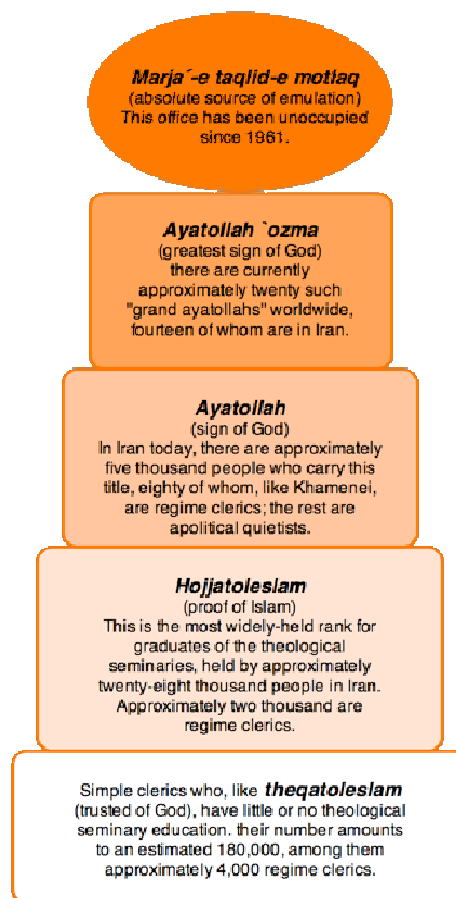
Iran's social realities look quite different than expected by many Westerners: Over 60% of Iranian university students are female, and they are highly educated as well as socially, politically, financially active and productive. (Kar 2009:2 [lecture]; Harrison 2006 [url]) It does not fit anymore the cliché many Westerners have in mind when being confronted with Iran. Even though Iranian citizens live under a dictatorship with no independent and consequently unpredictable Parliament (*majles*) and President, as well as many restrictions, they are everything than silent and retrograde. Their development spread with an enormous speed in all directions, on all levels. There are not only the two mostly shown parts of society: on the one side the deep conservatives, men with beards and women veiled in black from head to toes, walking their way to Friday prayers and on the other side the rich high society who is into aesthetic surgery, and striving to live a Hollywood life par excellence. The majority of the Iranian society lies somewhere in between, and has been ignored many years by their government, and has not been seen by the rest of the world. This is the part of society, which I will call the *ordinary* people (influenced by Mehrangiz Kar 2009 [lecture]). Those men and women, who are not necessarily scientific intellectuals, human rights activists or politicians. They are those, who have an average high school completion, who study or have a regular job, live a "simple" daily life. Those who feel cheated and now, are on the streets to shout where their votes are; Those who want to show the rest of the world that they have the same goals and desires in life like any other person on this planet and that they want to be an equal part of this global network and dialogue. This ordinary part of society more and more moves into the centre of the present internal actions and discourses and therefore becomes the engine for the promotion and protection of human rights.



### 5.3 Organization of the political & judiciary system



**Graphic 2 Checks and Balances** © 2009 U.S. State Department, AP, WSJ research



**Graphic 3 Theological hierarchy of the Shii clergy in Iran © 2000 Wilfried Buchta**

### 5.3.1 Constitution & Referendum

*"What Islamization programs will mean in practice becomes clear only once their proponents have the chance to implement them. Once in power, they have not been able to trust the voting public to keep them there." (Mayer 1995:16)*

On March 29/30, 1979 after a referendum, which officially changed the authoritarian Pahlavi monarchy under Mohammad Reza Shah (the son of Reza Shah who abdicated in 1941) to an Islamic Republic, the state and society became islamitized:

*"All civil, penal financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as other laws and regulations, and the fuqaha' of the Guardian Council are judges in this matter." (Art. 4 of the Iranian Constitution)*

This article establishes that Islamic principles are to be considered as superior to ordinary laws as well as overriding provisions in the Constitution itself. The Islamic principles are determined by Islamic clerics, appointed by the Supreme Leader (Art. 110), and subsequently constitute the supreme law in Iran. (cp. Mayer 1995:30) Article 1 establishes the basis of the Islamic Republic "endorsed by the people of Iran on the basis of their long-standing belief in the sovereignty of truth and Quranic justice". Article 2 §2 confirms the primacy of "divine revelation and its fundamental role in setting forth the laws", and Art. 2 §5 the "continuous leadership (*imamah*) and perpetual guidance, and its fundamental role in ensuring the uninterrupted process of the revolution of Islam."

Due to Khomeini's bad health conditions and the fear that soon he would die, the Constitution was revised in 1989 by public vote, in order to be able to eligibly set up a successor. This fear was rising, especially after Khomeini's successor designate, grand Ayatollah Hosein Ali Montazeri, one of Iran's most powerful revolutionary clerics who would have fulfilled all necessary Islamic and juridical qualifications, was disqualified due to his call that *velayat-e faqih* shall not stand above the law and needs to be elected

by the majority of people. No other *marja taqlid*, who would have supported Khomeini's principle of the Council of Jurists, could be found. "While alive, Khomeini the populist 'modified his rhetoric depending on political circumstances'. Now the leader of the Islamic Republic were faced with the classical problem of how to preserve the system without a successor or successors of the same stature as its architects." (Moin 1999:299, citing: Abrahamian1993:132)

Most importantly to mention would be that the level of religious scholarship requirements for the position of the Supreme Leader was lowered, and more weight was given to political experience. For Khomeini it was the most important principle that the Islamic state he has created would survive and as a result the Constitution, "a cloak made for a *marja*", had to be "re-tailored and made smaller to fit a simple *faqih* to succeed Khomeini [...]." (Moin 1999: 294) Previously the Supreme Leader had to be recognized and accepted by the majority of the people (*ummah*) and be a grand ayatollah (*marja taqlid*) (see Graphic 4). Article 109 of the Constitution stating that the Supreme Leader should be a *marja taqlid* was removed and now, according to Art. 107 of the Constitution, the Assembly of Experts, who has the task of appointing the Supreme Leader, can also give preference to those better versed in "political and social issues" and not necessarily to those better versed in "Islamic regulations" or "the subjects of the fiqh". (cp. Menashri 2001:17; Moin 1999:293)

Consequently, the current Supreme Leader Ali Khamenei "had neither emerged by popular consensus nor received the endorsement of the leading authorities for his pre-eminent religious credentials, but was in fact 'promoted' to the position of Supreme Leader by the religio-politicians then wielding power." (Menashri 2001:17) Due to Khamenei's lack of theological qualification (i.e. he has no doctor of law (*mujtahed*) and is only a *hojjatoleslam* (a mid-level theological rank) (see Graphic 4) and not an Islamic jurist (*faqih*) or grand Ayatollah (*marja taqlid*) and is subsequently not qualified to issue *fatwa* (religious judgment/edict) many Islamic scholars and grand ayatollahs in Qom do not respect him in being their religious equal. For them he is only a political leader and this clearly violates the revolution's ideology and is a major retreat of revolutionary achievements. (cp. Buchta 2000: 52-53; Menashri 2001:18)

Also important to mention would be that the presidency got weakened and one of his key-functions, to coordinate all three constitutional powers, was also transferred to the Supreme Leader. Originally, there was a high judicial council, which got elected by the

members of the judiciary. Now, there is only one single head of the judiciary, who is appointed by the Supreme Leader. (cp. Moin 1999:293)

### 5.3.1.1 Legislative power

The members of the Islamic Consultative Assembly (*majles-e shora-ye eslami*, in short *majles*) are elected as representatives of the people, by secret vote, for a four year term (for more details see Art. 62-70). The main duty of the *majles* is legislation in the framework of the Constitution (Art.71). Besides other functions, the *majles* has to approve international treaties, agreements and protocols (Art.77).

Within Iran's legislative system, there are two other institutions parallel to the *majles*, which are complementary but cannot initiate legislation:

1. The Guardian Council (*shoray-e negahban*)
2. Expediency Discernment Council (*majm'a-e tashkhis-e maslehat-e nezam*)

#### 5.3.1.1.1 Guardian Council

Chapter VI, Article 91 of the Constitution provides for the Guardian Council:

*“With a view to safeguard the Islamic ordinances and the Constitution, in order to examine the compatibility of the legislation passed by the Islamic Consultative Assembly with Islam, a council to be known as the Guardian Council is to be constituted with the following composition:*

*six 'adil fuqaha' conscious of the present needs and the issues of the day, to be selected by the Leader.*

*six jurists, specializing in different areas of law, to be elected by the Islamic Consultative Assembly from among the Muslim jurists nominated-by the Head of the Judicial Power.”*

According to Art. 93 and 94 of the Constitution, decisions made by the *majles* will not have legislative status unless they are confirmed by the Guardian Council. Within 10 days the Guardian Council needs to declare its opinion in regard to the compliance with the Constitution and fundamental principles of the *Sharia*. Article 96 adds further: “The determination of compatibility of the legislation passed by the Islamic Consultative

Assembly with the laws of Islam rests with the majority vote of the fuqaha' on the Guardian Council; and the determination of its compatibility with the Constitution rests with the majority of all the members of the Guardian Council.”

Important to mention is that the Guardian Council is assigned to ascertain and confirm the eligibility of the presidential candidates before the election and has the responsibility to supervise the presidential election process. The Council is also responsible for supervising the elections of the Assembly of Experts for Leadership, as well as of the Islamic Consultative Assembly, and has the direct recourse to popular opinion and referenda. (see Art. 118, 99)

#### **5.3.1.1.2 Expediency Council**

The Expediency Discernment Council, or Assembly of Experts (*majles-e khobregan*), has purely the function of arbitration (not legislation) between the *majles* and the Guardian Council. With the increase of disputes, the danger of the Supreme Leader, who has the task of supervising the state's legislative, executive, and judicial action, influencing the legislation process and consequently threatening its independence, became bigger. In order to avoid this, Imam Khomeini issued a decree in February 1987 for the establishment of an Expediency Council, incorporated under Article 112 of the revised Constitution in 1989. (cp. Abghari 2008:15) The Council submits proposals for resolving the system's problems which are not resolvable through conventional routes (see Art. 110, clause 8) and on that account has the last word when there is a dispute between the *majles* and the Guardian Council. The permanent and changeable members of the Council are appointed by the Supreme Leader, and are subjects to his confirmation, concerning all rules formulated and approved by the members. (see Art. 112)

#### **5.3.1.2 Executive power**

The executive power in the Islamic Republic of Iran is exercised by the presidency, except in the matters that are directly placed under the jurisdiction of the Leadership by the Constitution. (see Art. 60) The President is the highest authority after the Supreme Leader and has the responsibility for implementing the Constitution. (see Art. 113) The President is elected for four years by popular vote, has to possess a "political and religious personality", needs to be committed to the principles of the Islamic Republic of Iran, and has to meet all conditions set forth in Article 115 of the Constitution. The functions of the President are all listed under Chapter 9 of the Constitution and are amongst others to appoint the ministers (Art. 133), to chair the Supreme Council of National Security (Art. 176) as well as signing off the legislations passed by the *majles* and issuing orders for their implementation (Art. 123).

The Board of Ministers, presided over by the President who is also accountable to the *majles* for its action (Art. 134), is the most important executive authority after the Supreme Leader and the President. Each member is introduced by the President to the *majles* for their confirmation (Art. 133) and heads their own department. (cp. Abghari 2008:19)

#### **5.3.1.3 Judicial power**

The judicial system is a body independent of the executive and legislative branch, with a few exceptions. (cp. Abghari 2008:21) The preamble states that the judiciary "is of vital importance in the context of safeguarding the rights of the people in accordance with the line followed by the Islamic movement, and the prevention of deviations within the Islamic nation". The judicial system is basing on "just judges with knowledge of the meticulous Islamic fundamental principles" and has to supervise the enforcement of laws and implement justice. According to Article 156 of the Constitution the judiciary has, amongst others, the duty to pass judgment on grievances, violations of rights, and complaints, to uncover crimes, prosecuting, punishing, and chastising criminals. The Supreme Leader appoints a just *mojtahed* (an Islamic scholar, competent by Diploma to interpret *Sharia* law using *ejtehad*) "well versed in judicial affairs" as the head of the judicial authority for a time period of five years. (see Art. 157) His functions in judicial matters are, amongst others, the establishment of the necessary structure of the judiciary

(Art. 158, clause 1), employment of judges and their dismissal (Art. 158, clause 3), and drafting judiciary bills (Art. 158, clause 2). In non-judicial matters his functions are, amongst others, the nomination of six jurists of the Guardian Council to the *majles*, as well as to examine the assets of the Supreme Leader, the President, the deputies of the President, and ministers as well as those of their family before and after they take office, in order to "ensure they have not increased in a fashion contrary to law" (Art. 142).

#### **5.3.1.4 The Leadership**

The Leadership is the highest authority in the Constitution. The Supreme Leader has authority over the three branches of state, legislative, executive and judiciary powers (see Art. 113, 157), and is elected and removed (in case of the loss of one of the eligibility conditions for Leadership) by the Assembly of Experts. According to Article 109, essential qualifications for Leadership are, amongst others, necessary scholarship qualification for issuing *fatwa*, as well as necessary justness and piety for the Leadership of the Islamic *ummah* (Global Islamic community or nation). The duties and powers of the Supreme Leader are listed in Article 110, and are, amongst others, the "1. delineation of the general policies of the Islamic Republic of Iran after consultation with the Nation's Exigency Council", "3. Issuing decrees for national referenda", "4. Assuming supreme command of the armed forces", as well as the appointment and dismissal of: "a. the *fiqaha*' on the Guardian Council, b. the supreme judicial authority of the country, c. the head of the radio and television network of the Islamic Republic of Iran, d. the Chief of joint staff, e. the chief commander of the Islamic Revolution Guard Corps, f. the supreme commanders of the armed forces."

The Supreme Leader also needs to sign the presidential decree after the election. (see Art. 110, clause 9)



#### 5.4 Informal & Formal power-fields

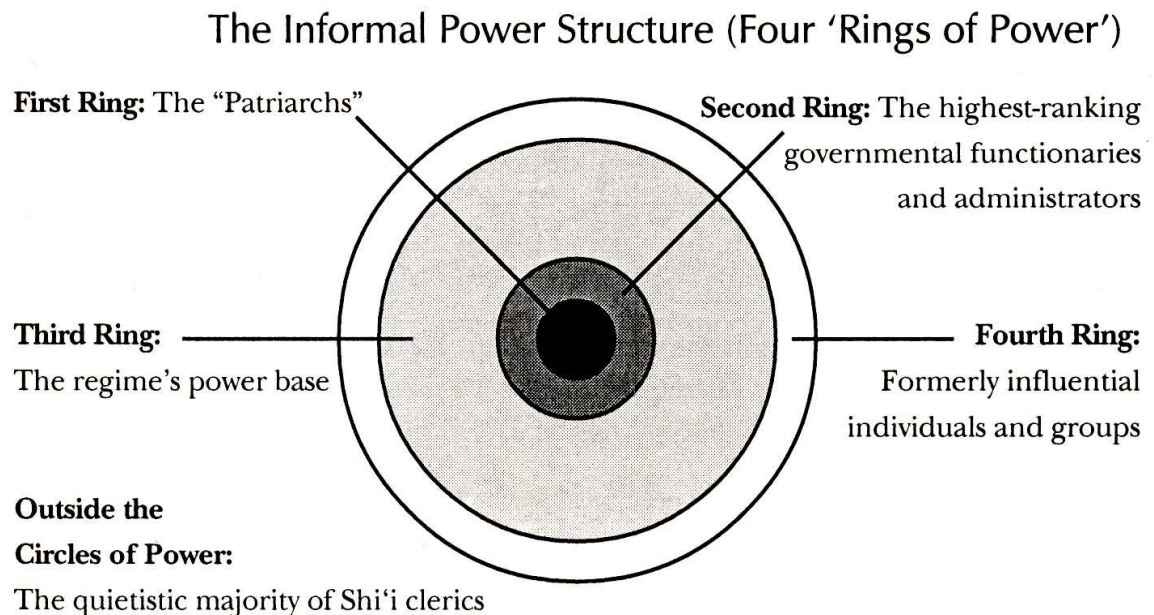
The divisions of power and influence cannot be reduced to the office of the President or of the Supreme Leader. There are many formal and informal power circles intertwining and overlapping and also many contradictions within one power base. Buchta (2000:7-10) describes Iran's informal and formal power structures with four rings (see Graphic 4):

The **central** ring comprises the most powerful political clerics from the executive, judicial, and legislative branch, the "patriarchs", who socio-politically tend toward the conservative. This central power nucleus controls a large part of the political spheres and includes the Council of Guardians, the Assembly of Experts and the informal power base of the Society of Teachers of Qom Theological Colleges (*jame'eh modarresin-e house-ye-'elmiye-ye Qom*), which comprises 30 clerics; underlining that the most influential patriarchs are not necessarily the highest ranking Shii clerics. Supreme Leader Khamenei, even though he has the highest position from the political clerics of the executive, legislative and judicial branch, is not a grand ayatollah or *ayatollah 'ozma* (greatest sign of God) like his predecessor Khomeini. (see Graphic 4; Constitution & Referendum) Most Shii theologians in Iran and beyond have an apolitical and quietistic engagement, and all Iranian grand ayatollahs, except Ali Montazeri, are opposing the system of *velayat-e faqih*. (cp. Buchta 2000:7, 54)

The **second** ring comprises high-ranking governmental officials, state functionaries, provincial governors, and administrators, mayors of the most important cities, technocrats who are responsible for the design and implementation of the state's economic plans.

The **third** ring includes individuals, who control various groups and organizations, like revolutionary foundations, religious security bodies, the voluntary paramilitary command (*basisj*), the Islamic Revolutionary Guard Corps (IRGC), and areas of the revolutionary press and media. Within this power base, the left-wing Islamic and the right-wing traditionalist forces are the two most dominant ideological factions.

Within these power rings are many disagreements, for example between the *majles* and the Council of Guardians. Amendments, international and national documents, e.g. the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which got ratified by the sixth *majles*, but was rejected by the Guardian Council. (cp. Kar 2009:4 [lecture]) Consequently, reforms are passed back and forth, e.g. the Parliament's decision of rising the minimum age for girls to marry from 13 (which already was a big step, since in the *Quran* the minimum age is 9 years) to 18 years, but nothing happened. (cp. UNICEF presentation 2007 [Excursion report 2007:11])



**Graphic 4 The four Rings of Power**

© 2000 Wilfried Buchta

### 5.4.1 Semi-opposition

According to Buchta (2000:3-4, 9), internal controversies lead to incoherencies in the country's domestic and foreign policies, but also enable "gray areas" where religious "semi-opposition" groups can evolve, which are not really visible to other (Western) countries. They are the seeds for the growing Islamic civil society and call for peaceful liberalization and reform of the Islamic system, within the framework of the Constitution. They create the **fourth** ring of power and are the link between the regime and civil society. Resultantly, they have a potential influence on political and religious developments, more than the militant opposition in exile. They have an informal relationship to governmental functionaries and administrators as well as the Islamic left of revolutionary institutions. (see Regime vs. Regime)

Therefore is the knowledge of formal positions, definitions of laws and bureaucratic characteristics not enough to get a more detailed understanding of the internal dynamics on different levels of the state's system. (cp. Buchta 2000:7)

### 5.4.2 Political instabilities

In order to hold stability, the President and the Supreme Leader have to cooperate, despite different opinions. Consequently, in case of strong personal differences, there is a problem about who, in the end, holds the political sovereignty. Especially, this problem became visible after the election of Khatami as President, who only had a small room for reform-oriented action without facing violent counteractions from his opposition. In the end, the conservatives under the Leadership of Khamenei seized control in the Parliament in the election of 2004, paralyzing Khatami's group, ending his unsuccessful attempt to open the structure of government for a religious liberal movement. (cp. Buchta 2000:4; Kamali 2007:382)

During Khatami's presidency, the domestic struggle over the direction of Iran's revolutionary path continued, even intensified and in this way kept the political direction of the country blurry. The urge for pragmatism and dogmatic flexibility stood in sharp contrast with the devotion of the original values of the 1979 revolution.

Khatami put up young and highly educated technocrats in his cabinet, with strong revolutionary credentials but generally pragmatic inclinations. But the deep factional

rivalries disturbed his ambition for reform and he mainly failed because he could not establish an independent power base for his plans. (cp. Menashri 2001:88-93)

The main hurdle was and still is the power of the *velayat-e faqih*, which stands over the President and the republic footholds. But at least these topics were started to be discussed openly, questioning the general idea of the clerical role. In the end, the reform movement won the battle of ideas but was lacking strategies to practically implement them. The people again were left in disillusionment and the conservatives used their connections to the full capacity, in order to avoid parliamentary legislation, and closed down newspapers, put important reform supporters into jail and suppressed peaceful student demonstrations. (cp. Menashri 2001:158; Takeyh 2006:52)

One of the problems was that the so called "Tehran Spring" reform movement has never developed a grassroots organizational network to spread their electoral triumph more broadly. It remained more or less in a small circle of intellectuals without further connections to vital institutions like labor unions, trade organizations, modern business sector, which are important in transforming processes of developing countries. The reform movement under Khatami did not or had not the chance to institutionalize its power. (cp. Takeyh 2006:51)

Mahmoud Ahmadinejad's presidential victory in 2005 gave the conservative strategy the needed power and the right wing has captured all relevant elected institutions. Since the populace, especially the poor class of society, hoped that he could finally bring the long hoped economic justice. Ahmadinejad brought a mixture of static economic policies, a re-imposition of Islamic cultural strictures and reversal of the limited political freedom that Iranians had come to enjoy during the reformist interlude. (cp. Takeyh 2006:212)

## 6 Iranian human rights discourses

### 6.1 Conceptualization

Conceptualization took place on the ground of five personal qualitative and semi-structured interviews with experts (see Expert-interviews), interviews of prominent Iranian intellectuals on radio or TV, as well as lectures of Iranian juridical and political experts, which I have personally attended. A group conversation with young Iranian journalists and blogger in Tehran during my field-excursion in 2007 also flows into the analysis.

The experts I have personally interviewed are the following:

**Behzad Karim-Khani** was born in Tehran in 1976. His parents got politically traced due to their left liberal views. They took refuge in Germany, when he was 10 years old. He is actively involved in the Green movement and is currently writing on his first novel about the last summer he had spent in Iran.

**Ebadi, Z.** (Name altered for confidentiality) was born in Austria and is a specialist on Islamic science. She is lecturer at University as well as free-lance journalist.

**Fataneh Kianerci** was 25 when she was forced to leave Iran as political refugee. Since 20 years she is living in Austria working as refugee consultant, as translator for the Persian BBC, and is since 15 years actively involved in campaigns against death penalty and stoning in Iran.

**Leila Salehi Ravesh** studied journalism in Tehran and moved to Vienna in 2001 to study communication and political science. She has close ties to her family and friends in Iran, is actively involved in the Green movement and was currently doing an internship at the UNODC field-office in Tehran.

**Diane Ala'i** is the Baha'i International Community (BIC) representative to the United Nations in Geneva. She is Persian/French and a Baha'i. She is actively working for the betterment of the minority rights situation of the Baha'i community in Iran.

The journalists and students who took part in a private group discussion in Iran on July 2007 are **Soheyla, Amin** and **Simin** (names altered for confidentiality), who are all in their mid-twenties and are active bloggers and human rights activists.

The lecture by **Mehrangiz Kar** in the framework of the Amnesty International event "30 years of CEDAW" on October 23, 2009, in Vienna was greatly informative. Mehrangiz Kar is human rights lawyer, author and was writing for the Iranian women magazine ZANAN (which was closed by the Iranian government in February 2008 (Human Rights First 2008 [url])). In 2000 she was arrested and convicted to 5 years in prison due to her active promotion of women rights in Iran. Through international pressure she got released and since then is living in the USA, working as researcher at Harvard University. She has earned several human rights awards and writes many books about Iran, where they are forbidden.

Informative and inspiring was also the lecture of the journalist and author **Akbar Ganji** on the Human Rights situation and the Green Movement in Iran, held in Bremen on November 11, 2009. He was born in 1960 in southern Tehran and is Iran's preeminent political dissident. He is active for a democratic and secular Iran and has spent many years in prison, including a four month hungerstrike, to raise international awareness on the oppressive conditions and the plight of political prisoners in Iran. He has been the recipient of many human rights, press freedom and pro-democracy awards. He left Iran in 2006 and since then is writing and giving lectures in Europe and North America.<sup>5</sup>

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<sup>5</sup> For more info see Akbar Ganji's homepage, url: <http://www.akbarganji.org/>, accessed on December 5, 2009

The main broad concepts or themes within the working field *human rights discourses in Iran* turned out to be:

1. Iranian Identity;
2. Tradition & Modernity;
3. Battlefields;
4. Human rights.

Those concepts function as umbrella topics, and under each of them I have sorted theoretically more abstract and concept specific categories, with their respective properties and dimensions. For the following comparative analysis, I will first of all select those categories, which encompass the most important or dominant data of the interviews. Those, I think are the most relevant core-categories to shed light on the research field and to develop possible hypothesis, through linking them together. In the concluding parts at the end of each conceptual framework, I will give possible and hypothetical answers to the respective sub-questions. (see Working theme & Research question) Therefore, I hope to step a little further in answering the main research question:

*How can Iranian human rights discourses be situated in the current anthropological debate on human rights theories?*

## **6.2 Comparative analysis**

### **6.2.1 Iranian identity**

Iran is and was from its very beginning a multiethnic state. Today there are 51% Persians, 24% Azeris, 8% Gilaki and Mazandarani, 7% Kurds, 3% Arabs, 2% Lur, 2% Baloch, 2% Turks, and 1% others, who are living in Iran. (est. as of July 2009, CIA Factbook [url])

According to Ebadi, there is something like an Iranian consciousness, which was always present and expressed itself through different (national and local) movements for more independence.

#### **6.2.1.1 Historical past**

"**Historical past**" is one core category, which primarily includes Western colonial exploitation and hegemonic ambitions, the war against Saddam Hussein, the demarcation from the Arab region, which leads to a stronger apperception of "we" and/against the "others"/oppressors. With the motto: "Wir Iraner haben uns schon immer gegen koloniale Ambitionen welcher Macht auch immer gewehrt!" ["We, Iranians, have always defended ourselves against colonial ambitions from any power!"] (Ebadi 2009:1 [interview]) Now, Iran is coming more and more to terms with its historical past and on Iranian TV you can see documentaries with a certain historical distance about the end of the Qajar era and the Reza Shah period. Ebadi (2009:1 [interview]) also has noticed a strong negative attitude towards the Arab people, expressing itself in private day-to-day conversation, but never in official statements. Iranians who express this attitude might be common people as well as educated persons. Some of the reasons they give are political, e.g.: 'Palestinians are being supported by Iranian oil wealth' and/or nationalistic. The fear of another Arab invasion, which has lead to a foreign rule over centuries, can still be found in the Iranian collective consciousness. An important detail is that the Prophet Muhammad as well as the *Quran* are Arabic; the only reason why Iranians are supposed to learn the Arabic language in school. Consequently, there can be found a sensation of elevation of the Arab peoples as "God's chosen people", which, for many Iranians, has led to a feeling to become "islamitized by force". (Karim-Khani 2009b:1 [interview]) Ebadi talks about "an



Arabisation of Iranian historical culture and ethnicity supported by the ruling clergy", while the Iraqi invasion by Saddam Hussein is rather retreating into a more remote memory. "The sub-tenor of such criticism is that the involved governments act against 'Islamic unity', while Iran is promoting 'true Islam' and 'the unity of Muslims'." (Ebadi 2009b:1-2)

Leila Salehi (2009:2 [interview]) reports about not-well or not at all integrated Arab communities, which mostly live in southern Iran. They are practicing their traditions more or less in isolation, and she has experienced some kind of unwillingness to adapt or integrate into the Iranian society.

Behzad Karim-Khani (2009:3 [interview]) is describing a collective consciousness, which can be symbolized as a big pot, stuffed with a variety of values, myths, collective traumata, attitudes, etc. When something happens that emotionally touches the society, they can all grasp into it and they would more or less get out the very same thing. In other words, when something traumatic happens and the society becomes angry, they would all come up with the same stick.

Behzad still feels the Iran-Iraq war, even though it is over since 20 years. He feels it on a metaphorical way; the way people are talking in Iran. The war, especially to unite against one common enemy (Saddam Hussein and the supporting Western countries), welded the people in Iran together and shaped their collective identity. An identity basing on a concept of an enemy also contributed to a specific radicalization of some groups of the society, which is still present.

### 6.2.1.2 We-feeling

Another core-category would be the Iranian "**we-feeling**", which always appears stronger in crisis situation. Before the 1979 revolution, the general consensus of society was to overthrow the Shah regime. Now, with the Green movement, in which the colour green stands for Islam, freedom, and for the (stolen) vote for Mir Hussein Mousavi as President, the consensus supports diminishing President Ahmadinejad's power and strengthening civil and political rights.

Fataneh Kianerci talks about a strong quest of justice and equality, inherent to the Iranian people. The fight for freedom before the 1979 revolution took 100 years. When there comes the final straw that breaks the camel's back, groups of all kinds across the Iranian civil society, unite and fight together for more justice and equality. In connection to the Green movement, which now is active for five months and has not stopped for a single day, Fataneh speaks about a strong mutual support, whether human rights informed or not, that makes no distinctions between civil class, ethnical or religious background. Diane Alai (2009:1 [interview]) underlines her view in stating: "The Iranians have made the Islamic revolution, because they could not enjoy justice and equality. But unfortunately, it did not happen because of the political and religious leaders, they didn't want to implement the hopes of the people. But as you can see in the latest events, Iranians have a big sense for this quest of justice and equality." In regard to the Baha'i<sup>6</sup> people, she says that neighbours and fellow students defend them when they get prosecuted, solely because of their religion. She underlines that there are not only the human rights defenders who are the only ones active: "Even though when some Iranians are not so informed about minority rights, when they see injustice with their own eyes, they react!".

The properties of the category "we-feeling", include terms like *reactionary*, *angry*, *powerful*, and *encouraging*, and lead to a simple causal-connection: injustice makes

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<sup>6</sup> The Baha'i religion has been received as a threat by Iran's clerics, because it challenges the doctrine of the finality of God's revelation to the Prophet Muhammad. Since the 19<sup>th</sup> century there are regular attempts to eliminate them through persecution, torture, massacre, intimidation, and discrimination and to recant their beliefs and to return to Islam. To bypass Art. 23 of the Iranian Constitution which forbids "The investigation of individuals' beliefs" and assures that "no one may be molested or taken to task simply for holding a certain belief", the Iranian governments portrays Baha'ism as a political movement, justifying executions on the grounds of political crimes. (Mayer 1995:135, 153)

people angry, they unite, which makes them more powerful, which is also encouraging to react against this injustice. "Meistens ist es tatsächlich so, dass immer erst was passieren muss, bevor man sich einsetzt." ["Mostly it is the case that always something has to happen first, before you take action."] (Ebadi 2009:2 [interview]) Above all, it is the *emotional* aspect, which is the driving force that leads to discourses and more action among the Iranian society: injustice that touches the ordinary people's hearts, and which is delivered via photos and videos of victims circulating on the internet or personal experience of discrimination in the streets. The dimension of the "we-feeling" with its emotional characteristic operates on a wide dimension across the Iranian civil society and leads to more or less strong rallies, for example, against official legal decisions on child execution or "eye for an eye" death penalty. (cp. Kianerci 2009:6 [interview]) (see Media; Women)

#### **6.2.1.3 Differences & Gaps**

On the other side there are tremendous differences of the people inside Iran. Fataneh Kianerci points out the formative aspect of parental-upbringing. She grew up within a very liberal family, which guaranteed her a lot of personal freedom and security in her childhood. She, for example, had a boyfriend with 15 years. But there are also conservative families, exercising more or less strict control, with which she never really had anything to do, even though they lived in the same street.

Another point is the difference between people living in a rural or urban environment. Kianerci (2009:1 [interview]) describes the gap between people, who either have a rural or urban family background, like living on "two different planets".

The rich society in northern Tehran, where property is as expensive as in upper districts of New York, enormously differs in their way of thinking and life-style from the poorer districts in southern Tehran, which are living in slums. (Karim-Khani 2009:4 [interview]) Behzad (2009:10-11 [interview]) goes so far, in saying that the rural provinces do not belong to the Iranian civil society, in the sense that they are not majorly participating in the political life, which most importantly takes place in cities with a high density population, like Isfahan, Tehran, Shiraz, and Ahwaz.

#### 6.2.1.4 Conclusion

Referring to my first sub-question:

*In how far can you speak about one "Iranian identity"?*

I can conclude that Iran is a country with many different intertwining and hybrid groups and identities, influenced by variables like ethnical or religious background, conservative or liberal parental up-bringing, rich or poor social class, rural or urban roots. Sometimes, the gaps between these individuals or groups are even very deep. But despite such multi-ethnical, religious, social, geographical, linguistic/dialect differences, there is a nationalistic sense, which makes them all being "Iranians". This sense especially becomes obvious when people from such different backgrounds unite on a quest of justice and fight for more freedom, which, in Iran's history, was always been present and expressed itself through several revolutions. Therefore one hypothesis could be that Iranians are very much unified but solely on a nationalistic ground. This mainly is supported by opponents of the present system or by religious people who agree with the Islamic system, but might nevertheless be critical of their government's actions, through the promotion that Shii identity is the "true Islam".

The national aspect is as a result a quasi "rhetoric mantle" behind which many different ideologies are hiding. When there is no external enemy or thread, which is seemingly important for building up a strong "we-feeling", I presume would the immense plurality of the Iranian citizens become a lot more obvious. Consequently, to then speak about one "Iranian identity" becomes almost impossible. For Iran's judiciary chief and Qom's representative in the *majles*, Ali Larijani, maintaining national unity is the highest priority: "Every one should give precedence to national interests over all other matters and create an atmosphere of unity in the country," he has recently said during a meeting with Qom's clergy (*ulema*). (Tehran Times 2009 [url]) "Unification" is a dominant term in many of his and Khamenei's speeches, especially after the post-election unrests. Since they are aware of the country's immense plurality, which can when out of control, threaten its national stability and the power of the regime holder. Drawing a picture of "an enemy", has worked greatly in this respect, so far. Hamid Dabashi (2007:186) refers to Karl Schmidt's notion of "the enemy" that "locates 'the enemy' as the locus classicus of 'the political'".

*"[The political enemy] need not be morally evil or aesthetically ugly; he need not appear as an economic competitor, and it may even be advantageous to engage with him in business transactions. But he is, nevertheless, the other, the stranger; and it is sufficient for his nature that he is, in a specially intense way, existentially something different and alien, so that in the extreme case conflicts with him are possible." (Schmidt 1996:26-27)*

After the terror attacks in the USA on September 11, 2001, Dabashi (2007:186) observes a "systematic demonization" of "the Muslim" as "the enemy", not only in political, but also in moral and aesthetic terms. The climax was reached when former US President Bush put Iran on the "axis of evil" together with Saddam's Iraq and Kim Jong Il's North Korea, completely ignoring the reform movement within Iran during that time. (cp. Takeyh 2006:128) Iran's conservatives then said that they were not necessarily against democratic rights but merely want to establish security measures to defend and safe Iran from foreign interventions. (cp. Takeyh 2006:53) Consequently, the hardliners, even though small in number, have historically always needed an international crisis and conflict as a means of turn away the attention from their weak internal political progress and to strengthen unifying patriotism through propagating hatred. Ergo, the concept of "the enemy" got utilized by both, the West, especially by the USA, and the Middle East, especially by Iran.

## 6.2.2 Tradition & Modernity

In the Iranian context, the concepts of "tradition" and "modernity" are closely connected to cultural and religious values and norms. On the basis of my interviews, both terms got connected to negative and positive connotations, especially in regard to the promotion and protection of human rights.

### 6.2.2.1 Tradition

#### 6.2.2.1.1 Tradition in negative terms

For all interviewees, the term "tradition" has for some extent a bad aftertaste and includes a black picture. In general, the patriarchal family structures and customs are related to tradition, which are criticised from all directions. "**Patriarchal structures**", as an important core-category, are responsible for grievance and oppression and stands in close connection to the corrupt regime. It carries the symbol of *backwardness*, which was the main reason why many intellectuals, who had the necessary resources, fled during the war in the 1980s. They are the ones, influenced by Western enlightenment and intellectuals like Foucault and Marx, who blamed Islam for hindering modern development. (cp. Karim-Khani 2009:10 [interview] who speaks of his parents)

"Tradition", also is mostly linked to the *oppressive* and *corrupt* characteristic of the regime, which those who feel betrayed by the election outcome, describe as illegitimate. All these authoritative and negative aspects are promoted by the Leadership, sectors of the clergy, strong conservative elites, revolutionary institutions like the Guardian Council, the Revolutionary Guards Corps or the paramilitary *basij* command, and other radical right-wing groups. Friday sermons serve as "infiltration" of all strong conservative adherers. (cp. Alai 2009:3 [interview]) Usually, they are the less privileged, and follow empty promises of Ahmadinejad for a better life. (cp. Kianerci 2009:1 [interview]) Leila Salehi (2009:2 [interview]) also points to the financial distress and poverty. People who do not have enough money to nourish the family, of course, do not have money to travel and to get into contact with different cultural and religious values and ways of life in other parts of this world. Under these circumstances, they stick to their conservative religious habits that give them stability, even though it is marked with inequality and less freedom.

Behzad Karim-Khani points to, in his eyes, an important change within the concept of "tradition": Before the 1979 revolution and the war against Saddam Hussein (he underlines that the Iranian people did not hate Iraq but only Saddam and his Western allies), the *Shiite* was someone who sacrifices himself for all people against tyranny from the outside. The Shiite was some kind of "underdog", the oppressed and a victim of injustice, which also led to the self-flagellation rituals. Suddenly, especially during the first two years of the war, the Shiite became the tyrant and was responsible for cruelties like cutting off hands, stoning, spraying acid into women's faces when they put make-up on: "Das waren brutale Dinge, die wir nie zu vor im Iran gesehen haben!" ["Those were brutal things, which we have never seen in Iran before!"] (Karim-Khani 2009:1 [interview])

These happenings have also led to a negative connotation of Islam in general, when connected to the base of the current dictatorship in Iran. Religious symbols, like wearing a *hijab*, are put into relation with the authoritative and oppressive regime. Fataneh Kianerci reports about an increasing intolerance, which she has witnessed on Iranian demonstrations in Vienna: even though they were all fighting for the same goal, Muslim women who wore a *hijab* were treated badly and automatically thrown into the Ahmadinejad camp. She highlights that it is very important to differentiate between the oppressive religion, which is the base of the corrupt power-machine of the Iranian regime, and the private religion, under which every woman can decide herself about wearing a *hijab* or not. (Kianerci 2009:7 [interview]) But it seems that this differentiation becomes more and more difficult, the more the rational mind is influenced by a variety of emotional experiences.

Concerning the promotion and protection of human rights, religious values do also have an abusing characteristic: "Unfortunately, I think that the [Iranian] government uses religion for violating human rights, rather than protecting them!" (Alai 2009:2 [interview]) Diane Alai points to the fact that oftentimes "cultural particularism" is used for an excuse by governments not to accord to internationally recognized legal human rights standards, in order to deepen their power and to solely follow their, mostly economic, interests. (see Regime vs. Civil society)

#### 6.2.2.1.2 Tradition in positive terms

The positive aspects of "tradition" is mainly connected with the approximately 2700 year old Persian, pre-Islamic history. Rituals like the new year's celebration *Nowrooz* (the day of the astronomical vernal equinox, which occurs around March 21), which according to the Iranian calendar marks the first day of spring, are described as colourful and are related to happy family gatherings. "Oh ja, ich bin sehr traditionell was Nowruz und das persische Essen betrifft!" ["Oh yes, I am very traditional concerning *Nowrooz* and the Persian food!"] (Kianerci 2009:3 [interview]) For her, all positive traditional elements have nothing to do with religion, but she adds that there are a lot less official "national traditions" than religious traditions in Iran.

Behzad Karim-Khani, who grew up under a very critical view concerning Islam and how it becomes politicised in Iran, is not very much interested in the religion itself, but in the Persian heroic myths before the Islamic conquest. "Das Schiitentum hätte sich ja auch woanders ausbreiten können. Warum ausgerechnet im Iran?" ["Shii Islam also could have spread somewhere else. Why in Iran?"] (Karim-Khani 2009:8 [interview]) From an artistic perspective, he likes to read about antique Persian heroes, described in the *Shahnameh* (The Book of Kings), written by the famous Persian poet called Abu l-Qasem-e Ferdousi (940-1020). It is twenty times longer than *Nibelungen*<sup>7</sup>, is the basis of the modern Persian language, and the national-epos of the Persian speaking world. Behzad's hobby is to pull out parallels between the pre-Islamic heroes and the following Shiite icons. What he sees as a very typical element, which both heroes are sharing, is the self-sacrifice for the well-being of all people. The antique Persian hero does not knuckle down to tyrants and does not accept injustice: He is ready to sacrifice his life and fights alone against all evil, which comes from the outside and threatens his people. "Das ist auch die Geschichte Husseins oder Alis, im Prinzip." ["In principle, this is also the story of Hussein or Ali."] (Karim-Khani 2009:8 [interview]) Today you can also see these parallels leading to Mir Husein Mousavi, who after the election "has become a political martyr, a symbol of a man unjustly treated." (Molavi 2009:4 [CNN interview]) (See Media)

Concerning Islamic values, Ebadi (2009:6 [interview]) mentions positive attributes such as functioning family structures, including social care for old people, and integrated

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<sup>7</sup> German heroic epos, which has its source in the era of Germanic migration in the middle age.



youth. Those Islamic moral principles, which do not depend upon the machinery of state power, also possess very supporting properties in regard to the promotion and protection of human rights and can fully function as the basis of democratic development. Ebadi also underlines that the cultivation of such moral Islamic principles, which do not stand in connection with oppressing and discriminating women and minorities, is very important in all internal political and social discourses. Many NGOs, but also official bodies, welfare societies etc., try to activate the religious consciousness on the basis of such positive values, with which the development of technology, science, a better social and educational system, modern art, etc. are supported.

#### **6.2.2.1.3 Tradition, a complex term**

Summing up the collected views, the connotation of the term "tradition" highly depends on the context, in which it is used. But generally, the positive aspects are more related to the antique Persian traditions or rituals, which evolved in the pre-Islamic time. Celebrating *Nowrooz*, cooking Persian food with friends and reading Persian myths/poetry are things that are referred to as *beautiful*, *fun* or *interesting*. Islamic morals and values like strong and supporting family structures that are highlighted by almost every Muslim and Islamic Law can also be interpreted in a human rights supportive manner, activating social and cultural development such as better access to education and creative self-fulfilment. As Ann Elizabeth Mayer (1995:41) points out: "The Islamic heritage offers many philosophical concepts, humanistic values, and moral principles that are well adapted for use in constructing human rights principles. Such values and principles abound even in the premodern Islamic intellectual heritage."

The negative aspects of the term "tradition" solely include the oppressive, patriarchal, authoritative, and discriminating interpretation of Islam. The "political ascendancy of an orthodox philosophy and theology that were hostile to humanism and rationalism- and, ultimately, hostile also to the liberal ideals associated with human rights" (Mayer 1995:41), mitigated Islamic philosophical, humanistic and moral values and principles supporting human rights, throughout the history of Islamic civilization. The authoritative tradition of Islam is strongly connected to the oppressive regime of the present Islamic Republic; a connection that is so strong and emotionally afflicted that for some Iranians it becomes increasingly hard to distinguish anymore between the "regime's" and the "private" religion.

The belief that Islam in itself is responsible for "backwardness", hindering modern development, got more or less displaced by the goal to liberate the society within the framework of the Iranian Constitution and Islamic Law. Islam became more and more some kind of a weapon to fight oppressive religious thinking with liberal religious thinking. Especially within the clerical circles of Iranian *marjas*, you can find many contradictive perspectives, expressed through different *ejtehad* and *fatwa*. (see Clergy vs. Clergy)

"Tradition" is a term in which many different variables with different connotations come together and consequently makes it hardly possible to clearly define it in the Iranian context.

### 6.2.2.2 Modernity

*"Alle Iraner wollen modern sein, das kann man fast flächendeckend sagen."*

*["All Iranians want to be modern, you can almost say this comprehensively."] (Ebadi 2009:5 [interview])*

#### 6.2.2.2.1 Modernity in positive terms

##### 6.2.2.2.1.1 Individuality

The core-category of modernity in relation to social and cultural values and norms within the Iranian context, turned out to be "**individualism**". Important sub-categories are, beyond others, "self-fulfilment", "sexual freedom", "career" and "private religion". Self-fulfilment is basically connected to self-determination; to decide for yourself about your own future, specifically to determine what to reach and how to reach it, setting your own framework of action. Leila Salehi (2009:2 [interview]) describes individualism as a leap into the dark: "Ich habe nach etwas anderem gesucht, wusste aber nicht genau nach was..." ["I was looking for something different, without knowing for what exactly..."]

Today, for many young women marriage is not the highest priority anymore. Over 60% of all students in Iran are women, they crave for education and strive to make their very own career. Dr. Said Peyvandi, a Paris based professor of social sciences, observes this as an historic change, since there will be soon a "strong labor force made up by women specialists that never existed in Iranian history." But since this is a sign of further liberation for women, he also experiences that conservative but also reformist circles try "pushing for laws to limit the admission of women to universities." (Esfandiari 2003 [url]) There are even discussions about positive discrimination for men in certain "key subjects" like the engineering, oil and gas faculties. (cp. Harrison 2006 [url]) Ironically, it was due to the 1979 revolution and the Islamization of the educational system, which encouraged even very conservative and rural families to send their girls to separate girls-schools. (Ebadi 2009:6 [interview]) Many girls have seen this as a great advantage and privilege, and as a result, started the process of which we now see first society-moving results.

Some properties of the mentioned sub-categories include *attractiveness* and *rationality*. Leila (2009:2 [interview]) reports that young men increasingly find it attractive to have

a smart girlfriend, only to look good is not enough anymore. Young women think about having children a lot more rational, calculating how many she could afford, which in average declined to one to two children per family. The economic aspect plays a big role in that decision making.

#### **6.2.2.2.1.2 Private religion**

Another important change is that the young generation, unaffected of the 1979 revolution, more and more calls for moving religion to the private environment. "Man sieht, dass die Menschen wollen, dass ihre Beziehung zu Gott zu ihrem Privatleben gehört." ["You can see that the people want to keep their relation to God in their private sphere."] (Kianerci 2009:5 [interview]) The factor "religion" shall not be decisive any more about how you are treated in public. Concerning the Baha'i people, Diane Alai (2009:1 [interview]) reports that they "come from all walks of life in Iran – from all strata of society. The only thing that will differentiate an Iranian Baha'i from a fellow Muslim is, in fact, religion. As soon as the government finds out that they are Baha'is, their rights get deprived." She adds that all prejudices against them within the society are through the propaganda of certain sectors of the clergy.

There are many Iranians, who are not following an *Ayatollah*. Soheyla, an Iranian journalist I was talking to during my field excursion in Iran said: "I am not paying Ayatollah-tax. Many young students think that they are ridiculous. What happens when you don't pay? Nothing! Except: you go to hell!", she was laughing. Amin, a young Iranian man adds that usually, politics is not the highest priority for many young men and women: "Football is more important to me!" On the question, about what he is talking right now the most with his friends, he answered aridly: "Sex!" and then explains that many young men go to house-parties and have sex with girls "after work, to calm down!" (Amin & Soleyha 2007 [Excursion report 2007:16-17])

The Green movement also radicalized itself, holding up signs saying "Independence, Freedom, *Iranian Republic*", crossing out the religious (*Islamic Republic*) from the governmental and political sphere, replacing it to something more nationalistic. (cp. Karim-Khani 2009:7 [interview])

#### 6.2.2.2.1.3 Globalization

"**Globalization**" is also a dominant core-category, which already has abolished a lot of taboos within the Iranian society: within the past ten years, the option of divorce got more and more taken into consideration, and the education and public commercials about contraception methods (after the revolution's baby-boom) got a lot more disseminated, at least in the bigger cities. (cp. Salehi 2009:2 [interview]) In smaller cities in southern Iran, the majority receives no sexual education at school and generally not from their parents either. Consequently, many women unintentionally get pregnant, because they do not know how to properly use a condom. There are "wedding classes", which are mandatory for future couples who intend to marry, where they, at least, are offered sexual education. But before this, some women, for example, do not know that an orgasm is not only a privilege of a man. (cp. Hoffmeister 2009 [url])

"Der Globalisierung steht man [im Iran] offen gegenüber, man sieht es als Chance der Moderne" ["Iran stands open to Globalization and sees it as a chance of modernity"], says Ebadi (2009:6 [interview]) and points to global communication-networks and other modern technical devices, which have flooded to Iran with an enormous speed.

For Fataneh Kianerci (2009:4 [interview]), modernity in Iran means when time passes, when values change but also when the pressure of the regime becomes tighter: "Unter Diktaturen entwickelt sich vieles! Musik, Kunst, Literatur, auch die Frauen haben sich ohne fremde Hilfe weiter entwickelt." ["Under dictatorships, many things develop! Music, art, literature, also women have developed themselves without foreign aid."] The control with which the regime wants to "tame" the youth, actually leads to progressive internal developments through the spur to break away from such retrenchments. (also cp. Salehi 2009:3 [interview])

Modernity in terms of passing time and the change of values does also modify the consciousness of society. Before the Green movement, the topics of discussions were more about "insignificant" things like alcohol, party, fashion, music, etc., with which the government tries to distract the broad ordinary society from internal political struggles. These are still major topics but now, especially the masses of the urban society become a lot more civil, political, economical, social and cultural rights sensitive.

#### **6.2.2.2.2 Modernity in negative terms**

The negative properties of "modernity" relate to superficial Western values and the immense speed of Globalization.

##### **6.2.2.2.2.1 Fast spread of technical inventions**

Leila Salehi (2009:2 [interview]) talks about a strong desire of the young Iranian society to quench one's thirst with new technical stuff, even though they have not the possibility to use it. They want the newest cell-phones with *mms* (multimedia messaging service) application, but the state does not provide its country with a *mms*, at all. Like here in Europe, many Iranians want an *iPhone* (internet and multimedia enabled smart-phone by Apple inc.) but are hindered by the government to use the internet application. But at least the feeling of having a Western product, in terms of a higher status symbol, makes them feel better and more "modern". After her explanation do all the new inventions almost come a little too fast, and that the Iranian society and culture has a few problems to adapt accordingly. Leila complains that whenever she is in Iran, she sees that they drive the newest cars, but waste oil on masses, as well as electricity and water, even though Iran is very poor on water.

##### **6.2.2.2.2.2 Copying Beverly Hills**

Behzad Karim-Khani has recognized an almost convulsive trend to live a "Beverly Hills style" life, copied from American TV shows. He especially talks about the rich young men and women, who are living in Northern Tehran; where it is almost the norm for every woman to get an aesthetic nose or plastic surgery. According to the German newspaper *Die Zeit*, there are approximately 3000 cosmetic surgeons in Tehran, who do 60.000 to 70.000 nose surgeries per year; no other country of the world is topping this, so far. It is a hype, and broadly stands for change and self-determination, especially for women, who have to stick to the Islamic dress-code, starting when they are nine years old. There are so many rules, that they are glad to at least determine how their body shall look like. (cp. Hoffmeister 2009 [url])

Behzad says that the West only delivered commercials about the "perfect life" on a material basis but did not deliver any deeper content or values in connection to such products. "Sie geben wirklich ihr bestes, aber es ist nicht fundiert genug bei ihnen. Sie

glauben so muss es gehen oder ausschauen. Sie sind sehr angestrengt und verlieren dadurch fast ihre Persönlichkeit." ["Really, they do their best but it is not substantiated enough. They think it has to work and look like that. They are very stressed and are almost losing their personality."] (Karim-Khani 2009:5 [interview]) Behzad gives the following allegorical example: "Sie sehen eine Dose Cola in der Werbung und denken wenn sie die haben ziehen sich automatisch die Frauen aus. Aber wenn man sie fragt wie sie schmeckt, können sie es nicht formulieren." ["They are seeing a tin of coke in commercials and think when they have one of those, women get undressed automatically. But when you ask them how it tastes, they cannot put it in words."] (Karim-Khani 2009:4 [interview]) In other words, the tin of Coke stands for the Western capitalism, and certain rich sectors of the Iranian society, especially those living in the Beverly Hills districts of Iran's bigger cities mistake the capitalistic image of the West for the content of Western values. (Karim-Khani 2009b:8 [interview]) He also connects the "American chewing-gum capitalism" superficiality to sexual freedom: on the first sight, many of these mentioned young Iranians want breaking away from any necessities and have a free sexual life. But when it becomes serious, they realize that it is not "theirs", that it is actually something alien to them. Behzad reports about many disagreements and misunderstandings when he talked to the high privileged Northern Tehran youth. They have, according to him, not a critical distance concerning the West. They idolize the West and the image that "maybe in Germany not everyone puts gel in his hair, drives a Cabrio or that ring tones for cell phones are not the most important thing in a Western student's life, is hardly to get in their heads." (Karim-Khani 2009:4 [interview])

### **6.2.2.3 Caught between tradition & modernity?**

After Fataneh Kianerci (2009:4 [interview]) the spread of the Internet in the 1990s was the second revolution in Iran, after the 1979 revolution. Through the internet the Iranian people could finally start to communicate with the world they, for a long time, were isolated from. Those other worlds were not totally new and they all knew about them before, but through the emerging global communication networks they could start communicate to them on a regular basis. Over the last 30 years they developed a strong desire for showing the world that they are "normal people, like you and me, with the same wishes and goals in life, and not living a horrible life described in novels like *Not*

*Without my Daughter*<sup>8</sup>". In her eyes, this is the reason why they have developed a great hospitality to all foreign visitors to Iran and "even exchange students are treated like Gods!" Everyone wants to show them another part of the Iranian life: the private one, not the official one.

Through the "internet revolution" the battlefield between tradition and modernity seems not that strong anymore. The global communication network systems more and more alleviate the gap between Iranian and Western lifestyle. All interviewees highlight, that the majority in Iran is like you and me, with the same goals and wishes in life. But on certain social levels, the modern bits representing Western lifestyle, are hard to arrange with the own social and cultural values and norms, which originate from or express their identities. Through missing information and foreign experience in other countries, the picture of the West is too uncritical and biased, basing on product commercials and American TV soaps. The consciousness of dealing adequately with the growing possibilities of modern development is not matured yet, which harms environment, people's health, and generally taking responsibility. Through the pressure of adapting a distorted picture of Western life-style, some are even hindered to develop an own personality, which makes them to superficial copies of "Hollywood beauties".

But it needs to be highlighted that these stories and experiences are only single and context-specific extracts and can definitively not be generalized. Maybe you can say that for some, the "modern" development with the full protection and implementation of human rights and democracy cannot go fast enough. For others, it goes a little too fast and does not really fit properly in their identity. For some it shall go fast, but when they are directly confronted with it, they feel that it is still foreign to them. Some say, that all modern things and values that come from the West harms the youth for building up a proper Iranian or Muslim identity, and so on. (see Regime vs. Civil society)

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<sup>8</sup> A novel by Betty Mahmoody (1988), basing on a true story.



#### **6.2.2.4 Conclusion**

Referring to the second sub-question:

*How deep is the gap between "tradition" and "modernity" within the young Iranian society and how should these terms be defined in the era of Globalization?*

I can conclude that in general it seems that there is not a simple dualism of "tradition" vs. "modernity" anymore. The majority of Iran's young society adopts hybrid forms of "traditional" and "modern" categories and characteristics, and their identity is not caught between them, but constantly evolves out of dynamic context-constellations, out of which they adapt various influences with different intensities, on different dimensions. One hypothesis would be that they are not caught in the decision of either going the Western or the Islamic Republic way, but they are what they make out of the situation today, which leaves no room for rigid dualism. Stereotypes from all sides especially concerning Islamic religion, morals, and values, lead to such binaries and is, in this way, not properly mirroring reality's complexities. Consequently, the concept of "tradition" and "modernity" within the Iranian context is a very perplexing and multilayered one, which mirrors the complexity of the Iranian society quite well and leaves clichés of any kind looking inadequately.

### **6.2.3 Battlefields**

I am focussing on four main battlefields in Iran, which include a variety of contention points on different levels:

1. Between the regime and the civil society;
2. Between the regime and the regime;
3. Between the clergy and the clergy;
4. Between the opposition and the opposition.

#### **6.2.3.1 Regime vs. Civil society**

##### **6.2.3.1.1 Western values as grievance**

One point of contention between the regime and the civil society is about Western values. The Iranian government, especially the Supreme Leader, warns the Iranian youth about Western "individualism". For certain conservative circles, it stands for extreme egoism, breaks families apart, and destroys the future of the young generation that might get lost in disillusionment. (cp. Ebadi 2009:5 [interview]) "Insight is the compass to find the right path in today's complicated social situation. If anyone does not have this compass and is not able to read maps, he may suddenly find himself surrounded by enemies" (Tehran Times 2009b [url]), told Khomeini to a people's gathering in Chaloos, last month. Basically, Khomeini's message to the youth is to not lose the hope of the future and to save all self-consciousness in front of Western cultural influences used as "soft weapons". (cp. Ebadi 2009b:6) If they abandon themselves to the excessive Western individualism, they will fall into disillusionment. "He also perceives it as frightening that so many students study the humanities in Iran", Leila (2009:3 [interview]) points out. Khomeini recently said to a group of female Quran science students that "the base of the Western human sciences is materialistic ideology, which is contrary to religious and Quranic [sic!] teachings, while we should seek essence of human sciences in the Quran [sic!]." (Office of the Supreme Leader 2009 [url]) According to Iranian news services, he says that studying social sciences "promotes doubts and uncertainties" and urges defenders of Islam to "review the human sciences taught in Iran's universities", which "promote secularism." (Slackman 2009 [url]) This reminds of the "cultural revolution", which Khomeini has proclaimed right

after the 1979 revolution. All universities in Iran were closed for two years in order to renew the curriculum and to handpick professors and lecturers, whose views were in full accordance with the Islamic ideology of the nation's leaders. It was the time when "loyalty tests and ideological standards [were] determining admission to universities, the civil service, and the armed forces." (Takeyh 2006:28)

Ebadi (2009:6 [interview]) talks about certain social and cultural affairs in the Western world, which are interpreted as grievances and connected to the Western ways of life. Beyond others, these are violent youth gangs, destroyed families, isolated old people (kept in homes for the aged, away from their family), as well as alcohol and drug abuse starting from a young age. The Supreme Leader wants to preserve the youth from such grievances, which are all undesirable consequences of Western influences. On the other hand, Ebadi (2009b:2) underlines that western ideal *culture*, in terms of classical music, poetry, scientific and civil achievements, are appreciated and valued by many Iranians. What becomes criticised is that the West more and more removes itself from its ideals, which also becomes obvious in international political affairs.

The famous exile-Iranian, intellectual and author Bahman Nirumand, significantly indicated at a TV discussion about the West as object of hatred in Muslim countries: „Wir [Iraner] wünschen uns, dass die westlichen Länder ihre eigenen Ideale respektieren, auch wenn sie ihre Grenzen verlassen.“ ["We [Iranians] would wish ourselves that the Western countries respect their own ideals, although when leaving their borders."] (Nirumand 2009 [tv])

#### **6.2.3.1.2 No to double life**

On the other hand, especially the majority of the young Iranian society wants to enjoy free self-fulfilment, no "taming" attempts of the Leadership, no patriarchal oppression within families, and no religious dictatorship. (see Modernity in positive terms) Behzad Karim-Khani (2009:11 [interview]) calls the restless war-babies (born during the Iran-Iraq war, 1980-88), to which he belongs, the *toufan* ("storm") generation: they are silent, but internally they are boiling and are waiting for the right moment to break out. "Die Jugend kämpft auf der Straße um ihre Ehre zurück zu holen!" ["The youth is fighting on the streets to get their honour back."]. Since the 1979 revolution, the ordinary society started to build up a double-life: one in their private homes, where million of women don't wear a headscarf (*hijab*), where families have parties, drink alcohol, talk freely

about everything, watch American movies, cook, learn, all simple or trivial things, which can also belong to an everyday life in Western countries. The second life is that on the public streets and in public buildings, with compulsory dress code, limited freedom of expression and behavior. It is this double-life of which the majority in Iran is tired. They want to live their private life in public, too. They do not want to hide all the time and be scared of revolutionary guards on the streets who mainly check on women's dress code, whether it is *Sharia* conform enough. This pressure and control of the government and above all the Supreme Leader, urges the ordinary society to jump out of this system of playing hide and seek, and to make themselves visible to everyone in this world. (cp. Kianerci 2009:4 [interview])

"Vor der Revolution hat man zu Hause gebetet und auf der Straße Vodka getrunken. Nach der Revolution trinkt man zu Hause und draußen betet man!" ["Before the revolution people were praying in their houses and were drinking Vodka on the streets. After the revolution people drink at home and go outside to pray!"] (Karim-Khani 2009:11 [interview]) Behzad talks about the language he had to learn while growing up: to keep certain things secret and when criticising something, than very carefully to avoid repressions. "Wir sind viel intelligenter als die. Die die uns sagen wie wir uns auf der Straße verhalten sollen, sind nicht intelligent!" ["We are a lot more intelligent than them. Those, who tell us how we should look like on the streets, are not intelligent!"] He reports that in 1986 a sixteen year old boy told his father how he should wear his beard. The revolutionary guards also stipulated the women to not put make up on. Then women started to get their eyebrows tattooed. Behzad complaints about such trivial things become political issues.

#### **6.2.3.1.3 State plays God**

Leila Salehi (2009:5 [interview]) points out that at first, within patriarchal family structures, the father was God. Now it is the state that is playing God. But she concludes that even after so many years of brainwashing and censoring the youth, they still strive to other goals than those promoted by the government and certain sectors of the clergy. She underlines that the authoritative regime with all limitations does not at all bring any sustainable changes, and that it is a never ending "cats-and-mouse-game" between the civil society and the regime. The people install satellite dishes again and again, despite

round up controls that take them off. Whenever young women get the chance, they take off their *hijab* and dress how they like.

For Behzad (2009:6 [interview]) the Green movement resulted out of the neo-conservative militarization and radicalization of the regime, which obtained control over the presidential election by fraud. (also see Molavi 2009:1 [CNN interview]) "Enough is enough", the neo-conservative regime brings up roles, and when happenings do not suit their plans and threat their power, they break them. "Der Wächterrat selektiert nur vier Präsidentschaftskandidaten aus 4000-5000 Bewerbern. Nach so einer krassen Vorzensur... dann gewinnt einer, und dann ist das noch ´der Falsche`" ["The Guardian Council selects four out of 4000-5000 presidential candidates. After such blatant a pre-censorship one of them wins, and then it is ´the wrong one`!"]

Parag Khanna (2009:1 [CNN interview]), author of the book "The Second World", talks about an "inter-generational conflict". Despite the fact that even the next generation of clerical elite and *basij* have members from the younger generation, "still, the masses that you are seeing out there are not going away!"

### **6.2.3.2 Regime vs. Regime**

The battlefield between the regime and the regime, is coursing around many dichotomies.

#### **6.2.3.2.1 Technology vs. Values**

Globalization is accepted, since it brings more and better modern technology. On the other side, the regime wants its people to see that they do not need the West for development and technical advancement; under the motto: "Western values: no! Western technology: yes!". But internally the regime asks itself to what extend it can afford to isolate from the West. In the end they need the West to get their oil refined, and for other technical support and knowhow. "Die Katze beißt sich in den eigenen Schwanz!" ["The cat bites in its own tail!"] that is how Leila Salehi (2009:5 [interview]) puts the governmental discrepancies in words.

#### **6.2.3.2.2 Left vs. Right**

Then there is a deep gap between the two main political and religious wings: the left and the right. The left wing includes a wide spectrum from mild liberals from the "old guard" like Mousavi, Montazeri, Rafsanjani, and all others who want to restore the Islamic Republic and do not want a revolution to overthrow the system. What they want is a "U-turn", driving back to the needs of the long ignored civil society in order to maintain the original Islamic character of the revolution. The Islamic left wants to change the course within the framework of the Iranian Constitution and to build up a democratic Islamic civil society. (cp. Karim-Khani 2009:7 [interview]; Majd 2009:2 [CNN interview]) On the other side of the left-spectrum are more radical reformists like Karroubi and Khatami, who are standing for more fundamental constitutional changes. The right wing, or the "new guard", includes people around Ahmadinejad and Khamenei, the Revolutionary Guard Corps, the *basij* and certain conservative sectors of the clergy, who want to keep their power and resultantly do not accept any reforms that would diminish their authority. (cp. Molavi 2009:1 [Interview]) Nevertheless, there is a constant internal discussion about whether possible negative consequences of economic and diplomatic sanctions from the West puts a shadow over possible benefits of human

rights violations in order to preserve the Islamic ideology in the way it is promoted by the Supreme Leader. (cp. Karim-Khani 2009:12 [interview])

### **6.2.3.3 Clergy vs. Clergy**

#### **6.2.3.3.1 Moderate vs. Radical**

Different interpretation of the *Quran* and the *hadith*, are playing a major rule, especially concerning human rights.

Mehrangiz Kar (2009:2 [lecture]) talks about a "clash between moderate and radical Islam" in Iran. After the 1979 revolution, she has personally experienced that whenever people wrote and talked critically about the system, the radical Islamists accused them for operating "against Islam". "We were not allowed to judge social inequalities and say that something is bad. Because everything is according to *Sharia*, so everything is right and cannot be criticized. Sometimes the punishment meant death." On the other side were more liberal clerics who helped her and other journalists criticising the system with more liberal interpretations of Islamic Law. Kar reported about clerics that helped her writing critically about the state's violation of women rights, when she was still working as lawyer in Iran. She reports that a few moderate clergies said: "Yes, Ms. Kar is right! We do have something like discrimination in our family law." They referred to a different and more liberal interpretation of Islam and subsequently pointed out that the legal system in Iran is not "perfectly Islamic". She describes those supporting clerical interpretations as "good facilities" with which she could write with more self-confidence, being sure that the regime cannot accuse her for working "against Islam". Basically the point of contention is about "one single interpretation of Islam vs. many independent interpretations of Islam". Within the circles of religious intellectuals, questions came up like "what are human rights in Islam?", "Shall the clergy interfere in political issues?", "Shall there be religious individualism?" Many different answers were following.

#### **6.2.3.3.2 Religious justification**

Diane Alai talks about a religious justification, in order to either promote or violate human rights: "People will invoke religion, depending on their thinking. The *marja* who believes in human rights invokes religion to protect human rights, and the *marja* who does not believe in human rights will invoke religion in order to violate human rights." (Alai 2009:2 [interview]) In other words, every *marja* or source of emulation can issue



*fatwa*, which can be contradictory to each other, depending on the *marja's* ambition and thinking. "They do not necessarily result out of religious ambition, sometimes they are solely against the government", stressed Diane Alai (2009:2 [interview]). She adds, for example that Ayatollah Montazeri issued a *fatwa* on the Baha'is, in which he pleads that the right to "water and earth" means the right of citizenship. Although as religious leader - officially not recognizing the Baha'i religion - he promotes that different religious thinking should not be a reason to ban Baha'is from citizen rights, enjoyed by any other Iranian. There are also other rights, like prohibition of torture, which are linked to citizenship, which are also invoked by religious, and not only by secular people. (cp. Alai 2009:2 [interview])

What also seems to be contradictory on the first sight, is that in the Shii theological centre Qom, exists a Center of Human Rights Studies at the Mofid University, which is organizing yearly International Human Rights Conferences<sup>9</sup>, with human right scholars from all over the world, focusing on the universality of human rights and Islam.

A fact, which points to a search for international and religious dialogue, especially in scientific and theological circles.

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<sup>9</sup> This year in May, it was the fifth conference in cooperation with the UNDP within the framework of the "Cluster Project on National Capacity Building for the Promotion and Protection of Human Rights for Greater Access to justice". url: <http://www.mofidu.ac.ir/DouranPortal/Documents/7292685a-cb73-4d40-bcfe-31aaf1f8fcf6.pdf>, accessed on November 12, 2009

#### **6.2.3.4 Opposition vs. Opposition**

##### **6.2.3.4.1 Moderate vs. Radical**

Fataneh Kianerci (2009:6 [interview]) experienced in her work as human right activist a division between radical and moderate activists. She for example has seen many radical advocates of abolishing death penalty, who rail in public about, e.g. the parents who allow execution as just and equitable compensation for the loss of their son. Fataneh underlines that when you, as Iranian woman, talk about freedom and human rights, you also have to tolerate women who wear a *hijab* out of free will. (see Tradition in negative terms) As a result, she has witnessed a certain disrespect, which can even lead to divisions within human rights activists.

##### **6.2.3.4.2 Internal vs. External**

Behzad Karim-Khani witnesses an even deeper division between the opposition who is living in and outside Iran. Those people, like his parents, who had the necessary resources and could leave Iran in the 1980s, accuse those who couldn't flee that they are not able to take responsibility and blame the regime all the time. Under the motto: "we overthrew the Shah, have fought for more freedom and then had to flee to save our life. Then, all the peasant from rural areas came and rearranged their life with that we have set up. They cannot complain that we left them in the lurch!" Those intellectuals who were not able to flee blame those who left: "You sought shelter and we had to face the music!" (Karim-Khani 2009:9 [interview]) Behzad also reports about feelings of guilt from those who could flee, and a feeling of envy of those who did not leave. This is the reason why his father, who is living in Germany, and his uncle who, is living in Iran, are not talking to each other any more. He underlines that they are not a singular case, in the 1980s approximately one million left the country, out of which 90% belonged to the intellectual part of the society. Mostly they have belonged to the communists and were revolutionaries. They have left right after establishing a new regime but without setting more specific conditions and consequently left behind a big hole. "Wenn wir morgen eine Demokratie im Iran hätten, wären das die zwei Gruppen die sich als letztes umarmen würden!" ["If there would be democracy in Iran by tomorrow, those two groups would be the last hugging each other!"] (Karim-Khani 2009:9 [interview])

Behzad now feels the division between the children of the parents who left Iran and those who stayed in Iran, which is marked with a superficial picture of the West and resultantly leads to misunderstandings during cross-cultural communication. (see Modernity in negative terms) He thinks that the nouveau-rich in Iran would not be ready for a sudden change to a free and democratic state. Many great things, like the implementation of human rights, would happen, but also very "ugly" things. He for example assumes that the porn industry would flourish. "Sie sind noch nicht gewappnet für den dekadenten Teil der Freiheit!" ["They are not prepared for the decadent part of freedom!"], Behzad is laughing ironically. (Karim-Khani 2009:13 [interview])

### 6.2.3.5 Conclusion

Summing up the collected views, in regard to the third sub-question:

*How many different socio-cultural groupings, ideologies, identities and goals shape and flow into Iranian human rights discourses?*

It can be concluded that in Iran's intellectual, political and religious history were and are many individuals and groups, who follow different perspectives, thoughts, ideologies and goals concerning human rights and the future of their country. The lines between all these factions are not clear cut but overlap and are blurry. Voices for reform and/or conservative attitudes come from all walks of Iranian life: from deep traditional sectors of the clergy to university professors. Right now, there prevails a very sensitive "thaw" over these internal battlefields: one part of the civil society, the government and the clergy thinks that the second Ahmadinejad administration is legitimate and the other part not. What needs to be highlighted is that even though the election was a fraud, 35% of the votes for Ahmadinejad are legitimate and remain. (cp. Majd 2009:2 [CNN interview])

Usually, Western people do not very often communicate with individuals and groups of the society who form these 35%. Therefore, all statements and conclusions so far are basing on facts provided by those Iranians, which are either living in the West or at least can speak English and are the ones you talk to and meet when you visit Tehran. It should not be forget that Iran still has a very conservative and religious society, particularly outside the Northern Tehran enclaves. But in regard to the present situation, the overall people are fed up with the governmental authoritative operations, the bad economic situation with high food prices and un-/under-employment rates, but not necessarily with the Islamic aspect of it. People, also from rural areas, do know what sanctions mean for the country and become more and more human rights sensitive and are striving for a change, including certain secular demands.

One important answer to the fourth question,

*How can the battlefields between different human rights discourses in Iran be defined?* refers to cultural and religious justification.

Depending on what the *marja taqlid* wants to reach with his interpretation, Islamic Law is either *constricting* and *oppressive* or *releasing* and *liberating*. Ambivalent arguments about whether wearing a *hijab* is a religious obligation or not, whether stoning is

acceptable as an option of religious punishment or not, whether Baha'is, even though their religion is officially not accepted in Iran (See Art. 13 of the Iranian Constitution<sup>10</sup>), shall enjoy civil rights or not, all of these points of contention highlight the fact, that there is definitively more than only "one right path" of practicing Islamic religion. The cultural and religious justification in connection to the interpretation of human rights plays a decisive role in present Iranian human rights discourses. The *Quran* and *Sunna* remain the central base around which the most important argumentations are circulating, especially concerning the legitimization of actions supporting or violating human rights.

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<sup>10</sup>"Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education." (Art. 13 of the Iranian Constitution)

## 6.2.4 Human rights

### 6.2.4.1 Dialogue

The categorical focal point in regard to the concept of Human Rights is "**dialogue**" and mainly focuses on the Iranian urban and ordinary society. The society holds dialogue on a variety of possible levels and dimensions. Behzad Karim-Khani explains that through the Green movement, the political consciousness of the ordinary society is more and more raising and that they are more and more "showing their face" in public spheres. (Karim-Khani 2009:10 [interview]) An important property is the growing *interest* within the ordinary society, and the realization that they have to move together in order to change something. Behzad compares the present situation in Iran to the post-9/11 situation in the West: suddenly, people, who have never talked to each other before, started to have intense political conversations. They have realized that they have a certain interest in common.

#### 6.2.4.1.1 Media

An important subcategory of dialogue is "**media**", especially the internet. Iran is the 3<sup>rd</sup> largest country in terms of blogs. (cp. Deutsche Welle 2008 [radio]) More and more people started to freely write down what they think, using faked user names. Within Iran, blogs became a secure base for authors, who want to avoid strict state-censuring of their books, for journalists, who want to publish uncensored reports, for Iranians in exile, who want to communicate with their families and friends in Iran, for student groups and non-governmental organizations, who want to coordinate their activities, and for ordinary people, who want to publish thoughts, diaries, stories, poems, and expressing themselves freely, in a way, which is not allowed within state media. (cp. Alavi 2005:11-12) Via global communication networks like *Twitter*, *Youtube* and *Facebook* they show the world photos, videos and reports from all internal happenings, including human rights violations. After Mousavi officially stated to be "ready for martyrdom", he appealed to his supporters via *Facebook* "to not go to work" but to protest, because "today, you are the media and it is your duty to report and keep the hope alive." (CNN Article 2009 [url])

Oftentimes, their username is "Mousavi" and they have at least something with a green color in their profile pictures, showing their support of the Green movement. Even non-Iranians from other parts of the world upload the sentence "where is *their* vote?" on their profile, showing solidarity. *Facebook* groups like "I bet I can find 1 million people who do not like Ahmadinejad" are started or you can become a *fan* of opposition leaders or human rights activists. Competitions are started to free Iranians who got prosecuted for their human rights activities, like the lawyer and journalist Shadi Sadr, who has spent many days in prison for her moral courage she has shown in protecting and promoting the rights of her Iranian fellow citizens<sup>11</sup>. She recently got the 2009 Human Rights Defender Tulip award from the Dutch government in The Hague, and the foreign affairs Minister Verhagen called her "an *ordinary* women who has performed great deeds." (Tulip 2009 [url])

Ebadi (2009:2 [interview]) reports about "semi-state" (see Semi-opposition) publications, which in her eyes, are the biggest chance so far for creating internal discourse-bases, "if a discourse between the public and those with an open ear within 'the system' is sought." (Ebadi 2009b:8) The paper's license holder usually has a good relation to the government and can on that account provide a little more free space for dialogue for the ordinary society. The semi-state domain is very active and needs to be supported in a stronger way. The internal achievements in that field are not easy to see for outsiders, and as a consequence remain ignored by other countries.

#### 6.2.4.1.2 Limitation & Control

*"When human rights activists are released from jail, that doesn't mean that they are free: sometimes they are not allowed to leave the country, sometimes they get arrested again and again." (Kar 2009:2-3 [lecture])*

Another core-category within the concept of human rights, which stands in clear opposition to "dialogue", is "**limitation and control**", which is executed by the Iranian government. With the start of Ahmadinejad's presidency, all the windows, which

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<sup>11</sup>She set up *Raahi*, an organization that conducts research on how to improve women rights, mainly in the field of family law and is the co-founder of the "Stop Stoning Forever" campaign. For more information see url: <http://meydaan.org/English/default.aspx>, accessed on November 12, 2009

Khatami has opened, were closed again; a backlash that was very frustrating especially for women. Kianerci (2009:5 [interview]) complains that they have lost five years under Ahmadinejad; would have Khatami won another time, a lot more internal human rights discourses would have continued to flourish. Behzad (2009:6-7 [interview]) adds that Khatami has understood that such things like intra- and inter- cultural and religious dialogues need time to develop. It cannot be enforced through revolutions, which, in Behzad's eyes, are not sustainable.

Now, Iran's society has to experience a constant decline in free space for discourse possibilities. Homepages are blocked and blogs are filtered. Soleyha, a blogger I was talking to in Tehran, explained to me the biggest problem of such limitations: when your blog gets blocked, you have to change your domain-name. Consequently you are losing readers. Simin, another blogger added, that you have to train being good in writing (oppositional) messages between the lines, "I should get better in hiding, though", she was laughing. (Soleyha & Simin 2007 [Excursion report 2007:16])

They have to be careful, because many human rights activists so far got thrown into jail charged with "taking action against Iran's national security", "disturbing public order", "propaganda against the state", "having unauthorized relations with Iranians outside the country", etc. even though they have only participated in peaceful demonstrations or critical discourses. (cp. Human Rights First 2008 [url])

#### **6.2.4.1.3 Suspicion of espionage**

Another hurdle that hinders Iranians taking part in international dialogue is the suspicion of espionage, which is still very present. Leila has experienced such situations while she was working in Iran, especially on multilateral conferences. She, as part of the Iranian delegation, was immediately mistrusted when she was more actively talking to foreign delegations. An important factor is that besides Persian, she knows German and English very well, that makes her automatically suspicious, since many Iranians won't understand her. The director of the "Österreichisches Kultur Forum" ["Austrian Cultural Forum"] (ÖKF) in Tehran<sup>12</sup>, Dr. W. Banyai, said that the state does not censure German

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<sup>12</sup> The ÖKF is an important platform for Iranian and German speaking students and artists. It has the best German teachers, the biggest German library and a relatively high cultural budget (in 2007 it was 70.000€). In contrast to the Austrian embassy, they are free in using it. In 2006 they have organized a



books, because they cannot understand them. That is why they have such a wide range on German literature in their library for their students. But when they are organizing public readings, there has to be a pre-censuring. (cp. Banyai 2007 [Excursion report 2007:17])

#### **6.2.4.1.4 Religious & Scientific exclusion**

Diane Alai reports about the intentional exclusion of Baha'is in inter-religious dialogues in Iran, "which remain between the four recognized religions, which are the Islamic, Christian, Zoroastrian and Jewish religions." (2009:2 [interview]; see Art. 13 of the Iranian Constitution)

Another problem, which hinders dialogue, is the strong limitation on scientific resources, especially in the field of the humanities. Even though there are new fields of study like master programs in women and family studies, at the Al-Zahra Women University<sup>13</sup> in Tehran or at the women study center at the University of Tehran, there is only a limited budget and scientific resources available to students. The state puts more money into natural sciences, in genetics and engineering, subjects in which they think limb behind the Western standard. (cp. Ebadi 2009:4 [interview]) A friend of Fataneh Kianerci studied sociology and women studies in Tehran and wanted to write her dissertation about the lesbian scene in Tehran. Only through a contact, Fataneh could give her, of a homosexual Iranian professor teaching in the West, she was able to write an empirically proofed scientific work. (cp. Kianerci 2009:9 [interview])

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Mozart-week and invited Austrian, Armenian and Iranian soloists to sing with an Iranian orchestra. (Excursion report 2007:19)

<sup>13</sup> the wife of Mir Hussein Mousavi, Zahra Rahnavard, was the chancellor of the university but lost her job after she has invited nobel peace laureate Shirin Ebadi to speak at the university. (cp. SMH 2009 [url])

#### 6.2.4.2 Women

Another important core-category of human rights is dedicated to "**women**". After the 1979 revolution, especially women were the part of society who activated the engine for demonstrations, shouting for equality in family law, non-discrimination on all levels, freedom of movement and expression, children's rights, women's rights, against compulsory *hijab*, and a lot more. Oppositional movements in Iran were always to a certain extent intertwined with Women Rights movements. Women from different camps, whether conservative or secular, find a common denominator like "no polygamy", and mobilize signature campaigns or write letters to the Parliament against certain laws. The 1 million signature campaign, a grassroots movement calling for an end to the legalized discrimination against women, which started in June 2006, is the best example: even people from the conservative Shii centre Qom have signed. (cp. Salehi 2009:3 [interview]; Ardalan 2009 [url])

Women were also the ones who have "recognized that peaceful demonstrations are the way to go." (Kar 2009:2 [lecture]) "Auf Gewalt soll nicht mit Gewalt geantwortet werden" ["Violence shall not be the answer of violence"] (Salehi 2009:3 [interview]), is also the motto of the present Green movement. The protesters do not want to act as violently as the *basijis*, who attack them with batons from driving motorcycles, tear gas and water cannons.

Again, an important characteristic is that consciousness-raising within the ordinary society is based upon an *emotional* and *realistic* level, showing human rights violations drawn from everyday life. Ebadi (2009:2-3 [interview]) reports about a women's magazine that brought the story title "Victim of her Love", concerning the execution of a young woman in May 2009. Her story was widely discussed in the Iranian media landscape, and some of them tried to defend her in reporting that she only confessed to be the murderess of her aunt, in order to save her boyfriend's life, who actually committed the crime. Since she was a minor at the time of the murder, she thought she would not be charged with death penalty. Interviews with her parents and school friends, as well as the pictures she has painted in prison were circulating through blogs, in order to mobilize more people to stop her execution. In the end, all efforts were futile.

#### 6.2.4.3 Education & Information

*"We need to make the ordinary society ready for approaching a human rights dialogue!" (Kar 2009:2 [lecture])*

Another important core-category of human rights is "**education and information**". There is still a big lack on human rights education, especially targeting the ordinary society. There is almost no reference to international human rights law in the Iranian press landscape. Fataneh says that when you ask a 70 year old woman if she is protesting for a specific human right in the way it is defined in International Law, she would say "no", because she does not know what this specifically means in her context. She knows exactly what she does *not* want anymore, like Ahmadinejad as President or high food prices etc. (cp. Kianerci 2009:5 [interview]) However, the link to international human rights law is barely there.

Fataneh sees a big problem about the human rights vocabulary used in International Law. If you want to inform the Iranian ordinary society, it needs to be pronounced in their specific vocabulary and mentality. Iranian human rights activists, who are living in exile for many years, start to forget about the Iranian mentality very fast. She speaks from her own experience: whenever she comes back to Iran after a longer break, she needs a while to get used again to the Iranian argumentation and perspectives. Such abstract rights like human rights need to be explained with practical examples in regard to their every day life, using indigenous vocabulary and argumentation tools. She says that she got easily signatures from women on all social levels in Iran, after she has explained how such law reforms would affect their everyday praxis. (cp. Kianerci 2009:6, 8 [interview])

Consequently, an important property of education is *respect*; to hold dialogue according to the context, to adapt to different mentalities, using respective words and body language. Fataneh told a little story about her mother, who, before the revolution, was a teacher at a girl's school in a poor district. She is not religious but she wore a *hijab* everyday, when she was teaching. When they asked her why she is doing that, she replied that for her it is important that the girls go to school, and she knows that when she does not wear a *hijab* some parents would not let her girls go to her class. She accepted that and for her it did not matter how she dresses or looks like. "Die

Instrumente müssen geeignet sein für die Kultur" ["The tools have to suit the culture"], concludes Fataneh (2009:6-7 [interview]).

#### **6.2.4.4 Conclusion**

##### **6.2.4.4.1 Emotional & Realistic**

Referring to the fifth sub-question:

*In what sort of social, cultural, practical and symbolical dimensions are Iranian human rights claims embedded in?*

The connection with the *emotional* and *realistic* characteristic of human rights consciousness-raising comes to the foreground. Mostly, human rights claims in Iran are basing on daily life constrictions in the area of family law, dealing with divorce, marriage, child custody, polygamy, and death penalty of children. People are summoned to put themselves into the position of victims: "How would you feel and act when it would be your daughter/son who gets executed? When your husband has a second wife? When you loose custody of your children only because you marry another man after divorce? When your husband does not give you the permission to work?"

##### **6.2.4.4.2 Limited room & Restlessness**

When summarizing the collected views under the concept of human rights, the main problem is the limited room for internal discourse and external dialogue. There are many political taboos like the *hijab* debate or religious minorities. Especially for the ordinary society, there is only a marginal area left to act and to make human rights a public and conscious topic. Since the media landscape is in strong conservative hands, little human rights information reaches the civil society. But since Persian is astonishingly widely present on the internet, it is apparent that the society, especially the younger *toufan* generation, is craving for more free internal discourse and international dialogue possibilities. On the other side, Iran is one of the few countries with the most slowest and censored internet possibilities. This is an obvious evidence of the unstableness and uncertainty of the government, which is trying to hold down the restless, unjustly treated and long ignored masses on the streets. The government seems to be scared and does not know what to answer to the desperate outcries and courageous actions for reform, since there was never even a slightest dialogue between the society and the regime. But the more the government puts up controls and makes taboos, the

desire for such forbidden things grows within the society. Despite the Guardian Council's veto power, conservative censoring, governmental blockings, political taboos, religious exclusions, razzia, death penalty, torture, propaganda, limited access to scientific material at universities, and so on, the motivation and the strength to change something has for most Iranian activists not stopped:

*"This is how it goes under dictatorships: they cannot remove us and our ideas! They just make it more difficult for us to spread them!" (Kar 2009:5 [lecture])*

#### **6.2.4.4.3 Nutrient base for dialogue**

Referring to the sixth question:

*How could a continuous intra- and intercultural dialogue be encouraged and strengthened to keep up a "productive balance" between the battlefields?*

It is first of all important to establish a nutrient base on which human rights discourses can be rooted and slowly but steadily grow. To reach this, there has to be more human rights information available, which is specifically targeting ordinary society. A student with an average high school degree might not understand complicated theoretical texts like those by Soroush. "The intellectuals will find their way, in any way!", underlines Fataneh Kianerci (2009:9 [interview]). Human rights information need to come from the *inside*, from Iranians who are familiar with the contexts of the ordinary society and who, like Fataneh has highlighted, speak in their mentality and explain the abstract rights with practical everyday examples. The spread of information and the enlightenment on human rights needs to be nourished and developed from within. In order to reach this, all interviewees generally agreed that dialogue takes time to spread and develop. The strength and courage is there, the only thing they can do, now, is to "talk every day about human rights, to talk and write and write and write, every day, no matter about what human right. We cannot wait for a miracle and we have to work hard for it. The Europeans also had hundreds of years of dialogue. Nothing like this can change immediately, but it will change, in the long run..." (Kianerci 2009:6 [interview]) The more the consciousness of human rights is rising, the more discourses are opened.

Even though the development of intra- and intercultural dialogue are hindered and restricted on many ways, there are still spaces to be found, which could function as platform in order to tie in with other platforms within and outside of Iran.

#### **6.2.4.4.4 Flame of hope**

What seems astonishing to me is that in most Iranians an inherent flame of hope is burning, since they are aware of the dynamic history of their country, marked with sudden changes. "Now, we don't have any chance for regime change, but who knows: Iranian people are unpredictable", concludes Mehrangiz Kar her lecture (2009:4 [lecture]). Simin also ended our conversation with a similar sentence: "We have no statistics for the future development. In Iran you can never say for sure what can happen..." (Excursion report 2007:17) Behzad, is fully wrapped in enthusiasm, and shows promise upon the Green movement: "Ich bin mir sicher, die Revolution wird kommen und das Ding stürzt ein und es wird einen demokratischen Staat geben! Und dann werde ich auch ernsthaft darüber nachdenken da hin zu fahren und mit anzufassen!" ["I am sure that the revolution will break through and I think in less than two years it will become a democratic state. And then I will seriously think about moving there and help to build up a new Iran"] (Karim-Khani 2009:14 [interview])





## 7 Questions of universality

The question of "universality" of human rights in the Iranian context remains a difficult one. For Diane Alai, human rights clearly are universal and sees the argumentation about that they are a pure Western product, as an excuse to violate them. She highlights the fact that nations from all parts of the world worked on the Draft of the Universal Declaration of Human Rights. The International Bill of Human Rights covers a huge spectrum of social, cultural, economic, civil and political rights, in which "every [cultural] specificity finds its place without diminishing the universality." (Alai 2009:3 [interview])

Behzad Karim-Khani (2009:11-12 [interview]) has so far not experienced criticism of human rights that they are based on Western values and correspondingly not applicable in Iran. "If we would have democracy tomorrow, I think, principally the universal human rights would get accepted." He assumes that the first rights, which would be implemented very fast, would be children's rights especially the death penalty on children would be abolished, immediately. "Die Frauen wären die Gewinner dieser Revolution" ["Women would be the winner of this revolution"], he is convinced, and sees most future reforms in the area of women's rights. But he is sceptical about the general death penalty, and thinks that it will probably take a longer time until this one also becomes history. All in all, he thinks that the Iranians, especially those in his generation, do not need "missionary books" about human rights, because as soon as there is no control and censoring of the media anymore, the education-hungry society will automatically inform themselves in human rights.

Fataneh is also convinced that international human rights would be accepted, provided that they are described with context-specific examples, considering and respecting the Iranian culture and mentality. In her view, they need to be *described* and no *rewritten*. Linking the abstract articles with their daily wishes and desires, with the reasons why they are on the streets fighting against Ahmadinejad. Fataneh (2009:2 [interview]) speaks for implementing the "whole package of democracy". In her opinion, anything in between and with exceptions would not work out: "You cannot be an Iranian human rights activist promoting democracy, and on the same time accept death penalty for children... that is a paradox!"

## **7.1 UDHR & CDHRI**

The main concern which triggers most tensions is that the concept of human rights is uncritically equated with Western philosophy. This criticism is rebutted first of all through the fact that Western powers, especially the USA ("exceptionalism") and GB, were against many aspects of human rights ideas, which for non-Western states were central in their fight against colonialism and racism. (cp. Kalny 2008:2 [lecture]) Secondly, during the 20-year long negotiation process on the establishment of an International Bill of Human Rights, there was from the very beginning on an active engagement of delegations from countries with a Muslim majority. (cp. Waltz 2004:837) In general, the power and influences exercised by Western and Muslim countries should never get negated, but it should not be exaggerated nor discounted either. An often ignored fact is that the resistance against certain human rights principles were not divided between religious blocs but transnational alliances. (cp. Kalny 2008:2 [lecture]) That there is not one "Islamic" position on human rights, showed the active internal dispute between many Muslim states during and after the draft of the UDHR.<sup>14</sup>

The uneven record of Muslim countries ratifying the major international human rights conventions shows that there is no single and definite interpretation of Islamic Law existing that hinders the acceptance of international human rights. The Organization of the Islamic Conference (OIC), the international organization to which all Muslim countries belong, expressly endorses International Law and fundamental human rights and is treating them as compatible with Islamic values. (cp. Mayer 1995:11-12) The Preamble of the updated OIC Charter of March 14, 2008, replacing the one of 1973, asserts that the members are obliged "to uphold the objectives and principles of the

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<sup>14</sup> Concerning article 18 of the UDHR, which establishes freedom of thought and religion, including the right to change one's religion (UDHR 1948 [url]), Pakistan was in support of the right of conversion, Saudi Arabia was not. Pakistan also could not share the Saudi Arabian amendment, proposing that marriage rights shall be subject to national laws, since Pakistan feared that would enable countries with laws discriminating women to continue to apply them. (UNGA Third Committee, 3<sup>rd</sup> Sess., at 374 (1948), url: [http://www.un.org/depts/dhl/udhr/meetings\\_1948\\_3rd\\_3c\\_ga.shtml](http://www.un.org/depts/dhl/udhr/meetings_1948_3rd_3c_ga.shtml)) The only Muslim country, which abstained when it came to the vote of the UDHR was Saudi Arabia, mostly on the grounds that the provisions for religious liberty violate Islamic Law. But in the end, like all other members, Saudi Arabia voted for the two Covenants on Civil and Political, as well as Economic, Social and Cultural Rights, in 1966, which clearly shows that Saudi Arabia was everything than disengaged from the human rights project. (For more details see: Kelsay 1988: 35-36; Waltz 2004: 819-821)

present Charter, the Charter of the United Nations and International Law as well as international humanitarian law while strictly adhering to the principle of non-interference in matters which are essentially within the domestic jurisdiction of any State", "to protect and defend the true image of Islam, to combat defamation of Islam and encourage dialogue among civilisations and religions" (Art. 1§12), and "to promote and to protect human rights and fundamental freedoms including the rights of women, children, youth, elderly and people with special needs as well as the preservation of Islamic family values" (Art. 1§14). (OIC Charter 2008 [url])

The OIC Cairo Declaration on Human Rights in Islam (CDHRI), adopted on August 5, 1990, gives an overview on Islamic perspectives on human rights, affirming the *Sharia* as its only source, and is on these grounds the main guide to all OIC members concerning human rights.

The preamble principles clearly highlight the compatibility of human rights and Islamic values:

*"Believing that fundamental rights and universal freedoms in Islam are an integral part of the Islamic religion and that no one as a matter of principles has the right to suspend them in whole or in part or violate or ignore them in as much as they are binding divine commandments, which are contained in the Revealed Books of God and were sent through the last His Prophets to complete the preceding divine messages thereby making their observance an act of worship and their neglect or violation an abominable sin, and accordingly every person is individually responsible and the Ummah collectively responsible for their safeguard." (OIC CDHRI 1990 [url])*

These formal acceptances of (international) human rights norms, actually binds Muslim countries to these norms and subsequently are subject to being judged under them.

There is also a growing notion that some principles of international human rights law become more and more a fixed part of customary International Law and are binding states regardless of their ratification of single conventions. Therefore, the adherence by Iran (and Saudi Arabia) to Islamic Law in order to justify diminishing International Law, is not maintainable. Derogation from international human rights standards is permitted only under specific and narrow conditions, "which do not include denying

people human rights by appeal to the standards of any particular religion." (Mayer 1995:12; for more details on derogation: Nowak 2003:58-59)

## **7.2 Iran & UNO**

The efforts by the Iranian government to justify their rejection of international human rights norms on the basis to "safe" their specific Islamic ideology, seems paradoxical, since it has accepted International Law as the law of nations. Iran, like all Muslim countries, joined the international community under UN auspices and as a result agreed to be bound by International Law. Consequently, Iran, like all other UN member countries, is able to contribute to the formulation of public International Law, drawing up and ratifying conventions. Iran was a founding member of the United Nations and its Charter, in which Article 1 §3 affirms each member's commitment to promote and encourage respect for human rights. (cp. UN Charter 1945 [url]) Iran has also worked on the Universal Declaration of Human Rights (UDHR) of 1948. Fereydoun Hoveida, who later became Iran's ambassador to the UN, together with Rene Cassin, his French law professor, was one of the most influential drafters. (cp. Mayer 1995:10-11)

Iran has joined the following most important international treaties and multilateral conventions as state party (see Abghari 2008:161):

<b>Title</b>	<b>Date of approval</b>	<b>Date of joining</b>
The United Nations Organisation Charter	1945	1945
Universal Declaration of Human Rights	1948	1948
Convention on the Prevention and Punishment of the Crime of Genocide	1948	1955
Convention Relating to the Status of Refugees	1951	1975
Supplementary Convention on the Abolition of Slavery, the Slave trade, and Institutions and Practices Similar to Slavery	1957	1958
International Convention on the Elimination of All Forms of Racial Discrimination	1965	1968
International Covenant on Economic, Social and Cultural Rights*	1966	1975
International Covenant on Civil and Political Rights*	1968	1975
Convention Relating to the Status of Refugees and Protocol Relating to the Status of Refugees	1951 and 1967	1975
International Convention on the Suppression and Punishment of the Crime of Apartheid	1973	1984
International Convention against Apartheid in Sports	1985	1987
Convention on the Rights of the Child	1989	1994
Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and its Recommendation Supplement	2000	2001

**Figure 5 International covenants/conventions Iran has joined**

\*Iran has ratified the ICCPR and the ICESCR, before the 1979 revolution; an important fact, which needs to be kept in mind.

### 7.2.1 Human Rights & Iranian Constitution

The draft Constitution was subject to criticism from many sides. The *Iranian Lawyers Association* and the *Iranian Committee for the Defense of Freedom and Human Rights* wanted to ensure the independence of the judiciary and protecting individual rights and the rights of women. They wanted to incorporate the UDHR in the Iranian Constitution, and along these lines implement international human rights in Iran's domestic law, in order to enable international human rights advocates to intervene in Iranian courts and defend Iranian nationals against their own government. (cp. Mayer 1995:67)

The present Iranian Constitution does not endorse the UDHR but (at least) makes references to human rights in Art. 20 "All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria", in Art 14, which is explicitly referring to respect the human rights of non-Muslims, as well as in Art. 3 §14, which ensures individual rights in "securing the multifarious rights of all citizens, both women and men, and providing legal protection for all, as well as the equality of all before the law."

But as mentioned before, human rights are subordinated to the principles of Islamic Law, in the way it is interpreted and promoted by the Supreme Leader. Consequently, International Law does not determine how many human rights, and with which objections, will be implemented into domestic law.

### 7.2.2 Reservations

International human rights documents like the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), even when ratified by the *majles* and approved by the Guardian Council, would not bring a human rights paradise to Iran, if it still operating in the present authoritative theocratic system. The best example is the Convention on Children Rights (CRC), which Iran has ratified but is completely ignoring. Through the reservation upon ratification:

"The Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic Laws and the international legislation in effect" (NIHR [url]), Iran indefinitely limits its respective legal obligations under the CRC. On these grounds, Iran executed at least 8 juvenile offenders (out of an overall of 346 reported executions) in 2008. (cp. AI report 2009:15-16) This violates International Law: Article 6 §5 of the ICCPR and article 37(a) of the CRC prohibits anyone under 18 years old at the time the crime was committed from being sentenced to death. (cp. ICCPR 1966 [url]; CRC 1989 [url]) Article 49 of the Islamic Penal Code excludes children from criminal responsibility. "However, the article's accompanying note defines a child as someone who has not reached the age of puberty (*bulugh*) as stipulated by the *Sharia* and as specified in the 1991 Civil Code [Art. 1210] as 15 lunar years for boys and 9 lunar years for girls." (Baghi 2007:9 [url]) Consequently, boys with 15 and girls with 9 years are treated like adults before penal court. The age difference of criminal responsibility also shows the inequality between men/boys and women/girls. (cp. Kar 2009:3 [lecture])

The reservation was followed by several objections by Western states, with the reason that the reservation invokes general principles of national law, which limits the responsibilities under the CRC and undermines the basis of international treaty law. (cp. NIHR, Sweden [url]) Consequently, without further clarification what the reservation means in detail, a final assessment to its admissibility under International Law cannot be made. (cp. NIHR, Austria [url]) The concluding observations of the Committee on the Rights of the Child in 2000, expresses concern that the "broad and imprecise nature of the State party's general reservation potentially negates many of the Convention's provisions and raises concern as to its compatibility with the object and purpose of the Convention." (CRC/C 2000, §7)

### 7.2.3 Fall of Rights & Rise of CEDAW

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) got adopted by the UNGA on December 18, 1979. In the very same year women in Iran were deprived of many rights, which they have painfully gained in the 60s/70s. Khomeini nullified the Iranian Family Protection Act of 1967 as amended in 1975. It included progressive rules requiring that all divorce actions have to be brought before court, eliminating the husband's right of extrajudicial divorce. Now, divorce is an unlimited right for men, and women have to provide more evidence, documents and witnesses to the court or have to pay money to their husbands to get his permission to get divorced. The Family Protection Act also determined that custody shall base on the best interests of the child, and not automatically reverted to the father after age two for boys and age seven for girls. In addition, when a mother remarries after divorce, she will automatically loose her right for child custody. Therefore, when women marry a second time, they are punished as if they were criminals." (cp. Kar 2009:3 [lecture]; Mayer 1995:111) The Family Protection Act also included the requirement that a married man has to get a court's permission before marrying another wife, which could only be given if he convinced the court of his ability to provide justly for both wives. Now the polygamy law allows husbands to get a second wife, but they need the permission of the first wife. There are currently many women activists, who are trying to abolish polygamy in Iran for all. Another backlash after the Act's abolishment was that the marriage age for girls was lowered from 18 to 13 years, and for men from 20 to 15 years. (cp. Kar 2009:3 [lecture])

Ironically, the preamble of the Iranian Constitution (Women in the Constitution) states: "In the creation of Islamic foundations, all the human forces which had been in the service of general foreign exploitation will recover their true identity and *human rights* [my emphasis]. In doing so, women who have endured more tyranny up till now under the idolatrous order, will naturally vindicate their rights further." Further on, it says that the "family unit is the basis of society, and the true focus for growth and elevation of mankind. [...] Reassumption of the task of bringing up religiously-minded men and women, ready to work and fight together in life's fields of activity is a serious and precious duty of motherhood." This clearly puts emphasis on the women's role to raise children, setting them back into the domestic family scene, after all their progress in education and gaining a bigger role in public life. (cp. Mayer 1995:110)



## 7.3 Future bases for dialogue

### 7.3.1 International means

*"[Iran] ratifying CEDAW is a lot better than nothing. It is another step towards dialogue." (Kar 2009:4 [lecture])*

Ratifying international human rights conventions like CEDAW, would be another chance for local Iranian women to become more integrated in international dialogues and to receive more support from other countries, which can put stronger pressure on the Iranian government.

In case Iran would ratify CEDAW, the state has the obligation to send regular reports on the situation of women rights to the Committee on the Elimination of Discrimination Against Women. This is an independent monitoring body and a quasi judicial body, whose 23 members (all experts, mainly women) are elected by the state parties for the duration of four years and maybe re elected. (cp. Nowak 2003:96) In general, the treaty monitoring bodies have the task to "critically examine the state reports in public sessions." (Nowak 2003:97) The state reporting procedure is the only mandatory monitoring procedure in all seven 'core' treaties<sup>15</sup>.

Each 'core' treaty obligates states to submit regular periodic reports on the steps they have taken to implement the rights recognized by the treaty. They include the point of progress, problems and difficulties that may arise during implementation, sufficient legal and statistical information, anything that enables the respective Committee to draw a realistic picture about the current human right situation of the member state. Ideally, in reality rather an exception, such reports should be the result of a "comprehensive national discussion process", including Parliament, national human rights commissions, and above all, an active involvement of the civil society. (cp. Nowak 2003:97)

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<sup>15</sup>International Covenant on Civil and Political Rights (CCPR), International Covenant on Economic, Social and Cultural Rights (CESCR), International Convention on the Elimination of All Forms of Racial Discrimination (CERD), International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (CAT), International Convention on the Rights of the Child (CRC), International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (MWC) (for more info see Nowak 2003:98)

The first optional protocol of CEDAW (OP to the CEDAW 1999) provides an individual communication (Communication from individual who claims to be the victim of a violation of CEDAW to the CEDAW Committee) and an inquiry procedure (in cases where the Committee has received reliable information of gross and systematic violations (cp. OP to the CEDAW 1999:Art. 8). (cp. Nowak 2003:87-88; 102-103)

To have the possibility for an individual complaint would be another step forward for women in Iran to enforce human rights. The exhaustion of "domestic remedies" is one of the prerequisites for admitting an individual complaint, corresponding to the general principle of International Law whereby "legal remedy against human rights violations is primarily to be ensured at the national level while international bodies are to provide subsidiary remedy only." (Nowak 2003:63-64) Another criteria, is the "non-anonymity" (cp. Nowak 2003:267) of individual complaint applications, which could be an impediment in cases when the victim could face prosecution or even execution by oppressive states like Iran.

Akbar Ganji (2009 [lecture]) also puts hope into the UN Security Council, which only has to forward documents to the International Criminal Court (ICC) to officially accuse Ahmadinejad for "crimes against humanity"<sup>16</sup>. Like Sudan, Israel and the USA, Iran has only signed the Rome Statute (on December 31, 2000) and not ratified it, consequently has no obligations under the Statute. (cp. ICCnow [url]) Nevertheless, when the Security Council takes action<sup>17</sup>, such an accusation can be managed like it was recently done with Sudan's President Omar al-Bashir.

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<sup>16</sup> for exact definition see Art. 7 of the Rome Statute of the International Criminal Court, url: <http://untreaty.un.org/cod/icc/statute/rome.htm>

<sup>17</sup> according to Resolution 1674 adopted by the SC on April 28, 2006, the SC has the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. url: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/331/99/PDF/N0633199.pdf?OpenElement>

### **7.3.2 Domestic means**

Domestic means of enhancing human rights is the bedrock for the development of internal and external dialogue.

#### **7.3.2.1 Strong civil society**

According to Kamali (2007:382, 385) Iran has two civil societies in opposition to the government:

1. A quasi modern, quasi traditional one, which includes Islamist modernists, who put forward the opinion that religion, modernity and democracy are compatible.
2. A hybrid, Westernized one, which includes secularists, who are calling for complete secularism.

For Mehrangiz Kar (2003:132), the core problem poses the revolutionary Constitution of the Islamic Republic. She also splits the oppositions into "reformists", who believe that the Iranian Constitution has the positive potential to lead the revolutionary government toward democracy, and "secularists", who think that the Constitution blocks meaningful reform.

In my point of view, dividing Iran into two different civil societies of opposition is not appropriate, since again that only leads to one-dimensional pigeonhole thinking. Those two groups do also include a variety of forms and sectors of other groupings. But it is another extract that shows the complexities and struggles between many groups and individuals in Iran. The different oppositional currents within the civil society, mostly share positions on immediate political issues, and are united against the regime supporting conservatives; but their splitting hinders the development of a stronger civil society-base, which is needed to establish a firm grassroots-base for a sustainable, "bottom-up" democratic development and the general promotion and protection of human rights.

To counter this problem, Akbar Ganji (2009 [lecture]) suggests that workers, women, students, etc. from all social levels have to form a broad union, to first of all advocate for *one* human right. The various oppositional movements need to find one common denominator, like the abolishment of the death penalty, for which they fight together. In his eyes, the abolishment of the death penalty would be a major step to build a fundament for further implementations of human rights.

Once the transition to democracy takes place in Iran, Ganji puts forward to draw a line under the motto: "to forgive but not forget"; a clear analogy to what Nelson Mandela has said in 1994, in regard to the establishment of a truth commission to investigate abuses during apartheid. (cp. Mutua 1994 [url]) In his eyes, Iran will, in the long run, reach democracy too, since there are many societies which have also fought and finally won against oppressive and authoritative regimes<sup>18</sup>.

### 7.3.2.2 Human Rights education

Iran lacks on human rights education, even though Islamic Law recognized the duty of the state to promote and protect human rights. The OIC CDHRI declares in Art. 9:

*"(a) The quest for knowledge is an obligation and the provision of education is a duty for society and the State. The State shall ensure the availability of ways and means to acquire education and shall guarantee educational diversity in the interest of society so as to enable man to be acquainted with the religion of Islam and the facts of the Universe for the benefit of mankind.*

*(b) Every human being has the right to receive both religious and worldly education from the various institutions of, education and guidance, including the family, the school, the university, the media, etc., and in such an integrated and balanced manner as to develop his personality, strengthen his faith in God and promote his respect for and defense of both rights and obligations." (OIC CDHRI 1990 [url])*

Along these lines, Iran as a state has the duty to make diverse or "worldly" education available to its society, "for the benefit of mankind", to which the broad concept of human rights, including international and religious roots, surely belong. (see UDHR & CDHRI) Islamic and international human rights education at schools, religious institution and media, would be of major importance to reach a broader awareness of the society about the state's duty to promote and protect human rights of individuals. (cp. Baderin 2003:223)

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<sup>18</sup> He specifically highlighted Chile, Argentina, Spain, South Africa, and the Check Republic.

Establishing independent national and regional human rights commissions and organizations, as encouraged by the UN (e.g. see UDHR 1948:Art. 8; ICCPR 1966:Art. 2(3)), would be the best suitable means to enhance human rights practice, protection and promotion, in the Iranian context. They could become a strong engine to facilitate human rights education and to realize domestic judicial training on human rights. Domestic judicial training in human rights is very important, since, according to International Law, all available domestic judicial remedies need to be exhausted before international institutions like the UN Human Rights Council can take action. (e.g. see OP1 to the ICCPR 1966: Art.5 §2(b))

"However, justice is to a degree relative to a judge's understanding and values" (Baderin 2003:224) and for this reason, makes raising human rights consciousness on the grounds of both, Islamic *and* International Law, based on rational facts and examples without emotional parameters, more than important.

### 7.3.3 Clerical means

Another hope would be grand Ayatollahs like Hossein Ali Montazeri, who have theologically a superior position as that of Supreme Leader Ali Khamenei. Montazeri, as the main religious leader of the opposition movement, could build up a strong union including former architects of the Islamic Republic, like former speaker of *majles* and presidential candidate Mehdi Karroubi, former President Mohammad Khatami, and former prime minister and presidential candidate Mir Hussein Mousavi, who can use "religion to attack the government." (Slackman 2009b [url]) Now in his mid-80s, he still is a big help to the opposition movement, issuing numerous politically charged *fatwa* from his base in Qom. Of course there are also clerics opposing his actions, since for many of them, clerics shall not intervene in political issues. But, he more and more gains popularity within the young society and the pious masses. (cp. Slackman 2009b [url])

In Montazeri's and Kadivar's eyes, the Islamic Republic is neither Islamic, nor democratic "but the will of a single ruler", and subsequently has lost its legitimacy. (cp. Rooz report 2009 [url]) In another comment, Montazeri states:

*"A political system based on force, oppression, changing people's votes, killing, closure, arresting and using Stalinist and medieval torture, creating repression, censorship of newspapers, interruption of the means of mass communications, jailing the enlightened and the elite of society for false reasons, and forcing them to make false confessions in jail, is condemned and illegitimate."* (Payvand Iran News 2009 [url])

Mehdi Khalaji, a former seminary student in Qom and now a senior fellow at the Washington Institute for Near East Policy, says that Montazeri "is able to delegitimize Khamenei more than anybody else on the Earth." (cited in: Slackman 2009b [url])

## **7.4 Conclusion**

As the collected data shows, there are indeed several bases and points of intersection for the development of internal human rights discourses and international dialogue. Action through international, domestic and clerical channels has the potential to foster conditions, which are favourable for the promotion and protection of international human rights standards in Iran. Especially the various currents of Islamic thought in Iran make it obvious that there is not one "Islamic" voice and consensus on that issue, since Islamic clerics were from the very beginning on divided and probably will always remain so. To rely on verses of the *Quran* and *Sunna* in the era of the Prophet is one way to establish a human rights and fundamental freedom friendly Islamic environment and society. However, the present intellectual and political history cannot be ignored, especially when talking about Iran. There are many levels of historical and actual, internal and external influences and dimensions to be considered; a dynamic condition, which only allows room for speculations about Iran's future development concerning human rights. But the above mentioned domestic, international, clerical means, hopes and possibilities, even in the restricted framework of the present context, are all important mosaic-stones in the development of internal human rights discourses, international dialogue and Iran's transition to a more democratic system with fair administration of justice and without the use of force.





## 8 Concluding anthropological perspectives

The concluding end of my diploma thesis links and integrates the compiled hypothetical research results into anthropological perspectives towards theoretical approaches on "culture", "discourse" and "human rights". With the analysed and compared data, using the methodology of grounded theory, it is now possible to see which anthropological approaches would most productively contribute to the development of a more comprehensive and extensively empirical theory on human rights.

### 8.1 Culture

Clifford Geertz (1973:5) supports an interpretative approach for analysing *culture*:

*"The concept of culture I espouse, [...] is essentially a semiotic one. Believing, with Max Weber, that man is an animal suspended in webs of significance he himself has spun, I take culture to be those webs, and the analysis of it to be therefore not an experimental science in search of law but an interpretive one in search of meaning. It is explication I am after, construing social expressions on their surface enigmatical."*

A semiotic approach to culture helps the anthropologist to gain access to the conceptual world in which the social discourses take place in order to enlarge the "universe of human discourse." (Geertz 1973:14, 24)

In reference to Geertz, the above descriptions of human rights discourses are only marginal extracts, small bits of a bigger social discourse. "Cultural analysis is (or should be) guessing at meanings, assessing the guesses, and drawing explanatory conclusions from the better guesses, not discovering the Contingent of Meaning and mapping out its bodiless landscape." (Geertz 1973:20) Culture, "as interworked systems of construable signs [or symbols], [...] is not a power, something to which social events, behaviours, institutions, or processes can be causally attributed; it is *context* [my emphasis] [...]" (Geertz 1973:14), within which these interworked systems of signs and discourses can be, to certain extend, described. This context is a dynamic one, which is permanently changing; a fact, which puts objectivity even more in a critical light:

*"Cultures do not hold still for their portraits. Attempts to make them do so always involve simplification and seclusion, selection of a temporal focus, the construction of a particular self-other relationship, and the imposition or negotiation of a power relationship." (Clifford 1986:10)*

### **8.1.1 Cultural justification**

Cultural and religious justification is a famous card being played at least once by many governments and ruling elites. In the Iranian case, the card possesses ambivalent political and social implications. Depending on interpretations, which usually are linked to certain political and social goals, cultural or religious justifications can either be enabling or constraining in connection to the promotion and protection of human rights. In Cowan's conjunction "rights as culture", rights as themselves define "social and ideational space, one that entailed certain ideas of "self" and "sociality", specific modes of agency, and particular rules of the game." (Cowan 2006:10) In Iran, the official diminishing and non-implementation of international human rights principles is closely connected to the regime's "rules of the game", in order to maintain power and control over the national citizens. Consequently, the obtained rights and obligations define a social and cultural space according to enforced rules, basing on a radical and constrictive interpretation of the *Sharia*. An-Na'im (2009:74 [1992]) also points to the possible danger of powerful sectors within a society, which monopolize certain interpretations of cultural norms and manipulate them to maintain their power; a fact, which, in the Iranian case, is more than obvious. This monopoly needs to be challenged by disadvantaged groups and individuals, using internal cultural discourses as tools to spread alternative interpretations for more equality and justice; an approach which can be witnessed in all of Iran's reform movements. Consequently, in order to promote interpretations that are favourable to human rights, cultural and religious justifications can be used as counter weapons.

Cowan (2006:10) speaks for a perspective, which sees "culture as analytic to rights". Rights could be grasped through anthropological methods of cultural analysis, in "identifying relationships of meaning and practice between different domains of social life." An anthropological method, in her view, automatically includes a dynamic entity of culture, which treats culture not as a coherent object but "as an abstraction whose exploration offers a window for seeing and understanding other relations and domains

to which it is connected." She also highlights the importance of "habit" or "the taken for granted" build into the ordinary everyday forms of social exchange and reciprocity, also including the "tacit and unspoken". (Cowan 2006:17, also see Bourdieu 1977) Iran's ancient Persian as well as liberal values and interpretations of the *Sharia* could offer many windows towards the establishment of a dynamic "culture" formed by Iran's diverse society and not by its corrupt government.

Basing on the collected data, the everyday practice of the ordinary society in Iran is very much contrary to the regime's ideal picture of an Islamic society. Especially concerning human rights violations and unjust treatment of minorities or women, there comes support from many sides, without civil distinctions. The existing Iranian human rights notions and ideas, basing on "habit" as well as cultural and religious variables, can be fruitful equipment for a sustainable reform movement.

Internal dialogue is an important prerequisite for building up a strong grassroots base, which is fully respecting and including the diverse and multilayered civil society of Iran. This would in turn enable a nutrient precondition for the further development of internal and international human rights discourses.

### **8.1.2 Internal discourse & Cross-cultural dialogue**

Abdullahi Ahmed An-Na'im (2009:69 [1992]) argues for an approach that develops a "universal cultural legitimacy" through internal enlightened discourses and cross-cultural dialogue. Within the extreme cultural diversity of this world, to broaden the area and quality of agreement among the cultural traditions is necessary, in order to build a foundation for the widest possible range and scope of human rights. A "least common denominator" is, according to him, not satisfying, since it would exclude many vital rights. An-Na'im's (2009:70 [1992]) cultural legitimacy thesis "accepts the existing international standards while seeking to enhance their cultural legitimacy within the major traditions of the world through internal dialogue and struggle to establish enlightened perceptions and interpretations of cultural values and norms." Thereupon, the legitimacy within each tradition is the precondition for establishing a cross-cultural legitimacy, for which people of diverse cultural traditions can agree on the "meaning, scope, and methods of implementing these rights." Internal reinterpretation and cross-cultural dialogue about the meaning and implication of basic human values and norms are necessary for the development of a "universal consensus" on the formulation and

implementation of human rights. This approach bases on the assumption that all cultures, despite their diverse specificities, share certain fundamental interests, concerns and values, which possess the potential to create a framework for a "common 'culture' of universal human rights."

He underlines that the shared moral values must be "authentic" and not imposed from the outside. (cp. An-Na'im 2009:73 [1999]) When the state of the Islamic Republic of Iran, in Montazeri's eyes, is an oppressive political system based on force, voter fraud, censorship, "Stalinist torture", repression and corrupt jurisdiction (see Clerical means), is a clear proof that it cannot embody an "authentic" culture and tradition. Such descriptions rather remind oneself on the "totalitarian" characteristics of the Soviet Union.<sup>19</sup> This leads to the assumption that "authentic" culture is automatically accepted and does not have to be violently imposed on the civil society.<sup>20</sup> (cp. Mayer 1995:14)

If cultural changes cannot be culturally approved and adapted to pre-existing norms and institutions, the culture would lose its stability which is the vital prerequisite for its proper socializing functions. (cp. An-Na'im 2009:74 [1992])

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<sup>19</sup> In the case of Iran, the term "totalitarian" should be treated carefully. *The Concise Oxford Dictionary of Politics* defines "Totalitarianism" as following: "A dictatorial form of centralized government that regulates *every aspect* [my emphasis] of state and private behaviour. Although the term was originally intended to designate fascist and communist regimes, totalitarianism is mainly associated with characterizations of the Soviet Union. Its proponents do not agree on when, if ever, the Soviet Union ceased to be totalitarian, but they tend to converge on the view that at some point the political leadership was both all powerful and totally illegitimate. For many commentators, the Soviet Union entered a new phase after the abandonment of mass terror on Stalin's death." (Wightfield 2003:543)

<sup>20</sup> Personal comment: An assumption, which in turn leads to the important question of how to define "authenticity", which gains authority in a society, in regard to culture, tradition, norms, values and ideology.

### 8.1.3 Conclusion

The totalization of "culture" in stating that there is one "Iranian" or "Islamic" cultural position on human rights issues, which entails specific cultural habits that violate international human rights standards but are defensible within their framework of "Islamic" culture, leads to pigeonhole thinking à la *Orientalism* vs. *Occidentalism*. The complex diversity of Iran shows how sensitive the topic of universal human rights is in general. The rich number of characteristics of human rights and cultural interpretations, speaks for a theoretical approach, which stays "rather close to the ground" (Geertz 1973:24) and is not too abstract and detached from reality's complexities.

Concerning the Iranian case, the utilization of internal discourse has to take place simultaneously on many levels such as the intellectual, artistic and political. To establish "authentic" norms and values, they must root in Iran's historic developments of "traditions" and customs, of the time before and after the Islamization process. Economic, political, social, cultural, religious power centres, which intentionally exclude certain individuals and groups from taking part on such discourses need to be outweighed by dialogue itself. Therefore, once the authoritative regime ends, a "right" balance needs to be uphold, which keeps Iran's diverse society from falling into separate splinters, in order to maintain a productive stability basing on internal and cross-cultural dialogue.

The establishment of stronger internal discourses would coevally support a cross-cultural dialogue, since, to establish sustainable changes, they have to rely on mutual *respect*; an important property which got highlighted very often during the interviews. Everyone needs to be aware of the fact that a total agreement between all different discourses is almost or entirely impossible due to varied interpretations of "rights", which are historically deeply rooted in every human being's social, cultural, religious, economic, geographic, political and judicial context. In order to strengthen such internal and cross-cultural respect to the widest margins as possible, An-Na'im (2009:75 [1992]) suggests the classic principle of reciprocity, "the rule that one should treat others in the same way that he or she would like to be treated."

## **8.2 Critical anthropology**

Mark Goodale (2006:490) describes "human rights discourse" as "coteries of concepts, practices, and experiences through which human rights have meaning at different levels, levels which are prior to and go beyond the merely instrumental or legal, important as these levels are." He supports a "critical anthropology of human rights" that "self-consciously creates space between itself and ideas and practices that have become coextensive with or, in fact, constitute the experience of everyday life." (Goodale 2006:491) A critical anthropology of human rights possesses a progressive character and has to consider potential emancipatory principles underlining human rights discourses, accompanied with institutional structures of power.

In connection to the Iranian context, a critical anthropology is a constructive departure for any theoretical approaches in the field of human rights. The focus on power and intentions as well as on (un)intended consequences, which stand behind or result from human rights actions, is of major importance.

Seeing human rights as part of a broader framework described as "ethical theory as social practice" (Goodale 2006b), is an approach, which could be useful for analytical and methodological tools for anthropological research on human rights. It rejects the approach of a totally instrumental issue, promoting ethnography as the basis for finding grounds on which "human rights can be cross-culturally legitimate" without relying on abstract theories of universality. (cp. Goodale 2006:506) This approach, again underpins the assumption that cultures, despite their richness in diversity, share certain fundamental concerns, goals and values, which could become the base for some kind of 'universal consensus' on the widest possible scope of human rights. Therefore it is an approach to be considered, when one wants to avoid the abstract language of the international human rights regime as well as the endless wild-goose chase around universality vs. cultural relativity.

### **8.2.1 Normative humanism**

Mark Goodale (2006:492) developed an alternative analytical framework to human rights, calling it "normative humanism". Normative humanism stands for a collective ordering, in which people will organize themselves so as to establish "conditions for meaningful interactions" that "recognize and formally incorporate a basic set of human-

centered values, values that balance the whole breadth of local cultural and social possibilities with common cognitive, physical and emotional imperatives." As follows, "humanism" describes a "human-centeredness" as a basic cross-cultural value. The precondition for such a collective organization that reconstitutes human rights in a way they are effective and legitimate, is "freedom from constraint". In other words, through the absence of constraints, collectivities will create normative systems that are based on the recognition of a basic set of "human-centered values". Consequently, normative humanism rejects a metaphysical version of universal human rights but it does not exclude the possibility that international human rights being adopted as a normative system "at certain places and times". The legitimacy therefore does not derive from their "universality" but from the condition or context from which they emerge and are incorporated. Duties and rights are constrained by cognitive, physical and emotional requirements, suspending a radical pluralism or relativism. The dimension or scale at which collectivities will organize themselves is something not predictable.

In general, "normative humanism" bases on the optimistic assumption that unconstrained collective orderings, in terms of being "inherently dynamic, historically rich, and capable of change", will establish a balance between the individual and collective. This will create a normative system, which has meaning in the respective historical and cultural context of the collective organization. Subsequently, "Power", in relation to normativity, is the "presence of constraints", which hinders the development of such a balance. (cp. Goodale 2006:493)

Goodale's alternative framework of human rights is interesting, and in so far worth to be considered, since the majority of Iran's population suffers under the constraints of its oppressive regime. Basing on the compared and analysed findings, there is some kind of inherent quest for justice and equality, binding many different groups and individuals together, even though the official policies and jurisdictions try to restrict any unification for reform movements. Now, there comes the question, how Iran and its citizens would develop when the oppressive limitation and control is abolished. According to Goodale, the incorporation of international human rights law is generally possible as a normative framework, when the context provides the respective conditions for these principles. Then it would be interesting in which form, if at all, these international standards would be implemented, and how it will influence the relation between state and religion. Consequently, the question of whether a secular state is exclusively necessary for the

full implementation, promotion and protection of human rights, or whether an Islamic Republic with certain reforms provides an alternative equivalent framework, would move to the center more than before. As the research results show, Iran is a strong example for a society which is "inherently dynamic, historically rich, and capable of change," and there is a lot "meaningful interaction" on emotional and intellectual levels, with different dimensions. The preconditions for Goodale's idea are there. But as he already says, the development of the organizational balance between the individual and collective, is something unpredictable.



### 8.2.2 Critics

Goodale's "normative humanism" is of course, a very *idealistic* (my emphasis) process of social ordering and so far does not clearly define central terms like "humanism" and "human-centred". Jane Cowan (2006b:500) criticises that "values and norms are better *socially* centered", in a societal ordering, "which differentiate humans, categorically and individually, in terms of their position, status and putative worth." In addition, Goodale's reduction of "power" to "the presence of constraints" is, in her view, ignoring "endogenous dynamics". This leads on the other hand to Michel Foucault, the pioneer in discourse analysis, for whom *discourses* act "as the meeting place for power and knowledge." (Evans 2005:1050, referring to Foucault 1977b) He describes *power* as "forms of knowledge", which "produces discourse". Power "needs to be considered as a productive network which runs through the whole social body, much more than as a negative instance whose function is repression [referring to the state and the law]." (Foucault 1977:203) Through accumulation of knowledge, power is rising and again enables production of new knowledge: "the formation of knowledge and the increase of power regularly reinforce one another in a circular process." (Foucault 1975:216) Therefore, power-relations within the structures of *discourses* also need to be taken into consideration, and not only external constraints of the state and the law. The powerful impacts of knowledge, also underlines the importance of broad education and the possibility of having critical discourses; preconditions a society urgently needs to become aware of their rights as human beings and citizens.

Richard Ashby Wilson (2006b:505) describes Goodale's approach as "counterhistorical in that it takes insufficient note of inequality, imperial conquest, global economic integration, and the rise of the nation-state over the past 500 years." He points to the essential fact that besides the normative and ethical description, there also need to be political and analytical questions: What kind of nation-states violate human rights?, where is the connection between nationalism and violence?, and how are human rights deployed to maintain power and control? In his eyes, a theory of human rights is also a theory of law, inequality and political violence. The global and transnational interconnectedness cannot be banned from any analysis concerning human rights.

### **8.3 Globalization & Culture**

According to Akhil Gupta and James Ferguson (1992:9), postmodern Globalization, spread through the preached and enforced "laws of the market" by multilateral agencies and powerful Western states, which led to extremely fast movements of capital, built on a more sophisticated communication and information network and better transport possibilities of goods and people. The industrial production of "culture, entertainment, and leisure" leads to the invention of new forms of cultural differences and creates a "transnational public sphere", which makes the picture of *one* culture strictly bound to *one* geographical restricted space, obsolete. The global dynamic process enables the development of new forms of solidarity and identity in a "*reterritorialized*" space. Social life is "localized" in a "globally interconnected world." (Gupta & Ferguson 1992:11) In order to meet these dynamic characteristics, terms like community, solidarity, identity and cultural differences need be reconceptualised.

Anthropology sees "space" as something socially constructed, and the question of who has the power to make "places of spaces", or to politicise spaces, is a central topic. When the postcolonial world is an interconnected social space, a dialogic concept of "we" and the "others" seems inappropriate. In the Iranian context, the identity of "one's own society" is something that is in a constant development, without a fix answer, which especially is highlighted by many emigrated Iranians. The rigid concept by many people in the West of 'the other Middle East', which belongs to 'the other Middle Eastern or Islamic culture', or vice versa, the people in the Middle East of 'the other West', which belongs to 'the other Western or Christian culture', should have no room in a "world of culturally, socially and economically interconnected and interdependent spaces." (Gupta & Ferguson 1992:14) Cultural differences are end-products of certain power relations, and not a "naturally given".

"The Iranians" for example are an entity, constructed by historical processes, economic and political inequalities and other internal and external interconnected relations. All the complex influences within global power-relations need to be put into the centre of general thoughtfulness, marginalizing the rigid concept of "one people" to "one culture", which only leads to the assumption that differences are a naturally given fact. (cp. Gupta & Ferguson 1992:16-17) How places are imagined, constructed, contested and enforced are necessary to further understand the dynamics of culture in general and how

the spaces are connected and intertwined with each other. Such dynamic consideration leads to the important awareness that the rich enclaves of bigger cities in Iran have more in common with rich gated communities like Bel-Air or Hollywood in California, as with other communities in their own city or even district. (referring to Gupta & Ferguson 1992:20) Therefore, physical localization needs to be replaced by a dynamic multilayered network which considers factors such as social class, religious and ethnic backgrounds, sexuality, language, etc., which are always differentially available to people in different contextual power-relations. The question of what "culture" means and how it should be defined in the era of Globalization, permanently needs to be refaced and reopened. Consequently, the concept of human rights also needs to be defined and treated more dynamically.

#### **8.4 Concluding remarks for a deeper, dynamic & interdisciplinary approach**

In order to enlarge and enrich the research field of human rights discourses in Iran, there needs to be a lot more empirical field research, especially about how Iran's conservative Muslims think about "rights" and how the actual practices of the state relates to their Islamic values and norms. There needs to be more investigation about how their interpretations of "tradition" in relation to Islam and rights looks like. Islam in Iran is an ambivalent issue, and except maybe some very extreme conservative groups, it is everything but a static cultural framework "[...]froze[n] in its premodern formulation [...] taking position that Islam rejects both the political changes wrought by modernization and the adoption of new ideas and institutions that accompanied the process." (Mayer 1995:10)

The research results make obvious that any analysis should include the historical, political, social, cultural, religious, economic, and judicial contexts of human rights processes within the powerful and complex energies of Globalization. Human rights claims cannot be understood properly without detailed attention to the "particularities of time and place" (Robbins & Stamatopoulou 2004:422), besides internationally and officially established human rights norms. Emotional and empathic aspects just as well play a significant role, when it comes to the respect, promotion and implementation of human rights. Edmund Burke puts this recognition in following words:

*"We lay too much weight on the formality of treaties and compacts. [...] Men [and women] are not tied to one another by paper and seals. They are led to associate by resemblances, by conformities, by sympathies. It is with nations as with individuals. [...] The secret, unseen, but irrefragable bond of habitual intercourse holds them together even when their perverse and litigious nature sets them to equivocate, scuffle, and fight about the terms of their written obligations." (cited in Vincent 1980:256)*

Even though international human rights documents do share certain basic principles such as equality before the law and a human dignity, "they do not provide the basis for a fully worked out moral or political philosophy." (Wilson 2006:78) Richard Ashby

Wilson highlights the important fact that the human rights regime includes a broad spectrum of different moral and political projects, which are often contradictory:

*"The human rights framework is manifestly plural in its conceptualization, spanning the continuum from the austere liberal individualism of international criminal law to a full-blown multiculturalism that advocates group rights and the self-determination of peoples." (Wilson 2006:77)*

Therefore, the plural and fragmented characteristic of international human rights law does not create a "comprehensive moral and political charter to resolve all questions of the common good" but "they set the baseline preconditions that allow for rational, meaningful dialogue on the important political issues of the day." (Wilson 2006:82, referring to Jürgen Habermas 1987)

Coming to terms with the vast complexity of the entire human rights paradigm, it also becomes apparent that an interdisciplinary approach is needed to avoid one sided theoretical approaches. The case of Iran shows very clearly that an exclusively anthropological ethnographic or philosophical normative approach is not sufficient to grasp the complicated transnational and intertwining relations on all (power) levels. The globally interconnected political, juridical, and economic aspects also play an important role, and need to be integrated. Different scientific approaches should therefore not be mutually exclusive, but build on each others experiences and research results. In the end, scholars of various disciplines have, according to Cowan (2006:21), "acknowledged considerable common ground in our [anthropological] aims and concerns around questions of living with diversity." I fully share her view that such an interdisciplinary dialogue seems to be essential in the "struggle for more just and creative ways of living together."



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**Graphic 2** "Checks and Balances",

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**Graphic 3** "Theological Hierarchy of the Shii clergy in Iran",

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**Graphic 4** "The four Rings of Power",

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**Figure 1** "Table of Terms & Definitions",

personally created

**Figure 2** "Table of Abbreviations",

personally created

**Figure 3** "Grounded Theory: Definitions of terms"

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**Figure 4** "Grounded Theory: Process of open and axial coding", personally created

**Figure 5** "International covenants/ conventions Iran has joined",

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## 10 Appendix

### 10.1 Abstract in English

The working theme of my work is: *Human rights discourses and their context in the Islamic Republic of Iran*. Human rights discourses within their context are explored, taking into consideration the impact of Globalization and the dynamics around "tradition" and "modernity".

In order to properly describe the context, in which current human rights discourses take place, relevant aspects about Iran's political and judicial system with its maze of informal and formal power centres, as well as its culture, religion and society are exemplified. Political reform actions with its instabilities and constraints are also treated. Internal and external influences to which Iranians permanently have to react are parameters in order to analyse and understand certain ways of thought, actions and constraints of the present Iranian protagonists.

The research question of my work is: *How can Iranian human rights discourses be situated in the current anthropological debate on human rights theories?*

With the methodology of grounded theory, expert-interviews and data from multiple sources are compared and analysed, in order to percolate core-conceptions and core-categories to create linking hypotheses. The concepts, in terms of grounded theory, deal with the general Iranian identity, the sensitive gap between "tradition" and "modernity", various battlefields on the state, clergy and society level, and the broad field of human rights. Concept specific core-categories shed light on Iran's historical past, Islamic values, we-feeling, patriarchal structures, women, education, Western influences, global communication networks, as well as inter and intra-cultural dialogue possibilities and limitations.

Additionally, both Iran's official position on human rights internally and externally, referring to International Law as well as the UNO is explained. Possibilities for intra and intercultural dialogue-options are highlighted on international, national, and clerical levels of action, which could foster favourable conditions for the promotion, protection, and implementation of human rights.

According to my research, Iran's political, religious, and intellectual history and presence is marked with many individuals and groups. They follow different perspectives, ideologies and goals concerning human rights and the future of their country. In this context, the concept of cultural justification, including liberal religious interpretations of different ayatollahs, plays an important role. They become some kind of cultural soft-weapon to fight the oppressive regime of the present Islamic Republic. Voices for reform as well as conservative attitudes come from all walks of Iranian life, including the clergy and university faculties. Concepts like "Islam", "tradition" and "modernity" possess a very multilayered and hybrid form, constantly evolving out of permanently changing context-constellations; a fact which mirrors the complexity of the Iranian society accurately and leaves rigid dualism of any kind looking inadequately.

Generally, it can be said that human rights consciousness-raising emanates from *emotional* and *realistic* experiences, such as constrictions in daily life and human rights violations in the field of family and criminal law. Mutual *respect* turns out to be the most important property to sustainably promote and implement human rights.

I arrive at the conclusion that human rights education, especially targeting the masses of *ordinary* society, needs to become available on more independent institutional levels, and be nourished from the *inside* of the Iranian culture and society. This is an indispensable premise, in order to strengthen a nutrient base on which human rights discourses can be rooted. A stable growth requires a more objective and critical education on how Islamic *and* International Law interprets and implements human rights.

The concluding end of my thesis connects the compiled hypothetical research results into anthropological perspectives towards theoretical approaches on "culture", "discourse" and "human rights". Coming to terms with the vast complexity of the entire human rights paradigm, a critical, dynamic, "close to the ground" and interdisciplinary approach to a more comprehensive and extensively empirical theory of human rights is promoted. In the era of Globalization, it becomes obvious that terms like "culture" and "human rights" constantly need to be redefined.

## **10.2 Abstract auf Deutsch**

Das Thema meiner Arbeit lautet: *Menschenrechts-Diskurse und deren Kontext in der Islamischen Republik Iran*. Die Menschenrechts-Diskurse werden in ihrem Kontext erkundet, in dem Globalisierungseinflüsse und die Dynamik von "Tradition" und "Moderne" mit einbezogen werden. Um den Kontext zu beschreiben, in dem aktuelle Menschenrechts-Diskurse stattfinden, werden relevante Aspekte über das politische und rechtliche System des Irans mit seinen informellen und formellen Machtfeldern, sowie seine Kultur, Religion und Gesellschaft erläutert. Berücksichtigt werden auch politische Reformversuche mit ihren Instabilitäten und Beschränkungen. Interne und externe Einflüsse, auf die die iranische Gesellschaft permanent reagieren muss, sind Parameter für die Analyse und dem Verständnis von Gedankengänge, Handlungen und Beschränkungen heutiger iranischer Protagonisten.

Die Forschungsfrage lautet: *Wie können Menschenrechts-Diskurse in der gegenwärtigen anthropologischen Debatte über Menschenrechts-Theorien situiert werden?* Um einer Antwort näher zu kommen, werden mit Hilfe der Methodologie *Grounded Theory* Daten von Experten-Interviews und vielfachen Quellen verglichen und analysiert um Kernkonzepte und Kernkategorien herauszufiltern um dann verbindende Hypothesen zu schaffen. Konzepte, im Sinne der *Grounded Theory*, beziehen sich auf die iranische Identität im Allgemeinen, die sensible Spaltung zwischen "Tradition" und "Moderne", unterschiedliche Spannungsfelder auf staatlicher, geistlicher und zivilgesellschaftlicher Ebene, sowie auf das weite Feld der Menschenrechte. Konzeptspezifische Kernkategorien beleuchten u.a. Irans historische Vergangenheit, islamische Werte, Wir-Gefühl, patriarchalische Strukturen, Frauen, Bildung, westliche Einflüsse, globale Kommunikations-Netzwerke, sowie inter- und intrakulturelle Dialogmöglichkeiten und deren Limitierungen. Zusätzlich wird die offizielle Position des Irans zu Menschenrechten sowohl intern, als auch extern, im Bezug zu internationalem Recht und der UNO erklärt. Es werden Möglichkeiten für intra- und interkulturelle Dialogoptionen auf internationaler, nationaler und klerikaler Handlungsebene beleuchtet, die günstige Konditionen für die Förderung, Implementierung und den Schutz von Menschenrechten festigen können.

Übereinstimmend mit meiner Forschung ist die politische, religiöse und intellektuelle Geschichte und Gegenwart des Irans von vielen Individuen und Gruppierungen geprägt. Sie verfolgen bezogen auf Menschenrechte und die Zukunft des Landes unterschiedliche Perspektiven, Ideologien und Ziele. In diesem Zusammenhang spielt das Konzept der kulturellen Rechtfertigung einschließlich liberal-religiöser Interpretationen von diversen Ayatollahs, eine wichtige Rolle. Sie werden zu einer Art weichen kulturellen Waffe im Kampf gegen das unterdrückende Regime der gegenwärtigen Islamischen Republik. Stimmen sowohl für reformierende als auch für konservierende Einstellungen kommen quer aus allen Gesellschaftsschichten, einschließlich des Klerus und des Lehrkörpers der Universität. Konzepte wie "Islam", "Tradition" und "Moderne" besitzen eine vielschichtige und hybride Form, die sich kontinuierlich aus permanent wechselnden Kontext-Konstellationen entwickelt. Diese Tatsache spiegelt die Komplexität der iranischen Gesellschaft sehr gut wider und lässt starre Dualismen jeglicher Art als unangemessen erscheinen. Grundlegend kann gesagt werden, dass die Förderung des Menschenrechtsbewusstseins von *emotionalen* und *realitätsnahen* Erfahrungen ausgeht, wie etwa alltägliche Einschränkungen und Menschenrechtsverletzungen im Bereich des Familien- und Strafrechts. Gegenseitiger *Respekt* präsentiert sich als wichtigste Eigenschaft, um nachhaltig Menschenrechte zu fördern und zu implementieren.

Meine Arbeit kommt zum folgenden Ergebnis. Wenn Menschenrechts-Bildung vor allem auf die Masse der *gewöhnlichen* Gesellschaftsschichten abzielt, muss sie auf mehreren unabhängigen institutionellen Ebenen zur Verfügung gestellt und aus dem *Inneren* der iranischen Kultur und Gesellschaft aufrechterhalten werden. Auf diesem Nährboden können Menschenrechts-Diskurse wurzeln. Für ein stabiles Wachstum bedarf es weiterer objektiver und kritischer Aufklärung darüber, wie islamisches *und* internationales Recht Menschenrechte interpretiert und implementiert.

Der Schlussteil meiner Arbeit verbindet die erarbeiteten hypothetischen Forschungsergebnisse mit anthropologischen Perspektiven und theoretischen Herangehensweisen an "Kultur", "Diskurs" und "Menschenrechte". Um der enormen Komplexität des gesamten Menschenrechtsparadigmas gerecht zu werden, wird eine "bodennahe" kritische, dynamische und interdisziplinäre Herangehensweise in Richtung einer übergreifenden empirischen Menschenrechtstheorie befürwortet. Es wird deutlich, dass im Zeitalter der Globalisierung Begriffe wie "Kultur" und "Menschenrechte", immer wieder von neuem definiert werden sollten.



## **10.3 Curriculum Vitae**

### Personal data

Given names: Stella Leona Penelope

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Date of birth: December 15, 1984

Place of birth: Bremen, Germany

Nationality: German

### Education

Elementary School: Baumschulenweg, Bremen, 1992-1996

High School: Kippenberg Gymnasium, Bremen, 1996-2004

USA Exchange Year: Ernest Righetti High School, Santa Maria, CA, 2001-2002

Graduation: Kippenberg Gymnasium, Bremen, June 21, 2004

University of Vienna: Institute of Social and Cultural Anthropology, 2004 - 2009

Degree sought: Mag.a phil.

### Internships

#### **NonStopNews Agency**

Delmenhorst, Germany, activities: Press interviews, camera reporter, 2004

#### **Afrikaans Language Museum**

Paarl, South Africa, activities: Curator-assistance, education section, 2006

#### **Ludwig Boltzmann Institute of Human Rights**

Vienna, Austria, activities: library management, research, 2008-2009

### Active memberships & Practical experiences

**United Nations Youth and Student Association of Austria (UNYSA)/ Academic Forum for Foreign Affairs, Vienna (AFA)**, activities: organizing member of VIMUN 07, HISTOMUN 08, writing for the political/cultural magazine *Global View*, 2006-2009

**Students Initiative for Security Policy Research (SISPR)**

Think Tank on international energy/security policy, founded by the Academic Forum on Foreign Affairs, Vienna (AFA), activities: research on Iran's economic history and social/cultural impacts, 2007-2009

**Vienna International Model United Nations (VIMUN 2007)**

UN-headquarter Vienna, activities: member of the organizing committee, delegate of South Africa in the Human Rights Council (Topic: Human Rights situation in North Korea)

**Vienna International Historic Model United Nations (HISTOMUN 2008)**

Diplomatic Academy of Vienna, activities: member of the organizing committee, Vice-President at the simulated Security Council meeting of July 20, 1987 (Topic: Iran – Iraq War, 1980-1988)

**25th International Summer Academy: Poverty and War**

European University Center for Peace Studies, Stadtschlaining/Burg, Austria, July 2008

**Geneva International Model United Nations (GIMUN 2009)**

UN- headquarter Geneva, activities: member of Staff, Chairperson of the Human Rights Council (Topic: Internally Displaced Persons & Children in armed conflicts)