Change of Human Rights Perspective in Iran

Hassan Davoodifard

Politics and Government

Department of Government & Civilization Studies,

University Putra Malaysia (UPM)

Tel: +60-173063125, E-mail: hassan.davoodifard@yahoo.com

Jayum Anak Jawan Ph.D.
Professor of Politics & Government
University Putra Malaysia (UPM), 43400 UPM Serdang,
Selangor, Malaysia

Abstract

This article departs from the Universal, Cultural Relativism, and Islamic perspective of human rights and defends the Universal perspective of human rights in general. It will discuss how the debate of human rights in Iran is as ongoing struggle between Iranian government and its populations. It focuses on the debate of women rights and the freedom of media (Internet) in current policies of Iranian government. And then introduce some evidence related to vulnerability of Iranian government because of new human rights movement, to show that changing of IRI's human rights perspective is occurring.

Keywords: Development of Human Rights, Human Rights' Perspectives, Iran.

1. Introduction

Human rights values have been more and more promoted after World War II. This idea that human rights values are universal values because of dignity of human beings was gradually accepted through a wide range of international documents and conventions by many states. The opponents of such idea are also arguing that human rights values are different because their culture and domestic values are different with others. While the proponents of universality of human rights values have been trying to develop human rights values over the world by creating international laws, regulations and establishing many international and national organizations, proponents of cultural relativism perspective of human rights has just spoke the differentiation of indigenous values and their national cultures. In this debate authoritarian governments have been unwilling to accept the validity of human rights values as universal values.

Universal perspective of human rights is challenging the offender governments like Islamic Republic of Iran (IRI) that gives priority to cultural relativism perspective and Islamic criteria in its human rights behaviour. Nowadays, the debate of human rights has become as common debate for Iran's population and it seems to be a new wave of social demands to impress Iran government. Because of emergence of this new wave of social and political rights movements in Iran, I will explain that the IRI is surrounding by systematic pressures through International Governmental Organizations (IGOs), International Non-governmental Organizations (INGOs), and domestic NGOs of human rights, and will discuss it clearly that the violation of human rights values by IRI is going to challenge the Iran government. Thereafter, the article argues that a combination of international and national NGOs and international intergovernmental human rights organizations like EU and Iranian social demands will ultimately bring the IRI close to the acceptation of universal human rights values.

1.1 What Is Human Right?

Human Rights, in general, are defined in world declarations as natural and inalienable, permanent and immanent rights. When considered as inalienable and permanent is referred to humanity of men, and when it emphasizes on immanent is because human rights belong human rights wherever they live in all over the world. However, human rights are moral rights justified on the bases of moral principles. As Maurice Cranston (1973) mentions human rights are attributed to human persons for the sake of the quality and virtue of human beings. Also, discussing human rights as moralities, Alan Gewirth (1984) observes that human rights are needed if individuals are supposed to act as moral agents. Defining human rights, R. J. Vincent (1998) writes that human rights are whatever that must be propagated for all individuals without considering their conditions. So, the most common characteristic that one may take into consideration to understand human rights' definition is that human rights consist of a large number of individual rights without considering gender, economic condition and socio-political tendencies.

Ramnarayan (2006) has classified human rights into three generational types: the first generation of rights includes "political and civil rights. Economic, social and cultural rights" are classified as the second generation and the third generation includes collective rights in general.

Donnelly's definition (2003) of human rights introduces negative and positive rights as two significant categories in human rights' discussions. Accordingly, negative rights are rights or actions that individuals have to be free from. Freedom from torture, slavery, arbitrary arrest and exile are example of negative rights. Positive rights are those that individuals know as legal rights that must be provided for them. Food, education, end health insurance are positive rights that must be provided by governments if individuals do not already entitle them. According to these two types of rights, negative rights have gained a great deal of attention and support among human rights organizations especially AI and HRW.

1.1.1 Origins of Human Rights

The concept of human rights feels like a worldly entity perhaps because it is rooted in the notion of dignity and humanity. It is based on such concept of human rights that Cyrus Charter on the individual rights and freedom can be considered as the first human rights charter in the world. Cyrus was the king of Iran during 520-580 B.C. Talking about individual's rights, Cyrus stated that "I would never let anyone, as long as I am the king, take over others' properties and possessions by the means of force and without making a full payment. And to the day I live, I prevent any forced and unpaid labour. Today, I announce that everyone is free to choose a religion he likes. People can live freely wherever they want and are free to choose any career without violating other people's rights" (Ghiasabadi, 2004).

To understand the origins of human rights as a social and political demand one can look at anti-slavery movements which began in 19th and 20th century with the Paris Peace Treaty in 1814. Eventually, with the introduction and acceptance of the International Slavery Convention in 1929, attention paid to the issue of human rights got to its highest point (Davidson, 1993). At the beginning of 20th century and before World War I, humanistic struggles were greatly linked to the international community. Thereafter, International Labour Organization, established as a result of Versailles Treaty in 1919, was a remedy and a response to social justice and standards that existed for treatment of labours. International labour Organization, as one of the stimulating movements for human rights, changed into a specialized representative of United Nations in 1946 and is still considered as an organization to protect and spread economic, social and cultural rights.

Although signs of the origins of laws related to human rights could be found in documents and treaties like Paris Treaty and International Labour Organization, it was at the end of World War II that international community started explicit and eager attempts to provide and spread human rights values by the means of international laws. Following this UN's eagerness, basic provisions of international human rights laws appeared in the UN Charter in 1945.

The UN's members brought up an important discussion in terms of legal struggles to achieve human rights. However, after the ratification of UN Charter, UDHR (1948) as a valid written document introduced and modified all the useful and effective ways for obtaining human rights values and putting forward more details in relation to human rights issues. Based on UDHR that appeared in December 1948, nearly 48 countries unanimously accepted a collection of values. In this way, the international community agreed with a collection of human rights principles, and the issues of human rights were paid due attention, for the first time, as a classified, multilateral and comprehensive agreement.

Nearly 2460 years after Cyrus's Declaration of Human Rights, UDHR seriously emphasizes human rights and declared that: all human persons are born free, equal, and with the dignity and honour of a human being, possessing these rights wherever they live. It reminded governments that these rights encompass all people from different genders, races or social conditions. Through such statements, the 1948 UDHR encouraged other governments to make regional human rights agreements. And in this way, after 1948 a number of regional human rights conventions considered human rights issues. Examples to be mentioned here are: European Convention on Human Rights in 1953, American Human Rights Convention in 1969, African Human Rights Charter 1981, Islamic Declaration of human rights in 1990, and Arabian Covenant on human rights in 1994.

So, the 1948 UDHR can be considered as the first sign of the unanimous acceptance of human rights values. Following the UDHR, two other conventions were introduced. One was the "International Covenant on Civil and Political Rights" (ICCPR) and the other was the "International Covenant on Economic, Social and Cultural Rights" (ICESCR) accepted and issued by the General Assembly of UN. The Political and Civil Rights Covenant consists of two protocols (Davidson, 1993).

The first lets individuals like government to refer their complaints about the violation of their rights to the UN as an overseeing organization; the second protocol is to eliminate and abolish execution as a punishment. During 1970s and 1980s UN's operations related to human rights found an educational aspect through some conferences (Tolley, 1987). Simultaneously, powerful governments unanimously emphasized human rights as one of their criteria in their foreign policies. The United States of America – especially during the Carter and Reagan administration was a pioneer in holding such a new human rights viewpoint (Zakerian, 2002). In these period US was trying to use its foreign policy as an encouraging stimulator and a tool to spread human rights values. For example, in 1980s Reagan's administration (1981-1989) praised Philippine's president and South Korean president – for their observations and attention to human rights values - (Manueela, 2004). In general, attempts and struggles from 1945 till 1980s were to develop and promote human rights values through international documents and conventions, UN's educational programs, and collaborations and contributions from countries like US to encourage other countries to improve human rights values.

1.1.2   Human Rights After 1990

The beginning of the 1990s was a start for a special outlook to employ theoretical and practical attempts for promoting human rights values. Gradually, there appeared a world in which human values were paid much more attention by governments and international organizations and human rights advocates. These changes and transformations can be seen in the second World Conference of Human Rights – organized by UN – that was held in 1993, Vienna. It was, in fact, after this conference that UN made a commission to investigate reports of human rights violations in certain countries. A number of experts provided detailed and reliable reports according to independent evaluations made in these countries. In 1996 this commission collected some reports about human rights in countries like Iran, Ruanda, Afghanistan, Cuba, Brunei, Cambodia, former Yugoslavia, Iraq, Guatemala, Israel, and Myanmar, etc (Forsythe, 2000).

After 1990, the issue of human rights has been one of the major issues in the foreign policy of United States and members of European Union. A large number of conventions and international treaties gave credit to human rights values are appeared and presented today. At the present time there are not only international treaties that talk about the value and promotion of human rights. Today, a great number of national institutions and organizations are educating people around the world through their annual meetings. For instance, annual meeting of Asia Pacific Forum (2008) are one of the most important events in Asia Pacific region. Gathering of this human rights organization include APF members and other national human rights institutions, UN agencies, governments, non-governmental organizations and other donor groups so that they can discuss subjects related to human rights in different regions and benefit from each other's expertise and experiences to promote human rights values.

These kinds of organizations suggest ways to practically improve human rights and have obtained good experience in this regard. Developing educational programs in all regions and supporting and encouraging the establishment of new national human rights institutions are two useful methods suggested by active human rights organizations. Such supports and encouragements coming from a host of national, regional and international human rights organizations are reasons according to which the period after 1990 can be called the age of human rights values; a period in which all government – totalitarian or democratic – at least in their words, accepted human rights values for their citizens.

1.2   The Perspectives of Human Rights

There are three main perspectives of human rights; Universality of human rights, Cultural Relativism's view of human rights, and Islamic Perspective of human rights. These three perspectives have differently introduced the debate of human rights values. This section will describe the debate on human rights between these three perspectives to determine how the IRI on one hand, joins the international human rights declarations and conventions and on the other, emphasizes on Islamic and indigenous values by participating in regional Islamic conferences of human rights.

1.2.1   Universality of Human Right

Discussions on the universality of human rights have been abundant during past fifty years. The central theme of these discussions has been questioned that whether human rights values, as stipulated in UDHR in 1948, have the capacity to be used as common standards for all governments or they are to be considered according to culture, religion or international atmosphere. Kossler (2001) maintains, universalizing human rights is an outcome of the fact that an increasing number of the people are demanding these rights. Norberto Bobbio (1993) explains the process of universalizing human rights in three stages as a long-term linear victory. In the first stage, philosophical theories state human rights values as worldwide values. For Bobbio in the first stage universalizing human rights were hypothesized, but the theories were kept as theories only.

Hence, second stage developed when human rights theories started to be implemented. In the second stage, occurrences like United States' "Declaration of Independence" (1776) and "France Declaration of the Rights of Man" (1789) gave way to a new concept of government for the human beings and citizens and established the rights of individuals (Davidson, 1993). While the execution of human rights standards by governments like France was a positive attempt to highlight human rights issues, it could not put the universalism aspect of human rights on the spotlight.

Bobbio (1993) makes it clear that from the time that the issue of human rights was recognized to be protected, individual rights found an aspect that were mostly national rather than universal. These rights were later included in certain social conventions. Meanwhile, the idea of human rights was followed about citizen's rights and governments' responsibilities. The third stage appeared when the two stages previously mentioned intermixed and rights found two simultaneous aspects of being positive and universal in 1948 Universal Declaration of Human Rights. From that time onward, positive laws found their ways from national governments to international atmosphere. Accordingly, human rights were not only considered as valuable but as positive rights to be decidedly provided and protected.

Universality and comprehensiveness of human rights are commendable aims that are exposed through the international language of law and in the forms of legal treaties and conventions so that protecting the dignity, honour, and rights of individuals from governments that violate human rights becomes possible. The universality of human rights puts forward the viewpoints and standards of the issue of human rights according to which the observation of human rights changes to a priority. Generally, the universality of human rights presupposes the observation of human rights and human freedom as the essential bases for international human rights that are to be universally paid attention to. In this regard, human rights are executable for all individuals around the world without considering their age, race, gender, religion, tradition, beliefs and nationality.

1.2.2 Cultural Relativism

Looking from a historical point of view, the concept of cultural relativism has its roots in the researches made by anthropologists at the beginning of 20th century (Afshari, 2001). Anthropologists' intention was to demonstrate that whatever we understand as national and international values can be different from one culture to another. Cultural Relativism developed as a reaction to "school of cultural evolutionism", according to which each culture, along a linear direction, accepts characteristics and features of western culture to culminate its highest point (Healy, 2006). Advocates of relativism believe that the universality of human rights is an idea to impose western values on the whole world.

From Cultural Relativist's viewpoint, cultural traditions and religious beliefs should be considered when human rights are defined and introduced. A host of writers have invalidated cultural and religious issues with regard to the issue of human rights (Monshipouri, 1998; Donnelly, 2003). They believe, in fact, that reasoning put forward by relativists cannot be a real response to cultural and religious beliefs and are mostly proposed and employed because of political reasons. But what is important is, technology development has sped up the circulation of information and this has helped a great deal to make a common understanding of human rights in different societies. As such, most of the governments do not see cultural assumptions as significant problems for human rights issues. For instance, although IRI made up its human rights principles on the assumptions of cultural relativism after 1979 revolution, it gradually recognized some of international human rights treaties.

The recognition of such conventions by IRI gradually has helped international and national organizations of human rights in paying attention to promoting and observing human rights values without considering cultural conditions and Iranian political system. While human rights values have problems on their way to come to a stage of execution, the important thing is that IRI is getting close to accepting the universality of human rights values – and far from cultural relativists' domain – though signing and recognizing international human rights documents.

1.2.3 Islamic Perspective

Two convincing perspectives on human rights issues are previously explained. There is another perspective of human rights issues that could be called Islamic perspective hold by some Islamic countries. Considering the way that human rights are understood in terms of moralities and their worldly nature, many differences can be identified between the perspective that holds human rights as universal and the Islamic perspective that has its roots in religion. In general, Islam promises a society of believers in which peace and correlation is possible.An individual is just one, among many believers, who can achieve his entitled rights though Islamic laws and values (Dwyer, 1991).

Thus, Islam and universal human rights hold different viewpoint on the issue of advocating the dignity and honour of the people. It was for this reason that debates are going on between Islamic perspectives and advocates of universal human rights values. An example is Saudi Arabia's refusal for signing UDHR in 1948 that was based on the claim that this declaration violates Islamic Laws while Islam has already guaranteed human rights for individuals (Boyle, 1998).

Advocates of Islamic perspective of human rights have attempted to justify their perspective through several actions. In this regard, Islamic countries has maintained – to hold their position – that Islam emphasizes economic, social and general rights while human rights pay attention mostly to civil, political and individual rights (An-Naim, 1995). Also, to stand their own ground, Islamic countries have suggested and ratified some human rights documents which are different from international human rights documents. The most important documents of this kind are: "Universal Islamic Declaration of Human Rights" in 1981 and "Cairo Declaration of Human Rights" in 1990. These two declarations are issued by Islamic governments and are suggestive of the official stance of Islamic governments on the issue of human rights. In other words, the issuance of these documents by Islamic governments can be considered as a reaction to the idea of human rights opposing universal perspective. IRI has participated in creating of such Islamic human rights documents.

Another source for the conflict between Islamic perspective of human rights in relation to the universality of human rights is the assumption that the idea of human rights' universality is, in fact, like an attempt to increase the amount of the Christian western world's dominance on non-Christian countries (Mayer, 1991). This assumption has mostly been supported by IRI especially when its history and situation of status of human rights have come under criticism (Mayer, 1991). In this regard, An-Naim (1995) relates the different perspective of Islamic countries on human rights issues more to a kind of long-lasting hostility that has existed between western world and Islam, and links some Islamic countries' disagreements with human rights documents to their affiliations with their local culture and Islamic values against the proposition of human rights' universality. In the same context, Muslims claim that Islam has provided the first plan on the issue of human rights fourteen centuries ago (Daniel, 1996). But, practically speaking, Islamic values and traditions make limitations for the execution of human rights values. Some researchers (Mayer, 1991; Krasner, 1993) observe that a divergence exists between Islamic law and international human rights laws. Krasner (1993) believes that even adapting human rights – as defined in the western world – to Islamic edifications are really difficult because according to these edifications whatever human does is along God's will and intention. He brings the limited rights for women and the superiority of men's rights over women in the Islamic laws of Islamic countries as evidences proving his claim.

But the important contradiction in relation to Islam and the issue of human rights is the large number of Islamic countries that have signed international human rights treaties and conventions (Donnelly, 1989; Mayer, 1991). In this way it becomes clear that most of the Islamic countries have accepted the legitimacy and legality of international human rights values; hence, have created an opportunity for human rights groups to start discussions with their respective governments. This has led to the development of human rights advocate groups in Islamic countries (Waltz, 1994). The appearance of groups that advocate the universality of human rights values is a reality in Iran.

Generally, Islamic perspective of human rights mostly expresses the behaviours of individuals towards each other and religion, while the viewpoint holding on the universality of human rights pays attention to individual rights that must be observed by governments. To connect these two and unit them, An-Naim (1995) calls for some change in the Islamic law being executed in Islamic countries. In other words, An-Naim argues that it is Islamic perspective that should change its current viewpoints regarding to universal human rights values. IRI has signed the Islamic declarations and documents of human rights and its national laws are based on Islamic criteria and values. It is a fact, that IRI without modifying its existing assumption of Islamic perspective of human rights values will be in a struggling situation with its population's demand for more rights introduced by international treaties. The universality of human rights values is one of the most important features of human rights that must be paid enough attention. The reason is that, nowadays, through expanded support of human rights values, international human rights laws have changed to a strong moral and legal system which is seen as a herald for values like freedom, equality and the restoration of human dignity.

1.3   Issues for Assessment of Iran's Current Human Rights Situation

Regarding to the international human rights values, IRI interestingly has ratified several international documents (Zakerian, 2002). By its ratification of international documents and conventions, IRI has to obey and implement the international human rights laws. Since the 1979 Revolution, Islamic values are the main sources that form laws and provisions within the IRI.

The forth Article of Iran's Constitution states all "civil, penal, financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria." This principle implements completely all provisions of the Constitution as well as to all other laws and regulations. According to Article twenty (Naserzadeh, 2002), "all citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in accordance with Islamic criteria."

To determine the current human rights situation and the Iranian government's vision of human rights issues this study discusses two cases of human rights issues that are important in Iran today: women rights and the government perspective towards media. While the international human rights documents and declarations have emphasized on the universality of human rights values, the IRI has tried to hold its own perspective of implementation of human rights values in domestic level.

1.3.1   Women Rights (Gender Equality)

Iran's 1979 Revolution had serious consequences related to Iranian women's private and public rights. Since then, IRI has executed an Islamic perspective regarding to legal and social situation of women. At the same time, in the international consideration of women's rights, the Convention of the "Elimination of All Forms of Discrimination Against Women" (CEDAW) was adopted in 1979 by the UN and is considered to be the main declaration of women rights protection in international arena (Halper, 2006). This treaty clearly opposes women discrimination status and assembles a schedule for states to exterminate discrimination in their societies.

Soon after the Revolution, the new government applied its own perspective of national laws, regulations, and provisions. Aftermath Ebadi as Iranian female judge was compelled to resign from her job and women were forced to wear the veil. Today, women and men entitle the rights within an unequal judicial process. As evidence the responsibility age is 15 for boys and 9 for girls under the Islamic criminal law. According to "article 300 of the Islamic Penal Code, the blood money for a female is half as much as that of male" (Halper, 2003). In addition, Article thirteen of CEDEW declared that women have the "right to participate in recreational activities, sports, and all aspects of cultural life." By the Iranian Revolution in 1979, men and women's sports became separated. The hejab is compulsory for women in their sports events and they cannot be spectators at men's sports in IRI.

Iran has not signed CEDAW, which gives the women equality socially, politically and privately as a human. "CEDAW protects equality in voting, employment, health, education, access to the legal system, nationality and many other fundamental freedoms." The CEDAW was approved in 2003 by Iran's parliament, the hard-line clerics in the "Guardian Council" in the end rejected to sign the treaty, announcing that it is not accommodated with Islamic values (Fathi, 2003). Thus, unequal treatments against women that are based on religious principles still exist on many levels of the women's private and public life.

During Rafsanjani presidency Iranian women had been demanding for equal rights, but the Iranian government did not paid enough attention for their demands. At the beginning of the 1997 election Khatami emphasized the improvement of the situation of women rights in IRI and women played an important and considerable role in Khatamis's victory. Interestingly, the 1990s was the culminating of a wave of reform movement in IRI. The emergence of Khatami as president in 1997 was a prominent event in the emergence of the debate of people rights discourse that challenged the initial debate of individual rights based on the language of demands of rights and freedoms as taboos.

Next in the international sphere the context for interaction between international organizations and Iranian government and society was started and improved through the new idea of Khatami "Dialogue among Civilizations" (Khatami, 2002). This new viewpoint of relationship replaced the earlier extensive opposite policies of Iranian government with international human rights organizations regarding to criticizing its human rights behavior. Indeed after 1997, the Iranian government policies facilitate a political space for a spectrum of Iran civil society community like political activists, NGOs, journalists in introducing the human rights discourse generally and debate of upholding women's rights privately. During the Khatami presidency the reformists group had real commitment to women's rights issues and reformists dedicated a special attention regarding to the women's rights issues in the reformist newspapers.

In general, after 1979, the policies of the Iranian government have been contradictory regarding to women rights. As Halper (2006) argues, on one hand, the Iranian government forced women to wear the veil, and imposed strict Islamic provisions regarding to women's private rights that affected their situation; and on the other, the IRI claimed to be an supporter of women's rights giving all women more opportunity and the right to educate during Rafsanjani Presidency, and encouraging women's political activity.

The only women right that has been interestingly improved by IRI is related to the Article Ten of CEDEW that "requires states to take all appropriate measures to eliminate discrimination against women in order to ensure their equal rights with men in terms of education." Women's education is one of the areas that have gradually and positively been improving in IRI. The percentage of female university students increased dramatically (Mokhtari, 2005). This could prove an improving trend that the IRI has concerned to improvement of women education's rights in Iran since 1979 Revolution. Through the IRI's policies regarding to the women rights to education, Iranian women have increased the pressure on government for entirely implementation of all CEDAWs' provisions. The restrictions by Iranian government with regard to women's rights have made Iranian women come to a movement that campaigns to gain their rights introduced by and entitled to them in CEDAW.

1.3.2   Freedom of Media (Internet)

Nowadays internet has become such an effective and powerful instrument that has played an important role in promotion of human rights values and beliefs. The politicians and human rights defenders, who are interested in political reforms, are even now more aware of the significance of the internet in order to reach the human rights' goals in their own county. The censorship and media suppression is one of controversial issues between Iranian government and its people. On one hand the number of internet users is increasing everyday and on the other hand, the Iranian government has applied a severe system of control and censorship of media to avoid whatever is called anti-revelation and none-Islamic values.

Iran has nearly 23 million internet users which includes almost 34% of the total population of it. In countries like Islamic Republic of Iran, where political changes are processing in a slow rate, internet has become an important instrument to speed up the social and political evolutions. For instance, in today's Iran, the appearance of bloggers is considered as new way of expressing ideas in social and political matters. Although the official media is under the control of Iran government and the conservatives, internet has become the most important instrument to exchange ideas among the young educated generation in Iran which has nearly 56,000, bloggers (Lin, 2008).

The Iranian government is the pioneer of internet repression in the Middle East (Mohamad, 2009). Student, reformists, human rights activist, journalists and bloggers are the most important groups who are at the aim of the Iranian government repression. The restrictions and severe control of media is an obvious sign of fear that the Iranian government feels since it considers the internet users as a threat to its power. Therefore Iranian government has implemented several repressing policies under so many different programs in order to restrict and control the internet users.

In the recent years, regulation, enact, and implementation of new internet laws has been one of the most important policies of Iranian government in the censorship and control of free exchange of information. Following the IRI Supreme Leader's command an official legal framework was enacted about internet known as "Overall policies on computer-based information-providing networks". After that the "Supreme Council of Cultural Revolution" (SCCR) enacted laws named "Regulations and conditions related to computerized information networks" through which the government could have better control in internet (Iran Human Rights Document Center, 2001).

The above mentioned Regulations by SCCR, has made legal ways and more opportunities which led Iranian government to exert more restrictions on internet users. This regulation declared that Access Service Providers (ASP) must be under governmental control. And all the Internet Service Providers (ISP) have to totally remove all government's opponents and anti-Islamic Web Sites from their Servers. Worst of all, the regulation allowed the government to use the system of filtering technology to conduct the internet information (Iran Human Rights Documen Center, 2009) . Accordingly, the Iranian government has approved and enacted the internet criminal laws. By doing so, the government has placed the access of information through internet under the specific restrictive provisions and regulations.

The restrictive policies of Iranian government went even so far than just enacting laws and legislations. In this regard some actions like establishing a particular unit of police to fight against the computer crimes and also founding the particular branches of courts to scrutinize the internet crimes could be considered as second step of Iranian government's policies to restrict and control the internet space in Iran. The champion police of computer crimes indeed have launched activities of internet police functions in Web Sites and Weblogs. The internet police chase people who visit the sites with political contents. As a result, many of opponent groups' internet sites have been blocked and censored. AI has condemned the establishment of internet police through a declaration arguing the purpose of founding such police is to intimidate and smother political dissidents and to restrict the freedom of expression.

In 2003, Iran was the first country that arrested a blogger – Saeyde Motalebi - for undermining national security through the internet activities (Iran's Training & Research Center, 2005). Beside the internet police, in 2002, the judiciary branch of Iran also has launched a committee to fight against the computer crimes suggesting a new judicial office must be established to scrutinize the internet crime issues. The restrictive policies of Iranian government have been continued by presenting a computer criminal provision draft by Iranian parliament in 2006. Through such projects the Iranian government intends to empower its presence in the system of internet communication. In 2007 the Iranian government was known as the first government which uses the most filtering in the world (Open Net Initiative, 2009). In addition to enact the restrictive regulations and provisions, establishing judicial court branches, and specific police unit for internet, the Iranian government has recently concerned with the deceleration of the internet technology. They have argued that the access of internet of more than 125kbs is not necessary (Itna, 2007).

Iranian government has also believed that internet is used as an instrument for conducting "Velvet Revolution" in Iran. According to such arguments, around Ten million Web Sites have been blocked in 2008 (Shojaei, 2009). The Iranian government though blocked all the sites against themselves and their own policies which think differently, or promote the human rights values. Among these web sites, those of the women human rights defenders groups have been blocked and filtered. Therefore such reactions by Iranian government are considered obviously as the true violation of its people rights to have a free access of information that cannot use internet space as a free space to exchange their various thoughts, ideas and beliefs.

1.4 Signs of Changes in Iran

1.4.1 Iranian Government

Iran's Revolution that occurred in 1979 was followed by a new regime that put emphasis more on its Islamic criteria and cultural relativism's perspective of human rights. Individual's demand for human rights was a taboo for this government. Since then the human rights issues came to be internal affairs that IRI was not interested in debating on. The negative posture of the Iranian's government towards universal human rights did not change, and the human rights' group could not constitute an affective national human rights organization during 1980s. Iranian government did not allow the agencies of international human rights organizations to travel Iran and there was no any national governmental and NGO human rights organization to monitor Iran's human rights situation. The government denied access to all independent international human rights organizations, including Human Rights Watch (HRW) that applied to conduct research in the field in early 1990s. This was IRI's perspective of human rights issues that was held for nearly two decades since the 1979. Because of this Iran government's stance, the international actors like EU, AI, and HRW have attempted to urge the IRI to validate human rights values. As a promising consequence, for the first time, IRI launched the only governmental human rights organization so-called, "Iranian Islamic Human Rights Commission" (IIHRC) in late 1995.

European Union (EU), Amnesty International (AI), and HRW preferred to contribute to Iran's human rights issues through establishment of national organizations and meetings with judiciary officials after 1990 and especially during Rafsanjani and Khatami presidency (1989-2005). The establishment of IIHRC has been opportunity for beginning a new debate on human rights issues in IRI. This unprecedented establishment was a significant step that firstly eliminated the government's perspective that took individual's demand for their rights as taboos and strengthened the transparency of the process of human rights debate in Iran. Secondly, it was to make available to the public – as well as EU countries and INGOs – a detailed account of the IRI's concerns and violations of human rights values related to Iranian population. This positive reaction by IRI had been continued until 1996 when for the first time since 1991, the government agreed to permit the UN special representatives on human rights and HRW organization, to visit the country.

The victory of Khatami in the election took place in 1997, when he could change the nature of the human rights debate in Iran. Human rights discourse, then, turned to a new perspective. At the time, many EU leaders publicly expressed support for the reformist policies of President Khatami. Khatmi had a good response to the foreign state's advocacy and linked Iran's human rights movement to international debate of human right. Since then, the international human rights' actors strongly intervened in Iran's human rights matter. In this regard the EU Commissar of human rights met Shahroudi the head of IRI's judiciary system. Aftermath he declared some amendments regarding the improvement of situation of social and political prisoners.The European Commission, AI, and HRW continuously pressured and persuaded Iranian government by meetings, reports, and dialogues and demanded for a better situation of human rights in the country. This linkage between Iranian state and international human rights actors has had advantageous outcomes and for the first time, they could bring Iran government to make discussions in the context of dialogue of human rights issues, and affected the improvement of human rights values in the Khatami's tenure.

Although IRI's perspective for human rights principles is subordinate to Islamic criteria today, but its human rights language and practice shows that this government avoids a direct challenge to universality of human rights via the endorsement of some international human rights covenant and declarations, or participation in international human rights conferences and meetings. Thus, we could argue that IRI has gradually positioned itself within a universality stance in regards to human rights principles. And in this stance, as EU had made the Iran government discuss its human rights behaviour in four round table negotiations, it is hard to deny the role of international human rights actors in the change in Iranian's human rights behaviour.

Fortunately, Iran government has, at least, rhetorically dropped the claim that conventions and declarations of international authorities that are contradictory to Islamic instructions have no validity in IRI, and more interestingly, Iranians have seen some positive evidences demonstrating that IRI has more potentiality to deal with the development of human rights. In an unprecedented event in 2008, nine Iranians who were sentenced to death by stoning were amnestied by Iran's Supreme Leader. They were punished by alternative penalties but this could be as positive evidence showing the improving status of human rights in Iran. Any positive movement in IRI's policies, statements, perspective, and practice toward human rights means that IRI is coming close to universal stance of human rights. And it is a significant step for human rights actors to pressure the Iran government to engage more when it comes to implementation of international human rights values.

1.4.2 Debate of Human Rights in Iranian Society

After 1979 Revolution, Iran government appeared to be reluctant to actual change in its human rights behaviour. In the absence of domestic NGOs, the EU Parliament along with international NGOs like AI and HR, have publicized Iran's human rights situation and have advocated substantial change. In addition, EU member states have granted the Annual Prize of human rights to Iranian human rights activists since 2000. The EU, AI, and HRW have supported the Iranian domestic NGOs and human rights defenders, and tried to ensure bridges between the international human rights organizations and the national human rights organizations and defenders to create a public debate on human rights in Iranian society. In this way, while the Iranian government intended to repressive and maintain control over its domestic civil society, many reformist groups and human rights movements kept to be active. For instance many women demanded improvement in their life. They have established NGOs to demand their equal rights. Women human rights activists are now calling for reform in Iran's discriminatory laws against women.

EU, AI, and HRW have had a great influence on activation of Iran domestic human rights movements. When Osanloo – an Iranian human rights activist – was arrested, they launched and supported concurrent demonstrations in almost 40 countries around the world and demand the Iran government to release him. When Ebadi was summoned by Iran's judiciary system, following an international outcry by EU, AI, and HRW and domestic organizations, the judiciary rescinded its order (Ebadi, 2008). Nowadays, the demand for equality, more rights, and freedoms is not pursued by a group of women only; it is a nationwide on that includes many domestic human rights groups like students and labours. However, we can say that via the contribution of international human rights actors, an indigenous public demands and human rights movement has come out of Iran's society. There is hope for domestic human rights movements in Iran because of the emergence of a public and indigenous movement in Iran's society today.

Interestingly, national and international human rights organizations have made a public atmosphere for raising awareness and social expectations related to the Iranian population's rights in Iran's society. The debate on human rights issues is known as a public discussion among the Iranian. This is made possible through mixing the efforts of EU, AI, HRW and domestic human rights activists in IRI. This combination of pressures by human rights actors will strengthen Iranian population's desire to demand accountability for their rights, reform, and the creation of domestic NGOs to protect and promote the human rights values in IRI through supporting the international organizations and according to international human rights values.

1.4.3 Emergence of Human Rights NGOs in Islamic Republic of Iran

By appearance of 1979 Revolution, the cooperation with international human rights organizations was ignored by IRI. IRI never allowed any domestic NGO be established. The opposition stance of IRI about governmental and nongovernmental organizations of human rights continued its negative effects until late in 1980s. In spite of this difficult situation, by early 1990s, there was a domestic group of individuals willing to constitute independent organizations. They worked with each other but also with international NGOs. In this way, Shirin Ebadi became the HRW representative in Iran. Throughout 1990s, Iranian human rights activists have been able to make themselves more vocal, at last in the international sphere, and have made the fight for the respect and promotion of human rights values in Iran.

Simultaneous with Iranian human rights activists, the EU, AI, and HRW continuously pressured and persuaded Iranian government to make a better situation for human rights in the country. Such efforts from international actors and domestic groups have had significant consequences in the debate of human rights in Iran. The Islamic republic of Iran established the only national governmental organization of human rights in Rafsanjani's presidency in 1995. This new perspective of human rights was a big opportunity that persuaded Iran governments to tolerate the emergence of domestic NGOs of human rights especially during Khatami's presidency.

EU, AI, and HRW welcomed the emergence of this national governmental organization and hoped for establishment of NGOs in IRI. When Khatami's presidency began and after, many Iranian nongovernmental organizations – like International Campaign for Human Rights in Iran (ICHRI), Defenders of Human Rights Centre (DHRC), Women Human Rights Campaign (WHRC), Stop Stoning Forever (SSF), and National Peace Council (NPC) – emerged to develop human rights values in IRI. The main objective of these national human rights organizations has been, and is, to contribute the promotion and protection of human rights values in Iran through creation of public awareness in Iran society and via the linkage with the international human rights organizations. Along with international human rights organizations, domestic NGOs are effective critics of Iran government's human rights practices. Iran's national NGOs, like international NGOs, pursue to: investigate and expose human rights violation and hold the Iranian government accountable; to uphold political freedoms and civil liberties; and to challenge Iran government to end abusive practices and respect international human rights law; and to urge and encourage the Iranian population and international community to support them in their way towards achieving their goals (Amini, 2008).

The emergence of NGOs in the field of human rights issues has become the main characteristic of Iranian society. The IRI is surrounding by many national NGOs. These NGOs are criticizing the inconsistent behaviour of Iranian government towards human rights. This provides the opportunity for the Iranian population to get familiar with these domestic NGOs and put pressure of their government. As the case of women campaign for equal rights shows us, the Iranian government is feeling pressures coming from these domestic NGOs.

1.4.5 Vulnerabilities to more Change in Iranian Government's Human Rights Perspective

In addition to governmental view change and progression of human rights debate in Iranian society, one more important point is that the Iranian regime is more susceptible to challenge, and we can expect more changes in its human rights policies in the future. The vulnerability of offender governments like IRI, presupposes significant factors that could result in more changes. Examples are domestic political environment related to the government policies like positive actions of human rights values during Khatami's presidency and repression policies in the Ahmadinejad's period after 2005.

On one hand, both international and domestic efforts along with positive perspective of President Khatami have placed human rights issues on the regime's agenda and the human rights discourse has become a common language; on the other, the social demands of Iranian population monitored by domestic and international human rights organizations, has been linked to conduct better campaign on government policies of human rights even during Ahmadinejad's presidency as a restrictive period for human rights activists. Ahmadinejad's administration believes that it is possible to derail the social demand of more rights and freedoms by restrictive policies. But the human rights activities of Iranian have been continued about thirty years since 1979. Because of Ahmadinejad's repressive policies after 2005, the human rights actors' efforts have put the Iranian government at the top of the slippery slope that generally could result in an increase in the number of domestic opponents and consequent emergence of national NGOs of human rights. Therefore, the IRI faced a new wave of domestic human rights actors for the first time since 2005. This is strictly against the Iranian government's policy of human rights values. As instance, the Women Campaign of Human Rights emerged and operated as an active NGO in IRI for equal rights, and eventually succeeded in gaining some rights.

Additionally, Iranian women have raised their voice to international human rights organizations. Indeed, the intensive repression on journalists and human rights activists during Ahmadinejad's presidency has been counter-productive because he has created resentment in population. As a consequence, today the Iranian government is surrounded by national and international human rights actors that have undermined the long-term political stability of the government and its legitimacy. This current political situation in IRI, called as crisis by many politicians like Rafsanjani and Khatami (Esfehani, 2009) is the outcome of Ahmadinejad conduct in not opening up new possibilities for domestic oppositions groups, women human rights activists, civil society activists, and even students groups and labour unionist.

Therefore, these domestic human rights activists have tied to international human rights actors to undermine the government to a greater extent comparing to Rafsanjani and Khatemi's period. IRI has two choices now. It can continue its repressive policies on human rights activists and therefore undermine its legitimacy, or it can come to know the validity of human rights values through cooperation with international actors and responding to domestic demands by ending its repressive policies regarding to human rights activists to prevent its political crisis.

In each of these above-mentioned situations, the IRI as the offender government is vulnerable and unable to battle with its social demand and international pressures related to human rights values. In addition, the extreme repression that began by Ahmainejad's presidency constantly opposed any attempt to respect human rights values, has emboldened the domestic human rights activists and NGOs. Because of its unaccountable behaviour regarding to its human rights violation, Iranian government is in an ongoing battle with its society's public social demands of rights.

This struggle between Iran government and its domestic human rights activists is more understandable when the voice and reports of domestic NGOs is approved by international organizations. For instance, in 2008, based on the reports of an NGO – Defenders of Human Rights Centre – about human rights situation in Iran, Ban Ki-Moon, the Secretary General of UN issued a resolution to condemn the violation of human rights by IRI. Accordingly, the susceptibility of Iranian people for demanding their rights as social pressures is important for generating changes in Iranian government's policies on human rights values. IRI has no choice but to pay attention to its population demands, national NGOs, and even international NGOs, if it wants to ensure its political survival, and its international reputation. Political legitimacy and international reputation could be as two important issues in moving Iran government to more adherences of human rights values.

Because nowadays, respect for human rights values and their implementations have become important standard of political legitimacy (Hawkins, 1997), the efforts of human rights organizations that challenge the IRI's human rights perspective could also challenge its legitimacy and consequently its political stability. Therefore, the current political crisis in IRI could be more an opportunity in which both international and domestic human rights organizations put pressure of the Iranian government to respect human rights values and to contribute to the promotion of human rights values in Iran. The pressure of human rights actors can get more strengthened when we add the contribution of major powers like USA, IGOs like EU, and INGOs like AI and HRW, and even national NGOs that have made a strong network to challenge governments who disregard, violate and deny international human rights principal and individual rights.

Iran's domestic groups like women, students, and labour unionists are challenging the government via the internet and public demonstrations through demanding rights to expression, equality, and belief. The indigenous movement of human rights activists is a new and crucial problem for IRI since 1979. So, without doubt the continuing of human rights violation by Iranian government will result in more opposition in part of people correlation contributed by international human rights organizations. The domestic NGOs of human rights will continue the demand for promotion of human rights values because it is the will of Iran's population. Accordingly, to escape this situation and more significantly to gain its legitimacy, the IRI has to accept the language of people rights or commit positive actions to human rights standards.

1.5 Conclusion

In 1948, the UDHR declared human rights values to all human beings regardless of their gender, religion, and race. Since then we could see three opposite positions regarding to the human rights principles. The advocates believe that human rights are universal. And other two opponents emphasize that different cultures and other national backgrounds should be taken into consideration when we speak about human rights issues. IRI has relied on Cultural Relativism perspective of human rights and Islamic criteria in implementation of human rights standards. And the government of Iran has argued that the human right is a domestic issue. Nowadays, the international pressures put on domestic regimes are to make them accept the validity of human rights values as universal and to encourage them to improve their human rights records.

Many international campaigns by EU, AI, and HRW and domestic movements have affected the strictly unchangeable perspective of human rights issues held by IRI since 1979 Revolution. This network has challenged Iran government perspective and reverberated the human rights issues as a social public demand among Iranian populations in a positive condition. IRI is under the huge international pressure and surrounded by covenants, organizations efforts and domestic demands for improving human rights situation in Iran. Totally, the initial change of Iranian government's perspective, evolution of the population's viewpoint regarding to the human rights issues, and especially the emergence of domestic NGOs are challenging Iran government to take a more constructive policy towards its human rights behaviour.

Any positive change in IRI behaviour regarding human rights values will challenge its current human rights policies more by national and international human rights actors. This is the commencement of a beginning of great change in the promotion and development of human rights values in Iran's society. By positive changes in government's behaviour regarding to human rights values, the universally perspective of human rights will be the last appropriate perspective in protecting individual's rights in Iran.

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