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Iran Awakening: Human Rights, Women and Islam

Shirin Ebadi

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Shirin Ebadi
2003 Nobel Peace Laureate
Iran Awakening: Human Rights, Women and Islam
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2003 Nobel Peace Laureate

Iran Awakening: Human Rights, Women and Islam

Edited by Emiko Noma
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The mission of the Joan B. Kroc Institute for Peace & Justice (IPJ) is to foster peace, cultivate justice and create a safer world. Through education, research and peacemaking activities, the IPJ offers programs that advance scholarship and practice in conflict resolution and human rights. The Institute for Peace & Justice, located at the University of San Diego, draws upon Catholic social teaching that sees peace as inseparable from justice and acts to prevent and resolve conflicts that threaten local, national and international peace.

The IPJ was established in 2000 through a generous gift from the late Joan B. Kroc to the University of San Diego to create an institute for the study and practice of peace and justice. Programming began in early 2001 and the building was dedicated in December 2001 with a conference, “Peacemaking with Justice: Policy for the 21st Century.”

The Institute for Peace & Justice strives, in Joan B. Kroc’s words, to “not only talk about peace, but to make peace.” The IPJ offers its services to parties in conflict to provide mediation and facilitation, assessments, training and consultations. It advances peace with justice through work with members of civil society in zones of conflict and has a focus on mainstreaming women in peace processes.

The Women PeaceMakers Program brings into residence at the IPJ women who have been actively engaged in peacemaking in conflict areas around the world to document their stories, share experiences with others working in peacemaking, and allow time for reflection on their work.

A master’s program in Peace and Justice Studies trains future leaders in the field and will be expanded into the Joan B. Kroc School of Peace Studies, supported by a $50 million endowment from the estate of Mrs. Kroc.

WorldLink, a year-round educational program for high school students from San Diego and Baja California connects youth to global affairs.

Country programs, such as the Nepal project, offer wide-ranging conflict assessments, mediation and conflict resolution training workshops.

Community outreach includes speakers, films, art and opportunities for discussion between community members, academics and practitioners on issues of peace and social justice, as well as dialogue with national and international leaders in government, non-governmental organizations and the military.
JOAN B. KROC DISTINGUISHED LECTURE SERIES

Endowed in 2003 by a generous gift to the Joan B. Kroc Institute for Peace & Justice from the late Joan Kroc, philanthropist and international peace proponent, the Joan B. Kroc Distinguished Lecture Series is a forum for high-level national and international leaders and policymakers to share their knowledge and perspectives on issues related to peace and justice. The goal of the series is to deepen understanding of how to prevent and resolve conflict and promote peace with justice.

The Distinguished Lecture Series offers the community at large an opportunity to engage with leaders who are working to forge new dialogues with parties in conflict and who seek to answer the question of how to create an enduring peace for tomorrow. The series, which is held at the Joan B. Kroc Institute for Peace & Justice at the University of San Diego, examines new developments in the search for effective tools to prevent and resolve conflict while protecting human rights and ensuring social justice.
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_Tainted Legacy: 9/11 and the Ruin of Human Rights_

September 7, 2006  Shirin Ebadi
2003 Nobel Peace Laureate
_Iran Awakening: Human Rights, Women and Islam_
BIOGRAPHY OF SHIRIN EBADI

Nobel Peace Laureate Shirin Ebadi, Iranian human rights lawyer and activist, is one of only 33 women to win the Nobel Prize (out of 758). In recognizing Ebadi, the first Muslim woman and first Iranian to win the prize, the Nobel committee in 2003 cited her efforts for democracy and human rights, focused especially on the struggle for the rights of women and children.

In 1969, Ebadi became the first female judge in Iran. In 1975, Ebadi was named President of Bench 24 of the Tehran City Court. With the Islamic Revolution of 1979, female judges were removed from their positions, and Ebadi was made a clerk in the court where she had presided. She resigned and set about trying to obtain a private law license. The bar turned down her application, leaving Ebadi virtually jobless for many years. She used the time to write several books and articles and founded the Association for Children’s Rights in Iran.

Ebadi obtained her private law license in 1992 and began to take many high-profile cases, particularly cases related to freedom of speech and political freedom. She has a special passion for cases in which children are involved. Ebadi, who also teaches and holds human rights training courses, argues that social change is best brought about through nonviolent democratic means, and that Islamic law can be interpreted to support democracy and human rights.

From www.nobelprize.org
INTERVIEW WITH SHIRIN EBADI

The following is an edited transcript of an interview with Shirin Ebadi, conducted by Dee Aker, Deputy Director of the Joan B. Kroc Institute for Peace & Justice, and Susan Tiefenbrun, on Sept. 8, 2006. Banafsheh Keynoush served as interpreter. Ebadi gave her distinguished lecture on Sept. 7, 2006.

SE: Shirin Ebadi
DA: Dee Aker
ST: Susan Tiefenbrun

DA: I would like to thank you very much for coming to the Joan B. Kroc Institute for Peace & Justice, and for providing perspectives on the current challenges in Iran. It is a privilege for Susan and me to have these moments with you to explore your thinking on issues that may be told in terms of Iran, but that we believe are often universal. Before Susan talks about the personal road you have taken, I would like to take you back to your most recent corner in Iran: the government’s closing of your center. We had deep concerns about your safety and your access to leave Iran to come here, not knowing until you were on the plane that you would actually make it. So, we would like to know where things stand with your NGO [nongovernmental organization], and will you be able to return safely?

SE: Everything we do in the NGO is legal; in other words, the government does not have the legal right to shut down our NGO. We have told the government that we will continue our activities in the NGO because they are completely legal, and unless they want to come and arrest us, we will keep on doing what we do.

DA: And you feel safe?

SE: I don’t feel safe. Two hours before my departure from Tehran, I received some mail, a threatening letter that said they were going to kill me and that they find my activities unacceptable. But these threats will not convince me to leave Iran or to stop my work. Those who threaten me in fact are trying to stop my work with this kind of approach, but I will not allow them to get any results. I will continue to do what I do.

DA: You speak of the paradox of the roles of mothers in Iran, that women must nurture and speak for justice, but that they don’t really have, currently in the pillars of Iranian society, the background to support what they need to do, and this in spite of 65 percent women representation in student bodies. Our own experience here in the United States is that even educated women find it hard to stand up for their rights. Do you think that the women of Iran will stand with you despite patriarchal strangleholds on their belief in their right to speak out?

SE: Yes, fortunately, the number of people who believe and follow what I believe and follow are increasing.

1 Susan Tiefenbrun is Professor of Law and the Director of the Center for Global Legal Studies at Thomas Jefferson School of Law in San Diego, California.
2 The Center for Protecting Human Rights (also known as the Center for the Defense of Human Rights, and Defenders of Human Rights Center) is based in Tehran. For more information on the closing of the center, see http://peace.sandiego.edu/events/DLS/Who’sAfraidShirinEbadi.html.
DA: Women around the world are told not to demand their rights during conflict, just preceding conflict or during difficult times. Our work with women peacemakers from around the world allows us to see that the women who are most successful in standing up are those women who continue to speak out during times of conflict and immediately afterwards. Do you think we can actually get women to the peace tables, to the peace talks to have some visible presence, both in Iran and elsewhere?

SE: What you say is exactly correct. Those who follow patriarchal thinking find every excuse they can to prevent women from demanding their rights. I’ll give you a small history of our own experience in Iran. During the shah’s period, when we spoke of women’s rights we were told that women’s rights are not separate from the rights of the whole of society, so we should demand those rights as a package to try to create a change in the system. Even leftist and socialist groups argued the same. Then, after the revolution, they said, “Well, things are sort of chaotic, we have to wait for security and safety to return to the country, and then we’ll start talking about women’s rights.” Then the war started, and they said, “Well, it is war time and you shouldn’t be speaking of such things at all because we want the country to present a united front. We don’t want any of this talk at all.” Now, they are saying, “The United States intends to attack Iran so this is not the time to speak of such issues. Let’s see what happens on that front and then we will talk about women’s rights.” I never believe in such excuses. As you heard in my remarks yesterday, I touched on the kinds of criticisms I have about Iranian law regarding women’s rights and issues. In the end I also added that despite all the criticisms we have of the Iranian government, we also are against a military attack on Iran, of course.

ST: Before beginning, I want to say how honored I am to meet you, to ask you a few questions. I’ve been very impressed with your book and I’ve been studying it very carefully. It is a glimpse into your personal life, your work as a woman, a Muslim, an Iranian, a mother, a judge, a lawyer — it’s an extraordinary book. I would like to ask you something about your personal life. Why did you decide to write this book as a personal memoir?

SE: I wanted to reveal something to women who live in the West. I was raised in a country which has a patriarchal culture. I lost my favorite job being a judge for the crime of being a woman. I live in a society where two female witnesses can only substitute for one male witness before the court. I don’t come from a famous family where my family could help me go up the ladder of success. I wasn’t rich enough to not need to work, and I always had to work to make a living. I am a wife and a mother of two children, and as a traditional woman in Iran, I carried out all the tasks of the home by myself. All my education was done in Iran in my own language, therefore, I was unable to learn English or communicate with the world today in English. Through my will I was able to conquer all the challenges that lay ahead, and I was able to face them and succeed. By carrying the reader through my own life story, I wanted to show women who had better conditions than I had to know that success lies inches ahead, and it is possible to achieve our goals. If one can’t find success it is because one hasn’t found his or her own path yet and doesn’t know how to follow it yet. We can each be a hero or heroine.

ST: You are a working woman, a mother, a wife. This is a juggling act that is very difficult everywhere. Is there enough infrastructure in Iran to give you support to do these many tasks, to play these many roles? How much moral support did your husband give you? How did your children react to you working as a professional woman? Tell me a little about where your children are today and what they as women are doing?

SE: Society did not protect me as a mother. For example, if I was given daycare for free for my children, then I could claim that society offered something for me. But my family helped me a lot. My husband has never prevented me from doing my job. Even when I went to prison and then came back home, he not once questioned my actions and never questioned me for leading the family down the path that I had. But, at the same time, all the responsibilities inside the house rested on my shoulders. My husband would come home and basically sit down to take a rest and read the paper and have his dinner. But my children have been the most important aspect of my life at all times. I told myself that I didn’t have the right to have a child; if I chose to, then they should be my first and most important thing.
I’ll share with you a story of how I raised my daughters. In the morning, we all left the house, the kids would return home at 4:00, but I would return earlier at 2:00 to collect my files and then go to my law firm, and then come home at 8:00 at night. When I came home, I would basically make a fruit plate, peel the fruit and design them in a very pretty way. If there was a flower in the house, I’d pick it and then put it on the plate, and put it on the desk of my daughters so that when they would come home they would see that. My husband once questioned me and said, “They are grown up now; they’re 16 years old, they can just go and open the fridge and grab the food. You are so busy, why do you do this?” I said that even though I’m not home, I want them to feel the spirit of their mother when they come home. It’s that spirit that I shared with them that now has resulted in the close relationship that we have. Now that my daughters have gone abroad to do their education, and my oldest daughter is married, we still talk every day.

ST: That’s very interesting to hear and sounds a lot like what many American women do. I want to ask you about the feminist movement that you spoke about last night. In your speech accepting the Nobel Peace Prize, you said that patriarchal culture and discrimination against women cannot continue forever. You spoke last night about a feminist resistance movement that was quiet: there is no leader, there is no office, but it is a feminist movement. Can you tell me what signs there are in Iran today of some impact that such a movement has? Are there any women in political power? Have women’s lives improved? If they don’t have a leader and they don’t have an office, can this feminist movement really do anything?

SE: I would argue that it is actually good that they don’t have a leader and don’t have an office, because if one person was running the movement, once that person would get arrested, then the movement would break. But as to the level of their success, it is only enough for 10 famous women to sign an important declaration and thousands of people will go to the streets for them. When I returned to Iran, about one million people had come to the airport to welcome me. The roads leading to the airport were closed for kilometers. That night, the police were on full alert because they were afraid of rebellion by women. Of course, most of the people there were women. There was no official planning for welcoming me back home; it was just by word-of-mouth—“Shirin Ebadi is returning tonight”—and people came. This movement will never fail. The government doesn’t know who to go to, to arrest.

ST: You became a judge in 1961 — the first woman in the history of the Iranian justice system to be a judge — and you became the president of Bench 24 of the Tehran City Court in 1975. But in 1979, you were denied the right to be a judge because you are a woman. Today, women can be judges. You are a defense attorney doing very important work in a legal system that has many flaws. Would you ever consider returning to the bench, being a judge again? Do you think you could do more for the judicial system as a judge or do you think that you will do more as a defense attorney?

SE: I would not be happy at all to be a judge today because of the bad laws that were passed after the revolution. In our penal code we have stoning and the cutting off of the head; we have juvenile capital punishment. I’m not willing to implement or enforce these laws.

ST: You have written a great deal about laws. You’ve written about medical laws, criminal laws, copyright laws, freedom of expression, the rights of women and violence against children. Do you think your writings have had any impact on changing these laws that you speak of now? Do you think your writings have had an impact on increasing democracy in Iran?

SE: The most important step toward democracy is for all individuals to recognize their rights and to demand those rights. The various rights that one has are those pertaining to work. When a student goes to university, they are to learn whatever relates to their future job. For example, a medical student is taught what anatomy is, what contagious diseases are, and what medicine to call for, but nonetheless, he still does not know what the laws are relating to his field. In universities, they are not told exactly how to do the administrative
work of running a clinic: what diseases and illnesses can be attended to in a clinic and which ones need to be done in a hospital, for example. So, I felt that in university courses, law is missing. I started writing about the laws in every field. It was a very difficult task because first I had to find the points of junction between a given field and the legal field, and then determine what laws pertain to the field.

I prepared questionnaires and gave them, for example, to doctors who were practicing medicine for 30 years, asking them what legal issues they had run into in the past 30 years. I asked them if a lawyer was sitting next to them throughout this period, what would be the questions that they wanted to ask. I examined the answers they gave, and based on that I would try to find out where the law could come in and assist medicine. I decided what laws pertained to it and I started writing a book. Given that the medical profession was very happy with the book after it was published, I realized it was the right way to go. A lot of doctors told me they keep my book on their table all the time, because I was telling them things nobody else had. So, I continued doing that for other professions as well. I published three more books in this area. But, it’s sad that I was unable to finish the collection because I got very involved with human rights work. Everything I have written since then has been focused on human rights. If I decide to retire one day from human rights work, I could go back and finish that collection.

ST: But we hope you don’t retire from human rights work.

DA: I would like to ask one question related to this and to the use of international law, treaties and agreements. In your human rights work, which is also legal work, do you take advantage of international law? For example, did Iran sign CEDAW, the Convention on the Elimination of All Forms of Discrimination against Women?

SE: Yes, the government did sign CEDAW. It was approved by the parliament, but then the Guardian Council said that it’s unacceptable and incompatible with Iranian law. But the Iranian government is a party to the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, as well as to the International Convention on the Rights of the Child. The basis of all our work is all the international conventions that the Iranian government has joined. For example, in political and civil rights, the fundamental principle is that discrimination in any form is not allowed. By accepting the convention, the Iranian government is obligated to carry it out, so I tell the Iranian government that they have international obligations, and yet their internal laws are so discriminatory against women.

ST: Can I ask a question about the dress code: the hejab, the chador, the veil and the scarf? I noticed that in the pictures in the newspaper when you accepted the Nobel Peace Prize in 2003 you were wearing a suit, and last night you were not wearing a scarf and were wearing western clothes. How do people in Iran react to that dress code?

SE: Most Iranian women were very happy that I accepted the Nobel Prize without wearing the hejab. In fact what I did was just teasing the government on a very sensitive spot. According to Iranian law, every woman has to cover her hair, whether Muslim or non-Muslim, whether Iranian or non-Iranian, otherwise they will be punished. But, in our private parties and gatherings, nobody wears the hejab. And if this law is taken away, you will find that perhaps two-thirds of Iranian women will be unwilling to wear the hejab.

ST: Because Shah [Mohammad] Reza Pahlavi took away the chador and the hejab and made all the women wear western clothes, they wore the chador as a form of protest. I’m interested to hear that you think a majority of the women would prefer not to wear it. Is that true?

SE: It’s true.
ST: Tell me a little bit about the young people in Iran. What do they want? Seventy percent of the population of Iran is under the age of 30; 65 percent of the people in the universities are women. What do the young people in Iran want today? Do they see the possibility of more democracy in an Islamist state that is a theocracy?

SE: The young people are not happy with their situation. The most important thing that they want is employment and salaries that will suffice for them to make a living. Then, they want freedom, and then, their political demands.

ST: Do you see a real possibility of democracy living together with a theocracy in an Islamist state? Do you see this as a possible, compatible relationship?

SE: Yes, it’s possible. Undemocratic Islamist states like to say that Islam and democracy are incompatible. They actually attempt to justify their tyranny with this argument. Islam is based on a consultation with everyone and forming a council with everyone, so in other words, the sharing of opinions. Even in wars, the prophet Muhammad would consult with his army generals. At that time, there wasn’t necessarily a voting or consensus system, but they worked around a consensus idea. I’ll tell you a part of history about this, too. Ten years after Muhammad became a prophet, he left Mecca and then moved to Medina; there he was able to establish an Islamic government. After he established this Islamic government, he called for a “bay’a,” which in today’s terminology means voting. There were Muslims who said we accept you as a prophet, but we are not willing to give you the bay’a. And there were Christians who came and did the bay’a, meaning they didn’t accept him as a prophet, but they accepted his government and they lived peacefully together. In the tradition of the Arabs in those days, bay’a was done by holding each other’s hands, by hugging, and then touching their heads on each other’s shoulders.

Most importantly, the prophet said that the women had to do the bay’a, too. In other words, he gave the right to vote to women then as well. Since, in the Arab tradition, women and men could not hug, the prophet came up with an idea. He asked for a plate of water and he put his hand in the water. He said that any woman who wants to give me the bay’a can come and dip her hand in the water, too. So, the women gave their bay’a, too. In his own time, in his own method, [Muhammad] gave the right to vote to women, and we are talking about 14 centuries ago in a place where women were buried alive. So, with the correct interpretation of Islam, we can be democratic as well. The different status of democratization across the Islamic world shows this. The only elections Saudi Arabia held were the city council elections. In the UAE [United Arab Emirates] or Bahrain, democracy is only in the embryonic stages, but in Malaysia or Indonesia, democracy has progressed further. So, when someone says that Islam and democracy are incompatible, they are in fact trying to oppress society with their excuses.

DA: This brings up the issue of where power lies in any state regardless of the level of democracy. There is this back-room support. You describe in your book the “plainclothesmen,” the henchmen—the hard-line power centers in Iran. They can also be seen, I think, in the cohorts of greedy mega-corporations, self-serving leaders anywhere, in any country that justifies the elimination of rights. How do we expose and inspire action to stop these hired guns? We’re struggling now in some respects with the loss of rights in this country, even though it’s a democracy. So, how do we go about changing people’s consciences so they are aware that decisions are made in back rooms and not on the basis of laws necessarily?

SE: It’s quite natural that governments that hold power do not want that level of awareness among people. This happens in countries such as Iran, as well as countries like the United States; but they look different. In Iran, everything is officially censored; in the United States, the large media rests in the hands of only five corporations and they feed the people whatever they want. The goal on both sides is for people not to be aware, and it’s the responsibility of an intellectual to make people aware. Of course, it’s a very difficult task because an intellectual has nothing but the power of her pen. Fighting large corporations or governments is very difficult. But it’s not impossible. Any lofty objective has its challenges, after all. We have to bear the difficulties.
DA: In your book you talk about the importance of not celebrating people who stand up against torture when they are in prison because that somehow justifies the use of torture. The fact that this government in the United States has questions about the use of torture, how can people or governments, once they slip into the use of torture, climb back up that slippery slope and stop? How can we prevent it?

SE: I think the best practice is to disclose what happens inside prisons. If somebody under torture is forced to confess against himself, we have to tell him that there is nothing wrong with what he's done because there is no saying what torture does to him.

ST: I know you represent the family of the journalist [Zahra] Kazemi who died in prison. Do you think there's hope for this family to get clarity and truth and justice? Where is that case now?

SE: It is in the final stage of the trial. If we want to be realistic, in the current conditions in Iran I have no hope in clarity or justice. This will not prevent me from doing whatever I can. I've done whatever I could and will continue to do everything. At the same time, there is clarity for us. We do know what happened. What is happening here is that the person who is responsible for it is not being punished.

ST: Last night you gave a very impassioned plea for peace and no involvement by the United States in Iran, that we don't want to make Iran another Iraq. How do people in Iran feel about the United Nations and their involvement in keeping peace? How do the Iranian people feel about the issue of nuclear energy, which is a very controversial question and really has impact on the whole issue of peace? The development of nuclear energy leads one to think about a separate but related issue: the development of nuclear weapons.

SE: Average Iranians don't have a special opinion about whether Iran should pursue nuclear weapons or not, just as average Americans, if you asked them on the street what they think about nuclear weapons, they may not have a very clear position about it themselves. But the Iranian people demand one thing and that is that the peace of Iran should not be disrupted. In the past 28 years, we have had a revolution and an eight-year war with Iraq. And people are tired of war and of bloodshed. They don't want to have a situation where there is more bloodshed, but they are, of course, unhappy with their situation as well. For this reason, they are all reformists. In other words, they want a pacifist solution to all the problems; they are unwilling to resort to violence. And all groups in Iran, except the Mujahedin and [militant] organizations, are pacifist and will not resort to violence. Of course, the government takes advantage of the fact that the people are pacifist. Nonetheless, people will not give up that position. They are willing to go to jail, but not to touch guns.
WELCOME BY MARY E. LYONS, PRESIDENT OF THE UNIVERSITY OF SAN DIEGO

Good evening, everyone. My name is Mary E. Lyons. I am the president of the University of San Diego and it is my great honor and privilege to welcome you all to the Jenny Craig Pavilion for this spectacular moment in the history of our university. Today was actually the first day of classes inaugurating our new academic year here. It also marks the fifth anniversary of the Joan B. Kroc Institute for Peace & Justice. Tonight we are truly celebrating with a Nobel Peace laureate at this university of peace. Joan Kroc, who endowed the Joan B. Kroc Distinguished Lecture Series, would be delighted to know that our school year was beginning with a presenter of this prominence and passion for peace and human rights.

This is also the university’s School of Law’s inaugural Jane Ellen Bergman Memorial Lecture on Women, Children and Human Rights. There could not be a more appropriate person than our speaker this evening to launch this series. I would like to extend a very special welcome to the Institute for Peace & Justice’s Leadership Circle and the School of Law’s Maudsley Fellows, whose support helps to make presentations like this possible. As our university moves forward toward its strategic goal of becoming an even more powerful advocate for social justice and human rights, we thank the Institute for Peace & Justice, the University of San Diego’s School of Law, and the Provost’s Office for bringing this outstanding peace practitioner to us. And now I would like to introduce to you our professor and dean of the School of Law, Kevin Cole.
GREETING BY KEVIN COLE, DEAN OF THE SCHOOL OF LAW

Thank you, President Lyons. We at the law school are delighted to co-sponsor tonight’s lecture which serves as the inaugural event in the law school’s Jane Ellen Bergman Memorial Lecture Series on Women, Children and Human Rights. We are especially honored to be joined tonight by Barbara Yates, who was a close friend of Ms. Bergman and who has helped her to realize her wishes in connection with this lecture series. In the words of Yates, “Ms. Bergman was just an ordinary citizen who gave an extraordinary gift to the law school.” Ms. Bergman spent her professional life as a nursing administrator, public health educator and family therapist. Through these roles, Ms. Bergman developed an abiding interest in the human rights of common people and especially the plight of women and children. She wanted her estate to further awareness in the legal community about the human rights of women and children. Tragically, Ms. Bergman died suddenly before she could designate an institution to host her lecture series. Yates stepped in to fulfill her friend’s wishes; hence, we are able to bring this wonderful event to our community tonight. We are grateful that Ms. Bergman and Yates have made possible not only tonight’s lecture, but many more to come. Now, to introduce this evening’s speaker, I would like to introduce to the lectern Joyce Neu, the executive director of the Joan B. Kroc Institute for Peace & Justice here at the University of San Diego.

INTRODUCTION BY JOYCE NEU, EXECUTIVE DIRECTOR OF THE JOAN B. KROC INSTITUTE FOR PEACE & JUSTICE

Good evening. “Asr be’kheyr.” I hope that is understandable to our Persian friends. On behalf of the Joan B. Kroc Institute for Peace & Justice, I want to add my welcome to all of you, especially to our new and returning students who are here this evening. This is, in fact, quite a wonderful way to start the school year. When Joan Kroc endowed this distinguished lecture series at the Institute for Peace & Justice, she wanted the institute to bring in speakers who would address cutting-edge issues in peace and justice. We hope that tonight’s talk will challenge our thinking and open us to new ideas and new visions.

Dr. Ebadi grew up in a home where she and her sisters were treated the same as their brother. In her book she writes that this seemed perfectly natural at the time and only later did she realize it was anything but natural. Male children in Iran had privileges that girls did not. As boys grew up, their opportunities expanded, while girls’ opportunities contracted. She credits her parents for instilling in her the notion of gender equality, and her father for championing her own independence, an independence that she says led her to have the confidence to pursue becoming a judge — the first female judge in Iran. Following the revolution in 1979, Dr. Ebadi was stripped of her judgeship. She continued, however, to show up at the legal office to which she had been
demoted every morning, but she refused to do any work as a sign of protest. She says she is stubborn. I think others would say she is dedicated to justice being done.

Dr. Ebadi has been a target of criticism both before and after receiving the Nobel Peace Prize in 2003. One month ago, the Iranian government declared Dr. Ebadi’s human rights center illegal and threatened her with arrest if she continued working. She has vowed to continue working, saying that she has no choice but to continue to defend those accused of political crimes. Like other remarkable people who remain in their countries while those countries are undergoing major change, Dr. Ebadi has been attacked from both sides: by secular critics and by hard-line religious critics. Dr. Ebadi has insisted throughout that there is nothing inconsistent between Islam and human rights. As she said in her Nobel Peace Prize acceptance speech, “Many people [in Iran], while respecting their historical and cultural past and their religion and faith, seek to go forth in step with world developments and not lag behind the caravan of civilization, development and progress. The people of Iran . . . deem [that] participation in public affairs [is] their right, and that they want to be the masters of their own destiny,”¹ as Dr. Ebadi has so incredibly been of her own. Please join me in welcoming Dr. Shirin Ebadi.

¹ For the full text of Dr. Shirin Ebadi’s Nobel Lecture in 2003, see http://nobelprize.org/nobel_prizes/peace/laureates/2003/ebadi-lecture-e.html.
Dear president, distinguished dean of the law school, distinguished board of trustees, dear faculty and students, ladies and gentlemen, it is an honor to have the opportunity to visit your beautiful city, San Diego. At the outset I would like to express my gratitude for all those who have assisted in facilitating my presence here today.

In the beginning of my remarks I would like to express my regret over the recent events in Lebanon and express my condolences to the relatives of all those who lost their lives on both sides in this war. The Lebanese government claims that it was victorious in this war. Hezbollah also claims that it came out victorious. The Israeli government also claims victory. In my opinion, the true winners of this war were all the arms salesmen who, at the expense of the destruction of the beautiful country of Lebanon and the deaths of thousands of innocent civilians on both sides, gained billions of dollars in their bank accounts. I sincerely hope that these events will no longer occur and that peace will return to the Middle East as soon as possible.

I would like to also dedicate my early remarks to the expression of regret over recent developments over prisons in Iran and give my condolences to the relatives of deceased prisoners Akbar Mohammadi and Valiollah Feyz Mahdavi. It is incumbent on the administrative and judicial officials of every prison in the country to protect the lives of every prisoner. The judicial officials in the country must examine cases of neglect about the physical and mental well-being of prisoners and their legitimate demands. I pray that all political prisoners will be released within Iran.

Dear colleagues, unlike the 20th century when peace was defined as the absence of war, in the 21st century, the absence of war alone does not define peace; rather, peace is a collection of conditions that provides for the basic needs of human beings, upholds human dignity and rids human life from any threat. Hence, living on the brink of poverty, facing continuous violations of human rights, lacking the freedom to express belief or religion and having the fear of unfair punishment are all contributors to the lack of peace in the 21st century.

With this new definition of peace, we realize that peace at the national and international level is based on two principles: democracy and social justice. Without those, even if there is silence, it is not peace, but rather, strangulation. The silence of an oppressed society, whether one that goes through religious [oppression] or political oppression, resembles the silence of a cemetery. Soon thereafter there will be changes and violence, and no one will benefit from that. This resembles the kind of silence we see in some countries today. On the surface, the society seems tranquil, peaceful, but before a major storm, for no one can keep a society silent with the threat of a bullet, or at the point of a gun or the punishment of prison.

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In addition, the increase in poverty and the widening gap between the rich and the poor, whether in countries or at the international level, represent another threat to peace. How can we possibly expect peace when 80 percent of the wealth of the world lies in the hands of only one percent? According to a report published by UNICEF [United Nations Children’s Fund], in 2005 alone, 1,400,000 children lost their lives due to the lack of safe access to water, drinking water and sanitary disposals. According to a report by the UNDP [United Nations Development Program], over one billion people live either in poverty or below the poverty line. Under such conditions, how can we fight terrorism or fight the financial corruption that goes along and hope to destroy
its roots and establish peace in the world? Those who have witnessed oppression for many years and whose basic rights have been taken away from them and, at the same time, been neglected by the world, will at some point — out of hopelessness — resort to acts that will destroy themselves and others.

If we seek peace, we must pave the way for what leads to it, that is, social justice. And peace has two manifestations: an internal peace and an outside peace. We live in a world, on a planet, yet are unaware of the depth of existence. Without internal peace, we cannot achieve peace on the outside. That internal peace comes from being able to live a meaningful path. People who live without a certain goal in their lives are wanderers who will never attain that peace and cannot find tranquility in any corner of the world. It is the duty of us as university teachers to serve as a guide for our students, to help them find light to avoid what is bad and go on the path that leads to that internal peace, to teach them that while living happily they can also be useful for others. So, the pillars of internal peace are the ability to live an internally peaceful life and to assist society as well. So, peace begins from inside: it boils from within, spreads through the family, saturates the society, and then covers the international arena.

Dear friends, I would like to seize this opportunity to report on the status of human rights in the past year in Iran. Iranian law is discriminatory against women. I would like to bring a few examples. The value of the life of a woman is considered half that of a man. Therefore, if a man and a woman run into a car accident on the street, the damage paid to the woman would be half that paid to a man. By the same token, it takes two women witnesses to substitute for one male witness before the courts. A man can have up to
four wives simultaneously and divorce his wife without any prior reason, but it would be very difficult, and at times impossible, for a woman to seek divorce. Interestingly, these discriminatory laws are implemented in a society where over 65 percent of university students are female. In other words, if we look at the situation, there are more educated women in Iran than there are educated men. It is exactly because of this level of education that the feminist movement in Iran is very powerful. This movement does not have a leader; it does not have an office or a branch; rather, it resides in the hearts of every Iranian family that values equal rights for men and women and is against discriminatory laws.

On March 8 of this year, a number of women gathered peacefully in a public park in Iran, but were attacked by the police and some were injured. Those injured came to my office and asked that I represent them. I consequently filed a claim against the police, and the case is undergoing revision right now. Interestingly, despite the attack by the police, the demands of the women for their rights have not stopped. Once again, women gathered a few months later, the 22nd of Khordad (Iranian calendar year), in a very peaceful meeting and, once again, they were attacked, beaten up more heavily and a few injured, again by the police. A few were arrested, but they were all released a few days later. Unfortunately, Ali Akbar Mousavi Khoini, whom I represent, is still in prison. My client has been in prison for three months now. I have not been granted the right to visit him, nor have I been given a file, nor am I aware of his accusations. Once again, the injured parties — the women in the second gathering — have come to me and asked that I represent them, and once again I have filed a case before the court against the police. We do not know what will happen to the case, what the result will be, and that remains a different subject. But the key point here is that this has not hindered the women who have participated in these events to withdraw their demands, their rights. They are not reactive, rather, they are proactive and have taken stronger steps at each point along the way.

As a result of the feminist movement in Iran there has been a recent initiative, a petition requesting a review of discriminatory laws against women in Iran. We are seeking to collect one million signatures from Iranian men and women, and there is a website that has gone up to collect the signatures as well, at www.we-change.org. Collecting one million signatures will help show that these discriminatory laws are incompatible with the culture of Iranian women. And since we know that there is a chance that the site could be filtered, we have also collected signatures on paper from Iranian men and women.

The reason why I insist on revising discriminatory laws against women is that I believe that the rights of women and democracy present two sides of a scale. History has shown to us that women are the last group that benefits from democracy, as if concepts such as freedom and equality were created for men and if there is any left over, then the women can take them. Rather than throwing democracy on a nation through cluster bombs, we must support women and take stronger initiatives to protect their rights. Do we know of a democratic state where women’s laws are discriminatory? Again, women’s rights and democracy represent two sides of the same scale.

Since I have already touched on some issues regarding the rights of women, I want to touch on some laws pertaining to democracy as well. A first manifestation of democracy is free elections: people should be free to vote for whoever they want. People in Iran are denied this right. In Iran, candidates running for seats in parliament or for the presidency have to be pre-qualified by a council known as the Guardian Council before they can get elected by the people. So, in other
words, people are not free to vote for whoever they want, but rather, free to vote for whoever the Guardian Council determines. The biggest political demand of the Iranian people is to have the right to elect whomever they want.

I think in speaking of human rights, it is necessary to also speak of the high number of executions in Iran. Some of these executions have actually been carried out even in public areas and on the street. Unfortunately, in the last year capital punishment was also carried out for juveniles. According to the regulations laid down in the penal code, the criminal liability age is designated to be 9 for a girl and 15 for a boy. That is to say that if a 10-year-old girl, or say a 16-year-old boy, commits a crime, she or he will be treated before the law the same way as a 40-year-old person would. It is on this very basis that child executions are considered legal, and in the past year such sentences were carried out.

Another problem facing us is censorship in Iran. Unfortunately, in Iran, whether in the previous regime or in the current one, censorship has always prevailed. But it has gotten worse recently. When we want to publish a book in Iran, we need government permission first. In the past year, many books that were originally given permission and approved for publication actually had the permissions taken back. And worst of all, the most painful, is when a book is allowed to be published, but the permission is not accepted by a court. In a few cases, a book was granted permission for publication, but the publisher, the author and the translator were criminally persecuted. The same holds true for many Internet sites that have been filtered by the government. The government is again becoming more agitated over the sites and is removing them at a faster pace. The action is illegal because the decision to remove these sites was only for a short period of time, legally speaking, and that time has already expired.

The situation of workers in Iran is very sorrowful. A large number of workers lost their jobs this year. What they earn is not sufficient for covering the heavy cost of daily life. In response, there are numerous labor strikes across the country, but regretfully, nobody has followed up with their demands. Mansour Ossanlu, a driver of the bus system’s union, was imprisoned for about seven
months and was recently released on bail. Mansour Ossanlu and a number of his colleagues were objecting to their low salaries, and they wanted to have their own guild. He was released on bail after seven months, and a large group of the bus drivers who went on strike actually lost their jobs. What this shows is that labor strikes will be rewarded either through the loss of job or through imprisonment.

According to figures released by the Ministry of Welfare and Social Justice, about 12 percent of the people in Iran live under the poverty line. If these figures are in fact accurate and if we should not be expecting even higher ones, this is a disaster for a wealthy nation such as Iran. Iran has rich natural resources: oil and gas, uranium, copper. Lack of economic planning and financial corruption at the administrative level has resulted in the predicaments we face today. According to economic analysts, Iran is the 96th country on the list of 100 countries in terms of highest risks for investment. Last year, Iran was 77th on the list, but this year it is 96th as a result of increased political crises, both within the country and at the regional and international levels.

Illicit drug abuse is also increasing in Iran. According to a report released by the United Nations several months ago, Iran has the highest number of drug addicts. Under such circumstances, according to a report by the unit for fighting illicit drugs, the budget designated for fighting illicit drug use has actually been reduced in the past year. According to researchers at the center, just one rial — the equivalent of, let us say, a cent here — is designated to fight illicit drug abuse in the country per day.

Financial corruption in Iran has led to a clear manifestation of a class gap. During his election, Mr. [Mahmoud] Ahmadinejad promised to fight financial corruption. A year has passed and we have still to see any changes.

The increased number of political prisoners in Iran is yet another testament to the political report card on Iran, especially in the area of human rights. Political prisoners actually live under harsher circumstances in prison than ordinary prisoners. At least ordinary prisoners have the right to access a lawyer during inspections and interrogations, but usually political prisoners do not have the right to see their lawyer until a full interrogation of a case has been conducted and a case has been represented before the court, which can obviously take months. The interrogations that happen behind closed doors — especially given the level of mental and physical pressure on prisoners — without the presence of a lawyer, attest to the sad situation of political prisoners in the country. Oftentimes a prisoner is forced to speak against himself and even confess to acts that he never committed. We saw an example recently in the arrest of Dr. Ramin Jahanbegloo, who was released on bail after a few months. But interestingly, after he was released, even before going home to visit his old mother who was very sick, he actually went before the press and attested to acts against himself. Unfortunately, these events do not happen far and in between in Iran. Throughout my experience as a lawyer, I have witnessed even more severe cases, some of which I speak about along with my own history in my recent memoir called “Iran Awakening.” This book portrays Iran after the revolution.

The last point: because of some of the reasons that I have touched upon, people in Iran are unsatisfied with the situation they have and they have criticized the government for that. But the improvement of human rights in Iran and the promotion of democracy is a responsibility that rests on the shoulders of Iranians and it has nothing to do with American soldiers. We are against the military attack on Iran because we believe that human rights can be promoted only under peaceful conditions, away from tensions. A military attack on Iran will lead and convince the government to repress freedom seekers under the guise of national security. We love our country Iran. We want an Iran that is free and developed. We will not allow Iran to turn into another Iraq. Wishing peace for Iran and all the countries of the world, I thank you for your patience tonight.
QUESTIONS AND ANSWERS

The audience submitted questions which were read by Joyce Neu. Questions and answers were interpreted by Banafsheh Keynoush.

JN: Thank you so much for the great talk. You said some things that makes one wonder if you would be able to say these things in Iran.

SE: As I explained, there is censorship in Iran. It is quite natural that not everything can be said in Iran. A large number of newspapers were shut down. There are currently people in prison who have committed no offense except to speak and write articles. I was unable to publish my book, “Iran Awakening,” in Farsi in Iran. The book was translated into 16 other languages and became a top 10 bestseller in some countries, but I am very sad that I could not publish it in my own country.

JN: Thank you. We have some questions from the audience. This is a tragic time for Iran. How do you assess the president’s threats to use force against Israel to wipe it off the face of the planet?

SE: The Iranian government has announced on numerous occasions that it does not wish to attack Israel or any other country. We heard the president’s remarks and we decided to let go and forget — you, too, should forget what he said.

JN: Actually, on this note, I don’t know if you have heard, the former president of Iran, Mohammad Khatami, is in the United States now on his first visit. He apparently made a similar comment, saying it has never been Iran’s policy to wipe Israel off the face of the earth, that Iran has previously always believed in a two-state solution. So, one hopes that will continue.

SE: Yes, as I said, Iran, on several occasions, said it has no desire to attack any country, including Israel. I probably told you before, Iranians talk a lot. We just spend a lot of time talking, so we might as well forget what he said.

JN: We have a question that goes back to the difficulty of having your book published — but not in Iran, in the United States. I wonder if you could address the difficulties of having your book published in the U.S.

SE: When I decided to publish my book and sign the contract with Random House, I found out that as a result of the Sanctions Act, my book cannot be published in the United States. I was told that because of economic sanctions, if any proceeds are to come to me as a result of the sale of a book, I would fall under the sanction category. It was suggested to me that because I am a Nobel laureate, I can get a certain exemption and maybe get my book published. But I could not accept that. I had the opportunity and the possibility of having the book published outside the United States and bringing it here to get it sold, but I disagreed with that as well. I sought the assistance of one of the best law firms in the United States and they filed a claim at a court in New York against the U.S. Treasury. We argued that by not allowing my book to get published in the United States, the U.S. Treasury is in fact carrying out censorship against its own people and, therefore, the act is unconstitutional. Fortunately, we won. As a result, I was able to publish my book here, and because a law had changed, the sanction was also lifted on books for publishers from any person coming from Iran. Any Iranian, any Sudanese and any people from Cuba are able to publish their books as a result of the lawsuit. There is a tale in Iran that everyone is born with a fate. It seems that it was my fate to fight against governments no matter where in the world I am.

JN: And we thank you for that. Although the shah made immense changes for women with the White Revolution, many women did not respond at that time to these reformations. Many people said it was because of Islam, because they were not ready. How do you think that women are ready or different today?

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On the other hand, after the revolution, in order to gain more legitimacy, the government realized it needed the votes of the women. So, women who had stayed in their homes until then decided to go to the polls with the encouragement of the government itself. Let us not forget that women often constitute half the society, so their vote is very important in giving legitimacy to a system and a government. In the early years, women who went to vote really were not sure what they were voting for and what results their votes would have. Women coming from traditional families especially were unaware. But, gradually they understood the power of their votes. It gave confidence to the Iranian woman. Before the revolution, during the shah, when we spoke of equality of rights, it did not really resonate with the society. There were very few women intellectuals and they only spoke with each other. But, given the larger number of educated women in society today, these demands for our rights resonate much stronger in society today. As a result, the feminist movement is very powerful and it has also arrived at the doors of those traditional families, too. It is for this reason that I think this movement will succeed.

JN: I think what you are saying is that the feminist movement has come to the general population in Iran. Is that correct? Are most people aware of this?

SE: Very much so. This movement that started at an intellectual level has now embedded in the culture of Iranian people and has also influenced Iranian men. I mentioned in my remarks that one of my clients, Ali Akbar Mousavi Khoini, who is a gentleman, was arrested in a peaceful demonstration held by women for the promotion of their rights. My client was in fact a member of parliament in the previous parliament, the sixth parliament.

JN: You mentioned that many of the laws are discriminatory against women. The question from a member of the audience is: are these laws regarding women and children based on Islamic law?

SE: Like any religion, Islam is open to various interpretations. As you can see in the United States itself, there are churches that endorse the marriage of homosexuals, whereas other churches refute it. But they are both Christian
churches. And for this very reason, Islam, too, can have different interpretations. I will give you a few examples. In a country like Saudi Arabia, women cannot even drive their cars, let alone enter the political and social arena. But in many other countries, such as Indonesia, Bangladesh, Pakistan, women have become leaders, presidents and prime ministers, even many years ago. Polygamy in some countries like Iran and Saudi Arabia is legal. But it has been banned in some other Islamic countries, like Tunisia. And there are other punishments, such as stoning, that are still legal in Iranian law. But they have been banned in many other countries, such as Malaysia or Indonesia.

The different levels of democratization across the Muslim world reveal to us that Islam is open to different interpretations. Whereas countries such as Malaysia have progressed further on these fronts, there are other countries, such as Saudi Arabia or Iraq, that have actually taken the reverse path and have granted fewer rights. So, we must believe and rest assured that by presenting new interpretations of rights and making demands for the change of those rights, such as women’s rights, we can arrive at better, more meaningful laws under the Islamic legal system to protect such rights. What works against women is a patriarchal culture that is stronger in Islamic countries. I am not referring to men when I speak of a patriarchal culture; rather, I am speaking of a culture that simply does not believe in the equality of men and women. Oftentimes, although women are the victims of this culture, they carry that culture themselves. Let us not forget that any man who likes to give orders around was actually raised by a woman. I compare this patriarchal culture to hemophilia. In this disease, a woman may not be a carrier, but still carries it on to her son. So, this is what we must fight against, this wrongful culture, not Islam.

SE: I myself, and women in Iran, are against any act of violence that can lead to bloodshed. Our strife is a civil strife. By collecting a million signatures, we want to show to the government of Iran, as well as to the world, that the laws in Iran are incompatible with Iranian culture. This movement will not by itself and immediately lead to a revision of the law. But, after that, there will be acts that will follow, such as requests for special cases and revisions of law presented by women activists, by the feminist movement, to the proper fora, to the proper government agencies, that will lead to some change. Let us not forget that through these acts the feminist movement has actually succeeded in changing a couple of laws so far, including the custody law and a law on the protection of children and teenagers. So, I am hopeful that this movement will be able to bring about some changes regarding women’s rights and laws. It will take time, it needs time, but eventually Iranian women will prevail.

JN: Today is the first day of this academic year. We have new students here at the university and we have returning students. Many of them are looking at you as a role model for what this university is all about: respect for human rights, for human dignity and for the eradication of those factors in our society that contribute to violence and to inequity. I wonder if you might give some advice to the students sitting here about what kinds of steps they can take to try to make this a better world.

SE: First and foremost, I would like to thank you for the very kind words you have expressed. I remember though when I had started my university education and was in the first and second years, I really did not like getting any suggestions from anyone. So, please do not take what I say as advice, but rather as an opening of hearts and speaking of minds. Our biggest struggle is with our own consciences, and we have to act in ways that we can believe we have lived up to them. Forget about grades, school, university, the police, the laws — you have to, first and foremost, refer to your innermost conscience and believe you have lived up to it. I hope you will succeed.
RELATED RESOURCES

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WEB SITES:

Amnesty International. Amnesty International is a worldwide movement of people who campaign for internationally recognized human rights. Amnesty International’s mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights. Information on several of Ebadi’s clients who have suffered human rights abuses is available. Retrieved November 2006, from http://www.amnesty.org


International Atomic Energy Agency. The IAEA is the world’s center of cooperation in the nuclear field. It was set up as the world’s “Atoms for Peace” organization in 1957 within the United Nations family. The agency works with its member states and multiple partners worldwide to promote safe, secure and peaceful nuclear technologies. Retrieved November 2006, from http://www.iaea.org
International Crisis Group. The International Crisis Group is an independent, non-profit, multinational organization, with more than 100 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict. Retrieved November 2006, from http://www.crisisgroup.org

Iran Human Rights Documentation Center. The Iran Human Rights Documentation Center seeks to one, establish a comprehensive and objective historical record of the human rights situation in Iran since the 1979 revolution, and on the basis of this record, establish responsibility for patterns of human rights abuses; two, make such record available in an archive that is accessible to the public for research and educational purposes; three, promote accountability, respect for human rights and the rule of law in Iran; and four, encourage an informed dialogue on the human rights situation in Iran among scholars and the general public in Iran and abroad. Retrieved November 2006, from http://www.iranhrdc.org/english/homepage.php

One Million Signatures Demanding Changes to Discriminatory Laws. Iranian women’s rights activists are initiating a wide campaign by collecting one million signatures demanding an end to legal discrimination against women in Iranian law. A full English text of the petition for women’s equal rights in Iran is available on the web site. Retrieved November 2006, from http://www.we-change.org


BOOKS, SPEECHES AND ARTICLES:


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In recent years, the University of San Diego has hosted many distinguished guests, including Nobel Peace Laureates and former Presidents Jimmy Carter and Oscar Arias, Supreme Court justices, United Nations and United States government officials, as well as ambassadors from countries around the world. In 1996, the university hosted a debate between presidential candidates Bill Clinton and Bob Dole.

The USD campus, considered one of the most architecturally unique in the nation, is known as Alcalá Park. Like the city of San Diego, the campus takes its name from San Diego de Alcalá, a Franciscan brother who served as the infirmary at Alcalá de Henares, a monastery near Madrid, Spain. The Spanish Renaissance architecture that characterizes the five-century old University of Alcalá serves as the inspiration for the buildings on the University of San Diego campus. The architecture was intended by the founders, Bishop Charles Francis Buddy and Mother Rosalie Hill, to enhance the search for truth through beauty and harmony.

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