

CHAPTER III

IRANIAN GOVERNMENT POLICIES TOWARD KURDISH MINORITY

In this chapter, the writer will describe the condition of Kurdish minority ethnic in Iran, a situation that describes the treatments of Persian regime toward Kurds. The elaboration of Iranian government policies itself will be categorized on the segment of issues. Policies that produced by a dynasty of Persia, Pahlavi Dynasty that was ordered by two Shah¹ puts several limits on the social and cultural activities of the Kurds in Iran to current time.² Categorization is used as tool to ease understanding of short history of Iranian Kurds that reflects and creates Kurds condition today.

Life of Kurdish people in Iran today has been known for a long time. The origin of Kurds that believed to have connection to Persians make their relation can be seen as one coin in different side. Nonetheless, Persians nation, time by time, always dominate the land of Iran and Kurds nation who live in Persians authority, they only stay on small area who acted as civilians, not the rulers. Fact that Kurds often being ruled than ruling and over domination of Persians rulers toward other nations in their authority inevitably gave some side effects to Kurds nations, especially Iranian Kurds. Feeling of marginalized to the repressive actions and policies from Tehran authority later made Iranian Kurds was treated as second-class society. Here, there are brief examples of Iranian major policies toward Kurds nation in some issues.

¹ Shah literally means King in Persian Empire, Dictionary on web <http://dictionary.reference.com/browse/shah>, consulted on 20 April 2015

² Info on Kurds, <http://kurdishrights.org/info-on-kurds/>, consulted on 20 April 2015.

A. POLICIES OF PAHLAVI DYNASTY AND PERSIAN REGIME UNDER AYATOLLAH KHOMEINI

In 1925, Pahlavi Dynasty was established and became the last theocratic regime in Persia. It was the time when Iran came on modernization and also a period when monarch of Pahlavi Dynasty began first massive and unfinished conflict between Iranian Kurds and Iranian-Persians authority by creating some policies toward minority Kurds. In fact, Pahlavi Dynasty under Shah Regimes later recognized has same policy compare to under Supreme Leader regimes. Firstly, a policy was issued on national identity. Reza Shah, the first king of Pahlavi Dynasty, produced a single national identity concept named 'Persian nationalism'. It was proposed in order to reduce or eliminate roles of other nations and maintain Persians power in Iran. It created 'Persianize', a situation when identity, culture, and language of Persians should become the identity for all nations in Iran, including Kurds nation. In the other occasion, a destruction on the Kurds' heritage represented by Iranian army, central authority of Tehran closed down Kurds-owned printing press and then burnt all the books in Kurdish areas to eradicate sources of Kurds literatures.³

Secondly, the repressive policy toward Iranian Kurds also happened on side of faith or religion. Belong to predominant Sunni Muslim, Kurds in Iran limited and restricted to learn and spread of Sunni teaching. For instance, mosques were destroyed⁴ and

³ David McDowall, *A Modern History of the Kurds*, I.B. Tauris, New York, 2004.

⁴ 'Religious Minorities', http://www.hrw.org/reports/1997/iran/Iran-05.htm#P359_74330, consulted on 21 April 2015.

clergies in Kurdistan areas should be Shiite clergies who were appointed by Supreme Leader.⁵

Third, a restriction policy over Kurds in inequality of political access. There were a lot of ways from Tehran authority to limit or even restrict the involvement and participation of Iranian Kurds in Iranian political arena. It counted since Islamic Revolution in 1979, as written by Dr. Ali-Reza Nourizadeh, political leader of Iranian Kurds was denied to join in Assembly of Expert to formulate new constitution of Iran and to give contribution or aspiration in circle of central government.⁶ Meanwhile, in their law there was regulation that stated about autonomy regulation which it meant legally, there was no guarantee for local people in every regions in Iran to manage their region based on their will.

A deniable action from Iranian government to repress the Kurdish people in Iran politically was by operating series of murders toward Kurdish politicians and opening war to Kurds rebellions who moved under Kurdish national political movements and them who lived as civilians. This was a hard way policy that not only to really eliminate any kind Kurds ideas on self-government or separatism but also to eliminate the people physically. Assassination of Kurds politicians, Dr. Ghassemlou and Sadegh Sharafkandi from PDKI and S. Kamangar from Komala party were part of Iranian

⁵ Ibid.

⁶ Dr. Ali-Reza Nourizadeh, 'The Tragedy of Being Kurd in Iran', April 2004, <http://www.nourizadeh.com/archives/000267.php>, consulted on 21 April 2015.

government plans to eliminate Kurdish politicians' involvement in Persian government system.

In their history, Kurdish inhabited areas and also became an open war areas between Kurdish army, *Peshmerga*, and Iranian army. For instance, when Supreme Leader decided to take over the control of Kurdish regions by military way and as the result, totally around 10,000 of Kurdish people were killed and died after some trials in death sentenced.⁷ Finally, any kind of Kurds movements that brought nationalism and separatism ideas for asking wider rights for Kurds will be stopped by Tehran government.

B. POLICIES OF IRANIAN GOVERNMENT UNDER NEW CONSTITUTION AND SUPREME LEADER

The condition of Kurds in Iran under Ayatollah Ali Khamenei unchanged compared to his predecessor. Insurrection of Kurdish people who organized their movement in political movements like PDKI and Komala stopped and did ceasefire in late 1990's. It happened after the killing series of political leaders, political members and also Kurdish civilians. Later, the movement of two main political parties, PDKI and Komala, shifted to diplomatic way rather than insurrection with separatism idea despite their effort to close and reach agreement with Iranian government which still found many difficulties.

⁷ Christopher De Bellaigue, *In the Rose Garden of the Martyrs: A Memoir of Iran*, Harper Collins, 2005, p. 60.

In the other side, unfortunately, even two Kurds conservatives' parties stopped their insurgent's action, discrimination policies of Iran toward Kurdish people seemed not change. Whereas, the new constitution of Iran in 1979 mandated and provided the equality of all Iranians. Iranian Kurds were still deprived on their basic human rights such as in politics, culture, and religious-sectarian rights, even Iran's constitution guaranteed equal rights in a lot of aspects of life.

1. Politics

Politically, Iran constitution guarantees the rights to establish association and political activity for everyone inside country that written in chapter III, article 26 and 27. With some exceptions, it will not violate the principles of independence, freedom, national unity according to criteria of Islam in Iran or basis of the Islamic Republic. At least, there is a written policy of Islamic Republic of Iran toward the freedom of political activities and assembly in their country. However, the action of government in reality seemed to not meet the standard of their written policy. In fact, until today, there is no single independent Kurdish party that establish legally in Iran.

Meanwhile, there were hundreds of abduction, detention, persecution, murder, alienation, and execution death penalty without any plea or fair trails for Iranian Kurds, who acted as activists, teachers, and politicians under the flag of PDKI, Komala, and PJAK, that still occurred frequently since millennium era. According to data produced by International human rights organization's report related to Iran human rights case on Kurds homicide stated that at least 94 in 2005, 117 in 2006, 317 in 2007, and up to

370 in 2008 for their status as suspects and criminals that threat or against government determined by Tehran authority alone.⁸

Any Kurdish groups who had activity in politic was watched by government frequently. Moreover, Kurdish people, like other minority ethnics, were restricted 'legally' by Iranian law which it has contradiction to their constitution noted in chapter III about rights of people. Kurds have been denied systematically by law to have access in high positions of Iranian government for the last three decades under Islamic regime. Name as *Gozinesh* which means "selection", Kurds politicians had different root of political sources compared to Persians, such as differentiation of Islamic political thought and ideology, shall to pass an ideological test in some governmental jobs based on Shia Islam political thought, concept of governance of religious jurist or *vilayat-e faghih*, and submission to Islamic constitution, concepts that are not adhered to majority of Iran's Kurds at all. In the end, it showed double standard to keep Persians along with Shi'itism thought above all minority ethnics and teachings or ideologies.

Referring to another policy related to political freedom for all people inside country, Islamic regime in Iran was extremely limited this small scale freedom in politic with a lot of constraints. It was recorded in article 498, 499, and 500 Article 498 of Iran's constitution that anyone who establishes, joins or engages any groups with any ideology to propagate against state and have goal to perturb the security of the country should be named as nations' threat who should be against and eliminated. They are who

⁸ 'Iranian Kurdistan', <http://unpo.org/members/7882>, consulted on 11 April 2015.

want to be different from the pattern of national ideology of Iran should become the enemy of state. Hence, it was logic if Kurdish political movements such as PDKI and Komala were categorized as threat for Islamic Republic regime. They were repressed politically by using repressive policies and military actions.

In Iran penal code also adjusted the same thing of ‘limitation’ in any kind of freedom association by declaring term of ‘enmity against God’ or *moharebeh* and ‘corruption on earth’ or *efsad-e-fel-arz* that became the highest standard on the classification of common enemy of constitution. These two terms are explained in article 186 and 187, chapter 7 as:

“All the members and supporters of a group or an organized association which have waged armed rebellion against the Islamic State, whilst the core of that organization or group exists, shall be regarded as *moharebs* provided that they knew the stance of that group or organization and had effective activities and efforts in supporting its aims; even though, they are not engaged in the military subdivision. Note - A united front composed of various groups and individuals shall be regarded as one [organization].”

“Any person or group that plots to overthrow the Islamic State and to that end gathers weapons and explosives, as well as those individuals who knowingly and freely provide effective financial facilities or means and weapons to them, shall be regarded as *mohareb* and corrupt on earth.”⁹

2. Economic

Another side of Iranian policy toward Iranian Kurds is in the issue of economic.

When there is discussion on Kurdish economic condition in Iran, then there should be

⁹ Iran Human Rights Documentation Center, ‘Islamic Penal Code of the Islamic Republic of Iran – Book One & Book Two’ on web <http://www.iranhrdc.org/english/human-rights-documents/iranian-codes/3200-islamic-penal-code-of-the-islamic-republic-of-iran-book-one-and-book-two.html#31>, consulted on 10 May 2015.

one definite fact, worst situation economically compared to other ethnics and provinces in Iran. Reported by a Western diplomat, it was explained that Iranian regime intentionally kept the Kurdish population at a low economic level by managing Kurds to not be allowed to invest in projects above a certain level.

A Kurdish journalist and blogger, Fazel Hawramy, added that since Tehran authority has made almost no investments in the Kurdish area, the people remained poor and their livelihood depended on the regime.¹⁰ No investment that was adequate to the development in infrastructure, Kurds areas were lacked of basic services on electricity, public transport, medical facilities or schools, and sewage systems. Even their land, Iranian Kurdistan, as one of the richest in term of natural resources such as agriculture products, minerals and oil, in fact, government impoverished the people deliberately, not such big, real, and potential investment to build Kurdish inhabit seriously.

In the constitution, rights to work were provided to all of people. The failure of central government to run their message in constitution did not take attention, or even let Kurdish people to have a better condition by giving them jobs. This condition evidently gave side effect to the life of Kurdish family at whole. They, Kurdish family, who could not have better jobs or good works, they should leave their hometown to find such life and livelihood that was more feasible and worthy.

¹⁰ Danish Refugee Council and Danish Immigration Service report, 'Iranian Kurds', Danish Fact Finding Report, Copenhagen, September 2013.

Gozinesh was also practiced in case of Kurdish people to join and have a job in the state and private sector as well, whether as a teacher, factory employee, and shop worker. Kurdish activists said that the government has neglected Kurdish areas, impeding employment opportunities.

3. Culture-Education-Social

Besides politics and economic issues, the rest of Kurds life aspects like social, education, and culture in Iran could not be described as better as the previous issues. Even there was a safe haven or shelter and good condition of life for some Iranian Kurds in some areas, moreover they who belonged to Shia, generally, discrimination policies at scale of group and elite were still happening. For instance, policy of *Gozinesh* that discriminated Kurdish Sunni in aspect of politics also occurred in education life of Iranian Kurds who constantly and disproportionately rejected to get access into higher education, such university level, because they could not pass the process of 'selection'. They also were denied to have education in their mother tongue. It meant that schools did not teach Kurdish language at all, even though Kurdish language was not banned to be spoken in Iran.

Of course, it again and again injured their constitution about freedom of language in Article 15 that wrote:

“However, the use of regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools, is allowed in addition to Persian”

The violation toward their constitution in freedom of language could be seen on an arresting of Ali Hesami, a Kurdish teacher, in 2009 for teaching his students by using Kurdish language in Divandareh. He was sentenced to 81 lashes and two years in prison.¹¹ A punishment that gave no space for Kurdish language was taught in school. It could be translated as evidence of Iranian government action to reduce the capability of Kurds toward their existence of culture on language arts and literatures. Other systemic effort of central government to reduce the existence of Kurdish language was by closing some Kurdish publications and newspapers in Kurdish languages which prevented them to have equal rights in cultural life.

Discussing on freedom of expression, Iranian policy could be stated not giving a lot of rooms for creativity of their people, including Kurds, who wanted to involve on the freedom of language and expression. In 2004, Tehran authority blocked Internet websites that provided independent news and analysis, and they arrested writers who sent information and had critical analysis toward government.¹² One other examples, in 2009, a Kurdish political activist in Sanandaj was arrested in his home because of his publication in social media that criticize government, a publication that he had to pay for one year imprisonment after two years arresting.¹³ In order to prevent all of criticism

¹¹ Kurdish Human Rights Project, 'Culture and Language Rights - Mother-Tongue Education in the Kurdish Regions', July 2011.

¹² Human Right Watch report on January 2005.

¹³ HRANA, 'A Political Activist Arrested in Sanandaj' on web <https://hra-news.org/en/political-activist-arrested-sanandaj>, consulted on 20 April 2015.

from Kurdish people, Iran was setting up a national network that would have a monopoly on Internet service for Iranians.

Inside of Kurdish religious activities, rights on freedom of faith was restricted in many areas, for instance Tehran authority by denying a building of Sunni Mosque in Tehran.¹⁴ Sunni Kurdish religious institutions were also generally blocked and government also watched the expansion of Sunni mosques that would exist anywhere in the country. Other cases, in January, 2008, Ayoub Ganji, a Sunni Kurdish cleric, suffered human rights violations after missing for 13 days because of delivering a Friday prayer sermon at the Qoba Mosque in Sanandaj. He was released later after detention and then he suffered extreme trauma. They did not belong to Muslim Sunni, like *Ahl-e Haq*, they had no space for recognition and they were banned from discussing their faith with the media.¹⁵

Finally, poverty in economic, not well educated in education and knowledge, no security and no safe haven, poor of custom in culture, and repressive participation in politics were descriptions of Iranian Kurds condition generally. Even it cannot be ignored that their modern civilization was there. A brave action was shown by six members of Iranian Parliament from Kurdistan province who resigned from their position in 2011 which signed a strong protest that claimed the legitimate rights of the

¹⁴ Human Right Watch report on January 2005.

¹⁵ Amnesty International report on Iran: Human Rights Abuses Against The Kurdistan Minority in 2008.

Kurds was denied and their calls for justice on the political, economic, cultural and social levels had been neglected.

In the end, at least until today, regions, in which the Kurds live, could be said as among the poorest and least development regions in all of Iran. Another source could be confident to state that Iranian Kurds were subject to the harshest violations of human rights and the most brutal state violence.

Issues	Regime Actions
Politics	<p>Kurdish political parties was banned</p> <p>Small number of Kurdish representatives in parliament and government</p> <p>Discrimination policies to establish political movement with different ideology</p> <p>Repressive actions of government toward Kurdish activists and politicians.</p>
Economic	<p>No development in Kurdish inhabited regions</p> <p>Difficulties to find appropriate jobs</p>
Culture- Education-Social	<p>A lot of barrier to reach highest level of education</p> <p>Prohibition on Kurdish language lesson and delivery in every level of education</p> <p>Limitation on freedom of expression</p> <p>Limitation on freedom of faith for Sunni Kurds</p>

Table 3.1 Actions of Iranian Government toward Iranian Kurds