

6. Iran: Access to Justice

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President Hassan Rouhani inaugurated the academic year amidst extensive uncertainty about the safety of students and teachers going back to classrooms, given that many regions in Iran had become again Covid-19 hotspots. But unlike previous years when the President rang in the new academic year with an in-person visit to a Tehran school, he did so this time via video.¹ Days earlier, a photo of Ayatollah Khamenei was released showing him sitting alone, in a big mosque, weeping during a private sermon in remembrance of Ashura.² ³ It was meant to be a message of devotion and that the day must be remembered no matter what. Instead the two images of the physically and socially distanced leaders reinforced the notion of an ever-widening gap between the aging rulers and the people.

Covid-19 has exposed every country's dysfunctions, vulnerabilities, and fault lines. Granted, the whole world was caught off guard and there was little knowledge about the nature of this new virus. Rich and poor nations all struggled, made mistakes and miscalculations. Nevertheless, some countries fared better. For instance, South Korea was initially the worst hit country outside China, but it acted vigorously

¹ "Iran | Rouhani Launches the Start of New School Year in a Video Conference Ceremony", *UNews*, 5 September 2020.

² "Leader Commemorates Ashura, Respects Coronavirus Health Protocols", *Al-Manar TV Lebanon*, 27 August 2020.

³ "What Is Ashura?", *BBC News*, 6 December 2011, <https://www.bbc.com/news/world-middle-east-16047713>.

and less than 400 have died so far.⁴ Vietnam is another case with just over a thousand cases and only 35 deaths at the time of this writing.⁵ Interestingly, it is widely acknowledged that governments headed by women have done better, such as Germany, New Zealand, Taiwan, Iceland (among more).^{6 7} Among the countries that have paid a heavy price in terms of lives and livelihoods, there is Iran. By the end of September 2020, the Johns Hopkins Coronavirus Resource Center had placed Iran second in terms of observed case fatality ratio, and over 25,000 lives have been lost.⁸

Iran became one of the earliest hot spots after Wuhan.⁹ Between December 2019 and January 2020 doctors in Qom, one of the religious epicenters in Iran, reported increasing numbers of patients afflicted with a strange respiratory illness. Authorities ignored the warnings because high turnouts were necessary for important occasions.¹⁰ They were to signal the legitimacy of the regime – much like President Donald Trump’s campaign rallies in the United States. Among them were the multi-city funeral processions for Qasem Soleimani (the Revolutionary Guard leader who was assassinated by US forces in Iraq on 3 January), the ten-day celebration of the 41st anniversary of the Islamic Republic in early February, and the 21 February parliamentary election.¹¹ These became

⁴ “Worldometer - Real Time World Statistics”, *Worldometer*.

⁵ *Ibid.*

⁶ A. Taub, “Why Are Women-Led Nations Doing Better with Covid-19?”, *The New York Times*, 13 August 2020.

⁷ T. Liji, “Covid-19 Outcomes Better in Countries with Female Leaders”, *News-Medical.net*, 17 July 2020.

⁸ Johns Hopkins University & Medicine, Coronavirus resource Center, *Mortality Analyses*, 2020.

⁹ M. Behraves, “The Untold Story of How Iran Botched the Coronavirus Pandemic”, *Foreign Policy*, 24 March 2020.

¹⁰ “Elections, Ties with China Shaped Iran’s Coronavirus Response”, *Reuters*, 2 April 2020.

¹¹ BBC Persian, ی‌گ‌د‌ن‌ز د‌ن‌چ ت‌ی‌ا‌و‌ر و ا‌ن‌و‌ر‌ک، ن‌ا‌ر‌ای‌ا‌ د‌ن‌ت‌س‌م، YouTube Video, 27:24, 17 September 2020.

super-spreader occasions. In addition, since the virus originated in China, Iran feared disrupting its economic ties, since Beijing became Iran's lifeline and most important partner in the wake of the breakdown of the nuclear deal. Qom in particular is home to a high concentration of Chinese people, with nearly 700 Chinese clerical students in the Qom Seminary.¹² China is also constructing a US\$2.7 billion high-speed train route and a solar power plant near Qom.¹³

Even until mid-March, the official media downplayed the severity of the virus.¹⁴ But with rising death tolls, the regime swallowed the bitter pill and declared a lock-down. The Iranian people complied even though the lockdown coincided with Norouz, the Iranian new year, which is a time for family visits and travel. Naturally, the tourist industry and the hospitality sector were heavily hit.

Despite the fact that even Saudi Arabia had suspended Hajj, the Muslim calendar's most important event, objection to closures of religious sites inside Iran came predominantly from prominent clergy.¹⁵ ¹⁶ But, for now, the fist-clenching "Death to America", and "Death to Israel" ritual and the Friday prayers have been suspended, and religious sites operate below capacity. Nevertheless, a cantankerous debate arose about whether or not to observe Ashura when Covid-19 was ravaging cities again.¹⁷ Ultimately, the government was pressured to move forward with commemorations, though with guidelines – such as

¹² "Elections, ties with China shaped Iran's coronavirus response", *Reuters*, 2 April 2020.

¹³ J. Gambrell, "Virus at Iran's gates?: How Tehran failed to stop outbreak", *AP News*, 17 March 2020.

¹⁴ Koocheh, "نویز ولت ی اورپ ی ب ی رجم زوم آ ترب ع نات ساد", YouTube Video, 17:12, 24 March 2020.

¹⁵ J. Spyer, "Mullahs & Covid-19: Iran's Failing Response Reflects Regime's Priorities", *The Jerusalem Post*, 20 March 2020.

¹⁶ "Saudi Tells Muslims to Wait on Hajj Plans amid Coronavirus Crisis", *Al Jazeera*, 31 March 2020.

¹⁷ G. Esfandiari, "To Weep or Not To Weep: Iran Debates Holding Muharram During Pandemic", *RadioFreeEurope/RadioLiberty*, 3 August 2020.

physical-distanced, low-occupancy, open-air, mask-required events. For the fearful believers, even virtual processions and a Muharram video game were offered.¹⁸

But are Iranians really such faithful devotees to prioritize piety over public health? The data do not suggest so.

The Missing Shia

In 2020, a representatively weighted survey of a sample of around 40,000 Iranians over 19 years old was carried out by Gamaan Center of the University of Tilburg in The Netherlands.¹⁹ ²⁰ It shed light on an astonishing speed of secularization within Iran. In a country that is officially over 90% Shia Muslim, and where the dogma has been expounded for the past forty two years in everyday life, only 32% were willing to label their identity as Shia.

So, how does the rest of the population self-identify in terms of belief? (see below) According to Gamaan “around 5% said they were Sunni Muslim and 3% Sufi Muslim. Another 9% said they were atheists, along with 7% who preferred the label of spirituality. Among the other selected religions, 8% said they were Zoroastrians – which is more correct to be interpreted as a reflection of Persian nationalism, and a desire for an alternative to Islam, rather than strict adherence to the Zoroastrian faith. Around 0.5% said they were Christian and 0.6% as Jewish and Baha’is combined”.²¹ More than 60% of those raised in conservative families said that they no longer pray or fast, which is in line with the findings of a state-backed official

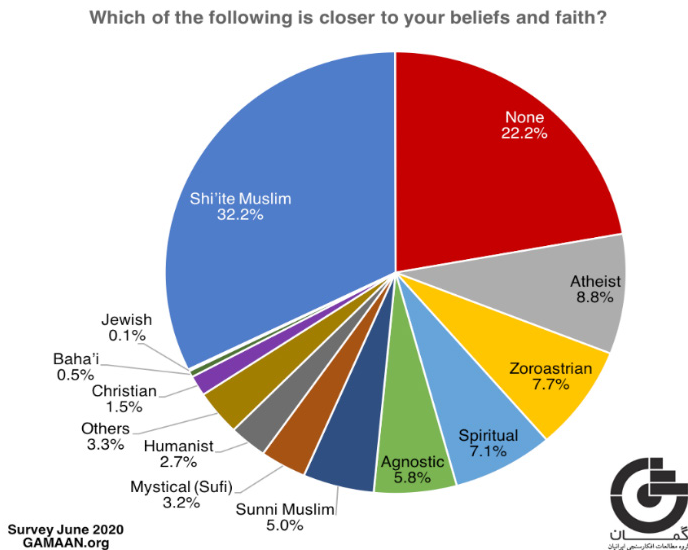
¹⁸ F. Fassihi, Twitter post, 29 August 2020, 11:54 a.m., <https://twitter.com/farnazfassihi/status/1299752340342419457>.

¹⁹ GAMAAN, “*Secularization and Religious Diversity in Iran 2020*”, YouTube Video, 17:37, 7 September 2020.

²⁰ GAMAAN in English, *GAMAAN, The Group for Analyzing and Measuring Attitudes in IRAN*, 7 August 2018.

²¹ P. Abdolmohammadi, *The Revival of Nationalism and Secularism in Modern Iran*, LSE Middle East Centre, 2015.

poll.²² Interestingly, a comprehensive survey conducted in 1975 during the secular rule of the Shah found that over 80% of those surveyed said they prayed and fasted regularly.²³ Hence, despite the Islamic Republic's every effort to proselytize Shia Islam, the flight from religiosity has been formidable.



Source: GAMAAN, 2020²⁴

Based on these new findings, how strong could the support be for the regime's core ideology of "velayat-e faqih"?²⁵ Since it is a wholly Shia concept, we could assume that its followers must be among the Shia. But not every Shia would be in line with this doctrine. Is it safe to say that the supporters of the regime

²² Ibid.

²³ A. Assadi and M.L. Vidale, "SURVEY OF SOCIAL ATTITUDES IN IRAN," *International Review of Modern Sociology*, vol. 10, no. 1, 1980, pp. 65-84.

²⁴ نامگ (GAMAAN – The Group for Analyzing and Measuring Attitudes in IRAN), <https://gamaan.org/>

²⁵ K. Aarabi, *What Is Velayat-e Faqih?*, Institute for Global Change, 20 March 2019.

would amount to a fraction of the 32% self-identified Shia?

What have been the causes of this erosion of faith among a vast segment of the Shia population, so much so that it wants to disassociate itself from such identity? Much has been said and written about attributing the growing dissatisfaction of Iranians to the dire economic crisis that has led to a rise in income inequality, poverty, and unemployment. This article will not address these. Instead, it argues that the growing disconnect has also to do with (a) the expectations of an increasingly young, educated, urbanized post-revolution generation, and (b) the perception and experience of a population with a steadily worsening rule of law and unequal access to justice. Unlike economic conditions that may be influenced by external factors, such as sanctions or global economic shocks, the dimensions discussed below are shaped predominantly by internal dynamics, policies, and institutions.

Changing Demographics

The secularization is strongest among the younger age cohorts. Two out of three Iranians were born after the 1979 Revolution, resulting in a median age of 32 years.²⁶ With the sharply declining birth rates since the late 1980s, this generation was raised in smaller nuclear families, which are generally less prone to patriarchy and less conservative.²⁷ A second trend has been rapid urbanization. In 1979, two-thirds of Iran's 32 million population were rural; today, three-fourths of its 84 million are urban. Urbanization causes profound social transformation, such as openness and exposure to ideas and choices. This pattern can be observed in nearly all countries, as was witnessed in the US 2020 elections where urban areas voted predominantly for the Democrats while rural America was conservative and Republican.

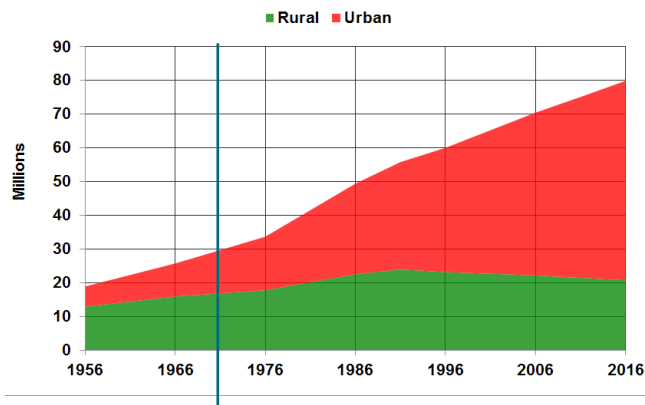
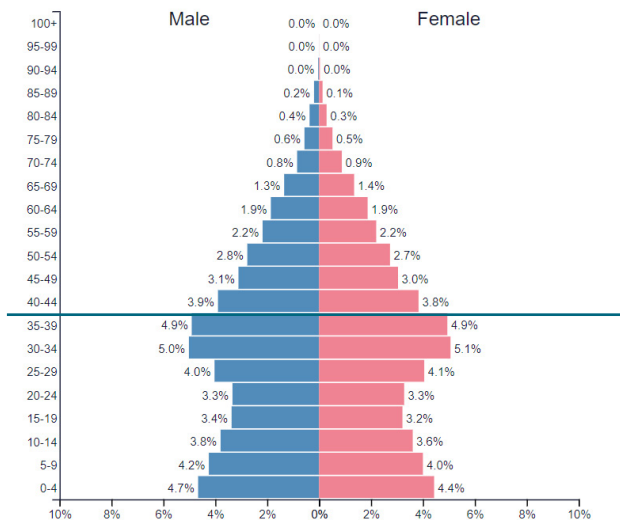
²⁶ "Countries in the World by population (2020)", Worldometer.

²⁷ N. Chamlou, "Is Patriarchy on the Rise?", *World Bank Blogs*, 19 April 2012.

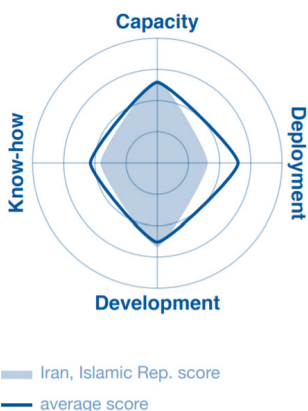
IRAN

2020

Population: 83,992,953



Source: [Population Pyramids of the World from 1950 to 2100](https://www.populationpyramid.net).
PopulationPyramid.net



The third factor behind Iran's secularization trend is the expansion of education. The World Economic Forum's (WEF) Human Capital Report 2017 illustrates Iran's overall endowment (see figure).²⁸ While Iran ranks around global averages in terms of *capacity* (76th) and *development* (54th), it falls short in the categories of *know-how* (101st) and *deployment* (128th), the latter

lowering the overall ratings to 104th among 130 countries. WEF defines *capacity* as a measure of formal educational attainment of the entire population, including the older age cohorts where literacy may have been low. *Deployment* measures the ability of the working age population to actually participate in the economy; it is depressed because of the low economic participation rate of women due to a host of legal and social impediments, as well as the high unemployment and underemployment in the economy that impacts the youth and first time job seekers. The *know-how* variable captures skill diversity and breadth of fields offered to recent university graduates. The *development* index is high, which is good news, and captures the formal education of the future workforce – a generation that is tech-savvy despite limitations and restrictions it has faced.²⁹ Indeed, Iranians are as connected as their peers globally. According to Gamaan, “levels of internet penetration in Iran are comparable to those in Italy, with some 60 million users, a number that grows steadily, and about 70% of adults subscribe to at least one social media platform.”

²⁸ “The Global Human Capital Report 2017”, World Economic Forum, 2017.

²⁹ A. Arouzi and D. De Luce, “Iranians Stay Connected on Social Media despite Regime Restrictions”, *NBC News*, 24 August 2019.

The Covid-19 lockdown may have two long-term positive impacts: first, it pushed more and more citizens to become internet literate since nearly all goods and services are now obtained online. The government had to expand access, increase bandwidth, and loosen restrictions. This also afforded people to expand their online social networks during the time of physical distancing. Second, the absence of daily teachings of conservative government-required doctrines in schools opened the space for reinforcing intra-family values, introspections, and discussions, which are increasingly secular. Also, men had to take on some household duties and the care of children and the elderly. This made them more sensitive to the importance of sharing the burden and represents a gamechanger in terms of social norms and eroding deep-rooted notions of masculinity, as ongoing studies in several countries demonstrate.

Outcry about Recent Judicial Cases

As the United States was embroiled in demonstrations and riots in response to the systemic killing and oppression of Black people by police, there has been a global soul-searching around unequal application of the law and discrimination in access to justice for large groups of citizens. In Iran, too, there has been an ever-active movement for justice and fairness. In 2020, Iranians witnessed a new series of jaw-dropping cases. These include several political executions, a string of honor killings, and numerous high-profile cases of corruption and embezzlement.

Political executions

On September 12, the world woke up to the shocking news of the execution of Navid Afkari, a champion wrestler sentenced in relation to the presumed killing of an Iranian official.³⁰ The

³⁰ A. Moshtaghian, R. Mostaghim and I. Kottasova, “[Navid Afkari Executed in](#)

execution was despite a wide-ranging international plea by the public, leading sports entities, and UN agencies to halt the sentence, particularly since there was much unexplained, and the proof of guilt was based on a confession under torture. It is still not clear why there was a rush to execution. Weeks earlier another prisoner was executed even though he maintained his innocence, despite the harshest “interrogation techniques”. Within days, an international public plea – #Don’t_Execute – went viral when Iran’s Supreme Court confirmed death sentences against three more young men (Amirhossein Moradi, Saeed Tamjidi and Mohammad Rajabi) on charges of taking part in arson and vandalism during the 2019 protests in response to the sudden threefold increase in fuel prices.³¹ These protests were the worst the regime had experienced since the 1979 revolution.³² Experts say social media has shed light on such executions, but that the regime may use these harsh punishments as a deterrent against future riots.

Violence against women and honor killings

The harshness of the inequality highlighted above pales in comparison to that seen in cases of violence against women and honor killings. In June alone, the public learnt of at least six chillingly documented cases in Abadan, Kerman, Kurdistan, and elsewhere.^{33 34 35} In one case, a 14-year-old girl – Romina Ashrafi – was decapitated by her father with a sickle while

Iran despite International Campaign”, *CNN*, 13 September 2020.

³¹ S. Williams, “Don’t Execute: Viral Campaign to Stop Iran Protester Hangings”, *Digital Journal*, 14 August 2020.

³² F. Fassihi and R. Gladstone, “With Brutal Crackdown, Iran Is Convulsed by Worst Unrest in 40 Years”, *The New York Times*, 3 December 2019.

³³ “Iran’s Police Confirmed the Fourth Case of Honor Killing in Less than a Month”, *Iran International*, 19 June 2020.

³⁴ A. Cachia, “Iran Rocked by ‘Honour Killing’ as Man Kills Daughter with Iron Bar”, *Daily Mail Online*, 18 June 2020.

³⁵ H. McKay, “From Poisonings to Beheadings, ‘honor Killings’ in Iran Gets a Fresh Spotlight with Social Media”, *Fox News*, 26 June 2020.

sleeping.³⁶ To escape a life of domestic violence and threats by her father to kill her, she had eloped, but was returned home despite her pleas to the judge that her life would be in danger. Prior to the killing, Romina's father consulted with legal counsel about the kind of punishment he could expect by taking his daughter's life. Sharia law requires "an eye for an eye" and makes murder punishable by death – *qisas*. If a man kills another man, *qisas* will rule. But there are two exceptions. The first is an exemption in the penal code where a father's or paternal grandfather's killing a child is not a capital crime (this is not the case for a mother or anyone on the maternal side). The second is the killing of a woman by a man. Since a woman's *diyah* – blood money – is half of a man's, the killer can also avoid the death penalty. With little at stake, Romina's father beheaded her. Despite the act's horrific and premeditated nature, Romina's father was sentenced to a mere nine years.³⁷

Iran is not the only country with honor killings; these happen even in the United States and Europe. The UN estimates around 5,000 women and girls become victims each year. The high-profile cases in Iran shed light on the prevalence of such crimes, which account for around 20% of all homicides. Statistics are difficult to obtain but are estimated around an average of 350-450 each year. In other words, every day at least one woman is killed at the hands of relatives, usually male. Still, experts suspect under-reporting. Amnesty International states that laws either do not recognize honor killings as a crime or the punishment is inadequate.³⁸

A bill aimed at protecting women and girls against violence has been slow-walked for eight years in the Parliament, or *Majlis*, and other corridors of power. In 2014, several young

³⁶ B. Chakraborty, "Iranian Man Accused of Beheading 14-Year-Old Daughter in Honor Killing Arrested", *Fox News*, 28 May 2020.

³⁷ P. Wintour, "Outcry in Iran at Nine-Year Sentence for Man Who Beheaded Daughter", *The Guardian*, 28 August 2020.

³⁸ "The Horror of 'Honor Killings', Even in US", *Amnesty International USA*, 10 April 2012.

women in Isfahan were victims of acid attacks and were severely disfigured. The offenders have still not been found; it was rumored that the assault was instigated by a clerical hardliner. Victims were told in 2018 that the case had closed.³⁹ By contrast, the very same authorities were able to swiftly find the six youngsters who recorded a video of themselves dancing to Pharrell Williams' "Happy" from the roof top of their homes and posted it on social media.⁴⁰ They were sentenced to one year in prison and 91 lashes. But the cruelty in Romina's case set off public outcry that the law fails to protect women and children. In response, President Rouhani asked Parliament to expedite the bill.⁴¹ Criminalizing such violence would be a first step to changing social norms.

Corruption in high places

While the above themes are shocking and heart-wrenching, a third category of court cases shook the Iranian public over the summer of 2020. They revealed the depth and breadth of yet another series of systemic corruption at the highest levels. Embezzlements in the banking sector or industry surface from time to time, some culprits flee abroad; some are jailed or even executed. This time, the spotlight is on the judiciary.⁴² It is widely believed that many judges are corrupt, but the scale of the systemic corruption was astounding. Some 63 private bank accounts were discovered belonging to former judiciary chief Sadegh Amoli Larijani, funded largely from bail monies and other judicial fines and fees. "It was revealed that Larijani earned

³⁹ M. Lipin, "Iranian Acid Attack Victim Pursues Legal Fight Despite Claim 'Case Closed'", *Voice of America*, 20 July 2018.

⁴⁰ "Iran: Happy Video Dancers Sentenced to 91 Lashes and Jail", *BBC News*, 19 September 2014.

⁴¹ F. Fassihi, "A Daughter Is Beheaded, and Iran Asks If Women Have a Right to Safety", *The New York Times*, 2 July 2020.

⁴² P. Stone, "The Systematic Corruption in Iran's Judiciary", *Iran Focus*, 15 June 2020.

over US\$66.5 million from these accounts' profits annually"⁴³ followed by reports that the proceeds were used for personal matters. But this was the tip of the iceberg; an elaborate bribery network was discovered to intervene in judicial cases. Some judges were given prime property, for instance, as a sign of "friendship", as one of the main culprits, the former executive deputy to Larijani, declared. He went on trial and was sentenced to 31 years in prison. Another judge implicated in the case for a half million Euro "gift" fled abroad and was later found dead in his hotel lobby in Romania under suspicious circumstances, reportedly a suicide.⁴⁴

A few days later, on official TV, the Head of the Foundation for the Dispossessed (Bonyad Mostazafin), uttered some startling revelations. After the revolution, the Foundation routinely expropriated assets and property of pre-revolutionary industrialists and officials and used the vast proceeds to support the poor. He reported that some of the prime properties in upscale locations had been in use by regime insiders for personal purposes at little or no cost. Since some of those mentioned in his report were close to the Supreme Leader, he backtracked and downplayed his earlier statements by saying that they had gotten the permission of Ayatollah Khamenei to do so.⁴⁵ Nonetheless, the public came away with the impression that high officials were privy to excessive perks and benefits.

History of Iranian Legal System

Until the early XX century, Iran had no written or codified laws. The justice system consisted of a traditional Islamic practice in which each religious judge applied his own interpretation of

⁴³ Ibid.

⁴⁴ "Iranian Judge in Romania Died of Impact from Fall, Autopsy Says", *Reuters*, 23 June 2020.

⁴⁵ Koocheh, "درک اج هب اج ار مدرک طلغ یاهزرم حاتف زیورپ!" ("Parviz Fattah moved the wrong borders"), YouTube Video, 19:51, 19 August 2020.

the Shari'a. The primary demands of Iranian Constitutionalists were a bill of rights and the establishment of an "Edalatkhaneh" ("house of justice"). These aspirations became enshrined in the 1906/11 Constitution, but it was after the accession of Reza Shah Pahlavi to the throne in 1925 that a modern Iranian judiciary was established that included written laws, court proceedings, and trained western-style judges and legal professionals. Since the French system was used as a model, the body of pre-1979 laws combined concepts from the 1804 French Civil Code. Islamic law was applicable to inheritance and family matters.⁴⁶ Most importantly, a new criminal law replaced the Shari'a and in later years, elements of family law were also reformed and modernized, such as giving women the right to divorce and custody. After the revolution, the earlier reformed family and criminal laws were considered un-Islamic and changed to comply with the tenets of Shari'a. As Article 4 of the post-1979 Constitution stipulates, all Iranian laws must be based on "Islamic criteria, with Shari'a as its primary source." By and large, the civil domains of the law remain as in pre-revolutionary era.

Article 156 of the current Constitution stipulates the independence of the judiciary from other branches of the government. Yet, the Supreme Leader appoints the Head of the Judiciary, who then appoints the heads of the provincial courts, who in turn appoint lower-ranking judges. Hence, all judges effectively owe their allegiance to the Supreme Leader. "Only clerics who trained in Islamic jurisprudence, or have degrees from religious law schools, can become judges."⁴⁷ Women are barred from becoming judges altogether. The head of the judiciary, the country's prosecutor general, and all Supreme Court judges have to be *mojtabids*, or high-ranking clerics."

The *Majlis* passes laws, provided these are approved by the

⁴⁶ R. Banakar and K. Ziaee, "The Life of the Law in the Islamic Republic of Iran", *Iranian Studies*, vol. 51, no. 5, 26 June 2018, pp. 717-746, DOI: 10.1080/00210862.2018.1467266.

⁴⁷ H. Ghaemi, "The Islamic Judiciary", *The Iran Primer*, 6 October 2010.

Guardian Council, which ensures that the laws conform with the Shari'a. Customs and usages (*'urf*) play a limited role and only then when a codified law is not available. "Thus, the Iranian legal system is a hybrid of Shari'a on the one hand, and civil law institutions and procedures on the other." Though the spirit of due process is enshrined in the Constitution, "the principle of the rule of law (*hākemiyyat-e qānun*) is "largely absent from Iranian constitutional doctrine. Instead, the rule of Shari'a and the principle of *velāyat-e faqih* play decisive roles in shaping the boundaries of law and legality."⁴⁸

The World Justice Project and Rule of Law Index

To evaluate objectively how strong or weak the Iranian legal environment actually is, it is important to benchmark it against other countries. To this end, this article relies on the World Justice Project (WJP) Rule of Law Index, which in its 2020 report covers 128 countries and jurisdictions, and thus serves as a quantitative tool for measuring the rule of law in practice.⁴⁹

"Rule of law" is difficult to define and to measure. It can differ from one society or culture to another. For the purposes of producing a quantitative and qualitative index, WJP convened practitioners from seventeen professional disciplines (judges, lawyers, police, etc.), academics, and community leaders from more than one hundred countries. These experts, all directly involved in the practice of law, agreed on a common definition, and vetted the methodology for the index. The focus of the index is the adherence to the rule of law from the perspective of ordinary individuals and their experiences with a host of everyday situations in their societies.

The data for the index are derived for each report in two ways: (1) a General Population Poll conducted by leading local polling companies, using a representative sample of over 1,000

⁴⁸ R. Banakar and K. Ziaee (2018).

⁴⁹ World Justice Project, "World Justice Project Rule of Law Index 2020", 2020.

respondents, roughly equal numbers of men and women, in the three largest cities of each country; and (2) a technical questionnaire completed by in-country legal practitioners and experts. The 2020 index is based on over 130,000 household surveys and 4,000 practitioner responses, globally. Undoubtedly, it is the most comprehensive dataset of its kind and covers 44 areas of the law organized under the following eight headings, which are scored and ranked:

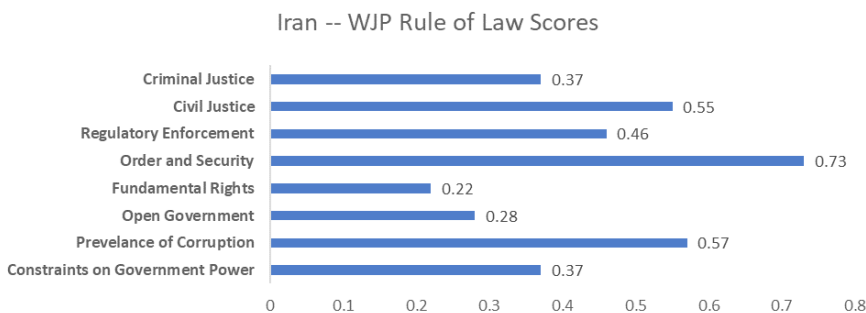
1. Constraints on Government Powers,
2. Absence of Corruption,
3. Open Government,
4. Fundamental Rights,
5. Order and Security,
6. Regulatory Enforcement,
7. Civil Justice, and
8. Criminal Justice.

The dimensions examined reveal whether the laws are “clear, publicized, and stable; are applied evenly; and protect fundamental rights, including the security of persons and contract, property, and human rights. Whether the processes by which the laws are enacted, administered, and enforced are accessible, fair, and efficient. Whether justice is delivered timely by competent, ethical, and independent representatives and neutrals who are accessible, have adequate resources, and reflect the makeup of the communities they serve”.

Iran's Standing

No society is flawless. Strengthening the rule of law is a major responsibility of governments. It requires a continuous effort to build, maintain, correct, and update institutions, capacities, and standards that promote a culture for respect of the rule of law. The Netherlands and the four Scandinavian countries come on top of the 2020 WJP rankings; the United States ranks 21st.

Data from Iran were obtained from respondents in Tehran, Mashhad, and Isfahan – the three largest cities. Iran’s overall ranking is 109 out of the 128 comparators in the 2020 report. It ranks low in general, and particularly so when compared to its regional and global peers: it is 7th out of the eight MENA countries in the report, and 41st among the 42 in the middle-income category, to which Iran belongs. Its worst score relates to fundamental rights, and within this category⁵⁰ freedom of religion (0.05) right to privacy (0.12), and freedom of associations (0.12) score among the lowest in the world. ⁵¹ Iran’s highest score is in order and security, which is lifted by the score of absence of civil conflict (0.85) and absence of crime (0.76). Respondents scored the experience with civil law, which is based largely on the pre-revolutionary codes, higher than criminal justice, which was revamped to comply with Shari’a. Unsurprisingly, the score for corruption is high; particularly the corruption score in the judiciary (.54) and in the police/military (.52).



Source: World Justice Report, 2020⁵²

⁵⁰ Ibid., p. 89.

⁵¹ Ibid.

⁵² Ibid.

Conclusion

Plagues and pandemics have changed the course of history around the world and caused social, economic, and political transformations. The Black Plague in Europe eroded the power of the Catholic Church and led to the Reformation, ended the institution of serfdom, and ushered in the age of the enlightenment.

Today, COVID19 has exposed every country's dysfunctions, vulnerabilities, and fault lines. In the political realm, governments will be judged by their constituents on how they responded to the pandemic. Just as the over 250,000 Covid-19 deaths in the United States reduced the odds of President Trump's re-election, so too will the heavy loss of lives and livelihoods play a role in Iran's 2021 presidential election and the legitimacy of the regime.

The dissatisfaction with the regime is running high on many fronts. The economy is doing poorly, poverty and income inequality is rising, unemployment rate is climbing. Meanwhile the frequent mega-corruption by regime insiders and their circles of family and friends, the misogyny, the infringement on personal freedoms, the differential access to justice, and the regime's heavy-handedness toward any expression of discontent are among the causes that widen the identity gap between the citizens and their aging leadership.

While advanced and emerging countries have struggled with the impact of COVID19, it has been disproportionately high on Iranians. As bilateral and multilateral agencies joined forces to support affected countries in every way possible, Iran was not only left to face the pandemic on its own but to do so with its hands tied behind its back because of America's 'maximum pressure' sanctions, which are tied to the regional policies of the regime. There have been numerous reports about shortages of critical medications (e.g. insulin) or necessary inputs for domestic pharma producers, even though these items were presumably exempted from the sanctions.

Despite backbreaking constraints and the heavy sacrifices average Iranians have made, religious authorities have downplayed the impact, countered public health efforts, and attacked vigorously any criticism. For instance, just recently, in the city of Mashhad, a disabled body builder was arrested and threatened with execution when he questioned the inconsistencies in Covid restrictions which allowed shrines to stay open and ordered gyms to close.⁵³

The writing on the wall is clear that no country will return to its pre-pandemic normal and Covid-19 will accelerate the pace for change and transformation. Iran will not be an exception and Iranians want change in every aspect. Whether this change will be facilitated in a peaceful or conflictual way will shape the trajectory of the country as it begins a new century according to the Persian calendar. The next six to nine months will be a turning point.

In the English town of Weymouth is a plaque stating that the Black Plague entered England through this port in 1348. It killed nearly half of the country's population and resulted in the people losing faith in the Church as an ineffectual institution already mired in corruption. History will note that the 2020 Covid-19 pandemic entered Iran through Qom.

⁵³ “Iran arrests disabled bodybuilder over criticism of coronavirus rules: report”, *i24News*, 10 November 2020.