

Khatami's Next Test: The Trial of Thirteen Jews

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Brief Analysis

On April 13, thirteen Iranian Jews are scheduled to come to trial in Shiraz to face espionage charges that carry the death penalty. The trial, more than a year after the thirteen were originally detained, comes at a critical time for Iran--less than two months after Iranian president Muhammad Khatami's allies swept to power in parliamentary elections and just weeks after Iran's intelligence ministry was implicated in the assassination attempt of Khatami-ally and reformist theoretician Sa'id Hajjarian. In this context, the trial provides a litmus test as to whether the overwhelming reformist victory in parliament can translate into real changes in Iran's existing power structures.

Background. Iran, with the second largest Jewish population in the Middle East after Israel, is still home to approximately 25,000 Jews. Although they are better off than Jews in countries like Syria, not all has been well for the community and at least seventeen have been executed since the Islamic Revolution. In two waves in January and March 1999, Iranian authorities detained thirteen Iranian Jews and eight Muslims in Shiraz and Isfahan. Initially held without charge, the thirteen Jews, who range in age from 16 to 49, were charged on June 7, 1999, with espionage. Interviews in Tehran suggest that those arrested had been singled out because of previous travel (through Europe) to Israel, a not-uncommon practice among Iranian Jews. Adding urgency to their situation were comments made in September by Ghulamhusayn Rahbarpur, head of Tehran's revolutionary tribunal, that the charges against the detained Jews had been proved, as well as the statement on January 12, 2000, by Minister of Intelligence and Security 'Ali Yunesi: "If they are condemned to hang, they will be hanged." Yet, on April 6, 2000, Justice Ministry spokesman Husayn Mir Muhammad-Sadeghi claimed on that "only one or two" of the thirteen Jews are accused of espionage; the others are accused of the lesser crime of acting against national security. Furthermore, three of the accused are now out on bail.

Timing threatens to exacerbate the symbolism of any verdict. The trial falls just two days before the Shi'i commemoration of Ashura, when religious passions traditionally reach their zenith, a week before the start of the Jewish holiday of Passover, and eight days before the second round in the Majlis elections.

Hardliners Resurgent? Even if the trial is delayed, it will come against a sensitive political and religious backdrop. Since Khatami's allies swept to victory in the first round of the Majlis elections on February 17, winning well over half of the 290 seats, the reformists have been constantly challenged. Sa'id Hajjarian, one of Khatami's closest advisors, remains paralyzed after an assassination attempt on March 12. One of those arrested for the crime is said to be in the Islamic Revolutionary Guard Corps (IRGC), while some reformists have blamed the Ministry of Intelligence and Security (MOIS) as well as the IRGC for the attempt on Hajjarian's life. On April 5, Yunesi publicly protested an order to transfer the suspects from MOIS to Justice Ministry custody, arguing that supremacy of the judiciary would deprive "the information [intelligence] ministry of exercising its legal responsibilities."

Yunesi's complaint suggests that hardliners worry about their control over the judiciary. On the other hand, the courts have participated vigorously in the crackdown on the reformers, several of whom have been sent to prison.

First, Tehran's mayor and the architect of Khatami's successful 1997 presidential campaign, Ghulamhusayn Karbaschi, was jailed in May 1999 on corruption charges. Then, the best-known reformer in the last Majlis, Abdullah Nuri, was convicted for printing in his newspaper articles critical of the hardliners. Even Khatami's brother, Muhammad Reza Khatami, editor of the reformist daily Mosharakat and the top vote-getter in this year's parliamentary elections in Tehran, has been brought into court in recent days and charged with libel at the urging of the hard-line Law Enforcement Forces, the Islamic Republic News Agency, and the Council of Guardians. In short, there are little grounds for optimism about fair and impartial justice from Iranian courts.

Meanwhile, hard-line forces have been whittling away at the margin of the reformist parliamentary victory. The hardline Council of Guardians has overturned seven reformist victories, out of the 290 member Majlis. More ominously, death threats against reformers continue. On April 6, Azad newspaper reported that the pro-reform head of Tehran's city council had received death threats.

The Trial in Focus. While repeatedly maintaining that the trial is an internal issue with which foreign governments should not meddle, the Iranian government is clearly aware of how important the issue has become to the West at a time when Khatami and his allies are trying to break Iran out of its isolation. As judgment approaches, several scenarios are possible:

Unequivocal innocence: Few believe any of the arrested Jews are guilty. A full exoneration would remove an obstacle to further détente with the West and signal to Iranian reformers that the rule of law is real. Yet, such a verdict would reinforce accusations that the thirteen Jews had just been pawns of the Iranian political struggle and that their incarceration had been a gross violation of human rights.

A guilty verdict for some of the accused: A guilty verdict against all thirteen is unlikely, but comments by Muhammad-Sadeghi on April 6 that only one or two of the accused Jews will face the death penalty raise the possibility of a mixed verdict. A guilty verdict for any of the accused could, however, be an obstacle to further expansion of Iran's relationship with the West. European countries like Denmark and the Netherlands have placed human rights concerns at the forefront of their dialogue with Iran, and France has also expended significant diplomatic capital on the issue of the thirteen. A guilty verdict for any of the thirteen would signal that, despite the reformist victory in parliamentary elections, hard-line dominance of Iran's other power centers remains a significant obstacle to real change in Iran's behavior.

A vigilante response: Perhaps the most challenging scenario would be if the accused were released by the court, and then one or more were assassinated by any of Iran's hard-line vigilante groups. In light of the recent attacks on reformers, such a scenario cannot be discounted. Indeed, Ayatollah Ahmad Jannati, a leading supporter of the Ansar-e Hizballah [Defenders of the Party of God] vigilante group, said in an April 7 sermon, "These people are spies who have served your [American] interests; they are Jews and are . . . by nature enemies of Muslims." Although the Iranian government would condemn such action (and some Western officials might accept such condemnation as sufficient), it would signal that Khatami cannot control hard-line factions.

Conclusion. The trial cannot be viewed in isolation, but rather as a component of the complex power struggle in which Khatami finds himself engaged. As such, the verdict will provide a marker as to the success of Khatami in acquiring greater control over his own government. Following post-Majlis election visits to Tehran by the foreign ministers of Italy, Germany, and, last week, Denmark, a guilty verdict will also be a slap in the face for those in Europe and America seeking an expanded engagement. On the other hand, a guilty verdict could please those who find the status quo remunerative. Some in Iran benefit from the isolation from the West, for it reduces the competition they face; among these groups are, for instance, revolutionary foundations (bunyads) that enjoy a virtual monopoly over key industries, or those individuals who have managed to win contracts with European concerns and who fear further détente with the West might lead to the entry of competitors into the Iranian market.

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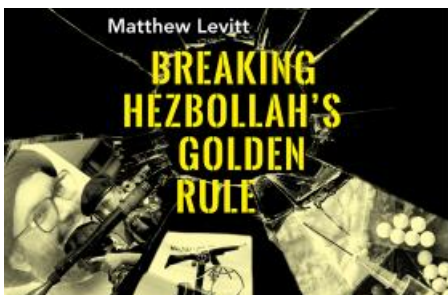
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