A Review on Minorities’ Religion in Iran's Constitution

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Abstract: - The issue of religious minorities and religious differences is a topic that if it is neglected by governments, it can cause challenges, unrests and even hostile and violent conflicts in a society which can be a threat to national integrity and solidarity. The constitution is the basis for performance, national covenant, solidarity charter and social integrity to which all Iranians regard them obliged. In this study, given articles of the Iranian constitution which are somehow related to religious minorities has been dealt with. In this study, the manner of the Iranian constitution’s interaction with religious minorities has been considered. In this respect, the laws about religious minorities have been discussed.

Key-Words: - National unity, Religious minorities, Iran's constitution,

1 Introduction

The existence of religious minorities in the world today is an indisputable fact. A religious minority, however, is a human group whose religious deeds, customs and beliefs is a distinct from those of the majority in a society [1]. With a population of 70 million people, Iran has different religions. Iran’s official religion is Islam and the Twelver Shia. Other religious sects that are fully respected in Iran include Hanafi, Shafei, Maliki, Hanbali and Zaydi [2]. However, non-Muslim religious minorities in Iran are divided into two categories: official and unofficial. Zoroastrian, Jew and Christian Iranians are the only recognized religious minorities in this country, and some religions like Baha’ism are regarded as non-official religions of Iran [3].

Some of these religions have a long history in Iran like Jews whose historical background in ancient Iran dates back to 700 BC, that is to nearly 2700 years ago [4], and others like Baha’ism were established in the 19th century in Iran [5].

At present, 89% of the population in Iran is Shiite Muslims, 9% is Sunni, and 2% is Christian, Jew and Zoroastrian [6].

Cohabitation and interaction of non-Islamic religions and Islamic sects with each other’s which have totally comprised about 8 million people of the Iran’s population needs research and some legal attention to the legal status of these people.

2 Background of Problem

Maintaining solidarity, unity and non-discrimination among religious minorities, are among the major values and goals of countries with religious diversity which, like other values, are threatened and endangered. Nowadays, many of the civil wars in the world occur because of religious differences and internal enemies of country misuse such tricks to achieve your goals.

Observing equity and non-discrimination among various religious minorities can have a very important role in political stability, national solidarity and social security. This is something that should always considered by governments and in cultural planning of a country so that they would be able to have a future away from any conflict and confrontation. It is obvious that each government’s attention to religious minorities, at the first glance, is crystallized in its constitution. Therefore, studying the constitution of a country together with studying religious entities in that country can clarify the attitude of planners and politicians to this issue. Although a majority of Iran’s Shiite Muslims are scattered across the country, the existence of other religions and sects across Iran and especially in border cities and neighboring
countries like Pakistan, Turkey and Iraq has caused this issue never to lose its importance. Throughout history, Iran has also witnessed several religious-oriented political and social reforms among which we can refer to the migration of significant numbers of Christians from the West of the country to its East during the war between Romans and Sassanids [7] or expulsion of the Nestorians by East Roman Empire in the 5th century, and their migration to Iran; [8]or transferring the Armenians from Azerbaijan and settling them down in Isfahan during the Safavid after Isfahan was announced as the capital of Iran by Shah Abbas I [9].

3 Official religions in Iran

Three religions, Zoroastrian, Christian and Jews are official religions in Iran

3.1 Zoroastria

Before Islam, the religion of Iranians was Zoroastrianism. At the time of Sassanid, Zoroastrianism practice evolved from its original form [10]. They cooperated to spread the new religion in Iran like Mani and Mazdak. Today, Zoroastrian stay in Tehran, Yazd, Kerman, Isfahan, Shiraz and Ahwaz, mostly [11]. In Tehran, there are 9 schools dedicated to Zoroastrians. There are 8 schools for them in other cities of Iran as well. The students in these schools learn about their religious book [12].Also they have one representative in Iranian parliament [3].

3.2 Christian

Iranian Christians divided to three main categories. First: Armenian, second: Asouri, Third: Farsi languages [13]. Most of Christian live in Tehran and Isfahan and some of them are living in Urmia and Azerbaijan, too [14]. Christians have many churches throughout the country [15]. They have two representatives in Iranian parliament. One for Assyrian Christians and one for Armenian Christians [3].

3.3 Jews

The history of Iranian Jews turns back to 700 years before Christian which is equal with 2700 years ago. It is visible in Jews religious books when it mentioned that Jews sprawled in Medes territory [4]. Most of Iranian Jews stay in Tehran, Shiraz, Isfahan, Kermanshah, Yazd, Rafsanjan and Boroujerd [16]. Jews has many synagogues in Iran, 11 of which are just in Tehran. Etymologically, synagogue means a place for congregation where religious ceremonies are held. They have also a library with 20,000 titles [17].There are five school allocated to Jews which are run under the rules and regulations of the Iranian Education Organization. However, certain facilities relative to Judaism requirements and Jewish holidays are provided for the students in these schools. The students in these schools learn about their religious book Torah, and the rituals of Judaism [12], and also they have one representative in Iranian parliament [3].

4 Non official religions

But there are some other religions that are not accepted as official religion by the government but the number of those people is very low. The only non official religion which has some effective population is Bahaaei [18].

4.1 Bahaaei & Babi

According to Last statistics regarding Bahaeeis related to 1985, about 2 million Bahaaei people live in Asia [19], but at this statistics have not mentioned to Bahaaei number in Iran. Most important part of Iran where Bahaaeeis areas are in Fars, Isfahan, Kashan and Hamedan [20].

5 Research Methodology

Since the subject of the study is about cultural diversity and cultural interaction among Iranian ethnic groups, the statistical population and sample population of this study is taken from Tehran, one of the major cities of Iran which has hosted a large number of ethnic immigrants. Tehran has been selected because it has the highest level of ethnic diversity among other Iranian cities. In this study, the researcher was faced with a 10 million population as case study. The minimum sample size according Cochran formula is 384 people. The data for the study was collected through simple random data collection.

In order to clarify the issue and to analyze the content of the data of the study, they have
been passed to experts. These experts, however, include a group of seven people from among the religious minorities’ representatives in the Parliament, and the representatives who are the members of the Parliament’s Cultural and Legal Commissions. Moreover, the Head of Center for Culture and Religious Studies and Islamic Teaching and Laws professors are the other members of this committee.

6 Religious minorities in Iran's constitution

As long as this article intends to address the manner of interacting with the issue of religious minorities and the laws passed about them, we first provide some brief explanations about the Iranian Constitution.

The first and most important step of the Islamic Republic of Iran after revolution was writing the constitution in 1979. This legislation was created by senate based on suggestions of the government and the people. This constitution includes 12 chapters and 175 articles. Since these articles are mostly results of modern science, its view is towards equality and fulfilled the main wish of citizens which is to be devoid of any ethnocentric ideas. They believe that constitution have to be comprehensive which is popular, national and accountable and cannot accept any discrimination and a partisanship [21]. Because of these reasons, the Iranian constitution is accepted as a national document which tries to bring unity and solidarity in the country. This law approves of ethnic, lingual, and religious diversities.

Overall sprite of the Iran constitution has attention to rights, basic freedom for citizens and they are equal in their basic rights out of any racism or segregation according tribe, language, ethnic and religious. Iran constitution doesn't have any projected difference between religious minority and non religious minority

6.1 Article number 13

For this article, the statement in the questionnaire is “The followers of different official religions of Iran (Muslims, Christians, Jews and Zoroastrians) are free in practicing their religious activities”

In answer of this statement 160 people are agree that different religious are free in practicing their religious activities. It means 42 percent of participants are agree and 108 people equal with 28 percent are not agree with this statement and 116 percent are uncertain (30 percent) (Fig.1).

This Article is dedicated to performing religious rituals by unofficial religions in Iran. Majority of the respondents agree with the freedom of all unofficial religions such as Christianity, Zoroasterism, etc. in Iran. All unofficial religions possess places of pilgrimage and worship places in where they their religious rituals (see Unofficial Religions in Iran).

Depending on their religions, religious minorities are even free in the manner they hold their celebrations and mourning ceremonies.

![Fig. 1. Official religions of free in practicing their religious activities](image)

Having analyzed the results of the study, experts believe that since religious minorities enjoy equal rights and freedom, they are free to hold their ceremonies. Moreover, the equal credits are determined for supporting religious and cultural minorities in the annual budget of the country.

6.2 Article number 14

The statement is related to the article number 14 of Islamic revolution of Iran’s constitution in the questionnaire is” The government is very successful in protecting non Muslim people in the country”

Only 106 people of 384 participants equal with 28 percent at this research believe that “the Iran government is very successful in protecting
provide proofs for what they hold. Number 14 of the Constitution emphasizes on performance of the Islamic Republic of Iran has not been successful. The government of this Republic of Iran has been able to provide equal conditions for different Muslim groups. 26 percent of answers show the people are not agree with this statement. 46 percent of participants believe Iran government was not successful in protecting non-Muslim groups. 26 percent of answers are uncertain. (Fig.2).

The results maintain that majority of respondents believe that this Article is not observed by the Islamic Republic of Iran. Accordingly, one can conclude that the performance of the Islamic Republic of Iran has not been successful.

![Fig. 2. Protecting non Muslim people](image)

After reviewing the results of the research, experts have acknowledged that the Article Number 14 of the Constitution emphasizes on respectful treatment of religious minorities and non-Muslims. Thus, we do not accept it that non-Muslims are disrespected in our country. However, if some have such a claim they must provide proofs for what they hold.

Islamic Republic of Iran has always tried to have respectful behavior with non-Muslims unless they are involved in political issues and have liaison with opposing forces and centers out of Iran. Iran has always had a respectable kind of great Jews, Christians and Zoroastrians.

#### 6.3 Article number 19

Regarding this article the statement in the questionnaire is “The Islamic republic always gives equal attention to the different religions”. 40% of the respondents (153 people) believe that the government of this Republic of Iran has been able to provide equal conditions for different religions. In opposition, 33% of the respondents (127 people) disagree with this statement and believe that there have not been equal conditions for all religions. However, 27% of the respondents (104 people) were uncertain about this issue. (Fig.3).

![Fig. 3. Equal attention to the different religion](image)

In this section, majority of respondents have agreed with the performance of the Islamic Republic of Iran. The government has tried to maintain unity among different Iranian tribes through treating them equally.

Nevertheless, some respondents have disagreed with the successful performance of the Iranian government. A potential reason for such a disagreement can be the propaganda by Iranophobic tribalists. They have always been Friday make up a new literature among Iranian ethnic groups. In this regard one can refer to terms like Kurd Nation, or Azerbaijan Nation developed by such people without any scientific background. Such concepts like Kurd Nation or Azerbaijan Nation are against the agreed-upon definition for the term nation. According to the literature of such tribalists, the nation and the country of Iran has not raised out of an old culture and civilization with a thousand years old background, but it has emerged in the 20th century based on a given ethnic group i.e. Persians. Not only has this literature helped the maintenance of Iranian ethnic group’s rights and realization of their political, social, economic and cultural demands, it has also brought violent crises which have damaged all Iranian ethnic groups.

In analyzing the above results, expert
committee members believe that right equity and eliminating discrimination among Iranian tribes with different cultures have been focused in different Articles of the Iranian Constitution. Accordingly, there should be no difference among Iranian religions. Although the government has tried to pay enough attention to this issue, it unfortunately has been paid less attention in lower levels of the management.

They believe that Rights equity of ethnics has always been observed in Iran. People, however, may disagree with it such equity when it is the question of religious and ethical beliefs. They think Iranian people are very loyal to their religious beliefs and are actually biased about them. Unfortunately both sides have not yet learned how to interact with each other. Although the government has done some propagation about this, they are neither enough, scientific nor on the basis of a given psychology.

6.4 Article number 64

For this article, the statement in the questionnaire is “The question is whether or not the presence of religious minorities’ representatives in the Islamic Parliament of Iran has been helpful in maintenance of the rights”.

The number of representative of people in Islamic council parliament is 270. From this number, there are one representative for each Zoroastrian and Jews, one representative for Ashoori Christian and Caldani Christian, both together and Christian Armani of North and South each one, one representative. Also the minority religious’ representatives’ oat in parliament has to be on their distinguished holly books [2].

From 384 people who participated, 214 people were agreeing and 95 people are disagreeing and 75 persons were uncertain. It means 56 percent of participants believe that a representative from different religious minority can be useful for defending their rights in Islamic council parliament. On the other side 25 percent of these people don’t believe to this statement when 19 percent are uncertain. (Fig.4).

In analyzing the results of the present study, experts’ responses slightly vary such that the first group’s experts believe that according to the Constitution, different religions are recognized and enjoy equal rights without discrimination. This rights equity and minorities’ presence of representatives in Majlis are obvious. If Shiite-dwelling areas should have a representative per every 150000 people, religious minorities can have a representative in Majlis although their population may be a few thousands.

In this regard, experts of the second group remind that, Yes. It is effective. There are also instances for this. But they are not able to pass whatever law they desire. As a result, only one quarter of the respondents has had a negative opinion. Probably their viewpoint is about unofficial minorities who are not apparently very free.

7 Conclusions

There are different minorities in Iran which support with Iran rules and regulations. Through thousands years, many different tribes and ethnic groups migrated from neighborhoods to Iran, such as Armenian and Jews. Right now, Iran is the host of biggest Jews group in a Muslim country. All these are categorized in official religion in Iran constitute and they have the same rights such as Muslim people. Muslim people also have different sects in different areas of Iran but the law is equal for all madhhabs. None of official religions has priority to the others in education, jurisdiction, job opportunity and wage, according Iran constitution.
In analyzing the results of this research, it seems that there should be a differentiation between the official and unofficial religions in the country.

Meanwhile the role of Iran’s neighboring countries in fueling religious conflicts in this country is not negligible; and in spite of the fact that Iran has declared that religious minorities enjoy equal facilities, laws and conditions with other people, they have however have expressed their concerns and dissatisfaction due to pressures and propagandas from across the borders.

Although the presence of representatives from the official religious minorities in the Iranian parliament cause that many of the problems of minorities to be posed in the parliament’s tribune, the proportion of minorities’ population to the total population of the country never allows the legislation of a law for them.

References