

## COMMENT

### Human Rights in Iran Under the Shah

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#### I. INTRODUCTION

**F**OR ANY ADVOCATE of human rights, the events surrounding the Iranian revolution must be a source of continuing agony. But for anyone interested in gaining a sharper understanding of some of the basic issues concerning human rights, the dramatic developments in Iran should be highly instructive. The early summary executions in Iran and the later public trials conducted by revolutionary Islamic courts were properly condemned by western human rights advocates as failing to approach the requirements of due process. Yet the great majority of those who were tried and executed were charged with terrible violations of the most elemental human rights; and the testimony of the accused, so rich in detail and so internally consistent as to be credible,<sup>1</sup> tends to confirm the worst charges against the Shah's regime. The testimony also points to both direct and indirect complicity of western governments, particularly the United States and Israel, in constructing the Shah's instruments for administering terror.<sup>2</sup>

Spokesmen for the Shah's regime argued that Iran was moving with optimal speed toward a society in which the more exquisite manifestations of human rights—those concerned with individual and political freedom—would be accommodated. But before this stage could be reached, they insisted that more basic human needs had to be addressed and the Iranian people educated to the point that they could understand and support a free political system. After all, the argument always goes, Iranians have no tradition of freedom.<sup>3</sup> This view found easy acceptance in the West. But was such a tutorial period necessary? Were the Shah and his western supporters in fact rendering this tutorial service? And what are the prospects for an observance of human rights in its varied manifestations in Iran today?

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<sup>1</sup> The testimony of the accused is reported in full detail in the Tehran press.

<sup>2</sup> See the testimony of General Amir Hossein Rabii published in *Ettelaat*, Apr. 13, 1979.

<sup>3</sup> Hoveyda, *Not all Clocks for Human Rights are the Same*, N.Y. Times, May 18, 1977, at A25, col. 1.

## II. THE HUMAN RIGHTS MOVEMENT IN IRAN IN HISTORICAL CONTEXT

To address these questions sensibly the Iranian revolutionary movement must be placed in a historical context. The lay reader of western newspaper accounts of the revolution in Iran could hardly avoid the conclusion that the revolution was in essence anti-modernist. It was depicted generally as the response of a traditional people led by an exotic, reactionary, and vengeful religious leader against a regime that had tried to modernize too rapidly. The Shah, we were told, had erred mainly in underestimating the time required to tutor his "child-like" people into an appreciation of modern values. In fact, the Iranian revolutionary movement is a conglomerate of elements, none of which opposes rapid change, but which have opposed the traditional order in Iran throughout the twentieth century. However, the various elements differ sharply in the particular direction they want the forces of change to follow; in other words, they operate from different definitions of modernization. At the heart of their philosophical differences lies the varied areas of emphasis each places on the range of concerns concealed under the umbrella term human rights.

### A. *The Constitutional Revolution of 1906*

The success of the revolution in 1979 marked the third time in this century that the revolutionary allies achieved power in Iran. The first time was in 1906 when the so-called constitutional revolution forced Mozaffar al-Din Shah to accept a constitution modeled on that of Belgium. The revolutionary forces consisted basically of three elements. There was first a group of secular intellectuals, many of whom were the sons of the traditional aristocracy. These persons, whose influence is most clearly reflected in the constitution of 1906, looked for inspiration to the French Enlightenment. They were most concerned with the rights of national self-determination and individual freedom. Given their social status, it is not surprising that they failed to emphasize the individual's right to basic human needs.<sup>4</sup>

A second major force behind the constitutional revolution was Iranian merchants. They were stirred to revolution by the willingness of the Qajar shahs, rulers of the previous dynasty, to grant enormous economic concessions to foreign financial interests and by the lack of governmental interest in creating conditions in which trade and commerce could flourish. Hence, their concern for the rights of national self-determination was

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<sup>4</sup> E. G. BROWNE, *THE PERSIAN REVOLUTION: 1905-1909*, (2d ed. 1966). This book will give the reader a general account of the revolution.

highly congruent with self-interest. Their primary emphasis, naturally, was in the area of right to property and associated concerns with entrepreneurial, commercial and financial freedoms.

The third element, the only one with a substantial mass following, consisted of religious leaders who advocated a revitalized Islam. Far more than their allies, the religious leaders were sensitive to the basic human needs of the Iranian masses. They believed the eclipse of Islam by Christian imperialists must be a temporary phenomenon and that Islam could serve as the moral guide in a rapidly changing world. Their concern in the rights area is embraced by the term, social justice, which they saw as central to the teachings of Mohammad. They were far less interested in individual rights and freedom *per se* and valued tolerance far less than their secular intellectual allies.<sup>5</sup>

These internal differences were profound. Basic disagreements quickly surfaced whenever the revolutionary allies achieved or were close to achieving power. This first manifestation of the Iranian revolution suffered defeat at the hands of foreign powers, one of which, Great Britain, professed to value the liberalism, humanism and nationalism that gave color to the Iranian movement in the first instance. Why then, did the British along with the Russians turn on this movement? The answer, to that question provides much of the basis for an understanding of twentieth century Iranian history, including the revolution of 1979.

The key is to be found in Iran's strategic geographical position. In the nineteenth century, Iran and Afghanistan occupied the meeting point of Russian and British imperialism. Russia moved steadily south and east through the Caucasus and across the Central Asian steppes, while Britain consolidated its hold on the Indian sub-continent. Neither power wanted to pay the price—in terms of costs of occupation and risk of war—of occupying Iran. Yet, neither wished to allow the other preeminence in Iran. There followed decades in which the Russians and British competed for commercial concessions and political influence in Iran. Iranian governments under the traditional-minded Qajars exploited the situation by pursuing a policy of "negative balance"—never allowing either power clear predominance and exacting a high price for each political or commercial concession. The result was an equilibrium that was expensive and uncomfortable for both Russia and Britain, but still preferable to war.<sup>6</sup>

At first, neither Britain nor Russian regarded the revolutionary

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<sup>5</sup> For a general understanding of the religious role in the revolutionary period see H. ALGAR, *RELIGION AND STATE IN IRAN, 1785-1906*, (1969); H. ALGAR, *MIRZA MALKOM KHAN: A STUDY IN THE HISTORY OF IRANIAN MODERNISM* (Berkeley, 1973); N. KEDDIE, *RELIGION AND REBELLION IN IRAN* (London, 1966).

<sup>6</sup> See F. KAZEMZADEH, *RUSSIA AND BRITAIN IN PERSIA 1864-1914*, (1st ed. 1968).

movement in Iran as a serious threat.<sup>7</sup> Despite its initial success the British viewed it in a benignly patronizing way.<sup>8</sup> Within a year, however, both Britain and Russia recognized the Iranian constitutional movement as dangerously destabilizing. The constitutionalists, as Iranian nationalists, could not play the negative balance game with the ease of the Qajar shahs. Furthermore, the situation in Iran under the new political leaders quickly grew chaotic. Even under the best of circumstances, this essentially modernist elite would have required a great deal of time to learn how to handle an overwhelmingly traditional society. Probably no more than one or two percent of the population really understood the nature or implications of the political changes in their country. Had the populace understood the true import of the situation the constitutionalists would probably have had to retreat from their early goals to survive politically. But they were never tested.

Both Britain and Russia, particularly the latter, feared that the chaos in the country would be used by the other to gain control of Iran. Therefore they cooperated to restore the traditional Iranian elite to power in Iran. To justify this action, however, the British had to depict the constitutionalists in such a way that intervention appeared as a morally acceptable course of action.<sup>9</sup> Consequently, the constitutional leaders were dismissed as self-serving, irresponsible agitators, and the philosophical underlay of the movement was either ignored or scorned as premature. By constructing this picture the British circumvented the charge that they intervened against a movement which supported the full range of human rights.

#### B. 1921 and 1953

This basic pattern prevailed throughout the twentieth century and is clearly evident today, although some major variations occurred which should be noted. The first of these took form in 1921. At the close of World War I, the Russian Empire, now the Union of Soviet Socialist Republics, was far too weak internally to play a major imperial role in Iran. Taking advantage of its temporary absence, the British attempted to institutionalize an inexpensive tutorial control of Iran in the form of the Anglo-Persian Agreement of 1920.<sup>10</sup> These efforts were a functional recognition of the fact that the old traditional order in Iran could no longer

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<sup>7</sup> *British State Papers* 1909, Persia No. 1, at 4, 5, (Feb. 27, 1907).

<sup>8</sup> *British State Papers* 1909, Persia No. 1 (Feb. 27, 1907) (statement by Sir Cecil Spring-Rice).

<sup>9</sup> This attitude is apparent in British diplomatic correspondence from 1908 on. See *British State Papers* 1909, Persia No. 2, at 100.

<sup>10</sup> For an Iranian view of this agreement, see N. FATEMI, *OIL DIPLOMACY: POWDERKEG IN IRAN* (1954).

exercise the control necessary for internal stability. The British plan amounted to a scheme for gradual economic and administrative modernization sufficient to provide the desired stability. But the revolutionary element was strong enough to prevent ratification of the agreement. At this point, the British organized and directed a coup d'état intended to bring into power men capable of maintaining control.<sup>11</sup> It was through this coup that Reza Khan began his climb to absolute power in Iran as Reza Shah, the founder of the Pahlavi dynasty. Reza Shah was willing to modernize and he did so with a ruthless disregard for human rights in any of its manifestations.<sup>12</sup> He provided the stability that the British and the Soviet Union wanted. The fact that his lack of concern for political and individual rights was matched by a lack of interest in the material needs of the poorest of his people appears to have bothered Britain not at all. It was only when Iran was needed as a part of the Allied war effort that the British discovered Reza Shah was a tyrant, an ally of the Nazis and deserving of being overthrown<sup>13</sup>—an act they and the Soviets promptly executed by invading Iran in 1941. The first notable variant from the historical pattern was the recognition by the external powers that in order to provide the desired stability in Iran, they had to forego working with an acquiescent, but inefficient traditional elite and turn to an alliance with a more efficient, albeit obstreperous, authoritarian modernizer—and one incidentally concerned very little with human rights.

After the last occupation troops left Iran in 1946, control was once again in the hands of the traditional elite. (The young Shah, Mohammad Reza Pahlavi, would not become Iran's absolute ruler for almost a decade.) Once again, that elite proved incapable of exercising effective control. At this point the old revolutionary coalition, led by the venerable Dr. Mohammad Mossadeq, was not to be denied. In 1951 Dr. Mossadeq became Prime Minister and the Anglo-Iranian Oil Company was nationalized. As in 1906, the movement reflected primarily the views of the liberal nationalists and secular arm of the coalition. Aside from the growing personal popularity of Mossadeq, however, religious leaders allied to the movement were responsible for much of the mass support.

The parallel with 1906 was also evidenced by the seeming chaos in Iran from 1951-53. Each of the two great power competitors viewed this chaos as threatening to work to the advantage of the other. But there was now a second major variant; the United States had replaced Great Britain as the primary western power in this competition, although, in terms of

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<sup>11</sup> R. ULLMAN, *ANGLO-SOVIET RELATIONS 1917-1921: THE ANGLO-SOVIET ACCORD*, 384-88 (1972).

<sup>12</sup> For an objective account of this era, see A. BANANI, *THE MODERNIZATION OF IRAN 1921-1941* (1961).

<sup>13</sup> R. COTTAM, *NATIONALISM IN IRAN 195* (1979).

style and substance of response, there was little to distinguish the Americans from the British.

Despite the parallel in external power response, the Iran of 1911 and the Iran of 1953—the years in which the Iranian revolutionary movement was pushed from power by foreign intervention—were very different. In 1953 the base of support for Dr. Mossadeq was far greater than the minimal support which the constitutionalists of 1906 had enjoyed.<sup>14</sup> There was at least a fair possibility that Dr. Mossadeq could have remained in power for some years and that a functioning parliamentary democracy could have evolved. Admittedly, Mossadeq's policies were not always in tune with liberal democratic principles. His plebiscite in the summer of 1953 had all the earmarks of authoritarian control. But the press was relatively free as were parliamentary elections. Dr. Mossadeq with his aristocratic—even Qajar—background did not exhibit the same intensity of concern for satisfying the basic material needs of his people that he expressed regarding the right of national self-determination and the right of individual freedom. Nevertheless, the movement constituted a remarkably positive change in emphasis with regard to human rights. And it was this regime that the United States government decided to overthrow.<sup>15</sup>

In close parallel with British perceptions in 1911, the Americans responsible for the overthrow of Mossadeq viewed the Iranian national movement as a relatively small group of self-serving agitators whose activities would lead to Soviet domination of Iran. The end result would only be totalitarian control and the narrowest range for the exercise of human rights. Consequently, there was little difficulty in reconciling a traditional American concern for human rights with the overthrow of the Mossadeq regime. In 1953, as in 1911, the same comfortable argument was accepted: lacking any tradition of freedom, the Iranians could move only gradually under a benign tutorial-authoritarian order toward the day in which a free system could operate successfully.<sup>16</sup>

### C. *Royal Absolutism*

From 1953 to 1960, the Iranian traditional elite as the primary western ally in Mossadeq's overthrow, provided the only real societal support for the dictatorship of Shah Mohammad Reza Pahlavi. The demands of this alliance severely limited the Shah in his programmatic choices.<sup>17</sup> But

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<sup>14</sup> N.Y. Times, Aug. 14, 1953, § 1, at 1, col. 8; R. COTTAM, *supra* note 13, at 282-83.

<sup>15</sup> M.K. SHEEHAN, *IRAN: THE IMPACT OF THE UNITED STATES INTEREST AND POLITICS 1941-1954*, at 56 (1968). *See also* A. TULLY, C.I.A., *THE INSIDE STORY* 82-89 (1962).

<sup>16</sup> For the view of one of the primary American actors in this event, *see* K. ROOSEVELT, *COUNTERCOUP: THE BLOODY STRUGGLE FOR THE CONTROL OF IRAN* (1979).

<sup>17</sup> *See generally* R. COTTAM, *supra* note 13, at 288-93.

during this period the Shah successfully constructed a coercive control instrument loyal to him personally and capable of maintaining order in the country. By 1960 he was therefore ready to dispense with his traditional allies and to move in a far more radically modernizing direction. He called this the White Revolution. It incorporated land reform and other features which almost all change-oriented Iranians advocated. Although the Shah's regime initially underwent a crisis associated with this change in support base, the royal dictatorship stabilized. At least on its face, the regime appeared to be the most politically sound regime in south Asia until 1977.

Viewed in terms of the full range of human rights concerns, the Shah's dictatorial regime deserves many negative, but also some positive marks. Despite the publicity associated with land reform, the Shah's white revolution placed low priority on satisfaction of the basic needs of his poorest subjects.<sup>18</sup> Land reform benefited primarily the well-to-do peasants and agricultural entrepreneurs. Landless and poor peasants were often compelled to migrate to large urban centers. Wages for unskilled laborers lagged far behind those of skilled labor and the income distribution gap steadily broadened. This development was not politically dangerous as long as those at the low end of the scale were experiencing some improvement in their standard of living—which was true in the pre-inflationary period of 1963-1974. After 1974, however, the inflation rate was often in the thirty-five to fifty percent range and many of the Iranian poor suffered a real income decline.<sup>19</sup>

In the area of individual freedom and political rights, the regime was about as repressive as the state of Iranian technology allowed. The coercive system, best known for its internal security and information organization known by its acronym "SAVAK", was highly effective. It was considered by most Iranians to be omniscient, omnipotent and omnipresent. Press and speech were tightly controlled and Iran's modern history was rewritten. The number of political prisoners ranged between 3,500—the admitted official figure—and 125,000—the top figure given by opposition leaders.<sup>20</sup> Given the nature of the regime, even visits to prisons by international organizations told little since the government certainly had the capability to orchestrate a clean visitation. Torture certainly occurred. Testimony apparently freely given in the 1979 trials, in fact, seems to confirm some of the worst and least believed reports.<sup>21</sup>

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<sup>18</sup> *Id.* at 288.

<sup>19</sup> R. GRAHAM, *IRAN: THE ILLUSION OF POWER* (1978).

<sup>20</sup> The 125,000 figure is impossible to verify. Opposition leaders, if pressed for evidential support referred to a *Le Monde* article which I have yet to find.

<sup>21</sup> See the testimony of the SAVAK agent referred to as "Tehrani" in *IRAN VOICE*, July 9, 1979, Vol. 1, No. 6.

No regime can long survive without at least a passive acquiescence by important societal elements. The Shah could probably accurately claim that prior to the period of economic distress, most Iranians were in that category. Moreover, he had positive support ranging from satisfied to enthusiastic from three important groups. The enthusiastic support from security force officers was real enough as their loyalty throughout the crisis proved. The support he received from the other two groups—ranging from enthusiastic on the part of large entrepreneurs to satisfied on the part of many members of the governmental and private technocracy—was particularly significant in its implications, both direct and indirect, for the issue of human rights in Iran.

Significantly, the rights of women and some minorities were extended. Whereas women and favored minorities shared with other Iranians the restrictions on individual and political freedom, both groups saw their rights to equal opportunity much enhanced within these restrictions.<sup>22</sup> There undoubtedly was, as followers of Khomeini contend, a great deal of sexual exploitation in the Iran of the 1960's and 1970's. But there was also a strong movement of women into the professions and into the financial world.

The minorities that witnessed substantially improved opportunities were those that could be described as overachievers *i.e.*, the modal individual in these minorities was better educated and had a higher income than the modal Farsi-speaking, Shia Moslem. Most of those involved were non-Moslem religious minorities; Bahais, Jews, Christians and Zoroastrians. In the early days of his regime, and then again in its final moment, the Shah persecuted the Bahais for political advantage.<sup>23</sup> But for the most part, they and members of the other religious minorities enjoyed a relative improvement in their situation under the Shah's rule. Other minorities, including the Kurds, Turkomen, Arabs, Baluchis and, to some extent, the Azerbaijanis, were if anything, even more repressed and more deprived than they had been before.

Also related to the enhancement of human rights was the degree of entrepreneurial freedom that existed under the royal dictatorship. For the individual who understood influence patterns and the requirements for financial manipulation within the system, there was a good deal of entrepreneurial freedom and respect for property rights under the Shah's regime.<sup>24</sup>

The indirect human rights implications of the Shah's strategy of attracting support from the technocracy and large entrepreneurs are of considerably greater importance than the direct implications. The Shah suc-

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<sup>22</sup> Fallaci, *The Shah of Iran*, NEW REPUBLIC, Dec. 1, 1973, at 16.

<sup>23</sup> R. COTTAM, *supra* note 13.

<sup>24</sup> R. GRAHAM, *supra* note 19.

ceeded in attracting the functional support—whether enthusiastic or merely accommodating—of much of the commercial and professional classes. These were the very groups that supported the Mossadeq movement. To be sure, there remained a strong core opposition to the royal dictatorship from the liberal, secular intellectuals, but their potential rank and file support was largely coopted by the regime. However, in the climactic months of the Iranian revolution, individuals in this category began to perceive the regime as mortally vulnerable and at that point moved into the opposition. But that movement occurred too late to restore balance and strength to the liberal-intellectual aspect of the revolutionary equation. In human rights terms, this meant that the relative importance placed on tolerance and individual freedom within the revolutionary movement declined precipitately as compared with the Mossadeq era.

Domestic economic developments shifted the balance even more sharply toward the religious revolutionary pole. When high rates of inflation began to plague Iran in 1974 the section of the population that suffered the greatest distress—unskilled workers, blue collar workers, and the lower middle class generally—was the very section to which the religious leaders had the greatest and the liberal secular intellectual leaders the least, access. Throughout 1977 and 1978, the involvement of secular intellectuals in opposition activities accelerated. Nevertheless, mass involvement within Iran was overwhelmingly associated with religious elements. Outside Iran, student revolutionaries polarized around young Moslem organizations and Marxist organizations. Almost nothing was heard of the Mossadeqist National Front. Indeed, the strong ties established by the Freedom Front with Khomeini and other outstanding religious leaders were the only reason for the post-revolutionary importance of the non-Marxist intellectual element in Iranian governmental affairs. The Freedom Front, headed by Mehdi Bazergan, developed directly from the Mossadeq movement but was more religious and bazaar in orientation while the National Front consisted mostly of professional and secular elements. The Shah's regime, because of the control strategy it adopted of coopting intellectual and professional elements of society, actually weakened the appeal base for values such as the rights of the individual. Although this was inadvertent, it does point to the self-serving and fallacious quality of the argument that the Shah's regime was tutelary and preparing the societal base for a liberal system.

### III. CARTER AND HUMAN RIGHTS

Given the recent history of United States-Iranian relations, the

reader should understand the impact on Iran of President Carter's campaign and inaugural statements to the effect that a concern for human rights was to be a central component of his foreign policy. In 1953, the United States had played the major role in ousting the Mossadeq government which symbolized for most politically attentive Iranians the search for national dignity and the expression of political and individual rights. After Mossadeq, the American government gave full and unequivocal support to the royal dictatorship which was perceived by its opposition as more American than Iranian and as guilty of violating a broad range of human rights. The resulting picture was one of a regime guilty of the most flagrant violations of human rights, and which was both placed and maintained in power by the American government. Into this picture, came a new U.S. president announcing to the world that his foreign policy would be distinguished by its concern for human rights. The impact of his election upon Iranians who yearned for a free system was little less than electrifying.

In the early 1970's, the Shah delighted in interviews that allowed him to express confidence in his control in Iran and his contempt for western liberal democracy.<sup>25</sup> Making concessions to his opposition was clearly the last thing on his mind. But by 1976, Iran's economic crisis was developing and the Shah's public tone was beginning to change. He showed clear signs of attempting to reduce the intensity of internal hostility toward him. The number of political prisoners was reduced. Open and flagrant torturing of prisoners ended. Thus, even before Carter's presidency, the Shah was beginning a move in the direction of greater human rights. But there is little doubt that even then a factor in the new concern for human rights was the American Congress. The Shah accelerated his efforts in this direction when Carter assumed office but the results were not in accord with expectations. Far from mollifying his opponents, the Shah's "liberalization" moves encouraged even more open opposition activities. Confronted with this response, the Shah reacted occasionally with brutal repressive measures. Yet, such acts were often followed by more concessions. A pattern developed—concessions followed by isolated repression followed by concessions. This pattern was interpreted by opponents of the regime as the policy of a weak, but unalterably brutal, regime attempting to resist the irresistible force of overwhelming popular revulsion. As time progressed, this pattern began to seriously erode the image of the regime's coercive instrument as all-knowing and all-powerful. In brief, the regime's opponents began to sense its vulnerability.

A different picture was painted by the core opposition to the regime. Encouraged by Carter's statements, individuals and groups began, at first

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<sup>25</sup> Fallaci, *supra* note 22.

cautiously and then with increasing temerity, to explore the boundaries of free political activity. Their initial discoveries were encouraging. Even when the regime did engage in acts of brutal repression, the sporadic and arbitrary quality of the repressive measures led opposition leaders to accept the risks of carrying on their activities. As the regime appeared increasingly vulnerable, a ground-swell of public support for the opposition increased their confidence and willingness to persist in and intensify their activities.

The extent to which Carter's human rights policy was, in fact, responsible for the developing momentum toward disintegration of the Shah's regime can never be evaluated satisfactorily. Undoubtedly both the Shah and the opposition were responding in early 1977 to the Carter policy. But by the summer of 1977, signals from the Carter administration regarding Iran were strong and clear. An ambassador perceived as sympathetic to the Shah was appointed, the Shah's most ambitious arms requests were supported, and the administration neither encouraged nor even took note of an opposition in Iran which was responding directly and explicitly to Carter's human rights appeal. It is difficult to believe these signals were missed. Tehran was included in Carter's December 1977 goodwill trip which also took him to Poland, India and Saudi Arabia. Before Carter's departure, a group of Iranians inside the country who constituted a who's who of the non-Marxist opposition, wrote a statement describing the state of human rights in Iran. The statement was to be published in Iran just days before the trip. The Carter administration was informed well in advance that this group was acting in direct response to Carter's own program and that a failure to take note of the statement would result in almost certain punishment of the signatories.<sup>26</sup> The administration did not attempt to dissuade the dissidents from taking the risk. When Carter arrived in Tehran he described Iran as an island of stability and the Shah as a broadly popular figure. Acts of violence against and persecution of the signatories followed as predicted. Then on September 8, 1978, a day of infamy in Iran known as Black Friday, on which as many as 4,500 unarmed demonstrators were shot to death, Carter took time out from his Camp David discussions to telephone and assure the Shah of continuing American support. As far as the opposition was concerned, there was no longer any ambivalence in their view of Carter—they saw him as a total hypocrite in the area of human rights.<sup>27</sup>

Yet it is conceivable that, despite the show of American support, the Shah's pattern of response was in part motivated by a desire to please

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<sup>26</sup> Several channels were reportedly used by the Iranians. Since I personally gave copies to members of the Carter administration, I know there was at least one channel.

<sup>27</sup> *Kayhan International*, Jan. 7, 1978.

Carter. If so, he was obviously misreading American policy, in which case the American role in inducing his self-defeating response pattern may have been decisive even if unintended.

In any event, Carter's human rights policy as applied to Iran was a doctrine without a strategy. The concern for human rights in Iran was purely abstract. In programmatic development, Carter's policy toward Iran, like that of his immediate predecessors, was one of total and unequivocal support for the Shah's government. Human rights was at most only a distant, hardly discernable counterpoint to the main theme. Innocent of any understanding of the historical context of Iranian-American relations, especially as perceived by Iranians, Carter could not know that his advocacy of human rights might destabilize a close ally. Nor have his actions reflected an understanding that his enthusiasm for a regime which stood in the forefront of any list of violators of human rights would expose him and the United States to the charge of self-serving hypocrisy.

By virtue of the emphasis he placed on the subject of human rights as a central concern of American foreign policy, President Carter took the center stage for advancement of human rights in the world. The Iranian case suggests this was a mistake. The apparent American, and earlier British, preference for Iranian regimes that violated human rights is too strongly supported by historical evidence to be ignored. Because of its politico-economic strategic position, Iran has been of exceptional importance in the contemporary great power conflict. And the great powers have shown every sign of preferring the stability which authoritarian or totalitarian regimes can provide. As Iranian history suggests, regimes more sensitive to human rights have tended to be chaotic, and chaos in so strategically vital an area is interpreted by the governments of competing great powers as threatening vital national interests. To expect that a concern for human rights could offset concerns for vital economic and security interests is to expect the impossible. Governments' foreign policies reflect the relative importance assigned to various interests; and evidence suggests that human rights are a central concern only if there are few or no economic or strategic interests of overriding importance. Indeed, when human rights are stressed today it is usually as a tactical manifestation of some more vital strategic interest. Pointing to Soviet violation of human rights, for example, is an exercise likely to be indulged in most enthusiastically by the very elements in the American government that were most protective of the Shah.

#### IV. NON-GOVERNMENTAL HUMAN RIGHTS STRATEGIES

The Iranian case suggests that governments should be the targets, rather than the authors, of a human rights strategy. Evidence is strong that Carter's concern with human rights in his foreign policy was misperceived by Iranian advocates of human rights and by the Shah. By

grossly overestimating Carter's ability to translate his abstract concern for human rights into a strategic and tactical program, Iranians responsive to his appeal engaged in activities that resulted in their persecution. The Shah, also overestimating the functional importance of Carter's human rights rhetoric, followed a policy that added to an already developing political destabilization of his regime—a development that policy-makers concerned with American economic and security interests deplored. Had U.S. government policies concerning human rights in Iran originated in response to strong public pressures reflected through the press and through Congress, it is far less likely that they would have been so badly misperceived. The fact is, however, that the administration was under far too little pressure from the public concerning policy toward Iran to pay any attention to it. The American public by and large accepted a progressive and benign stereotypical representation of the royal dictatorship of Iran. So firmly held was that picture in fact that the full drama of the revolution in Iran was not appreciated. A totalitarian regime protected by an elaborately equipped and extravagantly indulged security force fell victim to a massive and essentially non-violent public uprising. The congruence of the popularly held stereotype and national interests is all too obvious.

Was it possible for private organizations to inform the American public about the state of human rights in Iran? And is there any institutional base for planning and directing a strategy for advancing human rights abroad?

Organizations such as Amnesty International, the International Commission of Jurists and the International League for Human Rights were established to provide information but are determined to stay out of the area of internal politics. The case of Iran suggests such a separation of information-gathering and political action is both self-deceptive and unattainable. The purpose of gaining information on the state of human rights is ultimately interventionist.

Amnesty International was carefully professional in assessing the state of human rights in Iran. Indeed, it was so demanding of hard evidence of torture and of the number of political prisoners that it set standards concerning information that a covert opposition could scarcely meet. Nevertheless, Amnesty International became the target of a vicious attack by the Shah's regime which sought to discredit it.<sup>28</sup> This was an understandable response in the critical 1977-78 period during which the Shah's survival in office required strong external support.

However the Shah and his government were solicitous of the International Commission of Jurists and in particular of Mr. William Butler. The

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<sup>28</sup> See Kayhan International throughout 1977 and the first half of 1978 for repeated attacks on Amnesty International.

Shah chose to confer with Mr. Butler concerning some moves in the direction of eliminating arbitrariness in legal procedures. Not surprisingly, the opposition saw this as an effort of the Shah's regime to coopt the International Commission of Jurists.<sup>29</sup>

Most interesting of all were the relations between the Iranian Committee for Human Rights and Liberty and the International League for Human Rights. The Iranian Committee became an affiliate of the International League. In reality, the Iranian Committee was a coalition of opposition leaders including associates of Khomeini and representatives of the National Front. Mehdi Bazergan, its chairperson, was to become the first prime minister of the revolutionary government. Ibrahim Yazdi, the committee representative in the United States, was to become foreign minister. Other members of the Committee entered the Bazergan cabinet while still others became leaders of the opposition National Democratic Front. Thus, while there is no reason to believe that the International League for Human Rights played any direct role in the Iranian revolution, its affiliate was in fact nothing less than the revolutionary high command. After the revolution the Committee remained in existence and has continued to courageously criticize violations of human rights by the revolutionary courts and committees.

The moral here, it seems to me, is not that these organizations should have been more adept at remaining out of internal politics, but rather that they should frankly accept the implicit interventionist nature of their work. What is needed is a strategy for advancing the state of human rights here and abroad that emanates from the private sector.

## V. HUMAN RIGHTS AND THE REVOLUTION

The vanguard of the Iranian revolution was composed of the same three historic elements that have been struggling for independence and change throughout the last century: clerical leaders, bazaar merchants and secular intellectuals. The difference this time, as noted earlier, was the clear preeminence of the religious element and the Marxist element among the younger secular intellectuals. Viewed in terms of their positions on human rights, the clerical leaders and the younger secular intellectuals emphasized their concern for the dignity and the material needs of the populace. Other liberal intellectuals and many merchants were more concerned with tolerance and individual and political freedom.

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<sup>29</sup> The report of the Int'l Comm'n. of Jurists is, in fact, unconvincingly mild in its criticisms of the state of rule of law in the Shah's Iran. See INT'L COMM'N OF JURISTS, HUMAN RIGHTS AND THE LEGAL SYSTEM IN IRAN (Geneva, 1976).

These differing emphases have precipitated serious tension and conflict among the various groups.

Former Prime Minister Bazergan publicly stated on more than one occasion that the revolution occurred too fast.<sup>30</sup> Moreover, he made it clear that he was not a revolutionary. In contrast with Bazergan, the intellectual left and the present leadership, the religious associates of Khomeini are avowedly revolutionary. While Bazergan tried to preserve the technocracy of the previous regime and adapt the institutions of government to some significantly altered priorities including a concern for individual freedom, the religious and leftist revolutionaries of the Khomeini regime advocated a fundamental transformation of the institutions and a purge of the technocracy in order to seriously address the needs of the Iranian people.

Central to the direction of future developments is the Ayatollah Ruhollah Khomeini. Both in statement and in action he has made abundantly clear his own preferences between the two foci. Khomeini is a revolutionary. For him social justice requires the elimination of human suffering, the rejection of a preoccupation with materialism, and an end to the tyrannizing of a people by its government. He pursues these goals, however, within his own Islamic perspective—a perspective which incorporates a belief in the immanence of God and Satan. There is no tolerance and little mercy for those who have chosen the path of Satan or that of “corruption on earth” and for Khomeini there is little difficulty in determining who has followed that path. No elaborately formulated rules of law are required. Individual freedom thus is sharply limited and political freedom has meaning only in the sense that it conforms with the needs of an Islamic ideology. As he is the first to proclaim, Khomeini is far removed from the enlightenment tradition. Executions of individuals charged with following the path of Satan or indulging in corruption on earth, following trials in which the accused is denied the right of counsel, are easily justified in terms of this ideology. Similarly justified are edicts, handed down by those officially entitled to interpret the Koran on matters of public moral norms, including even the right to listen to music.

The Khomeini government includes some strong advocates of the full range of human rights. One such figure is President Abol-Hassan Bani Sadr. But the Khomeini entourage embraces, as well, individuals with all the tolerance of diversity of a grand inquisitor. If Khomeini is satisfied that an official is a true Moslem who seeks to give programmatic expression to Islamic ideology, Khomeini apparently is willing to grant that individual strong support. When the inevitable personal and philosophical disputes develop within his entourage, Khomeini appears to be incapable

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<sup>30</sup> FBIS, July 6, 1979, Vol. V, No. 131 and July 6, 1979, Vol. V., No. 132 (Speech by Bazergan).

of choosing a direction to follow. The result is drift, instability, inconsistency, and uncertainty of outcome. Khomeini apparently is decisive only in dealing with those he sees as enemies of Islam. Can or should non-Iranian advocates of human rights play any role in the ultimate outcome?

For Americans in particular, the strategic and tactical options are limited. It was, after all, the American government that, in implicit violation of the right of national self-determination, played a major role in imposing a regime on Iran that violated a wide range of human rights. Consider in this regard, the April, 1979 Senate resolution condemning the trials and executions in Iran. For a body that had retained a benign silence throughout the repressive era of the Shah, and in particular had not expressed unease at the killing of unarmed civilians in Iran in the last fifteen months of the Shah's rule—a number Iranians believe to be between 65,000 and 70,000—the resolution was audacious, to say the least. It was viewed in Iran as an act of arrogantly hypocritical self-righteousness. Its impact was to weaken the element of the revolutionary coalition most anxious to restore normal relations with the United States—the very element which was openly opposing the executions in Iran. Amnesty International and the International League for Human Rights, with their consistent records and international membership, can criticize violations of human rights in Iran with positive effect. But few Americans, individuals, or other organizations can do so. The current hostage situation only underscores U.S. impotence in this regard.

The past century of western relations with Iran suggests a more appropriate target for a human rights strategy for Americans concerned with Iran. As described above, each time the present coalition of elements came into power, a chaotic readjustment period followed. Historically, British, and later American, decision-makers concerned with Iran intervened against the revolutionary movement or government to prevent the Russians from taking advantage of the situation. By doing so they imposed regimes on Iran which had little concern for human rights. American human rights advocates should learn from this historical experience. Their target should be their own people and government. And their objective should be (1) to put the human rights picture in Iran into perspective; and (2) to oppose the inevitable tendency of American-decision makers to think in terms of an interventionist solution.