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Transcript

Democracy and its Characteristics

Democracy and Human Rights Events Series

Dr Shirin Ebadi

Human Rights Activist and Nobel Laureate (2003)

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Christopher Rundle:

Good afternoon and welcome to this meeting, which is on the record. Two things first: would you please switch mobile phones off, thank you. There will be simultaneous translation to and from Persian. So please use the handsets provided. The first channel is English. The second one is Persian. Now, just to introduce myself: my name is Christopher Rundle. I'm a former research analyst in the Foreign Office. I had one posting to Afghanistan and several to Iran. The subject of the meeting is democracy and its characteristics. It is part of the Chatham House Democracy and Human Rights series. This marks Aung San Suu Kyi winning the Chatham House Prize in 2011. You will find information about the other events outside this hall.

Ladies and gentlemen, it is my pleasure and honour to introduce today's speaker, Dr Shirin Ebadi. I could just say that she is a lawyer, a writer and a leading human rights advocate, but that would be too bland an introduction for a person who spent years defending victims of violence in the courts of Iran, who had death threats made against her, who was once a prisoner in Tehran's Evin Prison and who, in 2003, was awarded the Nobel Peace Prize for championing democracy and human rights. We are fortunate indeed to have her as our speaker today.

Before I ask her to speak, I should like to refer to two things which she has written. The first was included with a notice to this meeting. I will quote just the opening sentence: 'Excuses for violation of human rights laws such as the cultural relativism or ideology of a winning majority are indefensible and unacceptable.' The second is taken from her book, *Iran Awakening*, published in 2006. It concerns her time in Evin Prison. Incidentally, I have at least some idea of what it is like in Evin having visited British prisoners there and once I called on the prison governor. I was requesting regular visits to a particular prisoner. I remember the governor looking at me and saying, 'Regular visits? Do you mean once a year?' Anyway, in her book, Dr Ebadi describes how at one stage she began to wonder if, 'a legal defence is of use only in places where due process is respected.' How many others must have had similar thoughts? Happily in this case, Dr Ebadi was released not very long afterwards. Dr Ebadi, welcome, and we look forward to hearing you.

Dr Shirin Ebadi:

Good afternoon to you ladies and gentleman. At the beginning, I would like to tell you what my rendition of democracy is. Democracy, in its literal, classical sense, means rule of a majority. However, a majority that comes to power in

free elections has no right whatsoever to rule in any way it wishes to. Let us not forget that many dictators in the world were voted into power through democracy – in other words, through the ballot box – such as Hitler. Therefore, victory in an election does not mean that the elected government is necessarily democratic. A majority that comes to power in a free election must respect the framework of democracy.

What is the framework of democracy? The framework of democracy is human rights laws. In other words, a majority that has come to power can only govern within the framework of human rights laws and principles and it has no right to breach them. So in other words, governments do not derive their legitimacy from the ballot box only. Rather, they derive their legitimacy from both the ballot box and respect for human rights. Any excuse for violation of human rights such as cultural relativism, or religion, or ideology are indefensible and unacceptable.

So with that introduction, I would like to briefly highlight the situation in Islamic countries that have succeeded in ousting their dictators through popular uprisings – not through coup d'états – from the Iranian people in 1979 who ousted the Shah to Tunisia, Egypt and Libya, who achieved victory in 2011. None of these countries have staged a coup. In other words, it was a majority of the people who achieved victory. However, can we call governments that have been formed as a result of that victory 'democratic'?

I'm going to start with the most recent of these popular victories which was in Libya. The Libyan Transitional Council led by Mustafa Abdul Jalil has been formed and it is now running the country. Not to mention the fact that Mustafa Abdul Jalil doesn't enjoy an absolutely brilliant record, I should highlight the fact that in one of his very early speeches after the victory, he said that a law on banning polygamy which had been passed under Gaddafi would be annulled and Libyan men would be allowed to have four wives. He went on to promise that other sharia law articles would also be enforced in the country. So the Libyan women are asking themselves now, 'did we have to sacrifice so many people and have an uprising just to allow men to have four wives?'

Now I turn to Egypt. Islamic groups are very active. There is a strong likelihood that they may win in the elections. So they have already started to say that Hosni Mubarak, because he was supported by the west, all his laws and the culture was western-based, so we must annul them all and replace them with what we think is right and correct for the people. Meanwhile, the Egyptian military who are in charge of maintaining law and order during this transitional period, they don't seem to have much respect for human rights

regulations either. And I'll tell you why; for instance, when Egyptian women had demonstrated in Al Tahrir Square against the conduct of the military, the military ordered all of them to go through a virginity test because they wanted to say that any woman who is opposing the military must be a prostitute.

Now in Tunisia, after the first elections in Tunisia, Islamic political parties achieved victory and the first thing they said was that an adoption law which had been passed under Ben Ali would be annulled because they argued that under the sharia law, there is no adoption. They also ordered that a television network be attacked. Why? Because a television network was showing an Iranian film called *Persepolis* by Marjane Satrapi and they forced the head of that television network to apologize to the people for having shown a film which was an animation which had nothing to do with Islam. In Syria, in Bahrain and in Yemen, the resistance continues and they have deferred everything and deferred every discussion to the time when they oust the dictator.

Now, as for Iran, in 1979, the popular uprising of Iranians led to the ousting of a dictator who was the Shah, but sadly the Shah's dictatorship was replaced by a religious despotism which was even harsher in regard on many issues. This theocracy restricted freedoms to such an extent that they wanted to push everyone towards heaven by force, and no one can choose to go to hell. Everyone should choose to go to heaven because it's the government's choice.

In that period – the post-1979 revolution period – they passed a set of laws that are in contradiction with human rights principles, such as many instances of discrimination based on religion and I'm going to give you an example of that. Based upon Iranian law, if among the heirs of a recently dead person there is a Muslim individual, that Muslim will inherit everything. For instance, imagine an Iranian Christian dies and this Iranian Christian has three sons. Well, naturally one would think that his wealth would be split amongst his sons who are his natural heirs. However, if he happens to have a relative, for instance a nephew who had converted into Islam, then that nephew will get to inherit the whole of his wealth and his sons, because they are Christians, will not inherit anything.

There are many instances of discrimination so I'll just give you examples. For example, if a Muslim converts to another religion, he is subjected to the worst possible punishments. An instance of that was Mr Nader Hani who was a Muslim and he converted into Christianity and upon doing so, the court issued a death sentence for him. There have been many discriminatory laws passed

after the revolution against women. For example, a man can have four wives. The value of a woman's life is considered to be half that of a man which means that, for instance, if a man and a woman are involved in a car accident, the compensation that the court awards to the woman is half that which is awarded to a man and there are many such instances. We have punishments such as stoning to death. We have amputation of a thief's hands. We have crucifixion and we have flogging. They have all entered the penal code of Iran after the revolution.

There are, as I said, many instances of human rights violations and I have very little time so I cannot delve into them. That's why I'm going to move to this question: how can we bring democracy to countries which have succeeded in ousting their dictators through popular uprisings? The first step to that end is to separate religion from state. In so doing, one makes sure that statesmen do not exploit peoples' religious beliefs in order to oppress them in the name of Islam. At the same time, we have to make sure that we engage in cultural work in order to change the radical Islamic thinking that exists at the moment. We have to teach Muslims that Islamic groups do not hold a key to heaven. That anything that a government does, albeit in the name of Islam, is not necessarily Islamic. We must familiarize people with the new interpretation of the sharia law so that they may understand that it is possible to be a Muslim, yet believe in gender equality, believe in democracy and human rights. You can be a Muslim and be against punishment such as stoning to death and amputation of a thief's hand.

Fortunately, the number of Islamic progressive thinkers and intellectuals is rapidly increasing and this trend is on the rise. Meanwhile, western society must be able to hear the voices of these progressive Islamic thinkers. They must support these progressive thinkers and they must make sure that the world hears their voices. How do you do that? By translating their work, by giving them platforms to speak, by disseminating their work throughout the world in order to put a stop to radical Islamic groups.

But sadly, the west mostly tends to think about its own security. Fair enough, yes, every country should think about its own security, but please think long term. Don't think about short term security for just the next five years. In Iran in the 1980s, the government took part in a massacre of political prisoners and at the time there was the Cold War in the world so nobody protested in the west. Nobody asked what is your government doing with the people. Now that very state, you can see how it has jeopardized security throughout the world.

I have been hearing recently that people are worried about a possible military attack on Iran. Personally, I don't think the United States is likely to attack Iran because it's already in Afghanistan and other places and financially it cannot afford to do so either. Nor can Israel because Israel is fully aware of the dire consequences of such an action. Even threatening to attack Iran is not right either. We the Iranian people are not only against military intervention and military attack, but we are also against threats of military attack because: we think that it would damage the trend of democracy in Iran; because we think that the government may well use that as an excuse to repress pro-democracy activists under the pretext of national security; and, at the same time, it also may provoke national sentiments and people may become nationalistic and forget about the differences with the government and they may unite and give support to the government because they want to protect their territory. We have a precedent of this. This is exactly what happened in our eight year war with Iraq in 1980 to 1988 when Saddam Hussein waged war on Iran and we were engaged in that war for eight years. So that war gave the government the excuse to engage in a massacre of its own people and, in that way, to strengthen itself. We must not allow this to happen again.

I said earlier that you in the west are concerned about your own security which is why you seem to forget human rights, but please bear in mind that if you forget human rights, it's going to be ultimately detrimental to your own situation and I'll tell you why. It's because, if you forget human rights, governments come to power whose policies are not right. Governments come to power who are not democratic. Governments come to power who could very well jeopardize peace. What we need to change in Iran is its domestic as well as its foreign policy. That is what needs to be changed in the Islamic Republic of Iran.

In the outset of the 1979 revolution, the Iranian government declared that it intended to export its revolution and it blatantly showed its political ambitions to you in Europe. We saw how it set up Lebanon's Hezbollah. Regarding Palestine, when Abu Mazen or Mahmoud Abbas went to the United National General Assembly and it called for membership of Palestine to the UN, all Islamic countries agreed to that. The Palestinians were in favour of it. The only Islamic country that was against it was Iran and I'll tell you why. Because Iran said such a request means that we will be giving parts of Palestinian territory to Israel while we want the whole of Israel to belong to Palestine. This is something not even the Palestinians are talking about which is why Mahmoud Abbas said in one of his speeches to Iranians, 'you're not even Palestinians. Why are you speaking on our behalf?' And in Iran, the

government has constantly described Mahmoud Abbas as a traitor because he wants to set up an independent Palestinian state. This means political ambition on the part of the Iranian government. The Iranian government must stop such conduct. The Iranian government is harbouring this dream of having an Ottoman Empire. It's a dream that is futile and it will not reach that dream.

I'll give you another example of Iran's foreign policy. In 2010, they intercepted two ships in Nigeria and it transpired that these two ships [were carrying] ammunition bound for insurgents in Senegal, which resulted in the severance of ties between Senegal and the Islamic Republic of Iran. Or another instance of foreign policy is Iran's stance on Syria. The whole of the Arab League more or less has been against Bashar Assad, yet Iran is the only country that is giving financial aid, sending troops and supporting Bashar Assad.

Another example: with our oil earnings, the Iranian government is giving financial aid to small countries. Why is it doing so? It's doing so because it needs the votes of these smaller countries in the United Nations General Assembly. So instead of spending our oil earnings on the welfare of the Iranian people, this money is finding its way into smaller countries. Such policies are wrong and it's such policies that must change.

If Iran wants to be accepted as an independent country and an ally by other countries in the free world, in my opinion, it's not important what military might a country may have, but it's the policies of that country that are important and its relationship with other countries that are important. Also, in respect of its domestic policy, the Iranian government must change. It has no other option but to yield to the wishes of the people and to respect human rights rules and regulations. The first step to that end is to free our political prisoners. Yes, it's possible to suppress street demonstrations with military might as the Iranian government did in 2009. However, that hatred and hostility remains in the hearts of the people. They don't forget. Such a conduct merely leads to destruction and ultimately the collapse of the regime. As Prophet Mohammed once said, 'A state will last even if it's an unbeliever, but it will not last if it is unjust.' Thank you.