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IMMIGRATION AND REVOLUTION IN IRAN: ASYLUM POLITICS AND STATE CONSOLIDATION

Imigração e revolução no Irã: política de asilo e consolidação do Estado

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Abstract. In May 2019, remarks by the then Deputy Foreign Minister Abbas Araghchi implying Iran might ask Afghans to leave the country as U.S. sanctions tightened sparked widespread criticism from various segments of Iranian society. Critics from civil society and political factions accused Araghchi of using Afghans as leverage to extract concessions from Europe, and ignoring revolutionary ideals. Drawing on literature emphasising the role of mobilities in shaping the state, we posit that migration politics and related social dynamics are an integral element in state formation in post-revolutionary Iran, offering insights into the nature of Iran's political system. We argue that the Islamic Republic's immigration and asylum politics reflect both the revolutionary legacy and a political system striving for normalization, looking at how Iran's migration regime was formed, encompassing the institutionalization of migration governance, *ad hoc* policies, migration diplomacy, conflicting political factions, and bottom-up social pressures.

Keywords: Iran; Afghan Migrants; State Building; Immigration and Asylum Politics; Revolution.

Resumo. *Em maio de 2019, comentários do vice-ministro das Relações Exteriores sugerindo que o Irã poderia pedir aos afegãos que deixassem o país, à medida que as sanções dos EUA se tornavam mais rígidas, geraram críticas generalizadas de vários segmentos da sociedade iraniana. Críticos da sociedade civil e facções políticas acusaram Araghchi de usar os afegãos como meio de obter concessões da Europa e de ignorar os ideais revolucionários. Com base na literatura que enfatiza o papel das mobilidades na formação do estado, postulamos que a política de migração e as dinâmicas sociais relacionadas são um elemento integral na formação do estado no Irã pós-revolucionário, oferecendo insights sobre a natureza do sistema político iraniano. Argumentamos que a política de imigração e asilo da República Islâmica reflete tanto o legado revolucionário quanto um sistema político que luta pela normalização, observando como o regime de migração do Irã foi formado, abrangendo a institucionalização da governança migratória, políticas*

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ad hoc, diplomacia migratória, facções políticas conflitantes, e pressões sociais ascendentes.

***Palavras-chave**: Iran; migrantes afegãos; formação do estado; política de imigração e asilo; revolução.*

Introduction

Contemporary Iranian history, especially since the 1979 revolution, offers a good vantage point to observe how political and social processes interweave in the gradual shaping of a migration regime. In this article, we study asylum and immigration politics under the Islamic Republic of Iran (IRI) through a triangular prism, where the interdependent processes of post-revolutionary state formation, Iranian diplomacy, and the place the IRI occupies in its regional environment and the world at large, in a widening public space devoted to migration issues, converge.

Our research is based on primary sources in Persian and English on the refugee situation in Iran, such as laws and regulations, as well as archival materials. For the most recent period, since 2013 especially, we have also analysed Iranian and foreign press and social-media coverage of the immigrant presence in Iran, and scientific production on these issues in Persian. Our methodology is complemented by years of field experience in how asylum and refugees are managed in Iran, enabling us to better understand the configuration of different actors in play[1].

Our article adds to existing migration studies on Iran, among other countries from the Global South, but focuses especially on *immigration*, rarely the subject of research in developing or emerging countries (Helene Thiollet, 2016; Natter, 2014, 2018a, 2018b; Adamson, Tsourapas, 2019b; Bakewell, Jónsson, 2013). It therefore helps to remedy gaps and biases in migration theories hitherto based mainly on the historical and socio-political characteristics and experience of the West (Thiollet, 2020).

We concentrate on the post-revolutionary period because this was when, in the context of revolution, war and international isolation, and as waves of mass emigration from and immigration to Iran occurred simultaneously, autonomous political bodies dealing with asylum and immigration emerged to take part in post-revolutionary state building. While our focus here is on *immigration*, we consider the growing Iranian diaspora since the revolution as an independent variable, indispensable to a proper understanding of Iranian citizenship policies, which impact both migrants in Iran and Iranians abroad[2].

[1] The opinions expressed in this publication are those of the authors. They do not purport to reflect the opinions or views of any national or international institutions or their members.

[2] Iranian-born emigrants were estimated at around 3 million in 2019, with a majority living the United-States, Canada and the United Kingdom (Azadi, Mirramezani, Mesgaran, 2020).

Before the revolution, Iran experienced several waves of immigration, and engaged in international cooperation in managing migrants. In 1942, during the Second World War (WWII), the Soviet Union and Great Britain dispatched about 120,000 Polish refugees from remote parts of the Soviet Union to northern Iran (Sternfeld, 2018). In 1974, following conflicts in Iraqi Kurdistan between Kurds and the Iraqi army, an estimated 100,000 to 150,000 Iraqi Kurds sought sanctuary in Iran via its western and northwestern borders (Saidi, 2015). Afghans had visited Iran as workers, merchants or pilgrims long before the mass inflows initiated in 1978 (Monsutti, 2009; Adelkhah, Olszewska, 2007). In the 1960s and 1970s, to support Iran's economic growth, Afghans could enter as economic migrants and labourers (Moghissi, Ashrafi, 2002). In 1975, the total of 'migrant workers' in Iran was put at around 18,000, 74% of them Afghans (Ecevit, Zachariah, 1978)[3]. Also, the foundations of the asylum system and, more generally, the legal framework surrounding foreign nationals in Iran were both established before the Islamic Revolution, under the Pahlavis: the first regulations on asylum were adopted in 1963[4], and in 1976 Iran adhered to the 1951 Convention on the Status of Refugees and its 1967 Protocol.

However, pre-revolutionary experiences of mass immigration differ from post-revolutionary ones: they occurred on a smaller scale, and discontinuously. In some cases, e.g. the Polish refugees, pressure from foreign powers forced Iran to welcome migrants, since the country was effectively occupied by British and Russian forces in 1941. These experiences, therefore, play little part in the gradual establishment of the migration management regime moulded by the IRI and its revolutionary political and social forces.

Before the Syrian crisis erupted in 2011, Iran had the world's second-largest refugee population after Pakistan; in 2019, it was still among the top host-countries (UNHCR, 2019). The exact number of migrants in Iran, documented or not, is often subject to contradiction, and figures available publicly vary. Those concerning Afghans, the biggest foreign population in Iran and our focus in this article, vary from two-and-a-half to four million. The 2016 census put the Afghan population in Iran at 1,583,979[5]; in 2019, the Deputy Minister of the Interior for Security and Political affairs put it at three million[6]; and in January 2020, Afghanistan's representative for migrants' affairs in Iran claimed four million Afghans, documented and undocumented, resided there - around 12 percent of the current population of Afghanistan.

[3] This figure is low compared to Iran's neighboring countries' migrant workers over the same period and Iran's population at that time of around 33 million. It is interesting to note that according to the report, 35,000 were Europeans and North Americans.

[4] 1963 Regulations relating to Refugees (Ayin-nameh panahandegan 1342), English translation available on Refworld, <https://www.refworld.org/docid/3f4a23767.html>.

[5] Statistical centre of Iran, <https://www.amar.org.ir/>.

[6] <https://per.euronews.com/2020/09/07/afghanistan-first-mobile-ambassador-for-migrants-which-impact-on-lives-inside-iran>.

Understanding Iranian migration politics today means considering the effects of historical events such as the revolution and the 1980s war, reconstruction, economic liberalization and international sanctions, on Iran's society and political and institutional landscape. It also means studying interactions between state and society to better understand post-revolutionary state building and the evolution of Iranian society (Adelkhah, 2000; Bayart, 2008; Keshavarzian, 2007; Harris, 2017).

As we investigate the Islamic Republic's immigration and asylum politics, we acknowledge the revolution's core status as a political and ideological landmark, but observe the emergence of a policy domain (Guiraudon, 2003) shaped by dynamics of post-revolutionary professionalisation and tentative normalisation, referencing what Jean-François Bayart defined, in French Revolution terms, as 'thermidorian situations'. These are "moments in the 'formation' of the state, rather than just its "construction" through public policy and stated ideology. Headline political and economic mutations should not obscure accompanying social changes, while neither being reduced to them, nor entertaining any obvious relationship of cause and effect" (Bayart, 2008, p. 11)[7]. Such moments comprise post-revolutionary sequences through which the state acquires broad capacities beyond the initial frame of revolutionary politics, and revolutionary elites consolidate their power to become a new dominant class, combining power-seeking strategies with socio-political transformations. The concept helps us better understand the Islamic Republic in its historical context, from its revolutionary beginnings, without positing a teleological vision involving the 'transition' of the revolutionary Islamic republic towards another regime, democratic or otherwise. It also places endogenous political and social dynamics at the heart of processes of change at regional and global levels: conflicts, economic neo-liberalisation, economic shocks etc.

We will recall this paradigm as we analyse the institutionalisation and professionalisation of asylum and migration governance in Iran, closely linking state politics, policies and organizational evolution with social dynamics and their implications in terms of migration diplomacy, demonstrating the links between state power and mobility as formulated by Quirk and Vigneswaran: "... all states [...] have consistently made sustained efforts to legitimize, condition, discipline, and profit from human mobility [and] these efforts, successful or otherwise, have been of a sufficient scale and significance that it is necessary to treat mobility as a central factor when it comes to both the constitution and everyday operation of state authority" (Quirk, Vigneswaran, 2015, p. 6). Iran is no exception. Ethnographic studies of Iran's frontiers and recent mobility between Iran and its neighbours

[7] Translated from French into English by the authors. Quoting Bruce Berman and John Lonsdale, Bayart distinguishes the 'formation' of the state, as a broadly unconscious and contradictory process of conflict, negotiation and compromise between various groups, from state 'construction' through public policy and stated ideology (Berman, Lonsdale, 1992).

have demonstrated their importance to the state, and various state or semi-state institutions, in the exercise of power, especially in the context of international isolation (Adelkhah, 2016; Moghadam, Weber, 2017; Moghadam, 2013). The Islamic Republic's migration policies regarding Afghans, its migration diplomacy, and the ambiguity of its stance on the diaspora of thousands, possibly millions, of Iranians with dual nationalities reflect what Quirk and Vigneswaran define as 'state portability': "state power is exercised by, between, and over people, so when people move, so too does the state" (Quirk, Vigneswaran, 2015, p. 26).

As we will see in our first section, the absence of pre-existing institutions to handle thousands of migrants arriving from Afghanistan over a short period in the 1980s *de facto* enabled new revolutionary institutions to emerge, bringing relief and assistance to those fleeing neighboring countries, while simultaneously covering the needs of Iranians displaced internally by the conflict with Iraq. After the 1979 Revolution, Iran's political structures gradually matured and professionalised. This included migration management. While, during the IRI's first decade, with the emergencies caused by the war and the need to consolidate the regime, the state was far from preoccupied with managing immigration, the scale of Afghan migration and its repercussions on society forced existing state institutions, or new para-state revolutionary institutions, to put migration on their agenda, without necessarily having explicit policies.

In later sections, we look at how migration politics have been steered, through processes of institutionalisation, towards a more pragmatic, less ideological approach, without losing their revolutionary impetus: the political strategies and discourse of public officials and institutions draw legitimacy from those revolutionary roots, building upon the revolution's political capital.

The fluctuations observed in Iranian immigration and asylum policies, between discrimination and support, or at minimum forms of 'accommodation', also offers insights into the Iranian political system. The 1979 revolution was founded equally on republican principles and Islamic, anti-imperialist values. Pluralism, political rivalries, elections at different levels, and protests against the system's authoritarian tendencies by different segments of society, now including Afghans, have marked the life of the IRI. Protest has encountered relative tolerance or outright repression, but never disappeared from Iran's political landscape.

As we shall see, the management of immigration in Iran has been subject to political fluctuations since the 1980s. This is even more visible today in the instrumentalization of Afghan migrants in foreign diplomacy, or recent strategies to acknowledge Afghans' place in Iranian society. Ongoing political rivalries and social unrest question the political legitimacy of the Islamic republic, which still revolves in part around citizens' participation, the origins of which lie not only in the Islamic revolution, but in the constitutional revolution of 1905.

Analysis of the IRI's migration politics must also acknowledge the transformations of Iranian society since 1979, including demographic transition, empowerment in the public sphere of women and social groups disadvantaged under the *ancien régime* (1925-1979), rapid urbanization, and increasing literacy, all reinforcing the urban middle class (Behdad, Nomani, 2009; Salehi-Isfahani, 2017). Afghan migrants' living conditions, their engagement in Iranian society and their aspirations cannot be separated from these trends, though tinged with systematic discrimination and marginalization (Olszewska, 2013). The issue of Afghan immigration to Iran has made its way into Iran's public and cultural spheres, attracting attention from various sections of society. In highlighting this, while recognising the importance of top-down state power, we aim to emphasise the key role of social forces and social change in shaping migration politics.

Moreover, in "migration diplomacy", asylum and immigration issues clearly link home and foreign policy (Adamson, Tsourapas, 2019a), as we see in other Middle-Eastern contexts (Thiollet, 2011; Tsourapas, 2019). Today, like their Turkish or Jordanian counterparts, Iran's politicians understand the power of migration diplomacy (Adamson, Tsourapas, 2019a). They do not hesitate to use Afghan migrants as a bargaining chip with other states on unrelated matters: negotiations with Europe over nuclear sanctions, for example, or regional policy vis-à-vis neighbouring countries. But political and public debate on the rights of migrants in Iran, brought to international attention by groups inside and outside the country, is the flip-side of the same coin, one the Iranian authorities must now develop a response to. Thus, the recognition strategies discussed in the final part of the article are directly linked to the legitimacy of the state, at home and abroad.

We argue, therefore, that domestic and foreign policy regarding migrants in Iran need to be analyzed in the context of a political system striving to 'normalize', in home and international affairs, and participate in the global economy, despite internal political resistance and external pressures and failures. Political and economic stability or instability directly impact the diaspora and Iran's immigration policies alike, often leading to the *ad hoc* or tactical measures which have shaped Iran's migration politics since 1979.

In short, this article contends that the Islamic Republic's immigration and asylum politics, and its institutional landscape, are part of the post-revolutionary state-building process, and speak in a novel way to the development of Iranian society and the reshuffling of social classes. The nexus between migration politics and state-society relations contributes to redefining citizenship, belonging, social groups and class relations and helps understand 'the politics of otherness (integration, exclusion) as co-producing nations' (Thiollet, 2020, p. 120).

Forty years after the revolution, migration, intricately interweaving both immigration to Iran and the emigration of Iranians abroad, is omnipresent in debate and of direct concern to Iran's political class. While this has not necessarily

translated into formal migration policies, it illustrates the role migration has played in shaping the Islamic Republic's institutions from 1979 until today. We posit in this article that migration politics and related social dynamics are an integral factor in state formation in post-revolutionary Iran, offering insights into the nature of Iran's political system. Only by considering the interplay between social forces, the IRI's institution-building, and its efforts to consolidate its regime at home and abroad, we can understand Iranian migration politics and policies.

1. Revolution, War, and the Emergence of Immigration and Asylum Politics

Iran's hosting of migrants and refugees on a massive scale began in 1979, as the Soviet invasion of Afghanistan coincided with the Islamic revolution. "We should consider the government's difficulties, but we must also understand the situation of these homeless and disinherited people, not only those from our own frontiers with Iraq but also our guests, the Afghans. They are Muslims, we are Muslims. Should we not welcome them? Of course, we should. We must serve them. It is our duty, and the government must help them"[8], declared Ayatollah Khomeini, leader of the Islamic Republic, during a 1981 meeting with Iranian merchants about economic issues arising from the Iran-Iraq war.

Drawing on Khomeini's idea that 'Islam has no borders', the 1980s are seen as the decade of Iran's 'open door policy' towards Afghans. The founder and leader of the Islamic revolution intended Iran to be viewed by the international community and by Iranians as a sanctuary for the world's oppressed and tyrannised Muslims. This notion combined Islamic values regarding the treatment of refugees, Muslim ones especially, found in the Quran (Rajaee, 2000), and the revolution's 'third-worldist' inclinations (Keddie, 1983). The 'open door' policy was grounded not in domestic legal obligations or international treaty commitments, but in religious values and politico-ideological ambitions.

Although Iranian diplomats proudly remind the international community of this episode, many politicians and migration specialists in Iran quietly regret the Leader's decision. On the ground, his revolutionary stance soon confronted the absence of institutions and resources capable of dealing with a mass influx of Afghans, estimated at 1.5 million in 1981 (Sorouroddin, M. H. (1981, August 7) cited in Nasr Esfahani, Hosseini, 2018). An overview of migration politics in the 1980s shows that post-revolutionary turmoil embroiling bureaucratic institutions, the scarcity of decision-making processes and foreign assistance, and the need to focus on consolidating political power and the war with Iraq, left the government with no option but to allow Afghans to settle in Iran wherever they chose (Nasr Esfahani, Hosseini, 2018). Correspondence between territorial administrations shows that even at the peak of this influx, the pragmatic and revolutionary camps

[8] See the official website of Ayatollah Khomeini: <http://www.imam-khomeini.ir/fa/n2842/>.

had diverging views on the welcome to be afforded migrants. With neither the political nor financial means to channel or control mass arrivals, the 'open door' policy became the only working option, strongly supported by the state's clerical faction (Nasr Esfahani, Hosseini, 2018). According to US archives, at this time, Afghans who had arrived before the revolution were able to stay without major difficulties. Some groups of refugees, such as those from Peshawar, are said to have received special treatment from the Iranian government, allowing them to open representative offices in several Iranian cities, whereas others were sent to refugee camps or deported (CIA, 1983, 1984).

This was the context as new, post-revolutionary institutions faced the task of assisting thousands of migrants. Created in a revolutionary spirit to palliate the vagaries of war and reduce poverty in social strata known in revolutionary terminology as the 'underprivileged', parastatal institutions and more traditional state bodies together sowed the seeds of a complex migration management system, consolidated in particular after the end of the war in 1988.

The Imam Khomeini Relief Committee (IKRC), was one. The IKRC was "linked with the expansion of the social contract through Iranian state formation" (Harris, 2017, p. 107)[9]. Its main mission was to organise social and economic life for the most underprivileged in regions severely hit by the war, but IKRC also handled thousands of refugees and internally displaced persons (IDPs), setting up frontier camps and offering logistical support. "A reported thirty-four thousand refugees were covered by the IKRC by 1986, rising to seventy-six thousand in 1987" (Harris, 2017, p. 109).

Another institution with a similar role vis-à-vis Afghans in Iran was the Literacy Movement Organization (LMO). After the 1979 Islamic revolution, socio-cultural and political changes brought a need to improve literacy rates. Thus, in December 1980, by Ayatollah Khomeini's decree, the Literacy Movement Organization (LMO) was established. Its objectives included promoting the Islamic culture and strengthening the self-reliance, welfare and education of foreign nationals in Iran. While displacement often disrupts formal education, in some cases formal educational opportunities actually increase in host communities; this was so for many Afghans in Iran. According to the Director General of the Bureau for Aliens and Foreign Immigrants Affairs (BAFIA) in Khorasan Razavi, literacy among Afghan immigrants in the 1980s was stood at 7%, whereas it is now around 80%[10]. LMO continues to serve foreign nationals and allocate funds for their education.

In the revolution's early years, such parastatal institutions provided the logistics needed to make the ideologically-driven decision to open Iran's borders

[9] For an in-depth analysis of this institution, see Harris, 2017.

[10] Pars Today, Interview with Mohammad Ajami, Director General of BAFIA Khorasan Razavi, (Kabul, Afghanistan, 17 September 2017), <http://parstoday.com/dari/news/uncategorised-i50492>, accessed 07 January 2019.

to Afghans feasible. Today, some have become a 'state within the state', wielding economic and political power and contributing to Iranian soft power abroad; but the development of new state institutions, laws and programmes aimed, since the 1990s, at rationalising migration management in Iran has circumscribed their work with Afghan migrants. Still, as we shall see, the revolutionary legacy continues to influence migration policy, as both a source of legitimacy and a political instrument in divergences between opposing factions.

2. Institutionalising Asylum Governance

The aftermath of the Iran-Iraq war (1980-1988) is key to understanding how the institutionalization of migration governance in Iran began. In terms of migration policy, the period coincides with moves by Iran's successive governments, both the 'reconstructivists' of Rafsanjani (1989-1997) and the 'reformists' of Mohammad Khatami (1997-2005), toward neoliberal positions and more restrictive immigration policies. Rafsanjani's presidency marked the start of the professionalization of the revolutionary elite and a strengthening of the pragmatic camp. The question was how to rationalise the regime's founding revolutionary ideology when developing new institutions and policies and endeavouring to normalise the revolutionary state. It corresponded to the moment when "... the class now in power professionalises, progressing from utopian enthusiasm to management rationality, aiming to secure its position as a dominant class by implementing an ambivalent strategy of opening up to the global capitalist economy and of primitive accumulation of capital, while perpetuating revolutionary ideology, vocabulary and imagery" (Bayart, 2008, p. 58)[11].

New players and Fragile International Cooperation

The first government body signaling the post-revolutionary institutionalization of migration management was the Afghan Refugee Coordination Council, created in the early 1980s within the Ministry of the Interior to become, in 1989, the Bureau for Aliens and Foreign Immigrants Affairs (BAFIA). Today, BAFIA's head office in the capital coordinates with provincial sub-divisions operating under the Department of Political, Security and Social Affairs in their respective Governorates.

While BAFIA is the main government agency looking after immigration and refugee affairs, other institutions are also involved. The General Bureau on Employment of Foreign Nationals, under the Ministry of Cooperative Labour and Social Welfare, handles the employment of foreign nationals other than diplomats and international officials; the Social Security Organization provides foreign nationals with national insurance, though not on the same basis as Iranian citizens - foreigners cannot, for example, obtain unemployment benefits; the Immigration and Passport Police are also naturally involved in immigrant affairs.

[11] Translated from French into English by the authors.

In 2018, prompted by the number of immigrants and refugees in Iran[12] and resulting administrative issues, the government decided to tidy up the institutional framework and adopt an integrated, holistic approach to managing foreign nationals, by creating a National Migration Organization. Its stated objectives include policy-making and planning for the education, health, property ownership and cultural development of foreign nationals; however, the text of the Bill gives the impression that its drafters were more concerned with reducing migrant numbers and illegal immigration than offering protection to refugees and migrants[13]. As it is not yet fully operational, an assessment of its performance, especially compared to BAFIA, must be the object of future consideration.

BAFIA thus remains the main player in migration and asylum management in Iran, and the main interlocutor for international players and NGOs in this field, whose volatile relationship with the state has always been marked by a degree of mistrust over their activities in Iran, partly a result of the preoccupation with independence from foreign interference, but often impacted by both Iran's international affairs and the state of political and economic stability at home. During the war with Iraq, unlike neighbouring Pakistan, Iran received no international assistance in dealing with migrants from Afghanistan. Since then, international bodies such as UNHCR have resumed activities in Iran, but their scope has always been delineated by the authorities. The government allows some UN agencies, such as UNHCR, WFP or UNICEF, to intervene in Afghan migrant affairs, receive funding or provide services to migrants, but with no involvement in migration strategy. Apart from a brief period in the 2000s, UNHCR has never been involved in refugee status determination (RSD) procedures, while at the origin of several initiatives such as that discussed below, related to migrant health coverage, which was government funded[14].

In the 1990s and 2000s, Iranian society also witnessed the emergence of local NGOs in various areas. The association for the support of refugee women and children, HAMI, now a key NGO, emerged in 1992, although its initial mission was to support Muslim survivors of war in Bosnia. HAMI is today a major operator in asylum management in Iran, cooperating with international organizations as well as the Iranian government. It intervenes in migration issues at various levels, and director Fatemeh Ashrafi enjoys significant media visibility. Based on Islamic principles and recalling that fraternity among Muslims is a value of the Iranian

[12] Put at three million by Vice President Ess-hagh Jahangiri in 2018, *Shargh* Newspaper, <http://sharghdaily.com/fa/main/detail/186827/>.

[13] The proposed Bill on the Establishment of the National Migration Organization, 2019 (Layeheh pishnahadi tashkeel "Sazman-e Melli Mohajerat", 1398), Cabinet Office, <http://media.cabinetoffice.ir/uploads/org/news/1398/9/4/28150_596.pdf>.

[14] In March 2020, the HCR covered around 980 000 'people of concern' with a budget of USD 16 million, out of the 98 million requested. The HCR employs 138 locals and 14 internationals in offices in Tehran, Mashhad, Kerman, Shiraz and Isfahan. Source: UNHCR, 2020.

revolution, it has played a crucial role in protecting refugee children, particularly with regard to their education, as outlined below.

Fluctuating Immigration Policies

From 1979 to 1992, most Afghans entering Iran were issued with 'blue cards', indicating their *mohajerin* (migrant) status. According to Abbas-Shavazi, "Until 1995, blue-card-holders had access to subsidised health care and food, and free primary and secondary education, but were barred from owning their own businesses or working as street vendors, and their employment was limited to low-wage, manual labour" (Abbasi-Shavazi, Glazebrook, Jamshidiha, 2005, p. 25).

From the early 1990s on, we have seen a trend towards more restrictive migration policies, with the Iranian government implementing various procedures for registering and documenting migrants. Nevertheless, the borders were not closed, and the rise of the Taliban in Afghanistan actually led to a second major influx of Afghans, challenging this trend. Since 2000, two distinct approaches have been implemented: one called *Amayesh* (in Persian, 'Preparation' or 'readiness') for Afghans to whom the government deliver an Amayesh Card, and another for undocumented Afghans or 'Afghans with irregular migratory status'. According to estimates, the latter represent two thirds of Afghans in Iran, i.e. over two million people (UNHCR, 2020).

Following government screening[15], eligible Afghan asylum-seekers receive an *Amayesh* card, supposedly securing their stay in Iran and protecting them against *refoulement*. The documentation of refugees in Iran thus now exists in two forms: *Amayesh* and the Refugee Booklet, mainly issued before the Islamic revolution, which no longer seems to be used. The most notable difference between the two is that the pre-revolutionary document explicitly emphasizes refugee status, whereas the new *Amayesh* card makes no mention of it and is considered principally as a 'temporary residence permit'. The status Amayesh cards bestow is not permanent, but must be renewed for a fee at government-determined intervals. From 2000 to 2020, 15 *Amayesh* registration campaigns have been organised by the Iranian government.

In parallel, the government has twice attempted to regularize undocumented Afghan economic immigrants (Jadali, 2015), in 2010 and in 2017. Dubbed a 'Comprehensive Regularization Plan' (CRP), the 2010 campaign led to thousands of Afghan families and individuals in Iran receiving visas of stay, renewable periodically. The 2017 campaign has not yet brought measurable results in terms of documentation and status, but in 2019, the Minister of the Interior's Deputy for Security and Political affairs stated that around 450,000 Afghans in Iran possess a

[15] UNHCR was involved in this process for a limited period (2000-2003), and there is no indication of an existing national refugee status determination for newcomers.

visa of stay[16]. These processes of regularization and classification have led gradually to the emergence of new categories of migrants, while apparently not altering the number of undocumented ones, which now exceeds that of registered migrants.

Restrictive Iranian government policies began effectively after the fall of the Taliban in 2001, focusing on Afghan repatriation. To dissuade Afghans from staying, the government again targeted education, in a clear illustration of fluctuating policies: already in the early 1990s, access to education for the children of undocumented migrants had been banned. Registered migrants or those with passports could still enroll in public schools without paying tuition fees until 2004, when a new directive allowed schools to charge tuition fees to foreign students with legal immigrant status and the government even shut down self-administered schools run by Afghans (Nasr Esfahani, Hosseini, 2016).

Another example of restrictive policy relates to refugees' freedom of movement. Though Iran signed the 1951 Convention, it was only with reservations regarding Article 26 on freedom of movement, effectively restricted in January 2001 when the Iranian Council of Ministers enacted a by-law identifying No-Go Areas (NGAs) for Traveling and Residence of Foreign Nationals at border zones (Farzin, Jadali, 2013). Later amendments declared more areas as no-go for foreigners: originally, most were close by frontiers with Afghanistan, Pakistan and Iraq, but they gradually spread to provinces and cities throughout Iran.

During the last decade, however, some inclusive developments affording refugees and migrants a number of new services and programs have come to illustrate the bottom-up pressure social forces may exert on policy.

For example, in May 2015, Iran's Supreme Leader decreed that all school-age Afghan children, regardless of legal status, must have access to state education[17], a major step towards establishing the right to education regardless of migratory status. In 2009, a similar decree had in fact been issued by President Ahmadinejad, but chaotic implementation impeded its enforcement, whereas the direct authority of Ayatollah Ali Khamenei means the 2015 decree has, so far, been implemented. It is characterised in Iranian media as a courageous, pious move *vis à vis* Iran's fellow Muslims[18], but in reality, pressures from civil society and religious NGOs involved in improving the livelihood of Afghans in Iran must be taken into account. HAMI, mentioned above, played a crucial role by mobilizing its networks within state institutions and the media, and advocating Afghans' rights with frequently religious arguments.

Similarly, around the same time, the government decided to include documented refugees (but no migrants or also migrants?) in UPHI, a government-run

[16] Mashregh News, <https://www.mashreghnews.ir/news/965121/>.

[17] Mashregh News, <https://www.mashreghnews.ir/news/417468/>.

[18] See for instance the conservative Tasnim News <https://www.tasnimnews.com/fa/news/1394/02/27/741883/> or Payam-aftab <http://www.payam-aftab.com/fa/doc/news/74843>.

initiative between BAFIA, UNHCR, the Iran Health Insurance Organization and the Ministry of Health and Medical Education. Few countries offer refugees the same coverage as nationals, but UPHI affords all refugees comprehensive health insurance, equivalent to that available to Iranians[19].

The legal *corpus* in various immigration-related fields has also expanded since the Revolution. The need for consistent, centralized policy-making regarding foreign nationals was reflected in the Third Economic, Social and Cultural Development Plan Act of 2000, establishing a multi-sector approach to entry, stay, deportation, employment, education, health and international affairs regarding foreign nationals, with an Executive Coordination Council under the Minister of the Interior. Under the Executive By-Law pertaining to Article 180 of the act, the government took a progressive step by amending the definition of 'refugee' in line with Article 1 of the 1951 Convention. The 1963 Asylum Regulation's definition was not wholly compliant, whereas the new wording meets Iran's treaty obligations in full[20]. Moreover, when defining displaced persons, the Iranian legislature took into account advancements in international refugee protection, expanding the grounds for refugee status beyond the individual perception of fear of persecution: according to the text, anyone fleeing armed conflict is considered displaced and may seek protection in Iran, complying to some extent with the refugee concept under the UNHCR extended mandate.

These ups and downs in Iran's migration policies towards Afghans should be understood in relation to the place migration now occupies in Iran's political and social spheres. We shall look into this in the following section, considering the difficulties facing Iranian migration diplomacy as an operational stance for the government in its foreign policy, and bottom-up social forces impacting political decision-making on the management of the Afghan presence in Iran.

3. The Flip Side of Migration Diplomacy, and Widening Public space

On the morning of May 09, 2019, the remark by then Iran's Deputy Foreign Minister, Seyyed Abbas Araghchi that, as US sanctions tightened, Iran might request Afghans to leave the country sparked widespread criticism from various segments of Iranian society. Araghchi claimed sanctions were making it hard to support 'three million' Afghans living in Iran. He explained that if they reduced Iran's oil exports to zero, "it is possible that we ask our Afghan brothers and sisters to leave Iran"[21].

In the Islamic Republic, social and political players often quote the Founder of the Revolution to claim political legitimacy. In the migration field, associations

[19] UNHCR -Iran, <https://www.unhcr.org/ir/health-insurance-for-refugees-uphi/>.

[20] The 1963 definition takes into account four grounds for asylum, omitting nationality, while the 2000 definition sets forth all five grounds.

[21] <https://www.bbc.com/persian/iran-48209838>.

and NGOs for the defence of migrants' rights, the media, or non-governmental political factions have brandished statements made by Khomeini in the 1980s in support of Afghan migrants to criticise restrictive policies, while advancing their own political agenda. For example, following Araghchi's remarks threatening Afghans with deportation or the opening of borders with Turkey, conservative websites strongly condemned Rohani's reformist government, recalling Khomeini's stance on Muslim refugees and linking deportation threats with the government's pro-Western policies. The highly conservative Raja News website, under the headline: 'Liberals are incapable of running the country and are now resorting to the elimination of the poorest in society' wrote: "For some years now, these pro-Westerners have sucked all Iranian capital out of their foreign policy to please their Western partners, and now they have nothing left in their vision of foreign policy but to attack Iranian soft power and the place the country occupies in the hearts of the most deprived populations of the region, the underprivileged"[22].

Araghchi's remarks also provoked a reaction from Afghan politicians, alleging that Iran aimed to politicise its Afghan community and reminding their neighbour of its international commitments and agreements signed by both countries covering border and migrant issues. America's withdrawal from the nuclear agreement (JCPOA) and the Europeans' inability to find a solution to maintain economic ties with Iran have encouraged Iranian diplomacy to exploit migration as a bargaining chip. Araghchi eventually had to apologise to the Iranian media, claiming his remarks had 'another purpose' and were meant for the Europeans, who should either pay a portion of the cost of keeping Afghans in Iran, or welcome them to Europe. Similar declarations were nevertheless made on other occasions, notably during a diplomatic visit to Afghanistan[23].

The effectiveness of Iran's migration diplomacy remains to be examined more closely, a matter beyond the scope of this article. However, the IRI's attempts to instrumentalise migration in its foreign policy towards Europe do not appear to have borne fruit and above all, as Greenhill points out, highlight the state's incapacity for action in other areas (Greenhill, 2010).

Bottom-up Social pressures

Challenges to the pronouncements of Iran's politicians also come from civil society, including Afghans themselves, some of the second or third generations. Following Araghchi's speech, they organized a social-media campaign calling on the authorities to open borders with Turkey so that Afghans could finally leave Iran where, according to their campaign, they enjoyed no civil rights. This campaign, and others like it, have created a public space for Afghans to speak more openly about, via social media, their life situation in Iran and the discrimination they

[22] <http://www.rajanews.com/news/317315/>.
[23] <https://www.tasnimnews.com/fa/news/1398/02/20/2008279/>.

experienced. They recalled examples of their commitment to Iranian society, such as their mobilisation on the Syrian front in the Fatemiyoun army[24] in 2014, or in post-war reconstruction, in unskilled jobs Iranians would have refused[25].

This mobilisation of Afghans in defense of their rights is part of a broader trend towards the empowerment of the Afghan community in Iran, itself linked to broader sociopolitical transformations in Iranian society. Research shows that although Afghans have lived in the margins of Iranian society, often in straitened circumstances, several of them share similar aspirations and lifestyle as those of the Iranian middle class (Olszewska, 2013, 2015; Adelkhah, Olszewska, 2007). As explained by Olszewzska

> As a result of their access to Iranian public services, including free schooling or literacy programs and public health services, hundreds of thousands of Afghan children and adults became newly literate or even well-educated. They absorbed "modern" ideas about hygiene, health and reproduction; began to dress, live and eat Iranian-style; and transformed their views and practices of religion, civic participation and the public role of women. (Olszewska, 2013, p. 856)

In addition to participating in flourishing cultural productions, often focused on migration and immigrants' lives in Iran, a plethora of platforms for exchange, research and information in the Persian language, such as Daiaran[26], on the status of Afghans in Iran offer evidence of growing empowerment. These cultural and social practices also enlighten the rest of Iranian society on the status of Afghans in the country, helping to shape public opinion of the issues involved.

Just as the press regularly prints stories about the Afghan community, many academic research papers in Persian are now devoted to various aspects of their living conditions. Some are publicly funded, such as a recent public poll, which allegedly registered the very controversial and racist opinion of Iranians about the presence of Afghans in Iran (Nasr Esfahani, 2020)[27]. While results underlined above all the negative view Iranians have of Afghan immigration to Iran, their publication online provoked a debate involving many social actors, some of them questioning the intentions and methods of such a survey.

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[24] Fatemiyoun is an Afghan Shia militia formed in 2014 to fight in Syria on the side of the government. It is funded, trained, and equipped by the Islamic Revolutionary Guard Corps (IRGC), and fights under the command of Iranian officers.

[25] See tweets on twitter with the #مرزهارابازکنید.

[26] See the site: <http://diaran.ir/>.

[27] According to the results of this public opinion poll, funded by the Tehran Urban Research and Planning and Research Center for Culture, Art and Communication in 2019, 43% the inhabitants of Tehran consider Afghans to be a different race from Iranians and 28% think that intermarriage between the two can "contaminate" the Iranian race. In addition, 44% of Tehran inhabitants think it would be better if Afghans lived in separate neighborhoods. See also: <https://meidaan.com/archive/70530>.

A New Place for Afghans in Iranian Society?

The mobilisation of civil society, international news coverage of tragic incidents involving Iran's Afghan community, and demonstrations challenging the policies of the Islamic Republic towards them, notably in front of its embassy in Kabul, appear to have influenced recent actions in Iran's political sphere.

In May 2020, the drowning and disappearance of fifty Afghan workers, allegedly forced by Iranian border police to throw themselves into the Hari Rud frontier river, provoked indignation, at home and abroad. Under international and domestic pressure, and in addition to diplomatic exchanges between Iran and Afghanistan, in June 2020, news agencies Tasnim and FarsNews, both close to the Revolutionary Guards, announced the discovery of the remains of an Afghan soldier who had fought and become a martyr on the Iraq-Iran war front. The head of the committee for the search for the missing, wearing the Afghan-style hat allegedly found with the body of the Afghan martyr, distinguished the martyr from the other 140 bodies found by recalling that "He is the symbol of the martyrs of the great Afghan nation; a fighting people who, like us, have always been on the side of resistance. Today he is back in our country and has brought with him a breeze that will certainly calm this atmosphere of division, fuelled by some who are trying to separate our two peoples"[28], alluding to the incident of the Afghan workers drowned in the border river. Nasim Afghani rapidly became the symbol of Iran's moves towards the recognition of Afghan migrants in Iran. The episode led to speeches by political and religious authorities glorifying the presence of Afghans in Iran and their key role in the sacred defence against the Baathist aggressor, backed by numerous romanticised and at times dubious stories relayed by the Iranian media. At the Supreme Leader's personal behest, Afghani's funeral took place in the holy city of Mashhad, and his burial in a section of the mausoleum assigned to Khamanei himself was highly charged with symbolism.

Whether the story of the Afghan martyr was truth or legend, the sequence of events is a sign of the growing influence that migration and the Afghan population in Iran can wield over the exercise of power in Iran. The Afghan presence has political potential to revive revolutionary values, linking them to societal and political challenges on the home front and in foreign policy. It may serve as a weapon in the power disputes between political factions, as we have seen above, and is linked to the demands for the expansion of civil rights of Iranian citizens in Iran and in the diaspora.

Conclusion

Shortly after the aforementioned remarks of Mr. Araghchi, the Iranian Parliament (Majlis) approved the general framework of a Bill on the controversial

[28] <https://www.tasnimnews.com/fa/news/1399/04/02/2291105/>.

issue of the nationality of children born to an Iranian mother and foreign father. The transmission of nationality by Iranian women to the offspring of mixed marriages had long been a matter of parliamentary debate, especially as Afghan children were potentially liable to benefit from a new opportunity to gain Iranian citizenship. That the two incidents occurred almost concurrently illustrates clearly the political and societal role migration phenomena occupy in Iran and in the region today[29].

It was not until the death of Iranian mathematician Maryam Mirzakhani in 2017 that the debate was revived. That an Iranian woman, despite her brilliant international career, could not transmit her Iranian nationality to her child in her lifetime, awoke nationalist feelings both inside and outside Iran, leading to lively discussions in society and parliament, and accelerating the passing of the new law in the following years.

In 2021, as Iran grapples with a profound economic and political crisis, stoked by US sanctions and international isolation, the new law highlights the interplay between social phenomena and political power. It would be wrong to idealise this historical development: every application of citizenship will be subject to approval by the Iranian security forces. But the ongoing discussion of these issues in political and public debate for over twenty-five years, and the bill's passage through all the Islamic Republic's political decision-making bodies until its enforcement in 2020, demonstrate the importance of migration issues in the formation of the post-revolutionary state.

In describing how the institutionalization of migration governance and the dynamics involved in forming the post-revolutionary state in Iran are interrelated, we have shown that to understand the role of the politicization of the presence of migrants from Afghanistan in the formation of the Iranian state, we must consider the specific nature of the Islamic republic. To do so, it is necessary to understand its revolutionary legacy, anti-systemism and international isolation, as well as its normalization of international relations with the international community.

While it is true that 'when people move, so too does the state' (Quirk, Vigneswaran, 2015), and that this is an integral element in the exercise of state power, in Iran as elsewhere, the concrete modalities of this form of exercise of power are anchored in these historical and political particularities. J-F Bayart, quoting F. Furet reminds us that 'the Revolution has a birth but no end' (Furet, 1996, p. 16 as cited in Bayart, 2008, p. 9). It is essential we take into account the revolutionary legacy and its evolution over time, to fully comprehend the ambiguity of the Islamic Republic's relations with migrants, both within and outside its territory.

[29] The issue of the transmission of nationality by the mother has been present in the political arena since the period of political reforms of the 1990s.

The influence migration issues exert on state formation must be analyzed in their relation to the development of Iranian society, in which Afghans in Iran and the Iranian diaspora both partake (Moghadam, Weber, 2015). As we have shown, the Iranian state must respond to challenges posed by migration at home and vis-à-vis the international community. The entangled processes of emigration and immigration and the interlinking levels on which migratory phenomena take place mean they represent both a 'threat and an opportunity' for the Iranian authorities, to quote many policy briefs produced in Iran on this subject. On the one hand, Iran's political bodies may instrumentalize migration, and more particularly the Afghan presence in Iran as a foreign policy tool, especially as leverage in relations with neighboring countries. But on the other, as reactions to politicians' remarks on the deportation of Afghans illustrate, there is an inevitable continuum between the instrumentalisation of the Afghan presence in Iran's foreign policy and public and political debate on Afghans' rights in Iran.

Thus, it is possible to say that the Iranian state can be categorized as a de facto migration state because of its action outside, in opposition and in parallel to international norms and obligations as well as due to its revolutionary antecedents and the history of social pressures and migration diplomacy in the region.

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