

Can This Regime Be Saved?

Shirin Ebadi with Azadeh Moaveni
**Iran Awakening: A Memoir of
Revolution and Hope**

Random House, 2006,
232 pages.

Reviewed by Marla Braverman

Returning to Tehran from Paris in 2004 after winning the Nobel Peace Prize, Iranian human rights lawyer Shirin Ebadi was met at the airport by hundreds of thousands of supporters. Noting that the last time so many people had gathered at the Tehran airport was in 1979 and the person arriving from Paris was Ayatollah Khomeini, Ebadi was struck by the difference: This time, judging from the sea of headscarves, the majority of the crowd was made up of women. They had walked for miles and blocked the streets, waving signs and singing pro-democracy anthems. But there was one sight in particular that made her breath catch. A woman stood with a child in one hand and

a sign in the other, reading, “This is Iran.”

And what exactly, most readers will ask, is that? After nearly three decades since the Iranian revolution, the “real Iran” remains an enigma to outsiders. The reasons are clear, and many. The regime closely controls the flow of information between Iran and the West, heavily censoring the media, academia, and artists. Foreign journalists are rarely granted access to the country, and those who speak publicly of the regime’s injustices face arrest and torture, even death. And finally, few Westerners rate the “Death to America, Death to Israel” Iran of current hardliner president Mahmoud Ahmadinejad as a vacation hotspot—or would rate it as such, were they able to obtain visas.

Thus the recent wave of books from Iranian “insiders,” revealing another side of a nation of black chadors and austere clerics—the existence of a vibrant underground youth culture, a hive of virtual resistance to the regime in the Iranian blogosphere,

and a rich scholarship on Persian civilization, art, and literature, among other things—leave many Westerners confused as to which is more representative of the Islamic Republic. Is it the conservative clerics who scorn democracy, viewing, as scholar Ray Takeyh writes in *Hidden Iran* (Times Books, 2006), the “essential purpose of the state as the realization of God’s will on earth”? Or is it instead the largely secular, pro-democracy youth of the cities, with their faces turned toward the West?

Perhaps no one embodies best the contradictions that define today’s Iran than Ebadi herself, the “human face” of the country’s struggle for democracy and human rights. One of Iran’s premier female judges during the shah’s rule, Ebadi, a devout Muslim, was an outspoken supporter of the revolution that proceeded to “eat its sisters,” stripping her of her authority and reducing her to a secretary in the court over which she once presided. She later reinvented herself as an attorney, a position she obtained on account of the regime’s “involuntary pragmatism” following the devastating Iran-Iraq war. She then juggled the demands of motherhood in a traditional (read, “patriarchal”) culture with an ever-growing load of politically charged, frequently dangerous cases that pitted her against the regime she helped bring to power.

Unlike many Iranian critics of the mullahs, Ebadi has lived to tell her tale, and the result is *Iran Awakening: A Memoir of Revolution and Hope*. Here Ebadi, with the help of talented journalist Azadeh Moaveni, recounts her country’s violent transition to theocracy, and describes the effect of Islamic rule on Iranian women and children through the lens of specific cases she argued. Also unlike many of the regime’s critics in the Iranian diaspora, Ebadi remains hopeful about the Islamic Republic’s prospects, believing that reform can come about “peacefully, and from within.” Maintaining that the Islamic Republic’s more rational policymakers see “a tainted human rights record as a self-inflicted wound,” weakening the regime’s international standing, Ebadi is confident that the country’s homegrown opposition—“not least a nation of educated, conscious women who are agitating for their rights”—can eventually harness the power of a nation’s resentment and exact a shift to democratic governance.

Hers is a story of immense courage and extraordinary dedication—and, sadly, of misplaced optimism, as well. Given both the current entrenchment of the hardliner regime—which has proven itself remarkably indifferent to the international outcry over its human rights abuses—and the utter disarray of the reformists, the

prospects for a peaceful transition to democracy today seem more distant than ever. Yet as Ebadi's troubling attitude toward the revolution makes clear, she is not one to let ugly realities cloud her hopeful vision.

Westerners familiar with the outcome of the 1979 revolution—an upheaval whose consequences were disastrous for most of Iranian society, but particularly for women—will undoubtedly wonder foremost how an educated professional like Ebadi could have numbered among its ardent supporters. Raised by a wealthy and progressively minded father who impressed the idea of gender equality on his daughter from an early age, Ebadi was granted opportunities denied to most women from religious homes. So, too, was she later deferred to by both the men in her courtroom (in her role as judge) and the man in her home (her husband, from her description, is a near parody of a cowed, subservient spouse). It would appear, then, that Ebadi came to view her power as a given—a fact that might, perhaps, explain why she gave so little thought to the consequences of hitching that power to Khomeini's star.

A prominent judge in the Justice Ministry on the eve of the revolution, Ebadi had long subscribed to the general, free-floating aversion felt by

many Iranians toward an unpopular government. Revulsion at the shah's excesses and corruption, and his overt fawning toward the West; bitterness at his increasing authoritarianism and the violent tactics of his secret police; and anger at his aggressive interference in the Iranian economy and judiciary are a few of the reasons for Ebadi's disdain for the monarchy. Thus, in the summer of 1978, when the "mood had turned thoroughly vicious"—Khomeini rained invective down on the shah from exile, clerics led the call for religious revolution, and leftist intellectuals joined forces against the government—Ebadi found herself, "quite naturally," drawn to the opposition voices. After all, she writes, "Whom did I have more in common with, in the end: An opposition led by mullahs who spoke in the tones familiar to ordinary Iranians or the gilded court of the shah, whose officials cavorted with American starlets at parties soaked in expensive French champagne?"

Soon she began to lend the cause her support—support that, coming from a respected female in the government, was especially welcomed by the revolutionary movement. In tones perhaps more reminiscent of a charity fundraiser than a religious coup, she explains that "as the days went by, the fervor touched everyone around me, and we all looked for ways to

participate.” Her participation included an attempt by members of her court to oust the minister of justice, as per Khomeini’s instruction. A senior judge, seeing her among the pack, demands, “You of all people, why are you here? Don’t you know that you’re supporting people who will take your job away if they come to power?” To which she replies, in one of the book’s more ironic moments, “I’d rather be a free Iranian than an enslaved attorney.”

In the end, it turned out, even “enslaved attorney” was a rank too high for a woman in post-revolution Iran. Within months of Khomeini’s assumption of power, the new regime imposed an Islamic penal code, which, Ebadi explains, “turned the clock back fourteen hundred years, to the early days of Islam’s spread, the days when stoning women for adultery” was considered an appropriate punishment. According to the new laws, the value of a woman’s life and of her testimony in court was half that of a man, and a woman had to receive her husband’s permission for a divorce. Moreover, women were “enjoined” to demonstrate their fidelity to the revolution by wearing headscarves and modest dress; inadequate compliance came at the risk of arrest or worse by roaming bands of Islamic vigilantes. Not surprisingly, women were also banned from all

managerial and executive jobs. Thus did a revolution that mobilized a caste of traditional women for its rise to power cement its authority through their marginalization, leaving them with nothing but, in Ebadi’s words, “a visceral consciousness of their oppression.”

Ebadi hopes this consciousness will change Iran in the long run, and time may yet prove her right. But as the outcomes of her many high-profile cases make clear, the path to reform is a far longer and bumpier one than she seems willing to concede.

Leila Fathi, an eleven-year-old from an impoverished village in rural Iran, was brutally raped and murdered by three men in 1996. Although a court found the men guilty and sentenced them to death, the judge ruled that the “blood money” for two of the men was worth more than the life of the murdered girl. He thus demanded that her family come up with thousands of dollars to finance her killers’ execution. Driven to homelessness in their pursuit of the necessary funds, the family came to the attention of Ebadi, who constructed “a simple, elegant defense” that drew on principles and precedents in Islamic law: “It was unjust for a girl to be raped and killed, and for her family to have lost every possession and become homeless through

the legal proceedings that followed; it was unjust that the victims were now being victimized further by the law.” The outcome? Ebadi was chastised for criticizing Islamic law; the court acquitted the defendants; and Leila’s parents slowly descended into madness.

Then there is the notorious case of Iranian-Canadian photographer Zahra (Ziba) Kazemi, arrested by the government in 2003 in the wake of the student protests at Tehran University. Her crime? Photographing families outside Evin Prison awaiting word of their missing loved ones. Four days after her incarceration, Ziba was admitted to a Tehran hospital in critical condition; only a week later did her relatives learn that she was no longer in custody, but rather in a lethal coma, the result of a savage beating. By representing Ziba’s family, Ebadi writes, she hoped to expose the casual violence rampant in Iranian prisons. Yet despite Ebadi’s efforts—and those of the Canadian government—to hold the regime accountable for Ziba’s brutal murder, the case was dismissed.

In these and other cases, such as that of the famous “serial murders”—the brutal killings of dissident intellectuals Dariush and Parvaneh Forouhar and two leftist writers, to which the regime publicly owned up—nothing remotely resembling justice

was meted out. Indeed, although these cases frequently became public issues within Iran—candidates from Leila’s province even ran on platforms that took positions on her case—and the judges knew “that both [they] and the judiciary would be forced to justify their decision in the court of public opinion,” often, Ebadi is forced to admit, “they simply did not care.”

Of course, in the face of a violent and intransigent regime, it would be absurd to expect much of Ebadi’s attempts to take on the system. Even her largely ineffectual pursuit of justice has nearly cost her life: When investigating government documents pertaining to a murder case, she discovered that her own name had been next on the regime’s hitlist. Nor is this to say that her work has been for naught; quite the contrary. By casting light on things the regime would rather keep in the shadows, Ebadi’s work, and the attention it has garnered, may be credited with lending the reformists increased international support—even if these efforts often come to little good at home. Furthermore, as Ebadi reminds herself in the dark moments when injustice prevails, “raising people’s awareness of their rights was itself a contribution.”

Nonetheless, it is hard not to come away from *Iran Awakening* with the sense that Ebadi is too quick to see a silver lining, and too

determined not to dwell on the cold reality of the Islamic legal system. We see this, for example, when she expresses profound disappointment that the regime's subversion of her investigation into a murder case had dashed hopes for a "new era of state accountability." "Powerful, shadowy hardliners in the Islamic Republic," she laments, "seemed disinclined to fight their battles through the political process"—an understatement ad absurdum. This is also evident in the description of her preparations for Zahra Kazemi's case:

By representing her family, I wanted to show the world what transpired in Iran's prisons, and hopefully prevent such careless brutality from repeating itself. The court proceedings fell short of our expectations, and the judge later said it was impossible to identify the official who had struck the fatal blow to Ziba. But that day, her mother and I focused on our legal strategy. She had brought me Shirazi lemons, and their scent wafted through the office, the same way the orange blossoms of Shiraz perfume the air in spring.

One feels, when reading passages such as these, that Ebadi is fearful of allowing the facts to speak for themselves—that is, of depicting a regime so vicious and single-minded in its determination to concentrate its power that it is beyond the sway of appeals to a reformist, tolerant

brand of Islam. These perplexing acts of restraint, often disguised as unflagging optimism, may be explained by necessity: Were she too harsh in her criticism of the regime, or seen as suggesting that Islamic law is inherently incompatible with the rights of women, she would most certainly not be permitted to continue living and working in Iran, let alone publish her memoir in English. Yet, this attitude might in fact stem from a different source, one that is much more disturbing.

This brings us to the more troubling aspect of Ebadi's memoir: Her belief that the revolution was not a great misstep for Iran, and that Khomeini was no worse for Iran than the shah.

To make her case for this difficult-to-defend position, Ebadi frequently resorts to sentimentalism, writing, for example, of the shah's flight from Iran that "when he fled, he ended two millennia of rule by Persian kings. People filled the street, celebrating. . . . We felt as though we had reclaimed a dignity that, until recently, many of us had not even realized we had lost." Then there are the specious comparisons between the two rulers: When she mentions the shah's efforts to emancipate Iranian women by (among other things) banishing the veil, she states that, "Reza Shah was

the first, but not the last, Iranian ruler to act out a political agenda—secular modernization, shrinking the clergy’s influence—on the frontier of women’s bodies”—as if an equivalence can be drawn between the shah’s action and the regime’s imposition of a rigid, full-body dress code for women. Notably, Ebadi also uses this method when discussing the United States government in the book’s conclusion, a government about which she has not one kind word to say. When, for instance, she describes American sanctions that complicated her efforts to publish her memoirs in the United States, she writes that “in Iran, the Islamic system censors books, casts up Internet firewalls, and bans satellite television in an effort to prevent Iranians from accessing information from the outside world. It seemed incomprehensible to me that the United States government, the self-proclaimed protector of a free way of life, would seek to regulate what Americans could or could not read.... What was the difference between the censorship in Iran and this censorship in the United States?” Of course, the American government’s willingness to revise its regulations—indeed, the fact that it might have been forced to by a federal-court decision ruling it unconstitutional—reveals the preposterousness of Ebadi’s comparison.

Most troubling, though, are Ebadi’s romantic descriptions of the revolution itself, which frequently reach toward the sublime. For instance, when recalling Khomeini’s “ingenious” instruction to the Iranian people, in the months following the shah’s flight, to stand on their rooftops every night at an appointed hour and scream *Allaho akbar*, Ebadi writes:

Each evening, my husband and I climbed the stairs to our roof and dutifully bellowed *Allaho akbar* for a full half hour, until we were hoarse. I remember gazing out across the rooftops of the city, people milling atop the low-rise buildings for as far as the eye could see, turning their heads to the night sky so their voices could rise. The gorgeous, hymnal air of these lofted cries hung over the stilled city, so spiritually enchanting that even my stolid, cynical friends were moved.

These are not the words of a repentant revolutionary; rather, they are those of someone who believes that the revolution had merely “veered off course, [and] lost sight of its ideal of freedom and independence.” Ebadi not only refuses to admit that her support for the revolution was misguided, she even sounds distinctly condescending when describing the appeal of the reform-minded candidate Khatami to a populace desperate for an alternative to the regime she helped put in place:

His landslide victory, a staggering 70 percent of the vote, amounted to an unequivocal popular mandate for change. But the dreamy expectations in line around me on election day unsettled me. People didn't seem to want reform so much as a whole new Iran, and in four years, please, thank you very much. People wanted all the laws that discriminated against women to be wiped from the books.... The longing and expectation ran so deep that, frankly, I was frightened.

People's yearnings have overtaken their realism, I thought.

What is it, exactly, that Ebadi yearns for? Not, clearly, "a whole new Iran," but rather one that, having merely lost its way, remains to be put on the right course. But in this, it seems, her own yearnings have overtaken her realism. With Ahmadinejad's victory in 2005, the conservatives consolidated their control over every branch of government. Even those mild advances the women's rights movement had made

during Khatami's presidency have been rolled back; so, too, has the regime used the fear of an American attack as a pretext for increased and intensified abuses against women. Meanwhile, the reformists are scattered, unable to agree on a strategy. Should they reform the regime from within? Or raze the Islamic republic, and let a new Iran arise from its ashes? If democracy and human rights are indeed to prevail in Iran, it will likely not be on account of Ebadi and those among her generation of reformists who insist that the "revolution had been betrayed." Rather, we must look to the younger generation, who owe no debt of loyalty to the past, and are plagued by no such divided loyalties in their quest for a better future.

Marla Braverman is an Assistant Editor of AZURE.