

Excerpt: Constitution of The Islamic Republic of Iran

1979

Chapter I: General Principles

Article 4 [Islamic Principle]

All civil, penal, financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as to all other laws and regulations, and the wise persons of the Guardian Council are judges in this matter....

Article 6 [Administration of Affairs]

In the Islamic Republic of Iran, the affairs of the country must be administered on the basis of public opinion expressed by the means of elections, including the election of the President, the representatives of the Islamic Consultative Assembly, and the members of councils, or by means of referenda in matters specified in other articles of this Constitution....

Article 10 [Family Principle]

Since the family is the fundamental unit of Islamic society, all laws, regulations, and pertinent programs must tend to facilitate the formation of a family, and to safeguard its sanctity and the stability of family relations on the basis of the law and the ethics of Islam....

Article 13 [Recognized Religious Minorities]

Zoroastrian, Jewish, and Christian Iranians are the only recognized religious minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and to act according to their own canon in matters of personal affairs and religious education.

Article 14 [Non-Muslims' Rights]

In accordance with the sacred verse "God does not forbid you to deal kindly and justly with those who have not fought against you because of your religion and who have not expelled you from your homes" [60:8], the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their human rights. This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.

Chapter III: The Rights of the People

Article 19 [No Discrimination, No Privileges]

All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; color, race, language, and the like, do not bestow any privilege.

Article 20 [Equality Before Law]

All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.

Article 21 [Women's Rights]

The government must ensure the rights of women in all respects, in conformity with Islamic criteria, and accomplish the following goals: 1) create a favorable environment for the growth of woman's personality and the restoration of her rights, both the material and intellectual; 2) the protection of mothers, particularly during pregnancy and child-rearing, and the protection of children without guardians; 3) establishing competent courts to protect and preserve the family; 4) the provision of special insurance for widows, aged women, and women without support; 5) the awarding of guardianship of children to worthy mothers, in order to protect the interests of the children, in the absence of a legal guardian.

Article 22 [Human Dignity and Rights]

The dignity, life, property, rights, residence, and occupation of the individual are inviolate, except in cases sanctioned by law.

Article 23 [Freedom of Belief]

The investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.

Article 24 [Freedom of the Press]

Publications and the press have freedom of expression except when it is detrimental to the fundamental principles of Islam or the rights of the public. The details of this exception will be specified by law.

Article 25 [Secrecy of Communication]

The inspection of letters and the failure to deliver them, the recording and disclosure of telephone conversations, the disclosure of telegraphic and telex communications, censorship, or the wilful failure to transmit them, eavesdropping, and all forms of covert investigation are forbidden, except as provided by law.

Article 26 [Freedom of Association]

The formation of parties, societies, political or professional associations, as well as religious societies, whether Islamic or pertaining to one of the recognized religious minorities, is permitted provided they do not violate the principles of independence, freedom, national unity, the criteria of Islam, or the basis of the Islamic Republic. No one may be prevented from participating in the aforementioned groups, or be compelled to participate in them.

Article 27 [Freedom of Assembly]

Public gatherings and marches may be freely held, provided arms are not carried and that they are not detrimental to the fundamental principles of Islam.

Article 28 [Work]

(1) Everyone has the right to choose any occupation he wishes, if it is not contrary to Islam and the public interests, and does not infringe the rights of others. (2) The government has the duty, with due consideration of the need of society for different kinds of work, to provide every citizen with the opportunity to work, and to create equal conditions for obtaining it.

Article 29 [Welfare Rights]

(1) To benefit from social security with respect to retirement, unemployment, old age, disability, absence of a guardian, and benefits relating to being stranded, accidents, health services, and medical care and treatment, provided through insurance or other means, is accepted as a universal right. (2) The government must provide the foregoing services and financial support for every individual citizen by drawing, in accordance with the law, on the national revenues and funds obtained through public contributions.

Article 30 [Education]

The government must provide all citizen with free education up to secondary school, and must expand free higher education to the extent required by the country for attaining self-sufficiency.

Article 31 [Housing]

It is the right of every Iranian individual and family to possess housing commensurate with his needs. The government must make land available for the implementation of this article, according priority to those whose need is greatest, in particular the rural population and the workers.

Article 32 [Arrest]

No one may be arrested except by the order and in accordance with the procedure laid down by law. In case of arrest, charges with the reasons for accusation must, without delay, be communicated and explained to the accused in writing, and a provisional dossier must be forwarded to the competent judicial authorities within a maximum of twenty-four hours so that the preliminaries to the trial can be completed as swiftly as possible. The violation of this article will be liable to punishment in accordance with the law.

Article 33 [Residence]

No one can be banished from his place of residence, prevented from residing in the place of his choice, or compelled to reside in a given locality, except in cases provided by law.

Article 34 [Recourse to the Courts]

It is the indisputable right of every citizen to seek justice by recourse to competent courts. All citizens have right of access to such courts, and no one can be barred from courts to which he has a legal right of recourse.

Article 35 [Right to Counsel]

Both parties to a lawsuit have the right in all courts of law to select an attorney, and if they are unable to do so, arrangements must be made to provide them with legal counsel....

Article 37 [Presumption of Innocence]

Innocence is to be presumed, and no one is to be held guilty of a charge unless his or her guilt has been established by a competent court.

Article 38 [Torture]

All forms of torture for the purpose of extracting confession or acquiring information are forbidden. Compulsion of individuals to testify, confess, or take an oath is not permissible; and any testimony, confession, or oath obtained under duress is devoid of value and credence. Violation of this article is liable to punishment in accordance with the law.

Article 39 [Dignity of Arrested]

All affronts to the dignity and repute of persons arrested, detained, imprisoned, or banished in accordance with the law, whatever form they may take, are forbidden and liable to punishment.

Article 40 [Public Interest]

No one is entitled to exercise his rights in a way injurious to others or detrimental to public interests.

Article 41 [Citizenship]

Iranian citizenship is the indisputable right of every Iranian, and the government cannot withdraw citizenship from any Iranian unless he himself requests it or acquires the citizenship of another country.