

The Honorable Thomas McGee
Joint Committee on Public Service, Senate Chair
State House, Room 112
Boston, MA 02133

The Honorable Robert Spellane
Joint Committee on Public Service, House Chair
State House, Room 156
Boston, MA 02133

Honorable Chairman and Committee Members:

1) Divestment does not promote human rights in Iran and is opposed by leaders of Iran's human rights leaders

I attended a talk by the Iranian human rights activist Shirin Ebadi shortly after she was awarded the Nobel Peace Prize in 2003. At the end of the talk, the audience asked what we Americans could do to support Iran's pro-democracy movement. Ms. Ebadi said, simply, that we should support civil society in Iran.

I recounted this exchange last year, when I testified against H. 4270, last session's version of one of the Iran divestment bills under consideration today. Since that time, we have seen Iranian civil society rise to protest a stolen election and the violent suppression of that protest. Through cell phone videos and Twitter, the world has witnessed this uprising practically in real time, and has experienced real empathy for Iranian people struggling so passionately for democracy.

In 2008, I opposed the Iran divestment bills filed in this legislature because they did nothing to support civil society's quest for freedom and justice in Iran. As Rep. Byron Rushing pointed out when H. 4270 was debated on the House floor, leaders of the pro-democracy movement in Iran had not been urging the west for more economic sanctions against their country as anti-apartheid leaders had asked the world to impose against South Africa during their struggle. Any deliberations about legislating divestment from Iran should weigh what Iran's human rights leaders think about economic sanctions.

Akbar Ganji, an outspoken opponent of the regime in Iran, wrote in a 2007 open letter to the UN Secretary General that "even speaking about 'the possibility' of a military attack on Iran makes things extremely difficult for human rights and pro-democracy activists in Iran....We are also against policies, such as economic sanctions, that bring extraordinary hardship to the lives of ordinary Iranians." [<http://bostonreview.net/BR32.5/gangi.php>] Just last Tuesday on July 7, 2009, Shirin Ebadi called for the international community to impose political sanctions against Tehran, but stated that "I am opposed to economic sanctions, because they worsen the conditions of the people." (Attachment A)

Ebadi is so out of favor with her nation's leaders that calls have been made for her criminal prosecution, prompting ten other Nobel Peace Laureates to send an urgent letter on July 8, 2009, to UN Secretary General Ban Ki-Moon. The Nobel Laureates, including Archbishop Desmond Tutu and Professor Elie Wiesel called upon the Secretary General to warn Iranian authorities that Dr. Ebadi's arrest, because of her human rights advocacy, is a direct violation of the United Nations Declaration on Human Rights Defenders." They also ask Ban to send a special envoy to Iran to investigate "the tense and volatile situation in Iran" since the June 12 elections. (Attachments B & C)

The Commonwealth of Massachusetts has a long history of protecting and expanding human rights. Our best impulses are those of helping and defending the oppressed. For this reason alone, we should take the side of Iran's human rights leaders, and reject the imposition of any further economic sanctions against suffering people who are largely opposed to their own government.

2) Economic sanctions have been ineffective, and even counter-productive in influencing Iran

If Massachusetts needs another reason not to institute our own economic sanctions against Iran, we should consider how spectacularly unsuccessful thirty years of U.S. and international economic sanctions have proved to be. As John Tirman, Director of M.I.T.'s Center for International studies, has pointed out:

"Iran today is stronger as a regional player than at any time in the thirty years since the Islamic Revolution. It has strong commercial ties to China, Japan, India, and to many in Europe. It is regarded broadly in the Muslim world as a leader. And it has gotten to this point despite the U.S. policies of embargoes, sanctions, military intimidation, and political isolation; a brutal eight-year war instigated by Iraq, which itself received crucial aid from the United States; turbulence in Afghanistan, which sent two million refugees into Iran; the collapse of the Soviet Union and unrest in former Soviet republics along Iran's borders, and Iran's own missteps economically, socially, and politically." [http://web.mit.edu/cis/pdf/Iran_Tirman_0709.pdf]

Indeed, many experts on the region have observed that the constant siege of economic sanction has tended to unite Iranians against their common, external enemies, and to deflect attention from the many missteps of its own government. (A brief summary of U.S. and international sanctions is attached to this testimony, as attachment D).

3) State divestment laws impede U.S. foreign policy

At least since the C.I.A. overthrew Iran's democratically elected government in 1953, U.S. policy towards Iran has been consistently coercive. Iranians remember that, after the C.I.A. coup, the U.S. restored the monarchy of the "shah" and supported his increasingly repressive government for twenty-five years. As foreign correspondent Stephen Kinzer, author of several books on the region, points out:

"Now we are facing another world crisis with Iran over its nuclear ambitions. This crisis never would have happened; indeed, this religious regime would never have come to power, if we had allowed Iranian democracy to thrive in the 1950s." [Bostonia Magazine Interview, Summer 2006, p. 42.]

During his campaign for the presidency, and since, President Obama has spoken of the need for a new diplomacy with Iran. The June 2009 elections there have clearly complicated US relations with that nation. The President's original, temperate response to the unrest in Iran was widely criticized by the conservative right, and defended by many, including the Boston Globe (Attachment E).

Still, there are many compelling US interests, from achieving stability in Afghanistan, to keeping Iran's nuclear program under scrutiny, will necessarily cause the administration to consider how it will engage Iran [<http://www.thebulletin.org/web-edition/op-eds/achieving-d%C3%A9tente-iran>]. The currently unsettled state of the political situation there means that the administration will likely take some time to formulate its approach (see e.g. Attachment F). The existence of state laws which embody their own, hostile "foreign policy" towards Iran can only complicate US foreign policy, and may indeed be unlawful under the Supremacy clause of the US constitution.

Respectfully Submitted,

Denise Provost

cc: Members of the Joint Committee on Public Service