

Golbarg Bashi¹

Eyewitness History: Ayatollah Montazeri

I travelled to Iran the same year that Shirin Ebadi was awarded the Noble Peace Prize and Zahra Kazemi was murdered in the dungeons of the Islamic Republic – the year was 2003.

The two women who made Iran headline news in 2003 were from the same generation of feminist activists; Shirin Ebadi participating in the Reform movement as a human rights activist and lawyer, and Zahra Kazemi as a Canada-based photographer covering demonstrations in support of the Reform movement. Ebadi, a former judge, had helped change Iranian law to grant mothers custody of their sons until the age of seven (previously it was two), and raise the minimum age of marriage to 13 for girls and 15 for boys. Kazemi was audaciously in the streets taking photographs of the newfound hope the Reform movement had installed in Iranian people, now demanding freedom and democracy, for which she was arrested and died after having been subjected to torture and rape².

Six years into the Reform movement, only minor (one might even say cosmetic) changes had been made to laws and people were still being detained and some even killed in the Iranian prisons. In spite of election promises and a somewhat freer intellectual

atmosphere, Iranians were far removed from real reforms and from the institutions of a civil society that many had hoped to achieve.

I arrived at Mehrabad airport two days before Shirin Ebadi landed at the same airport where she was met by thousands of well-wishers upon her return from Paris where she had been when the announcement of her Noble Prize was made. I arrived with the anticipation to eyewitness the Reform movement and interview those who actively conceptualise "Huquq-e Bashar" (human rights) in Iran. I couldn't help feel excited and scared at the same time. I had been grinning during the entire journey to Tehran -- rejoicing over the excellent 'sheved baghali polo' [dill rice with fava beans] that was served during the Iran Air flight (I hadn't eaten 'sheved baghali polo' for years). "Not only do we have wonderful food", I was telling myself "we have a Noble Peace Prize winner who is a woman, we have scholars, activists and students who openly and courageously defend human rights - and the world knows this now!" Yet, I knew about the continued violation of human rights and that made me pessimistic, angry and frustrated about the Reform movement.

Previous to my trip to Iran, it had been noted that "reformist strands have made an important conceptual contribution by opening up the political space for Islamist gender theory in a way that had not been possible before. At the same time, Islamist reformism has displayed serious political weaknesses on gender issues"³. So, I wanted to know what

the heavy weights of the Reform movement had to say on specific issues regarding human rights, and more specifically women's human rights.

One early cold November morning, I took a 2-hour car journey to Qom, a town southwest of Tehran. Qom is one of Shi'i Muslims' holy cities where the shrine of Hazrat-e Fatima Ma'sumeh, Imam 'Ali al-Reza's⁴ sister, is located. Qom is also home to Iran's most influential and largest religious seminary (Madreseh-ye Feyziyeh), competing only with Najaf in Iraq in juridical and political authority in the Shi'i world. It was from this very city that in June 1963, Ayatollah Khomeini launched his first attempt at toppling the Pahlavi absolutist monarchy; and indeed it was in this very city when the earliest demonstrations against the Shah ultimately led to the downfall of the Pahlavi and the establishment of the Islamic Republic.

Religion and politics have historically commingled in this desert town, with its boulevards full of eucalyptus trees located in central Iran, and as such has always been a hotbed of both religiously progressive and/or xenophobic, misogynist and retrograde ideas and practices. Due to its long history as a secluded epicentre for male theological activity, Qom is very different from other cities in Iran as it's also a harshly conservative town where all women have to wear the Chador and there are very few women who are visible in the streets. I tried hard to be self-reflective during my time there, as there were plenty of reasons to visually equate Qom with the Taliban-style Kabul. The difference between the two was that with generous funds pouring into Qom from the theocratic

central government since 1979, Qom is a clean revitalized town and behind the visible absence of women in Qom, women do attend schools and universities and in the seminary issues concerning women were and still are vigorously discussed. Women to a much lesser degree hold positions of religious authority (in female-only circles) and have jobs etc. And Iran at the time was proclaimed an Islamic democracy with the liberal President Mohammad Khatami in office, and other large urban centres in Iran boasting visible and statistically verifiable facts illustrating a sharp rise in literacy, female university graduates, feminist publications and women's active political participation.

After having spent a few days in Qom, I was able to interview Ayatollah Ruhollah Khomeini's 'fruit of life', as he used to call him, and the once heir-apparent to the Islamic Republic's supreme leadership – namely the Grand Ayatollah Hossein-Ali Montazeri. Ayatollah Hossein-Ali Montazeri, once helped Khomeini (the founder of the Islamic Republic of Iran) write the Islamic constitution of Iran. And as one of the Islamic Republic's main ideologues and a Shi'i *Marja'*, Ayatollah Montazeri is considered one of the highest-ranking authorities in Shi'i Islam. Yet soon after the 1979 revolution, he became an outspoken critic of state corruption and human rights abuses -- abuses such as Iran's treatment of political dissidents, and the way in which the Islamic Republic has effectively succeeded in becoming one of the world's most repressive and authoritarian regimes. For this Ayatollah Montazeri was stripped from his right to succession as the Supreme Leader (Vali-e Faqih) by Khomeini personally and later in 1997 he was put under house arrest.

My stay at a female student dormitory in Qom proved a remarkable opportunity to get insight into the lives and ideas of women who lived and thought in terms domestic to a pious Muslim living. The sheer commitment and resilience the female students showed in their daily struggle, logically to survive and academically to excel, in the male dominated and woman-hostile campus and city was astonishing. Most of the female students were from remote parts of Iran (and some were born to Afghan parents), and were enrolled in postgraduate studies at Qom. Some had voluntary chosen Qom as it's a religious city; others had only been accepted at Qom and had no other options. The ones who were secular refused to live in Qom, stating obvious disgust over the town's conservatism and misogyny and spent their time commuting up to 9 hours each way, twice a week, only to escape spending more than one night in Qom. I was told repeatedly by those who were very religious that interpretations of religious knowledge can change over time, and that religious knowledge can be understood in its historical context. Thus, the pious students had a more liberal outlook on life, and were happy in their own religiosity and less so in the Islamic state's running of affairs and the misogyny they were faced with on campus and in the city. On the birthday of the Sixth Shi'i Imam Ja'far al-Sadeq, the students had bought a cake and sang "Tavalod, Tavallodet Mobarak," while a picture of Ayatollah Khamenei prominently looked over their simple, clean, and meticulously kept rooms. I was there during the fasting month of Ramadan. Nevertheless, every day at lunchtime the University sent me food. At night, again the food would be sent to my room.

My appointment with Ayatollah Montazeri was at 2 p.m. in the afternoon, and by the time I hit the woman-free streets of Qom from my safe ‘hide-out’ in the female dormitory of the University, the sun was high in the sky, and the weather was pleasantly warm and sunny for November. Ayatollah Montazeri who is now in poor health and in his early nineties, said in October 2003 that Iran’s officials should “put aside their strictness” and be more “tolerant”. It was right after this statement that I managed to get an appointment to interview him at his headquarters in Qom. I was all too aware that I was going to meet the once heir to the Islamic Republic’s throne, a man I had feared during my childhood in the 1980s, when my classmates and I lined-up military-style every morning at school and had to pay mandatory tributes to him after saluting Ayatollah Khomeini, the martyrs of the Iraq-Iran war and chanting death slogans to Khomeini’s declared “axis of evil” foes at the time (United States, Britain, France, Israel etc). As I negotiated my way through the streets and alleys of Qom towards Ayatollah Montazeri’s offices, I remembered Ayatollah Montazeri’s colourful pictures plastered all over my mother’s home-town (Shiraz) either next or beneath pictures of Khomeini, and how his pictures were all suddenly taken off. I never knew why we stopped saluting him, and why all of Khomeini’s tributes to him were erased from the walls. The war with Iraq was all too consuming during those years, with food shortages (sugar, oil and rice were rationed and we were faced with regular electricity blackouts) and at school we were programmed to follow orders and not question anything relating to the state, or well, anything else for that matter. So, Montazeri had been erased from my memories until I became a student of

Iranian Studies in the UK, and started digging information about Iran and its human rights violations.

While I was rushing to his base that November afternoon in 2003, I couldn't help feel excited as I had been told by many (including the BBC)⁵ that Ayatollah Montazeri "Huquq-e Bashari-ye" i.e. a proponent of human rights. Yet, no one had ever pressed him on issues concerning women's human rights. So, I wanted to measure the metal of the Reformists' spiritual beacon when it came to human rights of women in particular. No one had ever questioned Ayatollah Khomeini in the 1970s on his views about human rights and women, and thus his victory and subsequent halts on these rights took many people by surprise. I wanted to know for myself what the Reformists' spiritual leader, namely Ayatollah Montazeri, amounted to, to see if this new wave of Reformism, at least theoretically, had become progressive enough to compete with other contending calls for liberation.

Ayatollah Montazeri's office was in the back garden of his large house. The house was situated in a small ally in central Qom with a visible sign outside stating 'Dafter-e Ayatollah-e Ozma Hossein-Ali Montazeri' [The Grand Ayatollah Hossein-Ali Montazeri's Office]. Inside the large house, and in the front section, men (his disciples) sat randomly on the floor in a large beautifully carpeted room, studying the Ayatollah's books or other religious texts. I was taken through a few corridors right through the house, and entered a back-garden with a little pool and an orange tree (hayaat-e khalvat).

Past the little garden were a few steps leading into a much smaller house which was Ayatollah Montazeri's private office. I entered his modest office which was also carpeted and there were a few men who were sat there on the floor already, and the Ayatollah himself, looking very frail and old was sat on a chair with his legs crossed (as if he was sat on the floor) behind a large desk covered with various news papers and books spread in front of him. I couldn't recognise him from his early 1980s photos. He had aged a lot and hardly looked like his old self.

I was politely told by one of his aids to sit about a meter from him, on his left side, on a row of three chairs with a coffee table in front of the chairs. I was struggling with my chador, which was slipping off my head as my scarf beneath the chador was made of slippery polyester, and my large bag kept getting entangled in my chador. It took me a good few minutes to get myself sorted, and my tape-recorder positioned on the Ayatollah's desk. He patiently waited for me while making small conversation with his disciples about every day matters, such as his medication and how unwell he was feeling.

I was so grateful for the opportunity to interview him, as I knew he'd just come out of house-arrest and was feeling poorly.

I started the interview by asking him my usual questions about his take on international human rights and its compatibility with Shi'i law and ethics. He seemed to agree with the international norms as far as these rights concerned the public sphere, such as political

and broadly defined civil rights. He believed in human-beings being equal in terms of their dignity regardless of their religion, race or sex.

On the subject of women's human rights, he held that women should allocate their energy and talents to the sphere of home and family. The Islamic state should provide women with all of their 'God-given' Shari'ah rights (currently theoretical rights and privileges), he argued, and men should pay all their religious duties to women (which many currently do not fulfil under this regime). When I pointed out to him, that his traditional female role model no longer fitted Iranian women's reality and wishes, now constituting 60% of university students and 11% of the work force, he responded that laws and morality are based on majority values and realities. He argued that men have historically dedicated their energy to the production of knowledge and goods, and hence have more public privileges, while women enjoy more 'private' privileges (they receive maintenance, shelter, right over custody of children to some extent, pocket money etc).

He wasn't completely alien to the idea of gender equality. According to him, women can only *earn* their equal and public rights when they have, in a large majority, *proven* their *potential* as productive human beings, and thus renounce their 'God-given' privileges. Unfortunately, I didn't get a chance to ask Ayatollah Montazeri how he had envisaged Muslim women's renouncing their 'God-given' privileges: its juridical and spiritual dimensions and how a persistent designation of women to the realm of home, and barring and discouraging them from entering (with state support, rights and security) the realm of

public life affects this ‘earning and proving’ of one’s potential as a free and equal human. I wanted to ask him whether or not he thought that the latter would ultimately make the realisation of women’s full citizenship and humanity not only wholly unfair but even more overdue. I wanted to ask him why men do not have to ‘prove’ their humanity and can live off the production of their active peers but women, although have countless active and remarkable representatives and have historically been in charge of the most sensitive aspect of life, still have to fight for the realisation of their full humanity.

Ayatollah Montazeri wasn’t well, and I didn’t get to ask him many of my questions and ‘tactfully’ transmit Iranian women’s rightful demands. I can only hope that meeting someone like myself (a feminist student), may have reminded Ayatollah Montazeri of the current 63% (3% rise since 2003) young Iranian female university students who want their human rights, fulfilled today. They want jobs, full citizenship and an end to overt and covert discrimination under any banner.

Many feminists inside Iran had already detected that they can no longer rely on religious new-thinking (Fiqh-e Pouya) to make room for their rights. As their reinterpretations run into serious gridlock when strict Qur’anic injunctions specify restrictions, specifically with regards to women’s rights. My interview with Ayatollah Montazeri ended far sooner than I had wished. At the end he got up from his chair and went inside his library and personally handed me his book on Hazrat-e Zahra (Prophet Mohammad’s daughter; an

Islamic role-model for Muslim women). His colleagues later posted me his CDs and his other books.

Leaving Ayatollah Montazeri's office, I remained convinced that despite all the hopes invested in the Reformist movement at the time, the persistent realities of women in Iran indicated that they still have fewer rights in family and citizenship laws than their male counterparts. I remained convinced once again that the fundamental problem we face in Iran is in fact in the letter and the spirit of the Shi'i law - medieval in its jurisprudence, feudal in its tenets, patriarchal and undemocratic in the very fabric of its lexicon and written into the skeletal vertebra of Iranian culture (Imperial, Leftist, Nationalist or Islamist). According to international human rights organisations such as Amnesty International and Human Rights Watch, Iranian women only have it better, legally, than women in Saudi Arabia and the former Taliban State of Afghanistan. Yet, we have some of the best mainstream feminist publications (produced under censorship, fear, intimidation and lack of resources), a remarkable and courageous women's movement inside Iran and Iranian women's trials and developments are a source of inspiration for other women in the region.

As across the world, the "woman question' unsettles the neat paradigms of human rights discourses",⁶ a renewed commitment to women's inalienable human rights requires a vigilance and a constantly critical perspective beyond regime changes and shades of ideologies. As Oriana Fallaci discovered during her interviews with the so-called liberal

and woman-friendly Mohammad Reza Shah Pahlavi of Iran in 1973, the thinly disguised misogyny of the Iranian monarch spoke openly of a persistent patriarchy that links the Islamic Republic to the authoritarian monarchy it succeeded. In his interview with Fallaci, the Shah showed complete and utter disgust towards women, with unabashed and frightening phrases:

Oriana Fallaci: Majesty ... you're a Muslim. Your religion allows you to take another wife without repudiating the Empress Farah Diba.

Mohammad Reza Shah: yes, of course. According to my religion, I could, so long as the Queen gave her consent. And to be honest, one must admit there are cases when...for instance, when a wife is sick, or doesn't want to fulfil her wifely duties, thereby causing her husband unhappiness ... after all! You'd have to be hypocritical or naïve to think a husband would tolerate such a thing. In your society, when a circumstance of that kind arises, doesn't a man take a mistress, or more than one? Well, in our society, a man can take another wife. So long as the first wife consents and the court approves....

Oriana Fallaci: I am beginning to suspect that women have counted for nothing in your life ...

Mohammad Reza Shah: Here I am really afraid you've made a correct observation... women are important in a man's life only if they're beautiful and charming and keep their femininity and...this business of feminism, for instance. What do these feminists want? What do you want? You say equality. Oh! I don't want to seem rude, but...you're equal in the eyes of the law but not, excuse my saying so, in ability.

Oriana Fallaci: No, Majesty?

Mohammad Reza Shah: No. You've never produced a Michelangelo or a Bach. You've never even produced a great chef. And if you talk to me about opportunity, all I can say is 'are you joking? Have you ever lacked the opportunity to give history a great chef? You've produced nothing great, nothing! ... You're schemers, you are evil. All of you.⁷

Yes—women (all of them categorically evil in His Majesty's eyes) have not produced a Michelangelo or a Bach, for these are all male musicians who rose to prominence in European social conditions no less patriarchal and misogynistic than the worst in the so-called “Third world”. But women have against all odds and defying debilitating yokes that monarchs, sultans, vazirs, feudal war lords, very modern presidents, monks, priests, rabbis, mullahs, pundits alike have imposed on them, produced, just on the Iranian corner of their world, Forough Farrokhzad, Parvin E'tesami, Shahrnoush Parsipour, Simin Daneshvar, Shirin Neshat, Samira Makhmalbaf, Golnosh Khaleghi, Pari Zangeneh, and scores of many many other distinguished mothers, artists, scientists, physicians, university professors, athletes, journalists and yes a Great Chef as well, her name is Najmieh Batmanglij and she has gracefully globalised Iranian cuisine around the world.

Towards the end of His Imperial outburst against women, Mohammad Reza Shah asks Oriana Fallaci rhetorically, “Tell me, how many women capable of governing have you met in the course of your interviews?”. Fallaci responds with such examples as Golda Meir and Indira Gandhi. Mehrangiz Kar, I would add to that list today, as well as Shirin

Ebadi, Shahla Sherkat, Shahla Lahiji, Fatemeh Haqiqatjoo, Noushin Ahmadi Khorasani, Roya Tolou'i, Parvin Ardalan, Nayereh Tohidi, Valentine Moghaddam, countless other leaders of women NGOs, millions of my sisters among Iranian student activists -- to whose honourable cause I now submit this eyewitness to history.

THE TEXT OF THE INTERVIEW WITH AYATOLLAH MONTAZERI

(NOVEMBER 11th 2003—QOM, IRAN)

GOLBARG BASHI: Thank you for this opportunity to interview you. My name is Golbarg Bashi, and I am a Ph.D. student in the area of human rights and Iran. I would like to start by asking your opinion on international human rights, and its compatibility with Shi'i law and particularly with the current Iranian law. Could you tell me your own take on these questions, please?

AYATOLLAH MONTAZERI: I have written a treatise on the question of human rights, which is about to be published. I also recently had a series of discussions during my teachings in which I have argued that humans as humans, irrespective of their religion or creed, have certain rights. This point has rarely been raised by other distinguished jurists. I have based my argument on the Qur'an and the Prophetic traditions, arguing that the very essence of humans as humans is entitled to certain rights and respects. The Qur'an says [he recited in Arabic], "Verily we have honoured the children of Adam. We carry them on the land [and the sea], and have made provision of good things for them, and

have preferred them above many of those whom We created with a marked preferment”
[*The Qur'an*, XVII, The Children of Israel: 70]⁸.

If you wish, you can consult these parts of my lectures on the subject of human rights. I have given something like eight or nine lectures I believe on the subject. The diskettes and CD's of these lectures are available and you can get and listen to them if you wish. Unfortunately, I am too tired right now to discuss these in more details, or answer all your questions one by one. I really do not feel well. Please do get the diskettes of my lectures. There are eight or nine of these lectures that are all on the subject of human rights. Please do obtain and listen to them and you will know my opinions on the question of human rights.

As a rule, other distinguished jurists attribute these rights to those who believe in Islam (Mu'minun). For example, they say, “it is forbidden to berate or slander a Mu'min,” which is to say a believer in Islam. It is the Mu'minun who have certain rights. I, on the other hand, have said that yes more emphasis has been put on Mu'min, but the very essence of human, human as a human (bima innahu insanu), irrespective of any religion or creed, has certain dignity and as such is entitled to respect. It is not right that one could insult or berate or injure anyone, just because that person does not believe in Islam. No. That is not right. Humans are to be respected (Insan mohtarameh). The Qur'an says, “wa laqad karramna bani Adama” (“Verily we have honoured the children of Adam”). God Almighty ordered the angels to prostrate to Adam, because humans have the capacity to

grow, then by that virtue the human is to be respected. The very essence of humanity, which is capable of growth, is the cause for respecting humans, so much so that humans can be even higher than angels. And that is why God Almighty ordered the angels to prostrate to Adam, namely honour Adam's dignity. I have discussed all these in details and you can listen to them.

GOLBARG BASHI: I will listen to them.

AM: . . . but unfortunately I do not have time or energy to answer all your questions one by one.

GB: May I ask you a few short questions?

AM: All right.

GB: I wanted to ask you about the human rights of women, the way they are defined in such international documents as Women's Convention (CEDAW). I want to know if you accept these documents. What do you think of those rights?

AM: Women are humans too. Women are humans too. When we say humans, it includes both men and women. When we say humans as humans then that "human" includes women too. Of course there are certain differences between men and women, which is

due to their natural disposition (moqtaza-ye tabi'i) and their existential build-up (sakhteman-e vujudi). The existential build-up of men and women are different, and justice requires that according to the capabilities of women they ought to be given their rights. There are certain differences between the existential build up of men and those of women. I was among the people who insisted that Iran must participate in the Women's Convention. I insisted that we must participate in such conventions. This is very much evident in my views. I have insisted that Iran must also participate in this convention. But if there are certain privileges that are indicated in the Qur'an, one must state them. It is wrong for us categorically to refuse to participate in conventions that pertain to women's rights, because this will lead to our country's isolation in the world. I was very insistent on this issue. I was asked this question and I clearly answered it at the time.

GB: May I ask you another question? I wanted to know if you consider those positions of Islam about women and their rights that are for example held in a country like Iran to be globally valid?

AM: You see, if people around the world want to say certain things about women for example being equal to men in matters of inheritance or legal testimony, because these issues pertain to the very letter of the Qur'an, we cannot accept them. However, these positions contain certain subtle points. If we pay closer attention to these subtle points, all things considered, the rights of women are very much upheld and preserved. The global wealth (sarvat-e jahani) every thirty years or so is handed over from one generation to

another. Now, consider that God Almighty has made it incumbent upon men to cover the expenses of women. When this couple have a child, despite the fact that this child belongs to both of them, God Almighty has made it mandatory for men to cover the expenses of children. Nevertheless, a third of the inheritance is allotted to women, and two-third for men. When it pertains to ownership, yes, men take twice as much as women. But so far as their expending power is considered, that one third that belongs to women, she does not have to spend it anywhere. That share is a privilege exclusive to her. Because her expenses are all to be paid by her husband, and her share of paying for the expenses of their children is also to be covered by the husband. So yes, we are giving two shares to the husband, but the net result is that women have more than men, because women's expenses and women's share of the children's expenses are both to be covered by men. The one third of inheritance that we have given to her is more as a good measure (tashrifat). Thus women in fact inherit more than men, because their expenses are all on their husband, and while the children belong to both of them their expenses too are all incumbent upon the husband. If we wanted to be fair, then the expenses of the children would have to be paid by both. But in Islam, the children's expenses, despite the fact that the children belong to both of them, is incumbent upon men. The expenses of women are also incumbent upon men. In addition, we are also paying one third of the inheritance to women, just for good measure (bara-ye tashrifat). Thus so far as expendable sum is concerned, women have inherited more than men, despite the fact that so far as actual possession is concerned, two third has been given to men. The reason that two third has been given to men is because men will have to be active and produce, and production is

more the work of men. They have allocated two third of the inheritance for men, so that he can continue to produce and increase it. But so far as expenditure is concerned, whatever costs the lady (khanom) may have, the husband must pay for it; and all the expenses that their children have will also have to be covered by the husband. So in fact women have received more than men. These are the fine points that if we were to consider them carefully, we will see that in Islam the situation is not working against women. Quite to the contrary. Islam has acted to the benefit of women...I really don't feel well.

GB: May I ask you another question? I wanted to ask you a question concerning the human rights documents that exist in international laws. Can we really make them compatible with Iranian laws, because some say that some of these laws are not Islamic; whereas when Iran is a signatory to these international conventions, then Iran has accepted certain responsibilities that it is not following now?

AM: Of course in Iran we cannot accept those laws that are against our religion. But the necessity of not becoming globally isolated requires that we should collaborate with international organizations. But on certain occasions that these laws contradict the very clear text of the Qur'an, we cannot cooperate.

GB: Can you give me a few examples of such occasions?

AM: One of them is inheritance. “Allah chargeth you concerning (the provision for) your children: to the male the equivalent of the portion of two females, [and if there be women more than two, then theirs is two-thirds of the inheritance, and if there be one (only) then the half. And to his parents a sixth of the inheritance, if he have a son; and if he have no son and his parents are his heirs, then to his mother appertaineth the third. And if he have brethren, then to his mother appertaineth the sixth, after any legacy he may have bequeathed, or debt (has been paid). Your parents or your children: Ye know not which of them is nearer unto you in usefulness. It is an injunction from Allah. Lo! Allah is Knower, Wise] [*The Qur'an*, IV, Women: 11]⁹.

The Qur'an says that sons inherit twice as much as daughters, for which I just gave you an explanation. As I said, so far as expending power is concerned, women are actually getting more than men. But so far as ownership is concerned, they say that two third goes to men so that he can do productive work with it and increase it.

GB: I see.

AM: But so far as expending power is concerned, the expenses of women are to be paid by men, and women's share of their children's expenses are also to be paid by men, while the children belong to both of them.

GB: I see.

AM: If we were to be fair, then half the expenses of children ought to be paid by women, whereas Islam has demanded that men pay for it. So altogether, justice is observed.

GB: May I ask you one more question? My last question is this: Today in Iran many women are the bread-winner for their family, whereas so far as the question of "blood-money" (diyeh) is concerned, when a mother has several children and is the bread-winner of the family, if she were to be killed in an accident, then her blood-price (khun baha) is half of a man's; whereas a man who might be for example a drug addict, and who is a liability for the society at large, his blood-price is much higher.

AM: You see, you should not take the example of an addicted man as the measure. Men in general (no'-e mard ha), all things considered, are productively more active -- both intellectual activities and practical activities. If one man is a drug addict, that does not change the situation. Law must follow the practice of the majority of people. All things considered, the intellectual and practical activities of men are more than women. You should not take the example of one drug-addict as measure. Yes, it is also possible that a woman might become a professor, and might be much more capable of many men, but in general, we have to consider the overall situation.

GB: But right now in Iranian universities, some 60% of students are women.

AM: Yes.

GB: So in future generations, when the number of professors, physicians, high-ranking experts, etc, will be more women, will Islam be able to have an ijihad and modify these unjust laws because they no longer correspond with reality?

AM: Those aspects of the Islamic law that are based on the very letter of the Qur'an, the answer is no. But certain other things yes, you can, and they can be subject to changing times. But those that are from the very letter of the Qur'an, no they cannot, and those have certain wisdom and subtleties in them...I am really getting tired...Now as it pertains to human rights, you may want to listen to my lectures...

GB: I will listen to them.

AM: . . . and as I said, I have just written a treatise on human rights that it is about to be published. Towards the end of my *Resaleh-ye Amaliyyeh* (Collection of Juridical Edicts) I have also written a few pages concerning rights. Do take a look at our *Resaleh-ye Amaliyyeh* as well...but right now I am really tired and do not feel well...

GB: Thank you very much, at any rate, for giving me time for this interview.

AM: I wish you success in what you are doing.

GB: You too.

AM: “May God reward your struggles!” It is very admirable that you are active in this field.

GB: Thank you very much.

AM: May God Protect you!

GB: You too!¹⁰

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² For more on Zahra Kazemi, please see: http://en.wikipedia.org/wiki/Zahra_Kazemi

³ Parvin Paidar, *Gender of Democracy: The Encounter between Feminism and Reformism in Contemporary Iran*. In *Democracy, Governance and Human Rights Programme Paper*, Number 6, October 2001. United Nations Research Institute for Social Development (UNRISD).

⁴ Ali al-Reza (765-818 CE) is the Eighth Imam of the Shi'i Muslims.

⁵ BBC News about Montazeri, please see: http://news.bbc.co.uk/1/hi/world/middle_east/2699541.stm

⁶ Hilsdon et al, *Human Rights and Gender Politics: Asia Pacific Perspectives*. London, Routledge, 2000.

⁷ See Oriana Fallaci, *Interview with History*. New York; Liveright Publishing, 1976. pp. 270-272.

⁸ The English translation is from Mohammed Marmaduke Pickthall's *The Meaning of the Glorious Koran*, New York, Mentor Books, no date.

⁹ Ayatollah Montazeri recited this verse indexically and mentioned only the first few words of it. The English translation of the complete verse is from Pickthall's *The Meaning of the Glorious Koran*, op cit.

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