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Defining Boundaries: Anti-Cult Laws, Religious Rights, and Iranian Statehood

Managing Religion and Religious Changes in Iran: A Socio-Legal Analysis. By Sajjad Adeliyan Tous and James T. Richardson. Cambridge: Cambridge University Press, 2024. 80pp. Hardcover: \$64.99
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Legislation and the courts are increasingly being used to impose restrictions on religious expression around the world. *Managing Religion and Religious Changes in Iran: A Socio-Legal Analysis*, by Sajjad Adeliyan Tous and James T. Richardson, is part of the Cambridge “Elements in New Religious Movements” series and traces the legal mechanisms the authoritarian and theocratic government of Iran has used to repress religious minorities. Culminating in the passage of anti-cult legislation in 2021, it describes the religious demographics of Iran and proposes reasons for the regime’s suppression of religious freedom, especially for its religious minorities. Though it is a brief treatment of the topic, it covers a range of issues from ideology to sociological setting to legal theory. It is important reading for anyone wishing to understand the status of religious freedom in Iran, but also for scholars engaging in comparative studies of religious regulation in authoritarian contexts.

Adeliyan Tous and Richardson’s book comprises five main sections. After an introduction that discusses the concept of religious freedom, Section 1 details how the Iranian Constitution defines religious groups and their protections. Section 2 describes the actual treatment of religious minorities under the Islamic Republic, while Section 3 gives an overview of cultural and demographic shifts in the country regarding religion and spirituality. Section 4 presents a detailed timeline of efforts by the government to generate legislation regulating religion, and Section 5 discusses how sociological theory can be applied to explain outcomes in Iran. A final “Theoretical Coda” expands upon relevant theoretical perspectives from sociology and legal theory that could be applied to this case.

Though there is some reference to how constitutional provisions and governmental policies affect the religious freedom of the country’s majority Shi’a population, the text is primarily focused on Iran’s treatment of its religious minorities. Defining rights as they

exist using Islamic criteria, rather than under universal human rights standards, three historically present minority faiths (Christianity, Judaism, and Zoroastrianism) are recognised in the Constitution, and their rights are limited to education and personal law. There is little direct reference to other minorities—which the authors variously refer to as “New Religious Movements” (NRMs), “unorthodox Muslims,” “alternative religions and spiritualities,” and “cults”—in legal documents. This has led to extensive violations of religious freedom in the country.

Section 3 discusses interesting developments in Iranian religiosity in recent decades, including an increased focus on “spiritualism” rather than dogma and an interest in new forms of religiosity, such as non-Muslim and Western spiritualities. These developments echo the experiences of other countries and result from increased communication technologies and the diffusion of ideas through globalisation. However, because of the restrictive legal environment for religious minorities in Iran, the rise in new religions and spiritualities is not just a sociological issue, but a legal one. As a result, the authors explain how government officials and their scholarly supporters have seized upon dubious Western anti-cult writings to justify repression, with an extensive chronology of attempts at legislation presented in Section 4.

Though remarkably thorough for such a slim volume, the authors leave a few questions unanswered or underdeveloped. First, even though the focus of this book is clearly on religious minorities, there is some ambiguity in the text about how Iranian authorities understand the differences between minority groups and whether these differences are reflected in how the courts decide to apply legislation against particular groups. Some additional attention to differences in the treatment of minorities and a more theoretically grounded explanation for disparities is warranted. For instance, as the authors conclude their analysis with the passage of new anti-cult legislation in 2021, it would be pertinent to include a discussion of how this may affect the rights of the various minority groups practising in the country.

Relatedly, the discussion also raises questions regarding why certain groups are labelled “cults” and the reasons for attempts to legislate against them, such as popular demand or increased media attention to the issue. Moreover, it is unclear what the precise nature of the threats these groups pose is, and to whom. The Theoretical Coda at the end of the manuscript discusses some of these issues, but it would have been fruitful to include those theoretical perspectives in the main body of the volume to structure the subsequent discussion of legal developments.

Another issue pertains to the scope of the authors’ findings. Iran is a relatively unique state in that it is the only one ruled by a Shi’i clerical hierarchy. However, it also bears similarities to other states with established religions, especially those that are authoritarian. The authors mention how developments in Iran were inspired and influenced by developments in France, which has also passed significant anti-cult legislation. Yet, I was left wondering whether a more relevant comparison group would be with settings where restrictions on minorities are framed as protecting national heritage or fighting deviance, as in Russia or China. In their discussion of the debates that led to the passage of anti-cult legislation in 2021, they repeatedly present evidence that makes it clear that Iranian opposition is not to religious minorities per se, but to those that challenge the supremacy of the Iranian state’s official version of Islam. Thus, the concern is with protecting the legitimacy of the Islamic Republic by blocking groups that might question its version of religious orthodoxy.

In this way, the applications for the authors’ findings might be even broader than claimed. Though the authors state that their findings may help to understand other majority Muslim countries, I would argue that they could be applied in many other settings as

well. All countries regulate religion to some extent, and most focus their legislation on religious minorities. Anti-cult legislation is a subset of religious regulation that targets some of the smallest religious minorities found in most societies. By further theorising why particular types of minorities are restricted, we can begin to learn more about the reasons why states restrict religion in the ways that they do.

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