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Cyrus Habib (Washington and St. Johns, 2003) an interview

Chesa Boudin

At the Bon Voyage Weekend in September 2003, my class of newly-selected Rhodes Scholars descended on the Jury's Hotel in DuPont Circle. Cyrus Habib (Washington and St. Johns) was easily the best dressed member of the group. His Armani tie complimented his tailored shirt and crisp pinstripe suit. He had a penchant for details – manicured fingernails, a unique wrist watch, cufflinks, and matching accessories. No matter the setting, he had on perfect designer sunglasses and would often switch between several in the course of a day. This focus on the aesthetic may seem odd for an intellectual powerhouse like Cyrus – or for the introduction to this interview. However, his attention to visual detail is particularly noteworthy because Cyrus is completely blind.

As a child Cyrus was diagnosed with Retinoblastoma, a rare form of cancer that attacks the retina. In his case it struck one eye, and then the other. He was lucky to receive world-class treatment that prevented the cancer from metastasizing to his brain; he was unlucky in that it left him with no eyesight whatsoever and unable even to distinguish light from dark. Unlike someone blind from birth, Cyrus has an abundance of vivid visual memory from before he lost his sight. Since Cyrus lost his vision in 1989, he imagines everyone today with mullet haircuts and plaid polyester pants. While he can no longer see red or green, he has an acute visual image of those colors and knows not to mix and match them except during the Christmas season. And if Cyrus has a conversation about a skyscraper or a forest, he can actually picture the subject in his head, rather than understanding or imagining it through verbal context as someone blind from birth would have to do. These memories, combined with an uncanny sense of physical space allow him to navigate the world so smoothly that on first encounters he often passes as not being blind at all. Yet for the last twenty years his brain has not accumulated any new visual memory, leaving space to develop in other areas – his sense of smell and hearing, his memory, and his ability to master complex information quickly epitomize the word “extraordinary.” For example,

one evening a few of us headed out of the hotel, hoping to stroll over to see the White House. Somehow we took the wrong Avenue in the maze of streets around DuPont Circle and were immediately disoriented. I suggested we ask someone for directions. Someone else suggested a cab. Cyrus, who had spent the previous summer working for Senator Cantwell in Washington, D.C., took charge. "Let's head back to DuPont Circle," he said "From there all we have to do is follow the circle around until we hit Connecticut Avenue and it will be a straight shot from there to within a couple blocks of the White House." He was right, and it was great foreshadowing for the countless times he helped orient me at Oxford when I could not quite remember that Walton Crescent was really just the continuation of Little Clarendon Street, or that St Clement's Street was just the short stretch of Headington Road where it connects with Cowley and Iffley at the major roundabout before the bridge.

Cyrus and I quickly became friends. I found his sharp quick wit and often caustic sarcasm endearing. I was impressed that rather than letting his blindness relegate him to the background, as I assume, or imagine, as a sighted person, it might easily have done, he confidently asserted himself and his ideas no matter the setting. In social activities some found his tendency to land himself, loudly, at the center of attention to be off-putting. One night during the Bon Voyage Weekend he organized a late-night raucous party in his room that led other guests in the hotel to complain. And during our group visit to the CIA, he asked hard-hitting questions about the agency's failures leading up to and in the wake of September 11th, 2001. He pulled no punches with the senior CIA official who met with us, inquiring in no uncertain terms whether intelligence had been flowing from Langley to the Whitehouse, or the other way around.

At Oxford, like most of our generation of Rhodes Scholars, Cyrus and I travelled widely – occasionally together – and read for masters' degrees. When we graduated in 2006, Cyrus went on to study at the Yale Law School, where I followed him two years later. During the year we overlapped at Yale he continued to rebel, sometimes with my help, against the limitations blindness might be expected to impose. For example, we took a trip together to Argentina and Uruguay. While walking through Buenos Aires he found a street vendor specializing in handmade wooden brain teaser puzzles. One of them was a small wooden pole with a ring around the base. Interlacing strings ran through the pole and were locked in place by large wooden balls on the end of the strings. The balls were too big for the hoop or the holes in the pole

so the trick involved negotiating the hoop along the string so as to get it off the pole without breaking the string. I couldn't solve any of the puzzles but Cyrus managed two of them in a matter of minutes and decided to buy several more difficult ones for the plane ride home.

Cyrus now lives in his hometown of Seattle, where he is a member of the Washington State Bar and a busy first year associate at Perkins Coie, LLP. Thanks to an ingenious program called Jaws, Cyrus is able to use a computer with the same efficiency and fluency as the rest of our generation; Jaws uses an audio interface to allow users to hear the text on the screen the command choices available, and their own keystrokes. I caught up with Cyrus for this interview via email.

Together you and I have participated in a range of activities – such as rock climbing – that are decidedly not blind friendly. How soon after losing your vision did you decide to rebel against personal and societal limits on your activity?

My peculiar relationship with visuality ensures that issues of sensory experience will always remain central to my endeavors. Blind at the age of nine, I was immediately presented with a host of "blind-friendly" activities and distractions, from Braille Scrabble to the obligatory stationary bicycle. Rather than adhere to [this] prescribed lifestyle, I have instead chosen, with the invaluable support of my family and community, to stage a personal rebellion, embracing those very endeavors that society has labeled "off limits" to me.

Americans have consistently sought to translate handicap into advantage in ways that I would have never known had my parents remained in Iran rather than emigrating to the United States. Invigorated by this optimism and spirit of innovation, I refused to allow the loss of one sense to impoverish even slightly my appreciation of life's myriad offerings.

How have you confronted discrimination and disadvantage based on your blindness?

When I was eight years old, my family and I moved to the Seattle area just after I became blind. I remember wanting to play in the playground during recess in third grade along with the other students. I had this incredible desire to prove that my body was not broken, and naturally felt that jumping nimbly from one bar to the next on the jungle gym was the best way to do this. The problem was that the recess monitors were understandably reluctant to allow me to risk falling

six feet to the ground; they felt that, being blind, I would be unable to learn my way around. I went home one day and told my parents what had happened. My mother is a lawyer, and she was furious to hear that I was being excluded from perfectly ordinary childhood activities. She went to the school the next day. She said: “I’ll sign whatever liability waiver you want, and I’ll teach him how to get around the jungle gym myself. My son may slip and break his arm; that’s something that any mother fears. I can deal with a broken arm. I can’t deal with a broken spirit.” That episode is the kernel at the heart of my philosophy towards being blind and independent.

Did blindness factor into your research at Oxford?

The visible and invisible, seen and unseen, have always remained central to my biography, and it is therefore no surprise that they also play a powerful role in my critical consciousness. Some people read a poem or novel, or watch a play or film, and find themselves drawn to questions of gender, class, race, language, or ideology. For me, however, sensory experience, and in particular the visual, always asserts itself as a point of departure in encountering a literary text. It would be gratifying one day to help inaugurate a new mode of reading, one concerned, first and foremost, with the representation, complication, and subversion of the senses in literature. At Oxford I dedicated myself to exploring a very particular theme relating to the visual sense, taking as my primary objects of examination two important novels of the twentieth century—Ralph Ellison’s *Invisible Man* and Salman Rushdie’s *The Satanic Verses*.

I did not write on vision and visibility only because of my own peculiar relationship with sight, though that certainly played a part in my enthusiasm for the topic. I focused on visibility because of its primacy amongst the senses in Western intellectual and creative traditions.

My work seeks to challenge pre-existing conceptions of visibility and to depict that which is “visible but unseen”, that Ralph Ellison’s *Invisible Man* (1952) and Salman Rushdie’s *The Satanic Verses* (1988) reveal to the reader people, places, and perspectives that the Western canon had otherwise kept concealed. I borrowed the term “visible but unseen” from the title of part V of *The Satanic Verses* and used it in various ways to describe the disjunction between the physical and the epistemological acts of seeing. I did not assign the labels “vision” or “sight” to either physical

or epistemological components of the visual experience, but simply put Rushdie’s formulation to use as a shorthand for that which, or those who, remain obscured amid Western societies engaged in developing new and innovative modes of visual depiction. Ellison as a black American and Rushdie as a British Kashmiri certainly widen the margins of that which we call “Western literature”, but I sought to show how, in fact, these authors’ attention to visuality allows Western literature—its settings and characters—to be illuminated in new and politically significant ways. I argued that the visible but unseen elements of society are that which Ellison and Rushdie introduce into the canon.

After Oxford you went straight back to school at Yale Law – why the transition from literature to law?

Even though I was incredibly fortunate to have worked with true luminaries of the literary world, including Edward Said, Jacques Derrida and Gayatri Spivak, I reached a point where I felt as though I was speaking into an echo chamber. The academic debates I was engaging in no longer seemed urgent in light of the wars under way in Iraq and Afghanistan, the failure to address immigration or healthcare back in the United States, and our slow human response to climate change. I decided that the issues I was addressing on a theoretical level, namely the relationship between visual experience and the formation of power dynamics, was in fact a phenomenon that could use my involvement outside the ivory tower. I realized that I would start with issues facing other blind individuals—not necessarily the most obvious ones—and see where that took me. I didn’t necessarily know how law school would lead me there, but it just felt right after three years wearing gowns to formal hall and creating neologisms in my Garden Quad room in St John’s College.

Did your experience as a blind person shape the kinds of practical work you took on in law school?

As a first year law student at Yale, I learned of a recent court ruling in Washington D.C. District Court that U.S. currency is inaccessible to the blind because bills are only distinguishable visually. I was intrigued, and soon enough found myself wrapped up in that cause. I co-

authored, along with another Rhodes Scholar and Yale classmate, Jonathan Finer, an amicus brief at the appellate level, authored an op-ed in the Washington Post and other forums, and eventually testified before Congress on how best to adapt U.S. currency to become accessible to America's blind and low-vision population as well.

Let's fast-forward - what did you do during Summer 2009?

The summer of 2009 was one of the most exhausting, exhilarating and trying periods in my life. It began with my graduation from Yale Law School, which marked the end of ten years of higher education and a transition to what I had, on some level, always feared: the "real world." Surrounded by classmates, friends and family, I sat in the Oxbridge-style courtyard at the center of the Law School complex and listened to Secretary of State Hillary Clinton and outgoing Dean Harold Koh remind us of the importance of public service and integrity in the practice of the law. I knew then, as I do now, that making a more just and equitable society for future generations was the animating force behind my attending law school. Certainly there had been riveting debates on abstract philosophical questions, challenging lectures on theories of constitutional interpretation and countless opportunities to collaborate on scholarly projects with my classmates. Yale Law School is, in many ways, a sort of intellectual Disneyland. But I hadn't left Oxford's ivory tower for Yale's in order to remain immersed in abstraction; I had come to Yale to learn how to use the instruments of law and public policy to improve a country at war abroad, and in pain at home.

At graduation, Secretary Clinton and Dean Koh's words were echoes of what I had long felt in my heart, and left me with a renewed sense of urgency as I left law school to do the work I had gone there to do. But first I had to overcome a little obstacle called the Washington State Bar Examination. Let's just say that Oxford's 6-week long vacations and Yale's alternative grading system had not exactly done miracles for my self-discipline. All of a sudden, I found myself faced with an exam whose grading was decidedly non-alternative, and with a timeline that most Rhodes Scholars in residence would consider too short for a "serious" trip abroad. Thus began my twelve-hour days studying for the Bar, relying on audio lectures and my text-to-speech software that makes my computer accessible to teach me about the twenty-four substantive areas

of the law covered on the exam. It was a tour de force, one that probably taught me more about stamina and endurance than how to be a good practitioner.

How did you celebrate finishing the bar exam?

In order to reward myself for surviving the three-day long ordeal, I booked myself a massage at one of Seattle's most luxurious spas. Just as I began at last to relax under the ministrations of the highly-capable masseuse, forcing paranoid thoughts like "what if I mangled the rule for fee simple subject to a condition subsequent?" from my mind," she startled me out of my rest by inquiring about a small bump on my right eyelid that I remembered having been there for quite some time. I told her as much, and assured her that I would have a doctor examine it just as soon as I got back from my upcoming six-week "bar trip" to Guatemala. To my annoyance, she wouldn't let the topic go, insisting that I see a doctor before my planned departure three days later. As it happened, my aunt, a physician herself, was visiting us in Seattle that week, and she went a step further, suggesting that I postpone my trip long enough to have the growth removed and tested. I can't thank my masseuse and aunt enough; the tests came back positive for skin cancer, and I spent the month directly following the Bar Exam being operated on and recovering at home, where I discovered that no matter how old I am or how many degrees I've managed to obtain, comfort food like mac and cheese and hot dogs will always hold a special place in my heart.

So did you have to cancel your bar trip to Guatemala?

There was no way I was going to let even the big C get between me and Guatemala, where I had planned to fulfill my long-time desire to study Spanish in a language immersion. And so, after weeks of pain killers and Mad Men episodes, I finally arrived in Antigua, Guatemala to begin the process of replacing legal pneumatic devices with linguistic ones. It has always seemed to me that Rhodes Scholars are unique in their ability to reverse the ordinary logic of things; we go on vacation when we're supposed to be in school, and we go to school when we're supposed to be on vacation. Why I chose to spend the month before I was finally to enter the working world waking up at 7 in the morning to perform verb conjugation drills is beyond me, but I can't imagine a more enjoyable and restorative way to spend one's time. My crowning achievement

was translating, albeit with the constant help of my teacher and an English-Spanish dictionary, Eliot's "The Love Song of J. Alfred Prufrock" into Spanish. I was thrilled, but I won't blame you for hanging on to your authorized translation!

How did you end your summer – what could possibly follow after cancer, the bar exam, and a language immersion in Guatemala?

I returned to Seattle to start work at Perkins Coie, where I am currently a litigation associate. I had already spent a summer at the firm working on the landmark Guantanamo case, *Hamdan v. Rumsfeld*, and on Barack Obama's legal team.

Most graduates of the Yale Law School go to New York or Washington, D.C. What made you decide to go home to Seattle?

I returned to the Seattle area for several reasons. First and foremost, this is where my parents live. Our family is a small one -- it's just the three of us -- and I had just spent ten years living three to six thousand miles away. But I ultimately don't think I would have looked forward to returning as much as I did if it weren't for the opportunities to get involved with the community here. I spent 2008 managing my mother's campaign for Superior Court Judge, an experience that allowed me to appreciate just how progressive, socially conscious and well-informed the Pacific Northwest truly is. I knew that, were I to return here, I would have an opportunity to participate in the conversations taking place all over this region.

And have you been able to participate actively in your community since returning?

Yes. I came back from Guatemala to the good news that I had been nominated to serve on the King County Civil Rights Commission, a non-partisan body that advises the County on the civil rights and equity and social justice issues that face this county of 1.8 million people that includes Seattle, Bellevue, and surrounding areas. I was subsequently appointed and have now begun my first formal role in public service. I have also begun serving on the board of the Bellevue College Foundation. Bellevue College is Washington's second largest institution of higher education and plays a vital role in the Pacific Northwest. I am passionate about Bellevue College because years

ago my high school's inability to accommodate math and science classes had led me to take those portions of my high school curriculum there. Their creative approach towards teaching me topics that are seemingly entirely visual instilled in me an enduring respect for the value of such institutions.

I have also become involved in the Young Democrats, the Institute for a Democratic Future, and a number of other partisan organizations, as well as the state and county bar associations.

I collaborated on an effort to make texting or talking on a handheld cell phone while driving a primary offense in Washington State. I testified before both the State House and State Senate on the dangers that distracted driving poses to blind pedestrians, who rely on responsible driving to keep them safe when traveling independently. The Governor signed the bill into law this March and it will take effect in June.