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Justice: Some Observations

By Minoo Homily

It is said that childhood is the most pleasant stage of human life. As a child, you play and enjoy your life without bothering about the society and family responsibilities. This is true for those who live in peace and are free from poverty and discriminations. The bitter realities of life forced me to feel adult in my very childhood. I have come from a middle class family in the city of Sanadaj located in the Iranian section of Kurdistan. We have been discriminated against in Iran due to our ethnicity as Kurdish and due to our religion as Sunni Moslems. Kurdish people have always been suppressed at the hands of various dictatorial regimes.

I felt gross injustice at a very tender age when I saw extremely rich people in my neighbourhood living side by side with the majority of people who lived under abject poverty. I never forget when the mother of my playmate committed suicide by burning herself for no reason except poverty. She could not tolerate humiliation and starvation any more. I instinctively sought justice by crying for this poor mother and extending my helping hands to her daughter. I pleaded my mother to adopt her.

Simultaneously, I felt injustice at the family level. As a girl, I was expected to observe certain behavioral rules. I was not allowed to laugh loudly. While I was allowed to play with boys as a little girl, I was prohibited from continuing playing with boys at the age of twelve. There was overobession about protecting girl's virginity by each and every family. A girl who used to go to her husband's house without virginity was at risk of being killed by her male family members. I could not jump or eat pickles, because these could, presumably, affect my virginity. Everybody was to blame me as a girl. Brothers used any excuse to beat sisters. Violence was accepted as a corrective measure. Female genital mutilation was rampant in my region. I was lucky to have a liberal mother who prevented my grandmother from using this infamous atrocity against me. I could, however, see dozens of girls who experienced this practice and developed severe complications. Justice for me, at this time, was an immediate end to all sorts of violence and discrimination against women.

In early 1978, in an attempt to enjoy freedom and social justice, I revolted against the unjust and dictatorial regime of the Shah of Iran. A massive countrywide movement resulted in the downfall of the monarchist regime and the establishment of the Islamic Republic of Iran. During the first few months of the establishment of the new government, there was a bloody conflict between armed forces of the Islamic regime and the civilians in many parts of the country especially in Kurdistan. I was a teenager during this chaotic period. This tragic event had a great impact on my approach to justice.

When I go back to those days, I feel proud that I did not endorse the massive executions of those who were close to the previous regime including the Shah's Prime Minister, Mr. Hoveida. When I saw their mutilated corpses in newspapers, I was shocked and told friends that justice had nothing to do with execution. I had a strong feeling against death penalty and retributive justice without naming them as such.

As an adolescent, I combined justice with the highest level of emotion for sick and vulnerable people. My compassion did not accept any boundary. When the new fundamentalist regime began bombarding Kurdistan and killing people, I chose to work as a paramedic in a hospital, trying to help injured civilians and to gather dead bodies from streets. I felt outright injustice from every cell of my body. A mighty army was bombarding a helpless civilian population with seven helicopters from the air and scores of ground rockets. Among dead bodies, I could identify close relatives, teachers and classmates. I tried my best to remain calm and continue with my services. I strongly believe that those who work for justice and freedom should go with braveness and fortitude. I was assigned to carry life-saving medications for secret hospital. My inexhaustible energy and the lightness of my body helped me to run fast. Bullets used to come from all sides and I did not bother.

How I could manage to survive these dangerous missions is a long story. But, after the city of Sanandaj was occupied by governmental forces, many doctors and nurses were arrested and some of them were executed. The new leader and the founder of Islamic Republic of Iran, Khomein, sent the hanging judge Ayatollah Khomeini to Sanandaj. In a dark bloody night of August 1979, he executed nine Kurdish youth from Sanandaj in a summary trial without providing them the opportunity to have a counsel. Among them were students, teachers and workers and a Sufi master. Two of them were youth living in my neighbourhood. The wave of executions continued and did not spare even medical care-givers including my relative Shahin Bavafa, supervisor of the "Shohada" hospital in Sanandaj. This reconfirmed my commitment against death penalty as a gross and irreparable breach of the most fundamental principle of justice.

I could not be excluded from the flood of arrests; but, fortunately, they could not identify me as a paramedic who had been opposing the regime. So, I was released after 2 days. Months later, however, I was arrested again. And this time it was very serious because I was carrying a leaflet from an oppositionist group.

Going back to those horrible times is excruciatingly painful for me. My jail was more like Auschwitz. I actually spent a long time in solitary confinements and also in public prisons. Different sorts of physical and mental tortures were and are the routine in prisons of Iran. We were whipped; we were deprived from visiting our families; we were kept in solitary for long periods. But these were not all of it. Describing the horror of the situation is not easy. I witnessed lots of my cellmates being taken for execution. The executioners would sometimes force us

to eye-witness the massacre of political prisoners in the courtyard of the prison. And I will never forget their devilish laughter while they washed the blood from the ground.

Let me speak a bit about Fazilat Darayi, who is known to be one of the greatest soldiers of freedom. She was only 18 when they executed her. She was totally innocent and was not engaged in any sort of armed activity against the government. They killed her just for her beliefs. She could have saved her life if she had abided by the will of the Islamic regime and rejected her beliefs. But she resisted to the last moment, never giving up loving her ideals and exclaiming this love. She was a heroine, yet she was only one of the thousands of women who fought for freedom and gave their lives for a better tomorrow.

Problems of political prisoners do not stop after their release. A shadow always follows you and at any time they may arrest you again. They exclude you from nourishment from the community and this may force you to experience abusive relationships. In my situation, after years in prison, I became stuck in an abusive marriage. Let me explain that my adolescence had been spent with the smell of blood, prison and torture, execution and gunpowder, having made a rough personality out of me. Consequently, after prison, I was kind of immature in my natural instincts and with regard to the relationship between man and woman.

This inexperience put me in another prison named marriage, for my marriage was the fruit of a hasty decision without inadequate knowledge about my husband or about any man at all. A male-chauvinist traditional man was now my new warden. And he wasted some more years of my life by beating, harassing, and humiliating me. More painfully, the rules and laws of the society supported this man and not me. Therefore I had no choice but to take my little child and escape from the country. Any time I complained to the family court, the judge did not provide me with any kind of legal protection due to being a woman, a Kurd, a person coming from a family belonging to a religious minority and being an ex-political prisoner. I was neither given the right to divorce nor the right to have the custody of my child. The judge even advised my husband to beat me or convert me to the Shia sect of Islam by force. "Beat him," he said, "in a way that it does not leave any scar." This provided me a holistic approach to idea justice including women's rights, children rights, and minority rights.

I escaped via human smugglers. Having a little daughter, being chased by a lunatic and violent husband, having no passport and being a former political prisoner made my escape a dangerous, breath-taking venture. I was facing the immediate danger of being caught by border police either in Iran or in Turkey. But I made it, and I could introduce myself to the office of the United Nations High Commissioner for Refugee (UNHCR), applying for refugee status.

Having received a negative answer from the UNHCR, I was completely disappointed. I decided to get support from oppositionist political parties and

human rights organizations. They supported me by holding international campaigns over my refugee status, and it worked! UNHCR was finally forced to reopen my case and to give me my very basic right of being accepted as a refugee. This episode introduced another concept of justice to me: the fundamental right of each and every human person on this planet to seek asylum in other countries when persecuted at home.

In fact, the hardships I went through during that difficult and disastrous time in Turkey made me committed to start a broad activity in support of all Iranian asylum seekers. There are many asylum seekers now in Turkey, exactly in the same situation in which I was trapped or even worse. There are journalists, authors and writers, students, and activists, not being really heard by the UNHCR. They are in a very fragile situation and could face the danger of deportation at any moment. Moreover, some refugees even have the acceptance from UNHCR, yet the government of Turkey doesn't allow them to leave Turkey. This specific group of Iranian refugees including women and children, entered Turkey from northern Iraq, and they have been in this hard situation for years and years with no end. **I am presently working hard towards their protection.**