

ardless of who they are, are shown by an investigation to have been in breach of the law, then clearly criminal prosecution should follow; and in the case of Sabra and Shatila, clearly the Kahane Commission found that very serious crimes had been committed, and I have no doubt any decent person would regret the fact that not a single criminal prosecution followed.”

In 1982, the affair led to the removal of Sharon as defense minister and a ruling that he was unfit to ever hold that post. That has not barred him from becoming prime minister.

The massacre led to the collapse of the cease-fire and the total discrediting of American Middle East policy. U.S. troops and citizens became open targets for terrorist attacks. Lebanon's civil war lasted another seven bloody years.

Will Sharon Be Thrown in the Dock?

The case filed against Sharon in a Belgian court promises to be every bit as dramatic as “The Accused,” but unlike the “Panorama” moderator, the Belgian judge will have the powers of the state supporting him. He has the power, in the form of subpoenas and indictments, to conduct interviews and interrogations. Although it is unlikely that Sharon will end up in a Belgian dock, this case promises to keep the Israeli Foreign Ministry and Sharon's spin-doctors very busy.

The Belgian government, particularly its Foreign Minister, Louis Marcel, has been very critical of Sharon's government, and supports fully the recommendations of the Mitchell Commission report, particularly its call for a freeze on Jewish settlements. Belgium will soon take on the EU presidency, from which position it will be able to make these concerns known. As the case proceeds, it will be followed closely throughout Europe.

Because Belgium has incorporated the Geneva Convention within its legal system, the 23 Palestinian survivors were able to present their case before its courts. They were represented by three lawyers, Luc Walleyn and Michael Verhaeghe of Belgium and Chibi Mallat of Lebanon, who told Reuters on June 18, “We hope that Mr. Sharon will be brought to justice, will be tried, and will defend himself.”

Both Walleyn and Verhaeghe are highly professional human rights lawyers. Walleyn is a member of *Avocats Sans Frontières*, and has prosecuted Belgian soldiers accused of human rights violations while serving as UN peacekeepers in Somalia; but, he has also handled the legal defense of a high Rwandan official accused of participating in the Rwanda genocide. Verhaeghe represented the International Confederation of Free Trade Unions in their case against former Chilean dictator Augusto Pinochet.

Walleyn told *EIR* he is confident that Judge Collignon, the investigative judge, will pursue a vigorous inquiry. The judge will no doubt receive assistance from other states such as Denmark or France, thus broadening his reach. The case can, and hopefully will, constrain Sharon's freedom of action in carrying out a Bush-backed war policy.

Khatami's Second Landslide Means Greater Role for Iran

by Muriel Mirak-Weissbach

The re-election on June 8, of Seyyed Mohammed Khatami, as President of the Islamic Republic of Iran, marked the consolidation of a revolutionary process begun with Khatami's overwhelming 69% mandate in 1997. The date of that event, has become the name of the movement, *Dovvom i-Khordad*, May 23, which has been fighting for reforms in Iranian society.

This time, Khatami received a thundering 77.88% of the vote—21,656,476 million voted—and in some cities, won even 95%. The turnout for the vote was estimated at 67%, down from the 83% in his first election, but still high by any standard.

Some commentators, and would-be expert think-tankers in the West, have seized on Khatami's landslide victory, to assert that Iran is about to abandon Islam, in favor of a secular society and culture, characterized by McDonalds hamburgers and designer dungarees. Nothing could be further from the truth.

The Economy Is the First Issue

Although there are groups inside Iran, heavily influenced by the worst and most degenerate aspects of Western culture, the broad masses who have rallied behind Khatami are citizens seeking a higher standard of living, through meaningful, productive, well-remunerated employment, and greater freedom of expression, especially through a free press. These, in fact, were the leading issues debated in the campaign. None of the major candidates challenging Khatami dared to call into question his reform course, which has such overwhelming support. It is significant, that the candidates fielded to oppose Khatami were not arch-conservatives (with few exceptions), but rather moderates, as it was clear that the far right conservative faction would have no following whatsoever among the people.

The issues dominating the campaign were the economy and social reforms. Opponent Shamkhani, in kicking off his campaign, said that he was running because he was “worried about Iranians getting poor, worried about the decline of living standards,” and cited the problem of unemployment, especially among youth, as central. Significantly, Shamkhani hailed the 1997 election of Khatami as “a great epic,” and

limited his criticism of the incumbent, to his handling of the economy.

For Khatami, as well, the main focus is the economy. In launching his campaign in late May, he said the greatest challenge facing the country is unemployment. Out of a population of 62 million, 35 million Iranians are under the age of 20; graduates coming out of universities every year compete for an inadequate number of jobs, and unemployment officially stands at 16%. The best qualified, in the absence of job opportunities at home, seek them abroad, and the student news agency ISNA quoted Minister of Science, Research, and Technology Mostafa Moin, to the effect that 220,000 academic elites and industrialists had left the country over the past year—an immense loss. Inflation was estimated at 19.9% in 2000; foreign debt was officially quoted as \$9 billion.

Khatami has identified one major problem in the economy, as its 80% dependence on oil revenues, and has, over the past four years, sought to diversify the economy. Although the fundamental thrust of Iranian economic policy, is defined by its commitment to building the Eurasian Land-Bridge, and thus to a vast series of infrastructure projects inside the country, the adverse effects of the international financial and economic crisis, including oil price fluctuations, have been significant.

Iran also suffers under the embargo regime, imposed by the United States under the Iran-Libya Sanctions Act, of 1996, which still hampers its international trade relations, and blocks the import of some vital technology goods.

On the regional level, the continuing war in Afghanistan, and the Taliban insurgency's spreading plague of drugs, have dealt severe blows to neighboring Iran, not only because there are over a million Afghan refugees, but also from the influx of drugs for trafficking, and increasingly, for domestic consumption.

Following his landslide victory, Khatami pledged to push forward with his reforms, particularly in the economy. "The first priority of the government is to solve economic problems, including the unemployment crisis," he said.

The Gradual Revolution

Iran is a country which has had numerous revolutionary upheavals, from the Constitutional Revolution of 1906, to the nationalist fight for sovereignty under Mossadegh (1951-53), to the 1979 revolution. This history of revolutionary movements, and the fight for national sovereignty and independence, is crucial to understanding the dynamics of Iranian society today. And it is necessary to understand how the Islamic constitutional system functions. It is based on three branches, the legislative, the executive and the judiciary. Above them all, is the Leader of the Revolution, a position held now by Ayatollah Seyed Ali Khamenei, who succeeded Ayatollah Ruhollah Khomeini.

The Leader represents the highest authority of the land, both religious and political, and his powers are vast. They include deciding overall policies and overseeing their implementation. He may order referendums, command the armed forces, declare war or peace, arbitrate among the three branches of government, endorse the winner of Presidential elections, and appoint and dismiss numerous high-level officials, including the President. As supreme authority, his responsibility is to provide the guidelines according to which policy is formulated, to indicate the right path to follow.

The Leader is elected, by a group known as the Assembly of Experts for Leadership, which also has the power to dismiss him, if he no longer provides leadership. The First Assembly debated and passed a draft of the constitution in 1979, which was later put to a referendum. The Second Assembly of Experts was elected in 1982. Members may also hold other offices, in parliament or in government, but they must be clerics. They are elected for an eight-year term.

Next in order of authority, after the Leader, is the President, who leads the executive branch. The powers of the President were enhanced through a constitutional amendment which abolished the position of Prime Minister. Thus, the President has the power to name his cabinet ministers, and submit them to the Majlis (parliament) for a vote of confidence. The President, like his ministers, may be subjected to a vote of no-confidence, and can be impeached by a vote of two-thirds.

In the legislative branch, there are two organs, the Majlis and the Guardian Council of the Constitution. Legislation which is approved by the Majlis must be ratified by the Guardian Council, before being signed into law by the President. Thus the Guardian Council functions like an upper house.

The Majlis is made up of 270 members, who are elected by direct vote, for a four-year term. The overwhelming majority of members are Muslims, but there are seats for representatives of the religious minorities, the Armenians, Assyrians, Jews, and Zoroastrians.

The Guardian Council, or council of sages, is made up of 12 members, six of them clerical Islamist canonists, selected by the Leader, and the other six, civilian jurists, elected by the Majlis. In considering legislation presented by the Majlis, this group must ascertain that it is compatible with Islamic provisions and with the Constitution. The Guardian Council also supervises elections.

Given the composition and responsibilities assigned the two bodies, the more conservative Guardian Council, and the more heterogeneous Majlis, it is not surprising that they should come into conflict. As early as 1987, a new institution was created, to intervene in disputes which broke out between the two organs.

This new Council for the Determination of Exigencies, or Assembly for Determining the Expediency of the Islamic System, has developed over time, from a mere arbiter to a

functioning body of the legislative process. Shortly before the 1997 Presidential elections took place, the Expediency Council was reshaped by Ayatollah Ali Khamenei and then-President Ali Akbar Hashemi Rafsanjani. It was announced that Rafsanjani, on leaving office, would take over as chairman of the Expediency Council. Furthermore, the body was redefined, its powers and responsibilities significantly enhanced. Not only is it to intervene to settle disputes between the two houses of parliament, but it is to function as a consultative body, which even the Leader, Ayatollah Khamenei, would hear, before issuing decisions on foreign, economic, or defense policy. Reports in Iranian publications have identified the Expediency Council as the primary vehicle for economic policy-making.

Paradigm Shifts Toward Reformers

This institutional arrangement does not mean that all branches are of one mind. Over the years, the conservative clergy has maintained a firm hold on the judiciary, and internal organs of security, while the Majlis has gradually become dominated by a reform-minded majority. In the last four years, since the first reformer captured the Presidency, the struggle between the reformers and the conservatives has been heated, often becoming violent.

After Khatami's inauguration, a number of new, reform-minded publications appeared, and were promptly challenged by the conservatives, who moved, in numerous cases, to shut them down, arrest their editors and journalists, and so forth. Reform intellectuals were also the target of a series of assassinations in 1998, which were widely attributed to organized crime figures in the pay of sectors of the security apparatus. In the following year, student protests broke out, and clashes with the security apparatus led to casualties. In 2000, a clamorous case erupted, when a number of reform political figures attended a conference in Berlin, Germany, which was disrupted by provocateurs, who placed the Iranian guests in an embarrassing position. On return to Tehran, they were arrested, and a huge "human rights" campaign was mounted, artificially, in order to exacerbate tensions inside the country.

In all such critical situations, Khatami maintained a firm stance, defending the rights of the free press and intellectuals to express their views, within the bounds of the law and the Constitution. Khatami's approach has been, consistently, to refuse to respond to provocations, but to refuse to capitulate to pressure from the conservative camp, in the knowledge that the continuing massive public support for his policies would grow, and ultimately defeat the opposition.

One indication of how this process has played out in Iran, is the case of Akbar Ganji, a prominent journalist and intellectual, who had published his findings on the series of assassinations of intellectuals. He was arrested, jailed, and sentenced to ten years. Khatami, meanwhile, opened an investigation

into intelligence sectors, regarding the serial murders. Then, shortly before the recent elections, Ganji's sentence was reduced to six months. This was read, correctly, as the acknowledgment on the part of the conservatives, that, despite their power over the judiciary, they have no mandate in the population.

Another indication, is the fact that the conservatives, rather than mount a major campaign for an extremist candidate against Khatami, preferred to field relatively moderate candidates. The few extremist candidates, such as former intelligence chief Fellahtian, were virtually ignored by the electorate. In fact, early in the campaign, the clergy in Qoms, the center of theological studies, declared their support for Khatami. And, on the eve of Khatami's landslide victory, the Leader Khamenei called on the population to flock to the polls. At the same time, as reported by IRNA on June 8, he called for national unity; "The end of the election means the end of electoral rivalries. After the polls, politicians should ignore issues related to the era of competition, and help the incoming President and government solve the problems of the public so that the country could attain its lofty goals." He concluded, "The one elected President will be the President of all the people and all should respect him."

The lesson to be drawn is clear: no matter how sharp the political conflict inside Iran may become, the overwhelming majority of the population, emphatically including the huge percentage of youth and women, is solidly behind Khatami and his reform course. There is no way that an internal opposition can oust the President, short of risking a civil war.

Thus, Khatami's strategy of slowly, but surely, increasing his mandate, and proceeding with gradual but incisive reforms. With 77% of the voters, and a growing majority of reformers controlling the Majlis, Khatami is in an excellent position. Add to this, his international position: Khatami is the initiator of the "Dialogue Among Civilizations" idea, adopted by the United Nations, an idea which has shaped his foreign policy orientation, in his important trips to China, Japan, Russia, Italy, Germany, and many other countries. He is also a staunch promoter of the new Silk Road, or Eurasian Land-Bridge perspective, and has aggressively pushed through infrastructure programs, around rail transport and gas and oil pipelines, that have made Iran the "other pillar," along with China in the Far East, of the new Silk Road.

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