

## **Human Rights 2.0: Law, Education, Technology & Socioeconomic Rights in Iran**

**A statement submitted in partial fulfilment of the requirements of Kingston University for the degree of Doctorate of Philosophy by Previous Publications**

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I wish to acknowledge a protagonist of justice and rights, the first female meteorologist of Iran, Zhinus Mahmudi. Her dream for me to complete my doctoral studies following her desire to do the same in the UK, was cut short by her unjust execution in December 1981. Through a series of unexpected events, she stirred my direction in life to achieve this on what I feel is her behalf. If this submission makes any contribution, the credit must go to her and her unfailing legacy.

I must also offer my appreciation to my supervising professors and the staff at Kingston University for their assistance during this process.

Last but not least, I look forward to witnessing the world embracing impact of two brilliant characters, E.O. and Z.R., during the decades that lie ahead.

## 1. Introduction

My work on human rights rests on two complementary processes of legislative reform through research-based policy recommendations, and education on sustainable access to socioeconomic rights, specifically education and work, starting with minorities and marginalised populations in Iran. Given Iran's rich diversity, securing universal access to rights demands proficiency in collective expression and action through a multidisciplinary lens. For this reason, and given the efficacy of law in action, I have made a concerted effort to focus my contributions to gaps in literature that advance human rights law education in a manner that is of relevance to the everyday life of grassroots populations.

In most cases involving PhD by publication, preference may be given to single authored pieces. However, given my focus at the time was on advancing collective consciousness and contributions to the body of human rights literature through a 'social-legal'<sup>1</sup> approach, and not working towards a PhD, in many cases I initiated publications involving diverse co-authors and contributors<sup>2</sup>. Accordingly, the selected works that are part of this submission include the following individual and co-authored pieces:

1. Tahirih T. Danesh, *Persecution of the Bahá'í Community of Iran Under the Islamic Republic: Twenty Years of Intolerance (Converging Realities 2000)*<sup>3</sup>
2. Tahirih Tahiriha-Danesh (ed) *Bahá'í-inspired Perspectives on Human Rights* (Juxta Publishing Ltd. 2001)<sup>4</sup>
3. Tahirih T. Danesh & others, *A Revolution Without Rights? Women, Kurds and Bahá'is Searching for Equality in Iran* (Foreign Policy Centre 2008)<sup>5</sup>
4. Tahirih T. Danesh & Nazanin Afshin-Jam, *From Cradle to Coffin: A Report on Child Executions in Iran* (Foreign Policy Centre 2009)<sup>6</sup>

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<sup>1</sup> Michael Salter and Julie Mason, *Writing Law Dissertations: An Introduction and Guide to the Conduct of Legal Research* (Pearson Education Ltd 2007) 118-181

<sup>2</sup> A letter confirming my role as the lead in developing the listed co-authored publications was submitted to Kingstone University on 26 November 2020

<sup>3</sup> I authored this article for publication in *Converging Realities* journal published in the year 2000. An electronic version of this article is archived online at: [https://bahai-library.com/danesh\\_persecution\\_bahai\\_iran](https://bahai-library.com/danesh_persecution_bahai_iran)

<sup>4</sup> This is the first edited volume by a range of established scholars and practitioners who examine human rights from a Bahá'í-inspired perspective. It filled a gap in available literature by offering global views and examples that help debunk the Islamic Republic authorities' false claims against this community as part of their attempt to destroy its cultural roots outside Iran following their 1993 Secret Memorandum clause B. 6. The book is available through Amazon at: <https://www.amazon.com/Bah%C3%AD-Inspired-Perspectives-Human-Rights-Tahiriha-Danesh/dp/9889745151> and the publisher at: <http://juxta.com/wp-content/uploads/humanrights-electronic-1.2.pdf> Accessed 25 November 2020

<sup>5</sup> In 2008, along with Geoffrey Cameron and Barrie Boles, I researched and co-authored this piece. It was the first publication of its kind to spotlight shared patterns of religious, legal and social obstacles to equality of rights for three segments of the Iranian population based on religion (Bahá'is), ethnicity (Kurds) and gender (women). For more information and to download the full text please see: <https://fpc.org.uk/publications/a-revolution-without-rights-women-kurds-and-bahais-searching-for-equality-in-iran/> Accessed 25 November 2020

<sup>6</sup> This 2009 publication, co-authored with Nazanin Afshin-Jam, was the first to detail and document the phenomenon of child execution in Iran and in its acknowledgements highlight the contributions of dozens of defenders and activists in this field. For more details and to download a copy please see: <https://fpc.org.uk/publications/from-cradle-to-coffin-a-report-on-child-executions-in-iran/> Accessed 25 November 2020

5. Tahirih T. Danesh & Others, Iran Human Rights Review on Economy, Due Process, Justice, Violence, Youth, Access to Information, United Nations, Women & Religion (Foreign Policy Centre 2010-2017)<sup>7</sup>
6. Tahirih T. Danesh & Others, A Legal Study on Children's Rights and Iran's Laws: Education, Labour, Marriage, Judicial and Health Rights (Juvenile Justice Centre – English brief 2018)<sup>8</sup>
7. Tahirih T. Danesh, Character Education for Socioeconomic Rights (CESER 2018)<sup>9</sup>

All submissions are first publication of their kind in the Iranian human rights space. With the exception of *A Revolution without Rights?*, I not only conceptualised but also lead the entire process to ensure each publication remains in line with my desired contributions to the field.

## 2. Contribution to Scholarship & Impact

My contributions to the body of scholarship include:

- The first edited volume on Bahá'í-inspired perspectives on human rights; with a particular focus on socioeconomic rights
- Pioneering policy publication highlighting shared patterns of human rights violations among women, ethnic and religious minorities
- The first policy publication on violation of children's rights, focussing on legal nuances resulting in child execution with impunity
- An inclusive multilingual review on theory and application of human rights laws in Iran, involving both established and emerging voices in English, Persian, Azeri and Kurdish
- A character-focussed educational process, following a legal study on children, to promote access to socioeconomic rights

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<sup>7</sup> Following the 2009 post-presidential election demonstrations that caused a seismic shift in Iran's human rights space, I founded and served as the chief editor of the world's first on-line human rights policy publication on Iran. Published by The Foreign Policy Centre, this pioneering series was offered in English and Persian, along with Azeri and Kurdish briefs to better reflect the diverse readership concerned with human rights in Iran. It involved highly established as well as emerging voices, some of whom are impacted by the revolving door imprisonment policies of the Islamic Republic to this day. Published between 2010 and 2017, every volume involved a co-editor to build on my efforts to represent diverse views and better build consensus vis a vis human rights. They are volumes on religion with Adam Hug, Access to information with Nazenin Ansari, Youth with Roya Kashefi, Violence with Shadi Sadr, Justice with Hadi Enayat, United Nations with Adam Hug, Economy with Hossein Rassam, Women with Sanam Vakil, and Due Process with Mahmood Amiry-Moghaddam. All volumes are available online at: <<https://www.ihrr.org/>> Accessed 25 November 2020

<sup>8</sup> In 2015-2016 I worked with a range of children's rights activists and defenders on a number of obstacles to accessing rights, one of which resulted in a legal study. Originally published in Persian for distribution and in-country use among activists in Iran, an English brief was later published for information and reference. However, due to security concerns, this brief is more general in scope and lacks reference to any names. A copy is available online at: <<https://juvenilejusticecentre.org/resources/a-legal-study-on-childrens-rights-and-irans-laws/>> Accessed 25 November 2020

<sup>9</sup> This project was designed and delivered in Iran. The results and findings were the impetus behind this submission and remain as primarily an impact education project. For security concerns a paper has not yet been published. However, some of the findings have been submitted in a paper on character education and cultural rights for publication in a 2021 volume on 'Cultural Rights and Cultural Heritage in Asia and The Middle East' by the British Institute of International and Comparative Law.

The above were achieved through the following approaches:

- Ensure every effort involved a range of diverse stakeholders from Iran's multi-ethnic and multi-religious population in order to strengthen trust
- Employ consultation and collaboration at every stage of each effort to advance civic participation
- Develop human rights law education content including characters that empower citizens, particularly girls and women, to enjoy socioeconomic rights

The publications employ a methodical and traditional examination of Iran's national laws and international instruments it is a party to, as well as Participatory Action Research among the grassroots, to identify gaps in full enjoyment of human rights. They also add to the body of literature on human rights and character education<sup>10</sup> in order to build capacity of the younger generation to become protagonists of human rights education and legislation.

Since the 1979 Revolution, the demand for access to socioeconomic rights has grown with every generation of Iranians. However, Sustainable Development Goals Decade of Action, The UN Declaration on Human Rights Education and Training<sup>11</sup> coupled with the growing number of technology natives, Generation Alpha<sup>12</sup>, may significantly increase access to these inalienable rights.

This submission embodies a narrative approach to help demonstrate the evolving nature of my work as a series of appropriate responses to some of the gaps in human rights literature on Iran.

### **3. Positionality & Reflexivity**

While independent bodies such as the UN are well-positioned to assess Iran's human rights record, my work on Iran presented me with several dilemmas. I was a Bahá'í girl child at the time of the 1979 revolution. Over a period of seven years, I experienced dehumanisation, persecution, interrogation, psychological and physical torture as well as arrest, confiscation, execution and forced disappearance of a dozen significant others in my young life. The common thread that ties those violations to my

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<sup>10</sup> Mahmoudi and Eftekrain state: "Character life skill education is a major force in responding to our many students and citizens identity crisis and basic shortages in correct thinking. Education for character should be made available to students, parents, teachers, and administrators." Armin Mahmoudi and Syeed Ataolah Eftekrain, 'Main Challenges in Education in Iran' (International Proceedings of Economics Development and Research 2011) 207

<sup>11</sup> Among other important contributions, this Declaration highlights the importance of capitalising on 'new information and communication technologies' and role of multiple stakeholders, including third and private sectors, in 'promoting and providing' such education and training. Please see Articles 6 and 10 in United Nations Declaration on Human Rights Education and Training adopted by the General Assembly, Resolution 66/137, A/RES/66/137, 19 December 2011 available online at: [https://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/UnitedNationsDeclarationonHumanRightsEducationandTraining\(2011\).aspx](https://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/UnitedNationsDeclarationonHumanRightsEducationandTraining(2011).aspx) Accessed 25 November 2020

<sup>12</sup> McCrindle, Mark, The ABC of XYZ: Understanding the Global Generations (2<sup>nd</sup> edn McCrindle Research 2011) 35

work is a secret memorandum designed to keep the minority<sup>13</sup> “living only at a subsistence level” within Iran while devising a plan to “destroy their cultural roots outside”<sup>14</sup> it. This policy outlines the manner in which denial of access to socioeconomic rights to education<sup>15</sup> and work serve to deny the country’s largest non-Muslim minority their legal entitlements. As a member of the community targeted by this policy, I fully appreciate the efficacy of socioeconomic rights, as security-oriented human rights<sup>16</sup>, without which one’s full development is not possible.

However, it was the uncovering of Iran’s Secret Memorandum indicating an extension of its policy ‘outside the country’<sup>17</sup> that served as the impetus for my lifelong commitment to improve access to socioeconomic rights, not only for the targeted community, but for all citizens of the 169 states party to the Covenant. I chose to focus on the right to education, which as indicated in the CESCR, is the sole entitlement that may ‘enable’<sup>18</sup> everyone to properly assume their position in society.

Since the turn of the millennium, I have explored different approaches and themes. Approaches included collaborations across thematic and geographic areas around the globe in a range of capacities and organisations. It also included research, monitoring, documentation and advocacy. In terms of themes, I have found access to socioeconomic rights at the heart of every minority I have worked with. Tohidi’s work on minorities shows Iran is no exception<sup>19</sup>. Possible explanations may include exclusionary articles of the Islamic Republic Constitution and other state *condicio sine qua non* policies, the Iran-Iraq war, and international sanctions.

While some involved in the Iranian human rights space continue to advocate wholesale state change, my examination of contemporary history points to a perpetual discontent with socioeconomic inequalities, starting with Iran’s Constitutional Revolution<sup>20</sup>. It also points to the possibility that

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<sup>13</sup> The official body in charge of defence of this community is the Bahá’í International Community (BIC). Registered with the UN as an NGO in 1948, the BIC has been a key player in the evolution of modern human rights system. For more information please see their official site at [www.bic.org](http://www.bic.org) Accessed 25 November 2020

<sup>14</sup> The Bahá’í International Community, *The Bahá’í Question Revisited: Persecution and Resilience in Iran: A Report of the Bahá’í International Community* (BIC 2016) available online at: <https://www.bic.org/Bahai-Question-Revisited> Accessed 25 November 2020

<sup>15</sup> The primacy of access to education is reflected in its inclusion in 7 key documents determining international standards and the inception of a UNSR on education in 1998 by the Commission on Human Rights, as well as SDG 4 and UNESCO’s Education 2030 in achieving all aims of Agenda 2030

<sup>16</sup> A. Selvan, *Human Rights education, Modern Approaches and Strategies* (Concept Publishing Company 1970) 58

<sup>17</sup> Bahá’í International Community, *The Bahá’í Question: Iran’s Secret Blueprint for the Destruction of a Religious Community: an Examination of the Persecution of the Bahá’ís of Iran* (BIC 1999) Section B point 6 states: ‘A Plan must be devised to confront and destroy their cultural roots outside the country.’

<sup>18</sup> Article 13 of the CESCR states: “education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.” International Covenant on Economic, Social, and Cultural Rights available online at <<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>> Accessed 25 November 2020

<sup>19</sup> Nayereh Tohidi, ‘Ethnicity and Religious Minority Politics in Iran’ in Ali Gheissary (ed), *Contemporary Iran: Economy, Society and Politics* (Oxford University Press 2009) 310

<sup>20</sup> Abrahamian chronicles the nation’s concern for equality and access to rights such as work and education starting with the 1906 Constitutional Revolution all the way into the Islamic Republic, demonstrating how concern for socioeconomic rights run as a common thread through the various forms of government in Iran, demonstrating that wholesale political change has

despite the human rights narrative, activists often prioritise ideology over universality of rights. This may be one possible response to my macro research question of why Iranians have yet to enjoy sustained access to rights. In this light, I have increasingly focussed my work on research as a ‘systematic enquiry with the aim of producing knowledge’<sup>21</sup>.

Nevertheless, at every step of this process, I face several challenges. First, most research in Iran relies heavily on qualitative methods of inquiry. In this light, I remain conscious of my bias. Although it is a reality that bias is part and parcel of any researcher’s work, I regularly acknowledge and examine this dimension in order to ‘unmask any bias that is implicit’ in my views so to ‘provide a way of responding critically and sensitively to the research’<sup>22</sup>. In addition, at the outset of each process of inquiry, I reflect on why I engage with the research? What makes my research objective? Do my early childhood experiences influence my research design? Does my affiliation with women of minority background provide me with any privileges when engaging with research participants? How does my positionality within the context of human rights in Iran impact my research design, process and reporting?

Undoubtedly, these and other questions influence my work as a practice-based researcher, both in terms of my position and the process. With that in mind I continue to examine the impact of my reflexivity as a complex component in design and delivery of my work. I address this through collaboration or co-authorship with individuals whose backgrounds, affiliation and communities of interest differ from mine. By intentionally diversifying ‘all knowledge producers in the process, and of how they interrelate’<sup>23</sup>, the ontological and epistemological elements of research design are positioned closer to an objective and participant-centric process of inquiry. This has gradually lead to an organic shift in my research away from a geographical focus on the case of the Bahá’ís in Iran, to a more thematic focus on socioeconomic rights of any population.

#### **4. Methodology & Approach**

The Twentieth Century gave birth to a modern vision of rights, advocating humanity will ‘never again’ face atrocities similar to those experienced during WWII. However, as we transitioned to a new millennium, the vision cemented in the International Bill of Rights and supplementary instruments, remains more blurred than ever. From Rwanda to Syria, genocide<sup>24</sup>, crimes against

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not fully accommodates the Iranian’s concern for their rights. Ervand Abrahamian, *A History of Modern Iran*, (Cambridge University Press 2018) 28, 116, 144 and 171

<sup>21</sup> Paul Ernest, *An Introduction to Research Methodology and Paradigms*, (Research Support Unit, School of Education, University of Exeter 1994) 8

<sup>22</sup> Morwenna Griffiths, *Educational Research for Social Justice: Getting Off the Fence - Doing Qualitative Research in Educational Settings* (McGraw-Hill 1998) 133

<sup>23</sup> Tim May and Beth Perry, *Reflexivity: The Essential Guide* (Sage 2017) 218

<sup>24</sup> In his 1944 book, *Axis Rule in Occupied Europe*, Raphael Lemkin defines genocide as ‘a coordinated plan of different actions aiming at the destruction of the essential foundations of the life of national groups, with the aim of annihilating the

humanity,<sup>25</sup> and gross human rights violation continue to bar millions from accessing their inalienable rights. One such case is that of the Islamic Republic of Iran<sup>26</sup>. While legal experts remain divided on the probability of the state's implication in either crimes against humanity<sup>27</sup> or genocide<sup>28</sup>, numerous official documents by the United Nations point to Iran's long record of gross human rights violations<sup>29</sup>.

A cursory examination of contemporary Iranian history demonstrates that revolutions, coups and other attempts at wholesale change have failed to facilitate Iranians' demand for access to their rights. This may be due to the tensions between traditional and modern<sup>30</sup> views on socioeconomic developments in Iran. In order to gain a better understanding of these tensions, my research questions are focussed on *why Iranians' century long demand for access to rights has yet to become sustainable?* on the macro level, and *what elements in the Iranian human rights law education space enable individuals to access socioeconomic rights sustainably?* on the micro level.

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groups themselves" through two phases. First, "the destruction of the national pattern of the oppressed group," and second, "the imposition of the national pattern of the oppressor". The concept was further expounded in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide as: Any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: a. Killing members of the group; b. Causing serious bodily harm to members of the group; c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d. Imposing measures intended to prevent births within the group; e. Forcibly transferring children of the group to another group. Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government Proposal for Redress* (Lawbook Exchange, Ltd 2005) 79

<sup>25</sup> Unlike genocide, there is no treaty in international law to codify and apply prevention of crimes against humanity on all states. However, the Rome Statute of the International Criminal Court is the sole treaty that embodies the international community's consensus on the definition of the subject as: "any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: (a) Murder; (b) Extermination; (c) Enslavement; (d) Deportation or forcible transfer of population; (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; (f) Torture; (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; (h) Persecution against any identifiable group or community on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; (i) Enforced disappearance of persons; (j) The crime of apartheid; (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

<sup>26</sup> Amin Saikal, *Iran Rising: The Survival and Future of the Islamic Republic* (Princeton University Press 2019) 46

<sup>27</sup> A judgment issued by the 2012 International People's Tribunal on Iran reached the conclusion that according to ICCPR and Customary International Laws, the Islamic Republic of Iran has committed crimes against humanity through a pattern of gross violations of human rights of its citizens. Despite its limited scope focussing primarily on the mass execution of political prisoners and sharp divisions among organisers due to competing interests, I documented this effort, with a particular focus on the tribunal 'as a sign of Iranian civil society reaching a new point in its socioeconomic evolution'. Part of my learnings were used in human rights education and empowerment efforts among Iranians. For a publicly available example, please see an article entitled 'Report on 1988 Mass Executions Peoples' Tribunal in London' in Persian published by Kayhan London Newspaper Nr. 1412 8-14 Tir (London, 5 July 2012) 6

<sup>28</sup> Examining various typologies and forms of genocide by Kuper and Fein as applicable to the case of the Bahá'í minority in Iran, Momen suggests the term 'suspended genocide' justifying it "could deteriorate to a full genocide at any time". See: Moojan Momen, 'The Babi and Bahá'í community of Iran: A case of suspended genocide?' (2005) *Journal of Genocide Research*, 7:2, 221- 241

<sup>29</sup> This includes the 2020 A/74/188 report of the UN Secretary General on the Situation of Human Rights in the Islamic Republic of Iran available online <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/222/62/PDF/N1922262.pdf?OpenElement>>. Accessed 25 November 2020

<sup>30</sup> Jahanbegloo describes the current Iranian state as a 'political exemplification of the historical tensions between "tradition" and "modernity" in Iran' over the past two centuries. See Ramin Jahanbegloo, *Iran: Between Tradition and Modernity* (Lexington Books 2004) x



In response, I have produced or contributed to a number of research publications, seven of which were selected and listed above. Given the complex dynamics impacting Iran, and the rich tapestry of cultural and social nuances among Iranians, I maintain a multidisciplinary approach to methodology involving mixed research methods<sup>31</sup>. I employ socio-legal methodology to design research and choose methods appropriate to each publication. Accordingly, and in order to understand the obstacles to and effect reform in access on both macro and micro levels, I approach human rights as a phenomenon impacted by legislation that attempts to balance soft laws and Shari'ah jurisprudence, as interpreted under the world's sole Twelver Ja'fari Imamate Shi'a theocracy. Given the influence of Shari'ah in the life of this majority Shi'a country, I also find it necessary to consider the social and cultural approaches to rights that corroborate deficiencies in legislation and legitimise inequality and unfair access along the very lines that define diversity in Iranian society, most dominantly, religion, ethnicity and gender<sup>32</sup>.

In light of the above, my research involves law in action so to examine how Iran's national codes reflect its international commitments when implemented by the responsible authorities and experienced by the masses. This necessitates a multidisciplinary ecosystem that provides theoretical perspectives on human rights law and case studies among Iranians, their institutions and communities. Likewise, the methodology trajectory of the publications included in this submission maintain a contextually-appropriate combination of field and desk research, documentation, as well as comparative and integrative analysis.

It is essential to point out that several factors influence my research. First, are my personal background as an individual of religious, ethnic and gender minority, as well as my professional background as a human rights law educator. In addition, heightened security concerns around human rights in the Iranian context mean that direct access to qualitative and quantitative research are at best challenged. Cognisant of these personal, professional and contextual factors, I have combined some measure of both methods in each publication, in order to optimise objectivity. This evolved over time from a purely theoretical perspective to one that increasingly employed law in action.

My first and second selected publications, primarily drew on the case of the Bahá'í minority by relying on theoretical perspective with some use of evidence. This approach lead to my contributions to a range of publications between 2003 and 2008 that relied heavily on qualitative methods of documentation, and what Webley refers to, as traditional legal examination of documents on Iran's

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<sup>31</sup> Baskarada, Sasa & Koronios, Andy, A philosophical discussion of qualitative, quantitative, and mixed methods research in social science. *Qualitative Research Journal*. (2018) 18. 10.1108/QRJ-D-17-00042

<sup>32</sup> For a discussion see T. T. Danesh & Others, *A Revolution Without Rights? Women, Kurds and Bahá'ís Searching for Equality in Iran* (Foreign Policy Centre 2008) 9-10

laws, policies<sup>33</sup> and practice as conceptualised, implemented and experienced by a range of stakeholders involving the case of the Bahá'í minority<sup>34</sup>. It also involved some quantitative methods, based on official Iranian sources, such as national newspapers, as well as reports published by International bodies, such as Amnesty International, on several categories of human rights violations, such as detention, torture, confiscation or execution.

The experience gained from my involvement in qualitative and quantitative research and documentation to position this minority's case vis a vis modern human rights legal instruments, resonated with cases involving other minorities under the Islamic Republic. This realisation informed my suggestion to pivot the 2008 publication by The Foreign Policy Centre from an exclusive focus on the Bahá'ís to an inclusive one also involving Kurds and women.

For the purposes of this publication I relied on theoretical sampling to accommodate the shifts, breadth and diversity<sup>35</sup> in Iranian human rights landscape, and to examine and adjust data and sample design to find unbiased and robust results that determine the best course to build 'a bridge between individual agency and structural forces'<sup>36</sup> that influence access to rights across ethnic, religious or gender-based divides. The samples involved both interviews and focus groups composed of all three communities. The findings lead me to identify a gap in available literature involving children and their rights in Iran. For instance, more than 70% of those I interviewed failed to identify access to education as a socioeconomic right. In addition, close to 65% of individuals in six focus groups did not categorise victims below 18 years of age as child executions.

For the purposes of the fourth publication, qualitative research, primarily centred around the legal doctrine of evidence resulting from action-oriented research with Shari'ah law experts, as well as in-country children's rights defenders involved with specific cases before Iranian courts. I also relied on purposive sampling<sup>37</sup> through interviews and focus groups among minorities I had come across in my earlier work to access a wide range of views and feedback that helped identify the gaps in need of further research.

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<sup>33</sup> Lisa Webley, 'Qualitative Approaches to Empirical Legal Research' in Peter Cane and Herbert M. Kritzer (eds) *The Oxford Handbook of Empirical Legal Research* (Oxford University Press 2010) 927-950, 927

<sup>34</sup> These included detailed human rights reports and documents published by the Iran Human Rights Documentation Centre and the Abdorrahman Boroumand Foundation.

<sup>35</sup> Zhongyan Wan, 'Participant Selection and Access in Case Study Research' in Kwok Kuen Tsang, Dian Liu and Yanbi Hong (ed), *Challenges and Opportunities in Qualitative Research: Sharing Young Scholars' Experiences* (Springer 2019) 49

<sup>36</sup> Baskarada, Sasa & Koronios, Andy, A philosophical discussion of qualitative, quantitative, and mixed methods research in social science. *Qualitative Research Journal*. (2018) 18. 10.1108/QRJ-D-17-00042

<sup>37</sup> Brian Root, 'Numbers are Only Human: Lessons for Human Rights Practitioners from the Quantitative Literacy Movement' in Philip Alston and Sarah Knuckey (ed), *The Transformation of Human Rights Fact-Finding* (Oxford University Press 2016) 362

Following the 2009 demonstrations across Iran, I carried out a survey in 10 key provinces involving a total of 500 individuals of diverse socioeconomic, ethnic and religious backgrounds. One of the main learnings from the 20-question-long survey was the need to connect the emerging voices in Iran to established decision-makers in the West. Follow up interviews with key in-country human rights academics, activists and defenders helped me formulate the idea of establishing a dedicated policy publication with a focus on specific elements in human rights law. Each issue of *Iran Human Rights Review* was followed by a series of focus groups involving diverse Iranians who shared their understanding of challenges current at the time and their relationship to human rights laws. For instance, three out of four focus groups on the Economy issue of IHRR, failed to see the indivisibility of Iran's adherence to human rights laws and its socioeconomic prospects. Although majority indicated human rights are important, they placed economic growth over and above access to any rights, particularly socioeconomic rights of marginal and minority communities targeted during the 1981 Cultural Revolution.

These findings indicated a need for human rights education. My research began with analysing the cultural policies and how they advocated civic participation divorced from Nussbaum's 'narrative imagination' to reduce minorities' access to rights based on a narrow interpretation<sup>38</sup> of Islamic laws. My research showed that over the decades, younger Iranians swayed back towards 'cultivation of humanity'<sup>39</sup>. This was particularly evident in 2009 and subsequent uprisings where they exercised their 'potential to influence'<sup>40</sup> the legal dynamics necessary for equal rights to socioeconomic entitlements for all. In this light, focus groups for IHRR accompanied learners to become critical thinkers as a way to strengthen narrative imagination to help develop inter-community empathy and individual agency.

In order to maximise inclusion and legal efficacy, I also included Participatory Action Research (PAR)<sup>41</sup> in each volume of IHRR. While the Review resonates with the general Iranian human rights community's focus on state duty to promote and protect rights, it does not stop at *reactive* or short term documentation, advocacy or training of today's generation. Drawing on Matsuda's focus on phenomenology of what is just, legal and right through the grassroots' perspectives, and Afshar's

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<sup>38</sup> Cismas explains the power dynamics of the Just Holy Person in Iran who rules on behalf of God. Khomeini, as charismatic father of the revolution, coupled with the constitution as a rational-legal instrument legitimised all policies set by the clerical jurists. Ioana Cismas, *Religious Actors and International Law* (Oxford University Press, 2014) 52 & 57

<sup>39</sup> This is in reference to Watt in *The Public Value of Humanities* regarding Nussbaum's *Cultivating Humanity* where she calls for specific elements, many of which Iranians lack in their current education system: critical thinking, narrative imagination (to empathise with the other) and a broad definition of civic. Steven Cammiss and Dawn Watkins (eds), *Research Methods in Law*, (2<sup>nd</sup> Ed. 2018 Routledge) 100

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

<sup>41</sup> Emily M.S. Houh and Kristin Kalsen, "It's Critical: Legal Participatory Action Research" [2014] *Michigan Journal of Race and Law* Vol 19 Issue 2, 311

argument on irrelevance of relativism<sup>42</sup>, I designed each issue and its research methods to push the boundaries of debunking Iran’s justification for its violations, in order to identify ‘normative priorities’<sup>43</sup> that are incorporated as a responsive and not reactive measure in the human rights education of the next generation. The combination of the two present a contribution to knowledge regarding legal studies on Iran, which primary concern often rests on doctrinal or theosophical dimensions, with no or little reference to “methods common to education research, such as phenomenology or the use of focus groups”<sup>44</sup> as employed with each issue of IHRR to help improve Iran’s human rights ecosystem.

In designing the legal study on children’s rights as well as CESER, it became evident that due to Iran’s deficiencies in maintaining accurate statistics on children, exemplified by its lack of records on children of Afghan decent, as well as security concerns and sensitivities around children, qualitative methods would prove more effective. In both cases, purposive sampling, interviews, questionnaires and focus groups, were used to carry out the necessary research. In the case of the legal study, it was imperative to involve doctrinal research into Iran’s constitution, penal and civil codes concerning children’s rights, as well as expert roundtables to examine contradictions in Shari’ah, civil and international laws as well as points on which Iranian civil laws are silent.

In brief, methods used for each publication are as follows:

<b>Publication</b>	<b>Methods</b>
Persecution of the Bahá’í Community of Iran Under the Islamic Republic: Twenty Years of Intolerance	Legal examination of first and secondary sources, data analysis, non-digital storytelling
Bahá’í-inspired Perspectives on Human Rights	Legal examination of first and secondary sources, interviews, non-digital storytelling
A Revolution Without Rights? Women, Kurds and Bahá’ís Searching for Equality in Iran	Legal examination of first and secondary sources, theoretical sampling, interviews, focus groups
From Cradle to Coffin: A Report on	Legal examination of first and

<sup>42</sup> Reza Afshari, *Human Rights in Iran: The Abuse of Cultural Relativism* (2<sup>nd</sup> edn, University of Pennsylvania Press 2011) 10

<sup>43</sup> Mari J. Matsuda, *Looking to the Bottom: Critical Legal Studies and Reparations*, (1987) 22 HARV. C.R.-C.L. L. REV. 323, 325

<sup>44</sup> Simon Brooman, ‘The Value of Using Educational Research to Enhance the Curriculum in Legal Education: A Thesis submitted in partial fulfilment of the requirements of Liverpool John Moores University for the degree of Doctor of Philosophy’ (2019) LJMU < <http://researchonline.ljmu.ac.uk/id/eprint/10827>> Accessed 25 November 2020

Child Executions in Iran	secondary sources, purposive sampling, interviews, focus groups
Iran Human Rights Review on Economy, Due Process, Justice, Violence, Youth, Access to Information, United Nations, Women & Religion	Legal examination of first and secondary sources, purposive sampling, surveys, interviews, focus groups, co-create, cooperative inquiry, consultation and reflection
Education, Labour, Marriage, Judicial and Health Rights	Legal examination of first and secondary sources on Iran's constitution, penal and civil codes as well as CRC, purposive sampling, interviews, surveys and focus groups
Character Education for Socioeconomic Rights	Legal examination of first and secondary sources on Iran's constitution and civil codes as well as international instruments Iran is party to, purposive sampling, interviews and focus groups

In all seven cases, possible limitations applicable to research methodology include:

1. validity of generalisation to a wider context beyond Iran, given the fact that it uses a specific population facing a number of security-oriented access limitations and
2. the legal focus remains on two specific inalienable rights, as primary socioeconomic means to enable legal persons to enjoy lifelong engagement with universal human rights standards.

With regard to the first limitation, some evidence suggests that in addition to the Islamic Republic's increasing regional influence, the demand for socioeconomic rights on the part of Iranians was one of the predecessors of the Arab Spring that swept across the MENA region<sup>45</sup>. In relation to the second limitation, it is important to note that education remains a legally binding right pivotal to enjoyment of other rights, in particular labour, as enunciated in both international and regional treaties<sup>46</sup> and Education 2030<sup>47</sup>.

<sup>45</sup> The 2nd chapter of Bayat's book explains how Iran's 1979 revolution was informed by the ideologue of the revolution in light of the socioeconomic agenda of the Pahlavi administration, leading to the 4<sup>th</sup> chapter where he looks at the dynamics that were borrowed from the Iranian revolution to shape specific aspects of Arab Spring. Asef Bayat, *Revolution without Revolutionaries: Making Sense of the Arab Spring* (Stanford University Press 2017)

<sup>46</sup> *Protecting Education in Insecurity and Armed Conflict: An International Law Handbook* 2<sup>nd</sup> Ed. (British Institute of International and Contemporary Law 2019) 288

<sup>47</sup> The Education 2030 Incheon Declaration and Framework for Action is a multilateral instrument highlighting the impact of education as the 'main driver' of achieving all SDG goals in an inclusive and equal manner. A. Leicht, J. Heiss and W.J. Byun (ed) *Issues and trends in Education for Sustainable Development* (UNESCO 2018) 34

Focussing on enjoyment of socioeconomic rights, content and process<sup>48</sup> emerge as particularly important. In this light, the content of my work has become increasingly focussed on education, most recently character education, as a possible enabler of individuals and communities to advance sustainability of access to socioeconomic rights and entitlements. In terms of process, I focus on the growing role of technology in increasing universal access. Employing a range of available EdTech tools such as webinars, online trainings, podcasts, apps, social media and chat apps, individuals and small groups of Iranians have the state-denied opportunity to engage in meaningful discourse on fundamental elements that improve sustainable access to socioeconomic rights for all.

## 5. The Political & The Persona Non Grata

Between 1979 and 1988, tens of thousands of Iranians, ranging from legislators to children, were recognised as ‘political’ enemies of the state and subjected to human rights violations, primarily summary execution. One minority that differed in dynamics was that of the Bahá’ís. Excluded from Iran’s Constitution<sup>49</sup>, as persona non grata<sup>50</sup>, Bahá’ís were subjected to a range of state-sponsored violations. A Revolution without Rights? explains how the constitutional exclusion extended legal justification to social and cultural violation of the rights of the Bahá’ís at the hands of ordinary citizens’ by encouraging them to engage in attacks on their private and public properties<sup>51</sup>, expulsion and even extrajudicial killing<sup>52</sup> with impunity. With the implementation of the 1981 Cultural Revolution policies, while many Iranians were impacted, the Bahá’ís were ‘seriously affected’.<sup>53</sup>

Much of international response revolved around annual UN resolutions<sup>54</sup>. However, there were no Iran-focussed human rights advocates using international norms and instruments. The one exception was the Bahá’í International Community (BIC), which actively engaged in appropriate advocacy<sup>55</sup>.

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<sup>48</sup> Nancy Flowers, ‘What Is Human Rights Education?’ in *A Survey of Human Rights Education* (Bertelsmann Verlag 2003) 107-118

<sup>49</sup> Articles 12-14 deal with rights of minorities with no reference to the Bahá’ís. Islamic Republic of Iran Constitution (1979) available online at: <[https://www.constituteproject.org/constitution/Iran\\_1989.pdf?lang=en](https://www.constituteproject.org/constitution/Iran_1989.pdf?lang=en)> Accessed 25 November 2020

<sup>50</sup> Hamid Dabashi, *Iran: The Rebirth of a Nation* (Palgrave Macmillan 2016) 247

<sup>51</sup> The pattern of confiscation and destruction of thousands of private and public Bahá’í properties with full impunity continues unabated. A recent report by the official international arm of the community indicates ‘Since 2005, for example, there have been at least 52 incidents of arson against Bahá’í properties, crimes for which no one has been arrested. During the same period, at least 60 incidents of vandalism or desecration at Bahá’í cemeteries have been recorded.’ Bahá’í International Community, *Situation of Bahá’ís in Iran* available online at: <<https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation>> Accessed 25 November 2020

<sup>52</sup> Examples include the attacks on Bahá’í homes in Sa’adiyyih, Shiraz, Mahmudi tribe in outskirts of Isfahan, burning the couple in Birjand and violent death of 15 year old Payman Sobhani, Bahá’í World Centre, *The Bahá’í World Vol XIX 1983-1986* (1994) 234

<sup>53</sup> Commission on Human Rights fifty-second session, item 18 of the provisional agenda: Implementation of the declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief, Report submitted by Mr. Abdelfattah Amor, Special Rapporteur, in accordance with Commission on Human Rights resolution 1995/23, Report on visit by the Special Rapporteur to the Islamic Republic of Iran

<sup>54</sup> Starting in 1980, the Sub-Committee on Prevention of Discrimination and Protection of Minorities, later known as the Sub-Committee on the Promotion and Protection of Human Rights condemned Iran in its resolutions each year. This impacted Western countries foreign policies regarding Iran. For instance see *Foreign Policies Aspects of the War on Terrorism: Sixth Report of Session 2004-05 Vol II House of Commons Foreign Affairs Committee* (2005) 129

<sup>55</sup> Art. 7.2.g of ICC Statute defines persecution as “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity”. International Criminal Court, *Rome Statute of the*

Initially accomplished through a number of national governments, soon BIC began to both draw on available legal instruments, and contributed to the evolution<sup>56</sup> of normative international instruments.

Following the Bahá'ís' appropriate international responses<sup>57</sup>, Iran chose to adopt a different policy to continue persecution. Given how Bahá'ís' execution or enforced disappearance lead to international outcry, Iran extended its legal precedence of exclusionary denial by adopting a secret memorandum. Approved and signed by Iran's Leader and its Supreme Council Secretary, it details the policies with which the Bahá'ís' 'progress and development shall be blocked'. In *Twenty Years of Intolerance*, I highlighted the socioeconomic implications of this memorandum:

...the Islamic Republic's intentions became more evident after the 1979 Constitution was written and the Bahá'ís... were excluded. Such an exclusion... solidified the path for persecution of Bahá'ís... a number of Bahá'ís were kidnapped, among them young Bahá'í girls who were forced to recant and marry Muslims. Forceful recantations at local mosques or as published in newspapers became a familiar feature in the daily persecution of Bahá'ís. Expulsion forms, stating clearly the consequence of loss of job and income for Bahá'ís filled offices. Thus, the pressure was no longer limited to social factors, in addition, economically, the Bahá'ís were being forced into extinction.<sup>58</sup>

My analysis contributed to the realisation that the Islamic Republic's approach towards the Bahá'ís served as a litmus test for the state's power to stigmatise, marginalise and violate the rights of a growing number of Iranians. In the case of the Bahá'ís, by drawing on intergenerational patterns of social and cultural marginalisation, the state and the judiciary silenced recognition or retaliation against violations with both the state's duty to protect rights of its citizens, and to act with impunity. Through propaganda, vague jurisprudence and random adjudication, the state has been able to blindside Iranians from recognising their shared experiences as victims of policies amounting to

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International Criminal Court (2002) available online at: <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>  
Accessed 25 November 2020

<sup>56</sup> The principle BIC representative, Gerald Knight, was the elected chair of the NGO Committee for Human Rights. Bahá'í World Centre, *The Bahá'í World Vol XVIII 1983-1986* (1994) 393

<sup>57</sup> Some criticise the Bahá'ís for advocating their rights as a religious community. Lincoln highlights that 'the primary substantive focus of the human rights discourse of the Bahá'í community, as reflected in the early literature, was racial and gender equality... Only after the recrudescence of active persecution directed against the Bahá'í community in Iran did religious liberty emerge as a significant theme in this discourse. Albert Lincoln, Foreword in Tahiriha Tahririha-Danesh, *Bahai-inspired Perspectives on Human Rights* (Juxta Publishing 2001) 8

<sup>58</sup> Tahiriha Tahririha-Danesh, 'Persecution of the Bahá'í Community of Iran Under the Islamic Republic: *Twenty Years of Intolerance*' in *(Converging Realities 2000)*

patterns resembling Crimes Against Humanity,<sup>59</sup> thereby mitigating their ability to construct the legal arguments necessary to hold the state accountable.

Accordingly, a focus on the wider implications of the secret memorandum is important for all Iranians. When viewed in light of Iran's top-down state structure, the memorandum may illustrate why entirety of 'Constitution of the Islamic Republic of Iran, as well as the religious and civil laws and general policies of the country'<sup>60</sup>, 'has not been conducive'<sup>61</sup> to the state's failure to promote equal access of its citizens to socioeconomic entitlements, especially given the country's 'potential afforded by its human and natural resources'<sup>62</sup>.

Despite claims of reform, the state's modus operandi continued unabated during Rafsanjani's Administration. His 'economy first' policies, favouring relations with the west, further deepened socioeconomic inequalities. By facilitating Iran's development through exclusivising access for deep state actors, the Islamic Republic Guard Corps emerged as a socioeconomic superpower. Furthermore, pivoting around ratification of the Convention on the rights of The child<sup>63</sup>, by transforming *defensive reaction* to the UN human rights community to one of *proactive engagement with its agencies*<sup>64</sup> Iran blindsided the international community to its divide and rule with impunity policies on human rights. Reformist efforts by Khatami's administration, such as Dialogue Among Civilisations, and the ephemeral burgeoning of a civil society<sup>65</sup> further blindsided the international community. In effect, each administration failed to deliver on human rights in a meaningful manner. They also continued to maintain education as a centrally controlled right that either ignores or promotes principles<sup>66</sup> that keep majority of Iranians uninformed about human rights.

## 6. Legislation & Education: The Warp & Woof of Human Rights

Advancing human rights may be approached in two distinct but interrelated fields of legislation and education. While the former involves a top-down process of inclusion of articles of international instruments in national legislation, the latter inculcates *spiritus legis* in bottom-up educational processes that complement legislation and justiciability of rights. Since 1979, legislation that

<sup>59</sup> Iran Tribunal, *The Iran Tribunal: on the abuse and mass killings of political prisoners in Iran, 1981-1988: Findings of the Truth Commission* (Iran Tribunal Press 2012)

<sup>60</sup> The Bahá'í International Community, (2016) *The Bahá'í Question Revisited: Persecution and Resilience in Iran: A Report of the Bahá'í International Community*, 1

<sup>61</sup> Amin Saikal, *Iran Rising: The Survival and Future of the Islamic Republic* (Princeton University Press 2019) 243

<sup>62</sup> Ibid.

<sup>63</sup> Iran signed the convention in 1991 and ratified it in 1994, please see: <[https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=81&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=81&Lang=EN)> Accessed 25 November 2020

<sup>64</sup> Iran was welcomed as a CSW member state in 2010.

<sup>65</sup> Anisseh Van Engeland-Nourai, 'Iran: Civil Society versus Judiciary, a Struggle for Human Rights' (2004) Cornell Law School Inter-University Graduate Student Conference Papers. Paper 3. Available online at: <[http://scholarship.law.cornell.edu/lps\\_clacp/3](http://scholarship.law.cornell.edu/lps_clacp/3)> Accessed 25 November 2020

<sup>66</sup> Minoo Aghaii Khozani, 'Human Rights in the Iranian Education System' in *Human Rights Education in Asian Schools* Vol. IX (2006) available online at: <[https://www.hurights.or.jp/archives/human\\_rights\\_education\\_in\\_asian\\_schools/section2/2006/03/minoo-aghaii-khozani-there-is-a-worldwide-consensus-about-the.html#02](https://www.hurights.or.jp/archives/human_rights_education_in_asian_schools/section2/2006/03/minoo-aghaii-khozani-there-is-a-worldwide-consensus-about-the.html#02)> Accessed 25 November 2020



meaningfully reflects Iran's international commitments remains scarce<sup>67</sup>. Furthermore, even in cases where national and international legislation concur, rule of law remains random at best, leading to violations across its judiciary<sup>68</sup>.

For instance, the 1987 law of Islamised pedagogy of "purification takes precedence"<sup>69</sup> defines the legal parameters of access to the right to education. It is important to specify that while the 1979 Revolution involved many political and ideological factions, following from the Constitution, the 1981 Revolution was fundamentally designed to prioritise adherents of the 'Twelver Ja'fari school'<sup>70</sup> of Shi'a Islam, depriving all others from equal access to rights.

Although the state had hoped to *cleanse* the educational system from any elements deemed unislamic, their atavistic agenda coupled with an antagonistic definition of the ideal Iranian<sup>71</sup>, barred access to education for a wider segment of Iranians. Despite such violations, my research points out women, Kurds and Bahá'ís display greater creativity to access education, leading to better involvement with human rights stirrings at the grassroots level. Examples in support of this stance include unprecedented numbers of women completing higher education<sup>72</sup>, the inception of innumerable Kurdish civic society publications<sup>73</sup> and the Bahá'í Institute for Higher Education<sup>74</sup>.

Regardless, some Iranians adhere to a misconception of rights that resembles revenge or retribution. Some are uninformed of basic elements of universal rights<sup>75</sup>. Still others consider the Universal Declaration of Human Rights as a Western appropriation of ancient Persian Cyrus Cylinder, or remain

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<sup>67</sup> Article 4 of the Islamic Republic Constitution states: "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 the articles of the constitution as well as to all other laws and regulations, and the fuqaha of the Guardian Council are judges in this manner." This article reflects Iran's symbolic commitment to international instruments that preserve primacy of Twelver Imamate Shi'a Shari'ah laws. An example is the Convention on the rights of the Child where "The Islamic Republic of Iran is making reservation to the articles and provisions which may be contrary to the Islamic Shari'ah, and preserves the right to make such particular declaration, upon its ratification" available on-line at: < [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-11&chapter=4&lang=en#EndDec](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11&chapter=4&lang=en#EndDec) > Accessed 25 November 2020

<sup>68</sup> Stoning is a typical examples where despite a moratorium announced by the Head of the Iranian Judiciary in 2002, the judiciary has put several citizens to death by stoning.

<sup>69</sup> Saeed Paivandi, 'A Discriminatory Educational Discourse' (2012) IHRR: Youth < <https://fpc.org.uk/wpcontent/uploads/2012/08/1482.pdf> >, Accessed 25 November 2020

<sup>70</sup> Article 12 of the Islamic Republic Constitutions states that 'The official religion of Iran is Islam and the Twelver Ja'fari school [in usul al-Din and fiqh], and this principle will remain eternally immutable.' Available online at: < [https://www.constituteproject.org/constitution/Iran\\_1989.pdf?lang=en](https://www.constituteproject.org/constitution/Iran_1989.pdf?lang=en) > Accessed 25 November 2020

<sup>71</sup> Reza Afshari, Human Rights in Iran: The Abuse of Cultural Relativism (2<sup>nd</sup> edn, University of Pennsylvania Press 2011) 311

<sup>72</sup> According to Siarj, the number of Iranian women university graduate in 2010 was 41 times that of 1979. Nadim Siraj, Secret Notes from Iran: Diary of an Undercover journalist (Leadstart Publishing 2019) 41

<sup>73</sup> Nader Entessar, 'Between a Rock and a Hard Place: The Kurdish Dilemma in Iran' in David Romano and Mehmet Gurses (eds), Conflict, Democratization and the Kurds in the Middle East, Turkey, Iran, Iraq and Syria (Palgrave Mc Millan 2014) 218

<sup>74</sup> The official site of the Institute is at: <<http://bihe.org>> Accessed 25 November 2020

<sup>75</sup> Persian diaspora, civic society campaigns seeking rights and social media are most characterised by expressions of qisas-based or nostalgic longings for pre-1979 living conditions when the rights discourse was not yet popularised, leading to the misconception that rights exclude basics such as work, education or food.

unaware of the nuances necessary to meaningfully engage with the main concepts highlighted by the Cylinder that contribute to a culture of human rights, namely, tolerance, dialogue and peace<sup>76</sup>.

Lange proposes that such dynamics mean ‘human rights run the risk of becoming a small ideological component of neoliberal democracies or, worse, becoming complacent with injustice’ unless we ‘substantially engage’ with the causes of ‘social upheavals’ in the world and the diminution of associated rights,’ such as education<sup>77</sup>. In my analysis, Iran’s case also reflects Zembylas asserting the urgency of decolonising human rights education, both in terms of curriculum and pedagogy, in order to accommodate the essential requirement of shifts in consciousness that place human back in human rights.<sup>78</sup> Applying these views to the Iranian context, my research guided me to the realisation that within the framework of the Cultural Revolution’s conditional access to entitlements, rights-centred schools, a structural solution that relies on the state and its policies, may fail to avail Iranians the opportunity to meaningfully engage in grasping the values and developing the characters necessary to human rights legislation and education.

With the right to education, the formal educational system in Iran grows inadequate to equip the next generation as protagonists of a culture imbued with dignity, freedom and equal rights. Meanwhile, remnants of the Cultural Revolution legislations that conditioned education on an exclusive interpretation of Shi’a, and the deep state figures pressing revolutionary patterns of othering, leave little space for equal access to rights through formal channels of education.

In terms of educational content, my examination of Iran’s textbooks point to its serious defects in the form of bias, discrimination and exclusion. A study by Freedom House reflects that the Republic’s ‘Shi’ite quest for superiority’ legitimises inequality, discrimination, and violence, rooted in a ‘philosophical structure’ that is in clear contradiction to rights-friendly consciousness.<sup>79</sup> It further asserts the curriculum is designed to reduce the ‘possibility of peaceful and humane coexistence’.<sup>80</sup> On access to education, Iran fails to deliver this universal right to an increasing number of citizens. What began as a revolutionary aftershock during the 1981 *cleansing* is now coagulated as default state policy. For instance, policies similar to the secret memorandum are palpably impacting many other than the Bahá’ís. The 2019 sanctions targeting Golpaygani may not be limited to his pivotal role in

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<sup>76</sup> Hiran Abtahi, ‘Reflections on the Ambiguous Universality of Human Rights: Cyrus the Great’s Proclamation as a Challenge to the Athenian Democracy’s Perceived Monopoly on Human Rights’ in Hiran Abtahi and Gideon Boas (eds), *The Dynamics of International Criminal Justice: Essays in Honour of Sir Richard May* (Brill 2005)

<sup>77</sup> Lis Lange ‘Yet Another Reading’ in Michalinos Zembylas and Andre Keet (ed), *Critical human Rights, Citizenship, and Democracy Education: Entanglements and Regenerations* (Bloomsbury Academic 2018) 233

<sup>78</sup> Michalinos Zembylas, ‘Re-contextualising human rights education: some decolonial strategies and pedagogical/curricular possibilities’ (2017) *JPCS*, 25:4, 487-499

<sup>79</sup> For the full report by Dr. Saeed Paivandi, ‘Discrimination and Intolerance in Iran’s Textbooks’ available online at: < <https://freedomhouse.org/report/special-reports/discrimination-and-intolerance-irans-textbooks> > Accessed 25 November 2020

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

Iran's 'systematic blocking of social and economic progress of the Bahá'í community'<sup>81</sup>. It may also signal the significance of socioeconomic rights for all Iranians, including young women.

For more than four decades, women in Iran have continued to address the state's gender-based discriminatory policies through a 'piecemeal, issue-by-issue approach'<sup>82</sup>. This may be due to an erratic and gradual application of Shari'ah laws to legal grounds for access to socioeconomic rights, as possible justification for Iran's policies on women's restricted rights. Through politicisation of women's bodies as a symbol of combatting 'Westoxification'<sup>83</sup>, legislation of gender-based policies of the Cultural Revolution, rejection of the SDGs pivoting around women's rights as a 'deficient, destructive and corrupt' benchmark to measure development progress,<sup>84</sup> and removal of girls images from math text books<sup>85</sup>, the state continues to subject Iranian women to a multitude of violations, and refuses to ratify CEDAW<sup>86</sup>.

During a series of 2016 interviews with women in marginal communities around Iran, including girl child labourers, the urgency to educate and empower 'young women and girls throughout Iran'<sup>87</sup> became particularly evident. Maintaining a focus on this imperative in a legal analysis of gaps in Iranian laws on children's rights, highlighting a wholesale and gender-based violation of women's rights from the earliest days of their life, lacking legal justification, at times even in Shari'ah laws. An example includes Iran's compulsory hijab starting from seven years of age, while the Shari'ah age of maturity for a woman is set at eight years, even months or nine lunar years. The inclusion of this and similar details as part of contextual analysis and critical thinking are essential to human rights education. This is so that, the increasing restrictions imposed on women and girls do not lead to further demands for revenge or retaliation that perpetuate a cycle of violence legalised during the Cultural Revolution. Instead, individual agency characterised by reflection, consultation and action to bring about consciousness shifts may lead to civic responsibility, and engagement in building a culture of human rights through a bottom-up process of socioeconomic advancement.

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<sup>81</sup> Press Release 'Treasury Designates Supreme Leader of Iran's Inner Circle Responsible for Advancing Regime's Domestic and Foreign Oppression available (US Department of the Treasury, 4 November 2019) <<https://home.treasury.gov/news/press-releases/sm824>> Accessed 25 November 2020

<sup>82</sup> Tahirih Danesh and Sanam Vakil, 'Introduction' (2016) IHRR: Women <[https://www.ihr.org/ihr\\_journal/women-en/](https://www.ihr.org/ihr_journal/women-en/)> Accessed 25 November 2020

<sup>83</sup> Ibid.

<sup>84</sup> In his 7 May 2019 speech to mark National Teachers Week, Iran's Supreme Leader denounced Agenda 2030, focusing on the pivotal role of education in securing access to the global community's goals, Ali Khamenei, 'Iran Won't Submit to Agendas Like UNESCO's 2030: Ayatollah Khamenei' <<http://english.khamenei.ir/news/4796/Iran-won-t-submit-to-agendas-like-UNESCO-2030-Ayatollah-Khameneiby-Ali-Khamenei>> Accessed 25 November 2020

<sup>85</sup> 'Iran Removes Girls Images from Math Books' in Radio Farda (11 September 2020) available on-line at <<https://en.radiofarda.com/a/iran-removes-girls-image-from-math-textbooks/30833684.html>> Accessed 25 November 2020

<sup>86</sup> As highlighted during its third UPR in 2019, over the past two decades Iran has refused to ratify the Convention on Elimination of All Forms of Discrimination Against Women. Please see the official page through the United Nations human Rights Council at <<https://www.ohchr.org/EN/HRBodies/UPR/Pages/IRIndex.aspx>> Accessed 25 November 2020

<sup>87</sup> Tahirih Danesh and Sanam Vakil, 'Introduction' (2016) IHRR: Women <[https://www.ihr.org/ihr\\_journal/women-en/](https://www.ihr.org/ihr_journal/women-en/)> Accessed 25 November 2020

## 7. Global Emergence of Iranian Human Rights Community

Following the 2002 US President's inclusion of Iran as one of the three 'Axis of Evil'<sup>88</sup> powers, the American administration announced a fund to promote democracy and human rights. One of the results of this move was the burgeoning of Iranian human rights community. Consequently, over the first decade of the new millennium, many organisations were established in the West. Housing mostly political dissidents and critics of the Islamic Republic<sup>89</sup>, at the time majority engaged in activism and advocacy along ideological lines.

Through applying Matsuda's PAR model, this was highlighted in A Revolution Without Rights?. Originally proposed to focus on the case of the Bahá'ís' lack of access to education, in light of my understanding of *erga omnes* dynamics of human rights laws for all Iranians by drawing on the Bahá'í case, I successfully shared my analysis, arguing that the publication must instead highlight human rights violations across ethnic (Kurds), gender (women) and religious (Bahá'í) minorities to empower diverse victims' shared plight and help highlight Iran's culture of impunity.

My analysis was inspired by the Committee on Economic, Social and Cultural Rights statement to the World Conference on Human Rights in Vienna, which points to a range of reports that 'tended to lose their impact' by leading to 'feelings of helplessness and compassion fatigue'<sup>90</sup> in victim communities. By adopting this inclusive approach, it became the first publication of its kind to converge patterns of rights violations impacting three seemingly separate minorities, and recast focus from victim populations to perpetrators, using soft law as alternative<sup>91</sup> ground for policy recommendations, including legal reforms 'to remove explicit barriers to equality' of rights, especially socioeconomic rights for not only the Kurds, women and Bahá'ís, but all Iranians.

My post-publication advocacy efforts presented a number of occasions where recognition of shared experiences among minorities of diverse backgrounds lead to greater understanding and willingness to collaborate on specific cross-cutting cases. One such instance was Mona Mahmudnizhad<sup>92</sup>, a Bahá'í teenager hanged in 1983 whose case internationalised awareness about Iranian judiciary's practice of

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<sup>88</sup> Heradstveit, Daniel & Bonham, G. 'What the Axis of Evil Metaphor Did to Iran' (2007) Middle East Journal Vol. 61, No. 3 (Summer, 2007) 422

<sup>89</sup> Examples include Iran Human Rights Documentation Centre, The Abdorrahman Boroumand and Small Media Foundations

<sup>90</sup> World Conference on Human Rights, Status of Preparation of Publications, Studies and Documents for the World Conference: Interim report on updated study by Mr. Philip Alston (A/CONF.157/PC/62/Add.5) Annex I, paragraphs 6–7 available online at: <[http://www.bayefsky.com/expertreport/expertreport\\_1993.pdf](http://www.bayefsky.com/expertreport/expertreport_1993.pdf)> Accessed 25 November 2020

<sup>91</sup> Iran enjoys a highly diverse population with different religions, ethnicities, races, creeds and languages, somewhat similar to the European population. Their access to socioeconomic rights could benefit from insights offered by Konstantina Kalogeropoulou, where an emphasis on soft law could 'raise interest and draw attention' to the changes necessary in the context of Iran. See Konstantina Kalogeropoulou, 'Workers' Mobility and Safeguarding Pension Rights' in Stephen Farrall, Tawhida Ahmed and Duncan French (ed), *Criminological and Legal Consequences of Climate Change* (Hart publishing 2012) 167

<sup>92</sup> Nazenin Afshin-Jam & Tahirih Danesh, *From Cradle to Coffin: A Report on Child Executions in Iran* (The Foreign Policy Centre 2009) 18

juvenile execution. While many highlight Mona's faith, her case also points to violations against women, minors, and denial of access to legal representation and education.

Banking on the 60<sup>th</sup> anniversary of the UDHR, the 20<sup>th</sup> anniversary of the mass execution of political prisoners in Iran, and the 25<sup>th</sup> anniversary of Mona's execution, I proposed a publication involving qualitative and quantitative research with a range of experts and survivors of child executions. This effort was designed to address the gap in available literature on inefficacy of international action in improving Iran's controversial jurisprudence. More specifically, there was a need to create a dedicated volume to examine child executions in Iran and the Republic's justification based on Islamic Shari'ah laws for its failure to observe articles of the Convention on the Rights of the Child *pacta sunt servanda*.

As a result, 'From Cradle to Coffin' brought together accounts and insights into the tensions between Iran's general reservation to the CRC based on its interpretation of Shari'ah law and its commitment to the CRC in an easy to access manner. It also highlighted other countries where Islamic jurisprudence accommodates a higher age of criminal responsibility, primacy of law over jurisprudence, as well as inclusion of protection, guidance, rehabilitation and re-socialisation as part of criminal procedure in the juvenile justice system<sup>93</sup>.

The publication and subsequent advocacy efforts by involved stakeholders were concomitant with the 2009 post-election demonstrations that swept across Iran, and the revival of revolutionary fervour that created greater cohesion among Iranians. The demonstrations morphed into the Green Movement culminating in an heterogenous call for access to rights for all Iranians. The Movement offered a new space, where for the first time, factions of Iranian population began to symbolically acknowledge, engage with, and collaborate together. This Tiananmen moment in Iranian human rights history, coupled with several key activists' departure for the West, served as a critical point in the evolution of Iranian human rights community, begetting a more nuanced approach.

## **8. Legislation & Access to Rights**

Iran's reaction to the 2009 demonstrations, typified by brutal violence against demonstrators detained at Kahrizak and its notorious prosecutor, Saeed Mortazavi, dubbed Butcher of Kahrizak, served as a catalyst to highlight the fact that the Rafsanjani and Khatami administrations amounted to nothing more than an illusion of reform. Their plethora of discriminatory policies, coupled with a judiciary<sup>94</sup>

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<sup>93</sup> Ibid. 57

<sup>94</sup> Sussan Siavoshi, Montazeri: The Life and Thought of Iran's Revolutionary Ayatollah (Cambridge University Press, 2017) 129-130

characterised by arbitrary decisions and undertrained judges remained at the heart of Iran's weak legislation to promote and protect human rights.

While international resolutions and advocacy efforts raised awareness about these violations, my research with in-country stakeholders pointed to a gap in information on rights in a format that is easy to access by both established and emerging voices among main and marginal communities in Iran. Likewise, there was a need for literature to raise awareness among stakeholders, including policymakers, and to offer thematic recommendations as a possible way forward with state actors responsible for human rights in Iran to improve legislation. In addition, increased engagement between the EU and the Islamic Republic, establishment of the United Nations Universal Periodic Review, and re-instatement of the Special Rapporteur's mandate on the Situation of Human Rights in Iran<sup>95</sup>, provided the context for informed policy recommendation, primarily aimed at legal reform, starting with Iran's Constitution.

Analysing the results of my research within the new context, I established the on-line policy journal on human rights in Iran. The Iran Human Rights Review became the first publication to present insight by not only the prominent, but also the younger generation of analysts, activists, academics and politicians around specific human rights violations in Iran. In addition, it became the first platform to offer its volumes in Persian and English, with Azeri and Kurdish briefs, to promote inclusivity and accessibility.<sup>96</sup>

However, with the rise of Iran's influence through the UN during Zarif's tenure, its lack of meaningful response to remedy the legal deficits addressed in international resolutions and recommendations, including the Universal Periodic Review<sup>97</sup>, as well as the impending success of the JCPOA<sup>98</sup>, the Iranian population, including its youth and younger professionals, began to prioritise economic interests over human rights concerns<sup>99</sup>. While interest in the economic potential of youth and women among other Iranians soared, one minority, children, 10% of whom are forced to engage in child labour, were even further discriminated against.

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<sup>95</sup> On 24 March 2011, the Human Rights Council adopted a resolution to re-appoint a Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.

<sup>96</sup> IHRR explored specific patterns of violation followed by policy recommendations for improved legislation and administration of human rights and just laws based on modern egalitarian principles<sup>96</sup>. It also afforded the opportunity for systematic advocacy around the recommendations by UN member states during specific Human Rights Council sessions, as well as similar efforts to influence both UPR resolutions on the situation of human rights in Iran. Please see the site in English and Persian at <[www.ihrr.org](http://www.ihrr.org)> Accessed 25 November 2020

<sup>97</sup> Iran had its third cycle of review in 2019 and is among the top five states that have received the highest number of recommendations so far. For full details on the three cycles and relevant details, please see the official page through the United Nations human Rights Council at <<https://www.ohchr.org/EN/HRBodies/UPR/Pages/IRIndex.aspx>> Accessed 25 November 2020

<sup>98</sup> Joint Comprehensive Plan of Action also known as the Iran Nuclear Deal

<sup>99</sup> Geoffrey Robertson QC in Foreword to IHRR: Due Process (2017) available online at: <[https://www.ihrr.org/ihrr\\_article/dueprocess-en\\_foreword-to-the-iran-human-rights-review-due-process/](https://www.ihrr.org/ihrr_article/dueprocess-en_foreword-to-the-iran-human-rights-review-due-process/)> Accessed 25 November 2020

A systematic research involving a range of grassroots level activists and child rights defenders to advance law and education resulted in the publication of *A Legal Study on Children's Rights and Iran's Laws*. Based on interviews with 500 children, and a host of experts and NGOs focussed on the plight of children in Iran, the study pointed to several areas where silence and contradiction in Iranian laws as well as lack of enforcement mechanisms and implementation result in denial of access to socioeconomic rights for these most vulnerable citizens by both state and non-state actors. The research was distilled in an English brief<sup>100</sup>, while a series of educational opportunities for some of the most marginalised children helped them to become familiar with the laws of their land, the rights they are entitled to, and the manner in which they could uphold these rights for themselves and others around them.

More importantly, during interviews and focus groups, research respondents repeatedly hinted at the impact of the 1981 Cultural Revolution on the rise of violence, and the need for values and character education of ordinary citizens to combat this phenomenon. A number of advocates emphasised that it is not merely essential to vocalise concerns through advocacy efforts, but to engage in educational efforts that help internalise those values and characters that promote human rights, particularly among the younger generation. This served as the first signal to draw my attention to the vital need for a character-based approach to human rights education among young citizens.

## 9. Education & Access to Rights

The focus on the impact of education and enjoyment of rights remains on fostering human dignity. Throughout the globe, a growing body of materials and resources provide for education and training of children, particularly in middle childhood, when children discover and develop their character by practicing rights and responsibilities. However, most materials focus on specifics of human rights instruments or information and skills stemming from the International Bill of Rights. As 'a common standard of achievement for all peoples and nations'<sup>101</sup>, the IBR provides a universal code of conduct - for every individual, institution or community on how we 'may live our lives'<sup>102</sup>. It serves as a global 'moral force of unprecedented character' or *jus cogens*<sup>103</sup> 'accepted and recognised by majority of states as a norm from which no derogation is permitted'<sup>104</sup>.

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<sup>100</sup> An English brief of the original document is available on-line at: <<https://juvenilejusticecentre.org/resources/a-legal-study-on-childrens-rights-and-irans-laws/>> Accessed 25 November 2020

<sup>101</sup> Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent* (University of Pennsylvania Press 1999) 330

<sup>102</sup> Michael J. Perry, *The Idea of Human Rights* (Oxford University Press 1998) 4

<sup>103</sup> Andrea Bianchi, 'Human Rights and the Magic of Jus Cogens' (2008) *EJIL* Vol.19 No.3, 496

<sup>104</sup> Christos L. Rozakis, 'The Concept of "Jus Cogens" in the Law of Treaties (North-Holland 1976) on Article 53 of the Vienna Convention on the Law of Treaties

Karel Vasak, a Czech-born French jurist, divided human rights into three generations, the second involving those of socioeconomic, or positive rights, that are of increasing interest to the younger generation of Iranians. According to Vasak, governments are dutybound to actively engage in protection and promotion of their citizen's socioeconomic rights, as part of equality of all before law<sup>105</sup>.

Vasak<sup>106</sup> approach may be problematic both on grounds of indivisibility and interdependence of all rights, as well as his designating socioeconomic rights as secondary to other rights, whether chronologically or legally. However, given the centrality of socioeconomic rights in century-old demands of Iranians, Agenda 2030 goals and post-pandemic Iran, focussing on socioeconomic rights remains of particular relevance to human rights in Iran. Relying on arguments by Asbjorn and Alston, Macklem advances that socioeconomic rights were first introduced at an 1890 conference held in Germany, and later consolidated through the International Labour Organisation (ILO), the first supervisory entity in the UN system<sup>107</sup>. Additionally, whether justiciable or aspirational, almost all burgeoning democracies, especially those adhering to civil law (vs. common law countries)<sup>108</sup> have included socioeconomic rights within the body of their constitutions, whereby committing state support to their promotion and protection<sup>109</sup>. In other words, socioeconomic rights are increasingly acknowledged and accepted, leading to greater justiciability<sup>110</sup> as part of adequate living standards and humane treatment.

However, some states' policies fail, in scope and application, to meet 'minimum core obligations'<sup>111</sup> to provide socioeconomic rights. In his 2018 report on extreme poverty and human rights in the UK, the United Nations Special Rapporteur, Philip Alston, calls on the state to 'reimagine' policies that protect socioeconomic rights, not only through means that restore 'compassion and mutual concern' at the community level, but primarily through 'legislative recognition.'<sup>112</sup> This trend is reflective of The 2019 Index indicating a weakening in overall rule of law performance in almost a third of UN

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<sup>105</sup> Vasak, a former director of UNESCO, argued the three categories pivot around the key concepts enshrined in the French Revolution, namely, liberty, equality, fraternity (liberte, egalite, fraternite).

<sup>106</sup> Spasimir Domaradzki, Margaryta Khvostova, David Pupovac, 'Karl Vasak's Generation of Rights and the Contemporary human Rights Discourse' (2019) HRR 20, 423-443

<sup>107</sup> Patrick Macklem, 'Human Rights in International Law: Three Generations or Ones?' (2015) LRIL, 5

<sup>108</sup> The Toronto Initiative for Economic and Social Rights offers a dataset to measure constitutional entrenchment of social and economic rights across the globe online at <<https://www.tiesr.org/publications-data>> accessed at 25 November 2020

<sup>109</sup> Examples include Gabon, Nepal, and Afghanistan, and China.

<sup>110</sup> For a detailed exploration of dimensions advancing or challenging intersectionality of two generations, in Konstantina Kalogeropoulou, 'The Intersection of Economic, Social, and Cultural Rights and Civil and Political Rights' in Eibe Riedel, Gilles Giacca and Christophe Golay (ed), *Economic, social and Cultural Rights in International Law* (Oxford University Press 2014) 465

<sup>111</sup> One possible way to measure access is through the OPERA framework, to analyse whether states meet their economic and social obligations. OPERA stands for: Outcomes, Policy, Efforts, Resources, Assessment. Please see: <<https://www.cesr.org/opera-landing>> Accessed 25 November 2020

<sup>112</sup> Philip Alston, 'Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights' (London, 16 November 2018) available online at [https://www.ohchr.org/documents/issues/poverty/eom\\_gb\\_16nov2018.pdf](https://www.ohchr.org/documents/issues/poverty/eom_gb_16nov2018.pdf) Accessed 25 November 2020



member states, as well as significant decline in access to fundamental rights<sup>113</sup>. It also indicates a rise in civil society redirecting this process. A Human Rights Watch report endorses this position<sup>114</sup>, emphasising ‘powerful activism by civic groups at national and regional levels’, showing despite the short-term dark time in human rights, ‘important battles are being won’<sup>115</sup>. In some countries, including Iran, masses continue to demand their rights, with a particular focus on socioeconomic entitlements.

### 10. Human Rights Education & Access to Socioeconomic Rights

Millennium Development Goals, several of which reflect socioeconomic rights, offered a ‘significant potential to increase the inclusion of a human rights-based approach’<sup>116</sup>. Likewise, the subsequent Sustainable Development Goals ‘seek to provide a minimum guaranteed level of socioeconomic’ rights<sup>117</sup> by involving ‘issues relevant to civil society’, including minorities, thereby going ‘far beyond the state’<sup>118</sup> to enable access to the relevant rights.

In 2017, Iran’s Supreme Leader condemned the same body that issued the secret memorandum, for its possible adoption of Goal 4 on education, calling it ‘corrupt’ and unislamic ‘infiltration’<sup>119</sup> by the West. While some may consider this as a reaction to rule of law, another view may indicate the centrality of the socioeconomic right to education, in the overall situation of human rights in Iran. Accordingly, Khamenei’s opposition to the SDGs may be an extension of the secret memorandum to block ‘progress and development’ of all Iranians.

To explore the implications of this position, one response may be that of education<sup>120</sup>. With a focus on progress and development, education to enable access to universal rights is vital to agency<sup>121</sup>. Since ‘values explain and justify intention, agency and action,<sup>122</sup> for individuals to act effectively, there must be awareness and education of certain values that lead to actualisation of rights. While the

<sup>113</sup> ‘WJP Rule of Law Index 2019’ (11 March 2020) available online at <<https://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2019>> Accessed 25 November 2020

<sup>114</sup> Human Rights Watch, World Report 2020, available online at: <<https://www.hrw.org/world-report/2020>> Accessed 25 November 2020

<sup>115</sup> Human Rights Watch, World Report 2019, available online at: [https://www.hrw.org/sites/default/files/world\\_report\\_download/hrw\\_world\\_report\\_2019.pdf](https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2019.pdf)> Accessed 25 November 2020

<sup>116</sup> Office of the United Nations High Commissioner for Human Rights, Norwegian Centre for Human Rights, University of Oslo, Human Rights and MDGs in Practice: A review of country strategies and reporting (2020) available online at: [https://www.ohchr.org/Documents/Issues/MDGs/Human\\_rights\\_and\\_MDGs\\_in\\_practice\\_ML.pdf](https://www.ohchr.org/Documents/Issues/MDGs/Human_rights_and_MDGs_in_practice_ML.pdf) Accessed 25 November 2020

<sup>117</sup> Mitya Mohan and Suraj Kumary, Social Development and the Sustainable Development Goals in South Asia (Routledge 2020) 8,11

<sup>118</sup> Ibid. 184

<sup>119</sup> ‘No Place for 2030 Education Agenda in Iran: Leader’ Tasnim News Agency (Tehran, 7 May 2017) available in English online at: <<https://www.tasnimnews.com/en/news/2017/05/07/1400506/no-place-for-2030-education-agenda-in-iran-leader>> Accessed 25 November 2020

<sup>120</sup> In the preamble to the UDHR, the General Assembly states: “Every individual and every organ of society shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.”

<sup>121</sup> Arjun Sengupta, ‘Poverty Eradication and Human Rights’ (2004) HRQ 24 (4): 837-89

<sup>122</sup> Harrison C. White, ‘Values Come in Styles, Which Mate to Change’ in Michael Hechter, Lynn Nadel, Richard E. Michod (eds), The Origin of Values, (Aldine De Gruyter 1993) 63

philosophical debate on the ontology of value continues, in the realm of human rights, it is the dichotomy between the universal and relative values, that has challenged the international community and its efforts to advance rights. In response, UN has launched decades focussed on human rights education, as well as a Declaration adopted in 2011<sup>123</sup>.

Furthermore, education with a focus on values and character offers significant impact on rights education designed to develop a ‘universal character of human dignity’<sup>124</sup>. As the importance of human rights continues to emerge<sup>125</sup>, its universal focus on dignity may lead to a range of characters that inform human rights education among diverse populations. Tibbitts identifies the criteria for this gap<sup>126</sup>, proposing findings on which programs have been successful and why. However, it remains unclear whether their content accommodates the ‘full development’ and expression of every single person’s *inherent dignity* with due regard for diversity. One exception is Tibbitts’ “learning pyramid” starting with a Values and Awareness Model<sup>127</sup>.

### **11. Character-based Education & Socioeconomic Rights of Generation Alpha**

There is an inverse relationship between non-state actors or pariah states imposing illusive challenges on universality of rights<sup>128</sup>, and rights education demanding greater attention. Increasingly relevant in a post-corona world, where for the first time in human history we are challenged by a common disruptive element, universal participation and global solution is teasing out specific values and rights. As Nussbaum asserts, character formation and value is a symbiotic process<sup>129</sup>.

In search of responses to my macro question, A Legal Study<sup>130</sup> pointed to several elements essential to enabling Generation Alpha to access socioeconomic rights sustainably. They pointed to the need to train the character of the younger generation to make choices based on values that accommodate

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<sup>123</sup> Article 2 of The United Nations Declaration on Human Rights Education and Training, adopted in 2011, emphasises ‘Human rights education and training is essential for the promotion of universal respect for and observance of all human rights and fundamental freedoms for all, in accordance with the principles of the universality, indivisibility and interdependence of human rights.’ The general Assembly Resolution to adopt the Declaration also calls on governmental and third sectors bodies to ‘intensify’ efforts to advance knowledge of and access to the Declaration. Please see ‘Resolution adopted by the General Assembly on 19 December 2011’ available online at: <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/467/04/PDF/N1146704.pdf?OpenElement>> Accessed 25 November 2020

<sup>124</sup> George Andreopoulos, ‘Human Rights Education in the Post Cold War Context’ in George Andreopoulos and Richard Pierre Claude (eds) *Human Rights Education for the Twenty-First Century* (University of Pennsylvania Press 1997) 18

<sup>125</sup> The International Human Rights Education Conference presents a context within which this development can be observed. The most recent, 9<sup>th</sup> conference was held in January this year.

<sup>126</sup> They are: Core body of knowledge, Clear goals for learners, Pedagogy built on sound knowledge of learner, learning theory, taking into account developmental theory, Documentation of success, and sharing of best practice – with sensitivity to culture, Preparation of trainers, and Recognition and integration of the field within educating organizations. Felisa Tibbitt, ‘Understanding What We Do: Emerging Models for Human Rights Education’ [2002] 48 (3-4) IRE 169

<sup>127</sup> Ibid. 163

<sup>128</sup> Iran continues to challenge universality of rights based on its own interpretation of Shari’ah laws. As is the case with child executions, other Islamic states read of Shari’ah law differ, such as Indonesia. For a discussion see: Nazenin Afshin-Jam & Tahirih Danesh, *From Cradle to Coffin: A Report on Child Executions in Iran* (The Foreign Policy Centre 2009) 37

<sup>129</sup> Martha C. Nussbaum, ‘Valuing Values: A Case for Reasoned Commitment’ YJLH 6 1994 197-217

<sup>130</sup> Available online at: <<https://juvenilejusticecentre.org/resources/a-legal-study-on-childrens-rights-and-irans-laws/>> Accessed 25 November 2020

sustainability of a human rights culture. In other words, what values should one choose? How must we ‘negotiate our differences’<sup>131</sup> in a manner that is conducive to dignity? How are values incorporated in our individual and collective development and what characters are most conducive to accessing socioeconomic rights?

A series of interviews with established and emerging child defenders pointed to the need for character education of Generation Alpha with the express purpose of developing an appreciation for socioeconomic rights of education and work, using human rights law and Iranian cultural references.

Around the same time, both in the UK and elsewhere, character education, with several characters relating to human rights values<sup>132</sup>, was gaining momentum. As a normative field, character education may strengthen<sup>133</sup> the application of ‘standards of justice to human affairs’<sup>134</sup>, either intrinsically or extrinsically<sup>135</sup>, placing universal values at the centre of our worldview<sup>136</sup> as basis of our consciousness. Defined as the ‘relatively enduring structuring of actualized potentialities’<sup>137</sup>, values ‘explain and justify intention, agency and action’.<sup>138</sup> Monaghan and Hillary argue human rights education must transform the individual and cause a ‘shift in consciousness’, a process that may involve character education as part of advancing human rights culture.

Increasingly, the ability to critically access truth<sup>139</sup> is essential to human rights. Accordingly, ‘truth, truthfulness and truth-telling are seen as a necessary precondition for a human rights-based society.’<sup>140</sup> Rights education may then involve recognised legal and historical right to truth. One study suggests ‘this right is closely linked with other rights and has both an individual and a societal dimension ... not ... subject to limitations.’<sup>141</sup> To seek truth, speak truth to power, engage in truth and reconciliation process, place access to truth as the centre of human rights education.

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<sup>131</sup> Michael Ignatieff, *The Ordinary Virtues: Moral Order in a Divided World* (Harvard University Press 2017) 23

<sup>132</sup> Felisa Tibbitts ‘Human Rights Education’ in Manisha Bajaj (ed) *Encyclopedia of Peace Education* (Information Age Publishing 2008) 6

<sup>133</sup> V.C. Pandey, *Value Education and Education for Human Rights* (Isha Books 2005) 193

<sup>134</sup> Betty Reardon, *Educating for Human Dignity: Learning About Rights and Responsibilities: A K-12 Teaching Resource* (University of Pennsylvania Press 1995) 5

<sup>135</sup> Michael L. Penn and Aditi Malik, ‘The Protection and Development of the Human Spirit: An Expanded Focus for Human Rights Discourse’ [2010] HRQ 32, 669

<sup>136</sup> As argued by Penn and Malik, our actions are ‘to a significant degree’ governed by our ‘worldview’. Ibid. 666

<sup>137</sup> Dan Jordan, ‘A Summary Statement on the Anisa Model’ [1974] available online at: <[http://www.edpsycinteractive.org/anisa/overview/summary\\_ANISA.pdf](http://www.edpsycinteractive.org/anisa/overview/summary_ANISA.pdf)> 2, Accessed 25 November 2020

<sup>138</sup> Harrison C. White, ‘Values Come in Styles, Which Mate to Change’ in Michael Hechter, Lynn Nadel, Richard E. Michod (eds), *The Origin of Values*, (Aldine De Gruyter 1993) 63

<sup>139</sup> UN Commission on Human Rights, *Study on the Right to the Truth*, Report of the Office of the United Nations High Commissioner for Human Rights, 8 February 2006, E/CN.4/2006/91, available at: <<https://www.refworld.org/docid/46822b6c2.html>> Accessed 25 November 2020

<sup>140</sup> Michael A. Peters, ‘Education in a post-truth world’ EPT 49:6, [2017] 563-566

<sup>141</sup> UN Commission on Human Rights, *Study on the Right to the Truth*, Report of the Office of the United Nations High Commissioner for Human Rights, 8 February 2006, E/CN.4/2006/91, available at: <<https://www.refworld.org/docid/46822b6c2.html>> Accessed 25 November 2020

While some assert we live in a post-truth era, we may be transitioning from an era when truth as an uniform phenomenon, is now accessible through diverse approaches. To access truth as an objective reality then, would involve an universal and equal right to take part in a process of investigation as a value in education. Human rights education can not only inculcate the right to access this value in an individual citizen, but also enable each to acquire capabilities that accommodate this right, as members of institutions and communities that access truth through consultation to accommodate diversity of approaches to truth.

The Gandhian notion of Satyagraha echoes this. Holding fast to truth is a dynamic pursuit where “we will never all think alike and we shall always see truth in fragments and from different angles of vision”.<sup>142</sup> Resonating with basic principles of critical thinking and application of scientific method accommodates an inclusive pursuit of this right. More contemporary figures, including Cislighi, Sen, Nussbaum, and Appadurai offer similar approaches, framing rights education as a developmental instrument enabling all, including non-Westerners, to access rights based on each populations’ unique values in accessing truth.

In my research on Iran, I find the above of particular relevance. Iranian legislation limiting access to information, spreading propaganda, Islamification of knowledge and centrally controlling education, leads to limited rights education. However, following a number of developments over the past decade, Iranian’s potential for human rights education to access socioeconomic rights is increasing. To identify specific areas of need for education, I carried out a number of focus groups during three IHRR issues on Due Process, Women and Economy, as well as A Legal Study on Children’s Rights. In line with findings in other societies impacted by authoritarianism<sup>143</sup>, three particular areas of civic responsibility<sup>144</sup>, empowerment of girls<sup>145</sup> and trust<sup>146</sup> were identified.

### **a. Civic Responsibility**

The concept and its focus on ‘civic’ as the main ‘character’ of an individual in relation to others, may seem relevant to political context. For instance, civic duties in Mao’s China, inspired by the American President Lincoln’s Gettysburg Address, involve loyalty to the leader, struggle of classes and their transition to the ideals of communism<sup>147</sup>. America itself purports a different version of civic responsibility where individuals are accorded a wider range of rights, including civil disobedience to

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<sup>142</sup> Mahatma Gandhi, *Young India*, (B.W. Huebsch 1923) 334

<sup>143</sup> Benjamin Gregg, ‘Advancing Human Rights in Post-Authoritarian Communities through Education’ JHRP [2015]

<sup>144</sup> Amir Mirfakhraie, ‘Social Justice; Anti-imperialist, Racist, Persian-centric, and Shi’i-centric Discursive Formations of the Ideal Citizen and Iranian School Textbooks: A Social Biography Response’ in Payman Vahabzadeh *Iran’s Struggle for Social Justice: Economics, Agency, Justice, Activism* (Palgrave McMillan 2016) 120

<sup>145</sup> Maral Karimi, *The Iranian Green Movement of 2009: Reverberating Echoes of Resistance* (Rowman & Littlefield 2018) 86

<sup>146</sup> Annabelle Sreberny and Reza Gholami, *Iranian Communities in Britain: A Research Report* (LMEI 2016) 13

<sup>147</sup> Liu Guohua, ‘Civic Education in China: Past, Present, and Future Challenges’ [1998] 3 available online at: <<https://files.eric.ed.gov/fulltext/ED428990.pdf>> Accessed 25 November 2020

the law. Western notions of civic responsibility find their roots in the writings of Aristotle, symbolised by the life of an ancient Roman counsel, Lucius Quinctius Cincinnatus, who accepted a mission to save the young Republic from its Italian adversaries, thereby placing the common weal before his own interests<sup>148</sup>.

In the Iranian context, the concept of civic has more to do with ancient Persian civic administration of powerful empires that rivalled Ancient Roman and Greek systems of governance. However, civic responsibility was closely knit to a central leader and has remained so throughout the ages. From shahanshah to supreme jurist, the Iranian concept of civic responsibility centres around loyalty to a figurehead. Although Iranians have undertaken three revolutions since the start of the 20<sup>th</sup> Century, civic responsibility is an area that requires education. This may involve a systematic effort to employ Jahanbegloo's assertion of a 'pluralist acceptance or a common ethical horizon'<sup>149</sup> to accommodate Iran's rich diversity, train the younger generation in civic responsibility and help build a culture of human rights<sup>150</sup>.

### **b. Empowerment of Girls**

Empowerment may be defined in a number of ways and contexts. According to Bookmen and Morgen, it is a recognition of 'systemic forces and oppressive surrounding conditions' that lead to agency through 'commitment to activities'<sup>151</sup>. One dimension of such agency involves legal empowerment. In the Iranian context, Maranlou lists a number of indicators that measure legal empowerment, defined as a 'subjective phenomenon that must result in functional objectives'<sup>152</sup> such as enforcement of 'their existing rights or demand new legal rights'<sup>153</sup>. However, given the challenges with Iran's legal system as highlighted in its latest Universal Periodic Review<sup>154</sup>, and the impact of women in the human rights space affecting all Iranians, legal empowerment may involve holistic transformation of potential into actual, through interaction with every aspect of one's environment, in order to advance rights for all.

In addition, the Iranian definition of girl merits attention. Iran's interpretation of Twelver Imamate Ja'fari Shi'a school defines the age of maturity for a girl at 8 years and 7 months (9 Lunar years)<sup>155</sup>.

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<sup>148</sup> Derek Heater, *What is Citizenship?* (Polity Press 2013) 60

<sup>149</sup> Ramin Jahanbegloo (ed) *Civil Society and Democracy in Iran* (Lexington Books 2012) xviii

<sup>150</sup> Izabela Kisić And Seška Stanojlović (eds), *The Youth in a Post-Truth Era: European Identity and Education* (Helsinki Committee for Human Rights in Serbia 2018) 39 available online at: <https://www.helsinki.org.rs/doc/files37.pdf> Accessed 25 November 2020

<sup>151</sup> Ann Bookman, Sandra Morgen, 'Women and the Politics of Empowerment' (Temple University Press 1987) 34

<sup>152</sup> Sahar Maranlou, *Access to Justice in Iran: Women, Perceptions, and Reality* (Cambridge University Press 2015) 147

<sup>153</sup> *Ibid.* 7

<sup>154</sup> Iran's human rights situation was under review during its third Universal Periodic Review in November 2019. For more information, please see: <https://www.upr-info.org/en/review/Iran-%28Islamic-Republic-of%29/Session-34---November-2019> Accessed 25 November 2020

<sup>155</sup> Note 1 of Article 1210 of the Civil Code states that the age of maturity for boys is 15 lunar years (11 days shorter than a solar year) and 9 lunar years for girls. Therefore, boys are considered mature after reaching 15 years of age while girls are

While the age of marriage for girls is 13, Article 1210 of the Civil Code defines age of majority for both boys and girls at 18, and Article 304 of the Code of Criminal Procedure at 18 solar years<sup>156</sup>. In addition to the six-year advantage of a boy at reaching maturity, the central issue of inferiority of girls to boys, coupled with sexualisation of female bodies through imposition of forced hijab as a symbol of the Republic, subject empowerment of girls to a series of limitations and prohibitions in accessing rights.

Although Iran is a signatory to the Convention on the Rights of the Child, its reservation<sup>157</sup> conditioning every article of the Convention to its ‘domestic laws and Islamic standards’ continues to accommodate a range of human rights violations impacting girl children in Iran. These bear social and cultural ties that amplify sex-based challenges, including domestic violence in forms of child marriage, Female Genital Mutilation, trafficking and gender-based policies limiting access to socioeconomic rights to education and employment.

### c. Trust

Francis Fukuyama describes trust as the juice that makes social progress happen<sup>158</sup>. Peters claims trust rests on truth, and that its absence results in ‘a violation of trust’<sup>159</sup>. At the individual level, lack of trust is a major impediment to advancement of Iranians everywhere, making intracommunity and intercommunity integration a challenge. Beeman diagnoses the extent of mistrust among Iranians as one that is rooted in the most fundamental relationships to ‘their families, their children, and most likely, themselves’<sup>160</sup>.

Zia-Ebrahimi examines these dynamics, often expressed as superiority over others, pointing to an underlying assumption of inequality that creates tension in heterogenous settings<sup>161</sup>. Yet, others are beginning to recognise trust is pivotal to a culture of rights. Ladjevardi sees the current widespread lack of trust among Iranians as a major threat to human rights. He warns the ‘mistrust cancer’

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considered mature at 9 years old. This is also regarded as the age of maturity according to Shari’ah law. For an English translation of the Code, please see: <<https://unstats.un.org/unsd/vitalstatkb/KnowledgebaseArticle50545.aspx>> Accessed 25 November 2020

<sup>156</sup> For a discussion on the discrepancies in age in Iranian legislation, please see the introductory section in A Legal Study on Children’s Rights and Iran’s Laws available online at <https://juvenilejusticecentre.org/resources/a-legal-study-on-childrens-rights-and-irans-laws/> Accessed 25 November 2020

<sup>157</sup> Upon ratification Iran made the following general reservation, that “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.” Available online at: <[https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-11&chapter=4&clang=en#EndDec](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11&chapter=4&clang=en#EndDec)> Accessed 25 November 2020

<sup>158</sup> In his book on trust, primarily in his introductory chapter, Fukuyama analyses this social capital as a main factor in determining levels of social progress and accessing prosperity in different cultures around the globe. Francis Fukuyama, *Trust: The Social Virtues and the Creation of Prosperity* (The Free Press, 1995)

<sup>159</sup> Michael A. Peters, ‘Education in a post-truth world’ *EPT* 49:6, [2017] 563-566

<sup>160</sup> William O. Beeman, *Status and Power in Iran* (Indiana University press 1986) 32

<sup>161</sup> Reza Zia-Ebrahimi, *The Emergence of Iranian Nationalism: Race and the Politics of Dislocation* (Columbia University Press 2016) chapter 6

afflicting Iranians has resulted in insecurity, social apathy and hopelessness, eroding the very foundation of civil society and Iranians' ability to access their rights.<sup>162</sup> In this light, Iran is in need of human rights education models that pivot around trust.

## 12. A Possible Educational Model

Examining a range of education models that address the above priorities, there are a number of Iran-focussed organisations that offer possible remedial approaches to one or more of the above. An example is Tavaana E-learning institute for Iranian Civil Society. While Tavaana provides a platform for Iranian activists and academics contributing to a culture of human rights in Iran, in essence, its scope of activities and reach remain similar to those of other Iranian NGOs, where human rights education does not pivot around trust and trust-building.

Another example is Aasoo. This site presents research and multimedia resources to facilitate discourse through a plethora of perspectives. Much like Tavaana, it highlights tolerance, but neither offer an explicit focus on trust in creating a culture of human rights. Furthermore, the choices of experts and educational activities in both cases seem to favour the more educated and older segments of the Iranian population.

In addition, given rising levels of poverty among Iranians, where a third of the urban population live in slums<sup>163</sup>, creating a culture of rights must include younger citizens of mostly rural, working class background with basic education, and place a strong emphasis on developing the character of the learner<sup>164</sup> involving empowerment of girls and civic participation pivoting around trust.

My research for a system that addresses these requirements lead me to Brookings Institute's recommended SAT (Sistema de Aprendizaje Tutorial), a tested approach in a range of countries that offers a possible model for Iran. Drawing on Uslaner's assertion that trust stems from an optimistic worldview that we learn early in life<sup>165</sup> a study found that 'building trust is not a country-specific process.'<sup>166</sup> Instead, it requires character-based educational processes and family-like dynamics that place the teacher and the learner on an equal level in the learning process. SAT seems to create such dynamics by accompanying the learner to develop trust. Emphasising cooperation over competition, SAT focusses on modelling trust by involvement in the life of one's community through service.

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<sup>162</sup> Hossein Ladjevardi, *The Parliament of Minds* (Nina Publications 2011) 118-119 & 192-193

<sup>163</sup> '10,000 Iranian Families Live in Tents, Shacks and Shanty Towns' Radio Farda (23 March 2018) available online at: <https://en.radiofarda.com/a/iran-shanty-town-residents/29117303.html>>

<sup>164</sup> *Sistema De Aprendizaje Tutorial: Redefining Rural Secondary Education in Latin America* available online at: <<https://www.brookings.edu/wp-content/uploads/2016/07/FAL-SAT-Case-Study.pdf>> Accessed 25 November 2020

<sup>165</sup> Eric M. Uslaner *The Moral Foundations of Trust* (Cambridge University Press 2001) 110

<sup>166</sup> Catherine A. Honeyman, Social responsibility and community development: Lessons from Sistema de Aprendizaje Tutorial in Honduras [2010] *IJED* 30 (6) 4

In the case of Iran, intensification of persecution of human rights activists, and concern for security, have transformed human rights activism into lines of societal service (*khadamat-e ejtemaie*). In this light, a SAT-inspired approach to develop trust through community service may prove effective. However, due to security threats, some activism involves the use of technology. While this may mean technological literacy continue to play a central role in human rights education, character education is ‘essential to longer-term success’<sup>167</sup> of younger generations. In fact, while ‘rapid technological changes present opportunities and challenges, ... the learning environment ... and the quality of education have not kept pace’<sup>168</sup> meaning education is a socioeconomic imperative in need of urgent attention<sup>169</sup> and action to achieve prosperity for all<sup>170</sup>.

Accordingly, my work on Character-based Education for Socioeconomic Rights (CESER) offers a pioneering approach to human rights education. By drawing on a multidisciplinary range of resources<sup>171</sup>, specific characters that inculcate trust, civic responsibility, and empowerment of girls were developed in ten simple lessons. Placed at the disposal of Azeri, Kurdish or Persian speaking animators among highly marginalised populations, the lessons accompanied learners to explore and experience selected universal characters of a human rights protagonist in a culturally relevant framework. They accommodated *being* by *doing* through service on each of the ten characters. Where possible, lessons were shared through easy to access and secure technological means, such as mobiles or chat apps.

One challenge in human rights education of middle childhood Iranians, particularly those in marginal communities, is the issue of child labour. This means while their *preferred* right may be access to education, their *urgent* socioeconomic right is access to work. In this light, CESER draws on elements from a model developed in response to socioeconomic needs of teens in Africa, the Youth Entrepreneur Scheme (YES)<sup>172</sup>. This curriculum educates diverse learners to transition from labourer to entrepreneur. By incorporating elements of YES, Iranian child labourers were actively engaged in accessing both rights to education and work through hybrid learning. More than half of those trained were able to sustain their education and economic activities through empowering and including girls,

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<sup>167</sup> Alex Beard, *Natural Born Learners: Our Incredible Capacity to Learn and How We Can Harness It* (Weidelfeld & Nicolson 2018) 234

<sup>168</sup> UN Special Edition: *Progress towards the Sustainable Development Goals* (2019) available online at: <<https://sustainabledevelopment.un.org/sdg4>> accessed on 25 November 2020

<sup>169</sup> In response to the multifaceted impact of Covid-19 on education, UNESCO launched <<https://en.unesco.org/covid19/globaleducationcoalition>> accessed on 25 November 2020

<sup>170</sup> Augusto Lopez-Claros and Bahiyiyh Nakhjavani, *Equality for Women = Prosperity for All: The Disastrous Global Crisis of Gender Equality* (St. Martin’s Press 2018) 226

<sup>171</sup> These include: SAT, works by Felisa Tibbitts, Martha Nussbaum, Amartya Sen, Michael Penn, William S. Hatcher, Youth Entrepreneurial Scheme (YES), Youth For Human Rights, Transformational Human Rights Education (THRED), Singapore’s Character and Citizen Education Syllabus within an Iranian literary context such as works by Sa’di.

<sup>172</sup> Youth Entrepreneur Scheme was originally developed by Oxford-based Zambian Gems Foundation and offered in a range of African and Asian countries. For more information please see: <<https://thezgf.org/junior-entrepreneur-scheme/>> accessed on 25 November 2020



increasing participation in the civic space and building trust. Over a period of two years, 80% of participants in CESER stated the training contributed to their understanding of the impact of their character in accessing their socioeconomic rights to education or work. Moreover, while in pre-training evaluations only 35% of participants agreed ‘human rights are important’, in post-training evaluations this number increased to 87%<sup>173</sup>.

### **13. Human Rights & EdTech: An Experiment**

Although it may be too early to draw any substantial conclusions, an impact study points to a 60-75% increase in group initiatives (3 or more individuals) to work together through local initiatives to access education, and at least a 50% increase in accessing the right to work, including several start-ups involving diverse minorities. During the first pilot in 2017, CESER effectively engaged not only the target number of 250 Generation Alpha learners, but also Generation Z and millennials as animators. Some of those involved, are now young activists in civic spaces, and are beginning to spread their learnings in ways that gradually influence policies on socioeconomic rights to education and work through a bottom-up process, as an early indication of possibly building a sustainable foundation for equal enjoyment and access to human rights laws.

In addition, as a direct result of lack of access to the right to education and unprecedented rates of inflation, post-pilot evaluations conducted among child-labourers who are forced to migrate to urban areas to seek work, pointed to an interest in incorporating mobile-based technology to enable them and peers to access CESER in order to learn about their socioeconomic right to education and work in their remote home communities. This was achieved through use of chat apps, social media and texts. It is hoped that in other less threatening contexts with higher levels of freedom and access, CESER reaches a larger body of participants.

### **14. Conclusion**

Although this submission is focussed on Iranians, it is important to note that as a sample population, they offer elements that are of relevance to others in MENA, if not elsewhere. One reason for this is the historical fact that Iran is the progenitor of important development in human rights and law. Examples include right to belief proclaimed by the Cyrus Cylinder<sup>174</sup>, the call for women’s rights by Tahirih<sup>175</sup>, and establishment of the first ancient and one of the first modern parliaments in MENA<sup>176</sup>.

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<sup>173</sup> Due to security concerns for in-country participants, the results of this project are not published at this time.

<sup>174</sup> Dina L. Shelton, *Advanced Introduction to International Human Rights Law* (Edward Elgar 2014) 159

<sup>175</sup> Milani describes Tahirih’s act to publicly speak up as the first instance of its kind in the east linking this moment to the events surrounding Seneca Falls. Farzaneh Milani, *Words, not Swords: Iranian Women Writers and the Freedom of Movement* (Syracuse University Press 2011) 117

<sup>176</sup> The 1876 Ottoman Constitution resulted in the inception of the first parliament in Turkey, later suspended by the Sultan. It was reinstated as Iran’s 1906 parliament came into existence. Nader Sohrabi, *Historicizing Revolutions: Constitutional Revolutions in the Ottoman Empire, Iran, and Russia, 1905-1908*. Chicago Journals. (1995) 100

The body of my work is an attempt to increase the impact of this historic process by transforming the human rights violations as a result of the 1979 Islamic Republic Constitution, the 1981 Cultural Revolution and the 1991 Iranian Supreme Revolutionary Cultural Council secret memorandum, through human rights law education. It includes legislative reform through research-based policy recommendations, and education on sustainable access to socioeconomic rights, specifically education and work.

My research reflects an increasing number of Iranians mistrust the state and dismiss laws and lawmakers in favour of independent action in their immediate spaces. It also indicates an increasing demand for access to socioeconomic rights of education and work. It points to a need for practical educational opportunities to advance trust, empowerment of girls, and civic responsibility among Generation Alpha. While educational efforts in the Iran human rights space may advance one or more of these, my research identifies a need for character education to accommodate meaningful engagement with each of the three to build a sustainable foundation for access to rights based on education among grassroots on the micro level, to complement legislation for sustainable access to socioeconomic rights to education and work on the macro level.

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