

By Elaina Loveland

Toward Equality for All

An interview with Nobel Peace Prize Laureate Shirin Ebadi

SIX YEARS AGO, SHIRIN EBADI, an Iranian lawyer and human rights activist, was preparing a case different than her usual work, which frequently included battered children, abused women and political prisoners. This case was unlike any other. The government admitted to partial involvement in assassinating several intellectuals in the 1990s. As she read through the findings of the investigations, she stumbled upon a sentence that would haunt her for years to come: “The next person to be killed is Shirin Ebadi.”

Shirin Ebadi, born in 1947 in Hamadan, Iran, became one of the country’s first female judges at the age of 23. In 1979 she was forced to step down from her judgeship in the aftermath of the Islamic Revolution. She has since devoted her efforts to improving human rights in Iran—for women and children especially—and promoting democracy by defending political prisoners who have opposed the government through her work as a lawyer and university lecturer.

In 2003 Shirin Ebadi became the first Iranian and Muslim woman to receive the Nobel Peace Prize for her efforts toward achieving democracy and human rights for women and children, in particular.

In addition to her activism and law practice, Ebadi has written 14 books in Iran, mostly on the subjects of rights for women and children. She has also formed three nongovernmental organizations that continue to operate today to advocate her causes. Her memoir, *Iran Awakening: A Memoir of Reflection and Hope*, was written in English and was published in May 2006. When she is not traveling, she continues to teach women’s studies and human rights at Allameh Tabatabaei University in Tehran.

Since her interview with *IE*, Ebadi has returned to Iran to continue her mission of achieving human rights for every woman and child in her native country.

IE: What do you think your receiving the Nobel Peace Prize has done for the image of the people of Iran and in particular, the views of Muslim women?

EBADI: This prize brings confidence to Iranian women and Muslim women. It proves to them that the struggle that they are continuing to fight for, the struggle that they are having, the way they’re going is the correct way, and that the cause they’re fighting for is correct.

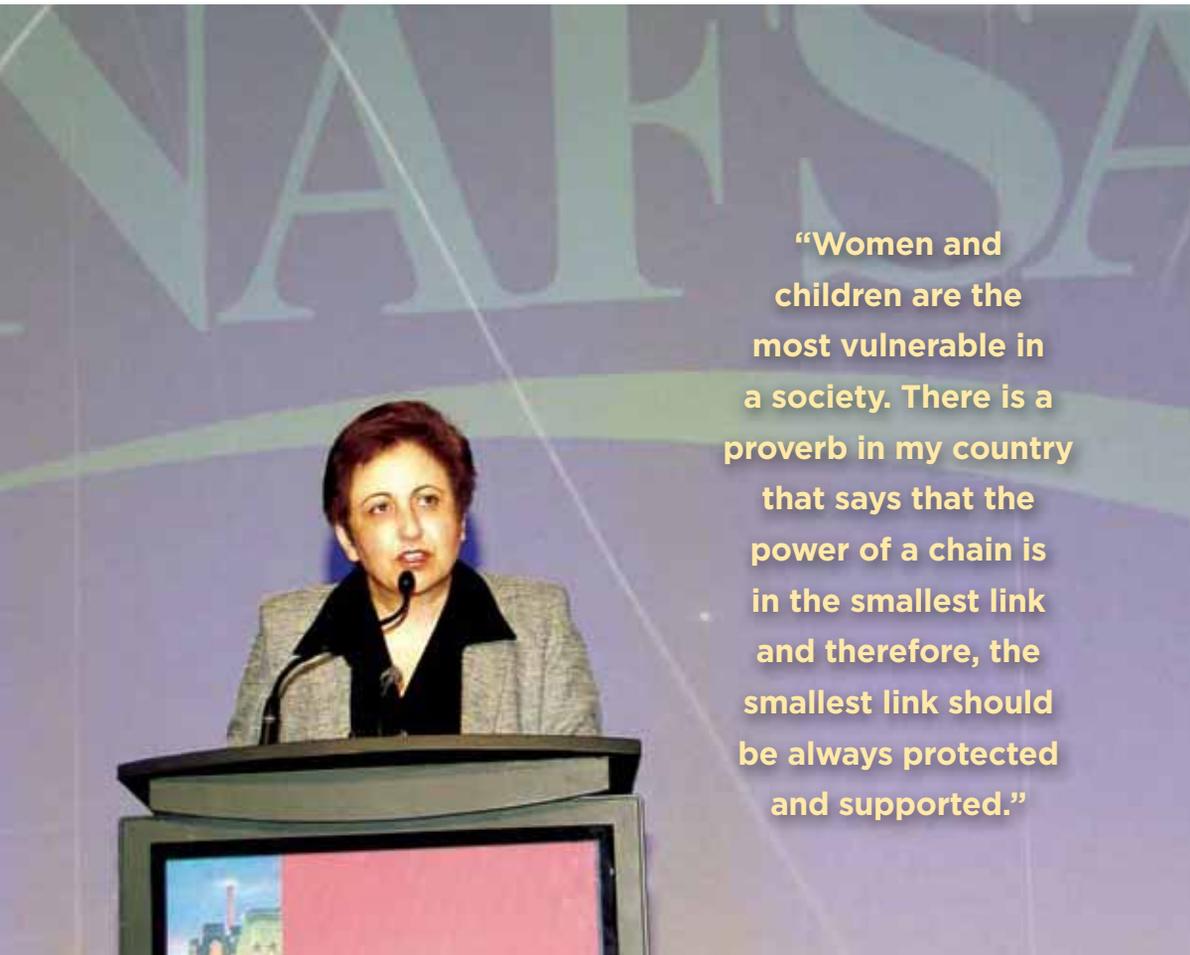
IE: What influenced you to become involved in advancing human rights?

EBADI: People are born with certain characteristics. When I was little, I was thinking about an issue that I later discovered to be justice. If I was on the street and I saw an altercation between two kids, I would defend the one who had the lower hand. I was even hit several times because I intervened without having the right to intervene.

The same feeling drew me toward law school. I felt that I could help bring about justice better having studied law, in addition to the fact that my father was also an attorney, and I had previous knowledge of the law.

The same feeling led me to becoming a judge after I finished law school. But after the revolution I was told that I could not continue as a judge and, therefore, I had to practice as an attorney. At that point, I started focusing on human rights issues because I thought that I could improve justice through human rights.

IE: Why are you an activist for human rights for women and children in particular?



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EBADI: Women and children are the most vulnerable in a society. There is a proverb in my country that says that the power of a chain is in the smallest link and therefore, the smallest link should be always protected and supported. That's why I'm interested in the rights of children.

IE: Can you give some examples of laws that you have challenged or helped pass to ensure a better position for women and children in Iran?

EBADI: After the revolution, the law constantly changed. Pursuant to the laws of custody in cases of divorce, boys up to age two and girls up to age seven were in the custody of the mothers. After that, the children would be taken away from the mother, even by force, and given to their fathers. All of the mothers objected and opposed that law. But the government insisted that this was an Islamic law and there was no way to change it.

With several other women in Iran, I worked hard on amending this law up to the time that the law was amended during the Sixth Parliament when the re-

formists were in power in the Parliament. However, the Guardian Council vetoed this amendment, finding it to be anti-Islam. Subsequently, it was sent to the Expediency Council. It took the Expediency Council two years to decide on the law regardless of all the objections of women in this regard.

When I got the Nobel Peace Prize and went back to Iran, approximately a million people came to the airport to see me. The majority of them were women, and coming to the airport was a way for them to demonstrate that they were not happy with their legal status. When the government found out about their anger, they decided to do something about it. And the [custody] law which had been sitting in the Expediency Council for two years was finally passed.

Now with the amended law, after divorce, boys and girls up to age seven remain in the custody of the mothers. After age seven, the court determines on the basis of the interests of the child whether to give physical custody to the father or the mother rather than automatically giving children to the father as it was before.

IE: After becoming one of the first female judges in Iran, you were forced to leave your position in 1979. How were you able to continue your activism?

EBADI: Up until 1992 I was an attorney and I founded three non-governmental organizations (NGOs) in Iran. The first one was designed to protect the rights of the child. The second one was Center for Human Rights Defendants, and we do pro bono work to defend the political prisoners and support their families. We prepare reports on human rights status in Iran every few months. The third NGO that I work on is the land mine NGO. Iran is no longer involved in a war with Iraq, which lasted for eight years; however, 15 years has passed since the war, but there are still land mines—numerous land mines.

Today while I'm talking to you, we have approximately four million hectares of land that contain land mines. Unfortunately, Iran is the second biggest country having land mines. People continually get either injured or die walking on the mines. What we're doing with this NGO is putting pressure on the government to eradicate the mines and join the treaty on the eradication of land mines. We also try to help those who are injured by land mines.

IE: As a lawyer, why have you taken politically charged cases that other lawyers might not have taken? Why did you feel that this work was important?

EBADI: In my opinion, the worst or the most oppressed of prisoners are political prisoners. These people fight for freedom and democracy, and they put their lives at risk and they are taken to prison. So we have to help them. Helping them or supporting them can be dangerous, and I was even caught myself and imprisoned for the same thing. And all of the attorneys who are

members of the Center for Defending Human Rights have been imprisoned.

Today that I'm talking to you, I have just found out that one of the philosophers and educators in Iran, Dr. Ramin Jahanbegloo, a prominent Iranian intellectual and political theorist, has been caught and imprisoned. I am very sorry to have heard the news. And I think as I go back to Iran, I will start working on his case right away. It is painful to see a philosopher and educator in prison instead of in a classroom.

IE: As a lecturer in higher education, what role do you think education plays in achieving the brightest future for Iran, including ensuring human rights for women and children?

EBADI: The first step that can be taken in the advancement of women and children's rights is education. One of the issues that I talk about usually is the fact that military budget should be used and the money in the fund should go towards education. Just imagine what would happen in the United States if half of the military budget was spent on education.

IE: When you teach, what is your favorite thing to teach?

EBADI: Human rights, specifically women's rights and children's rights. Fortunately, my students are very good students and they are very into the subject.

IE: In your years as a judge, lawyer, and activist, how has the situation for women and children changed in Iran? Do you think progress for human rights for women and children in Iran has been made?

EBADI: When I look back at the last 27 years, I see advancements in women's rights, but it doesn't mean that we don't have problems. We still have a lot of problems that need to be resolved, specifically on the rights of the child. I will give you examples of bad laws with regards to children. The age of marriage in Iran is a low age: 13 for girls and 15 for boys. That's not an age that's appropriate for marriage. Also, the age of responsibility—the criminal responsibility—of juveniles, is nine for girls and 15 for boys. This means that if a 10-year-old girl commits a crime, the law looks at her and prescribes a sentence for her the same as a 40-year-old woman who would have committed the same crime. As a result, we have capital punishments in cases where the perpetrators are under 18 years of age. Therefore, although we've had a few advancements and progresses in a few areas, we still have to do a lot of work.

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IE: Are there any legal cases that you've worked on that you are most proud of?

EBADI: If you ask a mother who has five children which one she prefers, you can never get an answer from her. For me, my work is the same. Each case has its own place.

IE: From some Western perspectives, Islam is frequently viewed as incompatible with human rights, yet, in your memoir, you write about how you have relied on Islamic law to protect the rights of women. Can you explain how, in your view, Islam is compatible with women's rights and freedom?

EBADI: Having human rights is an international standard for life, and it's compatible with every civilization and religion. No religion permits the taking of a life of an innocent person. No civilization permits the torture and humiliation of people.

However, nondemocratic Islamic governments who do not wish to observe human life speak about the incompatibility of Islam and human rights.

Islam, like other religions, has different interpretations. And in the United States, one church supports homosexuality and the other church does not approve of that and they're both Christian churches. Islam is the same. For example, polygamy is prevalent in some Islamic countries, like Iran, but it's prohibited in some other Islamic countries. What counts is the given interpretation of Islam, which is compatible with today's civilization.

IE: Is there anything at the global level that you think needs to be done to help bring peace, to ensure that human rights will be for everyone everywhere?

EBADI: The most important issue is to support the United Nations and also the Commission on Human Rights and encourage the government to ratify the International Criminal Court Treaty.

IE: You have watched countless friends and relatives flee Iran, you have received death threats and you have been sent to prison. Why do you continue your work despite these pressures?

EBADI: When you believe in the cause that you're fighting for, you take stronger steps.

IE: Since receiving the Nobel Prize, how has your life changed?

EBADI: My private life has not changed. I still do my grocery shopping. I cook and I do what I have to do for me. I still live in my own apart-

ment—the apartment that I used to have. I have not even changed my furniture. But I do more work. I receive more letters. I give more lectures. I participate in more seminars. And I defend more defendants.

IE: What do you hope to accomplish in the future? What are your next steps?

EBADI: I will continue my struggle for democracy and human rights in the future as well. There is no end to this.

IE: Do you see a promising future for human rights in Iran and the Middle East?

EBADI: If we bring an end to the war, yes. But war can harm everything.

IE: You have two daughters. One seems to have followed your footsteps into the field of law and the other, followed your husband's path into engineering. What are they doing now? What is your primary message to the next generation of Iranians like your daughters?

EBADI: First, I want you to see how I think of justice. One [daughter] is actually taking after me, the other one after her father. My recommendation to the young generation is to fight for their cause—what they believe in. Be courageous and don't be afraid of making mistakes. I think that people have the right to make mistakes. But what counts is not to repeat the mistakes. Therefore, the youth should be courageous.

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