

**Information on the Mandeans in Iran  
in Regards to Human Rights**

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## Information on the Mandaeans of Iran in Regards to Human Rights

### Background Information

The Mandaeans are a religious sect of great antiquity that still exists in limited numbers in the border territories of southern Iraq and Iran.<sup>1</sup> Neither Christian, Moslem, Jewish, nor Zoroasterian, the Mandaean religion contains a variety of ancient elements that attest to their antiquity.<sup>2</sup> Adherents to the faith can be found in the cities and villages in the lands of the lower Euphrates, the lower Tigris, the rivers that surround the Shatt-al-Arab, and in the adjacent Iranian Province of Khuzistan (once called Arabistan).<sup>3</sup> The population of the Mandaeans is due directly to the influx of diseases and persecution.<sup>4</sup> For example, one Mandaean Ganzribra (high ranking clergyman) Yahia-Bihram wrote about the time period he lived in and what happened after the great cholera epidemic of the early 1800's. His life demonstrates the great hardship of the Mandaean people and the triumph in the preservation of the religion. He tells us that in the year 1247 AH (1831 AD) a great plague came to the Southern Iraq and Iran areas. The end results of the plague was not only thousands of Mandaean dying, but also the extinction of all ordained Mandaean priests. Many Mandaeans died in the horrible days that followed, but finally the disease passed and the people began to rebuild. Priests had to be consecrated and it was years before there was enough priests for ritually pure weddings and funerals.<sup>5</sup> The Mandaean population was drastically close to extinction:

“Ands now, O, Our breather that shall succeed us, know that in the year Friday, the year 1247 AH, the great plague came and not one of the ganzribra or priests survived and many people departed the body.”<sup>6</sup>

“Throughout the Middle Ages, however, the glimpses that one gets of the Mandaeans show them harassed by persecution. One disaster in the fourteenth century left such a mark on their memories that they still speak of it today. I came on a record of it at the end of a magic roll that I examined recently, and the same account is set in the tarikh at the end of a codex in Shaikh Dukhayil's possession. It tells of a frightful slaughter of the Mandaeans in the Jazirah when Sultan Muhsin ibn Mahdt was ruler of Amarah and his son Feyyadh governor of Shuster.. The cause was a

woman, a Subbiyah, who, going down to the river on the first day of the New Year, at a time when all Mandaeans keep within doors was seized by Arabs from a fleet of boats lying in the river. Fighting ensued, and war against the Subba was proclaimed. Priests, men, women, and children were massacred and the community remained broken and priestess for years.”<sup>7</sup>

The population has always remained in the low tens of thousands.<sup>8</sup> Today the Mandaeans number range between 40 and 60,000, using a conservative guess. There is no census to give an accurate account. It is estimated that while Iran has a population of 5,000 to 10,000, Iraq's population is in the 40 to 50,000 range. This 5,000 to 10,000 figure is supported not only by Mandaeans from Iran but also in recent articles. One article states that Iran population of Mandaeans totaled 6,200 in 1989.<sup>9</sup> The 6,200 figure is also used by the UNHC with the source being L'Etat des religions dans la monde.<sup>10</sup> In 1994 there are reported to be 800 to 1,000 Mandaic speakers in Iran, out of an ethnic group of 5,000 Mandaeans in Khuzistan.<sup>11</sup>

The Mandaeans have been able to maintain their religious codes, language, culture, and sacred scriptures, despite overwhelming odds at various times in history. The Mandaeans have always sought to live near a river, for this an essential part of their daily rituals.<sup>12</sup> Whereas the Mandaeans have existed possibly back to the time of the Pharaohs, there has been very little written information regarding these people, prior to the 20th century.<sup>13</sup> Their religion has remained a mystery, hidden from outsiders for fear of persecution. With more and more books, recordings, articles, photos, the Internet and translations of sacred documents being made available to the non-Mandaean community, information on the Mandaeans will become more common place knowledge. At the present time, information on the Mandaeans is really limited to a small population of scholars. The 20<sup>th</sup> century has opened the door to a vast wealth of anthropological information, yet on the other hand to certain destruction of the people. Ever since there have been Islamic influence, the Mandaeans have become closed mouth concerning all religious activities. In fact, the Mandaeans are so fearful of persecution that even in today's world many Mandaeans will give conflicting stories regarding themselves or their culture. When confronted on what their religion is, a Mandaean will say that it is similar to your religion.<sup>14</sup>

“If oppressed (persecuted) then say, “We belong to you... But do not confess him in your hearts or deny the voice of your master, the High King of Light...”<sup>15</sup>

The Mandaean have always tried to appease the Moslems in order to establish a low profile. An example of this can be seen in a recent Refugee case in Australia.

“... We had a neighbour who knew that we were Mendaie people they would not even talk, associate or even pass our home. One day near our new year my sister in law who is here in Woomera was trying to do thorough cleaning of the home, she was washing the courtyard by using the hose the hose had some holes in it and accidentally some water went into the neighbour's home as the wall was short, they started to scream why did you splash water in to our courtyard they came to our front door kicking the door and swearing at us you `dirty people' she opened the door and was surprised and told them that no one did this, they said you made our life dirty doing that. At this time we were out of the home, when my father returned went to the neighbours to see the area that the water had affected. They told him the water had made dishes food dirty, they are not usable any more. My father asked then what had been damaged we can replace them, splashing the hose was not intentional we are at your service whatever has been damaged can be replaced of if you wish money. What they were saying, why did you use water and destroy our lives and they were insisting that we had to leave this place (or) we are going to kill you. Due to this we were forced to leave somewhere else to live.”<sup>16</sup>

This is the only reason why today the Mandaean are still existing within the rigid Islamic walls. Over the centuries the Mandaean have found it more and more difficult to separate themselves from Islamic influence. This is especially apparent in the 20<sup>th</sup> century. Mandaean culture and language has become more and more Arabianized or Persianized due to pressures from outside. As the Mandaean became exposed to western society modernization which flooded into the areas by the 1950 to 1960's their religion took a turn for the worst.<sup>17</sup> Mandaean, like all cultures, wanted the advantages of education, good jobs, descent housing and security for their children. In order to achieve these goals the Mandaean were forced to deny certain Mandaean mandates. For instance as Mandaean children attended schools they are required to cut their hair, this is

in direct violation to Mandaean rules. Since the sons of priests are barred from the priesthood if they cut their hair, the act forced upon the children has dwindled the pool of acceptable applicants.<sup>18</sup>

“Government schools insist that boys cut their hair: whereas the ritual rule forbade Mandaean men to touch hair with scissors or razor. This rule applied especially to the priesthood, and the fact that boys of priestly family now attend school, has helped to deplete the ranks of the priesthood.”<sup>19</sup>

With the Mandaean becoming surrounded by Moslem neighbors, as well as working and buying in Moslem businesses, the Mandaean have recently taken to blending into the surrounding culture. This has been achieved through camouflage by employing a variety of cosmetic techniques. Such as naming children with Moslem associated names rather than traditional Mandaic names, learning the basic Moslem customs, religious customs, and rituals so that one may pass in time of harassment, and finally wearing lay clothes similar to the average Moslem.<sup>20</sup> Even with all the camouflage the Mandaean are still recognized in their hometowns like Ahwaz. These techniques really only work if you are visiting Tehran and not living there. A recent example is a Mandaean family who fled to Shiraz after Khoramshah was bombed. It took the Moslem population only a short time to figure out they were “Subbi”. The family has since fled the area due to the extreme harassment.<sup>21</sup> If you are observant you will note who is Moslem and who is Mandaean on the streets of Ahwaz. There are many minute details, for example the beard. Mandaean males are either shaved or grow long beards. The Moslems quite often appear with stubble or short beards. About 75 years ago the Mandaean in Iran were required by law to take on last names as was customary in Persian society. Some of the Mandaean were given names that would indicate they were of a Non-Islamic religion. One common name was Sobbi or a sobi attachment. Today there are many Mandaean family names that are indicative of their Mandaean roots.<sup>22</sup>

“She claimed that she told them that her name was Islamic not Sabean, and that when they found out she had to move school.”<sup>23</sup>

These superficial techniques do not defile or pollute the religion since they are not covered by Mandaic codes.<sup>24</sup> Thus if the time comes when extermination is inevitable, there will be those who can escape and survive. Thus assuring the

continuance of the Mandaean religion. This fear of eventual extermination has evolved from the increased Islamic pressure especially in recent decades.

### **Mandaeanism is NOT a Recognized Religion**

The Mandaeans in Iran have no religious designation as an official religion. The title, given to Iran today, The Islamic Republic of Iran demonstrates the complete control that Islam has, not only on the country but the very people themselves. Iran is an Islamic state made for people who are of that religion and obey those tenets.

“The Constitution declares that the ‘official religion of Iran is Islam and the sect followed is that of Ja’fari (Twelver) Shi’ism,’ and that this principle is ‘eternally immutable.’ It also states that ‘other Islamic denominations are to be accorded full respect,’ and recognizes Zoroastrians, Christians, and Jews (Iran’s pre-Islamic religions) as the only ‘protected religious minorities.’”<sup>25</sup>

“According to article 13 of the Constitution, the Zoroastrian, Jewish and Christian Iranians are the sole recognized religious minorities who are free within the jurisdiction of the law to perform their religious services and shall act according to their canon law as far as their personal status and religious teachings are concerned.”<sup>26</sup>

In Iran being a religious minority brings on a certain level of restrictions; those who are unrecognized suffer even more restrictions.

“All religious minorities suffer varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing.”<sup>27</sup>

“Recognised religious minorities are second class citizens. Non-believers and non recognised religions are deprived of any rights”<sup>28</sup>

Religions that are recognized in Iran are not equal or on the same level to Islam. They are simply allowed to exist under strict rules and regulations. Mandaeans have no recognition, although they do have some protection due to the fetwa and the position as the Sabians of the Book. The reader must remember that the circumstances surrounding the Mandaeans can change at any time. They are

not secured in their own homeland where their ancestors have lived for centuries. It is a day to day existence, not a life, but a barely tolerable existence. As long as the Mandaeans continue to keep a low profile, not to report or pursue harassment charges, and accept the discriminations, they will continue to exist under a second class status. This second class existence with a deprivation of human rights is not uncommon, as we have seen similar situations among the blacks in South Africa as well as in the early to mid 1900's in America.

"In 1995, C. Chaqueri of Encyclopedia Iranica indicated that Sabaeans are "ill-treated and discriminated against by the Iranian authorities, given that they fall into the category of 'undesirables' " <sup>29</sup>

The mistreatment of Mandaeans by Moslems has been shown most clearly in the recent news stories concerning the detention camps of Australia. If the refugee Moslems can get away with persecution in Australia where they are supposed to be protected then what can we expect in Iran where the Moslems have the upper hand.

"The Barnabus Fund reports that Chaplains, pastoral workers and staff at the Woomera, Curtin and Port Hedland detention centers in Australia have spoken up about an atmosphere of Islamic intimidation and terror in which the authorities seem powerless to protect the non-Muslims. Whilst Muslim asylum-seekers have access to halal meat and mosques, many non-Muslims' religious and dietary needs are not being met.... In Woomera, Mandaeans are now even allegedly forced to hold their religious meetings in secret, and in Curtin no Mandaean services are being held at all because the authorities simply cannot guarantee the protection of the participants, and even Christian services, including baptisms, have been severely restricted," the report said." <sup>30</sup>

"Mandaeans are a tiny pre-Christian sect who follow the teachings of John the Baptist. Many have come to Australia seeking asylum after escaping persecution in Iran and Iraq. In other recent incidents at Woomera it is claimed that:

- Mandaean girls are harassed by Muslim men who see them as "infidels" not worthy of respect.
- Muslims have defecated in the doorways of Mandaean quarters.
- Non-Muslim women are abused for not wearing veils." <sup>31</sup>



“The persecution has become so chronic that Mandaean in Woomera conduct their services in secret, while in Curtin, Amnesty International believes that services are not held at all because authorities are concerned about physical attacks. Even Christian services at Curtin, including baptisms, have been severely restricted by immigration officials.”<sup>32</sup>

“Amnesty has also written to Ruddock, asking him to urgently investigate the victimisation of Mandaean. Amnesty has requested that the Mandaean scattered through Woomera, Port Hedland and Curtin be taken to Sydney's Villawood centre where they can receive pastoral care from the local Mandaean community, be allowed to practise their religion which requires flowing water for constant baptism and be served traditional food, rather than the halal food they are restricted to at Woomera and Curtin.”<sup>33</sup>

“Another Mandaean detainee wrote: ‘Religious instigations and harassment began since our arrival in this confined camp . . . they said we are infidels with no religion and prophet . . . that killing an infidel and looting his wealth is permitted in Islam.’ ”<sup>34</sup>

“Amnesty have cases where Mandaean have been discriminated against in Australian detention centres by Muslim detainees. At Oscar, Mandaean have been forced to pray in private rooms. Since 1980, Mandaean have been actively persecuted in Iran by fundamentalist Muslims.”<sup>35</sup>

“Amnesty International's refugee co-ordinator Doctor Graham Thom says intolerance and vilification are now serious problems inside Australia's immigration camps. "The reports we're hearing say that Mandaean, Tamils and other Hindus and Christians - in particular Christian converts - are facing violence or threats of violence from certain Islamists with the detention centres. "They are being called infidels. They are being refused access to kitchens and things like that because people think they are unclean as infidels. “<sup>36</sup>

## **Sabians: People of the Book**

The Mandaean are the Sabians as written by Mohammed in the Koran.

"Those who believe, and the Jews, and the Christians, and the Sabians, whoever believes in God and the Last Day and does good, they shall have their reward from their Lord, and there is no fear for them, nor shall they grieve."<sup>37</sup>

"Those who believe and the Jews and the Sabaeans [Sabians] and this Christians— whoever believes in God and the last day and does good they shall have no fear, nor shall they grieve."<sup>38</sup>

"Those who believe and those how are the Jews and the Sabians and the Christians and the Magians [Zoroastrians] and those who set up gods (with God)-- God will decide between them on the day of resurrection for God is a Witness over all things."<sup>39</sup>

The Mandaean are suppose to be dealt with as a "people of the book", but this protection is not always honored, especially after the Islamic revolution in Iran.

"The Mandaean are not an officially recognized minority religion in Iran. The Qur'an exempts them, as a "people of the book," from forced conversion to Islam. After the revolution in 1980, however, the government stopped supporting this protection. "<sup>40</sup>

As the above paragraph states, Mandaeanism is not an officially recognized religion in Iran. In 1996, Dr. Jorunn Jacobsen Buckley, a Bowdoin College Professor, in her article "With the Mandaean in Iran" wrote:

"The History Department at Dr. Beheshti University in Tehran made the application for my visa, a wise arrangement, for the Mandaean are not an officially recognized minority religion in Iran. The Qur'an exempts them, as a "people of the book," from forced conversion to Islam. After the revolution in 1980, however, the government stopped supporting this protection. Since then the Mandaean have worked to regain it. About a year ago, the Iranian President Khamenei issued a fatwa, an opinion, about the Mandaean, stating that they seemed to be monotheists with a holy scripture and a prophet and should therefore be recognized as a

protected religion.”<sup>41</sup>

Even after being suggested that the Mandaean religion should be recognized by the President of Iran itself, the country still refuses today (January 2003) to be officially recognizing the Mandaean religion. In a report “Background Paper on Refugees and Asylum Seekers from Iran UNHCR”, contains this statement:

“Also known as Mandeans and "Christians of Saint John the Baptist", the Iranian Sabeans are included among the recognized religious minorities...”<sup>42</sup>

Whereas the Madaeans are acknowledged as the Sabians of the Koran they still are not recognized according to the Constitution of Iran. The information on the Madaeans being recognized comes from a book by Nikki R. Keddie.<sup>43</sup> Ms. Keddie assumes that the Madaeans are just another form of Christianity and is not aware that they are not Christians. This is a prime example of how government authorities can be misdirected into believing a false statement instead of the truth on just what and who the Madaeans are. The false belief that the Madaeans are a Christian religion has trickled down to the Australian Refugee Tribunal with Tribunal members on both sides of the fence. This confusion has a great deal to do with the little correct data available on the Madaenas.

“They are an accepted religious minority in Iran, falling under the mantle of the Christian religion, one of the religions recognised in the Iranian constitution.”<sup>44</sup>

“There is conflicting evidence as to whether Sabian Mandeans are considered to be part of the officially recognised Christian minority in Iran. I accept that Sabian Madaeans do not regard themselves as Christian and I accept that Christian churches would not consider them to be part of the Christian community. I accept that they are not one of Iran's officially recognised minority religions, though they are clearly mentioned in the Koran and recognised as "people of the book" by Ayatollah Khamenei.”<sup>45</sup>

In the International Religious Freedom Report for 2002 the United States acknowledges this confusion with the UNCHR report and notes that their legal status has never been clarified.

“According to the U.N. High Commission for Refugees Background Paper on Iran, the Mandaeans are regarded as Christians, and are included among the country's three recognized religious minorities. However, Mandaeans regard themselves not as Christians, but as adherents of a religion that predates Christianity in both belief and practice. Mandaeans enjoyed official support as a distinct religion prior to the revolution, but their legal status as a religion since then has been the subject of debate in the Majles and never has been clarified. The small community faces discrimination similar to that faced by the country's other religious minorities.”<sup>46</sup>

It has been brought up by the Refugee Review Tribunal that the Mandaeans are the Sabians of the Qu'ran and are one of the “people of the book”. In my research I have seen where this is being mistaken for the Mandaeans being officially recognized and protected. Being a “people of the book” has nothing to do with being officially recognized in Iran. In the Iranian Constitution for example Zoroastrian is an official recognition. Yet Zoroastrian are not one of the three groups commonly called the “people of the book”. Zoroastrian is included because they are an ancient Persian religion and have a place in the Persian history of Iran.

“The Constitution declares that the ‘official religion of Iran is Islam and the sect followed is that of Ja’fari (Twelver) Shi’ism,’ and that this principle is ‘eternally immutable.’ It also states that ‘other Islamic denominations are to be accorded full respect,’ and recognizes Zoroastrians, Christians, and Jews (Iran's pre-Islamic religions) as the only ‘protected religious minorities.’”<sup>47</sup>

“According to article 13 of the Constitution, the Zoroastrian, Jewish and Christian Iranians are the sole recognized religious minorities who are free within the jurisdiction of the law to perform their religious services and shall act according to their canon law as far as their personal status and religious teachings are concerned.”<sup>48</sup>

‘People of the book’ or ‘dhimmis’ (Zamis) in Quran are named as Jews, Christians and Sabians, who had adherents among the Arabs. To them Muslims presented three choices, death, conversion or the payment of tribute (jizya). To other infidels including Buddhists and followers of other religions two options were offered death or conversion to Islam.

Zoroastrians theoretically belonged to the second group, however because of their sheer numbers Muslims were forced to regard them as dhimmis.<sup>49</sup>

Although researchers can provide data and the local Moslems for generations have referred to them as “Subbi” (Sabian), Iran still does not acknowledge the Mandaeans as “the people of the book” in an official capacity. Even the fetwah issued did not persuade the government of Iran to acknowledge the Mandaeans in the Constitution.

So does being a “people of the book” get the Mandaeans special protection. Traditionally the “people of the book” were suppose to be exempt from forced conversion.” But that idea only worked if the country supporting Islam enforcing or protects that status. Where as protection looks good on paper in reality the “people of the book” have long suffered under Islamic dominance and have been subjected even to forced conversions.

### **Education of Children**

Since the Islamic revolution, the Mandaeans have become more aggressive in enforcing their codes and education on the younger Mandaean generation. This is their way of combating the forced Islamic religious education in the schools. The religious education of one’s child is a personal and family orientated decision. Where as most religious training is done in the homes and places of worship; schools can also be a source of religious instruction. One of the most fundamental valued possessions in the United States is the separation of state and religion. American parents can feel safe that their children in school will be free from religious overtones. This is especially important if one’s child comes from a religious minority.

Religious instruction is just one of the many elements that will determine a child’s mental, physical, moral, and social skills that will enable them to be a productive member of society. When a child is subject to harsh treatment, degradation, humiliation, and conflicting moral dilemmas, that child then will be denied the basics of all freedoms.

Mandaean refugees have stated again and again that the children are humiliated, tormented, and punished harshly at school based on the fact they are not of the Islamic faith. Examples are:

- ◆ Being struck by school authorities for accidentally dropping a Qu'ran from a desk to the floor
- ◆ Told their souls are damned because they are not Moslems on a daily basis.
- ◆ Pressured daily by students and adult authorities to convert from Mandaeanism to Islam.
- ◆ The children are forced to observe the Islamic rituals of fasting even though this type of fasting is prohibited in the Mandaean religion
- ◆ Everyday of your life you are told that your body is dirty and whatever you touch is impure and polluted.
- ◆ Knowing that your children may be forcibly circumcised thus denying them the right to Mandaeanism for life
- ◆ Forced to pray in the Islamic fashion and to use Islamic prayers. To pray in the Islamic fashion of prostrating themselves is in direct violation of Mandaean doctrine.

Many Mandaean parents in Iran have reported that their children are coming home and praying in the Moslem style as required by their teachers.<sup>50</sup>

“People would tell them and the Imam would preach that Sabeans are dirty and this was taught in the school. Their children were compelled to study the Koran and Islamic teaching and do compulsory prayers.”<sup>51</sup>

“Every Thursday, clergy come to school to try and convert the Sobbi girls. Because on Thursdays, they take the Moslem children to the graveyard. (Applicant's wife talking at same time) And they are forced to wear chador or the hijab. And also force them to pray, the Muslim way. When they say that they don't know how to pray, they would say can you bend and get up and straighten up? Do that.”<sup>52</sup>

Over and over the Mandaeans have described the continued persecution at school and the pressure to convert to Islam.

“Consequently, his children in the course of their education had to study the Koran and attend Islamic religious studies at school. They were under pressure to convert. They were taunted by teachers at the school. They were not allowed to have direct contact with other students, and so could not touch the water taps as they were regarded as unclean and had to take bottled water for use at school. They were not eligible for university studies.”<sup>53</sup>

“Her children were forced to learn the Koran at school and they were insulted and called ‘dirty Sabians’.”<sup>54</sup>

"They take our children to mosque and ask them to convert to Islam". This was done by the Islamic clergy in cooperation with the schools. Their children were not allowed to attend university unless they signed that they are Muslims, and did so with parental consent. Her children had not been forced to convert, although they were encouraged to do so. She is called an "infidel" when she goes to the school to see the teachers.”<sup>55</sup>

The applicant's wife stated that she had said that her children were taken to the Mosque from the school and that they were taught Islamic studies in theology.<sup>56</sup>

The Mandaean children are constantly bombarded with the fear of forced conversion to Islam. In a May 2002 article from The Age, Kosrow Chohaili, President of the Sabian Mandaean Association in Sydney, cited the case of a 38-year-old widow who had been held with her two sons in the remote confines of the Curtin detention center for almost two years after her plea for asylum was rejected.

“She fled Iran because an Islamic teacher was going to forcibly convert one of her two sons to Islam, but nobody believes her... During the recent riots she was threatened and abused by Muslims who reviled her as an infidel. She was removed at her request by the ACM guards and is now being held in a separate part of the camp for her safety.”<sup>57</sup>

Many Madaeans parents are removing their children from schools because they fear they will be converted or to protect them from harm both mentally and physically.

“My children are also always being hassled at school.”<sup>58</sup>

“They were not at school because at school Muslims kept talking to them about becoming a Muslim, so the family took them out of school. The schools were "like a mosque". The teachers just talked about religion, especially if one was Sabean.”<sup>59</sup>

“...asked him why he had not finished school. He responded that he left because of the harm at school. Muslim students chased him home from school, throwing stones. Even at his desk they put their bags between him and them so their bodies would not touch his. The Principal took the Sabean out of class to talk to them about Islam.”<sup>60</sup>

“It was during these formative years of education that I had to change [a number of] senior high schools each year to overcome the direct persecution from the principals, teachers and even my then fellow students who actively sought to persuade me in whatever manner to change my faith and convert to Islam. Throughout this period I was verbally abused, physically beaten by teachers and the religious teachers, students and members of Islamic Association who were also students at the school because of my faith. In regards to these continuous incidents my parents endeavoured to confront the school principals, and the Department of education, only to suffer abuse and beatings on their persons from the head of the Department of education.”<sup>61</sup>

“... he had also claimed that his sister had been pressured by school authorities to convert to the Muslim religion. It was because of this pressure that his mother felt obliged to remove her from school and thereby cut short her education.”<sup>62</sup>

Australian immigration officials have determined that studying the Islamic religion will cause the child no harm. Mandaean parents are outraged that their children are being forced to mentally accept a religion that is forbidden to them by Mandaic codes.

“As noted above, I accept that Sabean Mandaean children - like all children who attend public schools in Iran - study Islam as part of the school curriculum. I accept that the applicant husband and wife think that this is unnecessary for their children and would prefer them not to do so.



However, in my view, this requirement does not cause harm or detriment serious enough to amount to persecution for a Convention reason. “<sup>63</sup>

The stated fact that studying Islam will not adversely affect these children in their lives is clearly an over simplification of the situation. When a child is subject to constant fear of their eternal soul being damned has a major effect upon the psyche of a human being. When your children are told over and over that they are worthless and evil because of your religion, the children will grow up feeling they are evil and to be redeemed must convert is this not a denial of human rights? When a parent fears his children can be kidnapped and forcibly circumcised is this not persecution? These are the fears that many Mandaean parents in Iran face on a daily basis.

### **University**

Many Mandaean desire to seek education above the high school level. They want become professionals. In fact the Mandaean, as a whole, have an unusually high percentage of engineers, doctors, teachers, and lawyers throughout the world. The Mandaean in Iran today that have degrees got those before the Islamic Revolution. Today in Iran if you wish to go to a university you must adhere to Islamic rules.

“University applicants are required to pass an examination in Islamic theology. Although public-school students receive instruction in Islam, this requirement limits the access of most religious minorities to higher education.”<sup>64</sup>

“Believing in the Islamic Republic of Iran constitution and no criminal record or records of activity in political parties that are against the Islamic Republic of Iran.”<sup>65</sup>

There are many Mandaean that want to attend college but the requirement of Islam is keeping them out.

“It was clear from the evidence of [the elder daughter] that she and her siblings were educated at the Khoramshah Public School but the requirement to study Islam was a major reason for them not progressing further at school or to a university education”<sup>66</sup>

There is a common misunderstanding is that if you pass the Islamic test you can go to the University.

“Furthermore, there is no evidence before me to suggest that any of the applicants' children have either the potential or the desire to attend university, or that they would necessarily fail to pass an Islamic studies test and thereby be definitely excluded from university”<sup>67</sup>

On the application paper there is a place to identify if you are Moslem or one of the recognized religions. Only those may go to school. It is important to note that the Mandaean are NOT listed on the application form.<sup>68</sup> So even if you pass the exam and have the “potential and desire” to attend you cannot.

If by some chance you manage to slip by the application form you then have a personal exam. There is a good chance at the personnel interview you be found out to be a Mandaean and denied entrance.

“Furthermore, there are also ‘character exams’ that a potential student must pass in order to be admitted into higher-education. This exam is a test of the student’s “commitment to the values of the revolution and the Islamic government”<sup>69</sup>

“She referred to when she was accepted in an entrance examination for study but when she went for an interview they realised she was a Sobbie. The officer in charge of the enrolment tried to rob her. She stated that their name is a vivid indication that they are Sobbies”.<sup>70</sup>

“The Tribunal accepted that the applicant's children are likely to be denied the opportunity to attend university.”<sup>71</sup>

One of the Refugee Review Tribunal members has gone so far as to state:

“This evidence suggests that Sabeian Mandeans have traditionally not sought to go to university, even before the revolution”<sup>72</sup>

First of all many Mandaean do have degrees from before the Revolution and education was a top priority for the Mandaean people. This is another example of poorly informed officials that do not know who the Mandaean are. Whereas their ancestors may not have been privileged to attend a university, there is a

great need and desire to have an educated community. We are living in the 21<sup>st</sup> century where technology and a degree are universally needed for advancement both financially and socially. The Mandaeans need their own teachers, doctors, lawyers, dentist etc. for the well being of their society. This is especially needed in Iran where many doctors and dentists refuse to treat a non-Moslem. But the Mandaean people are denied access to the university system in order to keep them under educated in comparison to the Moslems.

### **Mandaean Occupations in Iran**

When the Islamic regime took over in Iran, all non-Moslems in government jobs were fired and Moslems were hired in their places.

“Applicants for public-sector employment are screened in similar fashion for their adherence to Islam. The law stipulates penalties for government workers who do not observe "Islam's principles and rules.”<sup>73</sup>

In a report released by the US State Department in October 2002, it is noted that Iran does discriminate in the area of employment.

“In Iran, the report said, the government sanctioned discrimination particularly in the areas of unemployment ‘Baha’is, Jews, Christians, Mandaeans and Sufi Muslims reported imprisonment, harassment or intimidation based on their religious beliefs,’ the report said.”<sup>74</sup>

Items such as years of service work experience or educational backgrounds were not important in the job description. The only thing that counts is if you were a Moslem and were strict to Islamic law. The Mandaeans were not exempt in procedure and many were fired from a variety of fields from health services to teachers.<sup>75</sup> Another example is the fact that members of religious minorities are generally barred from becoming school principals.<sup>76</sup>

As far back as written record show, the Mandaeans have existed as simple tradesmen: such as smiths, goldsmiths, boat builders and carpenters.<sup>77</sup> In recent times though there have been over 25 goldsmiths killed<sup>78</sup> and many shops robbed. From private interviews it does not appear that the any of the criminals have ever been brought to justice. It also has been reported of gold stores confiscated by Iranian police due to complaints from Moslems that they were cheated. Many gold stores are shoplifted and most of the Mandaeans feel

helpless to do anything because of the backlash that can occur.<sup>79</sup> An example of this was recounted to the Australian Refugee Tribunal:

“On this day his two older sons went to open their jewellery shop. After a while two Muslim women entered wearing full Chador. The elder son brought out a tray of gold jewellery and put it on the counter. The customers started trying on the jewellery. Because of the rule that men should not see women's wrist they half turned their backs. One of the women dropped a bracelet in the top of her Chador. They often lost pieces of gold in this way but this particular one weighted forty grams and so the eldest son asked to check her arm. They started screaming that these were Sabians who were accusing one of them of stealing. People started to gather around and some rushed into the shop. In the chaos the tray of gold jewellery vanished and both of the applicant's sons were attacked and beaten. “<sup>80</sup>

In recent years the Mandaeans have ventured into avenues other than the traditional occupations. There are now many doctors, lawyers, engineers, teachers, and business owners throughout the world from both Iraq and Iran. In fact the Mandaean people, both male and female, have a very large percentage of professionals with degrees. Before the Islamic revolution many Mandaeans traveled abroad to obtain a higher education. Today the Mandaeans in Iran no longer have the same opportunity to study abroad.

In reading the Refugee Tribunal cases I found this to be the most puzzling argument for why the Mandaeans should not expect a college degree or any other occupation than the old traditional ones.

“I note the ASUTA article which indicates that it would be economically unviable for a Sabeian Mandaean to be involved in a business connected with food. In addition, I note that Sabeian Mandaean are traditionally employed as smiths, goldsmiths, boat builders and carpenters. The ASUTA article notes that this has been the case "as far back as written record[s] show". The applicant husband's own evidence was that he was self-employed as one of these professions for some years. In the circumstances, I am not satisfied that restrictions on handling food in shops, or on operating food-related businesses is a detriment serious enough to amount to persecution for a Convention reason. Given the applicant husband's long employment history, and the evidence indicating

that the involvement of Sabean Mandeans in such trades pre-dates the Islamic revolution, I am not satisfied that the fact that Sabean Mandeans are excluded from government employment amounts to persecution.”<sup>81</sup>

Simply because the Mandaean are known as goldsmiths does not preclude them from modern occupations. This is just one example of the Mandaean being forced by the Moslem community to occupy only certain vocations. According to the Refugee Tribunal the Mandaean should not expect any other occupations because they were for centuries known as goldsmiths and therefore are not persecuted. What if the person no longer wants to be a goldsmith? What if he or she wants to open a “McDonalds” type business? What if the store was robbed or he lost all his gold? How many goldsmiths does the Refugee Tribunal think the area surrounding the Mandaean can hold? Does not the market get saturated with jewelers? Maybe a Mandaean has no talent to be a goldsmith? Or maybe he or she desires to be a doctor, lawyer, engineer, singer, artist, teacher, librarian or hundreds of other vocations that are banned to them because they do not follow the Islamic religion. Is this not a violation of a human’s right when they are prevented from pursuing an occupation and education? Is this not persecution?

Noticeably there are no Mandaean vendors of grocery or animal products in Iran. Since a Moslem sees touching of food by a non-Moslem as an unforgivable sin, it would be an economical disaster to venture into such business.

“Non-Muslim owners of grocery shops are required to indicate their religious affiliation on the front of their shops.”<sup>82</sup>

Even if a Mandaean wanted to open a food store that would be geared towards Non-Moslems, the Mandaean still would be denied the permit because they are not a recognized religion.

“...town will not issue permits for Sabeans to work with food products, so they have limited work opportunities. Permits are not issued as Sabeans are considered unclean...”<sup>83</sup>

At this point the notion of food slides from the area of discrimination and into persecution. Food is a religious item in the Middle East. The Mandaean also have food regulations just as the Moslems do. Culturally it is better for the Mandaean to have their own food supply that would conform to Mandaic

standards. Up until 30 years ago many Mandaeans had their own cows that were used for milk, butter, and yogurt and chickens for food. With the cities taking over and the Mandaeans becoming squeezed out, there is no place for these animals to exist. The Mandaeans are thus forced to depend upon the Moslems for food and forced to consume basic food staples that may not be “kosher” to the Mandaeans.

When in a store a Moslem will not allow a non-Moslem to touch merchandise. Instead a Mandaean must ask for a certain item and then the Moslem will hand it to that Mandaean. Of course the item cannot be returned since it has become polluted, due to being touched by a non-Moslem. Many stores go one step further and require all Mandaeans to bring their own tongs to select the merchandise.<sup>84</sup> The religious leader Khomeini was a model for strict observance in regards to touching non-Moslems. He holds that to touch a non-Moslems requires major ritual washing.<sup>85</sup> An example of the Moslem avoidance of not touching a Mandaean is shown on a recent report from a detention camp in Australia.

“The applicant stated that in the camp they were subjected to harassment from the Muslims. One of the Muslim girls told their daughter not to touch her but only to talk to her. The girl said that this was because her father had told her that the Sobbis were impure.”<sup>86</sup>

In fact the very idea of a Mandaean touching a Moslem’s food can and has incited riot conditions. An excellent example can be found in recent news reports:

“In December, 2001 an 18-year-old Mandaean girl (a small religious group which follows the teachings of John the Baptist) was shouted at by Muslim men in a dining hall who called her a ‘dirty, filthy infidel’ who shouldn’t be allowed to serve food to Muslims. When she attempted to argue back she was ‘pushed to the ground and kicked and abused.’”<sup>87</sup>

“When a young Iranian non-Muslim girl attempted to serve food at the mess in the Woomera detention center in December, she suddenly became the center of a fierce and violent outburst by a group of irate Muslim men and women. A witness to the confrontation said the 18-year old girl was verbally abused as a ‘dirty, filthy infidel’ who had no right to be handling food for Muslims. ‘She argued back, but she was pushed to the ground and kicked and abused’, the witness, a former Woomera

employee, told *The Age*. The girl was isolated by Australian Correctional Management staff and spent three days confined to her room, frightened and distressed. “<sup>88</sup>

Please note that when the girl complained she was placed in isolation. Just as in Iran when the Madaeans complained they are held to blame and punished. If the Madaeans are subjected to this type of persecution in Australia how can the Tribunal say it does not occur in Iran where there are no limitations by official authorities?

There have been many cases of the Madaeans been treated very roughly when shopping for food. Sometimes this rough treatment can explode into violence resulting in injury for the Madaeans.

“The applicant claimed that two to three years ago during summer he purchased an ice cream and then used a tap to wash his hands. The owner of the shop came out and shouted that he was a Sabian and he had eaten their ice cream and used a cooler that everyone used to drink water. The applicant claimed that the shop owner threw the money in his face and got a hose and started hosing down the tap. He claimed he was served because the person serving did not know he was a Sabian.”<sup>89</sup>

“About a year and a half ago the applicant's wife was in a fish shop and accidentally touched the water that some fish were in. The shop owner demanded that the applicant buy all of the fish. When the applicant's wife said he did not have the money the fish and the water were tipped over him.”<sup>90</sup>

“Two years ago the applicant's wife was at a baker's shop and the baker threw the bread down in front of her. He told her to pick up the loaf she wanted. In doing this she accidentally touched another loaf and so he threw the bread at her and then hit her with the pliers he had just used to take the bread out of the oven. Her arm was burned.”<sup>91</sup>

After hearing testimony such as that the Refugee Review Tribunal determined that if you do not like where you shop just take your business elsewhere.

“As to the claims relating to incidents when food was purchased, the Tribunal said that, while it was possible that such events did occur, it did

not consider that these three events about food constituted serious harm amounting to persecution or that they indicated the applicant and his family faced a real chance of persecution should they now return. The applicants presumably buy food each week and they would not return to someone who treated them in this fashion. Whilst these isolated incidents may have occurred, the Tribunal considered that they could shop elsewhere along with other Sabians at places that gave them respect. There was no suggestion that they were unable to obtain their nutritional requirements without facing constant harassment.”<sup>92</sup>

What the Refugee Review Tribunal fails to take into account is that Moslems own all the grocery style stores. Even if you did find a store that catered to you, it is possible in time that store could receive immense pressure from the Moslem community to ban the Mandaean because of the impure issue. Then what? Find another store? How long does this on for? We also must take into account that most women still walk to the stores to buy food. Does the Tribunal expect a woman, usually with children in tow, to walk several miles into another section of town in order to find food and not be harassed and carry food and kids home? In order to understand the Mandaean and their life in Iran one must not only have an excellent viewpoint on the Moslem life and their attitudes towards the non-Moslems as well as an extensive knowledge of the Mandaean people and lifestyle.

### **Sharia and Justice**

Iran uses the sharia to control all the people. The sharia is a collection of all Islamic laws that control all as Islam makes no distinction between religion and secular life. Islamic law covers not only ritual but every aspects of life such as human behavior, thought, and interaction.<sup>93</sup> In Islamic society the term law has a wider significance than it does in the modern secular West, because Islamic law includes both legal and moral imperatives. For the same reason Islamic laws can be stated as formal legal rules or enforced by the courts. Islamic law is based on four sources, or "roots of law." The first two are the documentary sources, the Koran and the Sunna, or Hadith. The third source is called ijthihad (responsible individual opinion) and has been used when an issue is not covered by passages in the Koran or Sunna.<sup>94</sup> The fourth source is the consensus (ijma) of the community, which is reached by gradually discarding some opinions and accepting others.<sup>95</sup> Khomeini stated:



"...all things contrary to the sharia must be forbidden, emphasis has been placed on sinful talk and consumption of what is forbidden, implying that these evils are more dangerous than all others and must therefore be diligently combated." <sup>96</sup>

Obeying the sharia is becoming more and more difficult when the religious minorities are facing strict Islamic control.

"...laws governing religious minorities were based on the belief of Islam's superiority to other religions" <sup>97</sup>

Items such as: the teaching and forced practice of Islam in all school systems; the strict enforcement of the dress code; controlling what vocations non-Moslems may enter; forced induction to fight in an Islamic holy war; the fact that the Mandaic religion is not recognized as a religion by the Islamic Republic, and the general Islamic fever that compels people to do things against their fellow man are all major issues that religious minorities must face on a day to day basis. In the goals of the Islamic Republic, there are two, which may prove dangerous to all non-Moslems. The first being the commitment to impose, by force if needed, strict Islamic standards for social behavior. The second is to establish an Islamic Cultural Revolution that will envelop everyone and force the Islamic way upon him or her. <sup>98</sup> A look at the constitution of Iran, which directs the army, extends Moslem law throughout the world.

"Accordingly, the Army of the Islamic Republic of Iran and the Islamic Revolutionary Guards Corps are to be organized in conformity with this goal, and they will be responsible not only for guarding and preserving the frontiers of the country, but also for fulfilling the ideological mission of jihad in God's way; that is, extending the sovereignty of God's law throughout the world (this is in accordance with the Koranic verse "Prepare against them whatever force you are able to muster, and strings of horses, striking fear into the enemy of God and your enemy, and others besides them" [8:60])." <sup>99</sup>

In a speech titled, "In Commemoration of the 1st Martyrs of the Revolution", Khomeini stated

"The Quran constantly discusses warfare against the unbelievers" <sup>100</sup>

The sharia helps to enforce the rules laid down by the Constitution of Iran. This Constitution determines what rights, if any recognized religious minority might have. Unfortunately not always do the rights of the individual follow Islamic rights. In the case of young Mandaean women forced into Islamic marriages the court always rules on the side of the Moslem man.

“I am satisfied that whilst the Iranian government does not have a policy of threatening harm to the Sabean Madaeans, the applicant herself and as a Sabean Mandaean has suffered from the failure of the government to take any measures to prevent local Muslims and Imams from harassing and vilifying the applicant and Sabean Madaeans generally.”<sup>101</sup>

For instance members of unrecognized religions must register individually with the government as a member of a specific religion where as the member of recognized religious do not have to register:

“Adherents of recognized religious minorities are not required to register individually with the Government, although their community, religious, and cultural organizations, as well as schools and public events are monitored closely.”<sup>102</sup>

Western readers must remember that Islamic law encompasses not only religion but government and personal rights as well. Religious minorities do not only suffer in the pursuit of their own religious doctrines, but also the fact that they are non-Moslem has an effect in the legal system.

“Religious minorities suffer discrimination in the legal system, receiving lower awards in injury and death lawsuits, and incurring heavier punishments than Muslims. Muslim men are free to marry non-Muslim women, but the opposite does not apply. Marriages between Muslim women and non-Muslim men are not recognized.”<sup>103</sup>

Legal representations in Islamic government are limited to those religious minorities who are recognized. All Iranian citizens may vote, including religious minorities, but your vote will go to a member of the Islamic faith. Members of religious minorities have no right to share in the political process.

“The U.N. Special Representative for Human Rights in Iran noted in his September 1998 report frequent assertions that religious minorities are, by law and practice, barred from being elected to a representative body

(except to the seats in the Majles reserved for minorities, as provided for in Article 64 of the Constitution)... Members of religious minorities are allowed to vote, but they may not run for President.”<sup>104</sup>

The Mandaean, being a humble people devoted to pacifism, have never played a major part in the field of politics.<sup>105</sup> In no way have they been a warlike people and their whole history, as well as their literature, shows that they were able to offer only a weak resistance, at the very best, to persecution and attacks upon their religion.<sup>106</sup> This even held true when faced with certain death.

‘The rish amma replied, "We do not obey a Sultan. We give our obedience to God, and we cannot obey the will of any man, or be under his hand.' The envoy said, 'If you do not accept, we shall fire our cannon upon you and kill you!' The rish 'ammo replied, 'Let your cannon be fired! We shall overthrow you, but not in battle. The Sultan has soldiers and cannon and we have nothing--no cannon and no firearms.’<sup>107</sup>

When faced with persecution the Mandaean simply moved rather than be faced with any confrontation.<sup>108</sup> In centuries past the ability to move from one area to another was fairly simple for a small group of people. In recent times, however, the Mandaean are not able to move at will away from persecution and therefore have had to blend in to the surrounding Islamic society or immigrate to countries where religious freedom is honored and protected.

The Mandaean celebrate life and fertility, whereas killing, even for food, is a sin. For this reason the Mandaean community consumes very little meat. All slaughtered animals must be in perfect condition, be of the male gender, be classified a 'clean' animal, and the meat must be purified before being consumed.<sup>109</sup> Since even an animal's life is held as sacred, a man's life must be held in great esteem. To engage in any type of blood shed is to pollute the soul and thus condemn the soul. Killing, for war or even protection, cannot be tolerated.

"The powers on high, who hate killing and the shedding of blood, saw, for war and killing are forbidden amongst the children of light".<sup>110</sup>

There is no distinction made in Mandaic law between a man who is murdered and one who falls in battle. In the burial rites, any man who dies without the

rasta, a religious dress that must be worn upon the time of death, or is murdered, his soul is committed to purgatory.<sup>111</sup>

“The soul of one who departeth (the body) in black clothes is beleaguered and prisoned and powerless.”<sup>112</sup>

“A soul which died a ‘polluted death’ such as in childbirth, or by fire, accident, attack by a wild beast, or under conditions considered ritually impure becomes the portion of the darkness and is doomed to the matarata unless the relatives of the deceased pay money for a redeeming masiqtas. With out either Letter or masiqta a departed soul has little chance of escaping torment in the future life, and must long sojourn in what are practically purgatories. To die naked or wearing ordinary dress is to die in state of impurity, hence every year during the five intercalary days (Parwanaiia, Panja) the five days of light, many persons commissions the Blessed Oblation known as Ahaba d-Mania (Giving of Garments). A proxy acts the part of the deceased who died improperly clothed...”<sup>113</sup>

The only way that the soul may be released is through strict religious rites carried out by members of the family and seven Mandaean priests. Whereas it is possible to perform the rites, the problem comes in trying to find seven priests within the religious community. Before the recent developments between Iraq and Iran, Mandaean priests were able to cross the border in order to perform weddings, funerals, and concentration of priests. Most religious ceremonies require more than one priest. Even if Mandaean priests were allowed to cross the Iran - Iraq borders to perform religious rites; there still would not be enough in number to help perform the many, various ceremonies. A priest is established through bloodlines, purity to the religion, and years of instruction. In conclusion, if any Mandaean serves in a war, kills, and or is killed, his soul is surely condemned to purgatory. There is no other solution the law is rigid.<sup>114</sup>

The Mandaean literature contains various statements on Mohammed that are not exactly flattering. These statements cold provide the fuel that would sentence the Mandaeans to extreme punishment. Most of these statements came about as redaction to the ancient scriptures were performed after the Islamic influence and due directly to the treatment the Mandaeans received at the hands of local Moslem community.<sup>115</sup> An Islamic based society considers all non-Moslems to be equal to

"black-skinned in such white countries as practice social segregation".<sup>116</sup>

Those who are the believers (Moslems) cannot be equals for it is written in the Quran that those who are believers will go to paradise, those who are unbelievers (non-Moslems) shall go to purgatory.<sup>117</sup> The Mandaean are not equal in the eyes of the court or police system in Iran. This is a fact. Only Moslem males have equality among themselves. Even Moslem females are degraded in status. The inequality in Iran's legal system does not only apply to the Mandaean but also the other non-Moslem religions.

"Islamic law holds that if a Christian rapes a Muslim, the Christian must immediately be killed by any Muslim. If a Muslim man rapes a dhimmi, there is no death penalty."<sup>118</sup>

"In the West, at least in constitution terms, however inadequately outworked in practice in some places, the equality of human beings is a fundamental assumption – 'all men are equal before the law'. For this reason, Justice is often depicted in statues as blindfolded; the class, religion or race of anyone is irrelevant – the law, at least in terms of its goal, applies equally to everyone, and safeguards everyone equally. In Islamic law, however, this is simply not the case. The life of a Muslim is considered superior to that of a non-Muslim, so much so that whilst a non-Muslim killing a Muslim would be executed, the reverse would not occur."<sup>119</sup>

"This inequality is also demonstrable in the blood rate paid to non-Muslims where murder or injury has occurred, which is half that of a Muslim. Effectively, this ruling means that a Muslim need not fear the usual retribution for murder if he kills a non-Muslim. The law deliberately and consciously does not protect non-Muslims as it does Muslims. The position of Islamic law is not that human life is sacred, but that Muslim life is so."<sup>120</sup>

"The law even goes further and punishes women for bearing witness. Article 79 says "the testimony of women either alone or coupled to that of a just man does not prove adultery. Furthermore, the penalty (ta'zir) for accusations (qazf) would be executed for the above mentioned witnesses". Let us imagine a situation where some armed men attacked a

group of women to rob and rape them. The women who have witnessed and experienced this crime not only have no right to bear witness, but if they pluck up enough courage to testify, they will be punished with 80 lashes – the punishment for accusation (qazf).”<sup>121</sup>

This last citation could be one of the many reasons many Mandaean women do not speak about rape or testify against a man who does the rape.

Throughout the Quran the ideas that unbelievers shall die in sin and shall be punished. This concept has been passed on into the schools. Mandaean parents have reported their children coming home from school terrified they are going to hell.<sup>122</sup>

“Sa'ir - One of the seven ranks of Hell. According to tradition Sa'ir is the blazing inferno in which Sabaeans will burn.”<sup>123</sup>

The children, especially young women, are being constantly bombarded with the fear of forced conversion.

“...cited the case of a 38-year-old widow who has been held with her two sons in the remote confines of the Curtin detention centre for almost two years after her plea for asylum was rejected. "She fled Iran because an Islamic teacher was going to forcibly convert one of her two sons to Islam, but nobody believes her," he said....”<sup>124</sup>

“Meanwhile, a Sabian neighbour, Delilah, had been told by her school teacher that she could get Delilah into a university if she would sign a form. She did, and the teacher secretly added a clause later, saying that Delilah wanted to be a Muslim. The religious police were informed and they came with guns to take Delilah away. (To truly convert, she had to leave her 'infidel' family.)”<sup>125</sup>

In the case of this last example, if “Delilah” is considered by Iranian authorities to have converted to Islam, her then conversion back to Mandaeanism would constitute the death sentence for no Moslem may convert. If this family is sent back to Iran she and her husband will probably face the death penalty for converting a Moslem”.

Unfortunately there have been forced conversion cases through the abductions of women, especially young girls. There also has been forced conversions of males due to economic or pressure at work. In the cases of the young girls they have been “persuaded” or kidnapped off the streets and taken to a mullah for marriage immediately. Readers may not understand but there is no permission, blood work, or license needed for a marriage, in which, the girl (as young as 14) will have chance to say no or get away from. This whole operation can be done in a matter of minutes. Once she is married she is Moslem and is cut from her family.

“Many Mandaeans are being forced to marry their daughters at a very young age in order to protect them from being kidnapped off the streets by the local Moslems. Normally we do not marry that young and prefer early twenties for marriage.”<sup>126</sup>

Not only do secondary school age children are fearful but also those who wish to go to the University will be forced or trick to convert.

“Their children were not allowed to attend university unless they signed that they are Muslims, and did so with parental consent.”<sup>127</sup>

“Although it accepted that, due to the school system being Islamic, there would be a pull upon the applicant's children towards Islam...”<sup>128</sup>

“On my wife's return she indicated to me that whilst at school was very close to a female teacher to whom I mentioned that she would like to go to University, she then brought a letter that I had to sign with 4 lines of written material and it was an introduction to the University, she signed and her mother also to enable her to go to the University. However, the following day the four armed police persons came to our home and showed the same letter signed but the authorities had inserted a further several paragraphs to confirm that she had converted to Islam and became a Muslim. This was clearly obtained under false pretence.”<sup>129</sup>

“About a year before we left Iran, a woman who was friendly to my daughter Laleh, gave her a letter suggesting there was a meeting for my daughter to enrol in University. I signed it but I cannot read Farsi. The next day my daughter was taken away from me.”<sup>130</sup>

The idea of forced conversions of females is not a new thing in Iran.

“Throughout the Middle Ages, however, the glimpses that one gets of the Mandaean show them harassed by persecution. One disaster in the fourteenth century left such a mark on their memories that they still speak of it today. I came on a record of it at the end of a magic roll that I examined recently, and the same account is set in the tarikh at the end of a codex in Shaikh Dukhayil’s possession. It tells of a frightful slaughter of the Mandaean in the Jazirah when Sultan Muhsin ibn Mahdt was ruler of Amarah and his son Feyyadh governor of Shuster.. The cause was a woman, a Subbiyah, who, going down to the river on the first day of the New Year, at a time when all Mandaean keep within doors was seized by Arabs from a fleet of boats lying in the river. Fighting ensued, and war against the Subba was proclaimed. Priests, men, women, and children were massacred and the community remained broken and priestess for years.”<sup>131</sup>

“About 100 years ago, in the city of Shuster, a Mandaean woman was taken by a Moslem for a wife. Her father went in search of her and found her. A fight broke out between the father and Moslem abductor. The Moslems raised up against the Mandaean there and killed them all. In the 1980’s you can still see the homes of where the Mandaean once lived.”<sup>132</sup>

### **Religious Activity**

All religious activity is monitored closely by the Ministry of Intelligence and Security. This helps to insure compliance with Islamic law. Every aspect of religious life is determined to be in line with Islam. For instance only recognized religious minorities are allowed to have any community centers:

“Recognized religious minorities are allowed by the Government to establish community centers and certain cultural, social, sports or charitable associations which they finance themselves.”<sup>133</sup>

Only recognized religious minorities are allowed to have private schools in Iran. But even these private schools are heavily censored. The head of the school must be a Moslem and the Minister of Education must approve all non-Persian



religious texts. Since the Mandaeans are not an official religion, they have no right to private schools in Iran for the education of Mandaism.

“The Government allows recognized religious minorities to conduct religious education of their adherents. This includes separate, and privately funded Zoroastrian, Jewish, and Christian schools. These schools are supervised by the Ministry of Education, which imposes certain curriculum requirements. With few exceptions, the directors of these private schools must be Muslim. Attendance at these schools is not mandatory for recognized religious minorities. All textbooks used in course work must be approved for use by the Ministry of Education, including religious texts. Religious texts in non-Persian languages require approval by the authorities for use. This requirement imposes sometimes significant translation expenses on minority communities.”<sup>134</sup>

“Furthermore, in the educational system of the Islamic Republic of Iran, in addition to religious teachings on the State religion, special religious books for each minority are also used in schools. These books are prepared and written by an organization affiliated to the Ministry of Education (Research, Planning and Educational Organization Office of Planning and Textbook Publication) in collaboration with authorities and using experiences and expertise of teachers from each of the minorities. Teachers belonging to the aforementioned minorities (formal and contract teachers) teach courses for the students affiliated to these minorities.”<sup>135</sup>

Only recognized religions have permission to hold religious instruction as long as they do not discuss or to hold sermons in Persian. It is illegal to print religious material in Persian or conduct sermons in Persian. The Mandaean literature is only written in Mandaic and today the language is dead except for the few religious men and elderly people who speak Mandaic. The Mandaeans, since they are not a recognized religious minority, are not allowed by law to provide any religious instruction. Yet they are tolerated and have been able, under extreme duress circumstances, to continue wedding, baptism, and funeral ceremonies since they are spoken in Mandaic only. Also we must factor in that these rituals have been performed in this region for the last 2000 years and the local Moslems are used to seeing them. These rituals are not threatening to Islam nor are there any sermons or discussions being performed. Any discussion on religion or religious theology would be in violation of Islamic law since the majority of Mandaeans no longer speak Mandaic and these discussions

would have to be conducted in Persian. Thus the Mandaeans are forced to curtail what they may and may not do in their religious instruction.

“Recognized religious minorities may provide religious instruction in non-Persian languages but often come under pressure from the authorities when conducting such instruction in Persian. In particular, evangelical Christian and Jewish communities have suffered harassment and arrest by authorities for the printing of materials or delivery of sermons in Persian.”<sup>136</sup>

In Ahwaz , the riverbanks have recently had a concrete barrier put in place that makes it extremely difficult for the Mandaeans to perform their baptisms close to the city. Also there have been more and more disturbances during baptisms that have defiled the baptism or wedding ceremony. Many of these disturbances have become violent. These disturbances have been cited in the Australian Refugee cases:

“On the last occasion some Muslims threw stones and dirty objects at her during the baptism and their ceremony was destroyed.”<sup>137</sup>

One other important recent event has been the destruction of the Mandaean cemetery. A refugee applicant from Iran stated that the cemetery where his father-in-law and brother-in-law were buried was “completely ploughed up with soil” and “ family's graves were completely destroyed” and the ground finally being covered with asphalt. The community was then given another cemetery in the location approved for criminals and the kafirs (unbelievers). This new location requires the Mandaeans to take a two-hour (one way) trip by car from the city to visit the graveyard.

“Two and a half years ago the Sabian cemetery where the applicant's wife's father and brother were buried was completely ploughed up and the graves destroyed. The cemetery was then tarred over and they were given another cemetery about two hours travel from the town.”<sup>138</sup>

No Moslem in Iran may change his or her faith. The punishment for helping someone to convert is death. The fact that the Mandaeans do not allow any converts to their religion may be one element that is helping them to survive.

“The Government is highly suspicious of any proselytizing of Muslims by

non-Muslims and can be harsh in its response...”<sup>139</sup>

“The Government does not ensure the right of citizens to change or replace their religious faith. Apostasy, specifically conversion from Islam, can be punishable by death.”<sup>140</sup>

## **Conclusion**

The Mandaeans on a daily basis receive such treatment in such a degree that many do not see it as a violation of basic human rights since they have been forced to believe that are second class human beings and therefore not worthy of equal rights to the Moslems. Thus many Mandaeans do not mention the daily abuses they endure and only mention one or two of the more sever or recent.

Iran today still does not give complete and equal rights to the religious minorities. Both recognize and non-recognize religious minorities suffer from varying degrees of persecution.

“The Government continued to abuse the religious freedom of minority groups. The country's religious minorities, including Baha'is, Jews, Christians, and Sunni Muslims, reported intimidation, harassment, and imprisonment on account of their beliefs. Persecution remains a problem.”<sup>141</sup>

Of course Iran says that they have given freedom to minorities and believe that the U.S. has wrong information.

“TEHRAN: Iranian Foreign Ministry spokesman Hamid Reza Assefi said on Wednesday the allegation made by the U.S. State Department in its annual report about absence of religious freedom in Iran is unfounded and repetitive. He said the U.S. State Department repeats the same allegations against Iran every year which emanated from lack of knowledge about human rights situation in Iran and especially the freedom of religious minorities being observed in the Islamic Republic of Iran He said the Islamic Republic of Iran strongly dismisses any kind of interference in its domestic affairs adding that according to the Islamic beliefs and the constitution of the Islamic Republic and the national and

international commitments, the citizen rights of the Iranians including the religious minorities are fully respected. ”<sup>142</sup>

As Eliz Sanasarian points out in her short but indispensable study, "Religious Minorities in Iran"

" Iran has been uncomfortable with its other minorities as well, including the Zoroastrians, the Bahais, the Armenians and other Christians, and has repressed and marginalized them to varying degrees over the years. <sup>143</sup>

Unfortunately Ms. Sanasarian does not acknowledge the Mandaean who are a religious minority in Iran in her book. The exclusion of the Mandaean is common for two basic reasons. The first being that they are so small no one ever heard of them and she may assume that they are Christians. And the second being they have no large support system overseas such as the Jews, Christians, or Zoroastrians.

The treatment of the religious minorities in Iran, as well as all around the world, lead to the creation of The International Freedom Act of 1998.

“It is a concept basic to every one of the world's major belief systems. It also is an internationally recognized human right. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights recognize that all citizens have the right to freedom of thought, conscience and religion. This right is inherent in the dignity of every human being. No government can legitimately deny it, no matter what the justification, for it is universal, inalienable, and endowed by virtue of birth.” <sup>144</sup>

When a country denies religious rights to specific members, it is only natural to assume that some of the other basic rights are also being denied. The Mandaean in Iran, while have not experience the mass extinction we have seen recently among the Kurds, the Bahais, or in Kosova, they are denied their basic human rights, suffer from harassment and persecution at the hands of local Moslems, all because of their religious beliefs which predate Islam by hundreds of years. The Mandaean used to have two Mandais (religious places of worship) for the entire population of Mandaean in Iran. Now there is only one—the other one has been confiscated including the entire contents. This desecration of religious holy places does not stop even at death's door. Recently, in 1999, a

Mandaean cemetery was disturbed, tombs disemboweled from the earth, bodies disposed of, and the land reused for Islamic purposes.<sup>145</sup>

As far as the United States is concern, things are looking up for the Mandaeans. They have been included in the following:

International Religious Freedom Report 2001:

“According to the U.N. High Commissioner of Refugees Background Paper on Iran, the Mandaeans are included among the country's recognized religious minorities. The small community faces discrimination similar to the country's other pre-Islamic religious minorities.”<sup>146</sup>

International Religious Freedom Report 2002:

“Iran. Government actions continued to create a threatening atmosphere for some religious minorities. All religious minorities suffered varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing. University applicants are required to pass an examination in Islamic theology, which limited the access of most religious minorities to higher education. The Government fueled anti-Baha'i and anti-Jewish sentiment for political purposes. Baha'is, Jews, Christians, Mandaeans, and Sufi Muslims reported imprisonment, harassment, or intimidation based on their religious beliefs.”<sup>147</sup>

Proposed Refugee Admissions for FY 2003 -- Report to the Congress

“Persecution of religious minorities is common in certain countries in the Middle East and South Asia. In Pakistan, discriminatory legislation has led to acts of violence by extremists against religious minorities, including Shi'as, Christians, Hindus, Ahmadis and Zikris. In 2002, terrorist violence was directed against Islamabad's International Protestant Church, killing two Americans. In India, responses by state and local authorities to extremist violence against religious minorities were often inadequate. In Saudi Arabia, public non-Muslim worship is a criminal offense. In Iraq there are reports of persecution of Chaldean and Assyrian Christians, Mandaeans and Yazidis. In several countries in the region, the conversion of a Muslim to another religion is viewed as a criminal act. In Iran,

particularly severe persecution of minority religions, including executions of Mandaeans and of Baha'is, continues. <sup>148</sup>

#### Refugee Admissions Program for Near East and South Asia 2002

"Iranians. In Iran, the Islamic government restricts religious freedom and subjects certain religious minorities to widespread discrimination and harassment. Members of these groups often face legal penalties and persecution. As persons of special concern to the United States, refugees who are members of Iranian religious minorities are eligible to apply to our program regardless of family links and without UNHCR referral. They must be able to demonstrate in an individual interview with the INS that they have experienced persecution. Most Iranians are now processed in Turkey and Austria. <sup>149</sup>

The Mandaeans have also been included as a Priority 2 status in the United States for immigration purposes:

"PRIORITY TWO: Groups of Special Concern Some individuals, limited groups within nationalities not listed in the chart, are eligible for P-2 processing. Iran: Members of Iranian religious minorities." <sup>150</sup>

As President Clinton declared on Religious Freedom Day, January 16, 1998,

"We must continue to proclaim the fundamental right of all peoples to believe and worship according to their own conscience, to affirm their beliefs openly and freely, and to practice their faith without fear of intimidation." <sup>151</sup>

Worldwide the Mandaeans, while their numbers are only in the low thousands, have impacted the fabric of Western society in positive and productive ways. For example in the United States we already have Mandaeans working as doctors, engineers, teachers, goldsmiths, owners of stores, various skilled workers and even professionals at the state and federal levels. Several of our major universities have students that are of Mandaean decent who are working diligently towards their degrees. We also have many Mandaeans who are married to Americans and have children who are proud of their great mixed cultured backgrounds, leadership, and dedication. Throughout the United States local community activities and services benefit from the presence of Mandaeans.

The Mandaean have permeated and blended well into American society and boast members from professionals to honor students to Eagle Scouts. Truly the Mandaean are a great asset to any adopted country and not a hindrance.

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